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*Jeff Levine - Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

July 11, 2012

Thomas G. Leahy, Esq.
Monaghan Leahy, LLP
P.O. Box 7046
Portland, ME 04112

Schwartz & Roman PLLC
P.O. Box 799
Durham, New Hampshire 03824

Karl Suchecki, Sr. Vice President
Gorham Savings Bank
Commercial Services, Suite 200
63 Marginal Way
Portland, ME 04101

RE: 68 Waldron Way, Portland, ME -- 306-B-18, 311-A-014 (the "Property")

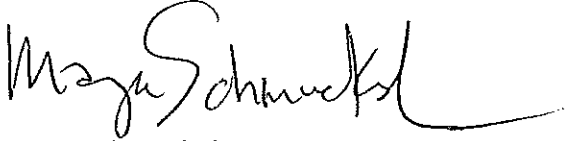
To Whom It May Concern:

In my capacity as the Zoning Administrator for the City of Portland, I hereby certify that the following is true:

1. The Property is classified and located in an I-M Moderate Industrial Zone under Portland's Land Use Zoning Ordinance and maps.
2. The Property is a lawfully created parcel according to applicable subdivision laws, including 30-A, M.R.S.A Section 4401, et seq., and regulations and ordinances adopted pursuant thereto, including the Portland Code.
3. To the best of my knowledge there are no current zoning, subdivision, land use or code violations of record in the City of Portland concerning the Property.
4. Based on the Certificate of Occupancy, the buildings and structures on the Property comply with the dimensional requirements, (area, width, or depth of the land as a building site for the structure; floor space area of the structure; setback of the structure from property lines of the land; height of the structure) and parking requirements of the Portland Land Use Code at the time they were constructed and are not required to comply with current dimensional and parking requirements. Please note that a Certificate of Occupancy has not yet been issued for the structure under construction for a building addition. However, it is anticipated that when the work is complete, a valid Certificate of Occupancy will be issued.

5. The current uses of the Property, manufacturing and accessory general business offices, comply with the current allowable I-M uses of Portland's Land Use Zoning Ordinance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marge Schmuckal
Zoning Administrator



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 68 Waldron Way

CBL 306 B018001

Issued to Kelton Real Estate Holdings Llc /RGB Construction Inc.

Date of Issue 09/13/2002

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 02-0116, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Machine Shop w/ Office Space

Use Group: F-1-B

Type: 3-B BOCA

Limiting Conditions:

Temporary Certificate Expires 10/01/02

This certificate supersedes
certificate issued

approved:

09/13/02
(Date)

Inspector

[Signature]
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION 68 Waldron Way CBL 306 B018001

Issued to Kelton Real Estate Holdings Llc /RGB Construction Inc. Date of Issue 10/04/2002

This is to certify that the building, premises, or part thereof, at the above location, built -- altered -- changed as to use under Building Permit No. 02-0116, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

Entire PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Machine Shop w/ Office Space
Use Group: F-1-B
Type: 3-B BOCA

ng Conditions:

This certificate supersedes
certificates issued

Approved

(Date)

Inspector

10/2/02 [Signature]

[Signature] 10/5/02
Inspector of Buildings

10/3/02

1/30/01

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



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Director of Planning and Urban Development
Penny St. Louis

August 17, 2011

William Kelton
68 Waldron Way
Portland, ME 04103

Thomas S. Greer, P.E.
Pinkham and Greer
380 US Route One
Falmouth, ME 04105

Project Name: Maine Parts and Machine **Project ID:** 2011-257
Address: 68 Waldron Way **CBL:** 306-B-18
Applicant: William Kelton
Planner: Eric Giles

APR - 9 2012

Dear Mr. Kelton:

The Planning Authority approved your Level II site plan application for the Maine Parts and Machine expansion at 68 Waldron Way on August 17, 2011. This application was submitted on May 18, 2011 by Tom Greer of Pinkham and Greer and has been reviewed for compliance with the Site Plan Ordinance. This application has been approved with the following waivers and conditions:

Waivers:

1. The Planning Authority has granted the following waiver to Sec. 14-526 (a) Transportation Standards (c) Sidewalks due to the fact that this property is Lot 3 of the Sawyer Industrial Park Subdivision, which was approved in 1989 with a waiver to the sidewalk construction requirement.
2. The Planning Authority has granted the following waiver to Sec. 14-526 (b) Environmental Quality Standards (3) Water Quality, Stormwater Management and Erosion Control due to the incremental increase (7%) to the existing lot coverage and the financial cost to construct a water quality treatment system.

