



PORTLAND MAINE

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*Penny St. Louis Littell- Director of Planning and Urban Development
Marge Schmuckal, Zoning Administrator*

May 25, 2010

Drummond Woodsum
84 Marginal Way, Suite 600
Portland, ME 04101-2480
Attn: Kimberly Sweatt

RE: 68-92 Evergreen Drive – 329-A-4 & 331-A-5 (the “Property”) – I-M Moderate
Industrial Zone

Dear Ms. Sweatt,

I am in receipt of your request for a zoning determination letter concerning the Property. The Property is located within an I-M Moderate Industrial Zone. The I-M Zone permits uses by right for offices, warehousing and low impact industrial uses such as for Headlight Audio Visual.

I am not aware of any outstanding land use or zoning related violations concerning the Property. There are no pending or contemplated court actions regarding the Property.

I have included copies of permits and certificate of occupancy.

If you have any further questions regarding this determination, please do not hesitate to contact me at 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

enclosures

Catherine D. Alexander*
Daniel Amory*
Paul L. Apple†
David J. Becker*
S. Campbell Badger*
Melissa L. Cilley†
Jerrold A. Crouter*
George T. Ditworth*
Jessica M. Emmons*
Peter C. Fein†
Jonathan M. Goodman*
Sara S. Holtsbeck*
Eric R. Herlan**
Melissa A. Hewey††
Michael E. Higli*
David M. Kalin*
John S. Kaminski*
Edward J. Kelleher*
Jeanne M. Kincaid††
Benjamin E. Marcus*
Robert P. Nadeau*
Daina J. Nathanson*
Mark A. Page†
Jeffrey T. Pampiano*
William L. Plouffe*
Aaron M. Pratt††
Harry R. Pringle*
Daniel J. Rosa††
Gregory W. Sample*
James C. Schwelienbach††
David S. Sherman, Jr.*
Richard A. Shiray*
Kaighn Smith, Jr.*
Bruce W. Smith*
Richard A. Spencer*
Christopher G. Stevenson*
E. William Stockmeyer*
Amy K. Tchaou†
Joanna B. Tourangeau††
M. Thomas Trenholm*
Matthew H. Upton†
Amy J. Visentin*
Gary D. Vogel*
Ronald N. Ward*
Brian D. Wiling*
Gerald M. Zeln†

Consultants
Aeri S. Chapman
Policy & Labor Relations
Roger P. Kelley
Labor Relations &
Conflict Management
Christopher P. O'Neil
Governmental Affairs
Michael J. Opoda Ph.D.
Special Education

Of Counsel
Joseph L. Delefield III*
Robert L. Goss*
Donald A. Kopp*
Hugh G. E. MacMahon*
Herold E. Woodsum, Jr.*

* Admitted in Maine
† Admitted in New Hampshire

May 4, 2010

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

Re: 70 Evergreen Drive, Portland, Maine
CBL - 329 A004001 - I-M

701327
329-A-4
331-A-5

Dear Marge:

We represent Bear Associates, LLC which recently purchased the above noted property. We kindly request that you prepare a zoning determination letter to address any land use or zoning issues which may exist.

Specifically, we would like to verify the use as an office, warehouse and video production studio is lawful and that there are no outstanding zoning, building or life safety code violations. Please also provide copies of any certificates, permits, approvals or violations which pertain to the property.

I am enclosing a firm check in the amount of \$150.00 for your services. Thank you for your assistance in this matter.

Sincerely,



Kimberly Sweatt
Paralegal

Enclosure



Assessor's Office | 80 Congress Street | Portland, Maine 04101 | Phone: (207) 874-8490

City: [Home](#) | [Departments](#) | [City Council](#) | [Services](#) | [Contact](#) | 2010

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:

Services

[Applications](#)

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[Tax Biller](#)

[Tax Work](#)

[Q & A](#)

[Browse city services a-z](#)

[Browse facts and links a-z](#)



Best viewed at
Internet Explorer

CBL 329 A004001
Land Use Type WAREHOUSE & STORAGE
Property Location 70 EVERGREEN DR
Owner Information ANANTA LLC
 9 BROOK RD
 FALMOUTH ME 04105
Book and Page 27352/253
Legal Description 329-A-4 331-A-5
 EVERGREEN DR 68-92
Acres 1.63

Current Assessed Valuation:

TAX ACCT NO. 34474 **OWNER OF RECORD AS OF APRIL 2009**
 FLISCHAA SUZAN M
LAND VALUE \$186,900.00 **9 BROOK RD**
BUILDING VALUE \$965,900.00 **FALMOUTH ME 04105**
NET TAXABLE - REAL ESTATE \$1,152,800.00
TAX AMOUNT \$20,450.68

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

Building Information:

Card 1 of 1

Year Built 1996
Style/Structure Type OFFICE WAREHOUSE
Units 1
Building Num/Name 1 - MAIN RESOURCE
Square Feet 15872

[View Sketch](#) [View Map](#) [View Picture](#)



Exterior/Interior Information:

