



Planning & Urban Development Department

*Jeff Levine, AICP, Director*

*Marge Schmuckal, Zoning Administrator*

November 13, 2014

CBRE – Boulos Asset Management  
One Canal Plaza, Suite 500  
Portland, ME 04101  
Attn: Paul Ureneck

RE: 765 Warren Avenue – 316-A-3, 318-A-2, 319-A-9 – I-M Moderate Industrial Zone

Dear Paul,

I am in receipt of your request concerning the property located at 765 Warren Avenue. The entire property is located in the I-M moderate industrial zone.

The use that you have stated in your request to me, basically wholesale storage and distribution of tires, wheels, and related automotive supplies, services and equipment, is a listed permitted use in the I-M zone under section 14-247(e). I want to emphasize that the tires that will be stored on racks and are new tires and not used tires per your follow-up voice mail. Please note that the I-M zone prohibits the storage of used tires under section 14-249(y). Customer pick-ups from the location are not prohibited. Retail sales transactions are not permitted on site.

Separate permits are required for the tenant fit-up of any new spaces at this location. This letter does not substitute for any required permits. If you have any questions regarding this matter, please feel free to contact me at (207) 874-8695.

Sincerely,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Marge Schmuckal  
Zoning Administrator  
City of Portland, ME

November 5, 2014

Ms. Marge Schmuckal  
Zoning Administrator  
City of Portland  
389 Congress Street  
Portland, ME 04101

RE: 765 Warren Avenue, Portland, Maine  
Zoning Certification Letter

316-A-003  
318-A-002  
319-A-009

11/5/14

- I-M Zone

Warehouse of tires  
use  
(ALDAGA)

Dear Marge:

Please accept this request for a zoning certification letter confirming that the use of the above referenced property is consistent with the following proposed use:

**Wholesale storage and distribution of tires, wheels, and related automotive supplies, services, and equipment, in an area suitable and sufficient for operation of forklifts and the related equipment necessary for the permitted uses. This includes the storage of tires and related products on fixed metal racking to a height of 18-25 feet and the operation of forklifts in the Leased Premises. Tenant will also have customer pick-ups from the Leased Premises.**

Thank you for your cooperation.

Regards,



Paul Ureneck  
Senior Vice President, Project Management  
CBRE – Boulos Asset Management


Cc: Ann Machado

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

[City](#)   [Home](#)   [Departments](#)   [City Council](#)   [E-Services](#)   [Calendar](#)   [Jobs](#)

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

**Current Owner Information:**

<p><b>Services</b></p> <hr/> <p><a href="#">Applications</a></p> <p><a href="#">Doing Business</a></p> <p><a href="#">Maps</a></p> <p><a href="#">Tax Relief</a></p> <p><a href="#">Tax Roll</a></p> <p><a href="#">Q &amp; A</a></p> <hr/> <p><a href="#">browse city services a-z</a></p> <hr/> <p><a href="#">browse facts and links a-z</a></p> <hr/>  <p>Best viewed at 800x600, with Internet Explorer</p>	<p><b>CBL</b> 316 A003001</p> <p><b>Land Use Type</b> WAREHOUSE &amp; STORAGE</p> <p>Verify legal use with Inspections Division</p> <p><b>Property Location</b> 765 WARREN AVE</p> <p><b>Owner Information</b> WARREN DEVELOPMENT II LLC &amp; CHUNKY MONKEY LLC ONE CANAL PLAZA STE 500 PORTLAND ME 04101</p> <p><b>Book and Page</b> 29614/050</p> <p><b>Legal Description</b> 316-A-3 318-A-2 319-A-9 WARREN AVE 749-779</p> <p><b>Acres</b> 653400 SF 15</p>
--	--

**Current Assessed Valuation:**

<b>TAX ACCT NO.</b>	34478	<b>OWNER OF RECORD AS OF APRIL 2014</b>
<b>LAND VALUE</b>	\$868,100.00	WARREN DEVELOPMENT II LLC & CHUNKY MONKEY LLC
<b>BUILDING VALUE</b>	\$4,946,000.00	ONE CANAL PLAZA STE 500
<b>NET TAXABLE - REAL ESTATE</b>	\$5,814,100.00	PORTLAND ME 04101
<b>TAX AMOUNT</b>	\$116,282.00	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

**Building Information:**

<b>Building 1</b>	
<b>Year Built</b>	1988
<b>Style/Structure Type</b>	WAREHOUSE
<b># Units</b>	1
<b>Building Num/Name</b>	1 - L L BEAN
<b>Square Feet</b>	157320
<a href="#">View Sketch</a>	<a href="#">View Map</a> <a href="#">View Picture</a>

**Exterior/Interior Information:**

<b>Building 1</b>	
<b>Levels</b>	01/01
<b>Size</b>	153723
<b>Use</b>	WAREHOUSE
<b>Height</b>	33
<b>Walls</b>	METAL-LIGHT
<b>Heating</b>	HOT AIR
<b>A/C</b>	NONE
<b>Building 1</b>	
<b>Levels</b>	01/01
<b>Size</b>	3597
<b>Use</b>	MULTI-USE OFFICE
<b>Height</b>	33
<b>Walls</b>	METAL-LIGHT
<b>Heating</b>	HOT AIR

# 765 Warren Ave



**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**INVOICE OF FEES**

<b>Application No:</b> 0000-2074	<b>Applicant:</b> WARREN DEVELOPMENT II LLC
<b>Project Name:</b> 765 WARREN AVE	<b>Location:</b> 765 WARREN AVE
<b>CBL:</b> 316 A003001	<b>Application Type:</b> Determination Letter
<b>Invoice Date:</b> 11/05/2014	

<b>Previous Balance</b>	-	<b>Payment Received</b>	+	<b>Current Fees</b>	-	<b>Current Payment</b>	=	<b>Total Due</b>		<b>Payment Due Date</b>
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00		On Receipt

<b>Previous Balance</b>	<b>\$0.00</b>
-------------------------	---------------

Fee Description	Qty	Fee/Deposit Charge		
Zoning Determinations	1	\$150.00		
		\$150.00		
		<b>Total Current Fees:</b>	+	<b>\$150.00</b>
		<b>Total Current Payments:</b>	-	<b>\$150.00</b>
		<b>Amount Due Now:</b>		<b>\$0.00</b>

**CBL** 316 A003001  
**Bill To:** WARREN DEVELOPMENT II LLC & CHUNKY M  
 ONE CANAL PLAZA STE 500  
 PORTLAND, ME 04101

**Application No:** 0000-2074  
**Invoice Date:** 11/05/2014  
**Invoice No:** 47152  
**Total Amt Due:** \$0.00  
**Payment Amount:** \$150.00

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.

Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

**[Click Here to Pay On Line](#)**





**City of Portland, Maine - Building or Use Permit Application**

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

Permit No: 2013-00243	Issue Date: 02/07/2013	CBL: 316 A003001
--------------------------	---------------------------	---------------------

Location of Construction: 765 WARREN AVE	Owner Name: WARREN DEVELOPMENT II LLC & CHUNKY MONKEY LLC	Owner Address: ONE CANAL PLAZA STE 500 PORTLAND, ME 04101	Phone:
Business Name:			
Lessee/Buyer's Name	Phone:	Permit Type: Site Alteration	Zone: IM
Past Use: Warehouse	Proposed Use: Warehouse	Permit Fee: \$30.00	Cost of Work: \$1,000.00
		CEO District: 8	
Proposed Project Description: SITE WORK ONLY - Remove fill and associated drainage work for future construction		INSPECTION:	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)	
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied	
		Signature: _____ Date: _____	

Permit Taken By: LDOBSON	Date Applied For: 02/05/2013	<b>Zoning Approval</b>		
<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</p>	<p><b>Special Zone or Reviews</b></p> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: _____	<p><b>Zoning Appeal</b></p> <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 Date: _____	<p><b>Historic Preservation</b></p> <input type="checkbox"/> Not in District 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: _____	

**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





CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 743 Warren Avenue

Issued to The Boulos Co.

Date of Issue September 1, 1988

This is to certify that the building, premises, or part thereof, at the above location, built or altered or changed as to use under Building Permit No. 87-1326, 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

warehouse

Limiting Conditions:

This certificate supersedes certificate issued May 13, 1988

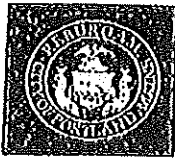
Approved:

*W. Taylor*  
(Date)

*Jamie P. Collins, Esq.*  
Inspector of Buildings

*D. Ryan*  
*E. G. Swain*

Notice: This certificate certifies lawful use of building or premises and must be transferred from owner to owner when property changes hands. Copy will be furnished to owner or tenant for one dollar.



*Strengthening a Remarkable City. Building a Community for Life • www.portlandmaine.gov*

**Planning & Urban Development Department**  
Jeff Levine, AICP, Director

**Planning Division**  
Alexander Jaegerman, FAICP, Director

November 13<sup>th</sup>, 2012

Warren Avenue Development LLC and Chunky  
Monkey LLC  
c/o Paul Ureneck, Boulos Property Management  
One Canal Plaza  
Portland, ME 04101

Will Conway  
Sebago Technics  
75 John Roberts Road, Suite 1A  
South Portland, ME 04106

**Project Name:** Addition of loading docks and parking  
**Address:** 765 Warren Avenue  
**CBL:** 318-A-002  
**Applicant:** Warren Avenue Development LLC and Chunky Monkey LLC  
**Project ID:** #2012-578  
**Planner:** Jean Fraser

Dear Sirs:

On November 13<sup>th</sup>, 2012, the Planning Authority approved with conditions a Level II site plan for additional loading docks and reconfigured parking for the existing building at 765 Warren Avenue. The decision is based upon the application, documents and plans as prepared and submitted by Will Conway of Sebago Technics, including Plan Set (18 sheets) Rev D dated 11-02-2012. The proposal was reviewed for conformance with the standards of Portland's site plan ordinance.

#### **WAIVERS**

The Planning Authority waives the Technical Standard, Section 14-498 and 14-499 pertaining to the provision of curbing along the frontage with Warren Avenue.

#### **SITE PLAN REVIEW**

The Planning Authority found the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval:

1. That the applicant/future owner conducts, and submits to the Planning Authority, an annual monitoring traffic study until the project is fully occupied. The monitoring study would include documentation of traffic generation and employee information for the project and shall include traffic estimates according to actual employee/land use information. At the time of full occupancy the City reserves the right to request traffic counts at the project driveway; and

2. The applicant and all assigns shall comply with the conditions of Chapter 32 Storm Water including Article III. Post-Construction Storm Water Management, and the approved Revised Stormwater Management Plan dated October 4, 2012 prepared by Sebago Technics, which specifies the annual inspections and reporting requirements. The developer/ contractor/ subcontractor must comply with conditions of the construction storm water management plan and sediment & erosion control plan based on our standards and state guidelines; and
3. That the noise levels of the external HVAC and other mechanical equipment shall comply with the noise standards of the I-M zone, and the owner/applicants for each unit shall submit documentation to confirm compliance of both the unit and the building in respect of rated noise levels and cumulative noise levels, to the satisfaction of the Zoning Administrator prior to the issuance of a building permit for that unit; this requirement shall be written into the lease for each unit. If the City receives any complaints concerning the noise generated by any of the HVAC condenser units or other mechanical equipment, the owner shall take appropriate measures to mitigate any noise, including cumulative noise, above that allowed by the current ordinance; and
4. That a 3 foot clear space shall be maintained around the circumference of the fire hydrants and Fire Department connections, especially by units 1,3 and 5, except as otherwise required or approved; and
5. That any new signage or the alteration of existing signage requires separate permits through the City's Inspections Division; and
6. That any additional site lighting, including the proposed exterior wall mounted lighting, shall meet the City's photometric standards as currently set out in Section 12 *Site Lighting Standards* in the City's Technical Manual.

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. As based on consultation with the MDEP, this approval amends the MDEP Site Location Permit L-014644-26-A-N (re L.L. Bean) dated September 16, 1987.

#### 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 Board or 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 as-built 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 Jean Fraser at (207) 874- 8728.

Sincerely,

  
Alexander Jaegerman, FAICP  
Planning Division Director

- Attachments: 1. Chapter 32 – Storm Water  
2. Performance Guarantee Packet

cc:

Jeff Levine, AICP, Director of Planning and Urban Development  
Alexander Jaegerman, FAICP, Planning Division Director  
Barbara Bishydt, Development Review Services Manager  
Jean Fraser, Planner  
Philip DiPietro, Development Review Coordinator, Planning  
Margo Schmuckel, Zoning Administrator, Inspections Division  
Tammy Munson, Inspection Division Director  
Lennie Dobson, Administration, Inspections Division  
Gayle Guerth, Administration, Inspections Division  
Michael Boblinsky, Public Services Director  
Katherine Darlay, Engineering Services Manager, Public Services  
Bill Clark, Project Engineer, Public Services  
David Margolis-Pineo, Deputy City Engineer, Public Services  
Approval Letter File

Doug Roncarati, Stormwater Coordinator, Public Services  
Oreg Vining, Associate Engineer, Public Services  
Michelle Sweeney, Associate Engineer  
John Low, Associate Engineer, Public Services  
Rhonda Zazzara, Field Inspection Coordinator, Public Services  
Mike Farmer, Project Engineer, Public Services  
Jene Werd, Administration, Public Services  
Jeff Turling, City Arborist, Public Services  
Jereniah Biville, Public Services  
Captain Chris Phono, Fire Department  
Thomas Erico, P.E., T Y I, Inc Associates  
David Senus, P.E., Woodard and Curran  
Rick Blackburn, Assessor's Department