Conditions:

1. The applicant shall provide a financial infrastructure contribution of \$4,971 in lieu of on-site stormwater quality mitigation.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

approved site plan, you must submit a revised site plan for staff review and approval.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

8. **As-Built Final Plans** Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Eric Giles at (207) 874-8723

Sincerely,


Alexander Jaegerman
Planning Division Director

Attachments:

1. Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development Department
Alexander Jaegerman, Division Director, Planning
Barbara Barhydt, Development Review Services Manager, Planning
Eric Giles, Planner
Philip DiPiero, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Plan Reviewer, Inspections Division
Lannie Dobson, Administration, Inspections Division
Michael Bobinsky, Director, Public Services
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Jane Ward, Administration, Public Services
Capt. Keith Gautreau, Fire Department
Jeff Tarling, City Arborist, Public Services
Tom Errico, P.E., T.Y. Lin Associates
Dave Senus, P.E., Woodard & Curran
Assessor's Office
Approval Letter File

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No: 2012-03-3490-ALTCOMM	Date Applied: 3/12/2012	CBL: 306- B-018-001	
Location of Construction: 68 WALDRON WAY	Owner Name: KELTON REAL ESTATE HOLDINGS LLC- Bill Kelton	Owner Address: 68 WALDRON WAY PORTLAND, ME 04103	Phone: 797-0024
Business Name: Maine Parts and Machine	Contractor Name: Dick Butterfield @ RGB Construction	Contractor Address: 550 FOREST AVE, PORTLAND MAINE 04103	Phone: (207) 329-4143
Lessee/Buyer's Name:	Phone:	Permit Type: BLDG ADDITION	Zone: I-M
Past Use: Industrial Manufacturing with accessory offices	Proposed Use: Same: Industrial Manufacturing with accessory offices - 4,500 sq ft building addition with parking lot expansion	Cost of Work: \$310,000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: F-2/B Type: 3B FBL-2009 JMB 5/10/12
Proposed Project Description: Single story addition to commercial building		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Brad	Zoning Approval		

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building Permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland <i>N/A</i> <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <i>Panel 1 Zone C</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i># 2011-257</i> level II Maj Min MM Date: <i>OK with conditions</i> <i>3/12/12</i>	<input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Not in Dist or Landmark <input type="checkbox"/> Does not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>S</i>

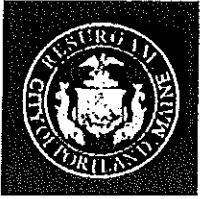
CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

Building

1. Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.
2. At the completion of the work, prior to the final inspection and occupancy, the final special inspections report stating substantial compliance shall be submitted to this office.
3. Any new or modifications to building systems (HVAC, electrical, plumbing) shall meet IECC or ASHRAE 90.1 requirements for energy code compliance.
4. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm, HVAC systems, heating appliances, including pellet/wood stoves, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
5. Ventilation of this space is required per ASHRAE 62.1, 2007 edition.
6. Per Section 1705.3.3, seismic design category C requires additional supports for HVAC and piping systems containing hazardous materials or flammable, combustible or highly toxic materials and for emergency or stand by power equipment.