Card 1

Levels 01/01
Size 6400
Use MULTI USE OFFICE
Height 15
Walls METAL-LIGHT
Heating HOT AIR
A/C CENTRAL

Card 1

Levels 01/01
Size 6400
Use WAREHOUSE
Height 15
Walls METAL-LIGHT
Heating HOT AIR
A/C CENTRAL

Card 1

Levels 01/01
Size 3072
Use LIGHT MANUFACTURING
Height 15
Walls METAL-LIGHT
Heating HOT AIR
A/C CENTRAL

Other Features:

Card 1

Structure DOCK LEVELERS
 <<<

City of Portland, Maine - Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

960158

Location of Construction: 63-92 Evergreen Dr 74 Evergreen Dr		Owner: Main Resource Inc		Phone: 797-3410		Permit No:	
Owner Address: 75 Portland North Business Pk - Falmouth ME 04105		Leasee/Buyer's Name:		Phone:		Business Name:	
Contractor Name: Kealey Construction Co		Address: P.O. Box 1074 Portland, ME 04104		Phone: 773-8499		Permit Issued: MAR - 8 1996	
Past Use: vacant lot		Proposed Use: bldg for office/ telephone repair		COST OF WORK: \$ 350,000.00		PERMIT FEE: \$ 1,770.00	
Proposed Project Description: construct office/telephone repair bldg 100'x 100' x 99'		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:		Zoning Approval: Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> major <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
Permit Taken By: L Chase		Date Applied For: 1/4/96		Signature: [Signature]		Signature: [Signature]	

PERMIT ISSUED
MAR - 8 1996
CITY OF PORTLAND

1. This permit application doesn't 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 information may invalidate a building permit and stop all work..

contact person: Bill Hopkins - Archetype PA 772-6022

PERMIT ISSUED WITH LETTER

Minor Site Plan - 5300 1/4/96

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 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 provisions of the code(s) applicable to such permit

[Signature] 05 March 1996 Permit

SIGNATURE OF APPLICANT ADDRESS: DATE: PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE PHONE:

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

Action:
 Approved
 Approved with Conditions
 Denied
Date: [Signature]

CEO DISTRICT [Signature]
MA. [Signature]



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 74 Evergreen Drive 329-A-004

Issued to Main Resources, Inc.

Date of Issue 11 September 1996

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. 960158, 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

APPROVED OCCUPANCY

Entire

Offices & Telephone Repair

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

9/11/96 *Kenn W. Merrill*
(Date) Inspector

[Signature]
Inspector of Buildings

[Handwritten initials]

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.

STEPHEN W. TIBBETTS, P.E.
15 OAK RIDGE ROAD
BRUNSWICK, ME 04011
(207) 725-2667

April 18, 1997

Joseph Gray, Jr.
Director of Planning
City of Portland
389 Congress Street
Portland, ME 04101

Re: Main Resource Expansion
74 Evergreen Drive
Portland, Maine

Dear Mr. Gray:

I am applying on behalf of Joseph and Suzan Elichaa, Owners of Main Resource, for a permit to expand the current Telephone Repair Facility. The initial building was completed in the summer of 1996 and was approved under staff review. I believe the application is in conformance with the Zoning Code and we are not seeking any variances.

Zoning summary

Current Zone	1 M
Land Area	1.6 acres
Existing Building Area	9,990 sq. ft.
Proposed Building Area	15,990 sq. ft.
Existing Parking Spaces Required	16
Existing Parking Spaces Provided	20
Proposed Parking Spaces Required	28 (8,000 sf office & 8,000 sf industrial)
Proposed Parking Spaces	58
Requirements of External Effects	All criteria are met or non applicable
Space and Bulk	All criteria are met or non applicable

Scope of expansion

Sitework

1. The expansion of the building is towards the rear of the site.
2. Storm water will be directed to a detention pond at the rear of site. Storm water calculations are attached.
3. No additional planting other than grass is proposed.
4. An Erosion and Sedimentation Control Plan has been developed for this work and is attached.

74 Evergreen Dr.

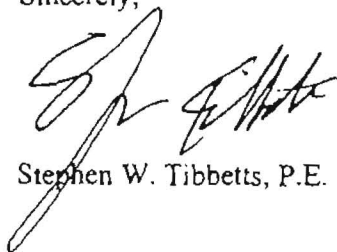
Planning staff
City of Portland
Re: Main Resource Expansion
74 Evergreen Drive
Portland, Maine
April 18, 1997
Page 2 of 2

Building

1. The building's siding and roofing will match existing.
2. Two light packs will be added to the rear of the building. Specifications are attached.
3. One loading dock will be added beside the two existing docks.
4. No additional signage will be added.

I trust this submission contains all the information you require. Please contact me with any questions or comments. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen W. Tibbetts". The signature is stylized and written over a horizontal line.

Stephen W. Tibbetts, P.E.

