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*Penny Littell- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

August 11, 2008

Intentionally Left Blank, LLC
927 Route 1 Bypass
Portsmouth, NH 03801

REVISED

Northeast Bank
4 Sullivan Square
Berwick, ME 03901

Granite State Economic Development Corporation
P.O. Box 367
Newmarket, NH 03857-0367

RE: 736 Riverside Street – 324-B-002 (the “Property”) – B-2 Zone

Dear Ladies/Gentlemen:

In response to your inquiry concerning the Property’s compliance with applicable zoning laws, codes, regulations and ordinances, please be advised as follows:

1. A recent permanent, unconditional certificate of occupancy has not been issued for the Property. On September 29, 1995 this office issued a temporary certificate of occupancy for the Property as an approved occupancy for retail/warehouse/office use. There was one condition of approval. Our records do not indicate that a permanent unconditional occupancy permit was issued. A copy of such temporary certificate of occupancy and condition for the Property is attached hereto as Exhibit A;
2. The Property is situated in a B-2 Community Business Zone under the Zoning Ordinance of the City of Portland.
3. The current uses of the Property for the retail sale of home medical supplies with ancillary office and storage space and the retail sale of landscape equipment and irrigation products with ancillary storage are permitted uses in the B-2 Zone and, thus, the current uses of the Property are legally conforming uses.
4. The proposed use for the Property for the retail sale of new and used restaurant equipment and supplies with ancillary storage is a permitted use within a B-2 Zone and, thus the proposed use, when so used will be a legally conforming use when the certificate of occupancy has been finalized.

5. The Property and the uses thereof comply with all applicable zoning, subdivision, development, use laws, zoning ordinances, zoning codes, zoning rules, zoning regulations. A submitted, signed site plan dated 3-14-01 was available to review for current B-2 zoning compliance. All of the B-2 dimensional requirements are being met, including, but not limited to parking, setbacks, impervious surface and height. It is noted that a sign situated along the Forest Avenue side of the property that had not been permitted has recently been removed and is no longer considered a violation.
6. Separate building permit(s) shall be required for any future internal or external alterations on the Property.

Sincerely,

Marge Schmuckal
Zoning Administrator

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