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Acting Director of Planning and Urban Development
Gregory Mitchell

Job ID: 2012-03-3490-ALTCOMM

Located At: 68 WALDRON WAY

CBL: 306- B-018-001

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. Separate permits shall be required for any new signage.
3. As discussed during the review process, the property must be clearly identified prior to pouring concrete and compliance with the required setbacks must be established. Due to the proximity of the setbacks of the proposed addition, it may be required to be located by a surveyor.
4. This property shall remain industrial manufacturing with accessory offices. Any change of use shall require a separate permit application for review and approval.
5. This I-M zone has maximum noise allowances. The City of Portland strictly enforces the level of sound generated on the property. Any verified noise violations shall require the owner to take mitigating measures to bring the property and the noise it generates into compliance. This office will need separate permits for any new HVAC units. Information showing dBAs shall be included with your application

Fire

1. All construction shall comply with City Code Chapter 10.
2. Emergency lights and exit signs are required. Emergency lights and exit signs are required to be labeled in relation to the panel and circuit and on the same circuit as the lighting for the area they serve.
3. Fire extinguishers are required. Installation per NFPA 10.
4. The Fire alarm and Sprinkler systems shall be reviewed by a licensed contractor[s] for code compliance. Compliance letters are required.
5. A separate Fire Alarm Permit is required for new systems; or for work effecting more than 5 fire alarm devices; or replacement of a fire alarm panel with a different model.
6. A separate Suppression System Permit is required for all new suppression systems or sprinkler work effecting more than 20 heads.
7. Sprinkler protection shall be maintained. Where the system is to be shut down for maintenance or repair, the system shall be checked at the end of each day to insure the system has been placed back in service.
8. Non-combustible construction of this structure requires all construction to be Non-combustible.
9. Any cutting and welding done will require a Hot Work Permit from Fire Department.

MONAGHAN LEAHY, LLP

ATTORNEYS AT LAW

THOMAS G. LEAHY
KEVIN G. LIBBY
CHRISTOPHER C. DINAN
JOHN J. WALL, III
KENNETH D. PIERCE
CORNELIA S. FUCHS
ZACHARY I. GREENFIELD
PATRICK D. THORNTON

THOMAS F. MONAGHAN
OF COUNSEL

95 EXCHANGE STREET
P.O. BOX 7046
PORTLAND, MAINE
04112-7046

TEL 207-774-3906
FAX 207-774-3833

June 20, 2012

Marge Schmuckal
Planning and Urban Development
City of Portland
389 Congress Street, Room 315
Portland, Maine 04101

2012-05-31-3490

RECEIVED

JUN 21 2012

RE: 68 Waldron Way, Kelton Real Estate Holdings, LLC

Dept. of Building Inspections
City of Portland Maine

Dear Marge,

306-B-18, 311-A-14

Would you please provide us with a land use determination letter for the above property, owned by Kelton Real Estate Holdings, LLC. Enclosed please find the sample format that you can use as a reference. Also enclosed please find our check in the amount of \$150.00 as required.

Thank you for your assistance in this regard.

Regards,

Monaghan Leahy, LLP



By: Thomas G. Leahy, Esq.

TGL/ehk

Enclosure

Marge Schmuckal
Planning and Urban Development
City of Portland
389 Congress Street, Room 315
Portland, Maine 04101

June _____, 2012

Thomas G. Leahy, Esq.
Monaghan Leahy, LLP
P.O. Box 7046
Portland, ME 04112

Schwartz & Roman PLLC
Mailing Address
P.O. Box 799
Durham, New Hampshire 03824

Karl Suchecki, Sr. Vice President
Gorham Savings Bank
Commercial Services, Suite 200
63 Marginal Way
Portland, ME 04101

RE: 68 Waldron Way, Portland

To Whom It May Concern:

In my capacity as an Inspector for the City of Portland, I hereby certify that the following is true:

1. The property above is classified _____ Zone, under the Portland Code.
2. The property is a lawfully created parcel according to applicable subdivision laws, including 30-A, M.R.S.A. Section 4401, et seq., and regulations and ordinances adopted pursuant thereto, including the Portland Code.
3. There are no current zoning, subdivision, land use or code violations of record in the City of Portland concerning the Property.
4. Based on the Certificates of Occupancy, the buildings and structures on the Property complied with the dimensional requirements, (area, width, or depth of the land as a building site for the structure; floor space area of the structure; setback of the structure from the property lines of the land; height of the structure)

and parking requirements of the Portland Code at the time they were constructed and are not required to comply with current dimensional and parking requirements.

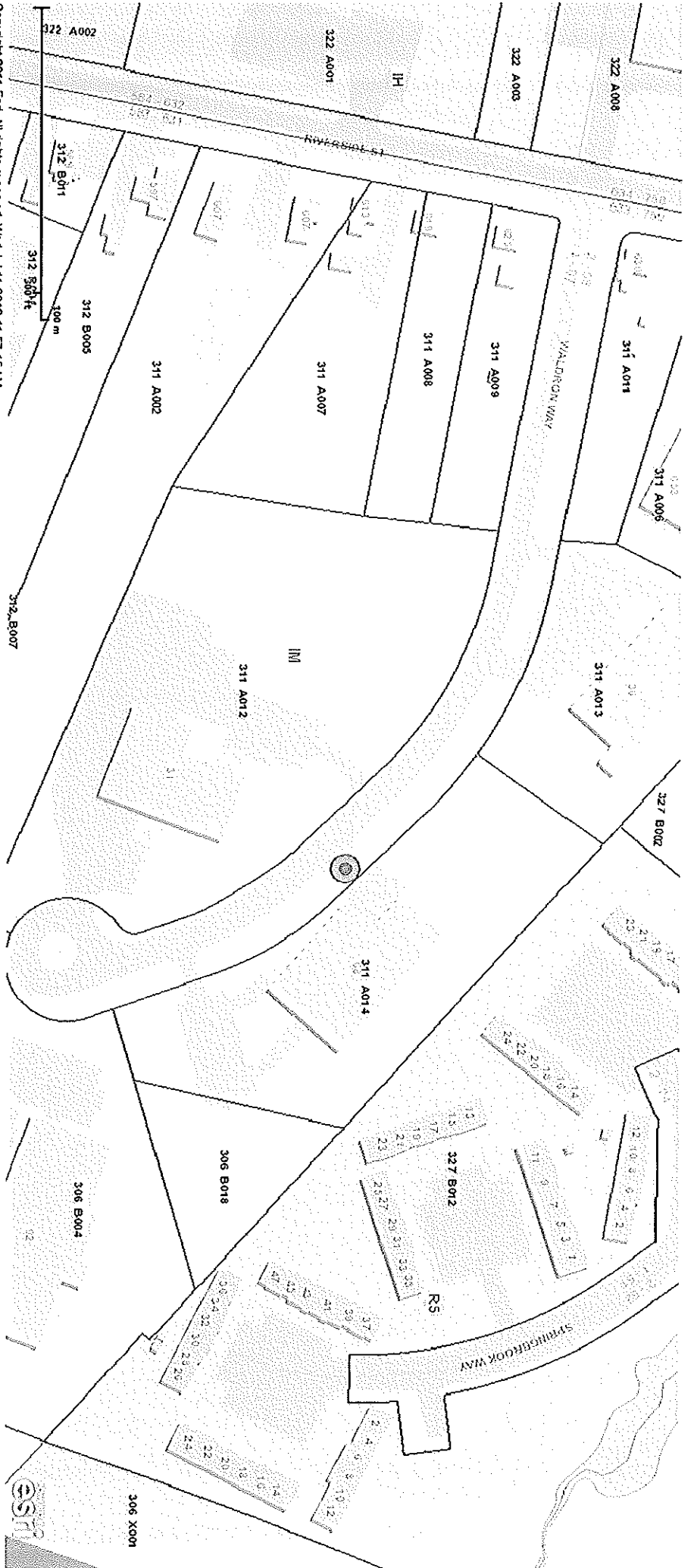
5. The current uses of the Property, manufacturing and general business offices, comply with the current use regulations of the Portland Code.

Regards,

City of Portland
Inspections Division Services

By Marge Schmuckal

68 Waldron Way



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PORTLAND MAINE

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Receipts Details:

Tender Information: Check , Check Number: 37819

Tender Amount: 150.00

Receipt Header:

Cashier Id: bsaucier

Receipt Date: 6/21/2012

Receipt Number: 45243

Receipt Details:

Referance ID:	437	Fee Type:	BP-DP
Receipt Number:	0	Payment Date:	
Transaction Amount:	150.00	Charge Amount:	150.00
Job ID: Miscellaneous charges			
Additional Comments: 68 WALDRON WAY			

Thank You for your Payment!