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 74 Evergreen Dr		Owner: Elichaa, Joseph & Suzan		Phone:	Permit No: 980454
Owner Address:		Lessee/Buyer's Name: Maine resources		Phone:	<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: Nov - 6 1998 CITY OF PORTLAND </div>
Contractor Name: Keeley Construction Inc.		Address: P.O. Box 1074 Ptld, ME 04104		BusinessName: 773-8499	
Past Use: Office/Commercial		Proposed Use: Same		COST OF WORK: \$ 180,000.00	PERMIT FEE: \$ 920.00
Proposed Project Description: Construct Addition 60 x 100		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: <i>9/5</i> Type: <i>2C</i> <i>BOCAPC</i>	
		Signature: <i>HJM</i>		Signature: <i>Hoffman</i>	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Signature: _____ Date: _____	
Permit Taken By: Mary Gresik		Date Applied For: 30 March 1998			

Zone: *EM* CBL: 329-A-004

Zoning Approval: *ok* *\$490*

Special Zone or Reviews:

Shoreland *N/A*

Wetland

Flood Zone

Subdivision

Site Plan maj minor mm

Zoning Appeal

Variance

Miscellaneous

Conditional Use

Interpretation

Approved

Denied

Historic Preservation

Not in District or Landmark

Does Not Require Review

Requires Review

Action:

Approved

Approved with Conditions

Denied

Date: 5/1/98

DA

CEO DISTRICT

Sam

PERMIT ISSUED WITH REQUIREMENTS

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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT: *Howard Getchell* ADDRESS: _____ DATE: **30 March 1998** PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: _____ PHONE: _____

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 10-0204	Issue Date:	CBL: 329 A004001
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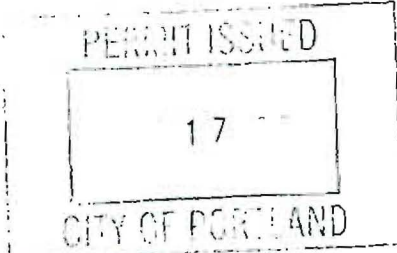
Location of Construction: 70 EVERGREEN DR	Owner Name: ANANTA LLC	Owner Address: 9 BROOK RD	Phone:
Business Name: Headlight audio visual video	Contractor Name: NeoKraft Signs	Contractor Address: 686 Main St. Lewiston	Phone: 2077829654
Lessee/Buyer's Name	Phone:	Permit Type: Signs - Permanent	Zone: IM

Past Use: Commercial - "Headlight audio visual video"	Proposed Use: Commercial - "Headlight audio visual video" - install signage (1) 7x 4' 9" & (1) 4' x 12' signs building freestanding sign	Permit Fee: \$192.50	Cost of Work: \$192.50	CEO District: 5
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Proposed Project Description: install signage (1) 7x 4' 9" & (1) 4' x 12' signs building sign	FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Signature: <i>[Signature]</i>	INSPECTION: Use Group: U Type: Sign Signature: <i>[Signature]</i> IBQ 2003
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Permit Taken By: Idobson	Date Applied For: 03/03/2010	Zoning Approval	
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<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. 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. 	Special Zone or Reviews <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: <i>OK w/condition</i>	Zoning Appeal <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:	Historic Preservation <input checked="" 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: <i>APM</i>
	<p style="text-align: center;"><i>Freestanding sign must be minimum of 5' from property line.</i></p>		



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 - Building or Use Permit

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

Permit No: 10-0204	Date Applied For: 03/03/2010	CBL: 329 A004001
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Location of Construction: 70 EVERGREEN DR	Owner Name: ANANTA LLC	Owner Address: 9 BROOK RD	Phone:
Business Name: Headlight audio visual video	Contractor Name: NeoKraft Signs	Contractor Address: 686 Main St. Lewiston	Phone (207) 782-9654
Lessee/Buyer's Name	Phone:	Permit Type: Signs - Permanent	

Proposed Use: Commercial - "Headlight audio visual video" - install signage (1) 7'x 4' 9" freestanding sign & (1) 4' x12' building sign	Proposed Project Description: install signage (1) 7'x 4' 9" free standing sign & (1) 4' x12' building sign
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 03/04/2010
Note: Spoke to Andy at Headlight Audio Visual. The company has been there since November. They repair audio visual equipment, rent it and sell & install equipment. It is not retail because they don't sell to people in off of the street. Previous tenant was Main Source that did telephone and communication equipment repair. **Ok to Issue:** ✓
 1) The freestanding sign must be located a minimum of 5' from any property line.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tammy Munson **Approval Date:** 03/17/2010
Note: **Ok to Issue:** ✓
 1) Signage Installation to comply with Chapters 31 & 32 of the IBC 2003 building code.

Comments:
 4/5/2010-jmy: Permit mailed to Neokraft Signs, 686 Main Street, Lewiston, ME



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

5-6 20 10

Received from Sumner Wilson MacMillan

Location of Work 70 Edgecumbe St

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150

Building (I1) _____ Plumbing (I5) _____ Electrical (I2) _____ Site Plan (U2) _____

Other Zoning Determination

CBL: 327-A-4

Check #: 95592 Total Collected \$ 150

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy