

1. UPDATED Agenda

Documents:

[PB AGENDA 1-24-17.PDF](#)

2. Legal Ad

Documents:

[PB LEGAL AD 1-24-17.DOCX](#)

3. WPDZ Zone

3.I. Memo And Attachments

Documents:

[WPDZ MEMO PB.PDF](#)
[ATTACHMENT 1 \(HEIGHT NARRATIVE\).PDF](#)
[ATTACHMENT 2 \(HEIGHT STUDY\).PDF](#)
[ATTACHMENT 3 \(BILL NEEDELMAN MEMO\).PDF](#)
[ATT. 4 - PUBLIC COMMENT \(PART 1\).PDF](#)
[ATT. 4 - PUBLIC COMMENT \(PART 2\).PDF](#)

4. B-2 Text Amendments

4.I. Tabling Memo

Documents:

[TABLING MEMO.PDF](#)

5. Sumner Park Height Overlay Zone

5.I. Report And Attachments

Documents:

[FT. SUMNER PARK REPORT.PDF](#)
[ATT. 1 - PROPOSED OVERLAY ZONE.PDF](#)
[ATT. 2. - ORDER 73-1617.PDF](#)
[ATT. 3 - PUBLIC COMMENTS.PDF](#)
[ATT. 4 - NEIGHBORHOOD MEETING PACKET.PDF](#)

CITY OF PORTLAND, MAINE

PLANNING BOARD

Elizabeth Boepple, Chair
Sean Dundon, Vice Chair
Carol Morrisette
David Eaton
Kristien Nichols
Maggie Stanley
Lisa Whited

UPDATED **AGENDA** **PORTLAND PLANNING BOARD MEETING**

The Portland Planning Board will hold a meeting on **Tuesday, January 24, 2017**, Council Chambers, 2nd Floor, City Hall, 389 Congress Street.

Public comments will be taken for each item on the agenda during the estimated allotted time and written comments should be submitted to planningboard@portlandmaine.gov

WORKSHOP – 4:30 p.m.

- i. Text Amendments to the WPDZ Zone; Americold for Maine Port Authority; City of Portland Economic Development Department, Applicant. (4:30 p.m.). The Board will hold a second workshop to consider potential text amendments regarding dimensional standards and performance standards in the Waterfront Port Development (WPDZ).

PUBLIC HEARING – 7:00 p.m.

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATIONS AND REPORTS

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON JANUARY 17, 2017:

Workshop: Boepple, Dundon, Eaton, Stanley and Whited. Morrisette and Nichols absent.

Public Hearing: Boepple, Dundon, Eaton, Stanley and Whited. Morrisette and Nichols absent.

4. REPORT OF DECISIONS AT THE MEETING HELD ON JANUARY 17, 2017:

- i. Portland Technical Manual – New Section “Solar Energy”, City of Portland, Applicant.
Dundon moved and Eaton seconded a motion to find the proposed amendment to add a new section “Solar Energy” to the Portland Technical Manual is consistent with the Comprehensive Plan, and to approve the proposed amendment to the Portland Technical Manual. Vote: 5-0.
Morrisette and Nichols absent.

5. NEW BUSINESS

- i. B-2 Text Amendments, Maine Craft Distilling, Applicant (7:00 - 7:30 p.m. estimated time)
This item is being tabled to the February 14, 2017 Planning Board Meeting at 7:00 p.m.
- ii. Sumner Park Height Overlay Zone in R-6 Zone and ROS Map Amendment; City of Portland, Applicant. (7:30 p.m. - estimated time). The Board will consider a proposed map and text amendments that would create a new height overlay zone within the R-6 zone near Sumner Park. The height overlay sets an apex point in Fort Sumner and requires structures within the overlay to not exceed 160.27 of elevation from mean tide elevation and then reduce 1 foot for each 25 feet from the apex. Building setbacks from the park shall be 15 feet. Rezoning Sumner Park from R-6 to Recreation Open Space (ROS) is proposed.

**LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD MEETING**

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Public Hearing – 7:00 p.m.

- i. B-2 Text Amendments, Maine Craft Distilling, Applicant (7:00 – 7:30 p.m. estimated time) The Board will consider a proposed text amendments that add distillery and tasting rooms, as defined by the Maine bureau of Alcohol and Lottery as a permitted use in the B-2, B-2b and B-2c zones and create a chart of permitted uses.
- ii. Sumner Park Height Overlay Zone in R-6 Zone and ROS Map Amendment; City of Portland, Applicant. (7:30 p.m.- estimated time). The Board will consider a proposed map and text amendments that would create a new height overlay zone within the R-6 zone near Sumner Park. The height overlay sets an apex point in Fort Sumner and requires structures within the overlay to not exceed 160.27 of elevation from mean tide elevation and then reduce 1 foot for each 25 feet from the apex. Building setbacks from the park shall be 15 feet. Rezoning Sumner Park from R-6 to Recreation Open Space (ROS) is proposed.

ELIZABETH BOEPPLE, CHAIR - PORTLAND PLANNING BOARD



Memorandum

To: Chair Boepple and Members of the Planning Board

From: Matthew Grooms, Planner, William Needelman, Waterfront Coordinator

Date: January 24, 2017

Re: Waterfront Port Development Zone Text Amendment, Application

I. INTRODUCTION

On behalf of the City Manager's Office, the Economic Development Department is submitting an application for a text amendment to the Waterfront Port Development Zone to support infrastructure needs related to the deep-water port on the Western Waterfront. In reviewing the existing zone the planning staff has begun to examine several changes to the zone related to building scale, as well as formatting, use options and potential performance standards. The purpose of today's workshop is to update the board on what has occurred to date, to provide an overview of the role of the port in the city, a description of the potential changes to the zone and to discuss options and next steps.

This text amendment was initially prompted by an initiative of the Maine Port Authority to construct a cold storage facility on a portion of the IMT property. Discussions with the Port Authority and the developer revealed that existing zoning regulations within the Waterfront Port Development Zone may be overly restrictive and a hindrance to the future expansion of Portland's working waterfront.

The city is electing to act as applicant due to the importance of this project to the local and regional economy. Based on the role of the port in the city, feedback from the port authority and the Planning Board's preference for reviewing zone changes holistically, the Economic Development Department brought forward several zoning change options which, in addition to facilitating the cold storage use would make amendments to the entire zone. By increasing allowable building heights, the city will open up this portion of Portland's waterfront for a number of compatible development and investment opportunities that would further fulfill existing city policies supporting the Port of Portland and preservation of the working waterfront.

It is important to note that while this proposed text amendment is in response to a request by the Port Authority and Americold for increased permissible structure heights, the actual alterations to the ordinance represent a comprehensive effort to restructure the regulatory framework for the WPDZ so as to address public concerns while allowing for greater flexibility and a more competitive advantage for the Port of Portland.

This zoning amendment request is being brought to the Planning Board as a workshop item. The legal ad was posted on the city's web page and appeared in the Portland Press Herald on January 16 and 17, 2017. Notices were also sent to abutters within 500 linear feet of the WPDZ Zone.

A. CURRENT WPDZ HEIGHT RESTRICTIONS

Currently in the WPDZ, building heights are restricted to 45 feet. The text also includes provisions for significantly higher structures under extremely limited use parameters (bulk storage only) and geographic parameters (differentially applied depending on location.)

In the most extreme example, currently a “bulk storage” facility located between the center line projection of Danforth Street and the Veteran’s Memorial Bridge (previous location assumed) could be constructed to 145 feet above sea level. Between Danforth and Vaughn Street the height for bulk storage structures drops to 70 feet, but the allowance rises to 75 feet between Vaughn and Emery Street. For uses and structures that can utilize the taller structure allowance, there are several paragraphs further stipulating the horizontal size and separation of proposed structures, as well as differential lot setback requirements depending on proposed heights.

As one may imagine, the above described language was written with a specific unbuilt project in mind and has never been applied. Neither the use nor location provisions of structure height flexibility would apply to recent development opportunities.

In nearby zones, 45 feet is shorter than the less intensive Waterfront Central Zone to the east (50 feet,) and shorter than much of the B-5b zone located across Commercial and West Commercial Street. The B-5b zone is generally 65 feet in height, but locations recently rezoned on land owned by JB Brown contained provisions for lower buildings in certain areas - 45 feet at the far west of the site near Benny’s Fried Clams, rising to 65 feet east of Emery Street.

II. INITIAL ZONE CHANGE REQUEST: AMERICOLD COLD STORAGE FACILITY

A. CONTEXT

The company Americold, was selected to design, construct and operate a regionally scaled cold storage warehouse that would compliment and add value to intermodal and marine operations at the International Marine Terminal. Improved cold storage with direct marine, rail, and highway connections, is seen as a significant benefit to Maine’s food and beverage industries serving both import and export shippers.

Americold representatives have indicated that the existing 45-foot height restrictions would significantly restrict the ability of the WPDZ to house a sufficiently scaled, efficient modern facility. Likewise, other uses in the zone, including boat repair, have been constrained by the existing zoning. Taller buildings, currently requested to 75 feet, would allow efficient use of land and promote marine commerce and employment on the Western Waterfront.

Concept Level Details (All Approximate)	
Site Area	6.3 Acres
Zoning	WPDZ
Footprint	120,000 SF
Building Height	68’ above grade (~78-80’ above MSL)
Interior Clearance	55’ 4”. Finish floor is 4’ above grade.
Storage Capacity	15,864 Pallet Positions
Cold storage, dry goods, blast freezer, office space	

Source: Americold

B. PROJECT DETAILS

The Planning Board and City Council were initially asked to consider raising the allowable building heights in the WPDZ to seventy (70) feet. This number was determined as the minimum needed to construct a sufficiently large, modern, efficient cold storage facility within the constraints of the WPDZ. The 70-foot building height request resulted from the internal capacity needs of the use.

The plan view (horizontal foot print) extent of the building is constrained by a number of factors including the size of the site, the shore line, the location of rail infrastructure, and the need for truck circulation and parking. Vertically, pallet capacity increases in large increments as additional layers of pallet racks are added. In order to meet the business model requirements for pallet capacity, the refrigerated warehouse needs more than 55 feet of clear space from the finished floor to the bottom of the roof structure. The finished floor height is dictated by the height of truck loading docks. The roof structure depth is dictated by the clear span requirements of the use, and other roof loading needs. As currently envisioned, the building is planned at 68 feet tall, as measured from the surrounding grade.

Economic Development staff explored with Americold's representatives options for reducing the request to lower than 70 feet. Given fixed constraints, the only potential place to shrink the height of the structure is in the clear space height of the refrigerated interior. To reduce the building height by even a small increment will result in the loss of an entire rack layer – with a significant loss of capacity. 75 feet is the minimum building height that will result in a structure meeting the business model for the project.

Americold will produce additional material supporting the need for the 75-foot height under separate cover.

C. INITIAL SUBMITTAL

In October of 2016, the Economic Development Department, on behalf of the City Manager's Office, submitted a request for a text amendment to the WPDZ that would have increased the permissible height of structures within this zone to 70 feet. At the time, three separate options were presented. These have since been consolidated and reformed into a new approach generated by public comment, review of best practices and stakeholder feedback.

D. MOVING FORWARD

Following the Planning Board workshop on October 25, 2016, city staff determined that it would be first necessary to comprehensively articulate the importance of the Port of Portland to the local, regional and state economy and move forward with far greater consideration of the potential visual impacts such a zoning amendment would bring to the surrounding neighborhood and city as a whole. For the initial workshop, members of the public were particularly concerned about the massing of buildings that would essentially form a 70-foot high wall along the entirety of the WPDZ. Residents were concerned that views of Fore River from the West End Neighborhood would be significantly obstructed in the event such amendments were passed. There were additional concerns that buildings and structures measuring 70 feet tall would overwhelm the existing built environment and negatively impact the aesthetics of this particular gateway into the community.

In discussions with key stakeholders of the western waterfront, it has become evident to city staff that the existing height limitations of the WPDZ constitute a significant limitation on economic development

within this zone. City staff further verified that in other similarly situated maritime communities, such as Bath, Maine, Portsmouth, New Hampshire and New Bedford, Massachusetts, maximum height limitations for structures within industrial waterfront zones far exceed the existing height limitations found in Portland, 100', 70' and 100' respectively. It is well understood that the Port of Portland's western waterfront is highly unique and largely dissimilar from other port facilities found elsewhere in the region. The port is located within a very small geographic area and immediately adjacent to a residential neighborhood whose visual access to the city's water resources is from topographical features overlooking the western waterfront. It is a key priority of the city to maintain and enhance the competitive advantage of the Port of Portland's working waterfront and as it has become increasingly clear, this can be most successfully accomplished through revisions to the zoning code. The proposed ordinance is a highly thoughtful attempt to provide a flexible regulatory framework that would meet the minimum needs as forecasted for the successful expansion of port operations within the WPDZ while accommodating and incorporating the concerns of Portland's residents.

E. PUBLIC COMMENT

Twenty-five public comments were received by the city in response to the initial proposal for permissible structure height increases within the WPDZ with an additional 47 having been received to date. These comments have been almost specifically concerned with the proposed allowable height of 70 feet, which was felt to be damaging of the quintessential aesthetic qualities of the western waterfront, particularly its smaller scale industrial maritime character and key visual access to the Fore River. Additional public comments highlighted a concern that this zone change would negatively impact the quality of the western waterfront as a gateway into Portland along Commercial Street or from either the Casco Bay Bridge or Veterans Memorial Bridge, as the proposed ordinance would allow for a 70-foot wall of edifice that would obstruct neighborhood views of the city's water resources. Aside from the larger contextual impacts derived from the proposed ordinance, individuals were also concerned about the potential loss of private views, increases in noise and pollution, poor aesthetics for new developments and finally a potential detrimental impact on property values.

Two public comments were in favor of the proposed changes, with one specifically requesting that the increase in building height be translated universally across the entire district.

The city has assessed the aforementioned comments and begun to draft regulatory provisions for the proposed WPDZ ordinance that seek to address these concerns while working to establish a regulatory solution compatible with development needs along the western waterfront. These are discussed in greater detail in the following section.

III. REVISED TEXT AMENDMENT PROPOSAL

A. FORMATTING ALTERATIONS

In line with recent zoning text amendments and newly drafted ordinances, the city is proposing to alter the formatting of the proposed ordinance. As currently approved, the WPDZ ordinance is entirely composed of text. Current best practices for the structure of a standard zoning ordinance involves a mixture of formatted text, including tables that more clearly illustrate permissible uses and dimensional standards, as well as graphics where appropriate, to more clearly illustrate concepts. In an effort to streamline the existing document and make it more user-friendly, the city is restructuring the format of

the proposed ordinance to incorporate such types of changes. Changes discussed in this section will not in any way alter the content of the existing ordinance.

i. TABLES

a. *USE TABLE*

Permitted, conditional and prohibited uses are currently listed in long form, and occupy six pages of the current ordinance. City staff is proposing to condense this section of the ordinance a section composed of both long form text and a four-column formatted table that consolidates the listed uses.

b. *DIMENSIONAL REQUIREMENTS:*

Dimensional requirements are also listed in long form, and occupy a further three pages of the current ordinance. This section would also be condensed into table form, with a short supplementary follow-up section for additional clarification and explanation.

ii. CONTENT SHIFT

As city staff revises the existing ordinance, the overall structure of the document would dramatically change. Certain items will be relocated to different sections to further clarify the ordinance, remove redundant language and improve usability. For example, regulations related to bulk storage facilities, specifically the various silo height provisions specified under Sec. 14-320.2.e.2 would be largely removed as the proposed 75-foot height allowance would make all provisions less than that height unnecessary. The provision for a 145-foot silo provision within the zone to the west of Cassidy Point Drive would likely be relocated to within the Sec. 14-320 Conditional Uses.

a. *SEC.14-320 (C.)*

This proposed section would contain the majority of content edits made to the existing ordinance, and is an entirely new section that does not currently exist. This section would provide the basis for additional height allowances up to 75 feet for structures located throughout the WPDZ and 145 feet for bulk storage facilities located in the zone west of Cassidy Point Drive. This section would also list the conditions that must be met by an applicant in order to qualify for increased heights beyond the proposed maximum standard allowance of 50 feet.

B. CONTENT ALTERATIONS

The city understands the sensitivity surrounding this proposed text amendment and is fully aware of the implications such an amendment would have on the characteristics of the western waterfront and surrounding neighborhoods. The proposed content alterations would specifically seek to strike a balance between previously stated resident concerns and the practical needs for a more robust port operation. At the January 24th meeting, city staff will be seeking guidance from members of the Planning Board and the general public for additional provisions that would better satisfy the comprehensive needs and

concerns of the community. In the following sections, conceived amendments and the rationale behind these amendments will be discussed in greater detail.

i. USE TABLE

At present, city staff has not received any feedback that would suggest that the permitted, conditional or prohibited uses as currently listed are not satisfactory. Given that **Cold Storage** is specifically listed as a permitted use within the Central Waterfront Zone and that it is not listed in the WPDZ, the proposed ordinance would include a new permitted use and definition for **Cold Storage**. In discussions with the Zoning Administrator, it has been determined that the cold storage use would be permitted by right as a bulk storage facility, however to avoid future confusion, staff is proposing that the specific use **Cold Storage** be listed. Those alterations would be as follows;

Sec. 14-319. Use Table

<u>Group</u>	<u>Use</u>	<u>WPDZ</u>
<u>Commercial</u>	<u>Cold Storage Facility</u>	<u>Y</u>

ii. DIMENSIONAL STANDARDS

The elements of the existing dimensional standards for the WPDZ slated for revision under this proposed text amendment, include permissible building height, lot coverage and maximum building length. The first element, building height, is proposed as an alteration item in response to targeted needs amongst key stakeholders in the western waterfront zone. The other two elements, lot coverage and maximum building length, are being proposed for revision so as to partially mitigate the impacts of any newly proposed development within the zoning district and to preserve essential view corridors and maintain area aesthetics. These changes will ensure that the discussed wall of tall buildings will not result from the proposed ordinance revisions.

a. BUILDING HEIGHT

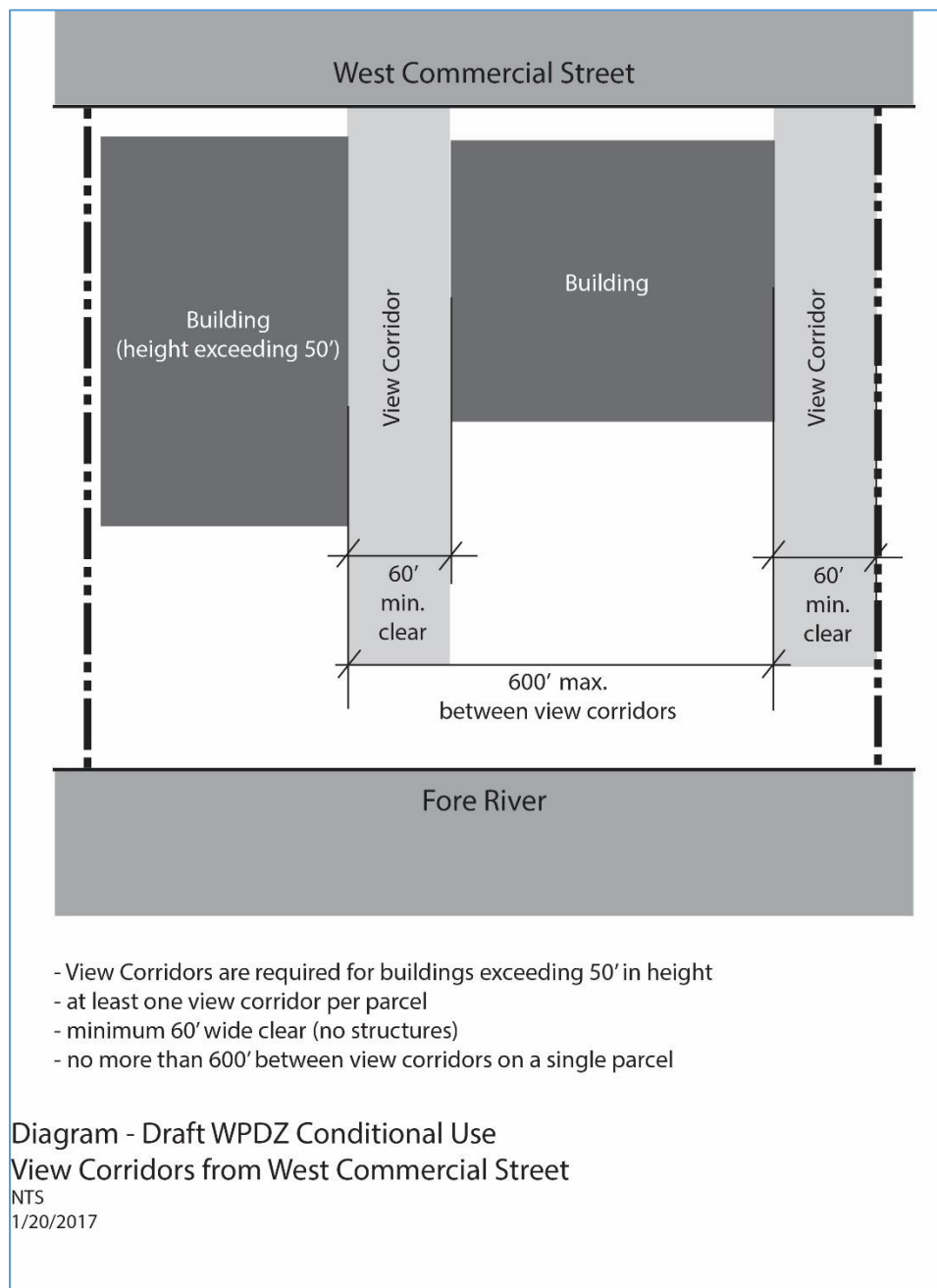
The city is proposing to change standard maximum building heights from 45’ to 50’, and make 75’ allowable as a condition, subject to approval by the Planning Board. In order to achieve a maximum building height of 75’, the applicant would be required to meet all conditional requirements as would be listed under Sec. 14-320 Conditional Uses. These requirements would serve to better integrate proposed developments and or additions into the surrounding community by both developing and protecting view corridors and implementing new design requirements intended to limit massing and enhance visual aesthetics.

(i.) DISCUSSION OF CONDITIONS

This in part would be accomplished by the addition of building length requirements for development proposals looking to exceed the standard maximum allowable height of 50 feet. One concept is that developed is that no building exceeding 50 feet in height may be located closer than 150 feet from another structure exceeding 50 feet in height, and further, that no structure exceeding 50 feet in height would be permitted to have a building façade longer than 400 feet in length as measured by a line parallel with the sideline of the West Commercial Street right of way.

An additional concept would require that developments exceeding 50 feet in height undertake steps to provide visual interest through either a scaling or articulation element such as a stepback, canopy or fenestration for portions of any street facing façade within 50 feet of West Commercial Street.

Under this concept, applicants proposing to exceed 50 feet in height east of the Cassidy Point Drive intersection would be required to provide view corridors of the Fore River extending a minimum of 60 feet wide and no greater than 600 feet of separation between the next view corridor. Structures exceeding 50 feet in height would be prohibited within the established view corridors of Vaughn Street or Emery Street, as defined in this paragraph.



January 19, 2017

Diagram - Draft WPDZ Conditional Use Text Amendments

Scale: 1:6,000
0 0.05 0.1 0.2 mi / 0 0.05 0.1 0.2 km

City of Portland, DPS

While this revision is in significant part a direct response to Americold's minimum feasible height of 68', it is supported by zoning practices in other similarly oriented industrial waterfronts within the region, where standard permissible heights significantly exceed the 45-foot limitation found within the WPDZ. In Bath, Maine, Portsmouth, New Hampshire and New Bedford, Massachusetts, all communities with an industrial waterfront zone, the standard allowable height for that zone is respectively 100', 70' and 100'. Within the City of Portland itself, the maximum building for the Central Waterfront Zone is 50-feet. The WPDZ is further constrained by its limited geographic area, measuring just under 90 acres in area with roughly 8,000 feet of water frontage. Given the scope of this zone, it is imperative to maximize the space available through building height increases.

8

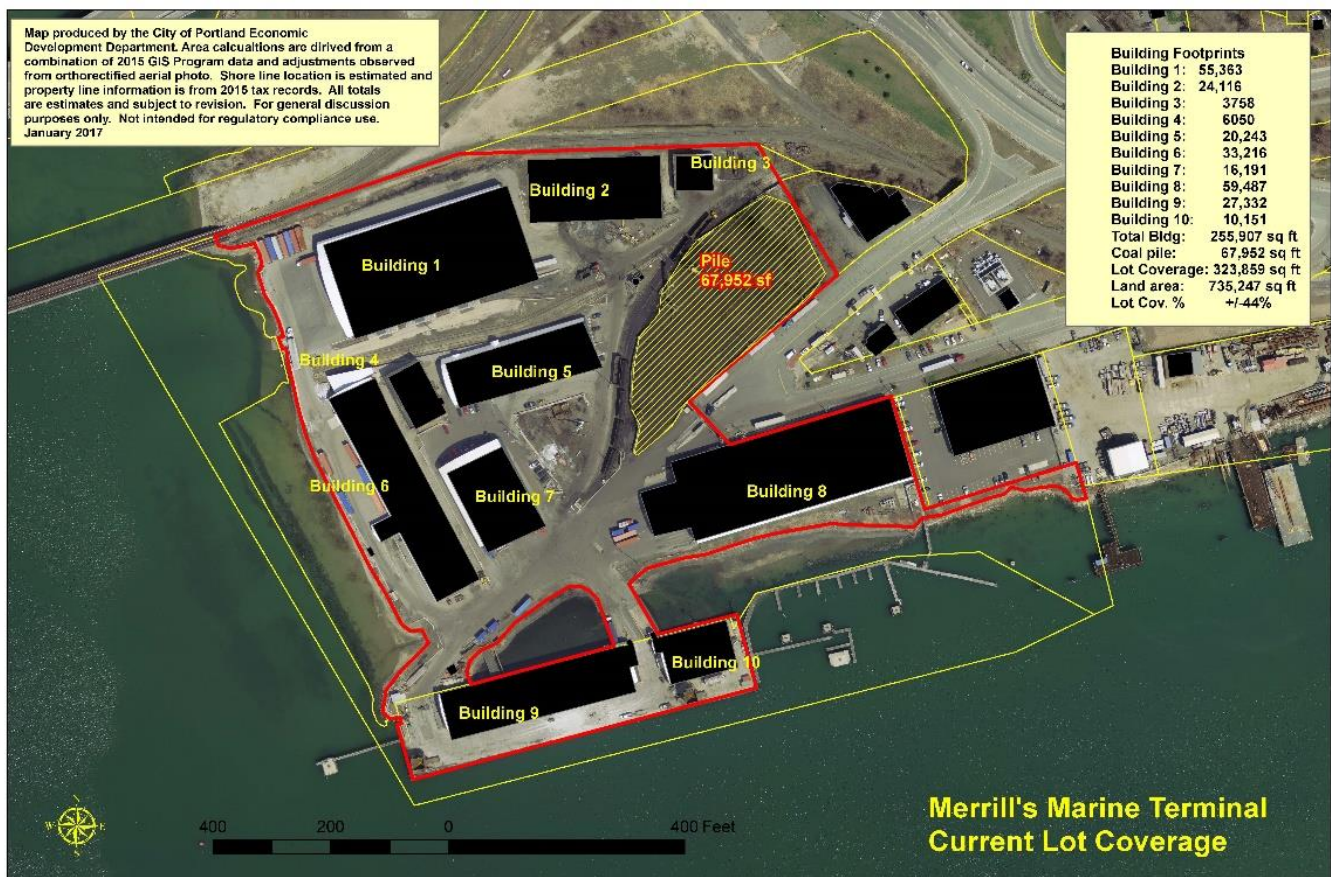
Existing Portland Yacht Services Shed highlighting the relationship between door height and building height



In the initial proposal, the maximum allowable height within the WPDZ was to be 70-feet. Whereas Americold requires a building envelope with a minimum height of 68-feet, it was felt that a maximum height of 70 feet would allow for an insufficient roof pitch for drainage purposes. For this reason, this figure has been altered slightly up to 75-feet with this current proposal.

b. LOT COVERAGE

Reconfiguring the lot coverage requirements for developments within the WPDZ is an important strategy for preventing the excessive massing of structures that would form a wall of buildings along the entire zone. Currently, the maximum lot coverage permitted is 100%. City staff has discussed reducing this figure to between 50% and 70%, although at this point in time, additional analysis is required of all lots within the WPDZ so as not to create new non-conforming lots. This recommendation comes following an analysis of buildable lots within the zone and an assessment of the Sprague site, which at maximum build-out has a lot coverage of roughly 44%. Lot coverage rates of 50% in conjunction with the existing right-of-way for the railway provides significant separation between structures and maintains expansive view corridors within the zone, along Commercial Street, and from locations throughout the West End neighborhood.



Basis for Lot Coverage Calculation

IV. COMPREHENSIVE PLAN AND POLICY REVIEW

The current policies informing waterfront zoning in Portland are derived from the Waterfront Alliance Recommendations to the City of Portland, 1992, which was adopted by reference as the policy basis for waterfront zoning in 1993. The Waterfront Alliance Report succinctly laid out the policies for the waterfront generally in the preamble and the further established geographic sub-districts differentiated by water depth and focus of use.

PREAMBLE

Our recommendations are based on the recognition that as a working waterfront, Portland Harbor should be a regional economic force that supports local economies through jobs and tax revenues.

Water-dependent users are the lifeblood of Portland's waterfront and their interests must be protected above all others. We further recognize that diversity is the key to the economic stability of the working waterfront, the proper maintenance of its infrastructure and its long-term growth. Measures to promote diversity include zoning, as well as economic assistance and partnerships between private and public interests.

In order to maintain and expand the Port as a working waterfront for the enjoyment and economic benefit of all, the Waterfront Alliance recommends the following measures be taken:

1. Preserve the entire perimeter of the Harbor from Tukey's Bridge to the Veteran's Memorial Bridge for berthing.
2. Recognize that property with direct water access is limited and should be reserved exclusively for marine use.
3. Allow marine compatible use of other property that does not interfere in any way with the activities of water-dependent users.
4. Divide the waterfront into four zones that reflect the type of berthing or land use that each zone can accommodate.
5. The Alliance believes that the City should renew its commitment to promoting public access to the Port for the benefit and enjoyment of its citizens and continue to insure ecological safety through the promotion of environmentally sound practices.

Figure 1: Waterfront Alliance Preamble

A. WPDZ POLICIES

The policies promoted by the WPDZ are most succinctly described in the Purpose Statement of the zone:

Sec. 14-318. Purpose.

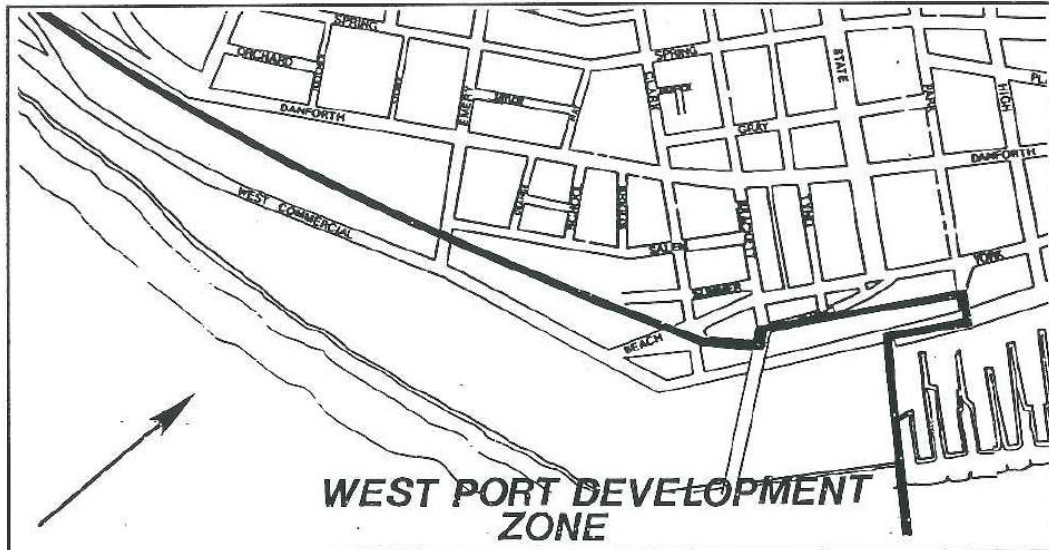
Transport of goods by water to and from Portland is an important component of both the local and regional economy. This commerce is dependent upon land with direct access to the dredged deep water channel of the Fore River.

Waterfront land with direct deep water access shall be restricted to uses which contribute to port activity. This zone exists, therefore, to ensure the continued viability of the Port of Portland. Uses in the port development zone, while governed by the same performance standards as other industrial zones, are limited to those uses which are dependent upon deep water and which contribute to port activity.

Nonmarine industrial activity may be allowed only on a temporary basis and only to the extent it will not preclude or impede any future water-dependent development.

The above zone text language is taken nearly verbatim from the Waterfront Alliance Report in its description of the use and future for the Western Waterfront, as shown below:

PORT DEVELOPMENT WEST ZONE GEOGRAPHIC DESCRIPTION: Generally the land east of Veterans Memorial Bridge to the south side of State Street Wharf and all land west of the Million Dollar Bridge.



1992 Waterfront Alliance Report, Page 19

In addition to the Purpose language above, the Waterfront Alliance Report includes the so-called “Pringle Amendment” specific to the Western Waterfront.

Pringle Amendment

The property along the shore west of the Million Dollar Bridge is an important resource as the largest remaining undeveloped parcel abutting deep water, with significant potential value for use by deep draft vessels in the future, including such uses dependent on the convergence of water, rail and highway transportation linkages. Non-marine commercial or industrial development of this property should be allowed only to the extent that it will not impede or preclude future water dependent development. Such non-marine uses must allow for adequate right-of-way access to the shore, must be compatible with marine uses, and must be physically adaptable or relocatable to make way for future development for water-dependent uses, especially those which utilize the deep water frontage of the site.

Recent growth in port activity shows the wisdom and success of these long-standing policies. The current request for taller buildings promotes greater industrial and transportation activity on the land most critical for support of port operations. The proposed text amendment for the WPDZ is consistent with the intent of the policies to promote the western waterfront for deep water port activity.

B. ECONOMIC DEVELOPMENT POLICIES

In addition to land use policies, the City Council has adopted an *Economic Development Vision and Plan (2011)* which supports port activity and development.

As summarized below, the Plan outlines principles, visions, goals and actions including the following:

Under the core economic development guiding principle of ***Growing its tax and employment base***,

- Support industry sectors that are innovative and have high growth/high value potential to provide future opportunities for economic development, including “Marine and marine related – working waterfront, port related, and cargo”
- Support a working waterfront, recognizing... “the **Western Waterfront**, Portland’s essential deep water port edge and acreage...” and , “Provide continued support for the International Marine Terminal (cargo shipping)”

Economic Development Vision and Plan – Portland, Maine, page 8

Additional language in the Economic Development Plan supports development of business opportunities and infrastructure.

C. REGIONAL POLICIES AND SUPPORT FOR COLD STORAGE AND PORT ACTIVITY

i. MAINE’S THREE PORT STRATEGY

Since the late 1970’s, the State of Maine has developed a three-port strategy for marine cargo by concentrating investments in Portland, Searsport, and Eastport. As the only port located in Southern Maine and the only port with significant container capacity, the Port of Portland is a critical component of freight and cargo system for the state.

The arrival of Eimskip is a direct result of recent investments by the State into the IMT. The current plan to build cold storage capacity at the IMT is a further commitment to the long standing state policy of prioritizing the Port of Portland. Changing zoning, as requested, to allow larger structures that efficiently use precious land resources is a local action that supports state, federal, and private investment in the port’s future as an economic and employment generator for the region.

ii. INVESTING IN MANUFACTURING COMMUNITIES PARTERSHIP: IMCP

Prompted by two rounds of successful applications by the Greater Portland Council of Governments, Greater Portland and the Southern Maine region have been designated by the US Economic Development Administration as a manufacturing community of special significance, notably for our food and beverage cluster. The designation positions the region for consideration of future financial grants and assistance.

In designating the Greater Portland region in the IMCP program, EDA documents note the following:

“Infrastructure and Site Development: For the first time since 1980, the region has refrigerated container service to Europe enabling food exports. However, the port in question lacks a direct rail connection, requiring costly over

land transport. And despite rail and air connections, 90% of shipments originating in Maine travel entirely by truck. In addition, ***the city does not have sufficient cold storage to prepare product for long range transport.*** The region has proposed building a 100,000 food warehouse at the port. In addition, the region has proposed restoring rail service on the Mountain Division rail line to connect the port to rail and reduce the need for overland trucking.” (Emphasis added) <https://www.eda.gov/challenges/imcp/files/1st-round/IMCP-2-Pager-Handout-Portland.pdf>

As noted in the EDA material, a cold storage facility and improved port infrastructure are important steps needed to maximize opportunities in manufacturing and trade for the region. Taller buildings are a prerequisite these economic development opportunities on the Western Waterfront.

V. SUMMARY OF PROPOSED WPDZ TEXT AMENDMENTS

The following are proposed to address the functional needs of a 21st century working port while taking into consideration and regulating the view impacts from West Commercial Street and the West End, the street wall on West Commercial Street, and visual character of taller buildings in the zone. Some formatting changes are also proposed to simplify and clarify the contents of the zone ordinance.

A. USES

- i. Format – change to a table format
- ii. Permitted Use – add “Cold Storage Facility” as a permitted use

B. Conditional Use

- i. Conditional Use – Section created to address conditions for buildings over 50’
- ii. Required Conditions:
 - a. Heights
 - (i.) Maximum height (including appurtenances) = 75’ above average grade (new)
 - (ii.) Maximum height for Bulk Storage on Cassidy Point = 145’ above sea level (existing, moved from Dimensional Requirements section)
 - b. View Corridors
 - (i.) View corridors maintained from Vaughn and Emery Streets (existing, moved from Dimensional Requirements section)
 - (ii.) View corridors of at least 60’ every 600’ required on each parcel east of Cassidy Point (new)
 - c. Massing and Visual Character
 - (i.) Additional bulk, height, location standards moved from Dimensional Requirement section = 150’ separation required between buildings exceeding 50’ in height (existing)
 - (ii.) Maximum building length created = 400’ max parallel to West Commercial Street (new)
 - (iii.) Design of building facades and mechanical equipment shall be considered for visual impact on long views (new)
 - (iv.) Scale and Articulation elements required for facades facing West Commercial Street (new)

C. Dimensional Requirements

- i. Format – change to a table format
- ii. Lot Coverage – decrease to 50% (from 100%)
- iii. Maximum Height – increase to 50' (from 45')
- iv. Height Exceptions – Height exceptions, including for Bulk Storage all become part of Conditional Use section

VI. NEXT STEPS

- A. Identify additional data required based on board deliberations and public comment
- B. Discuss opportunities for graphic representations to be included as part of the proposed ordinance.
- C. Draft and incorporate additional regulatory language into the proposed ordinance based upon discussions with the Planning Board and general public, discuss schedule for ongoing discussion including schedule for and content of subsequent workshops and outreach efforts

VII. ATTACHMENTS

- 1. Phin Sprague Portland Yacht Services Memo
- 2. Height Demonstration Study
- 3. Economic Development Memo
- 4. Public Comment

VI. Building Heights for Port Structures

There has been considerable discussion during the zone text amendment process as to the *need* for taller buildings.

In addition to cold storage, other uses such as the operators of Portland Yacht Services have expressed.

The image to the right shows a Casco Bay Lines ferry being brought into a shed for repair. Thanks to Mr. Phin Sprague for use of the photo. The image shows that ship repair buildings are highly dependent on the size of the shed door. In the image below, showing the existing Portland Yacht Services (PYS) shed, one can see how the height of that structure was



Existing Portland Yacht Services Shed highlighting the relationship between door height and building height



determined by the height of the door (highlighted in yellow.)

According to Mr. Sprague, this door (and therefore shed) is too small to accommodate his target market for commercial vessels and larger

yachts. Taller building heights for the WPDZ would allow for the development of infrastructure expanding the capacity of Portland harbor to service larger vessels locally and regionally.

PYS is a significant employer with a skilled workforce occupying two boat yards on the Portland Waterfront. PYS has plans to expand facilities in the WPDZ and has been approved by the Planning Board for a next phase of development for boat storage and marine retail. Mr. Sprague has indicated that future expansions depend on having a shed with capacity to accommodate larger vessels. This investment and the associated employment hinges on achieving greater building height for the zone.

Approved and potential developments on the PYS site are showed in the annotated image below.

[illegible]

WPDZ Building Height Demonstration

December 5, 2016

Presentation of Results



Approximate Boom Truck Locations

Public Parking

Beach Street

West Commercial Street

WPDZ

Portland
Yacht
Services

Potential
Americold
Site

Intern.
Marine
Terminal

Casco bay Bridge

WPDZ



500 250 0 500 Feet



Waterfront Port Development Zone Building Height Demonstration Notice Map

December 5, 2016
8:00 am to 3:00 pm

In case of high winds,
December 7, same times



70 feet, drawn from observed
crane location

Approximate area of potential
view impact, corrected for
easterly crane location,
waterside edge, estimated

From West Commercial Street near Star Match Co.



Lift Truck

70 feet, approximate, easterly
Lift truck obscured

Approximate area of potential
view impact, waterside extent
estimated

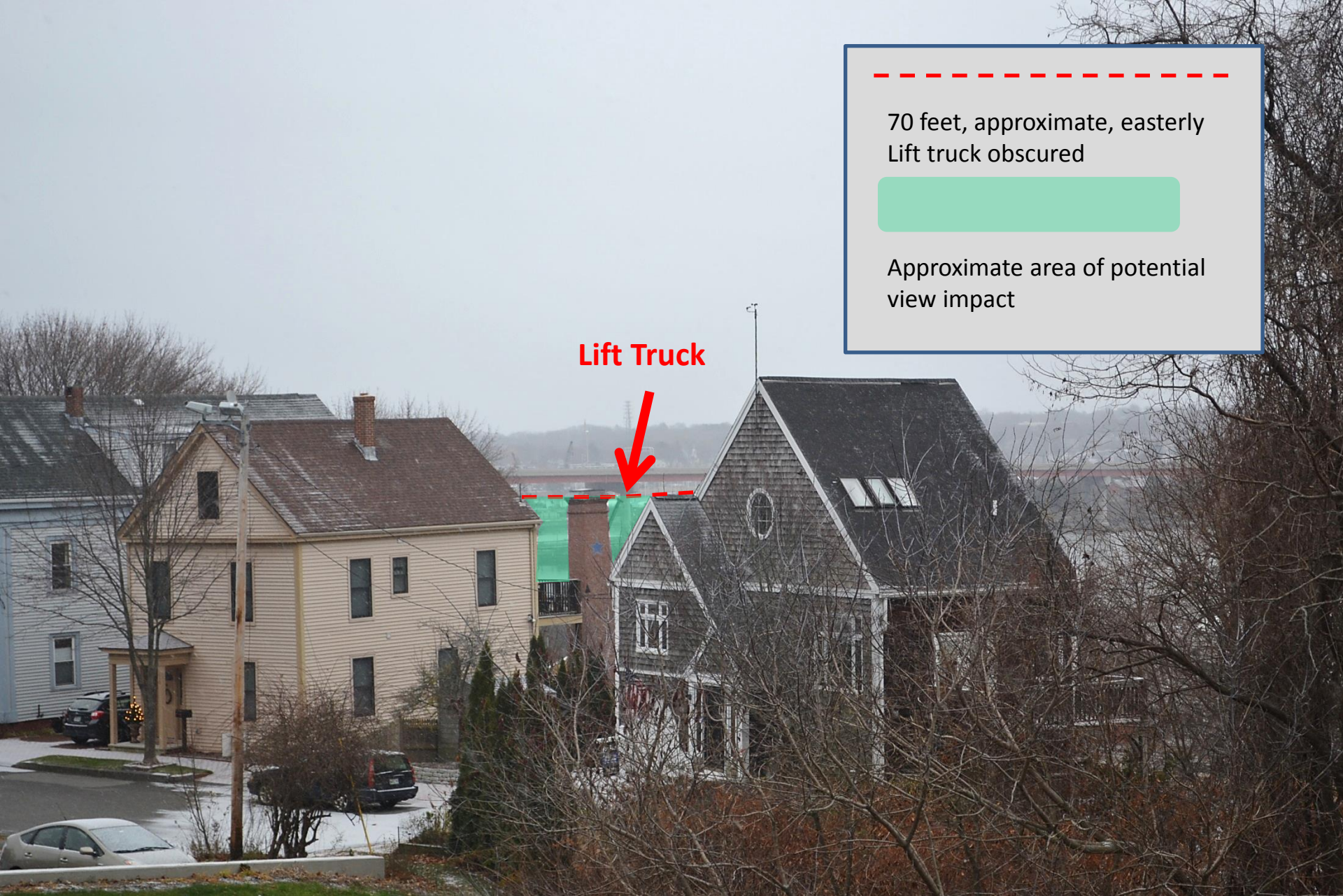
From West Commercial Street on JB Brown land



70 feet, drawn from observed
crane location

Approximate area of potential
view impact, corrected for
easterly crane location,
waterside edge, estimated

From West Commercial Street near Graybar



70 feet, approximate, easterly
Lift truck obscured

Approximate area of potential
view impact

Lift Truck

From Portland Housing site, south of Danforth, north of Salem



Lift Truck

70 feet, approximate, easterly
Lift truck obscured

Approximate area of potential
view impact, waterside extent
estimated

From Salem St

70 feet, drawn from observed
crane location

Approximate area of potential
view impact, corrected for
easterly crane location

Lift Truck

Lift Truck

From Danforth Heights 2nd floor lobby – below Salem Street

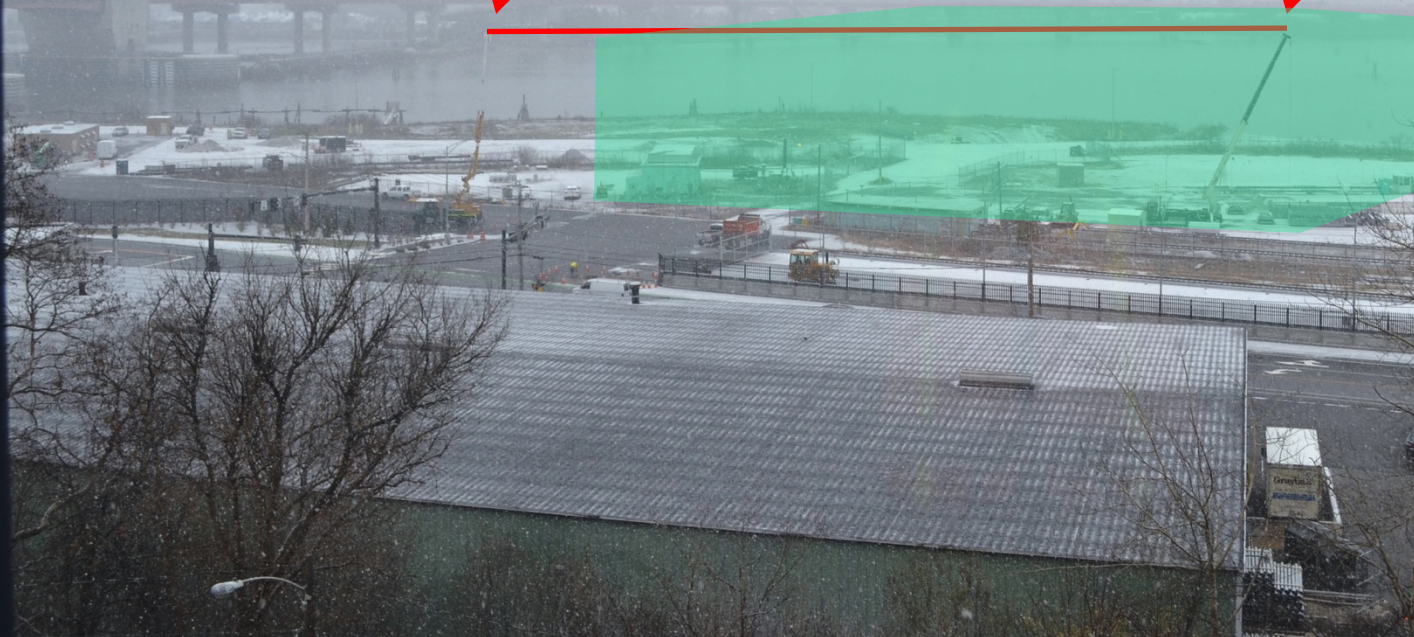
70 feet, drawn from observed
crane location

Approximate area of potential
view impact, corrected for
easterly crane location

Lift Truck



Lift Truck



From Danforth Heights 4th floor lobby – above Salem St

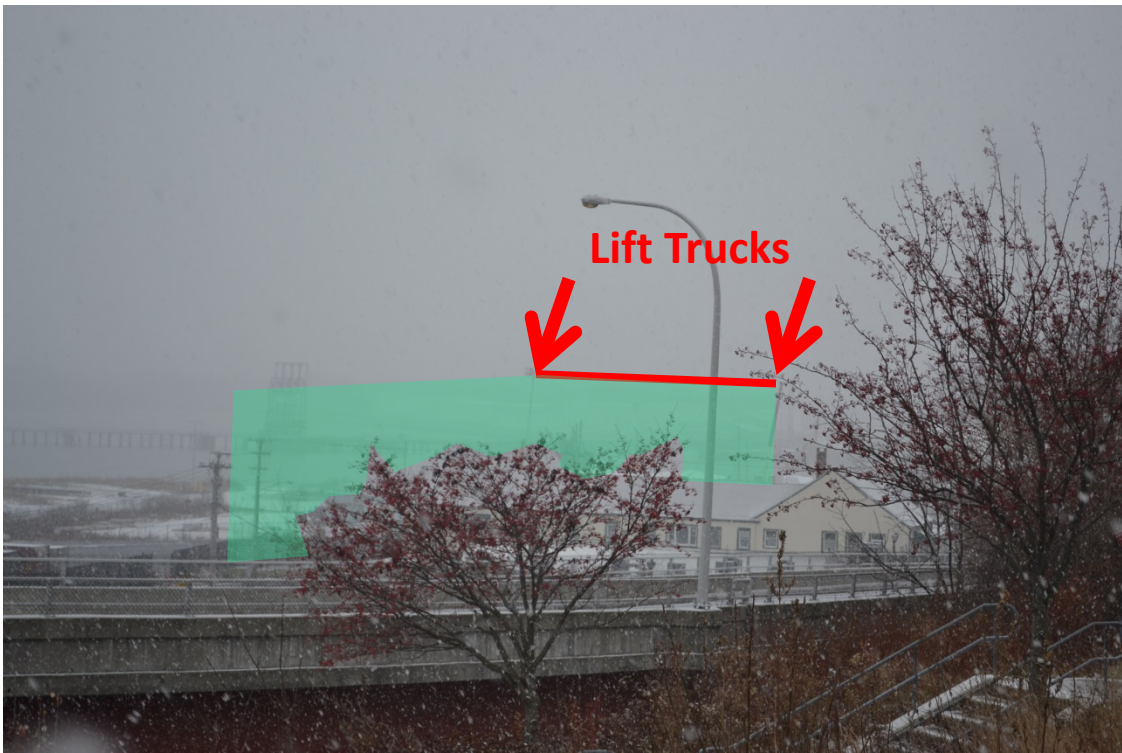


70 feet, approximate, easterly
Lift truck obscured

Approximate area of potential
view impact, corrected for
easterly crane location

Lift Truck

From York at Bracket - Easterly crane obscured



70 feet, drawn from observed crane location

Approximate area of potential view impact, corrected for easterly crane location.
Water-side extent, estimated



From Harbor View Park



70 feet, drawn from observed crane location

Lift Trucks

Approximate area of potential view impact, corrected for easterly crane location

From West Commercial Street just east of Clark Street

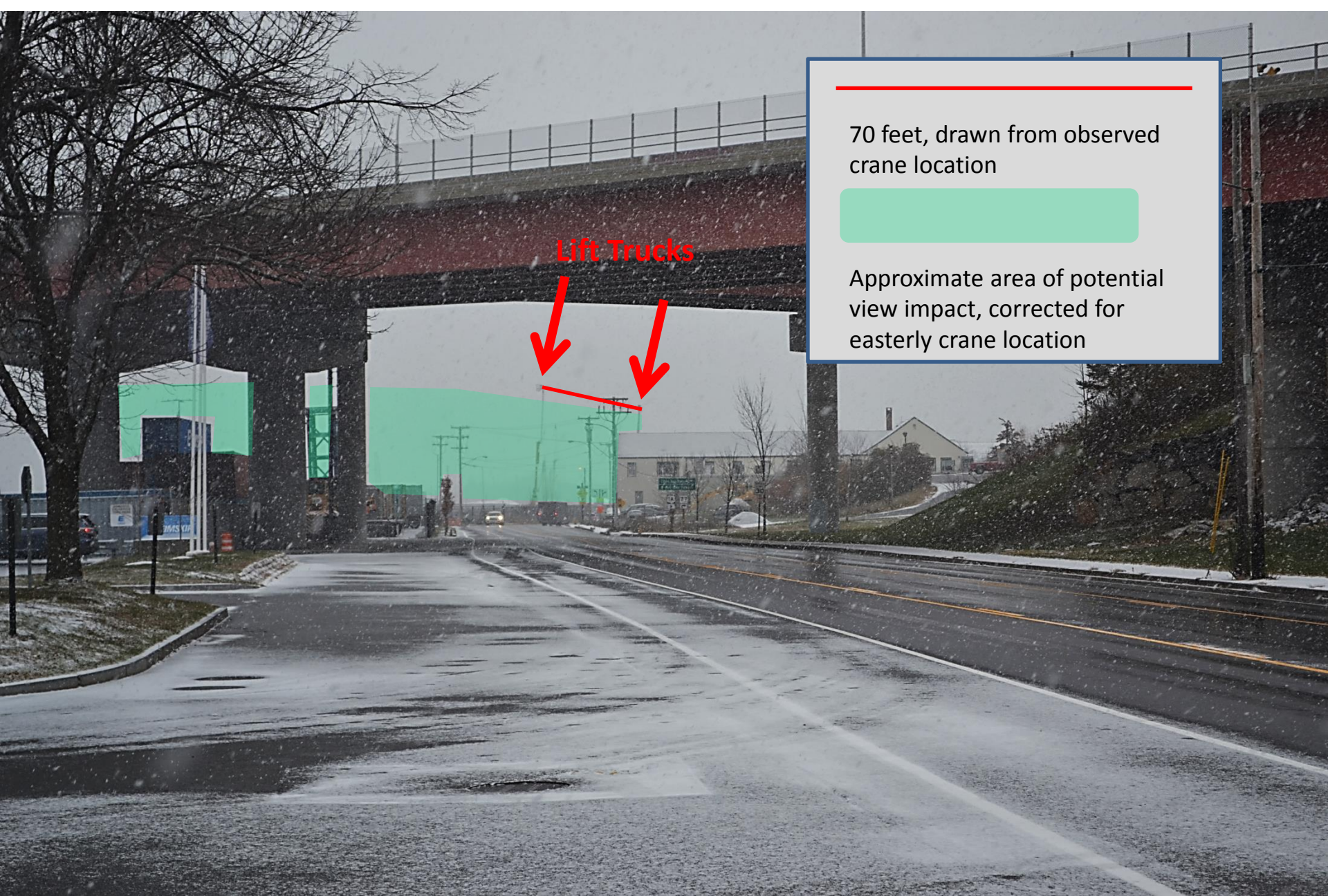


70 feet, drawn from observed crane location

Approximate area of potential view impact, corrected for easterly crane location

Lift Trucks

From West Commercial Street near Star Match Co.



70 feet, drawn from observed crane location

Approximate area of potential view impact, corrected for easterly crane location

From Commercial Street from International Marine Terminal Office



Economic Development Department

Memorandum

To: Chair Boepple and Members of the Planning Board

From: Bill Needelman, Waterfront Coordinator

Date: January 20, 2016

Re: Waterfront Port Development Zone Text Amendment, Application

I. Introduction*Summary:*

On behalf of the City Manager's Office, the Economic Development Department is submitting an application for text amendments to the Waterfront Port Development Zone (WPDZ) to allow taller buildings in support of port development.

The application has been prompted by an initiative by the Maine Port Authority to develop a cold storage logistics hub at the International Marine Terminal. Americold, the developer selected to design, build and operate a cold storage warehouse, indicates that a structure of nearly 70 is needed to meet the needs of the facility. Other uses in the zone, including an existing boat and ship repair facility, have indicated that taller structures are needed to grow working waterfront opportunities on the Western waterfront.

*New Information:*Revised Zoning Text:

Following the Board's introductory workshop on October 25, 2016, the Economic Development Staff and the Planning Staff have drafted a revised proposed text amendment for consideration. This amendment draft reflects feedback provided by the Board and public comment. The intent of the revised amendments is to allow larger structures supporting port activity, while avoiding the worst concerns of neighbors and interested parties. In broad summary, buildings larger than 45 feet would be allowed as a conditional use. The conditions for approval of such structures promote limited building width, openings between buildings, limited lot coverage, and predictability regarding the height of rooftop mechanicals and gabled roof designs.

Please see the Planning Staff memo for the current zone amendment language and policy evaluation.

Neighborhood Meeting Information and Outreach:

The current language has been informed by comments provided at a well noticed neighborhood meeting held on November 3, 2016 at Reiche School. The sign in list is included as Attachment B with a summary provided in Section III below.

The November 3 meeting was one of several formal and informal meetings with West End representatives and neighbors that have been held since the summer of 2016. In cooperation with the

Maine Port Authority, the Economic Development staff has participated in the following neighborhood outreach meetings in addition to multiple informal one on one and small group discussions:

MPA, Site walk - July 16, 2016,

WENA/WPNA Leadership – August 24, 2016

WENA – Sept 14, 2016

WENA/WPNA – Oct 13, 2016

City hosted – November 3, 2016

In addition to neighborhood outreach, ED and/or Maine Port Authority staff have engaged with the Portland Society for Architecture, the Portland Community Chamber of Commerce, the Waterfront Alliance, and the Portland Propeller Club.

Building Height Demonstration Results:

In addition to the neighborhood meeting, the City and the Maine Port Authority collaborated on a demonstration of proposed building heights on December 5, 2016. The results of the demonstration are incorporated into the visual material provided in the Planning Staff memo.

Economic Development Department Presentation:

At the January 24 Workshop, the Economic Development Staff will provide a presentation summarizing the rationale for the text amendments, as well as providing background information supporting the benefits and needs for port infrastructure.

Maine Port Authority Presentation:

Maine Port Authority Executive Director, John Henshaw, will provide the Board with a presentation of material summarizing recent investments in the Port of Portland, the importance of the Emskip North Atlantic shipping service, direct economic benefits of port activity in Portland, cold storage demand, the proposed facility, and opportunities for food manufacturing. Americold, along with the Maine Port Authority and Emskip have contracted Canal 5 Studios who will conclude the Port Authority presentation with a discussion of potential architecture of a potential facility.

Board Members and members of the public are also strongly encouraged to watch a 15 minute documentary produced for the *Wharfside* series by Galen Koch. Working for the Waterfront Alliance of Portland Harbor and the Casco Bay Estuary Partnership, the *Wharfside* project highlights stories from the working waterfront. An additional story, funded by the Maine Port Authority, has been added for this project and provides a concise and engaging summary of zoning history leading up to the cold storage discussion. The *Wharfside* stories are found at: <http://www.galenkoch.com/wharfside/> (click on “A Port in Portland”)

II. Rationale for Taller Buildings in the WPDZ: Why have a Port? Why Cold Storage? Why are larger buildings needed?

The goal for the zoning amendments is to align the building height regulations of the WPDZ with the requirements of infrastructure and buildings that implement the purpose of the zone. As quoted from the purpose statement:

“Transport of goods by water to and from Portland is an important component of both the local and regional economy. This commerce is dependent upon land with direct access to the dredged deep water channel of the Fore River.

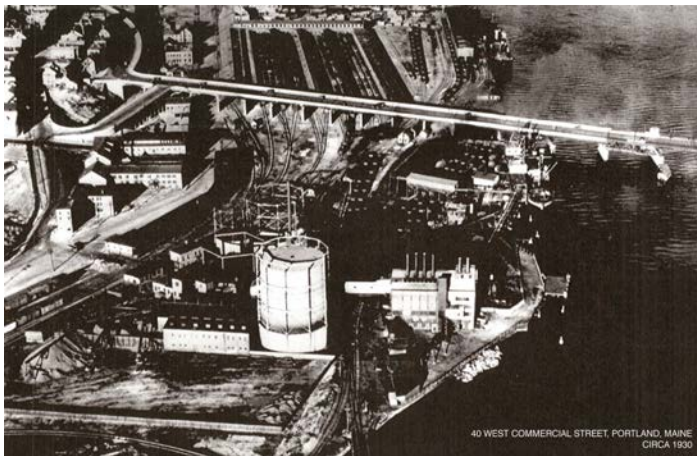
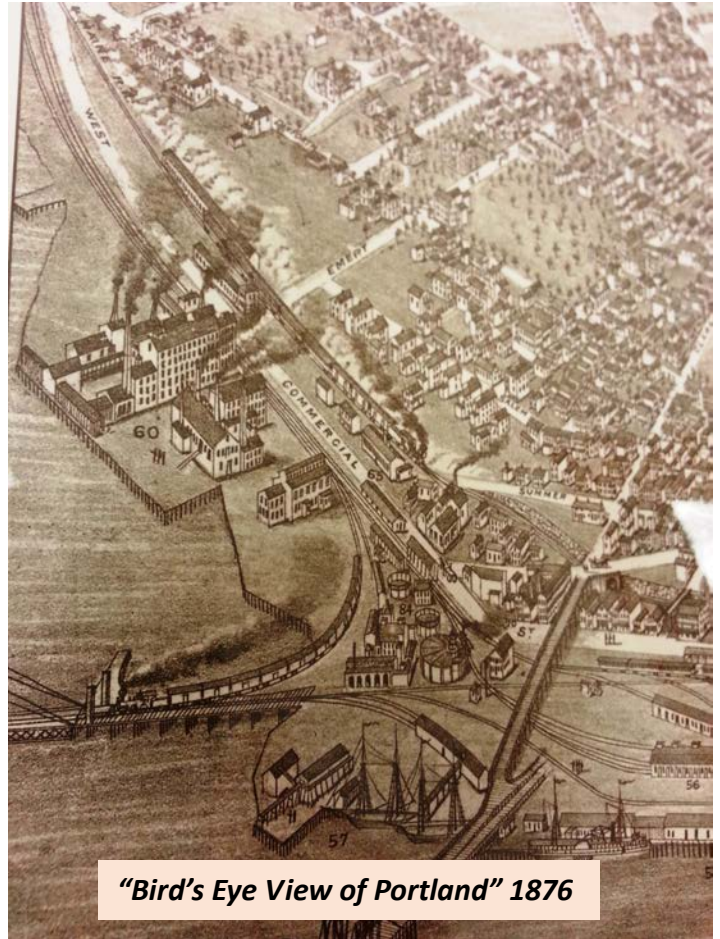
Waterfront land with direct deep water access shall be restricted to uses which contribute to port activity. This zone exists, therefore, to ensure the continued viability of the Port of Portland. ..."
Portland Land Use Code, Division 18.5, Sec. 14-318, Purpose

Established in 1993 in the aftermath of a non-marine use moratorium, the WPDZ was created to be and remains the heart of marine freight and industry for Portland, the region, and the State.

History and Policy of the Western Waterfront

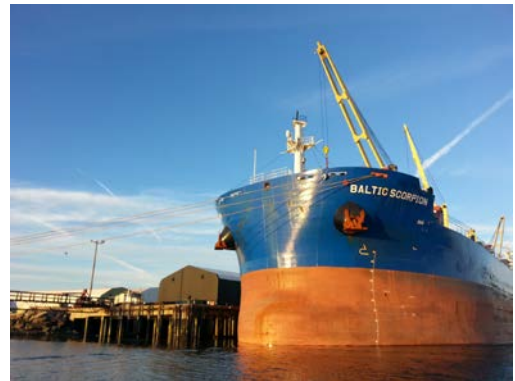
The choice of the Western Waterfront to be the center of deep water activity in Portland is no accident. Since before the days of the Cumberland and Oxford Canal, the Fore River created the interface between land and sea, between forests, farms and markets, and between the city and the world. With the mid-19th century introduction of rail transport, West Commercial Street was positioned along transport linkages north and south and manufacturing boomed. The image on the right shows how street, rail, and marine transport interfaced around large scale industry. The West End neighborhood to the right developed in conjunction with transportation and industry with higher end residential buildings already evident along Danforth Street and more modest housing clustering nearer to the port.

Later in the 20th century, coal gasification dominated the Western Waterfront, with additional large scale bulk transport of kaolin clay and other products as seen in the image below.

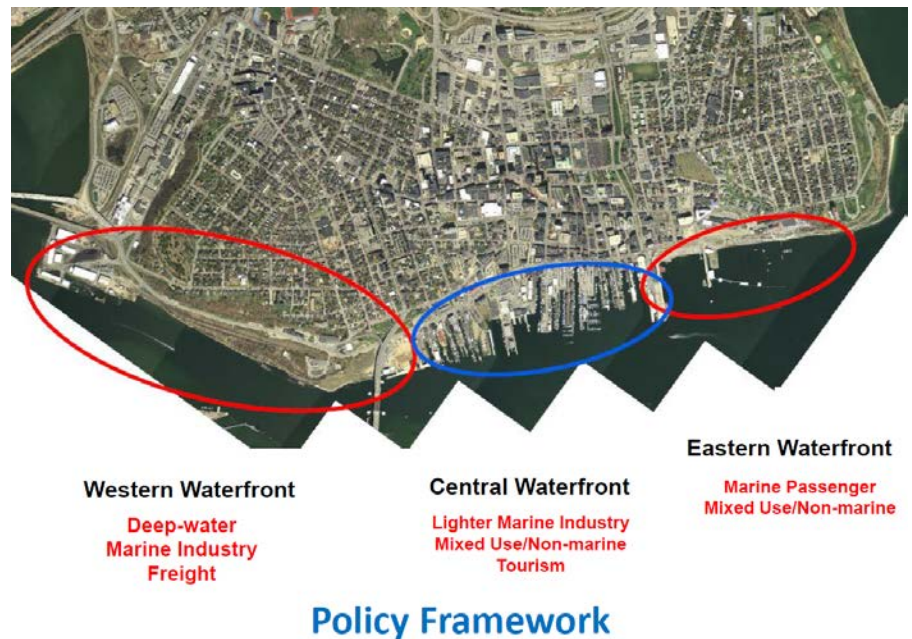


The Portland Gasworks silos in the foreground of this image, with the multiple rail sidings and sheds located east of the “Million Dollar Bridge”(replaced by the Casco Bay Bridge,) demonstrates both the scale and intensity of use that dominated the site.

With natural gas replacing coal gas, and loss of other manufacturing industries following WWII, the Western Waterfront entered a significant decline through the second half of the 20th century until very recently. One bright spot within the district was the retention and modernization of the Merrill Marine terminal at the far westerly extent of the port. The Merrill terminal successfully transitioned from a bulk freight facility to a mixed bulk and break-bulk facility with modern warehousing serving the forest products industry. The freighter to the right was captured this summer unloading road salt at the Merrill facility, currently operated by Sprague Energy. Locally consumed commodities such as road salt demonstrate the direct benefit that port activity plays in our everyday lives.



As noted above, the WPDZ was established as the regulating framework for the Western Waterfront in 1993. Set within the context of lighter marine industries and marine passenger zoning to the east, the WPDZ solidified freight activity along West Commercial Street. Despite the long-term decline of the district, the Western Waterfront retained the key components that drew port activity to the area 150 years before – connections to other modes of transport. The combination of **deep water, railroads, and interstate highway** creates the indispensable recipe for efficient modern logistics.



The Western Waterfront, uniquely along the Portland Waterfront, retains these connections. By preserving this land for port activity, and foregoing multiple opportunities for competing high value non-marine development, the City committed to waiting game through the 1990s and early 2000s to “keep the port in Portland.” Thanks to the resilience of long-term facilities (Merrill Marine Terminal,) the foresight of new industries (Portland Yacht Services,) and the strategic investments of the Maine Port Authority (making investments and bringing Emskip to the port,) the City of Portland has the remarkable opportunity to fully implement policies decades in the making.

The Regional Importance of the Port of Portland

Portland serves an indispensable role in Maine’s Economy as a transportation hub. The following anecdotes provide an overview of some important considerations.

- There are only **3 true ports in the State of Maine** – of these, Portland is most critical
- Maine has only **20 miles of working waterfront** left – out of +/- 5300 miles of coast*
- The WPDZ has over **1.5 miles of potential for working shoreline** – **over 7% of the state total**
- The port is our most efficient connection to **international markets** - Emskip
- Centers of Commerce need to be Centers of Transportation – **it’s our heritage**

- **Manufacturing** needs Transportation Infrastructure, and the Port is considered “critical” for manufacturing growth **
- The Port of Portland accounts for **3,700 jobs** and generates more than **\$101 million in annual income.*****
- Activity in the Port of Portland results in **\$200 million in direct economic impact.******
- **Indirect regional economic and employment benefits** of increased Port activity have not been yet been calculated, but are assumed to be significant for emerging **food and beverage** industries
- **

*<http://www.islandinstitute.org/resource/last-20-miles> ** <https://www.eda.gov/imcp/files/1st-round/IMCP-2-Pager-Handout-Portland.pdf>

*** Maine Port Authority **** GPCOG

The significance and benefits of Portland and port activity will be further described by the Maine Port Authority. The Board is also asked to consider the information provided in the letters of support by the Greater Portland Council of Governments, the Propeller Club of Portland Harbor, and others as included as Attachment A of this memo.

Export Growth is a Significant Opportunity for the Portland Region and Maine

In 2015, the City of Portland Economic Development Department and the Greater Portland Community Chamber of Commerce commissioned the *Maine Center for Business and Economic Research* at the University of Southern Maine to research opportunities for economic growth resulting from increased international export. The resulting report, *An export market assessment of the Greater Portland region, December 2015 (Ryan Wallace, Principal Investigator,)* summarized that exports currently support a small but important component of Greater Portland employment. Significant to this process, the report also noted that many of the key products exported rely on refrigeration (food and pharmaceuticals) and that growth in these sectors is possible due to the opportunities provided by Eimskip and marine transportation.

Summarized Observations from the Export Market Assessment Report:

- Regional output is stagnant, state output is declining.
- Exports from Portland, however, have jumped with the arrival of Eimskip, New England exports lag the nation.
- Exports support a significant number of jobs in the Portland region, but a small share of overall employment - 6,500 jobs in the Portland Metropolitan area in 2014; 2,900 of which are directly supported by exporting industries.
- Industry employment and industry trade specializations are in related industries. Key goods producing industry employment specializations in the Portland region are in seafood processing, pharmaceutical and medicine manufacturing, pulp, paper, and other forestry related products, beverage manufacturing, sugar and confectionary manufacturing, among others.
- A vast majority of top exports from Portland are destined for northern EU countries, with the exception of seafood products, which are shared with both the Eimskip countries and exports elsewhere.
- Strong growth in export markets along Eimskip service areas.
- Import markets in Eimskip service area countries are healthy. Top import product categories that relate to Portland and Maine export capacity have shown strong growth since 2010, growing on average between 30 and 60 percent.

As noted in both the Export Market Assessment, and the GPCOG Investing in Manufacturing Communities Partnership documents (see GPCOG letter in Attachment B,) cold storage is critical for export growth and resulting gains in manufacturing employment.

The Port Needs Taller Buildings – Cold Storage, Boat Repair....(Bulk storage already can do it)

The Planning Staff memo includes a narrative on the programmatic needs for cold storage and other uses that require taller buildings. The Board is asked to review this material within the context of the opportunities presented. The benefits of port activity and the opportunities summarized above can only be realized if the infrastructure creates the environment for efficient operations. Cold storage needs to be of a size that generates enough activity to warrant the significant investment. Given the available land, taller structures are the only mechanism to accommodate that activity.

Additionally, efficient and cost effective boat repair needs to have interior space large enough to hold the vessel. If the port is to expand opportunities to be home for larger yachts and commercial vessels, the service requirements of these vessels need to be provided within the port. Larger buildings are the only way to service larger vessels.

Significant neighborhood discussion and feedback has focused on the “need” for taller buildings. Implicit in this discussion is the premise that the buildings should be as small as possible. While City staff and the Maine Port Authority will continue to provide information addressing these concerns, the Board is also asked to consider the issues from two alternative perspectives: What are the appropriately sized structures that implement the purpose of the zone within today’s economic realities? What sized buildings capitalize on the real and significant opportunities presented?

Previous to the 1993 zoning, the city faced these same challenges with a proposal to construct cement silos on the Merrill Marine Terminal. After lengthy negotiations, the zoning was changed to allow bulk storage facilities up to 145 feet above sea level on portions of the WPDZ. Those provisions remain in the code.

Finally, as a community we should be ready to respond to the next opportunity without needing to change the zoning rules. In 1993, the marine and export economies were in a very different place than today. Likewise, our understanding of port infrastructure requirements was also based on past experience – largely defined by neglected and antiquated facilities. Moving forward, our zoning code should not only respond to current opportunities, it should anticipate that new opportunities likely will arrive that we do not foresee. At 45 feet, our current building height allowance does not provide flexibility in responding to future changes in the marine and freight industries

Supporting Material.

A. Letters of Support:

Portland Propeller Club
Greater Portland Council of Governments
Ready Seafood

B. November 3, 2016 Neighborhood meeting sign in list and notes

C. Maine Port Authority Summary Presentation

Note: The Maine Port Authority has supplied rendered drawings as of the writing of this memo. These drawings are provided to add context to the discussion recognizing that these drawings are preliminary.

PROPELLER CLUB OF THE UNITED STATES

To Promote, Further and Support an
American Merchant Marine.



To aid in the development of needed
River, Great Lakes and Harbor Projects.

November 14, 2016

PORT OF PORTLAND, ME

Elizabeth Boepple
Chair, Planning Board,
City of Portland
389 Congress St.
Portland ME 04101

Dear Chair Boepple:

The board of the Propeller Club, Port of Portland, has asked me to write concerning the zoning modification necessary for construction of a modern cold store warehouse in the WPDZ just west of the Casco Bay Bridge. The modification would allow a building height of seventy feet, the same height as the Sprague warehouses near the Veteran's Memorial Bridge.

The Portland Chapter of the National Propeller Club was chartered in 1932. We are 150 pier and terminal owners, tug companies, chandlers, shipwrights, ships agents and professionals. The members are all owners and operators of businesses in the Port of Portland, and we are all dependent on and dedicated to promoting commerce in the Port of Portland.

The Port of Portland has always handled food. Everyone knows the Portland Cold Store Building on Union Wharf, built primarily for fish but which also handled corn, berries and many other products. Yet for decades the port has been without a cold store warehouse usable in conjunction with deep water shipping. Virtually every serious recent study of the Port of Portland, whether privately commissioned or government sponsored, has identified a cold store warehouse as conspicuously lacking among the Port's assets. From first hand knowledge our members know of specific business opportunities that the Port's lack of a freezer warehouse has caused Portland to fail to win.

There's good reason the studies point to our lack of a cold store warehouse, for the benefits of such a warehouse extend throughout the state and region. More and more, Maine's farms and other food producers recognize that to compete with big operations across the world they must produce value added food. Even before the freezer plant is completed its sales people will fan out across Maine and the

region to show food brokers and producers how a frozen product can aid their bottom line. While container loads of frozen product are currently shipped from the Port, the freezer warehouse will be able to handle pallet loads, allowing smaller Maine food producers, those who could never fill a container, inexpensive access to distant markets. This point is key.

The Propeller Club as an institution knows that a healthy port must be tended with care. Cargoes decline and new cargoes take their place, some moving in modern containers, some in bulk and some in break-bulk, and all by sea. A healthy port adapts to and provides accommodation for the new cargoes, and even across the centuries that port continues to thrive. Such has been the experience of the Port of Portland - but not without exception. Recall the cement silos proposed in the 1990's for the western waterfront, and which met with organized opposition from residents who chose to live overlooking the western waterfront. Those three silos were finally built, but in New Haven, where they, their ships and their many well-paid employees are still busy.

Persons responsible for a port would do well to keep foremost in mind that even ships which have used a port for decades can steam over the horizon and never return. If Portland wants blue water shipping we must strive to adapt to the shipping marketplace, or, as have so many ports, wither. The proposed modest and logical alteration in allowable building height in the WPDZ will allow private capital to build a much-needed port facility, a facility which will improve opportunities for businesses far inland, and which will allow the Port of Portland to continue to be a powerful driver of the regional economy.

Very truly yours,



William York
President, Propeller Club, Port of
Portland, Maine.

cc: William Needleman

GREATER PORTLAND COUNCIL OF GOVERNMENTS

December 6, 2016

Mr. William Needelman
Waterfront Coordinator
City of Portland
389 Congress Street
Portland, Maine 04102

Dear Bill,

On behalf of the Greater Portland Council of Governments (GPCOG), I am writing to express our support for the City's application for a text amendment to the Waterfront Port Development (WPDZ). We understand that this change will facilitate the construction of a cold storage warehouse at the International Marine Terminal in Portland.

The Port of Portland is one of Maine's greatest economic assets. According to our own 2008 study, the working waterfront generates over 3,500 jobs, \$100 million in wages, and \$200 million in direct economic impact. Since then, we have identified the expansion of the Port as a critical project for the Comprehensive Economic Development Strategy (CEDS) for the region and the federal Investing in Manufacturing Communities Partnership (IMCP) initiative.

GPCOG is the regional planning agency serving 26 cities and towns in Greater Portland and the Sebago Lakes region. As a federally designated Economic Development District, one of our core responsibilities is the creation of a CEDS for the region. Our strategy, developed from 2011 to 2013, prioritizes agriculture and fisheries as the region's top clusters. To support this cluster, one of the high priority projects in our CEDS update, adopted on June 8, 2016, is to "increase access of Maine products to global markets," including the development of "cold storage capacity on the waterfront for farms and fisheries." Your project directly supports this goal.

On May 28, 2014, the White House designated the Greater Portland Sustainable Food Production Cluster, led by GPCOG, as one of the nation's 12 Manufacturing Communities. One of our six IMCP goals is to "increase Maine's global food exports by 25%." Achievement of this goal has more economic impact than any other goal in our plan, generating \$133 million and 800 jobs to the state's economy. This impact is related not to the construction or operation of the warehouse but to Maine food manufacturers, which will now have access to new markets in Europe as a result of the warehouse and the transatlantic service associated with it.

Serving the Greater Portland and Lakes Region Communities

970 Baxter Boulevard, Suite 201 ♦ Portland, Maine 04103 ♦ Telephone (207) 774-9891 ♦ Fax (207) 774-7149

For more details on our CEDS or IMCP initiative, please visit our plans online at www.gpcog.org/economic-comm-development/gpcog-economic-dev-district/.

Thank you for your leadership in facilitating the prosperity of the state and region.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kristina Egan', with a stylized, flowing script.

Kristina Egan
Executive Director

Attachment B

From: Kelly Spence [<mailto:kspence@maineseafoodventures.com>]
Sent: Friday, December 09, 2016 10:15 AM
To: Michelle Brooks
Subject: Support for Americold's New Facility

Hi Michelle,

Ready Seafood supports the move of Americold to the proposed new location on the waterfront in Portland. Ready Seafood is lobster company that ships fresh and frozen lobster products both locally and worldwide. Ready Seafood is committed to the local economy not only with local fishing, research, and sustainability efforts - but by providing jobs to more than 200 employees in the greater Portland area.

We are happy to voice our support in favor of the move to the waterfront. This will facilitate ease of transportation by its location close to the interstate and help keep large trailers off of the roads near the parks and high school around Stevens Avenue, Baxter Boulevard & Washington street.

Please find our attached logo to use in your presentation. If you have any other questions, please let me know.

Thank you!

--

Kelly Spence

Operations Analyst II
Maine Seafood Ventures
2 Custom House Wharf
Portland, Maine 04101
Tel: [508 330 2201](tel:5083302201)
www.maineseafoodventures.com



January 19, 2017

William Needleman
Waterfront Coordinator

City of Portland
389 Congress St., Room 205
Portland, ME 04101

Dear Mr. Needleman,

I am writing to express my strong support in favor of rezoning Portland's western waterfront zone to allow the construction of a cold storage facility in excess of the existing 45-foot height limitation. I believe that the benefits of increased maritime activity on Portland's historic waterfront far outweigh any adverse impact the construction of a facility with a height comparable to existing waterfront structures may have.

As a resident of the West End, I understand that homeowners with harbor facing properties may take issue with vistas being limited by new construction. I, however, feel that the potential economic impact of constructing and operating a modern warehouse facility, as well as the services provided by local businesses to vessels calling at the Port of Portland, must be taken into account.

The Port of Portland is one of Maine's three primary deep-water commercial ports. Allowing continued investment in Portland harbor helps our farmers, fishermen, and manufacturers by providing access to intermodal transportation solutions here in Maine while encouraging railway, truck and ocean carriers to move more freight into, and out of the state.

Having spent the early part of my career as a seafarer onboard cargo ships I have seen first-hand large scale commercial activity at modern ports around the world. I would like nothing more than for the Port of Portland to take every opportunity to participate in, and benefit from, global trade.

Jeffrey Musk

Attachment A

From: Kelly Spence [<mailto:kspence@maineseafoodventures.com>]
Sent: Friday, December 09, 2016 10:15 AM
To: Michelle Brooks
Subject: Support for Americold's New Facility

Hi Michelle,

Ready Seafood supports the move of Americold to the proposed new location on the waterfront in Portland. Ready Seafood is lobster company that ships fresh and frozen lobster products both locally and worldwide. Ready Seafood is committed to the local economy not only with local fishing, research, and sustainability efforts - but by providing jobs to more than 200 employees in the greater Portland area.

We are happy to voice our support in favor of the move to the waterfront. This will facilitate ease of transportation by its location close to the interstate and help keep large trailers off of the roads near the parks and high school around Stevens Avenue, Baxter Boulevard & Washington street.

Please find our attached logo to use in your presentation. If you have any other questions, please let me know.

Thank you!

--

Kelly Spence

Operations Analyst II
Maine Seafood Ventures
2 Custom House Wharf
Portland, Maine 04101
Tel: [508 330 2201](tel:5083302201)
www.maineseafoodventures.com



**List of Attendees at Neighborhood Meeting Re: Americold Cold Storage Facility
- and Height Limits and Zoning Amendment Request from 45 to 70 feet**

Neighborhood meeting held on Thurs., November 3, 2013 at 5:30 p.m. to 7:30 p.m. at Reiche School.

Name

Cornelia Walworth
Carol McCracken
Valerie Wicks
Dick Stevens
Jo Coyne
Linwood Ashton
Mike Stone
Michelle Filippone
Pamela W. Shelton
Liz Parsons
Pamela Shaw
Anne Pringle - WPNA
Louise Davis
Bob Mittel
Irit Altman
Jeremy Morton
Mark Bessire
Marjorie Shaw
Caitlin Mushial
Peter L. Hall
John Desjardins
Suzanne Hunt
Penny Rich
Sarah Daignault
Frank and Sharon Reily
David Flotten
Peter Green
Rick Batista
Adam Wiles-Rosell
Kate Holden
Erik Mushial
Barb Wood
Leslie and Ted Kaynor
Penny Stevens
Katherine Searles
David Searles
Laura Robinson
Sonia Robertson
Phin Sprague
Tim Winters
Bob Greene

Linc Denison
Charlie Cianchette
Michelle McWilliams
Derek Hengstenberg
Peter Lawrence
Michael Eng
Gary Wagner
Andrew Ross
William Dawson
Reeven Ectman
Lisa McIlwain
David Harry
Ashley Salibury
Keith Carson
Stephen Small

III. Neighborhood meeting

On November 3, 2016, +/-55 members of the public joined staff from Economic Development and Planning to discuss options for zoning amendments. 507 notices were mailed to property owners for the meeting. While this meeting was not “required” for the text amendment, staff used the protocol for a required meeting, additionally expanding the 500 foot notice area to include a wider area within the view shed of the zone.

Economic Development Director, Greg Mitchell provided introductory comments on the importance of the Port and transportation infrastructure. Waterfront Coordinator, Bill Needelman presented background information, neighborhood view information, and existing and proposed zoning summaries. Planning Director, Tuck O’Brien took notes, clarified planning process steps, and helped to facilitate the discussion.

The presentations were followed by a facilitated discussion and question and answer period. A strong majority of neighbors who spoke expressed worries about taller structures. Most were supportive of port uses generally, but views of the bridge, the river, and marine traffic were important. Other concerns were raised about increased traffic and noise of operations. Some participants questioned the need for the facility, the need for additional building height, and potential damage to the aesthetics of the westerly “gateway” to the city. Several comments related to erosion to the City brand image as a historic community and potential negative impacts to the tourism economy.

Mr. Phin Sprague, owner of Portland Yacht Services, described how the existing 45-foot limit drove him to building a larger building than he desired so that he could maximize the “sloped roof” provision to increase the overall height of the building (and door.) Several other representatives from marine industrial interests were in attendance.

Mr. Needelman tried to gather if there were other options to consider that would achieve the goals of the amendments (increase building height for cold storage, and other uses,) but the significant majority of input centered on taller buildings, the value of views, and potential negative impacts of development.

Mr. Needelman concluded the meeting with appreciation for the civil discourse and collegial tone of the conversation.



THE PORTLAND FOOD CLUSTER

AND THE IMPORTANCE OF REFRIGERATED STORAGE

**JOHN HENSHAW – EXECUTIVE DIRECTOR
MAINE PORT AUTHORITY**



IMT CONSTRUCTION EXPENDITURES 2010 - PRESENT

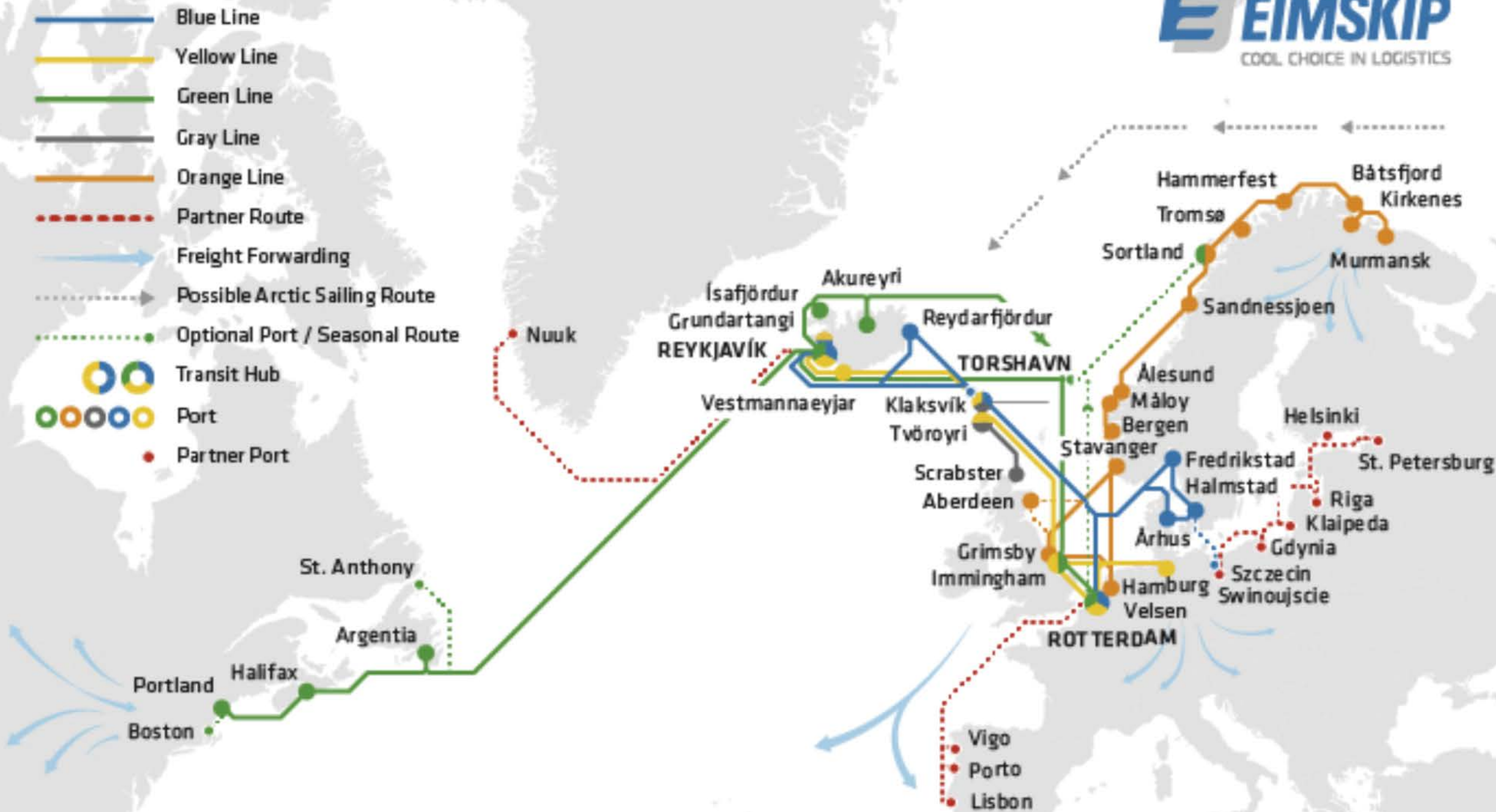
\$25 million

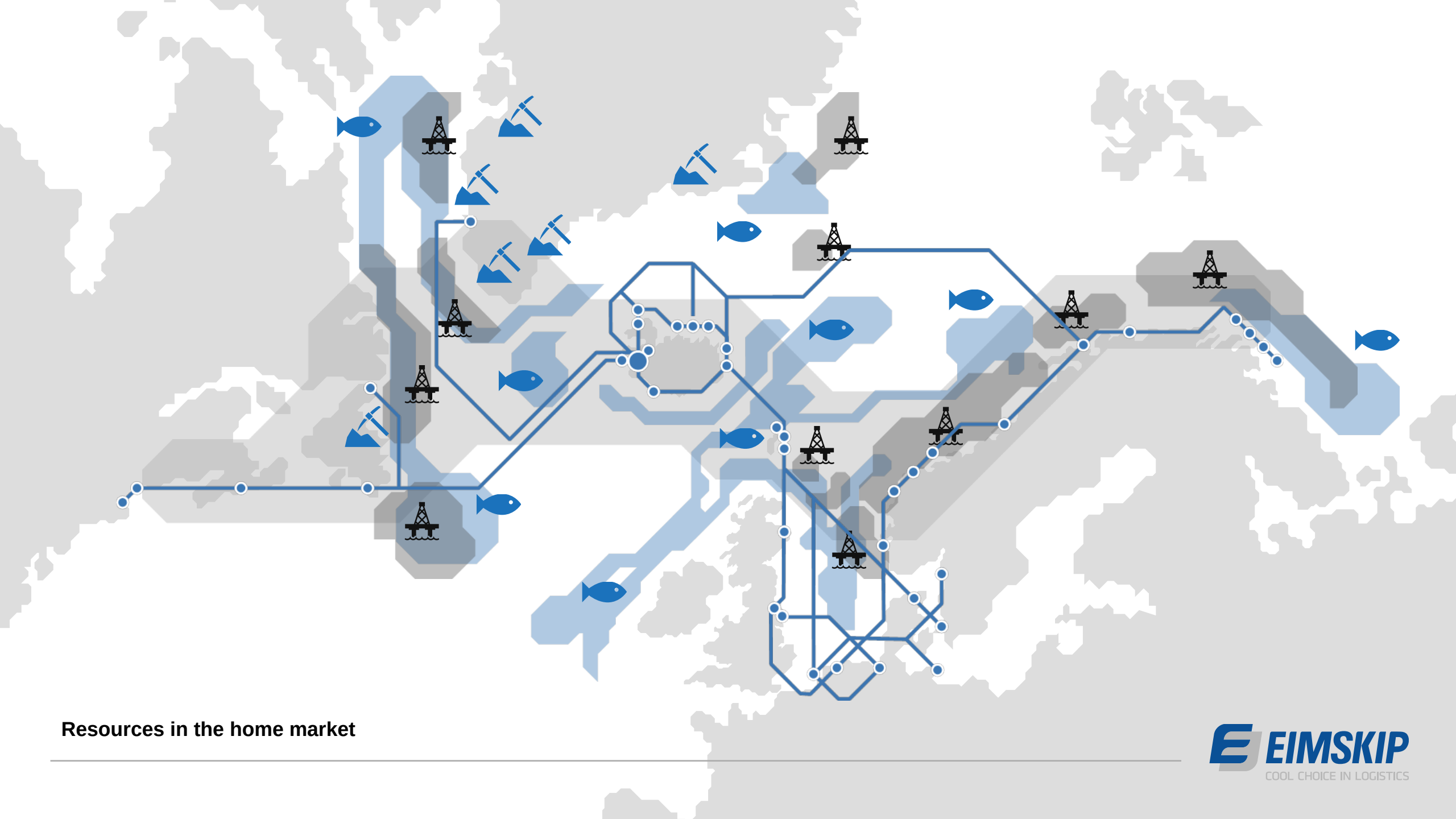
- Demolish ferry terminal and Customs buildings
- Build Pier infill
- Regrade and strengthen ferry terminal parking lot for freight operations
- Build new security and operations building
- Warehouse modifications
- Additional reefer plugs
- Rebuild rail on right of way to main line
- Create new rail siding
- Create and pave new trucking yard
- Relocate Unifil and NGL

EIMSKIP CHOOSES PORTLAND

NORTH AMERICAN LOGISTICS HUB







Resources in the home market

IMT ANNUAL LABOR EXPENDITURES

WAGES AND BENEFITS

Portland Longshoremen's Benevolent Society,
ILA Local 861

- 7 full time jobs
- 20 additional part time jobs
- Estimated annual payroll of \$1.3 million, including benefits

Eimskip USA Portland Employees

- 16 full time jobs
- Estimated annual payroll of \$1.1 million, including benefits

IMT ANNUAL EXPENDITURES GOODS AND SERVICES

\$1.6 million total (partial list below)

• Operations and management	-	\$360,000
• Equipment maintenance	-	\$266,000
• Facility maintenance	-	\$177,000
• Utilities	-	\$155,000
• Network/security	-	\$107,000
• Facility lease	-	\$90,000
• Insurance/financial services	-	\$90,000
• Chassis leasing/maintenance	-	\$66,000

MAINE BUSINESSES UTILIZING THE IMT (PARTIAL LIST)

- Fish processors and distributors
- Food/Beverage/Grocery processors and distributors
- Forest products manufacturers
- Automobiles/RVs/Boats distributors and manufacturers
- Construction materials distributors and manufacturers
- Household goods manufacturers and distributors
- Manufactured goods producers
- Manufacturing inputs (raw materials) providers
- Bio-medical manufacturers

ANTICIPATED SPENDING (2017 – 2018)

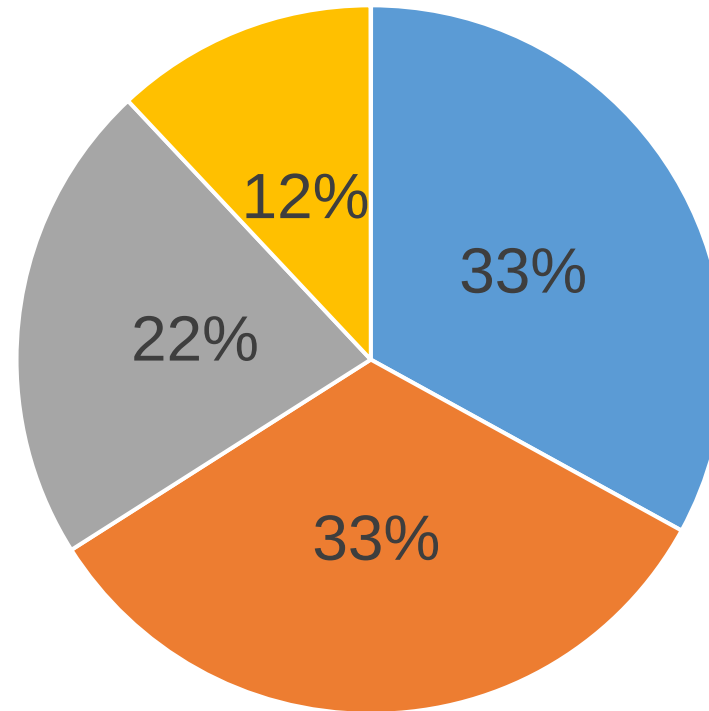
\$15.4 million

- Build new maintenance and repair building
- Demolish existing maintenance and repair building
- Additional pier infill
- Acquire new mobile harbor crane
- Acquire additional container handler in support of rail operations
- Add rail capacity
- Replace pier fenders

\$20 – 30 million (private investment)

- Americold builds cold storage and Eimskip USA headquarters building

COLD STORAGE DEMAND



- Food Manufacturers
- Wholesalers
- Retailers
- Pharma and Floral

AMERICOLD COLD STORAGE/EIMSKIPUSA HQ

- Approximately 186 temporary construction jobs
- 5 days/16 hours (two shifts) operations at the completed facility will yield approximately 21 permanent jobs including:
 - 1 general manager
 - 2 manager/supervisory positions
 - 4 office clerical/administrative positions
 - 3 building/refrigeration/equipment maintenance positions
 - 11 lift truck operator positions
- Eimskip Headquarters relocation will add 15 immediate jobs
- 50 total positions will support the Eimskip US headquarters

AMERICOLD COLD STORAGE FACILITY

- Americold Project Future Direct Economic Impact Factors Following Initiation of Facility Operations
 - Salaries paid to Maine Residents per year - \$896,520
 - Payments made to Maine-based subcontractors per year - \$1,057,994
 - Payments of State and local taxes in Maine per year - \$169,791
- Total for Projected Economic Impact (annually) - \$2,097,304
- Projections are based on a facility that includes 15,864 pallet positions of storage and approximately 18,000 sq. ft. of office space

OPPORTUNITIES FOR FOOD MANUFACTURING

- Greater Portland has been designated one of the nation's 24 Manufacturing Communities for food manufacturing and processing under the Department of Commerce's Investing in Manufacturing Communities Partnership
- "The expansion of the region's food processing capacity is dependent on warehousing, cold storage and transportation."
 - Greater Portland Council of Governments (GPCOG)

PROJECTED IMPACT OF FOOD MANUFACTURING

- Completion of the IMT expansion and construction of the cold storage facility are integral to achieving the IMCP program goals and supporting increased food manufacturing opportunities for revenue and employment.

IMCP Goal	5-year Projected Impact	Jobs Created
Create value-added products for 20% of raw food that is wasted	\$46,750,000	290
Add value to 10% of raw food shipped out of state for processing	\$80,410,000	498
Increase Maine's global food exports by 25%	\$133,000,000	824
Replace 10% of imported manufacturing inputs with Maine product	\$26,300,000	163
TOTAL	\$286,460,000	1,775

Source: Gabe, Todd M., James C. McConnon Jr., and Richard Kersbergen. "Economic Contribution of Maine's Food Industry." Maine Policy Review 20.1 (2011): 36 -45 <http://digitalcommons.library.umaine.edu/mpr/vol20/iss1/7>.

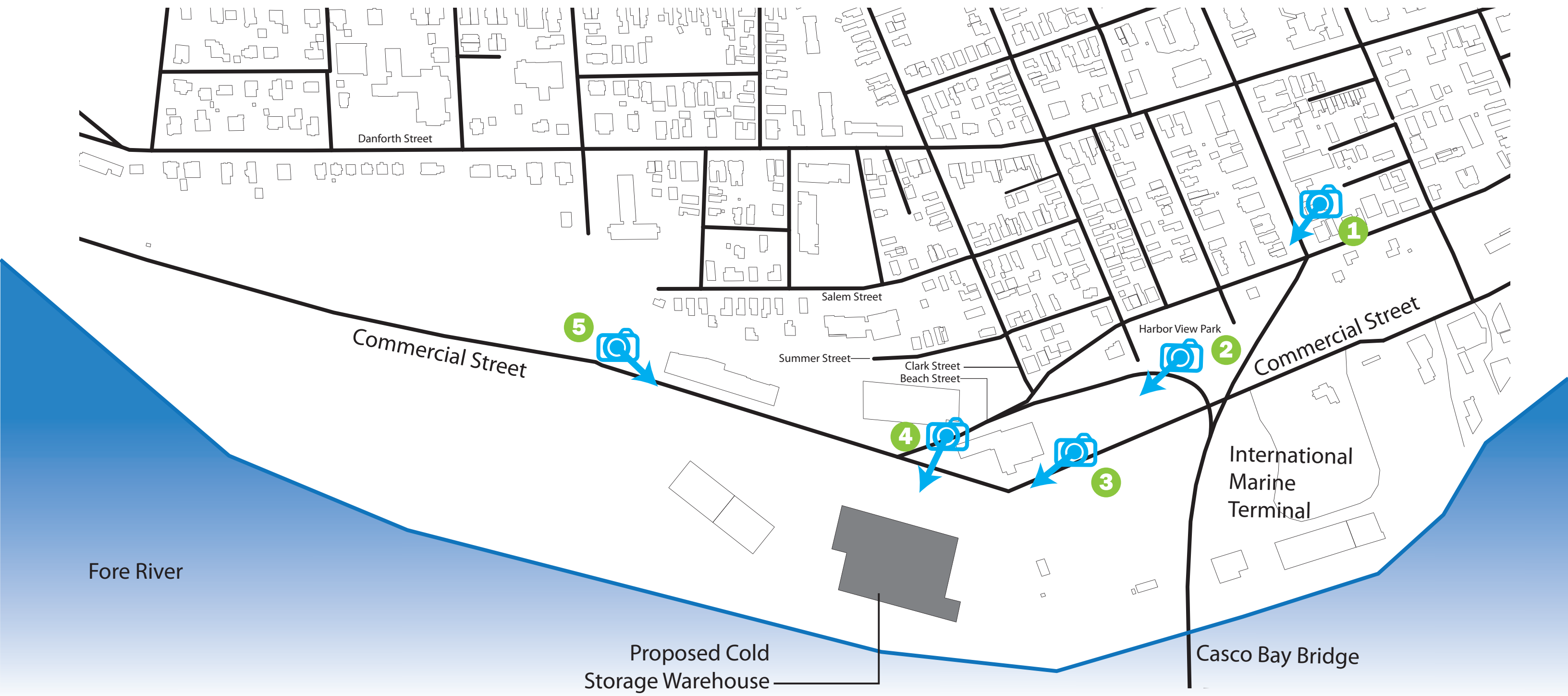
COLD STORAGE DESIGN CONSIDERATIONS

PATRICK COSTIN
CANAL5STUDIO



QUESTIONS?

Proposed Cold Storage Warehouse



Proposed Cold Storage Warehouse



Aerial View - Looking Southwest

1

Proposed Cold Storage Warehouse



View From Harbor View Memorial Park **2**



View From Commercial Street - Looking Southwest **3**

Proposed Cold Storage Warehouse



View From Beach Street (at Commercial St.) 4



View From Commercial Street - Looking East 5

Proposed Cold Storage Warehouse



View From South Portland - Thomas Knight Park

Proposed Cold Storage Warehouse



North Elevation

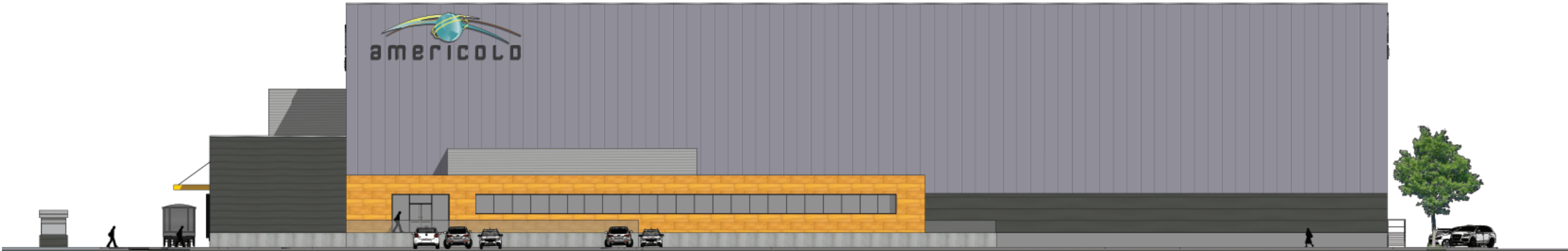


South Elevation

Proposed Cold Storage Warehouse



East Elevation



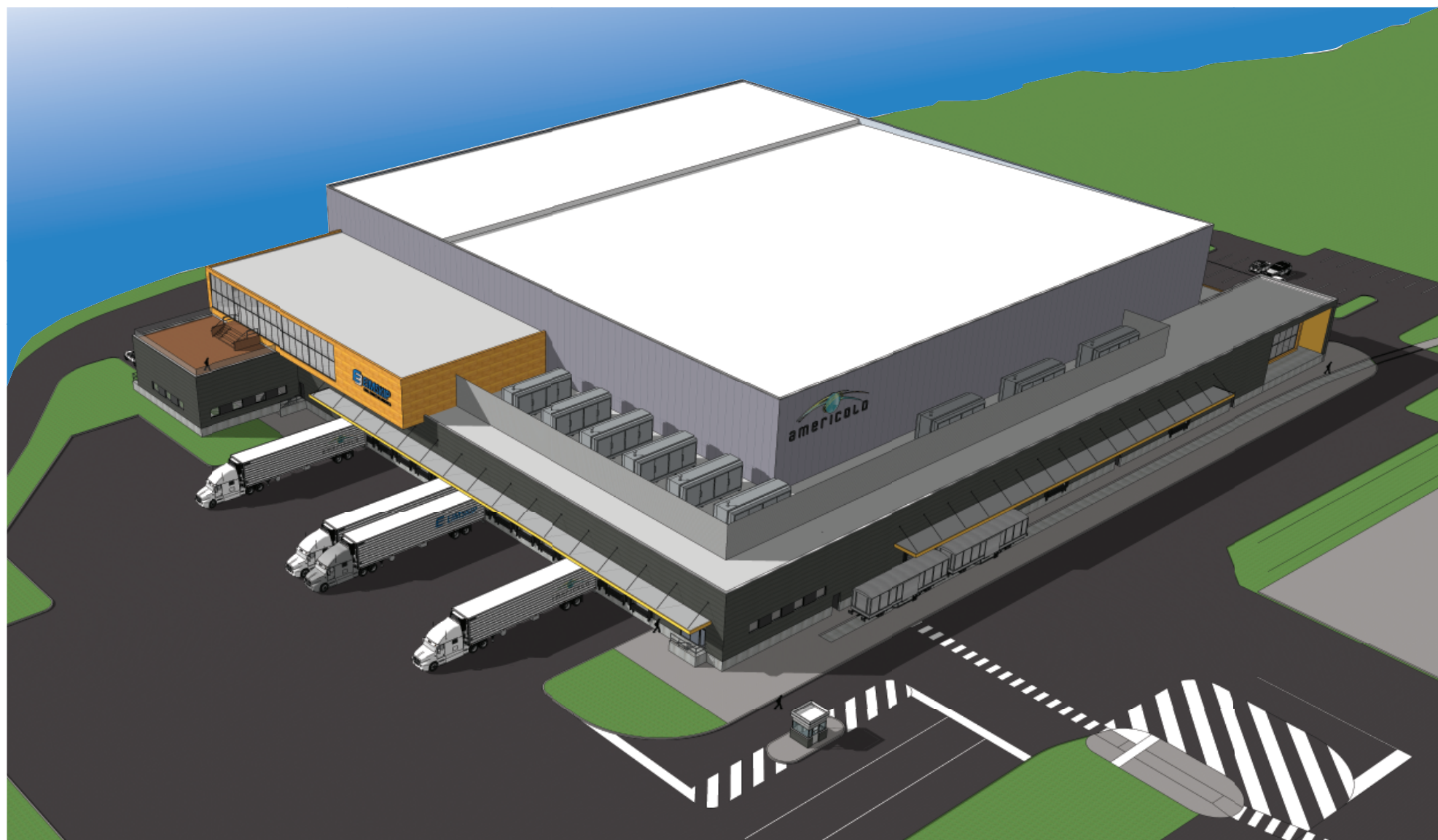
West Elevation

Proposed Cold Storage Warehouse

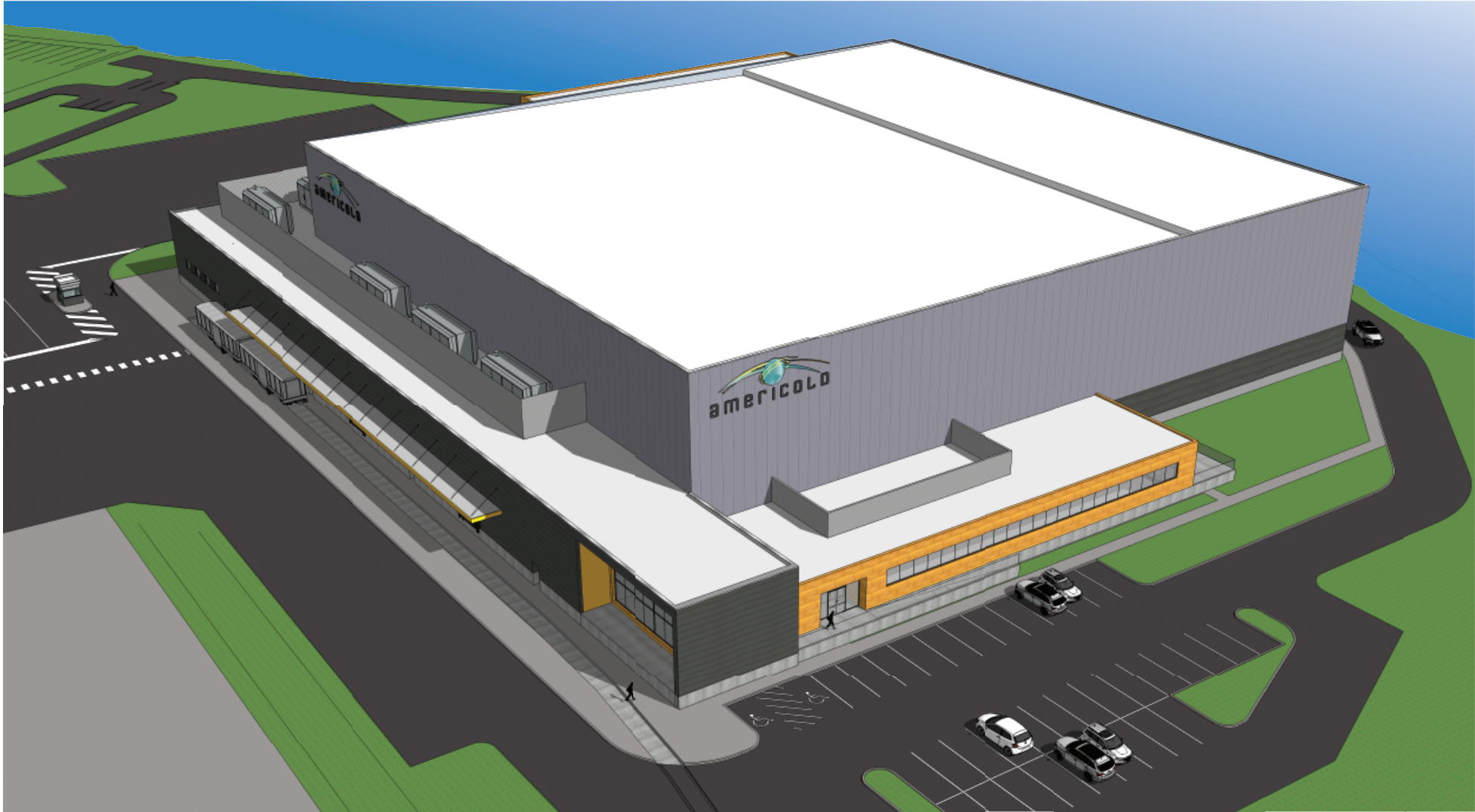


Southeast Perspective

Proposed Cold Storage Warehouse



Proposed Cold Storage Warehouse



WPDZ Public Comment

PC1

On Sat, Oct 22, 2016 at 4:22 PM, Ashley Salisbury <ashleysalisbury@gmail.com> wrote:

Hi Bill,

I own 26 Brackett street down by York. I was a big supporter of the Eimskip rail extension and think the new Yacht Co. building has been a good addition. Both enable working waterfront while preserving PORTLAND'S AESTHETIC APPEAL that drives the TOURIST ECONOMY.

Even a 45' storage block would be a blight in that location--blocking the thousands of motorist views as they come in and out of town and destroying the small scale charm that makes our city unique.

This project is wrong for that location and will surely create a long and expensive battle with the residents.

Thanks for your consideration, I hope to meet you at the community engagements.

Best,
Ashley Salisbury

On Sat, Oct 22, 2016 at 3:11 PM, Dana Sawyer <dsawyer@meca.edu> wrote:

Hi Bill Needelman,

In anticipation of the meeting on Nov. 3rd please send me a much better map of the proposed area of development for WPDZ than is on the card you mailed out, which doesn't even show the location the bridge to South Portland.

Is Eimskip proposing to raise it's buildings to 70 feet? As the city makes its plans is it considering the loss of property values to homes in the westend that will lose value as a result of having a building used for storage block the views they've paid for? I ask this rather cynically because history has shown that the city council has had a bad history of favoring the large building projects of its new "citizens" over the wishes of its longtime tax payers, and not always with beneficial results.

Thanks for sending this along and see you at the meeting,

Dana Sawyer
33 Tyng St.

"What is taken in by contemplation must be given out in love." Meister Eckhart



Planning Board Workshop, 10-25-16, complete packet, reduced.pdf
4780K

On Fri, Oct 21, 2016 at 5:38 PM, Eli Dale <elidale@maine.rr.com> wrote:

Dear Mr. Needelman, – and everyone else who is advocating to break Portland's codes...

Don't you DARE change the zoning of the waterfront for the cold storage facility. They knew perfectly well about the 45' height restriction when they bid on that property.

I AM SICK TO DEATH of Portland changing the rules to benefit developers and screwing the public at every turn. You are all RUINING Portland. (And YES, I AM YELLING).

Portland has a **brand** as a old-European style city, but you all want to built too much, too tall, too expensive, too ugly. The City has STANDARDS and YOUR JOB IS TO PROTECT THOSE STANDARDS. Instead, City Hall doesn't give a hairy owl pellet for Portland, her beauty, her history, her people.

NO HEIGHT INCREASES -- ANYWHERE. If you want to be in public service, then serve the public. It is shameful that Portland is a city where the citizens have to sue their public servants to get them to follow the city's own rules. Please remember, Keep Portland Livable WON their legal action. We are not supposed to be at war.

Very sincerely,
Eli (Elizabeth) Dale
40 Salem Street

On Sun, Oct 23, 2016 at 5:30 PM, Karen Sarfaty <sarfatyk@gmail.com> wrote:

Dear Mr. Needelman,

I'm writing to express my aversion over Americold's proposal to build a cold storage facility on Commercial Street in Portland.

This type of building and business belongs in a warehouse district, not a historic neighborhood.

If approved, their request to change the city zoning laws to accommodate their buildings height requirements will devalue the waterfront.

As the gateway to our beautiful city, the waterfront should be inviting, the roadway open and the air clear. That's Maine.

My west end neighborhood does not need an increase of semi trucks 24/7 that will pollute with noise, increase in carbon dioxide emission gases and create traffic jams. Commercial Street is not that wide. I see the negative impact from the expansion of Eimskip.

Please consider saving our waterfront from Americold's proposal.

Thank you,

Karen Sarfaty

On Sun, Oct 23, 2016 at 10:37 AM, walworth <walworthmccain@maine.rr.com> wrote:

Bill Needelman, waterfront coordinator
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Bill,

I am dismayed that Americold Logistics LLC is prepared to break commitments outlined in its winning bid to develop a cold-storage warehouse on International Marine Terminal land. I'm even more dismayed that the city's Economic Development Department is promoting a "text change" to allow Americold to build 56% higher than current zoning allows.

The combined result would be a massive blight, 70 feet tall and spanning almost three acres, at the gateway to Portland's waterfront.

As a neighbor, I'm willing to let Americold obliterate my river view. It's sensible to develop the western waterfront. But Americold must hold to its stated commitment of abiding by Portland's "current regulations and guidelines" and building "a showpiece facility ... designed architecturally to enhance its harmony with the local surroundings."

A blank white box doesn't fulfill that promise. Americold needs to incorporate appropriate details, materials and massing into its project.

As for height, Americold provided three building footprint options in its RFP application last year -- and gave no indication that current zoning would be a problem or a deal breaker.

A majority of Americold's 175-plus warehouses are less than 45 feet high, the current zoning limit. Anything higher would erode the human scale that helps define Portland's waterfront. The "text change" to benefit this real estate investment trust controlled by multi-billionaire Ron Burkle must be rejected.

Best wishes,
Mark McCain
45 Summer Street

SIDNEY ST. F. THAXTER & MARY E. MCCANN

49 SUMMER ST.
PORTLAND, MAINE 04102
(207) 653-6692

October 24, 2016

City of Portland
Planning Division
389 Congress St.
Portland, ME 04101

RE: Request for Waterfront Zoning Text Change for Building Height

Dear Elizabeth and Board Members:

My wife Mary and I are neighbors overlooking the area of the proposed zoning change. Knowing you will have a workshop on October 25th and then a hearing afterward on the same day, we felt it best to get our thoughts to you in writing.

The City's Economic Development Department is requesting a major change in the Waterfront Port Development Zone to change the height limit from 45 feet to 70 feet. Bill Needelman noted at a neighborhood meeting that this change is being requested to benefit the Americold Freezer Storage project on land they lease from Maine Port Authority. Americold was chosen to develop the site by the Maine Port Authority and submitted a detailed proposal which is based on the existing zoning with a height of 45 feet.

Why Neighbors Oppose the Change in Zoning.

- This is a significant zoning change which admittedly is being requested solely to benefit the Americold zoning but includes the area all the way to the Merrill Terminal. Bill Needelman stated the area from the Americold project to Merrill Terminal is being added to avoid being challenged as a spot zone. This is not the result of a long range planning process but in reaction to one project.
- Americold bid on the project with a favorable lease from the Maine Port Authority. That bid is based on a 45 foot height restriction which they accepted. They have also noted publicly that the project works economically with a 45 foot height restriction.
- The additional impacts of the proposed change all the way to the Merrill Terminal raise the prospect of a long wall of 70 foot buildings stretching from Portland Yacht

Services to Merrill Terminal. This will destroy what is now a workable entrance to a beautiful city and change the entire landscape of this area.

In summary, Americold contracted to build with the 45 foot limit and there is no reason to give them a gift which will have a major negative impact on the city. It is difficult enough for the neighbors to deal with 104,000 square foot building which is a huge 45 foot high white block, not unlike the buildings on Read Street. Please keep the 45 foot limit.

Sincerely,

A handwritten signature in blue ink, reading "Sidney St. F. Thaxter". The signature is written in a cursive, flowing style.

Sidney St. F. Thaxter and
Mary E. McCann



185 International Drive
Portsmouth, New Hampshire 03801
(800) 225.1560

October 24, 2016

Mr. Bill Needleman
Waterfront Coordinator
City of Portland Planning Board
Portland Maine

RE: Proposed Changes to Portland WPDZ

Dear Mr. Needleman

On behalf of Sprague Operating Resources LLC owner of Merrill's Marine located on the far western end of the Waterfront Port Development Zone (WPDZ) I would like to offer our support for part but not all of the proposed text changes.

Sprague has been working closely with the Maine Port Authority and Eimskip to promote the development of the IMT into a competitive container handling terminal for both international and domestic freight. We sincerely believe that having this freight offering is of great benefit to all businesses in Maine and is a major positive contributor to the overall health of the working waterfront in Portland harbor. In the early stages of the container offering Sprague provided transitional services while the IMT infrastructure was enhanced and its operational capabilities were ramped up. Both parties continue to work closely to promote trade through the port and to leverage our mutual capabilities as an extension of the ports ability to efficiently serve the region. We therefore wholeheartedly support option 1 increasing the maximum building height throughout the eastern end of the zone to 70 feet to allow for the construction of a cold storage warehouse. Having this facility in Portland harbor will be for the benefit of the region's economy including the Maine fishing industry.

We do though respectfully request that you do not eliminate the increased building height allowances on the far western end of our facility. While originally envisioned to support bulk cement imports, Sprague has more recently begun working with multiple parties interested in utilizing Portland for other bulk export opportunities which would require either silos or large domes for storage. While no such proposal is immediately forthcoming we have had advanced discussions with several large and well heeled entities with interest in trying to meet a growing international demand with product manufactured in Maine. Much of this product is currently being shipped out of the Southeastern U.S. and or the Pacific Northwest but increasing international demand is creating an emerging opportunity for Maine businesses to compete in this market. Having the storage capability currently allowed in the building code is an absolute necessity to allow for the competitively priced loading of this product onto bulk export vessels. The elimination of this storage capability would make this venture all but impossible to advance.



In the past 10 years the Maine economy has changed greatly and Sprague's traditional paper mill exports have dropped precipitously. Having the ability to have bulk silo and or dome storage may become a major determinant in our ability to adapt to changing trade opportunities now and in the future.

Thank you for this opportunity to comment on your proposed changes.

Sincerely,

Jim Therriault
VP, Materials Handling
Sprague Operating Resources LLC
185 International Drive
Portsmouth NH 03820

----- Forwarded message -----

From: **Fae Jolie-ge** <faejoliege@yahoo.com>

Date: Tue, Oct 25, 2016 at 10:00 AM

Subject: 70' bldgs?

To: wbn@portlandmaine.gov

PC8

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the Economic Development Department (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Fae silverman
1 Cliff Street, 04102

Sent from my iPhone

----- Forwarded message -----

From: **Meghan Phillips** <meghan.rowe.phillips@me.com>

Date: Tue, Oct 25, 2016 at 9:35 AM

Subject: Americold facility

To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Meghan Phillips
24 Brackett Street, #4
Portland, ME 04102

----- Forwarded message -----

From: **Kerry MacDonald** <kmace04@msn.com>
Date: Tue, Oct 25, 2016 at 9:34 AM
Subject: URGENT: PLZ READ
To: "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Kerry MacDonald

120 Pleasant Ave

Portland Maine 04103

----- Forwarded message -----

From: **Steve Davis** <sspringerdavis@gmail.com>

Date: Tue, Oct 25, 2016 at 9:24 AM

Subject: Say no to the cold storage unit

To: wbn@portlandmaine.gov

To whom it may concern:

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

Such a structure would not fall within current zoning restrictions, and the restrictions should not be modified to benefit this company.

Sincerely,

Stephen S. Davis
25 Anderson St.
Portland, ME 04101

----- Forwarded message -----

From: **Nina Hope** <nina@ninahopecreative.com>

Date: Tue, Oct 25, 2016 at 9:16 AM

Subject: Proposed cold storage facility

To: wbn@portlandmaine.gov

Dear Bill,

I am writing to protest changing the Waterfront Zoning in Portland to allow 70' buildings, as well as to protest the proposed construction of the Americold facility.

This proposal would mar our attractive, working waterfront.

We have zoning laws that were legislated for the benefit of all of us in Portland. Why should a large, out-of-state corporation get to bypass them and create something that will detract from our city's cherished waterfront?

Sincerely,

Nina Hope

25 Anderson Street

Portland, ME 04101

----- Forwarded message -----

From: **Alison** <alisonfreund@gmail.com>

Date: Tue, Oct 25, 2016 at 8:54 AM

Subject: Waterfront Zoning Change

To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Alison Freund
645 Congress St
Portland ME 04101

----- Forwarded message -----

From: **Gretchen Preneta** <gpreneta@gmail.com>
Date: Tue, Oct 25, 2016 at 8:47 AM
Subject: STOP the Storage Facility
To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

I am both a year-round Portland resident and a part-time resident on one of the islands in the bay. I am committed to making Portland a livable city for it's citizens, a destination for tourists, and a hub of marine business. This does not fit with that vision at all.

Sincerely,

Gretchen Preneta
356 Capisic St.
Portland, ME 04102

----- Forwarded message -----

From: **peter green** <plgmaine@yahoo.com>
Date: Tue, Oct 25, 2016 at 7:24 AM
Subject: Fw: western waterfront building height
To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

PC15

On the good side, a big Americold building would be an excellent opportunity for public art, on it's sides and even on top. I'd vote for that.

----- Forwarded Message -----

From: peter green <plgmaine@yahoo.com>
To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>
Sent: Tuesday, October 25, 2016 7:00 AM
Subject: Fw: western waterfront building height

Good morning Bill,

I don't need you to reply as I just read the article explaining things in the PPH.

I'll go on your record right now as someone who thinks 45 feet is enough for anything on the waterfront. I see no good thing about building part of what will develop into a tall wall of buildings blocking the rest of the city from seeing things. I feel the same way about the architecturally BORING and ANTISEPTIC wall that will be built on the east end.

And a question I would ask is that if Americold goes bankrupt and leaves that giant box there, a condition be put in its original approval (if it even gets one) that it remove the building before it goes belly-up.

See you at the meeting.

Peter Green

PC16

----- Forwarded message -----

From: **Heidi Fisher** <heidifisher44@yahoo.com>
Date: Tue, Oct 25, 2016 at 10:29 AM
Subject: protest construction of Americold facility
To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland. the city planners do not seem to have a long range strategic view of what we want and need Portland to be; either we are going to be a fully working waterfront or a commercial tourist attraction. neither are being well executed at this time and compete with one another constantly. The residents suffer constantly with the short-sightedness from Portland City Planner.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Heidi Fisher
53 Spring Street, South Portland, ME

PC17

----- Forwarded message -----

From: **Woody Higgins** <threadbear@roadrunner.com>
Date: Tue, Oct 25, 2016 at 12:13 PM
Subject: Coldstorage Facility
To: wbn@portlandmaine.gov

This is to voice my concern about the change in the zoning laws to allow this building and perhaps other overly large structures in our area. While I have no objections to a cold storage building, I do think it should conform to the current laws.

Susan L. Higgins
24 Brackett Street, Unit 1
Portland 04102

Sent from my iPad

----- Forwarded message -----

From: **JANET STEBBINS** <jjstebbi@twc.com>

Date: Tue, Oct 25, 2016 at 1:50 PM

Subject: Waterfront Zoning Change

To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted to a comprehensive plan with citizen participation--if the Economic Development Department (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Janet J. Stebbins
501 Cumberland Ave #1
Portland, ME 04101

PC19

----- Forwarded message -----

From: **Elizabeth Fraser** <elizabeth@fraserartstudio.com>

Date: Tue, Oct 25, 2016 at 1:37 PM

Subject: Waterfront Zoning

To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Elizabeth Fraser
81 Congress, Portland

----- Forwarded message -----

From: **Jen Micoleau** <jen@springboardpilates.com>
Date: Tue, Oct 25, 2016 at 1:08 PM
Subject: PROTESTING Waterfront Zoning Changes
To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the Economic Development Department (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,
Jennifer Micoleau
61 Mountfort Street
Portland, ME 04101

I aim to respond to emails within 48 hours. If you are canceling an appointment or need to reschedule an appointment, please call or text (207) 712-1382. Thank you.

jennifer micoleau | 207.712.1382
pilates www.springboardpilates.com
yoga & sculpture www.wellbeingbasics.com
design www.behance.net/JenniferMicoleau
books & boxes <http://index.meca.edu/>

----- Forwarded message -----

From: **Bruce Baker** <brucewbaker.me@gmail.com>

Date: Fri, Oct 28, 2016 at 9:28 AM

Subject: harbor zoning change

To: wbn@portlandmaine.gov

Bill,

I will not be able to make this meeting.

As I see it, the changes will be west of the bridge. If so, and if "working waterfront" (not law offices), I am ok with it.

Just some initial response.

Bruce Baker
125 York Street



Jennifer Munson <jmy@portlandmaine.gov>

Fwd: Americold, etc.

1 message

William Needelman <wn@portlandmaine.gov>
 To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, Nov 7, 2016 at 4:12 PM

More WPDZ comments

Bill Needelman
 Waterfront Coordinator
 Economic Development Department
 City of Portland, Maine
 389 Congress Street
 Portland, Maine 04101-3509

(207) 874-8722 tel.
 (207) 756-8258 fax.
wn@portlandmaine.gov

----- Forwarded message -----

From: <fsreilly@aol.com>
 Date: Mon, Nov 7, 2016 at 2:27 PM
 Subject: Americold, etc.
 To: wn@portlandmaine.gov
 Cc: JPJ@portlandmaine.gov, sthibodeau@portlandmaine.gov

Dear Bill,

I would like to briefly follow up on my remarks last week at your presentation regarding Americold and its plans to install a 70 foot cold storage unit.

As I said, your proposal has much bigger ramifications than the matter in question. With so many variables derived from that meeting it seems to me there is both an opportunity and challenge therein, to wit:

1)Height Control, establishing it, hopefully 45ft, once and for all, and that goes for anything that is in future development, which I believe this area is set for at this time, e.g. an Industrial Park, Campus, Gateway Park, Marina Park, etc.

2)Establish Pollution Levels

3)Traffic Control

4)Reconfigure 70 ft installation by separating storage from offices in order to come in at the current 45ft height max.

There's more, as I know you now realize, but for now just let me end by saying our skyline as well as our water view is of major importance and not only to us residents, but to the future of Portland's draw for businesses and new residents, as well as the lucrative tourist trade. This is the Gateway to the City and should have strict ordinances on future development. Perhaps the engagement of a major architectural/engineering firm specializing in seaport locations would be propitious.

As always,
 Frank

----- Forwarded message -----

From: **Gail Spaen** <gspaen@meca.edu>

Date: Mon, Nov 14, 2016 at 9:17 AM

Subject: Please forward re: proposed zoning change on Western waterfront

To: sgo@portlandmaine.gov

Cc: JPJ@portlandmaine.gov, WBN@portlandmaine.gov, estrimling@portlandmaine.gov,

sthibodeau@portlandmaine.gov, jduson@portlandmaine.gov, jhinck@portlandmaine.gov, nmm@portlandmaine.gov

PC23

Dear Mr. O'Brien,

Please forward to members of the planning board. Many thanks.

.....
Dear Planning Board - Beth Boepple, Sean Dundon, Carol Morrisette, David Eaton, Kristien Nicols, Lisa Whied, Maggie Stanley,

We own a property on the corner of Salem and Clark Street. Photo number 2 in the City's application for the Waterfront Port Development Zone Text Amendment is the view from our building. Our property value, the sense of open space and neighborhood well being will be radically affected by the rezoning of the Western Waterfront to accommodate the building of the cold storage facility. And subsequently, if the the whole Western Waterfront is rezoned, all of the other neighborhoods and property values to the West of the bridge will be effected as well.

I've lived and worked in Portland and the surrounding towns for the last 35 years. I am a proponent of a working waterfront and appreciate the industrial quality along Commercial Street. Sprague did an excellent job developing the boatyard, complete with landscaping and set backs that are in proportion with the scale of the area. I'd like to see the rest of the Western Waterfront be developed with this type of care.

The Americold building is going to take up an extreme amount of space. This huge cold storage facility will be a static, architectural volume placed right in front of an established local neighborhood. In one of the plans the building takes up the entire footprint of the property with no indication that there will be any landscaping at all. Out of proportion with the scale of the area, it will be aesthetically akin to oil or water tanks

The hardest part for me is that I sense the economics of this proposed zoning changes benefits the City of Portland's bottom line more than the well being of the local population and the careful consideration of the aesthetics of Portland. Once rezoned, there will be no turning back. In the future, there will be others that ask for an exception to the 70' ft height limit and we will end up with taller and taller buildings impacting the neighborhood corridor all along the Western Waterfront.

There must be a good compromise. Anything that you can do to make sure that our neighborhood and our property values will be preserved will be greatly appreciated.

Sincerely,
Gail Spaen

.....
Gail Spaen
33-35 Salem Street

PC24

----- Forwarded message -----

From: **William Dawson** <bill2fish@gmail.com>

Date: Monday, November 14, 2016

Subject: Western Waterfront

To: sgo@portlandmaine.gov

Sir:

I live i the West End and I am vehemently against the Americord proposal. Just the "Osha Back-Up" beeping that goes on 24/7 is enough to drive me out of here! The addition of this 70' eyesore will not be welcome by me. And what about the increase in vehicle traffic?

William Dawson 34 Brackett St., Portland

—
Tuck O'Brien

City Planning Director

Department of Planning and Urban Development

Office: (207) 874-8724

Cell: (207) 553-0255

W^m. Norris Dale, Jr.
40 Salem St.
Portland, ME 04102
207-233-2292

November 10, 2016

Ms. Elizabeth Boepple
City of Portland Planning Board
389 Congress St.
Portland, Maine 04101

Dear Ms. Boepple,

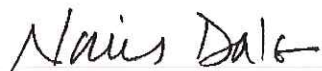
My wife and I bought our house on Salem Street over forty years ago. At that time there was a grain silo and a huge coal-gas storage tank in the prospective Americold location. We understood about waterfront industrial uses then, and we understand and support them now. When Americold first approached the city, we attended meetings, and the project had our full support. No one, neither Americold nor the city, spoke about wanting a height variance.

Now, from what I have heard and read, Americold has returned to the table with a totally inflexible proposition requiring a deviation from Portland's comprehensive plan. We feel that we are the victims of a purposeful bait-and-switch scheme on Americold's part.

I find Americold's take-it-or-leave-it position just a bit condescending and irritating; don't you? Portland's planning board has been getting a name for getting out the rubber stamp whenever a development opportunity arises. So why should a minor "text" change get in Americold's way?

In the interest of keeping Portland liveable, I now ask that you and the zoning apparatus stand up and hold Americold to the existing 45-foot height limit.

Sincerely,



Norris Dale

cc. Mayor Ethan K. Strimling
Councilman Spencer Thibodeau
Mr. Ian Jacobs, WENA

From the Portland Planning Board Website:

*As part of the development review process, zoning, drainage, traffic, environmental considerations, and infrastructure improvements are assessed, as well as a proposal's consistency with the city's comprehensive plan. **Compliance is important** for the protection of the public's health and safety and the general livability of our community.*

Fwd: input from resident, Please share this note with your colleagues on the Planning board

Tuck O'Brien <sgo@portlandmaine.gov>

Wed, Nov 30, 2016 at 2:29 PM

To: Jennifer Munson <jmy@portlandmaine.gov>

Cc: Bill Neddelman <WBN@portlandmaine.gov>

----- Forwarded message -----

From: **michael curtis** <mrudgec@gmail.com>

Date: Wednesday, November 30, 2016

Subject: input from resident, Please share this note with your colleagues on the Planning board

To: sgo@portlandmaine.gov

To: Planning Director Tuck O'Brien and Planning Board members:

As we all reflect on the recent national election, an underlying theme emerges of anger at the "establishment." There is a perception that corporations can "strong arm" their way through government to gain financial advantage. Many of us ask how we can influence the world in a positive way. In our Portland family this manifest by having a family from the city shelter to our home for their first ever Thanksgiving.

I ask each of you to consider an action you can engage in that will help fight the cynicism some hold towards those in power. Americold wants the rules changed to maximize their profit. The zoning change they insist upon to a height of 70 feet for their proposed facility on Commercial Avenue would block the beauty of the waterfront to present and future Portland residents. It would lower our quality of life while maximizing their profit. It is possible to have an appropriately scaled, and profitable, cold storage facility within the existing height rules. There are other developers of cold storage facilities who would be very interested in developing this property if Americold cannot follow the existing regulations.

I urge you not to bow to the threats that Americold makes about the need for height regulations to be adjusted. Have you been able to listen to experts on cold storage facilities other than from representatives of Americold? Are you aware that they are a company based in Georgia which operates over 180 cold storage warehouses throughout the world? They are the largest cold storage company in the United States. I seriously question that they are not be able to profitably operate a warehouse 45 feet tall.

While we all need to welcome those from outside our community to be a part of the special place we proudly call Portland, I would urge that we ask of newcomers to the community that, as they join us, they follow our rules. The family from the shelter, whom we had to our home for Thanksgiving, have a boy who played on the PAYSA U-10 soccer team I coached this past Fall. He was delighted to join our community and learn the rules of the game of soccer. Whoever develops a cold storage facility on our waterfront, let's welcome them to our community, but expect them to follow our rules. If they will engage with our community in a positive way, then sure, we can make thoughtful and reasonable changes to enable their ongoing success. But please, do not give the largest company of its kind in this country a free pass on damaging the beauty and character of our city. They are not interested in the character of the city of Portland. I am grateful that there are people like you for whom this is the focus of your work.

Thank you very much for considering my input on this proposed zoning change.

Michael Curtis
354 Danforth Street
Portland Maine, 04102
mrudgec@gmail.com
[207-699-4074](tel:207-699-4074)

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)

PROPELLER CLUB OF THE UNITED STATES

PC27

To Promote, Further and Support an
American Merchant Marine.



To aid in the development of needed
River, Great Lakes and Harbor Projects.

November 14, 2016

PORT OF PORTLAND, ME

Elizabeth Boepple
Chair, Planning Board,
City of Portland
389 Congress St.
Portland ME 04101

Dear Chair Boepple:

The board of the Propeller Club, Port of Portland, has asked me to write concerning the zoning modification necessary for construction of a modern cold store warehouse in the WPDZ just west of the Casco Bay Bridge. The modification would allow a building height of seventy feet, the same height as the Sprague warehouses near the Veteran's Memorial Bridge.

The Portland Chapter of the National Propeller Club was chartered in 1932. We are 150 pier and terminal owners, tug companies, chandlers, shipwrights, ships agents and professionals. The members are all owners and operators of businesses in the Port of Portland, and we are all dependent on and dedicated to promoting commerce in the Port of Portland.

The Port of Portland has always handled food. Everyone knows the Portland Cold Store Building on Union Wharf, built primarily for fish but which also handled corn, berries and many other products. Yet for decades the port has been without a cold store warehouse usable in conjunction with deep water shipping. Virtually every serious recent study of the Port of Portland, whether privately commissioned or government sponsored, has identified a cold store warehouse as conspicuously lacking among the Port's assets. From first hand knowledge our members know of specific business opportunities that the Port's lack of a freezer warehouse has caused Portland to fail to win.

There's good reason the studies point to our lack of a cold store warehouse, for the benefits of such a warehouse extend throughout the state and region. More and more, Maine's farms and other food producers recognize that to compete with big operations across the world they must produce value added food. Even before the freezer plant is completed its sales people will fan out across Maine and the

region to show food brokers and producers how a frozen product can aid their bottom line. While container loads of frozen product are currently shipped from the Port, the freezer warehouse will be able to handle pallet loads, allowing smaller Maine food producers, those who could never fill a container, inexpensive access to distant markets. This point is key.

The Propeller Club as an institution knows that a healthy port must be tended with care. Cargoes decline and new cargoes take their place, some moving in modern containers, some in bulk and some in break-bulk, and all by sea. A healthy port adapts to and provides accommodation for the new cargoes, and even across the centuries that port continues to thrive. Such has been the experience of the Port of Portland - but not without exception. Recall the cement silos proposed in the 1990's for the western waterfront, and which met with organized opposition from residents who chose to live overlooking the western waterfront. Those three silos were finally built, but in New Haven, where they, their ships and their many well-paid employees are still busy.

Persons responsible for a port would do well to keep foremost in mind that even ships which have used a port for decades can steam over the horizon and never return. If Portland wants blue water shipping we must strive to adapt to the shipping marketplace, or, as have so many ports, whither. The proposed modest and logical alteration in allowable building height in the WPDZ will allow private capital to build a much-needed port facility, a facility which will improve opportunities for businesses far inland, and which will allow the Port of Portland to continue to be a powerful driver of the regional economy.

Very truly yours,



William York
President, Propeller Club, Port of
Portland, Maine.

cc: William Needleman

Fwd: Comments for the Planning Board

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Mon, Nov 28, 2016 at 9:54 AM

To: Jennifer Munson <jmy@portlandmaine.gov>

Cc: Bill Neddelman <WBN@portlandmaine.gov>

----- Forwarded message -----

From: **Leslie Pohl** <leslienpohl@gmail.com>

Date: Sun, Nov 27, 2016 at 8:53 PM

Subject: Comments for the Planning Board

To: Stuart Tuck O'Brien <sgo@portlandmaine.gov>

Attn: Tuck O'Brien

Dear Portland Maine Planning Board-

My name is Leslie Pohl and I live at 263 York Street in Portland's West End. I would like to comment about the proposed zoning change on the Western Waterfront (from a max building height of 45' to 70'). I have been attending the meetings over the past several months, just trying to gather information and figure it all out.

At this point, I think it's important to consider the impact that this zoning change would have on the residential neighborhood abutting the working waterfront. **I do not think the zoned building height should be changed.**

Addressing the Americold Cold Storage building specifically... from what I have heard, the building can't be made to look more attractive (i.e. - it has to be a white rectangle to maximally function as a cold storage facility). Also, a green roof is not possible. Therefore, **Americold should not be given a variance to rise higher than 45 feet.** Americold originally submitted two other designs that were very close to the zoning height (ie - 45' feet internal height), so they should be able to tweak those to meet the current zoning requirements of 45' maximum.

In closing, if the neighbors are going to have to look at an *unattractive white rectangle* that blocks the water... at least Americold can build it to the lower, currently-zoned height.

Thank you for your time.

Warm regards,

Leslie Pohl

----- Forwarded message -----

From: **Penny Stevens** <penny.stevens714@gmail.com>

Date: Sun, Dec 4, 2016 at 9:00 PM

Subject: Raising the height on the Americold Building

To: Jon Jennings <jpj@portlandmaine.gov>

We are concerned about the proposed raising of the building heights on West Commercial St. We feel that the building height should not be increased above the existing limit of 45 feet. A higher structure would impose an industrial environment adjacent to an historical district and a well maintained residential area. West Commercial St. is the southern entry way into what Henry Wadsworth Longfellow called "The beautiful city by the sea" An imposing white featureless structure there will diminish the view of the waterfront that visitors and residents should have when they approach our historical gem.

We ask you to reconsider raising the height above 45 ft.

Dick and Penny Steven
260 Vaughan St.
Portland, Maine 04102

From: Rosanne Graef <rgraef@gwi.net>
Date: Mon, Dec 5, 2016 at 5:40 PM
Subject: West Commercial Street - Americold Proposal & Zoning Change
To: Tuck O'Brien <sgo@portlandmaine.gov>
Cc: Ethan Strimling <estrimling@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>

PC30

Dear Mr. O'Brien - Please deliver copies of this letter to the members of the Planning Board for their consideration in preparation for the December 13 workshop. Thank you. Sincerely, Rosanne Graef

Dear Members of the Planning Board,

I am writing to you in opposition to the proposed rezoning of sections or all of the land in the WPDZ along West Commercial Street.

I have several reasons for my opposition as follows:

1) The rfp process followed by the City that resulted in the current proposal by Americold was issued to several potential applicants, only two of whom applied. Under the zoning rules in effect at the time of the rfp's issuance, the allowed height was less than what is now being proposed by the Economic Development Department and Americold. If those other potential applicants had been aware of how supportive the Economic Development Department is of changing rules after the game has started, they may have submitted proposals that would be superior to the one from Americold which has been accepted. At this point we'll never know unless the rfp is reissued with whatever zoning conditions will actually prevail so everyone gets a fair shot.

2) I lived at the corner of York and Clark Streets in the early 1970s. At that time, this was considered to be a blighted neighborhood and was within the boundaries of the Model Cities program. Many of the houses and apartments were definitely on the downhill slide with absentee landlords and general economic conditions that led to neglect and deterioration of many buildings. Since that time a lot has changed in this neighborhood and over the past 40 years many people have bought, built and upgraded homes in the area between Danforth Street and West Commercial Street, investing hundreds of thousands of dollars as well as untold hours of time and effort in making this a valuable part of Portland's West End. Below, you'll find a summary of the assessed valuations and property taxes paid by owners of these residential properties bordered by the west side of Brackett, south side of Danforth and West Commercial St. As you can see, this neighborhood is a source of significant value and revenue for the City of Portland. It's worth noting that these figures are based on assessed values, we all are aware that the current selling prices are often 2-3 times what's reflected here.

Granting a height exception or rezoning part or all of the WPDZ for increased height will cast a pall over this entire residential area. Who will want to buy a home in order to gaze out at a huge white wall? What accommodation will be made for homeowners whose greatest financial investment is their home which is now not as desirable as when there were views of the bridge, the far shore, ships, tugs, tides, sparkling water? Who wins in this scenario?—international companies at the expense of residents of Portland. The Economic Development Department is all gung-ho for this proposal and is intent on changing the zoning to accommodate Americold's assertions that it's their proposal or nothing. Where's the Residential Protection Department who'll go to bat for the people who live here?

(see photos below)

Total Net Taxable	\$53,356,100.00	
Total Tax		\$1,127,252.91

	\$13,093,000.00	\$276,393.40	\$2,528,600.00	\$53,383.80	\$1,384,800.00	\$29,232.96	\$3,453,500.00	\$72,903.42	\$459,200.00	\$9,693.72		\$4,699,600.00	\$99,208.65	\$1,042,000.00	\$21,996.68	\$874,400.00	\$18,458.62	\$2,039,500.00	\$43,953.90	\$742,500.00	\$15,674.18	\$254,500.00	\$5,372.50	\$21,685,100.00	\$457,772.74	\$1,099,400.00	\$23,208.34
	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax		Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax
	Salem St		Summer St		York St		Brackett St.		Hamlin Ct		Clar k St			Briggs St		School St		Orange St		Bond St		Danforth Pl		Danforth St		Emery St	

3) The area where the proposed cold storage facility would be located is in the public scenic view from Harbor View Park and therefore should be included in the moratorium on new development recently passed by the City Council.
(see photos below)

4) This facility will not be only for marine-related activity, much of the traffic will be in goods that are transported by truck and train only and never go on or off a ship. Why does an oversized storage facility need to be built on the Western Waterfront to accommodate land-based transportation of these goods that may only require dry storage? Why can't a cold storage facility be built at a more suitable spot inland (say Danville Junction or another intermodal station) for truck and train transfer of those goods that require refrigeration or freezing? Why here on the shoreline of the peninsula of Portland which has a naturally restricted geography and a densely populated residential area close by?

5) This unnecessary transfer of goods strictly to and from trucks and trains will result in an as yet unquantified increase in truck traffic along West Commercial Street. West Commercial is intended to be a funnel for traffic coming from I-295 and the Veterans Bridge and headed for the Casco Bay Bridge. Adding more truck traffic to this stretch could result in more cut-through trips selecting to go on Danforth Street, once again having a negative impact on a residential area, in order to reach the State Street entrance to the bridge.

There will also be the issues of increased noise (engine noise and back-up beeping) and pollution from the increase in truck traffic.

6) We have never been shown what the actual proposal will look like or what its effect on the views and impressions of entering Portland via West Commercial Street, the Casco Bay Bridge, or looking across the river from South Portland will be. We've gotten some two-dimensional drawings, some overhead photos and a few photos taken from public streets. Surely there's 3-D modeling capability to be had, but when neighbors asked about that possibility, city employees said it was too expensive. We are being asked to buy a pig in a poke, not knowing what we'll be getting until it's way too late.

If this zoning change is made and this massive building is built, it is something we are going to be stuck with for decades. It will be an eyesore much in the same way the grain elevators at the other end of Commercial Street eventually were. At the time those were erected, they were the best solution for the purpose, this behemoth being considered now is not. There are other ways of accomplishing Americold's mission and bringing this sort of economic activity to Portland and to Maine that do not necessitate degrading this part of the peninsula. The alternatives may cost more and may not be as easy, convenient and lucrative for Americold, et al., but there's much more to consider than money.

For your information, I have attached a few photos taken from some of the homes in this area as well as from Harbor View Park, the Casco Bay Bridge and across the Fore River in South Portland. I hope that you will be able to visualize the unsightly scar this mammoth storage building would be and reject these increased height requests.

Thank you for devoting your time and effort in serving on the Planning Board.

Sincerely,

Rosanne Graef
30A Salem Street

Re: Public Comment for W. Commercial Street

Rosanne Graef <rgraef@gwi.net>

Tue, Dec 6, 2016 at 11:33 AM



From Casco Bay Bridge



From 30 Salem St.



From 36 Salem St



From 48 Salem St



From 88 Salem St



From 116 Salem St



From 258 Danforth St





From 259 York St



Harbor View Park at corner of Brackett/York



From lawn at Harbor View Park



From lawn at Harbor View Park



From Lawn at Harbor View Park



From South Portland side of river - Portland Yacht Services is at the left



From South Portland side of river - Portland Yacht Services is at the left

December 6, 2016

City of Portland Planning Board
Beth Boepple, Chair
Sean Dundon, Vice Chair
David Eaton, Carol Morrisette, Kristien Nichols
Maggie Stanley, Lisa Whited
389 Congress Street
Portland, Maine

Dear fellow Portland residents,

As supporters of a cold-storage warehouse on public International Marine Terminal land, we want to achieve the right balance between expanding economic development of the inner harbor and safeguarding the growing vitality of both the adjoining neighborhood and a key gateway into Portland.

A little background: last year the Maine Port Authority submitted a request for proposals¹ to Americold Logistics LLC and six other cold-storage operators that qualified for the project.² The RFP specified the allowable maximum building height of 45 feet, but did not explain the Economic Development Department's intention to seek a significant height increase.

The other six cold-storage operators based their economic models on a 45-foot height maximum. If the Planning Board decides the EDD's proposed Zone Text Amendment has merit, it is essential that the Port Authority first submit a revised RFP to the seven applicants, with details of the potential change.³ All else being equal, negotiations should be initiated with the applicant proposing a building height closest to the current maximum.

However, it is our belief that the height increase should be rejected as bad policy, bad for Portland and unnecessary: Americold Logistics' winning proposal⁴ in the first RFP round provides the template for a modern, efficient warehouse at the existing 45-foot height limit.

¹ <https://assets.documentcloud.org/documents/2167668/west-cold-storage-rfp.pdf>

² The applicants were XTL Inc., a logistics company based in Philadelphia; Lineage Logistics of Colton CA; Wilmington Cold Storage Inc., with warehouses in Wilmington and Stoughton MA; Preferred Freezer Services, with 200 million cubic feet of cold storage space nationwide; Eastern Impact LLC of Portland, lead entity in a consortium created for the project; and Eimskip.

³ Along with a basic fairness issue, the proposed increase in allowable height significantly increases the value of this publicly owned land – and the opportunity to negotiate higher rent payments from the private developer selected to lease the land.

⁴ <http://www.mediafire.com/file/58yngg05ckivyg2/AmericoldRFPproposal.pdf>

Although the company is currently proposing a 68-foot high warehouse with “conventional” storage of frozen product,⁵ its RFP proposal includes three other designs. Page 20 shows a “very narrow aisle” (VNA) option with 15,200 pallets in double-deep rows. As compared to conventional warehouses with 12-foot wide aisles, VNA warehouses achieve much higher storage density with aisles about six feet wide, and use lift trucks with pallet forks that pivot left and right.⁶

As designed, the VNA warehouse would not conform to current zoning because its finish height would be 12 feet higher than its 45-foot interior height. But a building with a finish height of 45 feet could store 15,200 pallets by incorporating 30,000 square feet of proposed expansion space into the initial construction.⁷

The total building footprint would be 149,530 square feet.⁸ If current Americold analysis points to a smaller useable footprint,⁹ an independent engineering firm should investigate all options for building configurations on the 6.3-acre shoreland site, including use of a state submerged lands lease.

Although Americold maintains that its current proposal is the only option for an economically viable warehouse, we disagree. After submitting a FOIA request to the Port Authority, we received a copy of an RFP proposal submitted by another applicant. Mindful of neighborhood impact and zoning regulations, this

⁵ Beginning at grade, there would be a 4’ high loading dock, 55’-4” interior clear height (for eight pallet racks and +/- 6’ of space above the racks), and a 5’ roof system with a 3’ pitch. Capacity would be 10,584 frozen and 5,280 ambient-temperature pallets.

⁶ VNA storage has pros and cons. A key trade-off is that two lift trucks cannot pass in the same aisle – a problem in high-volume operations. Some VNA warehouses reduce traffic issues by storing fast-turnover stock on outside aisles wide enough for trucks to pass each other. Overall, with the right warehouse management system, VNA storage is sensible for a significant share of a facility. If 100% VNA storage as shown in the RFP proposal is not suitable for this warehouse, there are other strategies that should be explored for increasing storage density, for instance, other pallet-rack systems. The most common rack – “selective” – provides the most flexibility, but least storage density. Drive-through racks, pallet-flow racks and push-back racks are among the options that provide much higher storage density, and could be appropriate for a portion of the warehouse. Upfront costs are higher, but reduction of the facility size also reduces construction costs and energy consumption.

⁷ With an interior height of 33 feet, pallet racks would be stacked five high with +/- 3 feet of space above the racks, as compared to seven pallet racks in the 45-foot interior height design.

⁸ The proposed warehouse area is 120,125 GSF, which includes 27,415 SF dry storage, 54,235 SF cold storage, 11,365 SF rail docks, 13,200 SF truck docks, 6,600 SF (2 floors) office space and 3,300 SF maintenance/engineering. Adding 29,405 SF of proposed future expansion, the footprint is 149,530 SF. The “conventional” storage warehouse in the RFP proposal is slightly smaller (including office space, etc.) at 145,000 SF and a finish height of 57 feet.

⁹ The current proposed Americold facility has a footprint approximately 18% smaller than the full VNA build out, but there is space to expand the current footprint. Also, to obtain more cold-storage space, other sites are available nearby for the proposed 6,300 square feet of office space and a large share of the proposed 80 employee parking spaces. For ambient-temperature dry storage, developable land is also available nearby, or space could be made available in Americold's existing 190,000-square-foot warehouse at 165 Read Street.

applicant proposed a modern, efficient warehouse with a 40-foot clear height. The first phase included 50,400 square feet of warehouse space on the IMT land and a 100,000-square-foot warehouse off terminal. The second phase included up to 100,000 square feet of expansion at each warehouse. This split between two warehouses would help comply with restrictions of the Waterfront Port Development Zone, which essentially prohibit warehouse cargo that is not either shipped in or shipped out by water.

According to the Land Use Code, Sec. 14-319, WPDZ uses include:

1. Intermodal transportation facilities principally for vessels with regularly scheduled destination service or for railroad transportation service;
2. Warehousing and storage of goods which are awaiting shipment via cargo carriers.

The inbound transportation mode of goods for “warehousing and storage” is not specified, but considering the context and language in other sections, “waterborne” is implied. References to “truck” or “tractor trailer” are absent in the WPDZ chapter. Further emphasizing the marine-oriented restrictions on warehouses, bulk storage facilities in the WPDZ (Sec. 14-320.2) are limited to “materials delivered to a site by waterborne transportation or awaiting transportation from the site by means of waterborne transportation.”

More generally, WPDZ uses “are limited to those uses which are dependent upon deep water and which contribute to port activity. Non-marine industrial activity may be allowed only on a temporary basis...”

Page 17 of Americold’s RFP proposal calculates that 30,000 TEUs would be moved through the warehouse annually (i.e., 60,000 in/out transports of standard 20-foot-long shipping containers). It is unclear what share of the product would be transported exclusively by land, and therefore be a nonconforming use in the WPDZ. To ensure compliance, the warehouse operator should be required to document annually, for at least the first five years of operation, that all product has been shipped in and/or out by waterborne transportation.

Americold currently says it intends to continue operating its cold-storage warehouse at 165 Read Street. In its RFP proposal last year, the company stated: “Based on our business plan calculations, ***we may well continue to operate this site*** (emphasis added) in conjunction to the new site at the IMT. We are also considering converting it to a dry facility to increase our ability to keep large amounts of dry product, complementing the temperature-sensitive product that customers would store at the new facility.”

Either way, Americold needs to agree that product transferred in/out by ground transportation at the Read Street warehouse (1.7 million cubic feet of storage) will not be consolidated into the waterfront facility (4.3 million cubic feet, as proposed). The company also needs to agree it will develop a replacement off-terminal facility for such product if it closes the Read Street warehouse.

It is our hope that the Planning Board, before moving on to other issues related to this project, will reject the Economic Development Office's application to increase the zoning height for the warehouse site.

In its RFP proposal, Americold says it is "dedicated to implementing and executing programs that are grounded in understanding the current regulations and guidelines in the City of Portland." We believe that Americold, with its cold-storage expertise and engineering talent, can design a warehouse that fits within the city's current regulations, including the 45-foot height limit. If not, one of the other six cold-storage operators is likely up to the task.

Thank you for your work on behalf of our city.

Sincerely,

Sidney St. F. Thaxter, Esq.

Mark Bessire

John and Linda Coleman

Jo Coyne

Rosanne Graef

Ian Jacob

Ted and Leslie Kaynor

Mark McCain

Dr. Mary McCann

William McFarlane

Bob Mittel and Louise Davis

Erik and Caitlin Mushial

Sonia Robertson

Mike Stone

49 Summer Street, sthaxter@curtisthaxter.com

314 Danforth Street, markhcb@gmail.com

26 Cushman Street, jcoleman@theviaagency.com

36 Salem Street, jcoyne@gwi.net

30A Salem Street, rgraef@gwi.net

59 State Street, iancasperjacob@gmail.com

315 Capisic Street, lkaynor@icloud.com

45 Summer Street, smarkmccain@yahoo.com

49 Summer Street, drmmccann@gmail.com

380 Danforth Street, mcfarw@maine.rr.com

24 Brackett Street, rmittel@mittelasen.com

36 Clark Street, erik@allmtngroup.com

336 Danforth Street, robertsonsonia@hotmail.com

116 Salem Street, mstone800@gmail.com



Request for Proposal to Maine Port Authority

Ms. Kim King
Maine Port Authority
460 Commercial Street
Portland, Maine, 04101
Re: IMT West Cold Storage Facility

Dear Kim,

In accordance to Section 10 of the Request for Proposal (RFP) the following details will provide the requested information.

Americold Logistics LLC is a 100% owned subsidiary of Americold Realty Trust (ART). ART is a real estate investment trust organized in the state of Maryland with the majority shareholder being the Yucaipa Companies.

- | | |
|--|---|
| a. Company Name: | Americold Logistics LLC |
| Americold Realty Trust Federal Tax ID: | 93-0295215 |
| Address: | 10 Glenlake Parkway, Suite 600,
Atlanta Georgia, 30328 |
| Company Fax #: | 678-441-6846 |
| Proposal Contact Phone Number: | (c) 404-435-4228, (o) 410-729-1045 |
| Proposal Contact: | Patrick Ballard |

For purposes of responding to the Maine Port Authority RFP, Americold has designated Patrick Ballard as its representative.

Patrick Ballard

Signature: _____

- b.** Americold Logistics LLC has not been debarred from any State or Federal Agencies during the past five years. Attachment 4 contains a formal declaration from Todd Sheldon.

Todd Sheldon

Signature: _____

Kim, the Americold team is pleased to present its response to Maine Port Authority's RFP, outlining our comprehensive cold storage experience, financial capacity and strength within the Northeast market and beyond.

As noted in our Request for Qualification, Americold and Eimskip have developed a Letter of Understanding expressing our mutual intent to establish an agreement for the joint development of a temperature-controlled storage facility incorporating dry storage and office space. Americold's scale, scope, temperature-controlled environment management experience and local, national and international relationships are complimented by Eimskip's commitment to the transportation industry, international transportation capabilities and customer orientation, and we're excited at the possibility of moving forward together to provide you with a remarkable solution.

Throughout this RFP we will focus on Americold's design, build and operate capabilities and incorporate the requested detail outlined in your RFP. Our desire and intent is to bring the Maine Port Authority a collaborative team that will develop a customized, state-of-the-art solution to accommodate your needs now, and all future requirements and solution enhancements envisioned in order to support Portland's International Marine Terminal expansion.

So why are we the best choice for Portland and the Maine Port Authority?



Request for Proposal to Maine Port Authority

- Since 1952, Americold has been a fixture in the local Portland community. Throughout the past 63 years, Americold has stimulated your local economy by bringing in an estimated \$78.4 million in revenues, hired local employees and service providers, and worked with local charities including the [Good Shepherd Food Bank of Maine](#). No other provider has been committed to the city for as long as we have.
- We share your enthusiasm to bring the next generation of state-of-the-art cold storage to Portland, and we are excited by the prospect of creating a campus design that highlights all of the benefits that the Port of Maine has to offer to food processing and production customers, and streamlines the process of bringing those products to market. There's no reason why Portland cannot become Canada's primary winter gateway port once again.
- We're envisioning a showpiece facility for you with the very latest in temperature-controlled supply chain design that you can use to sell Portland as the primary regional perishable production and processing locale: local relationships, regional expertise, national and international connections, and the best seafood anywhere in the world.
- Your food and beverage industry partners will have access to best-in-class IT systems and warehouse management platforms, channeled through either EDI or our proprietary [i-3PL Supply Chain Control](#) system, offering unmatched efficiencies, reduced cost and comprehensive supply chain visibility – all available on any web-enabled smart device.
- Americold operates over [175 facilities](#) with 1 billion cubic feet of temperature-controlled capacity in 6 countries. In the US we have +145 facilities in 38 different states. Our scope, scale, depth of operational capability and breadth of products handled place us in a unique position to be able to continuously evolve our processes and service offerings to maintain the very latest in technological support systems and management activities. Our ability to design, build and operate creative, integrated end-to-end solutions can be witnessed at any one of our facilities.
- Eimskip is contemplating moving their U.S. headquarters to the IMT West Cold storage facility, and storing up to 5,000 pallet positions of ambient space in it. Eimskip works with over 300 customers to ship more than 30,000 tons of products across the North Atlantic, and a new facility in Portland, ME would be an ideal strategic location.
- Our role will be simple: to provide temperature-controlled storage and transportation solutions, but we'll share a common purpose with you: to promote the fruits of the local, hardworking fishing and manufacturing communities in sharing the freshest seafood and locally produced food and beverages with friends, families and customers throughout the northeast and beyond.

We're very much looking forward to working with you and your extended partners in a collaborative effort as this initiative progresses. If you have any questions about our response, please feel free to contact me.

Sincerely,

Patrick Ballard

Vice President, Business Development



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Request for Proposal to Maine Port Authority

Section 1

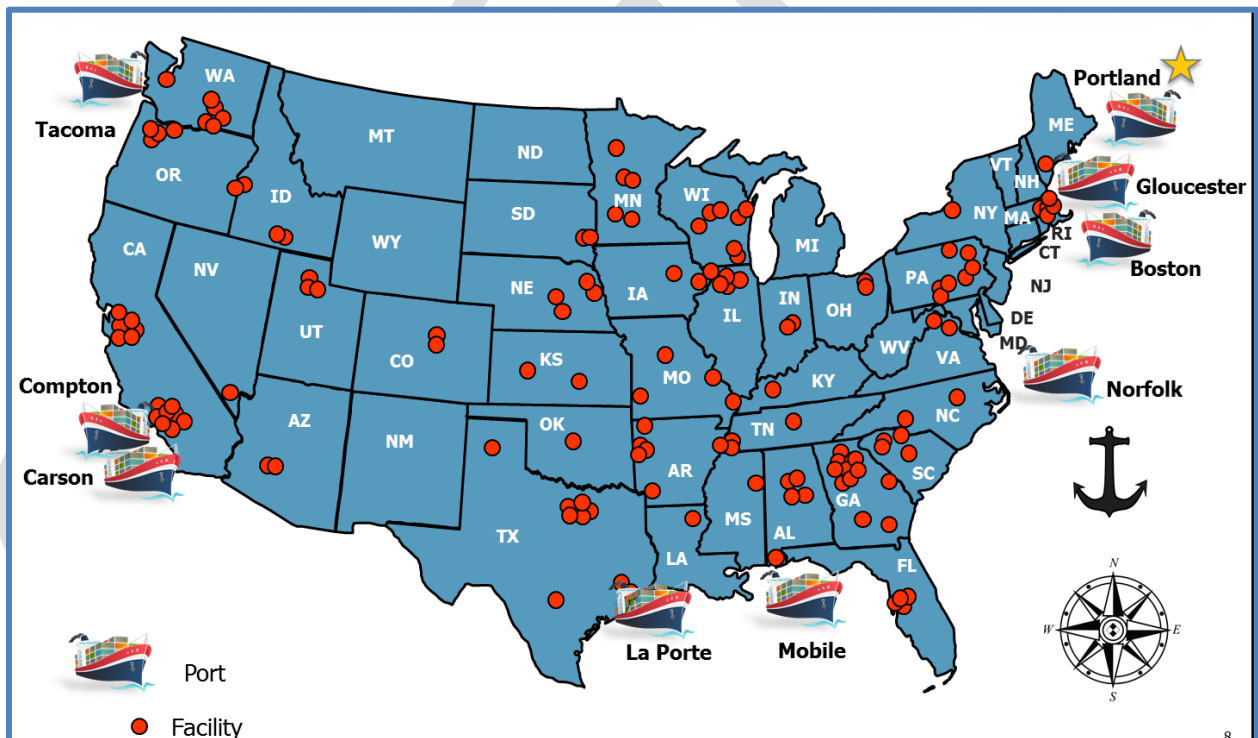
Company Information

Americold is a privately held Real Estate Investment Trust (REIT). Our primary share owners are The Yucaipa Companies (www.yucaipaco.com) and Goldman Sachs (www.goldmansachs.com).

Americold's roots can be traced back to 1903 as Atlanta Ice and Coal company – the company Ernest Woodruff formed by merging three local businesses before he moved on to purchase Coca Cola. Since then the company has grown organically and through acquisitions but has always maintained its local, neighborhood roots. Our very DNA stems from smaller, corner store-type personalities where family values and customer service are top priorities – Frank E. Wagner Jr. worked with Americold since we took over the facility in 1952. He held numerous roles up until retiring in the late 1980s as the GM. Mr. Wagner was the father of our current GM, Michelle Brooks. As companies merged and others were acquired, we took the time to properly integrate systems, associates, processes, values and visions to become the pioneering international company we are today. Today, each of our facilities leverages the collective expertise of the entire enterprise while maintaining unique local characteristics to serve our customers. You won't find that integration in every provider.

Americold is the global leader in developing temperature-controlled warehousing and transportation solutions for the food industry. We offer the most comprehensive storage, distribution, and logistics solutions in the world. Based in Atlanta, Georgia, Americold owns and operates [+175 temperature-controlled warehouses](#) throughout the United States, Australia, New Zealand, China, Argentina, and Canada.

Our US footprint incorporates over 145 facilities with many adjacent to port facilities:



With over 110 years' of continuous improvement, we've never rested on our laurels and have constantly strived to innovate and implement value and efficiencies for our customers. No other provider can offer you the visibility and control over such a large network. Americold's [i-3PL supply](#)

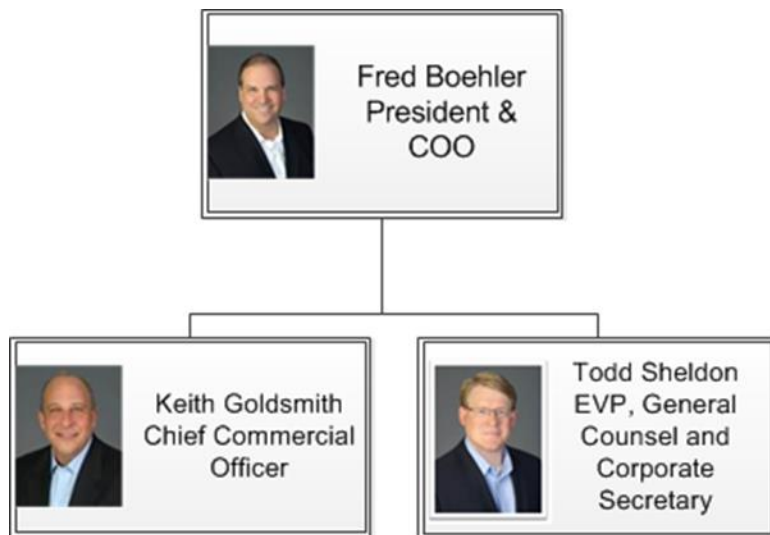


Request for Proposal to Maine Port Authority

[chain control system](#) enables 3000 Seafood, Agriculture, Protein, Poultry, CPG, Bakery and food retailer customers direct access to inventory information on any smart device from the palm of their hands, empowering decision makers and enabling critical choices to be made more quickly.

Americold Team, Structure & Roles

Americold's flat, matrix management structure streamlines decision making to support an efficient and effective operations based structure. Here, we present the team who'll be responsible for designing, building and operating the new Portland facility:





Request for Proposal to Maine Port Authority

Americold & Eimskip Leadership Team				
Name	Title	Legal Relationship	Address	Role
**Fred Boehler	President & COO	Employee	10 Glenlake Parkway, Suite 600, Atlanta, GA 30328	Fred will oversee the entire project from a financial, operations, and customer perspective.
**Todd Sheldon	EVP, General Counsel and Corporate Secretary	Employee	10 Glenlake Parkway, Suite 600, Atlanta, GA 30328	Todd will oversee the entire project from a legal and real estate perspective.
**Keith Goldsmith	Chief Commercial Officer	Employee	10 Glenlake Parkway, Suite 600, Atlanta, GA 30328	Keith will oversee the entire project from a business development and commercial perspective.
** Denotes a team member who will provide legal and financial advice or will act in an advisory role.				



Section 2

Knowledge and Experience

ORIGINAL



Request for Proposal to Maine Port Authority

To provide additional background on our ability to design, build and operate cold storage facilities we are including insight into two design and build projects that were successfully executed in the last couple of years. Many of the team members participating in the Maine Port Authority project were part of the Phoenix and Leesport projects outlined here.

Phoenix, Arizona

Scope: Greenfield design, build and operate grocery retail distribution center; 13.1 acre site.

Start of Operations: January 2014
Project Overview- Phase I
Building Net Area Sq. Ft: 95,475
Parking Spaces: 60
Clear Height: 42 feet
Dock Doors: 10 truck bays/loading docks

Phase II- Includes 7.1 acres of expansion, designed to accommodate an additional 143,000 square foot building. Timing TBD.

Phase I Investment and Revenue Overview:

Building Cost: \$11.6M
Land Acquisition: \$2.7M
FF&E Cost: \$2.9M
Total Cost: \$17.2M
Annual Revenue: \$5.3M
Pallet Capacity: 12,129
Temperature: Frozen, 100% case pick

Leesport, Pennsylvania

Scope: Expansion of current facility to adjacent land owned by Americold

Start of Operations: November 2013
Project Overview-
Building Net Area Sq. Ft: 96,000
Parking Spaces: 150
Clear Height: 28 feet
Dock Doors: 24 truck bays/loading docks

Investment and Revenue Overview:

Building Cost: \$8.3M
Land Acquisition: Already owned
FF&E Cost: \$3.2
Total Cost: \$11.5M
Annual Revenue: \$8.8M
Pallet Capacity: 2652
Temperature: Cooler Distribution Center operation and cross dock, 30% case pick



Request for Proposal to Maine Port Authority

Americold and Eimskip Team Member References

ORIGINAL



Section 3

Financial Capacity

As a private company in a highly competitive industry, Americold only discloses financial information where a non-disclosure agreement is in place. It also limits the use of the financial information disclosed to only those necessary and the information cannot be shared without the company's written consent. We would enter into such an agreement with you as we move forward with the project.

That aside, we will share that Americold currently has approximately XXX in cash. Over the past 3 years, we have refinanced over XXX of debt reducing the overall cost of debt by XXX bps, without significantly increasing our overall leverage ratio. We have strong relationships with construction lenders, CMBS debt originators, bank balance sheet lenders and others. With our balance sheet cash, strong lender relationships, and an equity partner with significant access to capital, we have the capacity to develop, operate and maintain multiple additional facilities, including the Portland proposed facility. We believe in supporting local communities and local businesses, and would look to work with financial institutions with Maine-representation where possible and feasible.

Americold prides itself on creating and maintaining strong vendor relationships with material handling equipment OEMs, such as Crown Equipment and Royal. We also maintain relationships with finance companies that specialize in leasing this type of equipment and have lines of credit with both GE Capital and LaSalle Equipment Finance.

Annually, Americold is audited by Ernst & Young with unqualified audit opinions being issued. Our primary banking relationships are with JPMorgan (New York), Royal Bank of Canada (New York) and Goldman Sachs (New York and Australia). We also have local relationships where warranted in areas where our warehouses are located.



Section 4

Economic Impact within the State of Maine

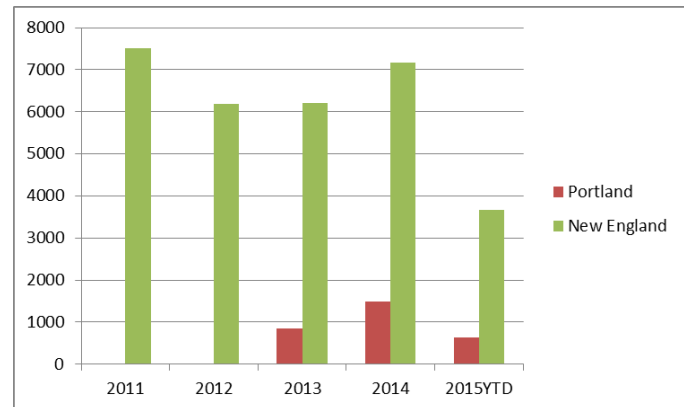
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Request for Proposal to Maine Port Authority

Local Food & Beverage Ocean Imports (TEUs) (source: Zepol)

The chart to the right shows the traditionally more reliable ocean import data for food and beverage products into U.S. New England and Portland specifically. Our proposed Portland facility could easily accommodate all food and beverage imports for the New England region, and with direct rail and exceptional highway connections, Portland would have an outstanding competitive advantage over all other food and beverage import port options for regional customers.



ii) Estimated number of temporary construction jobs:

Based on our experience, approximately 1.25 construction jobs are generated per 975 square feet of construction. With a 145,000 square feet build, we estimate this project creating 186 temporary construction jobs.

iii) Estimated number of permanent jobs:

Based on Monday through Friday (2 shift) conventional steady-state operations, Americold estimates approximately 21 permanent jobs:

- 1 general manager
- 2 manager/supervisory positions
- 4 office clerical/admin positions
- 3 building/refrigeration/equipment maintenance positions
- 11 lift truck operator positions

Eimskip will relocate its US headquarters from Norfolk, VA to Portland, ME. 15 immediate re-locations will occur from Norfolk VA to Portland ME. 50 total positions will support the Eimskip US headquarters.

b) Using the form in [Appendix D](#), the Proposer is required to describe the Proposer's recent and anticipated economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is required in accordance with Executive Order 2012-004, which states that certain service contracts "...advertised for competitive bid shall include scoring criteria evaluating the responding Proposer's economic impact on the Maine economy and State revenues." Attach the form included in [Appendix D](#) to the proposal. This form does not count against the proposal page limit.

Please reference [Attachment 1/Appendix D](#).



Request for Proposal to Maine Port Authority

Section 5

Development and Operations Concept

a) As requested, the following detail will support the goals described in section 2 of the RFP.

Goal 1: Provide a state-of-the-art cold storage facility that supports the growth of the Maine Port Authority's throughput volume of domestic, import, and export refrigerated commodities;

Through our storied history in Portland, strong cash position and desire to be a collaborative partner to the Maine Port Authority, Americold is committed to designing and building a modern cold storage facility and campus that will utilize the latest construction, refrigeration and automation technology. We envision it to be a showpiece for ourselves and, more importantly, the city of Portland and Maine.

Heavy investments are made annually in research, development and education to ensure our experienced engineering team remains abreast of both current and pending innovations within the industry. We actively recruit and hire expertise from other supply chain verticals specifically to advance our own knowledge and understanding for where the temperature-controlled supply chain will advance.

These investments ensure exceptionally diverse thinking contributes towards final facility designs in order to offer technologically advanced, dependable solutions.

Through our discovery phase, we'll continue to interview you, our current customers, our list of interested parties, and our Business Development management team to fully understand what everyone expects from their new port-side facility. And based on your feedback, our expertise, the needs of the local community, local regulatory guidelines, and through collaboration with Eimskip, we envision building a showpiece facility that addresses current needs and future expectations for import, export, storage, handling and cross-dock requirements of the IMT.

Once a final design is complete and accepted, Americold's Project Management Organization will evaluate the plans and assign experienced project manager engineers to begin vendor negotiations, finalize timelines, and [oversee the construction](#) and implementation of the new facility. Americold has a time proven system of program management that consistently delivers successful projects benefiting all stakeholders. More details on this are in [Section 10](#).

As the new facility is brought to completion and commissioned, Americold's proprietary operating system is deployed to facilitate excellence in all phases of operational execution. Every aspect of operations, including loss prevention, energy conservation, product quality, labor optimization, continuous improvement, and associate development are addressed in this innovative operating system structure. The Americold Operation System (AOS) allows Americold to execute efficiently and consistently, delivering unmatched quality to you and our customers.

Goal 2: Attract new refrigerated and frozen cargo customers for the IMT;

Americold has an extensive portfolio of over 3,000 customers throughout our network. Currently, Americold services more than 50 customers in the existing Portland warehouse with frequent requests for additional space and value-added services from potential new customers. As part of our due diligence for the IMT project, Americold's Business Development team has identified an additional 20 "very interested" new customers for the IMT facility for 2017. But reviewing [Attachment 3](#) you can see the potential is much, much higher.

Eimskip will add the new facility into its network for over 300 shippers and the 30,000 tons of frozen cargo they ship across the North Atlantic. Eimskip already has several customers showing significant interest.



Request for Proposal to Maine Port Authority

Americold's Business Development and Marketing team will execute a three tier commercial strategy that incorporates significant marketing exposure to local and national industry media and events to support a national Business Development focus on new customer acquisition. We've already identified the targets ([Attachment 3](#),) and have the strategy taking shape. This will ensure customer adoption rates meet the financial criteria needed to support the short and long term success of the new IMT facility. We also feel confident that our strategic partnerships with the largest food processing companies and brands in the world will create additional opportunities for the IMT facility.

Goal 3: Maximize revenues from the long-term operation of the cold storage facility;

Americold's entire portfolio of service offerings (including storage, handling, processing, value-added services, and transportation) will be leveraged to create multiple revenue streams around the facility. The majority of our customers outsource their storage and transportation requirements in order to focus on their core business. We've innovatively adapted our capabilities to undertake additional value-added services to ensure that pallets stored with us constantly remain in motion, be it through our relabeling and repackaging programs, kitting, tempering or sloughing, or staging, we've taken the traditional cost-only storage mentality to make it an integral service value-add for our customers. This stickiness bonds our relationships and solidifies long-term, contracted business for our facilities.

Goal 4: Optimize the use of available rail, trucking, and ocean liner shipping services;

The proximity of the IMT to the port as well as the availability of rail access will allow customers to take advantage of Americold's intention to incorporate all-mode facility access, enhancing the long-term value of the IMT to the local, national and international customer base. Dozens of Americold's facilities are connected to rail lines enabling significant transportation cost savings for our customers.

Most of our facilities make the time and cost advantages of cross-docking operations available to our customers, and some of our port facilities operate container loading/unloading, documentation services, FDA and USDA prep work and intermodal options too. If there's an advantage for our customers then we look to integrate the activity as a value-added service offering in our facilities.

Eimskip has identified clients that are very interested in utilizing the dry storage capacity and in utilizing containers to be carried on PanAm's intermodal stretch to the NY/NJ region with the goal of reducing truck volumes between Portland and NY/NJ.

Goal 5: Support the development and growth of Maine's F&B industry;

A state-of-the-art temperature-controlled IMT facility, designed, built, and operated by Americold's team of professionals, and in conjunction with Eimskip's ocean solutions will be a tremendous asset to the food and beverage industry in Maine and throughout the region. The additional warehousing capacity along with Americold's operations and transportation expertise will be attractive options for both current and prospective food & beverage companies. Americold, in conjunction with Eimskip, will further invest in local Business Development and Marketing initiatives to support achievement of the goals held by the Maine Port Authority and the targets of Americold. We already have a list of 20 very interested customers for the projected 2017 opening.

Goal 6: Design, develop, and operate the facility in a manner that is protective of human health and the environment and so that it complies with applicable environmental regulations and restrictions;

A tremendous volume of resources are dedicated to the safe operation of all Americold facilities. The company maintains a dedicated Continuous Improvement and Safe Quality Foods department to implement policies, train associates in those policies, and perform regular audits of all facilities. Our AOS, highlighted in [Section 9](#), maintains dedicated human health and environment KPIs projected onto facilities to ensure adherence.



Request for Proposal to Maine Port Authority

Americold's engineering team examines and tests the latest sustainable and environmental technologies for applicability in each new design as well as for retrofitting applications. Some of our most recent facility and network enhancements include:

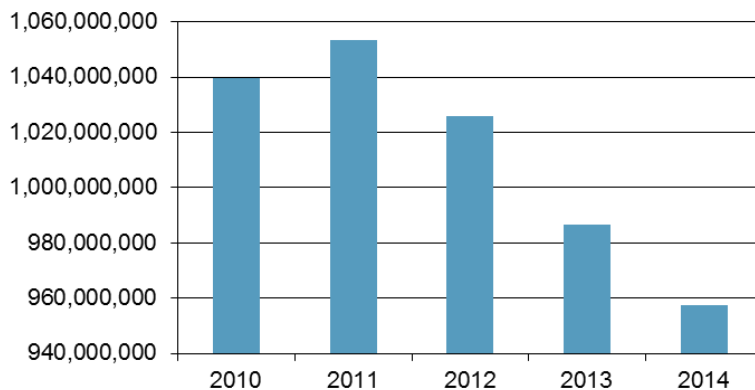
- Motion-sensing LED lighting in 31 facilities saving 10,000,000 kWh per year
- A natural gas fuel cell system provides 600,000 kWh (65% of facility's energy needs) in Salinas, CA
- Solar power system at the Gloucester, MA (April 2013) that produces 500,000 kWh per year
- Reduction in CO2 emissions by +135,000,000lbs since 2010
- Decrease of +118,000,000 kWh of electricity use since 2010, enough to power +11,000 homes/year
- Partnering with SMARTWAY truck service providers
- Condenser capacity increases in 14 facilities to lower operating pressures and decrease refrigeration energy consumption
- Evaluating hydrogen fuel cell technology to eliminate the use of batteries in material handling vehicles
- Modular, zero ammonia refrigeration system planned at Fort Worth, TX facility for late 2015
- Demand-Response partnerships with local utility companies to contribute towards reduced power consumption during peak times
- [ASRS cranes](#) utilized at Americold facilities generate electricity to reduce overall energy costs

Americold's power consumption statistics in kWh:



Request for Proposal to Maine Port Authority

Americold's CO₂e emissions



Due to the size and complexity of the Americold network, the company is extremely adept at complying with the complex regulations which differ considerably among numerous cities, states, and countries. As mentioned, Americold can trace its roots in Portland back to 1952, when the Quincy Market Cold Storage and Warehouse Company was first introduced. We pride ourselves on continuing a strong family heritage and are dedicated to implementing and executing programs that are grounded in understanding the current regulations and guidelines in the city of Portland.

Goal 7: Maximize the direct and indirect economic benefit from the operation of the cold storage facility to the local community and state;

The new IMT facility will employ individuals across multiple skill sets such as warehouse workers, maintenance specialists, office administration, business development and managers. Ancillary positions in and around the port will be positively affected by the new business attracted to the facility. Truck, rail, ocean and other transportation related businesses will also benefit from the additional business generated. Business currently leaving the area due to a lack of refrigerated warehousing capacity would be enticed to keep those products (and dollars) in Portland, and to further expand while partnering with the newest, most modern facility in the country.

Eimskip will locate more than 50 people into approximately 10,000sqft of office space and move its US headquarters from Norfolk, VA to showcase this new facility in Portland, ME.

Goal 8: Comply with the policies of the Maine Port Authority and Main DOT, and support the Maine Port Authority's mission;

The size and complexity of Americold's network has prepared us for navigating and satisfying the complicated regulatory landscape across the USA and 5 additional countries. We are confident in our ability to collaborate with the Maine Port Authority and the IMT to ensure all regulations that pertain to the new facility are understood and that Standard Operating Procedures are in place to effectively manage the day-to-day demands of such regulations and policies.

- b) Identify the market to utilize the cold storage facility, including products to be handled and logistics for connecting product to market. The anticipated volume of containers and rail cars per month, the number of truck trips per month, etc.

In addition to the details provided to support goals 1-8 in Section 2 of your RFP, Americold plans to design and construct an expandable facility with an initial capacity of approximately 15k pallets. We calculate approximately 300,000 pallets (30,000 TEUs) can be handled annually. The product mix will be diverse and will include but not be limited to, Seafood, Agriculture, Protein, Poultry, CPG,



Request for Proposal to Maine Port Authority

Bakery and Produce. Based on Americold's experience in the Portland area, we would expect a multitude of proteins (with the majority being seafood), potatoes, frozen vegetables, fruit and berries, pet foods, dairy, bait, frozen dinners, chocolates, and beverages.

- c) and d) The anticipated volume of containers and rail cars per month, the number of trucks per month, etc. Business plan, including potential cargo activity, key customers, and facility operating plan (equipment, staffing, estimated financials, and operational considerations). The business plan should also describe how the site would be used in relation to the Proposer's other operations.

Based on today's customer base in Portland and plans for a future facility there, the key initial customers are Emskip, Scoular, Penobscot, Bristol Seafood, and Hannaford plus partnerships and volume from the other 50 plus current Americold customers and 20 additional "very interested" customers over and above the 5 listed above. As previously stated, we calculate ~300,000 pallets (30,000 TEUs) annually in and out of the facility. A multitude of equipment options will be evaluated during the design process. Based on the final solution for the building, [ASRS](#) technology is an exceptional option that would be utilized in addition to specialized material handling vehicles. A state-of-the-art warehouse management system will be deployed to guide operational activities including receipts, outbound, and inventory tracking. The facility will employ ~6 to 10 associates initially and will grow from there towards our projections. We currently operate a facility on Read Street in Portland. Based on our business plan calculations, we may well continue to operate this site in conjunction to the new site at the IMT. We are also considering converting it to a dry facility to increase our ability to keep large amounts of dry product, complementing the temperature-sensitive product that customers would store at the new facility.

- e) Reference total future estimated throughput in TEUs imported and exported through Portland, Maine and describe methods that would be used to achieve this projected growth.

The calculated traffic generated by the new facility will be ~30,000 TEUs inbound and outbound. The projected capacity of the facility will be quickly achieved if our marketing strategy runs to plan. Americold's Business Development team has already received very strong interest from enough customers to efficiently fill capacity to the 95% most efficient operating level.

- f) The hours of operation will be determined by the nature of our customer base and the service level needs that they require. Americold operates a multitude of different operational scenarios when it comes to the hours that a facility or campus is open and we will ensure that all customer needs are met while also maintaining the financial performance that is needed to ensure the long term success of the IMT facility. In reality, this facility could be a 24/7 operation, increasing the number of full time jobs available.
- g) Specific proposed measures or methods to protect current environmental conditions. Also proposed measure to minimize or avoid emissions of air pollutants, including but not limited to diesel particulate matter and greenhouse gases, and other sustainability measures to enhance environmental performance.

Temperature maintenance requires significant power and resources but Americold's engineering team considers the local parameters to determine the most suitable applications. For Portland, we will likely utilize a split package Freon (or similar) refrigeration system to leverage Maine's natural climate and to eliminate the need for ammonia in the facility. LEED certification will be pursued for the planning and construction phases. Low energy lighting such as LED and motion sensors,



Request for Proposal to Maine Port Authority

natural gas fuel cell systems to reduce power loads, solar power, hydrogen fuel cell fork lifts, and energy generating [ASRS](#) cranes will all be considered for the IMT facility design. Americold remains focused and diligent on leading the cold storage industry from an environmental stewardship perspective – our most recent environmental projects and enhancements were highlighted as part of our response to Goal 6.

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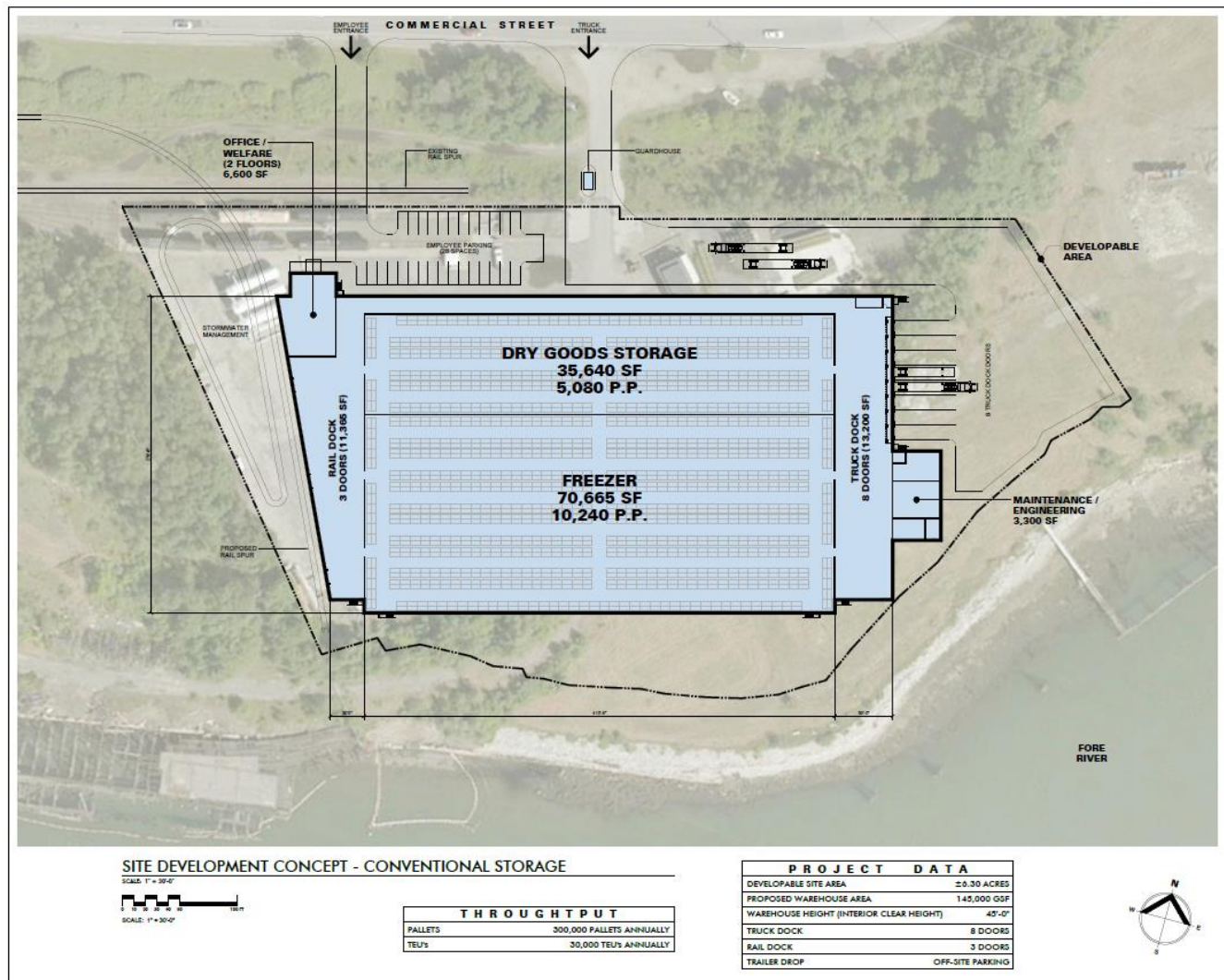
Section 6

Improvements

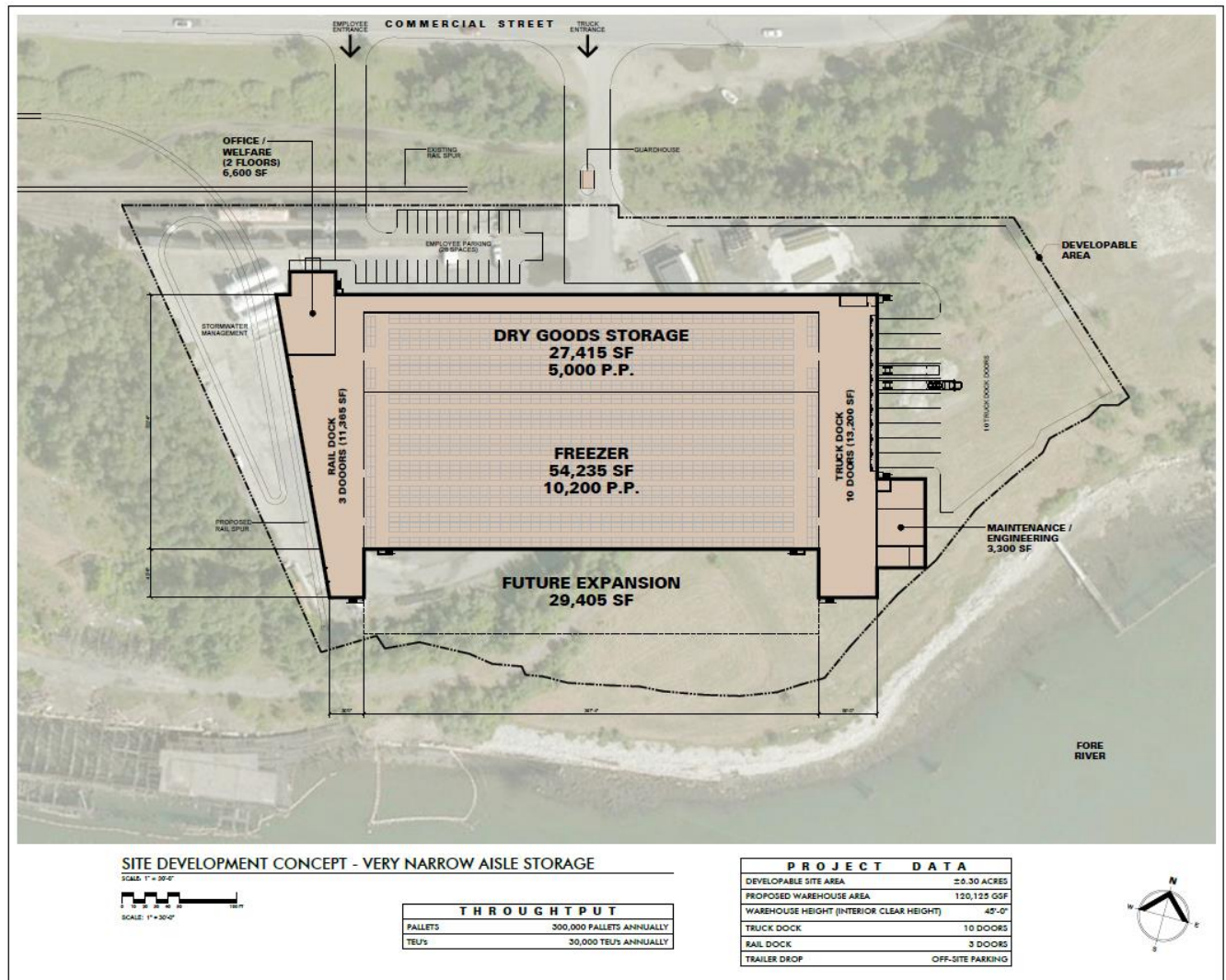
- a) A description of the proposed cold storage facility including general construction type, total square footage and dimensions (length, width, height), refrigeration system details, expected utility needs (including capacity/size), and environmental management approach.

There are a number of factors being considered which drive the final design of the IMT facility. Currently, Americold is creating a multiple design approach so that plans can be reviewed and collaborated in conjunction with the Maine Port Authority. To date, one automated and two 2 conventional facility designs are under consideration, and a selection will be made once more information (customer base, inventory and velocity data, etc.) is finalized.

Concept: Conventional Storage



Concept: Very Narrow Aisle Storage





OFFICE / WELFARE (2 FLOORS) 6,600 SF

EMPLOYEE ENTRANCE

TRUCK ENTRANCE

EXISTING RAIL SPUR

GUARDHOUSE

EMPLOYEE PARKING (20 SPACES)

DRY GOODS STORAGE 22,645 SF 5,040 P.P.

RAIL DOCK 3 DOORS (11,340 SF)

FREEZER 42,030 SF 10,080 P.P.

TRUCK DOCK 12 DOORS (10,340 SF)

PROPOSED RAIL SPUR

TRAILER DROP (14 SPACES)

STORMWATER MANAGEMENT

DEVELOPABLE AREA

MAINTENANCE / ENGINEERING 3,900 SF

FUTURE EXPANSION 19,615 SF

FORE RIVER

COMMERCIAL STREET

SCALE: 1" = 30'-0"

PROJECT DATA

DEVELOPABLE SITE AREA	±0.30 ACRES
PROPOSED WAREHOUSE AREA	104,085 GSF
WAREHOUSE HEIGHT (INTERIOR CLEAR HEIGHT)	65'-0"
TRUCK DOCK	12 DOORS
RAIL DOCK	3 DOORS
TRAILER DROP	14 SPACES ON SITE

THROUGHPUT

PALLETS	300,000 PALLETS ANNUALLY
TEUs	20,000 TEUs ANNUALLY

The refrigeration system being evaluated is the Alta Expert split Freon system design for approximately 300 TR. This gives maximum flexibility for future temperature changes that may be requested from future customers. This design eliminates the need for ammonia, resulting in a safer operation and reducing the need for regulatory oversight.

Environmentally, the Expert Freon system will be much safer for the proximity to the water. In addition, several technologies will be evaluated to reduce the facility's carbon footprint such as hydrogen fuel cell forklifts, solar panels, energy efficient lighting (such as LED and motion switches), natural gas fuel cells to augment power to the building, and power generating ASRS cranes.



Request for Proposal to Maine Port Authority

Additional consideration will be given to how the IMT facility is designed architecturally to enhance its harmony with the local surroundings, expected utility needs etc.)

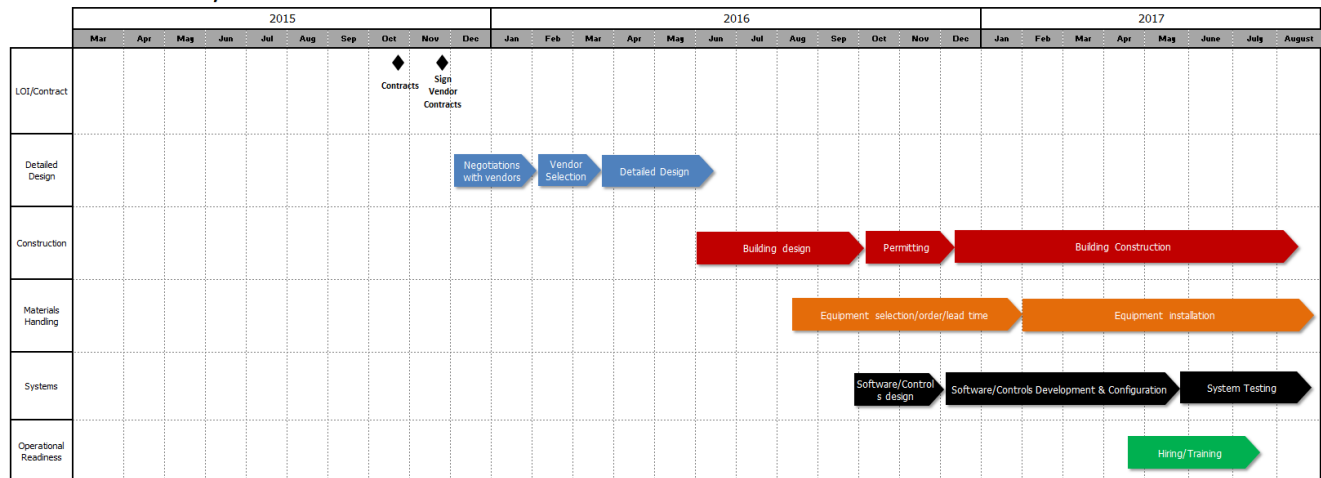
- b) Estimated schedule, including pre-construction tasks (design, permitting, etc.), construction period, any development phasing proposed, and initiation of operations for the development or each phase of development, if applicable. Include brief descriptions and milestone dates.

Americold's major milestones and estimated durations will be as follows:

- Negotiation with vendor(s): **8 weeks**
- Vendor selection: **6 weeks**
- Detail design: **12 weeks**
- Permitting: **8 weeks**
- Building construction: **40 weeks**
- Automation installation: **36 weeks**
- Systems integration: **30 weeks**

Many of these tasks will take place concurrently with a total estimated duration of 18 months. Please click [here](#) if you'd like to see time-lapse imagery of our AS/RS facility extension being constructed at our Indianapolis facility.

Americold Portland, Maine Tentative Timeline



- c) Estimated development costs will be in the range of \$19M to \$30M. The variance in expense is due to the potential use of automation, the overall size of the building and the specific technology and equipment that is used.
- d) Proposed funding sources. As previously addressed in the [Financial Capacity](#) section, Americold has the cash on hand to execute on this deal without any additional outside financing, allowing for the most expeditious project completion timeline. However, Americold may choose to partner with other equity and debt sources to optimize capital costs and risk. We believe in strong, local support and would work with financial institutions that have a prominent Maine presence to determine if financing locally would be beneficial to both Americold and the institution. We intend to explore additional city and state financing options, credits and other incentives as appropriate.



Request for Proposal to Maine Port Authority

Section 7

Rent

- a) Proposed commencement date for payment of rent to the Maine Port Authority.

Rent would commence upon Americold's exclusive access to the site and the ability to begin construction.

- b) Proposed amount of base annual rent over the term of the lease, including all operational and General Property Maintenance costs.

While we acknowledge the significant investment in order to prepare the site for construction, at this point it is difficult to estimate what an appropriate amount of rent would be.

In our experience in developing similar sites on government owned properties, the base rent is often abated (or a nominal fee). Before deciding on a rental rate, Americold would need to understand more fully the impact of variables relating to property tax, zoning, availability of utilities, physical condition, incentive financing, site preparation work, buildable acreage, environmental condition at time of lease, and similar factors – as well as the positive economic benefit of the facility to be constructed on the site and the resulting increase in seaport activity. Operational and General Property maintenance costs during the lease term would be covered by Americold.

- c) Proposed variable rent above base rent (e.g., "participation rent" or "profit sharing").

See b) above.

- d) Proposed rent escalators, including frequency and basis.

See b) above.

- e) Proposed lease term.

Americold's desire is to lease for the maximum term allowed by law. (Minimum 40 years).



Section 8

Lease Terms

ORIGINAL

Section 9

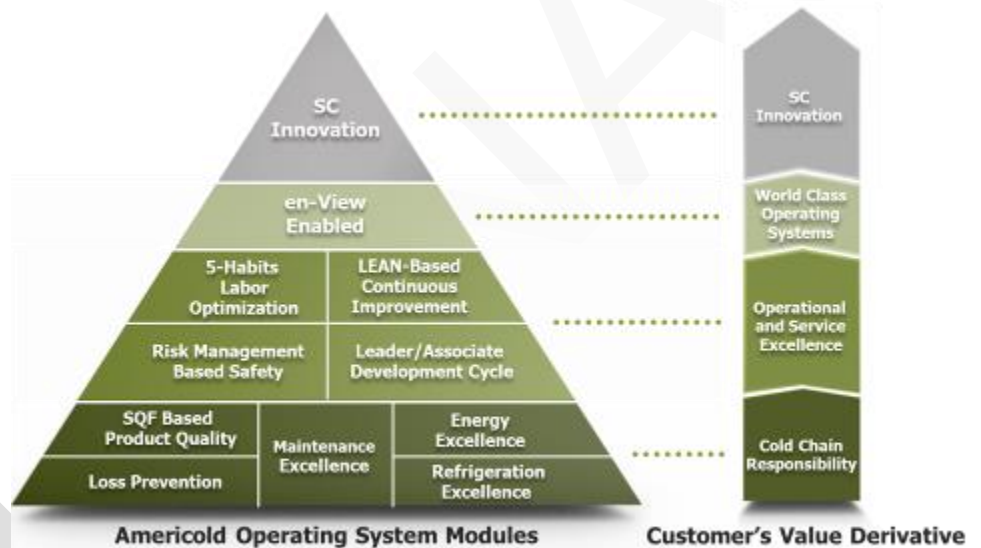
Americold Operating System

The foundation of Americold's operational excellence and its ability to positively deliver on its customers' KPI expectations is the Americold Operating System (AOS). AOS was developed to formalize a proven platform for world class supply chain execution across the entire Americold Network. In addition, the introduction of AOS was designed to streamline management of operating resources, including labor, equipment and facilities. Also addressed are quality and integrity elements such as food quality, safety, loss prevention and sustainability standardization.

AOS is designed to deliver the mechanism and process to innovate for and with our customers for continued mutual growth.

The value of AOS to our customers can be summed up with the following:

- Supply Chain Innovation
- World Class Operating System
- Operational and Service Excellence
- Cold Chain Responsibility



AOS provides structure and rigor around the elements that are the foundation of our business. It's not a program; it is part of our Culture and DNA.

Section 10

Implementation Methodology

Americold's Project Management Organization (PMO) uses an integrated project management approach designed on the principles of industry best practices, tools and techniques to deliver solutions beyond our customers' expectations. This will provide a disciplined, interactive approach to initiating, planning and controlling all project related efforts to ensure the successful completion of the project objective.

The goal of Americold's project management methodology is to provide:

- A consistent and meticulous approach to project management
- A structure to project planning efforts
- Reduced project cost and schedule overruns
- Mitigated risks and timely issues resolution
- Measures and reports on project performance to control deviations

Upon award of the business, our PMO team will assign a Project Manager to oversee the development, construction and opening of the facility. We'll formalize the cross-functional project team, outlined in [Section 1](#), inclusive of subject matter experts, task leaders and steering committee participants to manage the entire implementation process.

Americold's Project Management approach includes five distinct process groups to ensure a successful implementation:



Process 1 – Initiation

The Project Manager will coordinate an official project kick-off meeting to conduct a thorough review of the solution design and business requirements with all project stakeholders to ensure the scope captures all expectations and deliverables.

Process 2 – Planning

Upon the completion of the Initiation process, the project team will create a detailed project plan that covers all areas of the project requirements. This plan will include a detailed project timeline and resource requirements.

Upon the formal acceptance of the project plan by the project stakeholders, the plan will be the baseline template serving as a benchmark for monitoring and controlling project implementation performance.

Process 3 – Execution

Upon the completion of the planning process, Americold will implement the project plan using industry standard tools and techniques to ensure the project remains in scope, on-schedule and within budget.



Request for Proposal to Maine Port Authority

The main tools produce:

- A summary of progress, a 3-4 page overview to give executives a view of the operation
- A KPI review – these key metrics offer greater granularity into the implementation progress and measure elements specifically related to the onboarding process
- A Hiring or Ramp-Up Plan to ensure any new associates are fully up-to-speed before Day 1

Process 4 – Monitor & Control

In addition to weekly progress reporting, stage reviews will also be conducted to ensure the project is achieving the appropriate requirements as it moves along.

These stage reviews allow for the review of a projects' performance against the baseline plan to ensure the project's readiness to advance to the next phase. We would solicit your readiness to move forward before embarking on the next steps of the baseline plan. This provides the opportunity for a more proactive approach to controlling project deviations.

Process 5 – Close Out

Upon the completion of the execution process, the project closeout process will serve as a multi-step administrative progression designed to fully evaluate the successful completion of all project deliverables upon your acceptance, and will formally transfer ownership to the local Americold operations teams.

Section 11

Final Thoughts

Demonstrated Ability to Execute Value-Driven Solutions

- Over 110 years' of Experience supporting the needs of local cold-chain logistics customer
- 63 years within the local Portland community
- Application of industry best practices realized through Americold's position as the global temperature-controlled supply chain leader
- Demonstrated ability to successfully transition and launch cold storage facilities without impacting day-to-day operations
- Operating models designed to drive supply chain innovation and positive financial impact
- Service-intensive solutions driving quality, value and continuity

Sophisticated Technology

- World-class, dynamic and robust technology platforms
- Validated experience integrating with our customers' SAP/ERP systems
- Warehouse Management Systems (WMS) specialized to support cold chain and temperature-controlled logistics needs
- Online inventory visibility and Reporting via our proprietary and recently enhanced [i-3PL Supply Chain Control](#) tool
- Metrics measurements to drive success and decision making

Comprehensive Network

- The largest, most comprehensive warehouse network in the United States (+145 facilities) and the world
- Full capabilities and flexibility to support port, rail and truck service needs now and in the future
- International capabilities in support of distribution needs in Canada, China, Australia, New Zealand, and Latin America
- Operational excellence through the Americold Operating System (AOS) - a proven platform for world class supply chain execution
- Streamlined management of operating resources, including labor, equipment and facilities
- Food quality, safety, loss prevention and sustainability standardization
- Innovation for and with our customers for continued mutual growth

Cold Chain Responsibility

- Solution Design Managers focused on solutioning value-driven options to support the Maine Port Authority International Marine Terminal expansion
- Structured project management approach inclusive of five distinct process steps to ensure the successful implementation and launch of your project objectives
- Experienced professionals who have a distinct understanding of and experience with building, designing and operating state-of-the-art cold storage facilities



Request for Proposal to Maine Port Authority

Industry Stewardship

- Americold and its executive team is committed to **ACTION** values in order to grow the industry, own the cold chain, develop talent and drive supply chain profitability for its customers and itself:

Accountability for results

Customer Focus

Transparent communication

Integrity comes first

Operate with a sense of urgency

Nurture partnerships with others

- Executive Appointments include:

Fred Boehler IARW Board Member

David Stuver WFLO Board Member

Rick Stevens Government Affairs Committee Co-Chair

Kathryn Mullen GCCA Talent Development Sub-Committee

Marc Levin IARW Productivity & Benchmarking Committee, AFFI Board Member

- Association Memberships:



Council of Supply Chain
Management Professionals



GLOBAL COLD CHAIN
ALLIANCE®



NATIONAL
FISHERIES
INSTITUTE





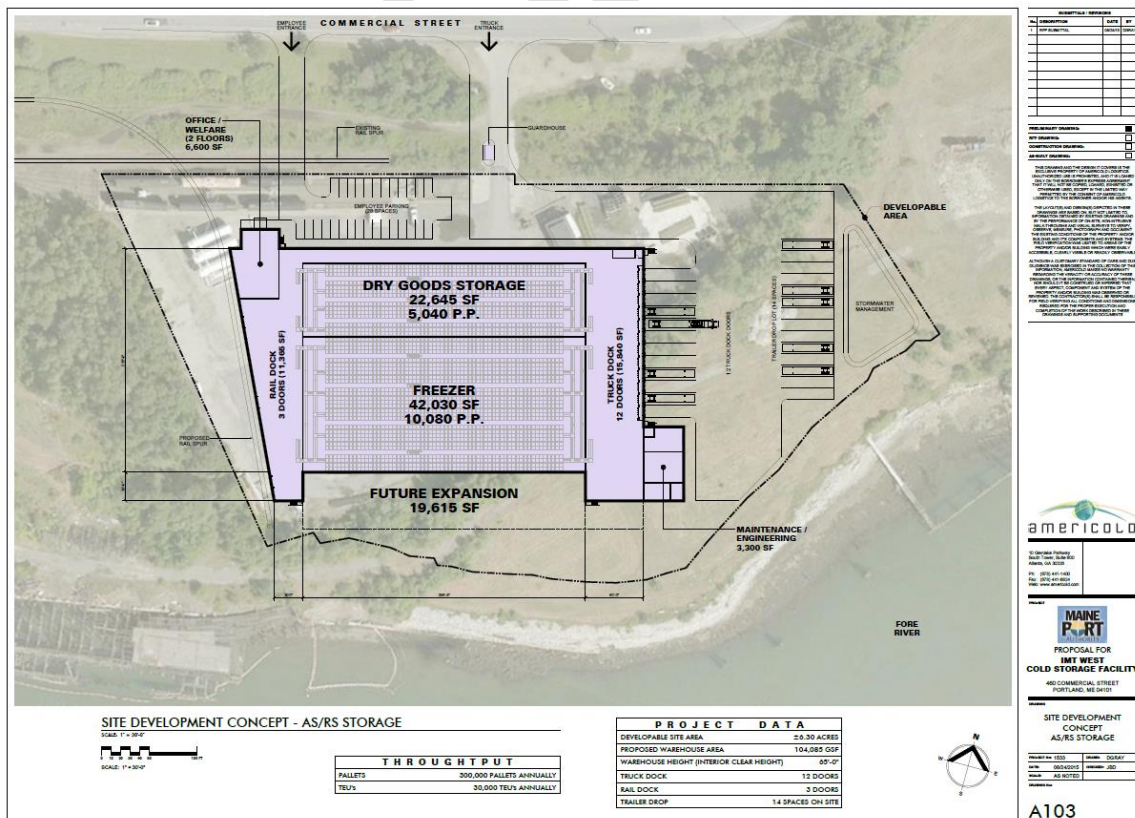
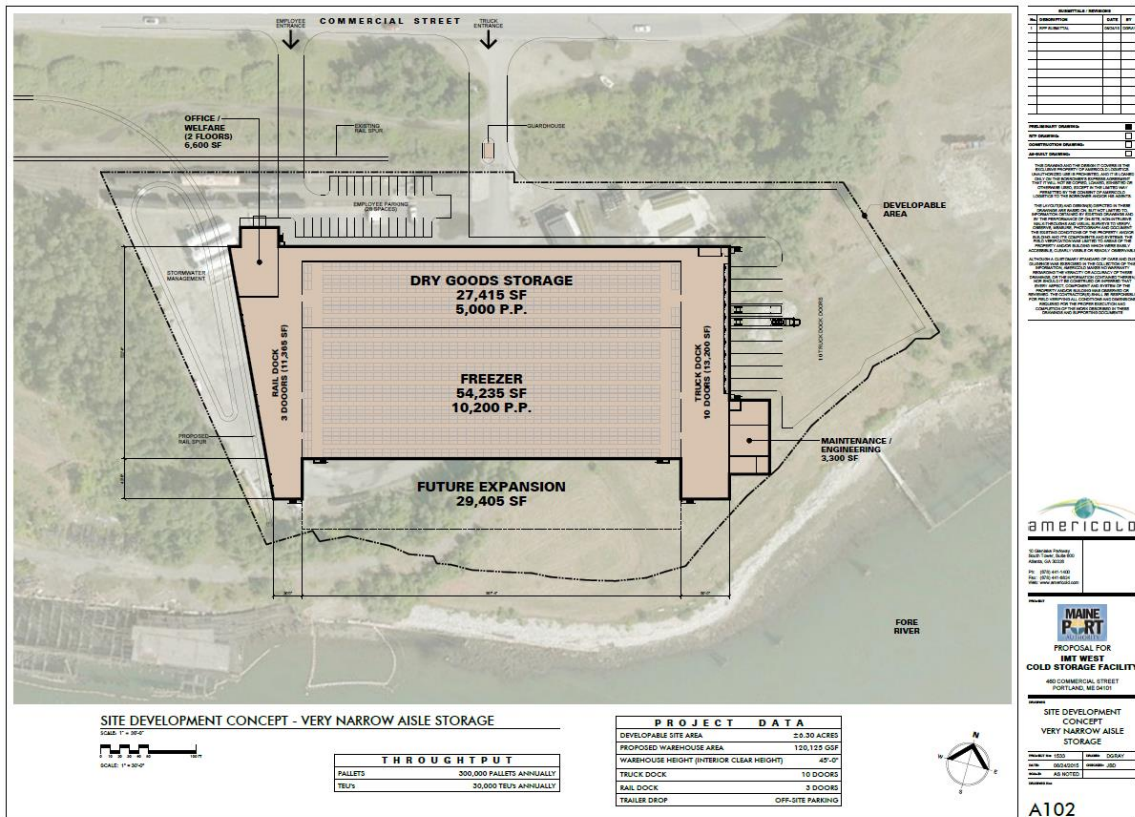
Request for Proposal to Maine Port Authority

Attachment 1

ORIGINAL



Request for Proposal to Maine Port Authority





Request for Proposal to Maine Port Authority

Attachment 3

The below table shows top ocean importers in New England with current Americold customers shaded green (source: Zepol)

Consignee Name	Consignee City	Consignee State	TEUs	Consignee Name	Consignee City	Consignee State		
High Liner Foods	Peabody	MA	509.00	Bristol Seafood	Portland	ME	4.00	1
F W Bryce	Gloucester	MA	172.00	Canadian Fish Canadian Fish Exporters	Auburndale	MA	4.00	2
Atlantika	New Canaan	CT	134.00	Classic Wine Imports	Nonwood	MA	4.00	2
National Fish And Seafood	Gloucester	MA	120.00	Costas Provision	Boston	MA	4.00	2
Eastern Fisheries	New Bedford	MA	118.00	Fortune Laurel	Quincy	MA	4.00	2
The Hadley	Wareham	MA	110.00	Greek Gourmet	East Weymouth	MA	4.00	2
Southstream Seafoods	Warwick	RI	90.00	Hannaford Bros	Winthrop	ME	4.00	4
Rainbow Seafood	Topsfield	MA	64.00	Minuteman International	Fitchburg	MA	4.00	2
Endeavor Seafood	Newport	RI	62.00	Nantucket Distribut	Middleboro	MA	4.00	2
Panapesca Usa	Pembroke	MA	56.00	New England Food Brokerage	Gloucester	MA	4.00	2
Channel Fish	Boston	MA	50.00	Norfolk 12	Norton	MA	4.00	2
Gorton's	Gloucester	MA	48.00	Norwegian Seafood	Everett	MA	4.00	2
Zhangzidao Fishery Group America	Lakeville	MA	42.00	Raw Sea Foods	Fall River	MA	4.00	2
Boston Sword Tuna	Boston	MA	38.00	Tannin 19	Peabody	MA	4.00	2
Isi Seafood	Branford	CT	38.00	Bullard Abrasives	Lincoln	RI	3.27	5
Slade Gorton	Boston	MA	36.00	Freeline Organic Food Usa	Westport	CT	3.00	3
Carmichael International Services	Chelsea	MA	32.00	Mediterra	Salem	MA	3.00	2
Ocean Trawlers Europe	New Canaan	CT	32.00	Olive Harvest	Sudbury	MA	3.00	2
Aps	New Bedford	MA	30.00	Jansal Valley	New Bedford	MA	2.71	3
Great Northern Fish	New Bedford	MA	29.00	Ambassador Brokers	Braintree	MA	2.00	1
Crocker And Winsor Seafoods	Boston	MA	28.00	Bego Usa	Lincoln	RI	2.00	1
The Henry Gonsalves	Smithfield	RI	26.00	Big T D	Chelsea	MA	2.00	2
Stavos Seafood	Boston	MA	24.00	Carolina Wine	Norwood	MA	2.00	1
Northern Fisheries	Little Compton	RI	23.27	Sidney Stockwell	Wakefield	MA	2.00	1
Aquafisk	Manchester	NH	20.00	East Bay Seafood	Boston	MA	2.00	1
Portland Shellfish	South Portland	ME	20.00	Equal Exchange	West Bridgewater	MA	2.00	1
Mammut Sports Group	Williston	VT	19.00	Grand Prix International	Indian Orchard	MA	2.00	1
Limson Trading	Norwalk	CT	18.58	Harbor Blue Seafood	Fairhaven	MA	2.00	1
B l Food Enterprises	West Haven	CT	16.00	Ideal Wine Spirits	Medford	MA	2.00	1
Seafreeze	North Kingstown	RI	14.00	Logfret	Wakefield	MA	2.00	1
Jedwards International	Braintree	MA	13.00	Livata Waterbury	Waterbury	CT	2.00	2
Mariner Seafood	New Bedford	MA	12.00	Maloney Seafood	Quincy	MA	2.00	1
Rich s Cold Storage	Taunton	MA	12.00	Manzel 4	Danvers	MA	2.00	1
Brewers Supply Group	Providence	RI	10.00	Mise 5	Newton	MA	2.00	1
Fortune Laurel	Wellesley	MA	10.00	Ms Walker Norwood	Norwood	MA	2.00	1
Pioneer International	Wakefield	MA	10.00	Norfolk Ehf	New Bedford	MA	2.00	1
Demoulas Super Markets	Tewksbury	MA	9.00	Pine State Trading	Augusta	ME	2.00	1
Athena Int Foods	Brockton	MA	8.77	Purse Line	Seabasco Estates	MA	2.00	1
Best Foodstuff Usa	Norwood	MA	8.00	Ruby Wines	Avon	MA	2.00	1
Black Pearl Seafood	Boston	MA	8.00	Sea Fresh Usa	North Kingstown	RI	2.00	1
Linnane	North Reading	MA	8.00	Seabod Markets	Quincy	MA	2.00	1
Pier Fish	New Bedford	MA	8.00	Sid Wainer And Son	New Bedford	MA	2.00	1
Chex Finer Foods	Attleboro	MA	7.00	The Jojoba	Waldoboro	ME	2.00	2
Cape Seafoods	Gloucester	MA	6.00	Tuscan Brands Lls	Salem	NH	2.00	1
Century Bank Trust	Medford	MA	6.00	Villa Seafood	Boston	MA	2.00	1
Extra Virgin Foods	Watertown	MA	6.00	Vineyard Road	Framingham	MA	2.00	1
Fundelina Usa	Haverhill	MA	6.00	Z C Trading	Quincy	MA	2.00	1
International Luso Fish	Gloucester	MA	6.00	Mohr Mopherson	Boston	MA	1.57	1
Lufthansa German Airlines	Boston	MA	6.00	Pure Italian	Watertown	MA	1.56	3
North Atlantic Pacific Seafood	East Greenwich	RI	6.00	Italimport 1	Malden	MA	1.27	1
North Coast Seafoods	Boston	MA	6.00	Casa Foods	Middleton	MA	1.00	1
Oesse Foods	New Haven	CT	6.00	Dsm Neoresins	Wilmington	MA	1.00	1
J Moniz Company	Fall River	MA	5.00	Gonsalves Import Export	Smithfield	RI	1.00	1
Orleans Packing	Hyde Park	MA	5.00	Great Northern Products	Cranston	RI	1.00	1
The Pastene	Canton	MA	4.85	Midtown Markets	Woburn	MA	1.00	1
Aquamarine	Manchester	NH	4.00	Portugalia Imports	Fall River	MA	1.00	1
Atlantic Capes Fisheries	New Bedford	MA	4.00	Southern Ocean	Windsor	MA	1.00	1
B A Brokers	Boston	MA	4.00	Tre Olive	East Longmeadow	MA	1.00	1



Request for Proposal to Maine Port Authority

Attachment 4

Declaration of Todd N. Sheldon

I, Todd N. Sheldon, am over the age of 18 and declare and state as follows:

1. My name is Todd N. Sheldon. I have personal knowledge of the facts contained in this declaration.
2. I am Executive Vice President, General Counsel and Corporate Secretary for Americold Logistics, LLC.
3. I have access to the corporate records for Americold Logistics, LLC.
4. Based on my review of those records, I can confirm that Americold Logistics, LLC has not been barred from providing services to any State or Federal Agency within the last five (5) years.
5. I declare that the foregoing information contained in this Declaration is true and correct as of the date hereof.

Todd N. Sheldon

Dear Planning Board Members,

We are writing with regards to the proposed zoning change for the Waterfront Port Development Zone (WPDZ). We strongly feel that Americold is a distinct project and should be treated as such by the planning board and the city council. We strongly oppose any changes across the WPDZ beyond those, if any, that are required for Americold. Indeed, if a change is required it is important that it be treated as an exception rather than a precedent, and be recognized as such by the city. Our reasons for this position are as follows:

- **The Americold project is unique and specific to the Port Authority and the International Marine Terminal.** The planning board should treat it as such. The merits of this project are linked to its connection to the Marine Terminal, and specifically the development of an intermodal transport network to serve the development of Eimskip's business. The Port Authority has stated they have no additional space at the Marine Terminal for development of additional large buildings. As a result, the city's proposal to extend any zoning change across the WPDZ is unnecessary. The neighbor to the west, Portland Yacht Services, is an unrelated business with no connection to intermodal transport. Representatives of Sprague/Merrill's Marine Terminal, further to the west, have already spoken out against the city's plan for the WPDZ and want to be exempted.
- **Why should we think tall warehouses will support the development of a working waterfront?** A blanket change in zoning height will turn the waterfront port development zone into the western waterfront warehouse zone. This stands in direct contradiction to any vision of creating a working waterfront. Warehouses require huge footprints with an exceptionally low number of employees per square foot. Do we really need to make a blanket change to the zoning laws to store and maintain super-sized yachts? Whatever opportunity may exist in the future to bring meaningful skilled jobs to the western waterfront would be squandered by making this a "mega-warehouse" center.
- **The entrance to the city is at risk of becoming an oppressive wall of warehouses.** The visual impact of Americold project alone will have a dramatically adverse effect on the entrance to the city. Turning the western waterfront into a wall of warehouses will create a "tunnel" entrance to the city that will be oppressive and unwelcoming. It will adversely affect the value of surrounding properties and thus, the potential future tax base of the city. It stands in stark contrast to any reasonable urban plan that appropriately integrates industrial, commercial and residential interests to create an economically vibrant and appealing city.

For the above reasons we strongly urge the planning board to limit the consideration of any zoning change to the Americold project/The International Marine Terminal. Furthermore, we urge the planning board to adopt a deliberate approach to the remainder of the WPDZ that considers the cumulative effect that each supersized warehouse has on the waterfront, the neighborhood, and the city as a whole. Specifically, we believe it is extremely important that the city wait to measure the impact of traffic, truck noise echoing off the Americold building and the consequences of its visual impact on the entrance to the city before considering additional tall buildings and warehouses on the WPDZ.

Sincerely,

Tom and Laura Robinson
320 Danforth Street

Jo Coyne
36 Salem Street
Portland, Maine 04102
207.775.3902 / jcoyne@gwi.net

December 6, 2016

Planning Board
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Chairperson Boepple and Board members:

Late last spring, a few of us in the Salem/Clark/Summer Street neighborhood decided to look into the proposed cold storage facility that we'd heard about in the press. At that point we knew only that Americold's submission in response to the Maine Port Authority's Request for Proposal (RFP) had been selected as the winning bid. We contacted the manager of Americold's current facility on Read St., who referred us to MPA Director John Henshaw, who referred us to Bill Needelman. A meeting and tour of the site were planned for interested neighbors for mid-July.

Several neighbors gathered at the International Marine Terminal, along with John and Bill. Tuck O'Brien also was present. John and Bill talked about the need for cold storage and the RFP process. Many of us had seen huge white warehouses after Googling "cold storage facility" and we asked what to expect. . We were told Americold was in the early development stage and no plans had been submitted yet. We were reminded that current zoning limited building heights to 45' (depending on the roof line) and that Americold would have to apply for an exception if they wanted to build higher. **No mention was made of the City's intent to rezone the western waterfront to 70'.**

Shortly after the meeting, several neighbors sent a letter to Americold expressing hope that Americold's project would be on the lower end of the height/mass spectrum for cold storage facilities since a wide range of efficient, economically viable sizes exist. Late in August an "outreach" meeting was held at the IMT, with officials from the City, Americold, Eimskip, and the Port Authority, along with WENA President Ian Jacob, WPNA President Anne Pringle and neighbor Mark McCain. Americold officials talked of building to 65' but said they wanted to build an attractive building and have an open dialogue with neighbors and city officials. **Again, City officials said nothing about plans to rezone the waterfront.**

On October 13, WENA and WPNA hosted a meeting of neighbors, Americold executives and city officials. Americold insisted they needed to build to 70'. Bill Needelman presented a proposal for rezoning the western waterfront to 70' that had been crafted by the Economic Development Department (EDD) and that soon would be sent to the Planning Board. **This was the first time the proposal to rezone the western waterfront was made public.**

The proposal, which you later gave a first reading at your October 25 workshop, offered three options:

1. Rezone building heights in the entire western waterfront to 70".
2. Rezone to 70' only for warehouse facilities such as those needed for cold storage.
3. Rezone to 70' only for the site currently under consideration by Americold.

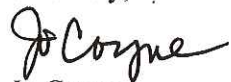
Since the Port Authority's RFP clearly indicated a height limit of 45' and Americold's submission contained three alternatives, two at 45' interior height and one at 70', we question the City's push to rezone at 70', especially since another RFP applicant proposed a 40' interior height building. Additionally, even though the City speaks only of the need for cold storage, all of Americold's alternatives propose a significant amount of dry storage. Dry product can be stored elsewhere, such as in Americold's existing facility on Read Street, although industry insiders speculate that Americold will want to consolidate operations. **The waterfront is zoned for marine use only. A cold storage facility of reasonable size is appropriate to the Americold site. A warehouse of any size storing substantial amounts of dry product is not.**

The implications for Commercial Street traffic are huge. The I-295 connector was built to direct through-traffic off the peninsula and is used heavily by commuters. Truck traffic on Commercial Street will increase dramatically even if a 45' high cold storage facility is built. Imagine what the street would be like with a 70' warehouse for cold and dry goods being trucked in and out, in addition to goods coming in by ship and out by truck or rail.

About 60 residents attended the City-sponsored neighborhood meeting on November 3 to speak in opposition to the proposed 70' rezoning, including some who do not live in the West End but who feel strongly that a huge, out-of-scale white box has no place on Portland's waterfront. Residents clearly want the City to achieve a better balance between economic development and existing neighborhoods than what's on the table. The fourth rezoning option that EDD plans to present on December 13 will not resolve the conflict.

It is clear that what is being proposed for the Americold site is a warehouse, plain and simple, despite all the talk of cold storage needs. Current zoning at 45', which was set after careful study, is sufficient for a reasonably sized facility that will meet those needs. Waterfront development doesn't have to be ugly and out-of-scale. Please help protect our beautiful port.

Sincerely,



Jo Coyne

Dec. 4, 2016

Dear Ms. Boepple,

We are concerned about the proposed raising of the building height on Commercial Street, in particular the Americold Building. We feel strongly that the building height should not be increased above the existing limit of 45 feet. A higher structure would impose an industrial environment adjacent to a well maintained residential area and an Historic District. West Commercial Street is the southern entry way into what Henry Wadworth Longfellow called " the beautiful city by the sea"

The proposed building is a featureless white structure that will eliminate the view of the waterfront there.

We ask you to vote not to raise the height of the Americold Building.

Dick and Penny Stevens
260 Vaughan St.
Portland, ME 04102

336 Danforth Street
Portland, Maine 04012
207-774-1288/207-871-0790 FAX
robertsonsonia@hotmail.com

December 6, 2016

RE: Waterfront Zoning Text Change for Building Height

Dear Members of the Planning Board:

The three text amendments the Economic Development Department is proposing to the WPDZ have their genesis in the Americold cold storage building project.

Text Change One which adds cold storage specifically as a permitted use makes sense. Eimskip obviously needs cold storage to continue to be the economic engine for Portland's waterfront that it is. Change One should be approved.

Only Americold may require immediate zoning changes. Leave the remainder of the WPDZ as currently zoned. This would be consistent with Merrill/Sprague zoning being left as is at their request.

Text Change Two has evolved over the past two months from 70' to 50'. We see no reason to change the existing 45'. Originally Americold responded to an RFP for a 45' cold storage building. We would like to see a 3D model of what it is Americold is actually proposing and what height it is they now say they need. At whatever height this is going to be a **massive** structure.

Leave the height at 45'. An exception for the Americold structure should be made only if Americold can honestly demonstrate beyond reasonable doubt a cold storage facility cannot be built within a 45' height limitation.

Portland Yacht Services property is really the remainder of the WPDZ. As no plans are on record other than retail buildings along Commercial Street at 45', there is no reason to raise the height to 50'. The Central Waterfront height was just raised to 50' to accommodate development. As there is no

planned development, there is no reason to change the height. As Merrill/Sprague's zoning remains as it is , so should the zoning on this property remain as it is. Development of this property will have significant impact. Before any zoning is changed along this waterfront, a master plan needs to be submitted for consideration.

This process has been moving at lightning speed. Economic Development is the only entity that has had more than two months to analyze the impact of a height change along the entire zone. It seems sensible to wait to see what the Americold building looks like. It could be more of a blight than anyone anticipates.

Economic Development has said the city needs to be ready for future unanticipated business growth. That growth being unidentified as yet does not need more height than 45'. And if the need presents itself , sthe height issue can be reexamined.

Western Commercial Street is the gateway to Portland. To raise the height limits jeopardizes that gateway. It will be very easy to reduce Portland to a Hartford, CT - a city on water no one can see. The vision of a wall of 350' long buildings along both sides of Commercial Street is truly the stuff of nightmares.

Text Change Three proposes changes that are sweeping in their impact. Once again no one has had time to adequately consider all the implications of these changes.

Too much. Too fast. Proceed with Americold. Americold is the current economic engine. Time is needed to thoroughly examine zoning changes to the remainder of the WPDZ. Let the current zoning stand as iss at 45'. Reject Text Changes Two and Three.

Thank you for your consideration,

Sonia B. Robertson

John O. Robertson

Fwd: The West Commercial Street cold storage facility

1 message

Tuck O'Brien <sgo@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, Dec 5, 2016 at 3:36 PM

----- Forwarded message -----

From: **Jill Osgood** <osgood.jill@gmail.com>
Date: Monday, December 5, 2016
Subject: The West Commercial Street cold storage facility
To: sgo@portlandmaine.gov

Dear Mr. O'Brien,

As a long time resident of Portland and the west end, I ask that as the Planning Director of our wonderful city you provide a voice of moderation and reason in this time of economic and population growth.

We can all agree that the economic explosion that Portland has experienced in the last several years is a positive thing. I remember the days of the early 90's when you could drive the length of Congress Street and see every other store front empty. I enjoy watching the Eimskip containers being loaded on to the ships and as a student of USM recognize the prosperous relationship the city now has with Iceland.

I also realize that Portland will continue to grow, in some ways positively and in some ways not. Someday all of Commercial Street will be developed. What I ask is for mindful growth. Zoning limitations have been carefully and thoughtfully put in to place. What is the sense of this process if every time a new development comes along a request is made for a revision of the current zoning law?

There is no reason other than more money for the zoning height to be changed for the cold storage facility. Please keep the limit to 45 feet, the current legal limit.

Regards,
Jill Osgood
41 Brackett Street
Portland, Maine

--
Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: (207) 874-8724
Cell: (207) 553-0255

December 6, 2016

To the Members of the Planning Board:

A significant argument for overturning the existing provisions of the Waterfront Port Development Zone is that the current height, bulk and siting requirements are bizarre and convoluted, difficult to interpret and confusing. Staff has said that they appear to have been designed for a specific development scheme that never came to pass. We have heard that this cumbersome zoning shoulders at least as much of the blame for the lack of development along West Commercial St. as the previous ownership of the parcels, market conditions, small parcels and the problematic soils.

In fact the existing WPDZ provisions are not particularly cumbersome and in the words of one former Planning Board member, *"were developed after a lot of thought to careful rezoning appropriate to the City by the Sea"*. Since they are virtually identical to ones adopted for a portion of the Eastern Waterfront formerly occupied by Portland Yacht Service, it is clear that the WPDZ (east of Merrill's operation) was not zoned to satisfy the hankerings of a particular unknown developer.

So why the unusual zoning? Plotting the two height exceptions to the standard 45' max. building height, on a street map of the abutting neighborhoods makes it obvious that greater heights were established in relation to the elevation of these streets. Building heights at 70' above mean sea level* are allowed as Danforth Street starts to rise above Valley St. They go to 75' as Danforth Street rises further toward Emery. But past Emery St., small-scale streets hug the hillside and no exceptions to the underlying 45' are permitted. (see attached)

The 45' height is also not arbitrary, but matched the height on the rest of Commercial St. *"Forty five feet allowed a reasonable rate of return on investment – given the bearing capacity of the soils and in keeping with the long-held commitment to putting taller buildings on the spine of the Peninsula – with heights dropping toward the waterfront. Forty five feet allows a definite return but doesn't wreck the waterfront"* (It has been raised to 50' in the central district to accommodate the ventilation requirements for commercial ground floor uses with office use above which are not permitted in the WPDZ.)

The massing and siting requirements of the current zoning can be seen as a Form Based Code, but without the diagrams. They allow portions of buildings or entire buildings, to be tall, but with substantial separations. The unusual horizontal diagonal measurement frees these buildings to take any form while limiting the mass; limitations to depth make it clear that taller construction must not be applied to the whole lot – thereby obliterating views from above. Tall buildings must be separated from each other by 150' which is clearly designed to allow visual access to the shoreline from Commercial St. Height and siting limitations are adjustable in relation to each other as they are in other parts of the code, such as residential heights and side yard setbacks.

Another argument for the proposed zoning language is that since the district was industrial in the past, these changes will allow it to return to its historically appropriate intended use. However maps of the time show that industry was limited to rail tracks and the gas works. It is doubtful that the substantial buildings that overlook this zone would ever have been built if they looked out over warehouses and grain elevators instead of rail yards. As a cautionary note, the gas works had such a continuing depressing effect on the area immediately facing the Americold project, that a city councilor in 1982 referred to it as a 'combat zone' and a 'slum'.

The proposed language that you are considering trivializes the impact of massive building scale and siting on Commercial St. A 60-foot straight-on view slot between super-sized long buildings will be imperceptible to people in cars entering or leaving Portland. The 450' maximum building length pretends to decrease the wall effect on the street. For comparison sake, a photo of the Noyes Storage Building as seen from the Whole Foods parking lot is attached. That storage building is a petite 30 feet high and 200 feet long. More than double its length and height as is proposed and then imagine a series of these overwhelming buildings along Commercial St. The same street that The West Commercial Corridor Study (January 2016) focused on to "Enhance ... and create an attractive gateway to Portland's waterfront".

If the Planning Board accepts the proposed changes to the WPDZ, it will represent a significant departure from planning principles that have guided Portland's development and protected its assets in the past. Namely that building heights must decrease in height from the spine to the edges. And that visual access to the Fore River and Harbor gives meaning to the City as a whole and character to the neighborhoods that overlook it.

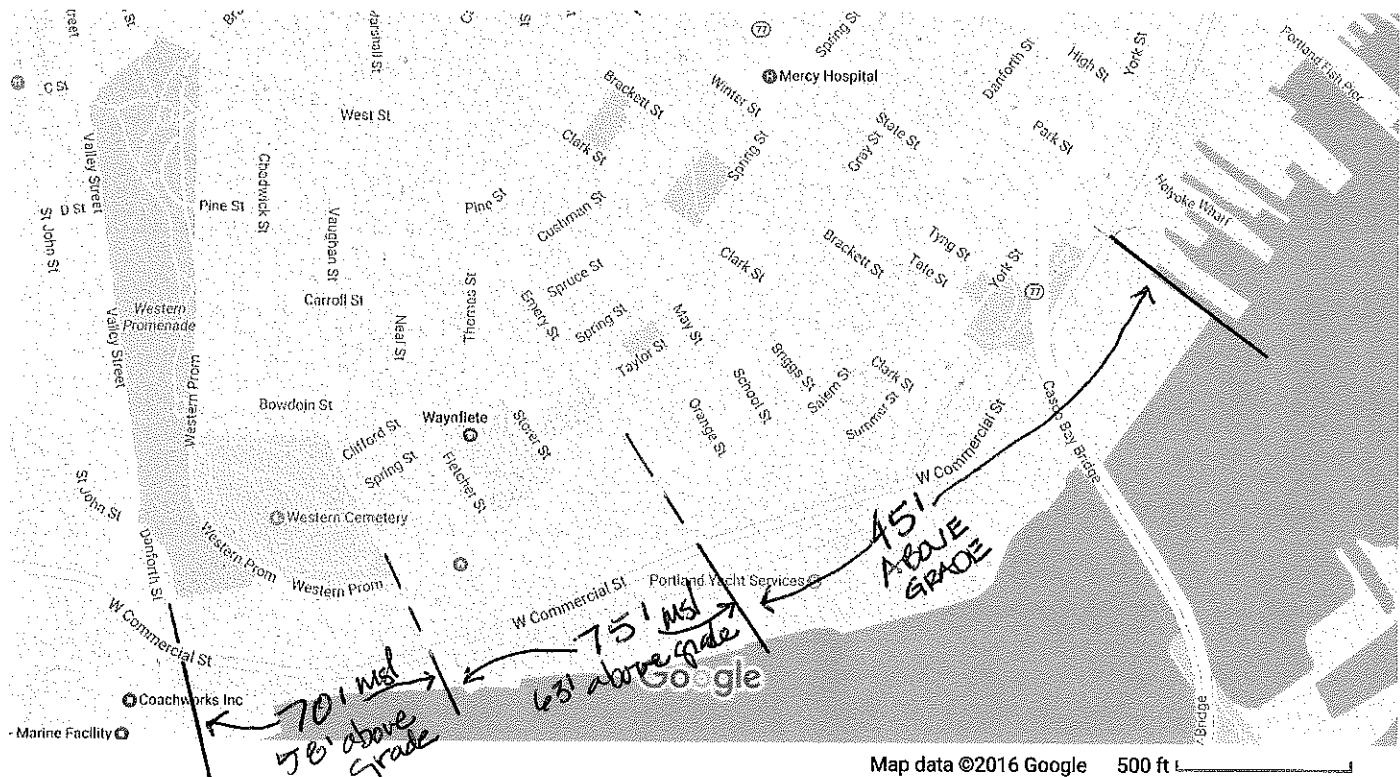
This is not about whether a few individuals have the right to a view, but whether inspiring and valuable character-defining features of the city will be tossed away. Portland can have an industrial zone that doesn't, in the words of the former board member, '*wreck the waterfront*' and bring wholesale devaluation to neighboring residential areas. I urge you to reject the proposed changes to the WPDZ.

Thank you for your attention to this issue.

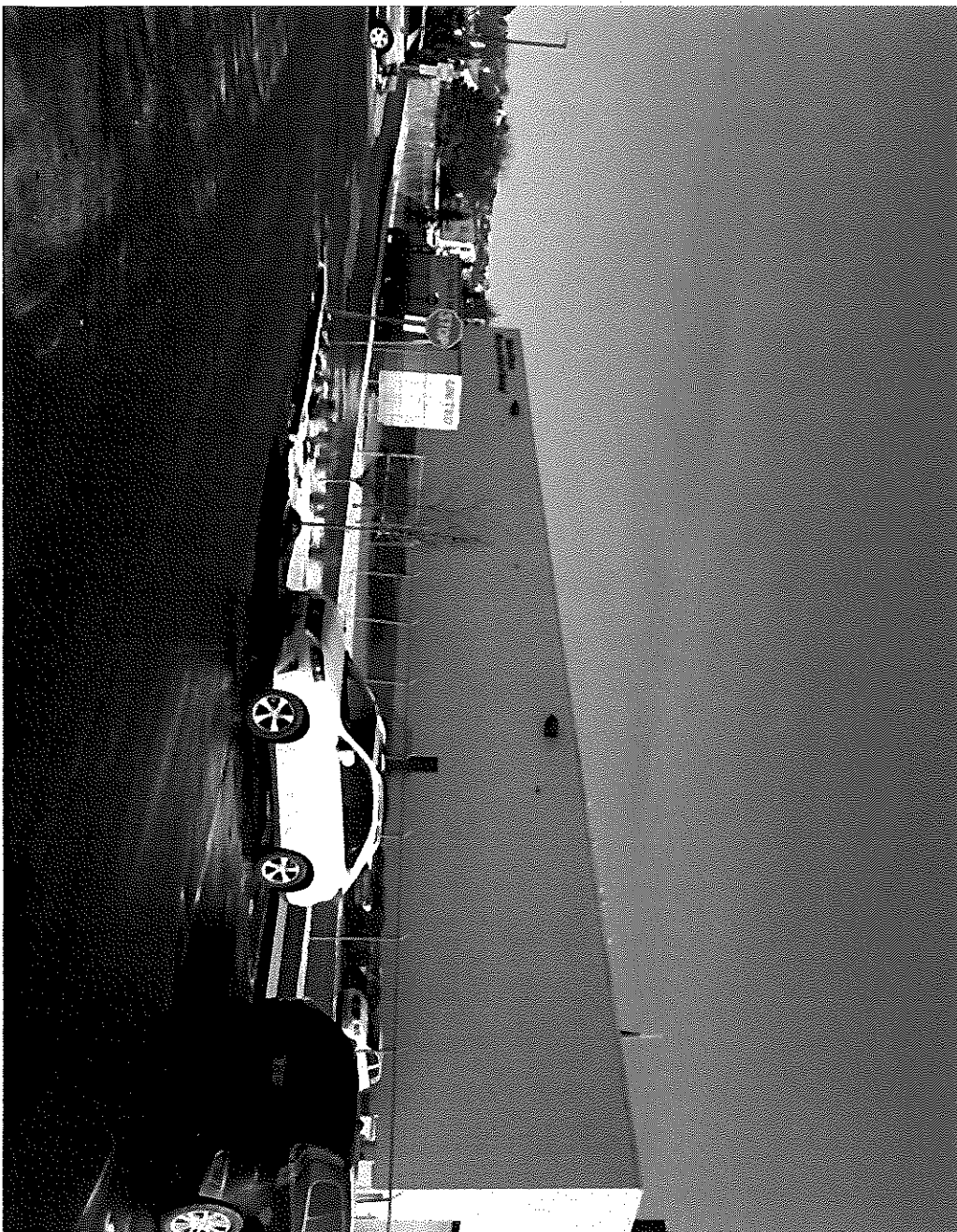
Constance Bloomfield, 380 Danforth St.

* The Mean Sea Level measurement is the cumbersome part of the WPDZ zoning. Its use may relate to a traditional maritime/pier standard – or it may be in the code as recognition that the most important aspect of visual access to water is the actual surface of the water. Simply subtracting the average grade of the zone above mean sea level ($\pm 12'$) from the 70' and 75' height exceptions would clarify the only bewildering part of the WPDZ.

Google Maps



From: **Constance Bloomfield** cbloomfi@maine.rr.com
Subject:
Date: December 6, 2016 at 3:19 PM
To: **constance bloomfield** cbloomfi@maine.rr.com



Sent from my iPhone

December 3, 2016

Members of the City of Portland Planning Board

RE: Western Port Development District proposed zoning amendments

I thank the Planning Board for allowing public comments on the proposed alterations to the zoning for the waterfront district (WPDZ) along West Commercial Street. I will begin by stating unequivocally that developing the waterfront in this area is clearly good for Portland and its economy, so it makes sense to many of us that there is encouragement in zoning for various marine activities in this area. To date, the addition of Portland Yacht Services has proven acceptable to those of us living directly above along the several streets of what could be called the Southern Promenade, which I will henceforth shorten to SoPro. In some ways, it has added to the character of the neighborhood.

However, both the existing zoning and certainly the proposed changes have profound negative effects on the entire SoPro neighborhood, most of which is not only residential, but in an Historic Preservation District as well. The latter imposes strong requirements that development not detract from the essential character of the area. We find that allowed development in the western waterfront will obliterate all views of the Fore River, in most instances leaving only views of the docks on Turner Island and the mud flats on either side. That contrasts sharply with what is visible now, including all the lively marine activity that passes along the River. That is surely a major impact on the character of the adjacent neighborhood.

We are certainly aware that a recent referendum implies that no one has a right to a view. However, the issue here is that proposed 450-foot-long buildings with potential heights of 57 feet above mean sea level (under the current 45-foot limit restriction) or 82 feet above mean sea level (under the proposed 70-foot limit) will eliminate any view of the water for some 60-70 residences (and many times that number of housing units), all to serve the interest of one or two owners. Most realtors would put the value of water views on the Peninsula in Portland at a 15-25% margin. Eradicating that much property value is simply unacceptable. That says nothing about lost property taxes for the City, especially when the SoPro area is experiencing a high degree of turnover, improvements and renovation. For instance, 6 homes at the west end of Danforth Street have changed owners just in the past two years, with consequent revaluations going sharply upward. Those new owners chose this area to see the water and its various marine activities. We certainly did a decade ago, when we purchased a 140-year old house that needed and got a quarter of a million dollars in repairs. Tour buses now stop along Danforth Street to allow visitors to enjoy looking at views of the Fore River.

We have before the City right now an application to build a two-family condominium on the last empty lot on Danforth Street. The plan includes almost full-height glass walls on the south side, overlooking the Fore River. If there is nothing to look at out that window but a steel warehouse wall and roof, at nearly the height of our floor, we will have to cancel that project. That means the loss to the City of about \$20,000 per year in new property tax revenue, in perpetuity. That will also mean the loss of two new housing units, in a period in which housing shortage is an almost a daily subject in the news. In Portland, as in many other cities, views are now monetized, with rather high stakes for both owners and tax revenue. This has to be taken into consideration, regardless of the question of rights to a view.

At the maximum allowable size, very large warehouses or storage facilities will also direct even more noise from Commercial Street into our bedrooms. This will be a major concern if the 24/7 plan for trucking along Commercial Street proceeds. Currently, noise is somewhat objectionable, but half of it is dissipated out over the River. This proposed plan will concentrate that noise by reflecting all of it upward to our homes, while continuing throughout the night.

I know that aesthetics rarely is admitted in planning decisions in relation to economic development. However, the Board must consider what the effect of 70-foot-high, 450-foot-long steel walls along the south side of Commercial Street will do to the impressions that visitors have of Portland. They will create a dark, forbidding steel canyon along most of the length of the street. This is the major gateway to the most attractive part of Portland for tourists—the Old Port. Trying to replicate here the New Jersey entrance to Manhattan (one of the most oppressive and ugly entries to any major city in the world) is very questionable. Most major cities in the US are working very hard to improve their waterscapes and keep waterfront buildings to a lower height. Why are we going in the opposite direction?

We urge the Planning Board to suspend any changes to the existing zoning requirements for height and mass in the WPDZ until these very weighty issues have found a proper balance between economic development and its potentially major negative impact on a large number of Portland citizens living in and enjoying the immediate residential adjacency.

Sincerely,



William R. McFarlane, M.D.

380 Danforth Street

Portland, Maine 04102

----- Forwarded message -----

From: **Samar Post Jamali** <samar.jamali@gmail.com>

Date: Wed, Dec 7, 2016 at 8:53 PM

Subject: Waterfront zoning changes

To: bab@portlandmaine.gov, sgo@portlandmaine.gov

Cc: estrimling@portlandmaine.gov, sthibodeau@portlandmaine.gov, wbn@portlandmaine.gov

PC39

Dear Planning Board:

I am writing to express that I am against the proposed zoning change for the Waterfront Port Development Zone (WPDZ). I strongly oppose any changes across the WPDZ.

My reasons are, briefly:

- the creation of more warehouses will not create more jobs- it will create large spaces with few people employed. This is not a boon for the working waterfront and the people who hope to be employed there and/or maintain jobs there.
- Portland is experiencing popularity and growth unprecedented in its recent history. Destroying the vistas and creating a corridor of warehouses as drivers and travelers and commuters and workers enter from South Portland or 295 via Merrill Terminal will hamper the experience of the city and likely lead to less potential growth.

Much of Portland's appeal, and economic, comes from its working waterfront- a **real** working waterfront - and the open views. Please do not ruin this.

Thank you for your consideration.

Samar Post Jamali
358 Danforth Street
Portland 04102

Samar Post Jamali

----- Forwarded message -----

From: **Devens** <deviehamlen@hotmail.com>

Date: Wed, Dec 7, 2016 at 8:58 PM

Subject: WPDZ zoning

To: "bab@portlandmaine.gov" <bab@portlandmaine.gov>, "estrimling@portlandmaine.gov" <estrimling@portlandmaine.gov>, "sgo@portlandmaine.gov" <sgo@portlandmaine.gov>, "sthibodeau@portlandmaine.gov" <sthibodeau@portlandmaine.gov>, "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

Dear Planning Board Member,

I am writing to express my opposition to the proposed changes to the zoning along commercial street from Portland Yacht Services to Merrill Marine Terminal. While I support economic development, the proposed zoning changes would detrimental to the very reasons Portland has become so popular - development that is in the with the beauty of the city, smart and sustainable growth, and a unique working waterfront that melds independent businesses, such as fishing, with commerce, and housing.

Sincerely,
Devens M. Hamlen
358 Danforth

Sent from my iPhone

From: Kelly Spence [<mailto:kspence@maineseafoodventures.com>]

Sent: Friday, December 09, 2016 10:15 AM

To: Michelle Brooks

Subject: Support for Americold's New Facility

Hi Michelle,

Ready Seafood supports the move of Americold to the proposed new location on the waterfront in Portland. Ready Seafood is lobster company that ships fresh and frozen lobster products both locally and worldwide. Ready Seafood is committed to the local economy not only with local fishing, research, and sustainability efforts - but by providing jobs to more than 200 employees in the greater Portland area.

We are happy to voice our support in favor of the move to the waterfront. This will facilitate ease of transportation by its location close to the interstate and help keep large trailers off of the roads near the parks and high school around Stevens Avenue, Baxter Boulevard & Washington street.

Please find our attached logo to use in your presentation. If you have any other questions, please let me know.

Thank you!

--

Kelly Spence

Operations Analyst II
Maine Seafood Ventures
2 Custom House Wharf
Portland, Maine 04101
Tel: [508 330 2201](tel:5083302201)
www.maineseafoodventures.com



GREATER PORTLAND COUNCIL OF GOVERNMENTS

December 6, 2016

Mr. William Needelman
Waterfront Coordinator
City of Portland
389 Congress Street
Portland, Maine 04102

Dear Bill,

On behalf of the Greater Portland Council of Governments (GPCOG), I am writing to express our support for the City's application for a text amendment to the Waterfront Port Development (WPDZ). We understand that this change will facilitate the construction of a cold storage warehouse at the International Marine Terminal in Portland.

The Port of Portland is one of Maine's greatest economic assets. According to our own 2008 study, the working waterfront generates over 3,500 jobs, \$100 million in wages, and \$200 million in direct economic impact. Since then, we have identified the expansion of the Port as a critical project for the Comprehensive Economic Development Strategy (CEDS) for the region and the federal Investing in Manufacturing Communities Partnership (IMCP) initiative.

GPCOG is the regional planning agency serving 26 cities and towns in Greater Portland and the Sebago Lakes region. As a federally designated Economic Development District, one of our core responsibilities is the creation of a CEDS for the region. Our strategy, developed from 2011 to 2013, prioritizes agriculture and fisheries as the region's top clusters. To support this cluster, one of the high priority projects in our CEDS update, adopted on June 8, 2016, is to "Increase access of Maine products to global markets," including the development of "cold storage capacity on the waterfront for farms and fisheries." Your project directly supports this goal.

On May 28, 2014, the White House designated the Greater Portland Sustainable Food Production Cluster, led by GPCOG, as one of the nation's 12 Manufacturing Communities. One of our six IMCP goals is to "increase Maine's global food exports by 25%." Achievement of this goal has more economic impact than any other goal in our plan, generating \$133 million and 800 jobs to the state's economy. This impact is related not to the construction or operation of the warehouse but to Maine food manufacturers, which will now have access to new markets in Europe as a result of the warehouse and the transatlantic service associated with it.

Serving the Greater Portland and Lakes Region Communities

970 Baxter Boulevard, Suite 201 ♦ Portland, Maine 04103 ♦ Telephone (207) 774-9891 ♦ Fax (207) 774-7149

For more details on our CEDS or IMCP initiative, please visit our plans online at www.gpcog.org/economic-comm-development/gpcog-economic-dev-district/.

Thank you for your leadership in facilitating the prosperity of the state and region.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kristina Egan', with a stylized, flowing script.

Kristina Egan
Executive Director

Fwd: Americold Project

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Thu, Dec 15, 2016 at 8:32 AM

To: Jennifer Munson <jmy@portlandmaine.gov>

Please add

----- Forwarded message -----

From: **Zack** <zpaakkonen@gmail.com>

Date: Thursday, December 1, 2016

Subject: Americold Project

To: estrimling@portlandmaine.gov, sthibodeau@portlandmaine.gov, WBN@portlandmaine.gov, sgo@portlandmaine.gov

Cc: Alice Neal <aaneal@gmail.com>

Dear Mayor Strimling, Councilor Thibodeau, Waterfront Coordinator Needelman, and Planning Director O'Brien -

I am writing as a resident of the affected neighborhood in opposition to the proposed zoning amendment to allow the Americold cold storage project as proposed, and my spouse, Alice Neal-Paakkonen copied on this email, joins in opposition. We are requesting that copies of this message go to the Planning Board for their consideration as we are unable to attend the planning meeting due to scheduling. Please note that we are not in opposition to the project outright. In fact, I have been a resident of Portland for almost 20 years and in that time, have seen large industrial facilities empty and be re-purposed. My wife, Alice Neal-Paakkonen, who joins me in this request, has lived in Portland for 13 years. Frankly, Portland needs industry, and I was glad to see the development of the International Marine Terminal and that lot generally. However, that project was able to be performed without a detrimental impact to Portland residents. On its face, this project is different. If it had remained at the height originally disclosed to residents, the project might well have been a benefit to Portland. However, as currently proposed, it is a detriment, and we oppose the proposed zoning amendment to allow a seventy-foot facility.

Regarding the affected neighborhood, my spouse and I have resided here now for over eight years, and we hope to remain here for a very long time. Over the last several years as a resident of Portland, I have watched project after project go forward in Portland, impacting other neighborhoods. I've also seen the City attempt to go forward with these projects without taking into account the opinions of the residents who have to live with those projects, to detrimental effect on the neighborhoods, the residents, and the relationship between Portland residents and the City. I had hoped this project would be different.

This project, quite simply, is going to destroy the view for a great many people in my neighborhood as well as impact the safety of West Commercial Street. I am especially disappointed that the height viewing scheduled to address concerns was scheduled for a time of day and day of week when many, if not most, of the residents in this neighborhood are at work. I'm trying not to be a cynic about why it was scheduled that way, but it does seem that if the City were really concerned about the thoughts of the residents, it would schedule this viewing, as well as public meetings related to this issue, at times that were easier for residents who have day jobs to attend.

Regarding the view itself, please keep in mind that not only residents of my neighborhood enjoy seeing the water. I often see cars (many of which do not have Maine license plates) pause when at the bottom of Clark Street. I sometimes see them pull over to the side of the road to look at the river, even occasionally getting out to take photos. It is hard to imagine anyone wanting to stop and admire the view if they're faced with a 70-foot industrial wall with compressors, unless they are taking pictures to show people at home how Portland stuck an ugly giant box right in the middle of what would have been (and was once) a spectacular view.

Of course, it's not only the view. Because of where I live, I'm a frequent traveler, usually by car but sometimes by foot, on the affected section of Commercial Street. Given the recent work to the intersection of Beach Street, the driving lane traveling west on Commercial Street is already dangerously tight at crowded times of day as the lane to turn onto the Casco Bay Bridge often backs up considerably and cars in the turn lane hug the center line. Bicycles often are at risk on either side, and pedestrians generally already avoid the area, and if they walk there at all now, walk up onto the (occasionally overgrown and not lit or marked) lawn near the old railroad right of way. When the sun is at the wrong angle, this stretch of road is already extremely dangerous. If Portland now adds to this mix an even larger volume of turning or entering tractor trailer traffic to this stretch of the street, (which my understanding was that the rail line extension for the

marine terminal was designed to assist with but has not eliminated) accidents involving cars, pedestrians, bicycles, and tractor trailers are sure to occur.

Part of what makes Portland the unique place where people stay and causes us to be on top of so many lists are our water views and the fact that, although our streets are getting more crowded, it's generally a safe place to be. As I have lived in Portland, I have seen views and uncongested streets being taken away from residents one neighborhood at a time. There is no reason why we can't preserve both the industrial nature of Western Commercial Street, the current state of traffic, and the views that residents of the neighborhood below Danforth Street and visitors to our city have enjoyed for many decades. Why can't we have both Americold, at forty-five feet, and water views and public safety, too?

Zack Paakkonen

Alice Neal-Paakkonen

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:2078748724)
Cell: [\(207\) 553-0255](tel:2075530255)

----- Forwarded message -----

From: **ashley salisbury** <ashleysalisbury@gmail.com>
Date: Tue, Dec 6, 2016 at 9:12 AM
Subject: Americold Project
To: jpj@portlandmaine.gov

Jon,

I'm frustrated by several aspects of this Americold proposal:

1. Poor cost-benefit analysis. This project will have a steep cost to our city's tourist and residential appeal--the TRUE ECONOMIC ENGINE of our city. No warehouse will add enough benefit to our economy to compensate. Economic development means LONG TERM economic development. We are not a maritime economy; we are a tourist and relocater economy.
2. Disingenuous process. I'm disappointed by the lack of transparency from Mitchell and Needleman on this project--last minute disclosures, poor access to decision makers, everything Jo Coyne has outlined. Expect yet another EXPENSIVE LAWSUIT by citizens against the city.
3. Failure to address true public cost of this project:
 - The GATEWAY TO OUR CITY--the wonderful views as you drive along commercial street--will now greet commuters and tourists with a hideous white box.
 - Sunset views from HARBORVIEW PARK (used by hundreds per day) will be destroyed
 - Tens of thousands of COMMUTERS per day on commercial street and coming over the Casco Bay Bridge will have a HIGHLIGHT OF THEIR DAY--the view of the bridge and bay--ruined.

Maine is DIFFERENT, and that is why TOURISTS come and PEOPLE RELOCATE here. We are not driven only by dollars and short-term thinking, so please rein in this misguided effort to sell our waterfront.

Thank you again for your service and ear,

Ashley Salisbury

26 Brackett Street
Portland Maine

--
Jon P. Jennings
City Manager
City of Portland
389 Congress Street
Portland, ME 04101
(207) 874-8689 Office
(207) 874-8669 Fax
jpj@portlandmaine.gov
www.portlandmaine.gov

----- Forwarded message -----

PC45

From: **Eli Dale** <elidale@maine.rr.com>

Date: Sat, Dec 10, 2016 at 5:12 PM

Subject: Planning Board December 13 Agenda Change

To: sgo@portlandmaine.gov, wbn@portlandmaine.gov

Cc: sthibodeau@portlandmaine.gov, estrimling@portlandmaine.gov, jpj@portlandmaine.gov, bigwhitebox@gwi.net

Dear Planning Board and co-conspirators,

So you decided to postpone the Americold zoning ordinance violation (oh, excuse me, "text change") to another day. Because the Economic Development Department – showing clear bias – finds building an out-of-scale white box on the waterfront "exciting." They need more time to come up with excuses for Americold's bait-and-switch. They need to strategize. And they asked nicely, I guess.

Well, I am now going to ask you nicely: Stop playing games with public comment. Stop being the handmaiden of developers. Stop trying to sneak things past us by changing an agenda four days before a meeting. Confer with *all* stakeholders before you change an agenda.

The damage you have done cannot be undone. Congratulations, you achieved the goal of screwing up public participation in this issue.

People in the West End have worked very hard to keep each other notified of activities regarding Americold. I guess someone in the EDD heard that flyers had been delivered door to door alerting citizens of the meeting on December 13. So what do you do? You hide the matter up your sleeve.

Folks who don't hear about the agenda change will come on December 13 and find they have been bamboozled. They might even get mad at neighborhood organizers, thinking this has become a wild goose chase. Others wait for an undisclosed new date while EDD stays in bed with Americold. Meanwhile, EDD and Planning get to hope that West Enders will not have the energy to put out another flyer. Maybe we'll only have four days notice of the new date and won't be able.

BTW, generally we are not anti-industry or anti-Americold. We are against violating our neighborhood height rules. It is possible to be in favor of development without ruining the quality of life here.

And once again, Planning reinforces its reputation of doing everything it can for developers while ignoring a duty to keep Portland livable.

Very Sincerely,

Elizabeth (Eli) Dale

Salem Street

Hi Bill,

Sadly we are out of town so will not be at cold storage meeting tomorrow.

We strongly support option 2:

Add cold storage as a permitted use BUT retain the 45' height restriction for the entire zone with the exception of the cold storage building the height of which is limited to 70' -including mechanicals I hope!

The cold storage business is an economic engine for portland. BUT Increasing the height of the entire zone to 70' will result in the walling off of commercial st from the water. This is the gateway to our "city by the sea". Option 2 accommodates the cold storage but does not sacrifice the waterfront as has happened in Hartford CT.

Best, Sonia and Jock Robertson

Dear Sirs,

I have lived on the hill overlooking the Fore River for 45 years. It is a very pleasant view but not an ocean view. It is an activity view with trees, buildings, boats, cranes and people doing things. In the past, I often walked my dog along the railroad tracks on the shore of the Fore River below my house. I loved the scenery, but it was not the beauty of raw nature and the sea I saw; it was an historical scene; a mixture of rotten railroad ties, deteriorating shipping piers, old bollards waiting longingly for a docking line. It had it's own sad beauty, reflecting former years when this area was the center of bustling commerce, with ships unloading their cargo to grain elevators and railroad cars and connecting the sea to the land. I remember thinking what a great part of the harbor this was how nice it would be to find some way to bring it back to life, instead of having it remain a sad, derelict reminder of the vibrant past. It looks, now, as if we may have found the ideal lead players in Eimskip and then Americold, and we need to do our best to accommodate their needs as well as our own.

Our City Planner has put together a productive series of community discussions, and most of us have had a chance to share our opinions. We all have our own personal interests and preferences, some large and some small. Some can be accommodated, some cannot. As we work toward the best solution, let us not lose sight of the big picture, that is, the value to the community of having a clean, productive and economically viable industry using this precious piece of property in the most appropriate way and adding real vitality to our working waterfront.

Jeremy R Morton, MD
75 Vaughan Street

----- Forwarded message -----

From: peter green <plgmaine@yahoo.com>

Date: Tue, Oct 25, 2016 at 7:24 AM

Subject: Fw: western waterfront building height

To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

PC48

On the good side, a big Americold building would be an excellent opportunity for public art, on it's sides and even on top. I'd vote for that.

----- Forwarded Message -----

From: peter green <plgmaine@yahoo.com>

To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

Sent: Tuesday, October 25, 2016 7:00 AM

Subject: Fw: western waterfront building height

Good morning Bill,

I don't need you to reply as I just read the article explaining things in the PPH.

I'll go on your record right now as someone who thinks 45 feet is enough for anything on the waterfront. I see no good thing about building part of what will develop into a tall wall of buildings blocking the rest of the city from seeing things. I feel the same way about the architecturally BORING and ANTISEPTIC wall that will be built on the east end.

And a question I would ask is that if Americold goes bankrupt and leaves that giant box there, a condition be put in its original approval (if it even gets one) that it remove the building before it goes belly-up.

See you at the meeting.

Peter Green

Dear Ethan, Spencer and Tuck:

We are writing to express our opposition to proposals to amend current zoning to permit a 70 foot cold storage warehouse and raise height limits to 70 feet along the Western Waterfront.

The proposals before the Planning Board challenge the best interests of the neighborhood and the city in at least seven ways:

1. The value of waterfront: Over the past 30 years most cities have been trying to make the most of their waterfronts as unique and beautiful places that attract tourists and residents alike, with the kind of success Portland has seen already in the Old Port and is encouraging in the East End. The Fore River has equal potential in this regard. In another twenty years, the big tanks remaining along the River are likely to be gone. When these are gone, the Fore River from Thomson's point to the Casco Bay Bridge could become a beautiful shoreline and avenue attracting wildlife, residents and visitors to Portland and South Portland. By allowing the Americold and other enormous warehouses along West Commercial St., however, the City will be blighting this part of Portland and South Portland for the next 50 years, foreclosing any uses other than industrial.
2. Stretching "marine uses" till they break: Portlanders have made it clear in old and new Comprehensive plans that they are in favor of a working waterfront, and "marine uses" have been part of zoning requirements for the waterfront. We don't know what percentage of goods in the Americold Warehouse will actually be arriving or departing by ship. It would be terrible to sacrifice the Western Waterfront to permit the construction of the Americold behemoth only to discover that half of it is being used for goods that could, and should, have stayed off the peninsula at Americold's Reid St. warehouse.
3. Scale: The Americold warehouse's proposed height of seventy feet is out of keeping with the entire city's scale. The proposed building will be a blight on the City reminding us of other eyesores, such as Portland House on the Eastern Prom, or the Franklin Connector. Have we really not learned anything from such huge and poorly conceived projects? A monster cargo hub despoiling the City's entrance is poised to be the next in Portland's architecture of shame
4. Taxes and property values: A wall of warehouses and a truck corridor will seriously compromise the value of the neighborhood that has begun to flourish up the hill from Commercial Street. Residents who have invested in reviving properties that used to be run down and ignored and are now paying significant property taxes to the city.
5. Costs and benefits: It is unclear to us as Portland citizens what calculus the City is using to consider these proposals. Where are the data to support these

proposals? What promises have the City and State made to woo and keep Eimskip and Americold on the Western Waterfront? What are the costs to taxpayers? What are the hoped for returns? The public deserves to have answers to these questions. To maintain trust between the City and its citizens it is essential for the City to practice 'open government' and make clear what the calculus of gain and loss has been for the parties involved. Particularly for the neighbors whose losses in terms of added noise, pollution and traffic, and loss of views and property value have not apparently been included in the City's considerations.

6. Truck traffic and noise.: Where is evidence of the City's examination of the noise and traffic impacts of increasing numbers of trucks? The noise of trucks backing up is already challenging for neighbors and we can only imagine how much worse it will be should the Eimskip and Americold facilities want to go to a 24/7 schedule.
7. Declining air quality. It's likely that air pollution in this part of Portland is already considerable, wedged as it is between two major bridges, flown over by airplanes coming and going from the airport, and serving ships that may use problematic fuels (see: <http://www.enfos.com/blog/2015/06/23/behemoths-of-emission-how-a-container-ship-can-out-pollute-50-million-cars/>) The EPA has called out US ports for the pollution released by ships, trains and trucks. (<https://blog.epa.gov/blog/2016/09/air-pollution-at-our-nations-ports-can-be-reduced-now/>) Particulates from diesel exhaust are significant contributors to deterioration of human health and well-being. (<https://www.arb.ca.gov/research/diesel/diesel-health.htm>) A cold storage warehouse that will be operating refrigeration units 24/7, and many more trucks using diesel fuel and emitting more particulate pollution will add to an already challenging situation for residents.

We would prefer that the City not grant permission to raise any height limits on the Western Water front beyond the current maximums, for the Americold warehouse or for the rest of the Western Waterfront zone .

If however, you view some change as essential, we ask that you think deeply about the Western Waterfront as a gateway to the City – an entrance that serves as an invitation to residents and visitor alike to enjoy values that we all hold: respect for nature, history, and equity. Thomson's Point nearly succumbed to a developmental fate akin to that currently threatening the Western Waterfront. Instead, it's now becoming a lively and attractive site further up the Fore River thanks to imagination and hard work by a creative coalition that formed when big business plans evaporated.

If the City of Portland is determined to sacrifice a beautiful aspect of the West End, it should still give neighboring residents a way a way to preserve and enjoy their waterfront and offer those entering the City a fitting welcome. Many waterfronts in many cities are in congested areas, and even those manage to build walkways, greenways,

and pocket parks. With imagination and thoughtful design for the entire Western Waterfront, the City can and should make sure that West Commercial Street embodies an invitation welcoming the rest of the world to Portland.

Pamela Shaw and Kent Redford 12-6-16

WESTERN PROMENADE NEIGHBORHOOD ASSOCIATION

December 8, 2016

Portland Planning Board
City of Portland
389 Congress Street
Portland, ME 04101

RE: Proposed Changes to the WPDZ

Dear Members of the Board:

Residents of our neighborhood are well aware that it is bounded by two long-established industrial zones, the IMb and WPDZ. Text provisions in both are intended to strike an appropriate balance between business and residential uses.

WPNA has been educating itself since the City announced, with the Americold project as a catalyst, that it proposes three (now four) options to amend the WPDZ. We have held a general neighborhood meeting to solicit reactions from residents, held several small-group meetings with those most affected, met with City staff and Americold representatives, and received a primer from a warehouse engineer.

With this background, WPNA offers the following comments on the proposal before you:

~~First, it must be recognized the WPDZ really consists of four informal "subzones": 1) the MPA parcel (including the Americold site); 2) the Portland Yacht Services parcel, now partially developed; 3) the Cianbro site; and 4) the Merrill/Sprague site. As currently operating, each of these has different uses and different impacts on the affected neighborhoods.

~~There is only one specific proposal in the public domain, the proposed Americold warehouse facility, intended to support the Eimskip container operation. That proposal has changed from the concepts originally submitted to the MPA. WPNA believe that the burden of proof must be placed on Americold to adequately justify to the Board why the increase in maximum height is required to assure a feasible project. If, as a result, a zoning change is approved, we would like to see specific reference to design requirements, allowed hours of operation, noise limitations, lighting mitigation, etc. We recognize that there are performance standards in the existing code, but would like to see site-specific performance standards for this major operation.

~~Further changes to the WPDZ should not be approved at this time and until the community has the opportunity to assess the myriad impacts of the Americold project as it begins operations in a completed facility.

~~As has been identified, the western waterfront is a major gateway to the City of Portland. Recognizing that it is a long-established industrial site, there should be sufficient time allowed for thoughtful community-based planning to assure that uses dependent on the **deep water** (not just water access) contribute to a visually appealing gateway impression and not a massive over-development of the site, which the current zoning appears to preclude and which protections appear to be substantially changed in the proposals before the Board.

From a variety of perspectives, our western waterfront is a significant asset for the City of Portland. **It is essential to continue to seek the proper balance between business and residential interests.**

Thank you for your careful consideration of these points.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne B. Pringle".

Anne B. Pringle
President

Elizabeth Dale
40 Salem Street
Portland, ME 04102

December 5, 2016

Dear Editor:

Why must Portland's City Hall always buckle under to the demands of developers at the expense of her citizens?

Word seems to have gotten out that any developer that wants to violate Portland's building codes just needs to ask and it shall be given. One of the latest: the shameless bait-and-switch by Americold, which made a bid to build a cold-storage facility on property on the western waterfront, knowing full well the height restriction in that zone was 45 feet. They even presented preliminary sketches of buildings which conformed with code.

"Oh," Americold now says. "We need 70 feet." "Okay," says City Hall, "Whatever you want!" Then they spout whatever talking points have been handed to them about being "a world-class port." Then we have to go to meetings to ask them to do their jobs.

Dear City Hall: Please enforce the ordinance. Please don't make us sue you (again). Please remember you are *civil* servants, not corporate servants. Please remember who pays your salaries.

This is not a NIMBY complaint. I haven't met a single person in the West End of Portland who objects to having industry at the shoreline here. We like Eimskip. We like Portland Yacht Services. We just want our corporate neighbors to be *good* neighbors. Not only should Americold comply with the current code, but they should also commit to aesthetic upgrades: a beautiful mural on the side of the building; a green roof; a varied facade. Americold, you are welcome here if you work on fitting in as a neighbor. Otherwise, please just withdraw and go back to your cave.

Sincerely,
Elizabeth Dale

Portland Press Herald

Posted December 9

Letter to the editor: Portland City Hall seems to tell developer Americold, ‘Whatever you want!’

Why must Portland’s City Hall always buckle under to the demands of developers at the expense of her citizens? Word seems to have gotten out that any developer that wants to violate Portland’s building codes just needs to ask and it shall be given.

One of the latest: the shameless bait-and-switch by Americold, which made a bid to build a cold-storage facility on property on the western waterfront, knowing full well the height restriction in that zone was 45 feet. They even presented preliminary sketches of buildings that conformed with code.

“Oh,” Americold now says. “We need [70 feet](#).” “OK,” says City Hall, “Whatever you want!” Then they spout whatever talking points have been handed to them about being “a world-class port.” Then we have to go to meetings to ask them to do their jobs.

Dear City Hall: Please enforce the ordinance. Please don’t make us sue you (again). Please remember you are civil servants, not corporate servants. Please remember who pays your salaries.

This is not a “not in my backyard” complaint. I haven’t met a single person in the West End of Portland who objects to having industry at the shoreline here. We like Eimskip. We like Portland Yacht Services. We just want our corporate neighbors to be good neighbors.

Not only should Americold comply with the current code, but they should also commit to aesthetic upgrades: a beautiful mural on the side of the building; a green roof; a varied facade.

Americold, you are welcome here if you work on fitting in as a neighbor. Otherwise, please just withdraw and go back to your cave.

Elizabeth Dale

Portland

<http://www.pressherald.com/2016/12/09/letter-to-the-editor-portland-city-hall-seems-to-tell-developer-americaold-whatever-you-want/>

Portland Press Herald

Posted October 27

Letter to the editor: Cold storage building height will ruin waterfront views

As optimistic as the concept “The sky’s the limit” is, in Portland it is an Achilles’ heel: i.e., “a weakness in spite of overall strength, which can actually lead to downfall.”

I grew up with a panoramic view of the New York skyline from the cliffs of Weehawken, New Jersey, before moving to New York, where I had the opposite view of the towering Palisades, both views totally unobstructed.

Later on, in San Francisco, I enjoyed a view of the iconic Golden Gate Bridge. Fourteen years ago, my wife and I left the City by the Bay for Portland, a beautiful historic seaport, where we enjoy another compelling view – the Fore River – from a house that was built by a sea captain.

What if these views were suddenly taken from us? What would be the appeal for residents and tourists? Think of our poor Captain Nathaniel Dyer’s wife if she couldn’t look out over what is now Commercial Street to see if her long-absent husband was on his way home in time for dinner!

We need to engage in serious thought to Americold’s plan to build a 70-foot-high white box cold storage building at the International Marine Terminal, on the western end of Commercial Street’s “waterfront.” Ostensibly, Americold’s plans for this facility are beneficial, nurturing and geographically suitable to Portland’s economy – if they think 45 feet, not 70 feet.

This area has been developing rapidly, with the Gulf of Marine Research Center and Courtyard Marriott fast becoming an attraction for the lucrative tourist trade and new business, including the highly appreciated Eimskip, from India Street along the picturesque waterfront out to the Gateway to Portland.

Let’s continue to enhance our waterfront, not destroy it by changing our slogan from “The sky’s the limit” to “Our waterfront is the limit.”

Frank E. Reilly

Portland

<http://www.pressherald.com/2016/10/27/letter-to-the-editor-cold-storage-building-height-will-ruin-waterfront-views/>

Portland Press Herald

Posted November 7

Letter to the editor: Strict oversight critical to Portland waterfront development

The stretch of the Fore River running from the Veterans Memorial Bridge to the Casco Bay Bridge is now under a bright light, thanks to a proposal from the cold-storage company Americold and the city's Economic Development Department for a zoning change to raise building heights on West Commercial Street to 70 feet from the current 45.

This proposal has come up quickly, and unfortunately, Portland doesn't have much of a plan to guide what and how development happens. So we should pay close attention to big decisions, especially one that would permit the erection of 70-foot warehouses on a key vista and entrance to the heart of Portland.

There's great potential for positive economic development for the city in the "portification" of this area, and it's already happening, with the help of Eimskip, for example.

However, with that development should come the responsibility to ensure we don't sell off the extraordinary mix of vistas, architecture, water and green that makes Portland unique.

In fact, the city has an opportunity to create a truly groundbreaking mixed-use corridor along the Fore River. Let's hit pause on increasing height limits till we can get all those committed to this part of Portland to contribute to a plan that takes into account aesthetic, environmental and economic interests. Together we can create an iconic and appropriate gateway to the city.

Pamela Shaw

Portland

<http://www.pressherald.com/2016/11/07/letter-to-the-editor-strict-oversight-critical-to-portland-waterfront-development/>

Portland Press Herald

Posted December 15

Updated December 15

Letter to the editor: To be a good neighbor, Americold needs to follow Portland zoning rules like everyone else

Americold's request to alter zoning restrictions on the western waterfront should send ripples of concern through all Portland property owners.

Property taxpayers rightfully expect established zoning standards to be upheld. If city officials advocate for zoning changes at the whim of every developer or project proposal, we cease to have effective zoning. It is a paradigm of corrupt governance.

Suggesting that neighbors are rallying around their scenic view is an overt attempt to mitigate the real concerns of property taxpayers. Zoning must be applied equally, regardless if the investor is a local private developer or if the heavy hand of the LePage administration backing a corporation out of Atlanta.

Neighbors of the proposal are not anti-development. On the contrary, the neighborhood has long encouraged development of an area long fallow. Their common perspective and desire, however, is that their neighbors be held to the same standards to which they are held. It is the golden rule of building community.

Americold won a contract and, by their own admission, found themselves unable to deliver without changing the zoning parameters. Instead of acknowledging their failure, they are asking neighbors to shoulder the burden. They are asking for the rules not to apply to them. It is difficult to imagine anything less neighborly.

Gary Wagner

Portland

<http://www.pressherald.com/2016/12/15/letter-to-the-editor-to-be-a-good-neighbor-americaold-needs-to-follow-the-zoning-rules-like-everyone-else/>

August 16, 2016

Patrick Ballard, Vice President
Business Development, Consumer Packaged Goods & Protein Sector
Americold Logistics LLC
10 Glenlake Parkway, Suite 600
Atlanta, Georgia 30328

Dear Mr. Ballard,

As neighbors of the cold-storage warehouse Americold is planning to build next year in Portland, Maine, we are writing in hopes of beginning a dialogue about its design and siting.

The building will span perhaps two acres of waterfront land, making it the largest landmark for thousands of people entering Portland daily from Interstate 295 onto West Commercial Street and over the Casco Bay Bridge. We believe the warehouse could be a notable gateway building for Portland's waterfront, with innovative environmental and design elements that would generate significant good will and good press.

We understand this warehouse needs to be bulky to maximize its cubic footage. A recent research report by the commercial real estate company Jones Lang LaSalle noted that new cold storage buildings have a preferred ceiling height of 36 to 40 feet. We hope the Portland building will be on the lower end of that range to help maintain a sense of scale suitable for the city's waterfront. In addition, without exceeding a reasonable construction budget, the building's facade could incorporate appropriate architectural elements, materials and massing to reflect its status as a gateway building, rather than an expanse of white wall panels.

In view of Americold's record of environmental stewardship, a green roof seems like a natural fit. It would reduce Americold's municipal stormwater-runoff fee and reduce the building's energy demands by as much as 10 percent. It would also be a remarkable visual statement seen by many people, including airline travelers during the standard low-altitude descent into Portland's Jetport.

A built-in-place green roof would add upwards of \$8 a square foot, but cooling equipment would last longer, as would the roof itself, protected from temperature extremes and ultraviolet radiation. As one example of longevity, Ford Motor Company planted out a 10-acre factory roof in Dearborn, Michigan, a dozen years ago, with a life span of another 25 to 50 years.

Finally, in order to maintain view corridors on either side of the warehouse, we would deeply appreciate any design and engineering elements that would reduce its length parallel to West Commercial Street, such as using an automated retrieval system and extending the building footprint farther toward the river.

We would be happy to meet informally with Americold representatives to discuss how our desires as your future neighbors and your functional needs can meld in a positive way. Thank you very much for your time and attention.

Sincerely,

Mark McCain, 45 Summer Street, Portland, Maine 04102 smarkmccain@yahoo.com

Jo Coyne, 36 Salem Street jocoyne@gwi.net

Elizabeth Dale, 40 Salem Street elidale@maine.rr.com

Norris Dale, 40 Salem Street ndale@norrisdale.com

Justin Funk, 90 Salem Street funkj82@gmail.com

Rachael Harkness, 25 Summer Street weyand.rachael@gmail.com

Seth Harkness, 25 Summer Street seth.harkness@gmail.com

Rachel Kobasa, 40 Brackett Street rachel.kobasa@gmail.com

Peter Lawrence, 5 Bond Street plawrenc@gwi.net

Dr. Mary McCann, 49 Summer Street drmmccann@gmail.com

Sara Miller, 96 Salem Street snpdrgn@maine.rr.com

Caitlin Mushial, 36 Clark Street cmushial@yahoo.com

Erik Mushial, 36 Clark Street erik@allmtngroup.com

Pilar Nadal, 40 Brackett Street pickwickindiepress@gmail.com

Karen Sarfaty, 46 Salem Street sarfatyk@gmail.com

Mike Stone, 116 Salem Street mstone800@gmail.com

Sidney St. F. Thaxter, Esq., 49 Summer Street sthaxter@curtisthaxter.com

Jeannie Verrando, 116 Salem Street jeannieverrando@gmail.com

Cornelia Walworth, 45 Summer Street walworthmccain@maine.rr.com

**cc: Fred Boehler, President and Chief Executive Officer, Americold
John Henshaw, Executive Director, Maine Port Authority
Barbara Barrydt, Development Review Manager, City of Portland**

(Also sent by electronic mail 8/16/2016)

Posted November 3, 2016

La Vida Local: Irregular Notes on West End Life / by Rosanne Graef, Past President – WENA

Today's Topic: The Uglification of the Jewel by the Sea

When the Editor of the West End News announced that this month's theme would be "Looking Ahead," I thought, "Great! We can finally move on from the endless campaign!" The uglification topic is not, however, without controversy. As such, please note that the sentiments expressed in this article are solely my own and do not represent those of the West End Neighborhood Association..

If you've been living in Portland for longer than a couple of weeks, you're probably aware of the tensions and discord that have bubbled up around the city in response to any number of development proposals. This is a natural and healthy occurrence. Especially true when the resultant structures will change the look and feel of a neighborhood for many years to come.

What's often most disheartening, though, are not the changes themselves. Rather, be concerned about the round-about way their proponents wriggle them through the permitting process. A straightforward request gets modified, adjusted or expanded to the point where residents who initially endorsed an idea become vehemently opposed.



View from 58 Fore Street. The 2015 Ballot Question 2 asked voters to protect this view from development.

WPDZ and Americold

Case in point is the Waterfront Port Development Zone (WPDZ) on West Commercial Street between the Casco Bay Bridge and Veterans Bridge. Over the past few years, land parcels have changed hands amongst various state, city and private players. The end vision is to resurrect marine-related activity along that stretch. Overall the residents of the immediate neighborhood are supportive of these efforts. Eimskip, the International Marine Terminal and extension of rail access, as well as Portland Yacht Services are largely welcomed waterfront uses.

Now it looks like that honeymoon is approaching its end. The Portland Economic Development Department is requesting a text change in the WPDZ to allow taller buildings, increasing from the current 45' to 70'. Specifically, this change is in support of a cold storage building to be built by Americold which won the City's RFP in 2015 for such a facility. Although looking at an unimaginative big white box is no one's idea of a great view, at 45' it was something that could be lived with. Especially, in light of the economic benefit that would result.



An “ugly” white box could come to dominate the view of the Western Waterfront. Above model is a height study block and not an architectural drawing. -Americold WPDZ Text Amendment (Memo and Attachments), Planning Board materials, October 18, 2016

For Whom Does the Economic Development Department Work?

In August, some informal meetings between city, state and Americold officials and consultants and residents of the neighborhood took place. At those meetings, most residents' concerns focused on the monolithic façades that cold storage facilities present to the world. This was also true at an initial presentation by project consultants Woodard & Curran to the West End Neighborhood Association.

The inappropriateness of that kind of structure facing a highly desirable and expensive residential area seems apparent. Also, consider the sterility and charmlessness a giant warehouse would present to travelers along Commercial Street, one of the more heavily used roadways on the peninsula.

People spoke of color, landscaping, surface materials, visibility of activity. Moreover, they urged Americold to recognize that this parcel of land next to the Fore River is not tucked away in an industrial park. It is in a prime location in one of the most scenic cities on the East Coast. Neighbors want Americold to develop their design with these considerations in mind.

This is when the wriggling began. By the time of a neighborhood meeting on October 13th to present initial concept designs, somehow 45' became an unworkable height limitation. And so the Economic Development Department began the process of requesting a text change in the WPDZ. Indeed, this text change could allow the cold storage building to tower 70 feet on a 120,000 square foot footprint. This is textbook uglification.

Nobody likes to start playing a game and have the ref change the rules after the first round. But it certainly feels like that's what's happening here. Who in City Hall is looking out for the already-developed residential neighborhoods? Is anyone? Or do the charms of the latest suitor always hold sway? Who will stop the uglification of Portland?

<http://www.thewestendnews.com/>

Fwd: Western Waterfront Zone Text Change Workshop postponed

1 message

William Needelman <wnb@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Dec 20, 2016 at 3:39 PM

Comment for posting.

Bill
Bill Needelman
Waterfront Coordinator
Economic Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

(207) 874-8722 tel.
(207) 756-8258 fax.
wnb@portlandmaine.gov

----- Forwarded message -----

From: **Elizabeth Parsons** <ecparsons33@hotmail.com>
Date: Tue, Dec 20, 2016 at 1:57 PM
Subject: RE: Western Waterfront Zone Text Change Workshop postponed
To: William Needelman <wnb@portlandmaine.gov>

Hi, Bill:

Thanks for the notice below. Herewith, a few observations about the Americold project specifically and West Commercial more generally from my perspective as a West Ender.

If it is true that Americold responded to the RFP with a building plan that met current code limits; got that plan approved; and subsequently said they'd need a height variance of such magnitude, then that looks like a classic "bait and switch" maneuver. The City's response should be to push back hard, not to capitulate.

West Commercial could be a wonderfully inviting entrance into the City especially in contrast to the very dreary Congress Street entrance off I-95. Careful thought, though, that balances aesthetics, ecological responsibility, and economic interests needs to go into it all. Ideally, the new master plan would do this sort of thing. But, the number and types of construction projects courted and/or approved throughout the City over the past few years do not instill confidence that there is sufficient interest in doing such visionary planning *and in sticking with it*.

Time remains, however, to do things appropriately on West Commercial. The redeveloped IMT has turned out nicely. The Sprague buildings fit well as, of course, does the tree planting on the side opposite the new rail spur. So it's quite possible for Portland to devise something noteworthy and healthy for the rest of West Commercial over the next several years.

It will take a lot of hard work on the part of everyone, however, to make sure we find common ground. I hope City officials are willing to do this. Quite a number of us in the West End are and I'd be happy to expand on anything I've

said here if need be.

Warm regards,

Liz Parsons

Winter Street

From: William Needelman [mailto:wbm@portlandmaine.gov]
Sent: Monday, December 12, 2016 11:47 AM
To: William Needelman; O'Brien, Stuart; Mitchell, Greg; Grondin, Jessica
Subject: Western Waterfront Zone Text Change Workshop postponed

To Western Waterfront neighbors and interested parties,

With the agreement of the Maine Port Authority and Americold, the City of Portland Economic Development Department has requested to postpone the December 13 Planning Board Workshop to consider text amendments to the Waterfront Port Development Zone.

The EDD and proponents of the amendments request additional time to better document and illustrate design concepts that reflect the potential of Portland's International Marine Terminal and the working waterfront.

The next meeting has not yet been scheduled, but we have requested a place on a Planning Board agenda in the month of January to keep potential development options on track.

Please forward to any who may have been interested in attending the meeting. Apologies to all who may be inconvenienced by this change in schedule.

If you have any questions or comments, please contact me at any time

Bill Needelman
Waterfront Coordinator

Economic Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

(207) 874-8722 tel.
(207) 756-8258 fax.
wbm@portlandmaine.gov

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

Fwd: Zoning changes : Americold

1 message

Tuck O'Brien <sgo@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Fri, Dec 23, 2016 at 2:54 PM

----- Forwarded message -----

From: <bluesmegsun@securespeed.us>

Date: Wed, Dec 21, 2016 at 8:11 AM

Subject: Zoning changes : Americold

To: sgo@portlandmaine.gov

Good morning Mr. O'Brien,

I am writing as a west end home owner & city of Portland property tax payer. I do hope, at this point, that those of us who want a zoning height restriction to be respected & the growth of this great city to be slowed down that you do not refer to us as "anti-development".....nothing could be further from the truth.

I am writing in opposition to this considered 70' zoning change for Americold because when they began their presentation of a storage facility 45' was fully workable & what they were asking for. AS we've seen with so many of these development projects, which are eating up our city at an alarming rate (undoable once done), the bait & switch takes place which is exactly what happened with this project.

I fully respect & want a working waterfront but in regard to these cold storage containers reaching 70' along the Commercial St stretch affecting property owners, their property values & the fabulous Commercial St views I am absolutely against a change that would allow opening this kind of development going down the line.

I could go on listing all of the reasons why I believe the zoning restrictions should NOT BE changed but I think & hope, by now, that you understand what the issues are. I am writing as a woman who has raised her family, established a great business & owned a wonderful old building in the West end & pay extraordinary taxes for my property. We are the backbone of this great city but somehow decisions are being made that impact our quality of lives here & that our input is somehow looked at as "anti" everything instead of information that is honest & has everything to do with our quality of lives.

I love Portland ME but watching what has been allowed in the development of this city, particularly with respect to the VERY high-end condos displacing so many people in a very short time, I am very disappointed.

Please share this with the economic development panel as someone who OPPOSES this considered zoning change.

Thank you for your time.

Most respectfully, Deborah McCoy 185 Clark ST.

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)

Fwd: concerns

1 message

Tuck O'Brien <sgo@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 3, 2017 at 11:01 AM

----- Forwarded message -----

From: <pamelashelp@aol.com>
Date: Mon, Dec 26, 2016 at 11:47 AM
Subject: concerns
To: sgo@portlandmaine.gov

Dear Tuck O'Brien, and Board Members,

I am writing to share my concerns regarding the proposed zoning change to the Working Waterfront, Portland's West End.

I was on the Board of "Portland West" also, I was appointed V.P. of that Board in the 80ies. When issues concerning the use of the waterfront were presented, we as a Board, focused our energies on strongly supporting that the Waterfront be zoned for Commercial use. Our vision at that time was commercial fishing, and related needs. Our vision was supported. Thankfully. I'm disheartened to think that so little attention to detail is focused today on the Waterfront with this new proposal to expand zoning height from 45' to 70', to accommodate multiple (short term) requests from Americold. As well as Ptd Yacht Services, et all. ...The impact of this zoning change is deplorable. To block this stretch of Commercial Street from it's "view" is unthinkable!!!..

This pristine corridor welcomes folks to the Old Port, and the City of Portland! Magnificent for those visiting via automobile. Traveling this corridor to our City. To block this strip of Nature remaining is unconscionable. This is valuable, visual pristine land...Irreplaceable to those of us living in the area. To destroy more of it is unthinkable!!!

Changes to this corridor demands strict attention to detail. Planning. A VISION for this corridor is essential.

Raising the zoning height does not in any way satisfy the "vision" of the Board of the 80'ies....or of long term planning for today's world.

As an aside..my son, now 32, used to plant a tree down there on every Birthday..thru his growing years...Now, that little "forest" is gone! Sadly. One families story of accessing that waterfront...now blocked from use. Heart breaking!!!

Please, do not approve the increase in zoning...

Pleas, do have a long term vision for this egress to our City.

Thank you for your time.

Sincerely,

Pamela W. Shelton

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)



Jennifer Munson <jmy@portlandmaine.gov>

Fwd: Western waterfront

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Tue, Jan 3, 2017 at 11:02 AM

To: Jennifer Munson <jmy@portlandmaine.gov>

----- Forwarded message -----

From: <plawrenc@gwi.net>

Date: Fri, Dec 30, 2016 at 2:09 PM

Subject: Western waterfront

To: sgo@portlandmaine.gov

Dear Planning Board member:

The proposed 70-foot height limit in the western waterfront industrial area raises significant concerns about potential uses and activities there. It would allow certain types of development that should be located elsewhere, other than on that narrow strip of land along the valuable shoreline.

Please keep the maximum height at 45 feet, carefully control the proposed uses in that area, and register my opposition to the 70-foot limit.

Peter Lawrence
5 Bond St. (in the Salem-Danforth area)
Portland 04102
772-8717

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: (207) 874-8724
Cell: (207) 553-0255

Fwd: Waterfront zoning - Portland's future is in jeopardy

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Tue, Jan 3, 2017 at 11:03 AM

To: Jennifer Munson <jmy@portlandmaine.gov>

----- Forwarded message -----

From: **Justin Funk** <Justin.Funk@partnerspharmacy.com>

Date: Tue, Jan 3, 2017 at 7:55 AM

Subject: Waterfront zoning - Portland's future is in jeopardy

To: "sgo@portlandmaine.gov" <sgo@portlandmaine.gov>, "JPJ@portlandmaine.gov" <JPJ@portlandmaine.gov>, "gmitchell@portlandmaine.gov" <gmitchell@portlandmaine.gov>, "WBN@portlandmaine.gov" <WBN@portlandmaine.gov>, "sthibodeau@portlandmaine.gov" <sthibodeau@portlandmaine.gov>

Cc: Jo Coyne <jocoyne@gwi.net>

Good morning,

I am writing to again voice my extreme displeasure with what is being proposed on the west end waterfront. It is clear for the citizens of Portland to see that a need for cold storage or another more suitable business can be met with the 45' building height already allowed through existing zoning.

Was this the plan all along? Trying to pull a bait and switch by building to 70' changes the focus from waterborne commerce to the warehousing. This should have been discussed publicly before going out to bid, not after.

It is troubling to think that everyone that enters Portland will be greeted with such an eyesore of a building. A white box? Really? Let's higher our standards, and keep our city great for everyone near and far, not lower them for the short term benefit of few.

Even more concerning is that the truck traffic on West Commercial will become much more of a nightmare. Entering the city will become dangerous merging into one lane with many more trucks along commercial.

When I purchased my home on the west end I did it because I was proud and excited to be owning a home in Portland and knew that the 45' building height would prevent any drastic changes to our beautiful, historic city. Do not ruin what we have. Let's find the best fit and a win win situation, not what some think is "exciting" for the wrong reasons.

There is nothing exciting about doing the wrong thing.

Sincerely,

Justin Funk
90 Salem Street
Portland, ME

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--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)

Fwd: FW: Americold building on Commercial St.

1 message

Tuck O'Brien <sgo@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 3, 2017 at 11:57 AM

----- Forwarded message -----

From: **Sara Miller** <sara@snapdragonreps.com>
Date: Fri, Dec 30, 2016 at 4:40 PM
Subject: FW: Americold building on Commercial St.
To: "sgo@portlandmaine.gov" <sgo@portlandmaine.gov>

Dear Tuck,

I sent this over on Dec. 5th but noticed it was not listed in the public letters section so I was asked to re-send to you.

Thanks very much,

Sara

From: Sara Miller
Sent: Monday, December 05, 2016 1:02 PM
To: 'jpj@portlandmaine.gov' <jpj@portlandmaine.gov>; 'estrimpling@portlandmaine.gov' <estrimpling@portlandmaine.gov>; 'stibodeau@portlandmaine.gov' <stibodeau@portlandmaine.gov>; 'WBN@portlandmaine.gov' <WBN@portlandmaine.gov>; 'sgo@portlandmaine.gov' <sgo@portlandmaine.gov>
Cc: 'jsteinglass@woodardcurran.com' <jsteinglass@woodardcurran.com>; 'john.j.henshaw@maine.gov' <john.j.henshaw@maine.gov>
Subject: Americold building on Commercial St.

Good Morning,

I am writing with regard to the proposed building height exception that the city is seeking for Americold.

I live at 96 Salem St. and have been here for approximately 18 years and am 100% against raising the height allowance on future buildings being planned for the West Commercial St. waterfront.

I knew that the waterfront was coded as "working waterfront" when I purchased my home, however when I moved here, the area below my house only included the Star Match Factory.

At that time, there were no plans to erect tall buildings blocking the view & a 45 ft. height limit was on the books.

Several years ago, I attended meetings regarding Phineas Sprague's Yacht Services

plan to move his facility from the East End to the West End. Of course, he was not initially supposed to build where he ended up,

but sold off some of his acreage to allow Eimskip to come to Portland and consequently moved his buildings further West.

I watched his buildings go up with a lot of concern and consternation but was somewhat relieved to keep a very small part of the view I have so enjoyed, which was the

primary reason I bought this property.

There have been other "improvements" to the West Commercial St. corridor which have taken place over the course of the last several years including work on the railway line, new security walls, street improvements, etc.

We are contending with excessive noise from the new railway line and the many cars squeaking across the tracks day and night, which will likely only worsen in the future.

So yes, as residents who support a working waterfront that was on the books when we chose to reside here, we have already supported it and sacrificed quiet, views, etc. up to this point in time.

Now, we are being told that we need to go a step further. Americold, who previously agreed to a 45 ft. height limit, wants 70 feet. And now that they want 70 feet

Phineas Sprague would like 70 ft. for his new buildings which are in the planning stages West of his existing buildings.

There seems to be no problem with this and it seems that whatever Americold and any future builders want will get the okay without regard to the many residents & taxpayers who

are most impacted by this fateful decision.

Is there any thought to our precious waterfront, to the aesthetics of our city, to ruining our neighborhood and property values?

70 foot buildings will not only block the views on a long segment of our Western waterfront; they will most certainly ruin the feeling and aesthetics of a large historic neighborhood. This won't just impact our neighborhood, our view and our home values, but in addition will impact how our city looks to tourists and visitors driving in on West Commercial St.

(yes, those tourists and visitors who are essential to our local economy) This would also affect the view from South Portland; is there any regard to how driving across the bridge from South Portland and seeing a giant white nondescript building blocking everything will make people feel about Portland? What say do we have on something that affects so many of us to such a large degree? I believe that any new height exception is a fateful decision and should be taken very seriously by everyone involved.

I urge all council members, planning board members, Americold representatives, prospective architects, builders and Commercial St. property owners, and any other proponent of

the 70 foot height proposal to please rethink their stance on this. 45 feet is enough. 45 feet is what Americold originally agreed to. 45 feet is what Phineas Sprague originally agreed to. 45 feet will still impact our neighborhood & our view, and that is the height which was on the books when many of us bought our properties and settled in this very special neighborhood.

Please say NO to 70 feet!

Respectfully yours,

Sara C. Miller

Snapdragon Sales, Inc.

Sara C. Miller

P.O. Box 147

Portland, ME. 04112

Tel: 207 772-3755

Fax: 866 481-3755

Cell: 207 939-3807

Email: sara@snapdragonreps.com

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)



Jennifer Munson <jmy@portlandmaine.gov>

Fwd: Portland Planning Board meeting re: West Commercial Street

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Tue, Jan 3, 2017 at 2:45 PM

To: Jennifer Munson <jmy@portlandmaine.gov>

----- Forwarded message -----

From: **Sally Cody** <sally.cody@thorntonacademy.org>

Date: Tue, Jan 3, 2017 at 2:43 PM

Subject: Portland Planning Board meeting re: West Commercial Street

To: sgo@portlandmaine.govCc: JPJ@portlandmaine.gov, gmitchell@portlandmaine.gov, WBN@portlandmaine.gov, sthibodeau@portlandmaine.gov

Members of the Portland Planning Board, et al.:

Please do NOT change the existing zoning which limits building heights to 45' on W. Commercial Street. We want to be able to continue to observe the renewed activity along W. Commercial Street and the Fore River. Our view has already been limited by previous construction.

Thank you,

Sara Anne Cody

78 Salem Street

Portland, ME 04102-3916

[207-773-6579](tel:207-773-6579)sally.cody@thorntonacademy.org

--

Tuck O'Brien

City Planning Director

Department of Planning and Urban Development

Office: [\(207\) 874-8724](tel:207-874-8724)Cell: [\(207\) 553-0255](tel:207-553-0255)

Commercial Street Zoning Issue

Mark Bessire <markhcb@gmail.com>

Jan 14, 2017 4:47 PM

Posted in group: **Planning Board**

Dear Planning Board of the City of Portland,

A few years ago the West End community worked with JB Brown to negotiate a deal together for a zoning change that worked for both parties. Today the city seems to have come to the community already having made the decision to change a zoning restriction that was not even requested. We feel strongly that the city is coming to the neighborhood because they have to - not because they want to work with us. This is the sad reason why Portlanders resort to referendum.

We support the development and growth of Portland but feel the city is giving up too much for too little return. The commercial street entrance to Portland is the last chance to have a gateway to the city that reflects our conservation efforts to keep Portland special. It is the city's amenities and culture that created our renaissance and we should not give up those qualities in favor of a zoning change that will forever destroy our last gateway. Hospitality and tourism is our fastest growing economic and jobs engine. Please do not change the zoning and jeopardize our success.

Please do not grant a full zoning change for the entire area under consideration creating a monolith of industrial buildings with no character that will hinder our true growth potential and not benefit the citizens and other businesses of Portland.

Thank you for your time and consideration of this matter.

Sincerely,

Mark and Aimée Bessire
314 Danforth Street
Portland, ME 04102





Posted January 16, 2017

Letter: Portland waterfront project 'a nonstarter'

In its winning bid to build a cold-storage warehouse in Portland, Americold Logistics promised “a showpiece facility ... (in) harmony with the local surroundings.”

But now Americold wants to erect the largest eyesore to ever call the city home: a box 68 feet tall, spanning almost three acres at the gateway to Portland’s waterfront.

You have to admire Americold’s chutzpah, proposing to build 55 percent higher than zoning allows on land it will lease, perhaps for close to nothing, from us Mainers. City staff wants to give Americold the bonus height with a zoning “text change.”

For Americold, it makes perfect sense to push the zoning envelope. After all, its cold-storage customers are focused on what’s inside the building. And its owners, led by the Los Angeles private equity firm of multi-billionaire Ron Burkle, are focused on profit.

Economic development is laudable, but City Hall is giving away the store to Burkle.

The problem with a 45-foot warehouse in Portland is not profitability, or sufficient size to serve the International Marine Terminal, but rather that Americold wants to shift trucked product from its Read Street warehouse to this site, which is zoned solely for port-related uses.

When chasing the holy grail of economic development in past decades, Portland has made judgment errors, often irreparable, that supporters considered faultless. This could happen today with Americold’s titanic warehouse. The Planning Board will be discussing the height increase Tuesday, Jan. 24, at City Hall. They should tell Americold the proposal is a nonstarter.

*Mark McCain
Portland*



Posted January 16, 2017

Letter: Portland waterfront zoning proposal is unfair

Americold's request to alter zoning restrictions on the western waterfront should plunge ripples of concern through all Portland property owners.

Property taxpayers rightfully expect established zoning standards to be maintained. If city officials advocate for zoning changes at the whim of every developer or project proposal we cease to have effective zoning. It is a paradigm of corrupt governance.

Suggesting neighbors are "rallying around their scenic view" is an overt attempt to mitigate the real concerns of property taxpayers. Zoning must be applied equally, regardless if the investor is local private developer or a corporation out of Atlanta, Georgia, backed by the Lepage administration.

Neighbors to the proposal are not anti-development. On the contrary, the neighborhood has long encouraged development of an area long fallow. Their common perspective and desire however is that their neighbors be held to the same standards to which they are held. It is the golden rule of building community.

Americold, by their own admission, found themselves unable to deliver on a contract without changing the zoning parameters. Instead of acknowledging their failure, they are asking neighbors to shoulder the burden. They are asking for the rules not to apply to them. It is difficult to imagine anything less neighborly.

*Gary Wagner
Portland*

Proposed development on Commercial St.

1 message

Aaron Bourassa <aaron@greatfallsinc.com>

Tue, Jan 17, 2017 at 6:00 PM

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Hello Portland Planning Dept.,

As a lifetime resident of South Portland I am concerned about the visual impact and the traffic created by the proposed zoning changes on the Portland's western waterfront.

Commercial street is an important part of the the vista and gateway not just for Portland, but South Portland as well. Changing the zoning to 70' to build large warehouses would create a waterfront zone that is out of scale with the surroundings and would stand in the way of Portland's connection to the water.

I am also concerned about the added traffic associated with trucks entering and exiting by the bridge. For these reasons I believe that it is important that the planning board contain the size and scale of any Americold facility to the minimum required by Eimskip, and under any condition, remain within the existing zoning restrictions of the western waterfront.

Aaron Bourassa
62 Sawyer St.
South Portland
Maine 04106

The Gateway to Our City

1 message

Hawkes, Alison <ahawkes@capeelizabethschools.org>
To: jmy@portlandmaine.gov

Tue, Jan 17, 2017 at 3:32 PM

I am writing in regards to a proposal to extend the Americold height limit in our lovely neighborhood and our great city, from 45' to 70'.

First of all, last year I voted against a referendum to limit growth on the waterfront. I do want to encourage business and growth. At the time of the referendum, I was even aware that there was a proposal to build in front of our neighborhood. Had I know then that there was a proposal to almost double the height of buildings on the waterfront (apparently just in front of our neighborhood), I would have voted differently and also encouraged others to do the same.

I have accepted the changes in front of our house. I have made peace with the bright lights which seem like they are better suited for a football field with a game in progress. I am ok with the "elephant" crane which is frequently going, even on Sundays. I am ok with the beeping of trucks backing up, and the noise of the train. I am all for Eimskip, as long as they are a good neighbor, and are creating jobs.

I am NOT ok with a huge building that does not meet requirements we would ask at any other place in Portland. It is NOT about losing a view for me. This building will be an eyesore for our entire city. People coming across the "Million Dollar" bridge will see a building which is inordinately disproportional to the rest of the city. People entering the city from Commercial St will be greeted by this monstrosity. The boatyard there now is a nice entry and is aesthetically pleasing. If the cold storage was at the 45' height and more architecturally appealing, I still would not like it but I would accept this as an investment into our city.

I am very upset that this plan has even gotten this far. The planning board does not seem to care about the laws that were made, about the appearance of our city, nor about the lovely neighborhood above the proposed facility. I love our city and live here for diversity. I am not, however, inclined to accept lower standards so that an out of state business can make a profit.

Alison Hawkes
17 Summer St

Under Maine's Freedom of Access law, documents - including e-mail - about school district business are classified as public records and may be subject to disclosure.



Open Minds and Open Doors

Waterfront Port Development Zone text amendments

1 message

'peter green' via Planning Board <planningboard@portlandmaine.gov>

Wed, Jan 18, 2017 at 11:30 AM

Reply-To: peter green <plgmaine@yahoo.com>

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

January

18, 2017

To the Portland Planning Board:

I live in close proximity to the proposed Americold building and where zoning changes are proposed. If these changes are approved, unlike many of my neighbors, my current "view" will not be changed. However, their "view" and the "view" of the tens of thousands of people who daily drive by on Commercial St. will be like a solid punch in the eyes similar to the punch delivered by the Portland House on the Eastern Prom with its outrageous bulk and height.

Portland should not approve yet another architectural eyesore, residential or commercial.

I offer three remedies.

First, keep the reasonable height limit of 45' or raise it no higher than an absolute maximum of 55'.

Second, somehow require the building to avoid being a monolithic intrusion. Perhaps have it pass an architectural review by the Portland Architects Association.

Third, consider asking that rather than one monolithic building, Americold and Eimskip consider building two buildings which complement each other and have the same capacity.

I do have a pretty good “view” of Eimskip and the activity on Commercial St. and approve of and enjoy the the activity and development. Continued building is certainly necessary. However, worthy development must contribute positively to Portland in all directions, and not come at an irretrievable cost.

Thank you for your efforts,

Peter Green
Summer St.

Regarding Height allowance for Americold

Daniel Bushman <danielrbushman@gmail.com>

Jan 18, 2017 9:11 PM

Posted in group: **Planning Board**

To whom it may concern;

My partner and I recently moved to Portland so I suppose that makes us a part of the onslaught of new Mainers. I very much love living on the West End, and as a product of this large movement to make Portland home, a great generator of income for the city among other things, rent continues to rise. My partner and I are paying almost \$2 dollars per sq ft for our apartment. It is not glamorous, nor does it reside in a glamorous neighborhood. Though we are satisfied with this living space now, our satisfaction is primarily due to our view of the water. I am petitioning simply on behalf of fairness that if a building is constructed to block my view, then I would expect rent to be reduced to much more agreeable cost.

The question as I see it is: "Do we wish to maximize the value of our residential neighborhoods, or do we wish to maximize the value of our industrial zones?" The choice is not mine to make, but if I were on the board I would advocate for residential zoning being top priority. Case in point for those of us new Mainers hoping to stick around for a long while, build families and start businesses.

Sincerely,
Daniel Bushman

Waterfront Rezoning

1 message

Jeffrey Musk <jmusk82@gmail.com>

Thu, Jan 19, 2017 at 1:17 PM

To: planningboard@portlandmaine.gov

Dear Sir or Madam,

I am writing to express my strong support in favor of rezoning Portland's western waterfront zone to allow the construction of a cold storage facility in excess of the existing 45-foot height limitation. I believe that the benefits of increased maritime activity on Portland's historic waterfront far outweigh any adverse impact the construction of a facility with a height comparable to existing waterfront structures may have.

As a resident of the West End, I understand that homeowners with harbor facing properties may take issue with vistas being limited by new construction. I, however, feel that the potential economic impact of constructing and operating a modern warehouse facility, as well as the services provided by local businesses to vessels calling at the Port of Portland, must be taken into account.

The Port of Portland is one of Maine's three primary deep-water commercial ports. Allowing continued investment in Portland harbor helps our farmers, fishermen, and manufacturers by providing access to intermodal transportation solutions here in Maine while encouraging railway, truck and ocean carriers to move more freight into, and out of the state.

Having spent the early part of my career as a seafarer onboard cargo ships I have seen first-hand large scale commercial activity at modern ports around the world. I would like nothing more than for the Port of Portland to take every opportunity to participate in, and benefit from, global trade.

Jeffrey Musk

(Letter attached)

Mobile - (207) 239 9494

Mailing - Pine St., Portland, ME 04102



Waterfront Rezoning JAN 17.pdf

23K

January 19, 2017

Planning Board

City of Portland
389 Congress St., 4th Floor
Portland, ME 04101

Dear Sir or Madam,

I am writing to express my strong support in favor of rezoning Portland's western waterfront zone to allow the construction of a cold storage facility in excess of the existing 45-foot height limitation. I believe that the benefits of increased maritime activity on Portland's historic waterfront far outweigh any adverse impact the construction of a facility with a height comparable to existing waterfront structures may have.

As a resident of the West End, I understand that homeowners with harbor facing properties may take issue with vistas being limited by new construction. I, however, feel that the potential economic impact of constructing and operating a modern warehouse facility, as well as the services provided by local businesses to vessels calling at the Port of Portland, must be taken into account.

The Port of Portland is one of Maine's three primary deep-water commercial ports. Allowing continued investment in Portland harbor helps our farmers, fishermen, and manufacturers by providing access to intermodal transportation solutions here in Maine while encouraging railway, truck and ocean carriers to move more freight into, and out of the state.

Having spent the early part of my career as a seafarer onboard cargo ships I have seen first-hand large scale commercial activity at modern ports around the world. I would like nothing more than for the Port of Portland to take every opportunity to participate in, and benefit from, global trade.

Jeffrey Musk

Memorandum
Planning and Urban Development Department
Planning Division



To: Elizabeth Boepple, Chair, and Members of the Portland Planning Board
From: Tuck O'Brien, City Planning Director
Date: January 20, 2017
Re: B-2 Text Amendments

The item, B-2bText Amendments, is being tabled to the February 14, 2017 Planning Board meeting at 7:00 p.m.



PLANNING BOARD REPORT PORTLAND, MAINE

Fort Sumner Park Overlay Ordinance Amendment (Within R-6 Zone)

Applicant: City of Portland

Submitted to: Portland Planning Board Public Hearing Date: January 24, 2017	Prepared by: Matthew Grooms, Planner Date: January 20, 2017
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Figure 1: Views from Fort Sumner Park at Present.

I. INTRODUCTION

In response to Order 73-16/17, which established a 90-day moratorium on developments within the R-6 Residential Zone in District 1 for properties directly abutting a City Park or Public Ground, the City of Portland is seeking a map and text amendment to establish a height overlay zone intended to protect the existing sightlines at Fort Sumner Park. The proposed Fort Sumner Park Overlay Zone encompasses several parcels located within the R-6 Residential zone.

At the present time, one can view Portland's changing skyline as well as a

variety of natural resources from this location, including Casco Bay, Back Cove and portions of the White Mountains. Recent development proposals for a six-story condominium complex at 155 Sheridan Street, have demonstrated the vulnerability of this vista under the current zoning and citywide height overlay.

This zoning amendment request is being brought to the Planning Board as a workshop item. The legal ad was posted on the city's web page and appeared in the Portland Press Herald on January 16 and 17, 2017. Notices were also sent to abutters within 500 linear feet of the proposed overlay zone.

II. BACKGROUND

Originally, the site of an earth and timber fortification built in 1794, and later designated as a city park in 1934, Fort Sumner Park today constitutes an integral component of the open space portfolio for the Munjoy Hill neighborhood (Attachment 1). From its viewing platform, visitors are afforded quintessential vista of the region that serve to connect them with the city's ever changing landscape, its maritime resources and the distant mountains. At present, no clear and predictable mechanism is in place through zoning, adopted design standards or historic preservation that would preserve the existence of the panorama from this location.

According to the Comprehensive Plan's Future Growth Area Map, the parcels surrounding Sumner Park within the proposed overlay zone have been designated as a target area for ongoing growth and development. Since the Comprehensive Plan's update in 2005, four new condominium buildings have been constructed along Sheridan Street between Walnut Street and Cumberland Avenue. In 2016, preliminary renderings were circulated to the public for the development of a condominium building that would be built on CBL 012 Q012, or the parcel located immediately to the northwest of Sumner Park along Sheridan Street. This development as originally envisioned by a developer could have potentially obstructed part of the view over Back Cove, the western foothills and White Mountains. Although language existed in the City's site plan and

subdivision ordinances to address project context and visual impact, concern was raised that existing mechanisms did not go far enough to preserve the integrity of this vista.

The potential for redevelopment of 155 Sheridan Street and potential impact on Ft Sumner park raised significant concern among residents, the city council and staff. Neighborhood residents asked the city to designate the park as a historic landmark which would require the Planning Board to consider any negative externalities to the park from developments occurring within 100 feet of the park's parcel boundary. Additionally, on September 19, 2016, two petitions constituting more than 300 signatures were submitted to the City Council requesting that any proposed developments along Sheridan Street be properly vetted to ensure that there be no adverse impacts to views from the park. On November 7, 2016, the Portland City Council unanimously approved a 90-day moratorium for development review and consideration on projects



Figure 2: Illustration of Ft. Sumner Lookout circa 1911



Figure 3: Downtown Height Study, Structure of Views, page 5. Fort Sumner Park panorama is highlighted.

located within the R-6 Zone in District 1, in instances where projects directly abut City Parkland and/or Public Grounds. This moratorium went into effect on November 21, 2016 and will expire on February 6, 2017 (Attachment 2). This moratorium cites several elements of the Comprehensive Plan as justification, including the importance of maintaining “vistas from promenades and high points” and properly valuing and celebrating the city’s relationship with its water resources.

The vista from the site in the vicinity of the former Fort Sumner has been identified for its value as a panorama of the City of Portland, the Back Cove and western mountains for over 100 years (See Figure 2) In the Downtown Height Study completed in 1989, the Fort Sumner panorama was singled out for its “panoramic views of the city skyline and water” as a vista to receive “special attention” (Portland Maine Downtown Height Study, pg.6). In addition, under Section IV, Green Space, Blue Edges, an Open Space and Recreation Plan for the City of Portland, 1995, updated 2001, in the ‘Portland’s Goals and Policies for the Future’ document within the Comprehensive Plan, it states that a principle goal of the City is to “Develop a vision of the natural environment that enhances the full range of dynamic contrasts between the landscapes and built forms found in Portland, which will enrich the appearance and enliven the use of our city.” Despite the history and intent to preserve this vista, little has been done to address formalizing this space; however, recent market pressures for new multi-family housing in the R-6 necessitate the development of a targeted regulatory

solution at this time.

The purpose of this proposed overlay zoning district is to protect the public interest by limiting the impact of development on the quintessential views of natural resources and the changing Portland skyline from Sumner Park. In developing this overlay concept, the Planning and Parks staff researched overlay approaches used in Denver and San Antonio that are designed to protect viewsheds of natural features. In Portland, height overlays currently regulate maximum building heights within the B-3, B-6 and B-7 zoning districts.

III. PUBLIC COMMENT

Sixteen emails have been received to this point, with all being compiled into a separate public comment document. All emails received have expressed concerns regarding the potential obstruction of views at Fort Sumner Park by future development, and one comment was specifically in support of the proposed overlay zone (See Attachment 6).

Staff received a revised ordinance proposal from an attorney representing the property owner at 155 Sheridan Street. This proposal as written, increases the proposed elevation of the key apex point by 3 feet, from 160.27' above mean sea level to 163.27' feet above mean sea level. The argument presented by the property owner is that the key apex point currently reflects the elevation at ground level, and by increasing this figure by 3 feet, it would reflect views as seen by a child or a person sitting, what the property owner claims to be the lowest reasonable vantage point. This proposal also requests that rooftop elevator enclosures erected above the baseline vertical elevation of the key apex point be permitted so long as they are demonstrated to not block quintessential views of the surrounding region (See Attachment 7).

A. Neighborhood Meeting: January 18, 2017

On January 18th, city staff held a neighborhood meeting at the East End School attended by 26 individuals. At this meeting, staff presented information regarding the context of the rezoning effort, the proposed text and map amendments and justification for the approaches taken by the City. Following the presentation, residents voiced a number of comments, questions and concerns. Attendees suggested that city staff create two new graphics, one in which the proposed ordinance visual would illustrate the location of Sheridan Street and Washington Avenue for context, and a separate graphic that would serve as a visual aid to demonstrate views under full buildout of the proposed overlay zone. Attendees also asked why the proposed overlay zone does not encompass the full 180° arc, including any portion of parcels located within 200 feet of the key apex point, regardless of the base zoning district. Aside from specific revisions to the proposed ordinance, attendees requested information on the financial viability of commercial developments within the proposed overlay.

IV. ZONING CONTEXT

The proposed text and map amendments would occur within a largely residential neighborhood composed of single-family, duplex and multi-family homes along with commercial activity along Washington Avenue. To the north, east and immediate south of Fort Sumner Park, properties are zoned R-6 Residential, while to the west, properties are zoned B-2b Community Business. In response to the request regarding the elevation of Sheridan Street, an excerpt of the city map with topography is shown below. The elevation as provided by William Clark, Surveyor with the Department of Public Works, shows Fort Sumner Park to be located at 160.27 feet, Sheridan Street to be located at 115 feet and Washington Avenue at 71.9 feet. Staff was not able to produce a rendering of buildings under full full-buildout allowable under the Fort Sumner Park Overlay Zone within the context of existing elevations.

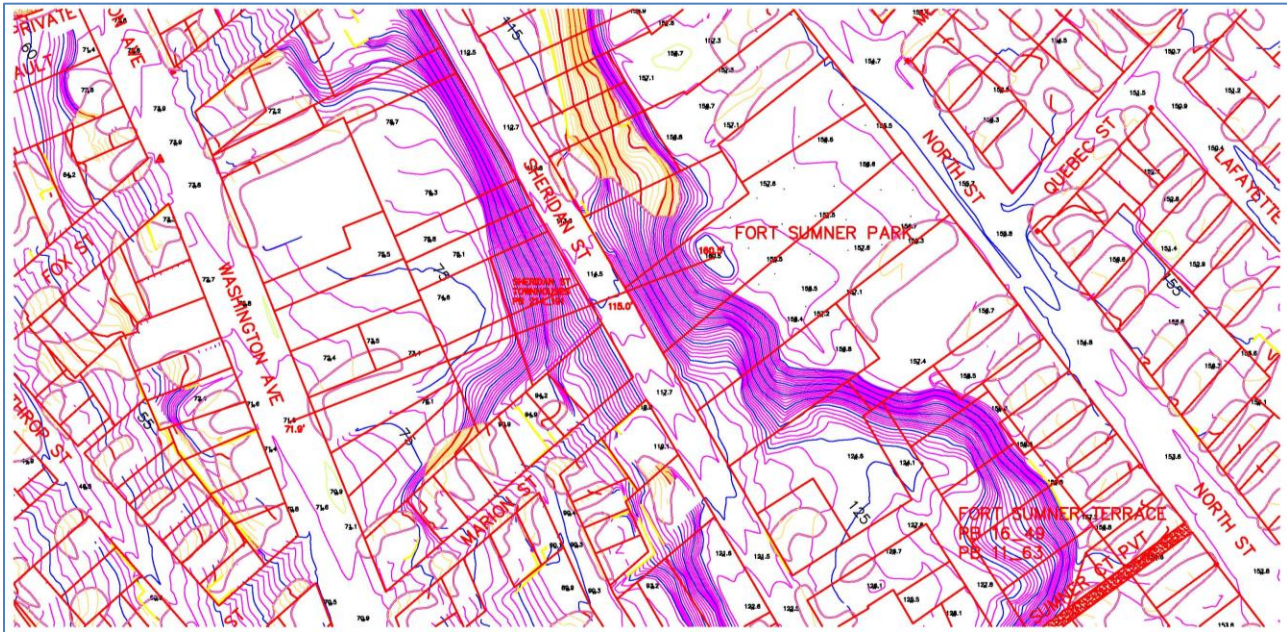


Figure 4: Topographic Map of Streetscape around Fort Sumner Park

The purpose of the R-6 zone, which can currently be found predominantly in the East and West Ends of the city, is to “set aside areas...for housing characterized primarily by multi-family dwellings at a high density” and to “conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses” (*Section 14-135*). Meanwhile, the B-2b zone is intended to provide neighborhood and community retail in a format cognizant of pedestrian character and scale (*Section 14-216*). According to the City of Portland, Maine Building Height Regulation Map, properties located within the R-6 zone are permitted building heights of 45’ for principal structures, while residential structures located in the B-2b zone are permitted a maximum height of 45’, with an option of going to 50’ if the first floor of the building is commercial. Within the R-6 and B-2b zones, building height is measured from the average grade of the site, allowing for instances where structure extrusion may surpass the aforementioned maximum heights.

V. PROPOSED TEXT AND MAP AMENDMENT

The proposed text and map amendments presented below focuses on the height overlay provisions proposed to be included within the R-6 zone as well as the proposed rezoning of Fort Sumner Park from R-6 Residential to ROS Recreation Open Space.

Proposed Map Amendment: Recreation Open Space (ROS)

The city is seeking to rezone Fort Sumner Park (1.2027 acres) from R-6 Residential to ROS, which has the following purpose statement

- (a) *The purpose of this division is:*
 1. *To preserve and protect open space as a limited and valuable resource;*
 2. *To permit the reasonable use of open space, while simultaneously preserving and protecting its inherent open space characteristics to assure its continued availability for public use as scenic, recreation, and conservation or natural resource area, and for the containment and structuring of urban development;*
 3. *To coordinate with and carry out federal, state, regional, and city recreation and open space plans;*
 4. *To provide a suitable location for large-scale regional sports and athletic facilities; and*
 5. *To develop an open space system throughout the downtown, which provides the highest quality parks, plazas, and pedestrian environment.*

- (b) *The recreation open space zone may include parcels of public property, and private property legally restricted from intensive use or development through deed, covenant, or otherwise.*

Fort Sumner Park currently operates as publicly accessible open space and yet at present is zoned R-6 Residential, a zone that allows by right the development of single-family, multi-family and limited commercial uses. The rezoning of this property to ROS Recreation Open Space would prohibit future developments incongruent with the existing character of Fort Sumner Park and emphasize the city's goal of preserving this site and the panorama available from the park as public space.

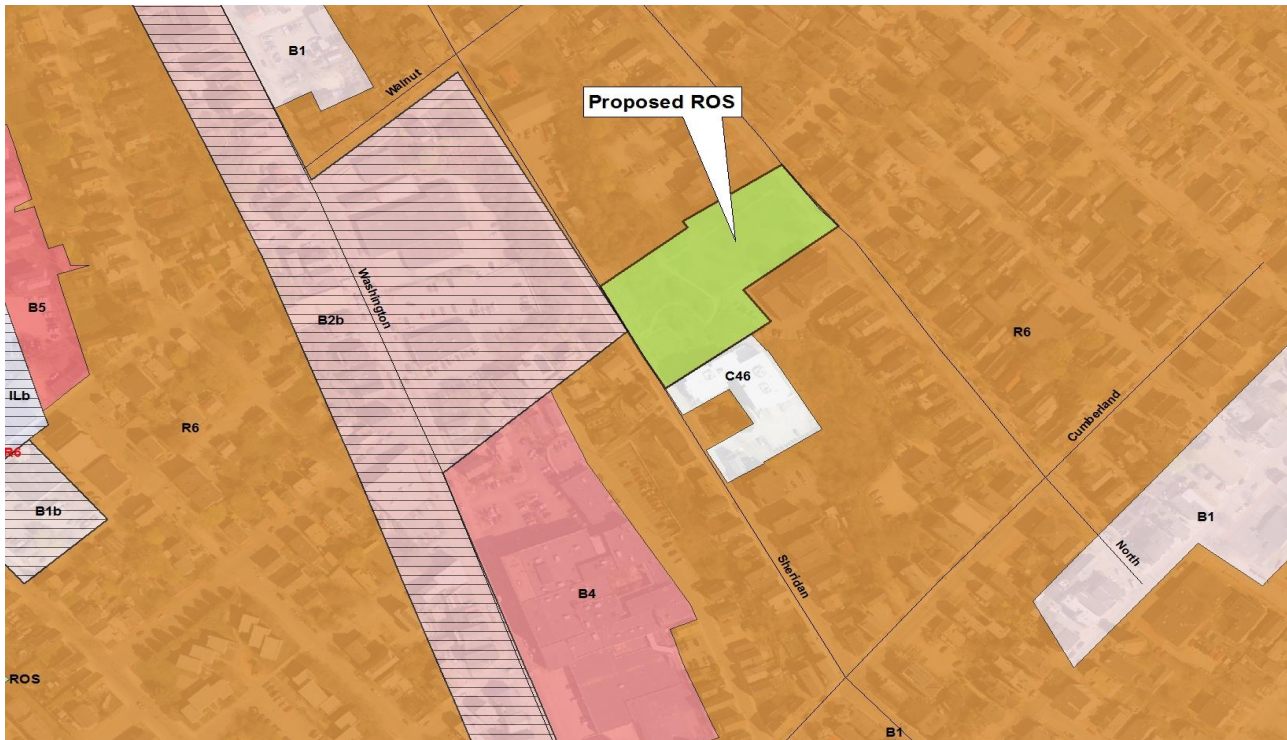


Figure 5: Proposed Rezoning from R-6 Residential to ROS Recreation Open Space

A. Proposed Ordinance Amendments

1. Amend: Section 139 (a) Dimensional Requirements.

Maximum Height	Principal and attached accessory structure: 45 ft, <i>except as provided under the Fort Sumner Park Height Overlay (Sec. 14-139 (d))</i>
-----------------------	---

2. Amend Section 139, by adding (d)

R-6 Height Overlay Ordinance Amendment (Fort Sumner Park)

Add a new section as follows:

“14-139 (d) Fort Sumner Park Overlay: This Overlay is established to protect the public interest by limiting the impact of development on the quintessential views of natural resources and the changing Portland skyline from Fort Sumner Park. There is established a key apex point in Fort Sumner Park at 43° 40' 2.3359"N. 70° 15' 4.3687"W. The Fort Sumner Park Overlay includes all land within 200 feet, or the R-6 zone boundary, whichever is closer, of this key apex point that is located closer to the middle line of Sheridan Street than said apex point.

Notwithstanding any other section of this Ordinance, development in the Overlay shall be subject to the following additional provisions:

- The top of structures, including rooftop appurtenances, within the Overlay shall not exceed the baseline vertical height of the apex point (160.27' City of Portland Datum (Mean Tide)). For each 25' radially away from the apex point, the vertical height permitted in the Overlay is reduced by 1 foot (see Figure 4 below).
- The minimum building setback from the park property shall be 15 feet.

Any project within this Overlay shall go to the Parks Commission for a recommendation to the Planning Board regarding potential impacts on Sumner Park.

B. Proposed Ordinance Discussion

The proposed overlay would directly impact 6 parcels, 013 J005, 013 J002, 013 K014, 012 Q012, 012 Q010 and 012 Q019.

The citywide height overlay for the R-6 zone is 45' for principal structures. Please note, if the proposed Fort Sumner Park Overlay District conflicts with the citywide height overlay, the more restrictive of the two shall apply. The proposed overlay zone is based upon two overlay zone examples previously used in San Antonio, Texas and Denver, Colorado.

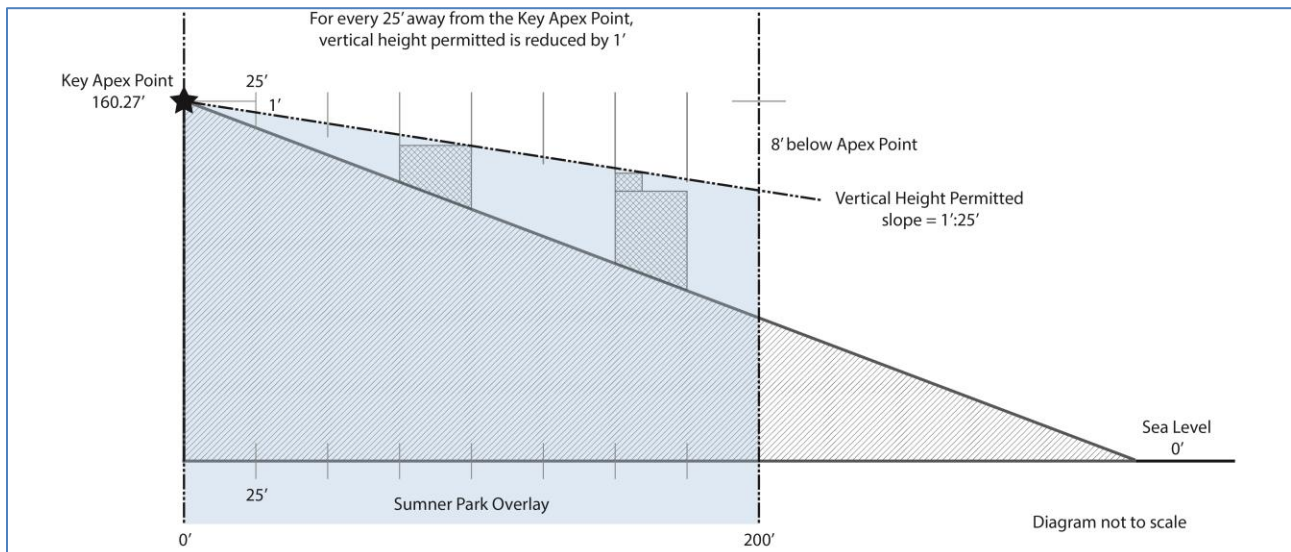


Figure 6: Figure 4: Ordinance graphic (to be included in ordinance). Note: Within the Overlay, permitted height is reduced by 1' for each 25' away from apex point (not to scale).



Figure 7: Zoning map amendment (to be included in ordinance)

VI. POLICY ANALYSIS

The proposed text and map amendments will serve to preserve Fort Sumner Park and its quintessential vista while maintaining reasonable development potential for properties located within the proposed overlay zone. In addition to the historical documents cited in the background section of this report, the proposed amendments meet multiple goals of the city's Comprehensive Plan:

State Goal E: To protect the quality and manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers and coastal areas.

A key goal within Portland's Open Space and Recreation Plan, Green Spaces, Blue Edges, is the development of an open space system that utilizes the natural forces of air, water, vegetation and landform to minimize negative impacts related to human development, including eyesores. This overlay zone supports the following policies from the plan:

- *Using scientific models and studies, determine the optimal organization of open space and vegetation to minimize the identified environmental problems.*

State Goal F: To protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas and unique natural areas. Further, it is stated under the State's Coastal Management Policies that critical habitat and natural areas of state and national significance should be maintained to preserve natural beauty, even in locations where development occurs. As with State Goal E, the City's Open Space and Recreation Plan, Green Spaces, Blue Edges, incorporates several policies intended to further these state goals.

Those policies adhered to by the proposed overlay zone include:

- *Conservation of natural resources should include a complete array of natural features and habitats, so that the public may learn about and experience the full realm of Portland's natural environment.*
- *Develop High Point Parks, open spaces located on the higher elevations of the city, in*

neighborhoods throughout the city such as the Ocean Avenue Landfill, hilltop on Ocean Avenue by rock shop, Rocky Hill, and hills in Stroudwater.

State Goal I: To preserve the State's historic and archeological resources.

As both a military installation and later as a public park, the defining feature of this site is its location along the ridge of Munjoy Hill, which has historically afforded visitors expansive views of the city, local water resources and the surrounding countryside. Portland's Historic Preservation Ordinance calls for the preservation of the city's architectural and historical heritage and the promotion of the city's educational, cultural, economic and general welfare, two goals supported by this proposed overlay zone, which would serve to protect one of the defining features of this park, its view. A few of the policies found within the HP ordinance taken into account by the proposed overlay zone include:

- *Create a mechanism to identify, preserve and enhance distinctive areas, sites, structures and objects that have historic, cultural, architectural and archaeological significance.*
- *Apply design standards in a reasonable and flexible manner to prevent the unnecessary loss of the community's historical features and to insure compatible construction and rehabilitation in historic districts while not stifling change and development or forcing modern recreations of historic styles.*
- *Protect and enhance neighborhood character.*
- *Protect and enhance the attractiveness of the city to its home buyers, home owners, residents, tourists, visitors, businesses and shoppers.*
- *Foster and encourage preservation, restoration and rehabilitation that respect the historic, cultural, architectural and archaeological significance of distinctive areas, sites, structures and objects.*

Likewise, this overlay zone would meet the goals of the 1991 *Downtown Vision*, which state that the city should strive to "preserve and enhance the livability and walkability of Downtown Portland for residents, workers, shoppers, and visitors."

State Goal J: To promote and protect the availability of outdoor recreation opportunities for all Maine Citizens, including access to surface water. Similarly, the State's Coastal Management Policy calls for the expansion of opportunities for outdoor recreation and the encouragement of appropriate coastal tourist activities and development. Fort Sumner Park currently preserves a pivotal point of visual access for both visitors and residents to Maine's scenic landscapes and water bodies. This overlay zone would serve to perpetuate the following policies of the City's Open Space and Recreation Plan; Green Spaces, Blue Edges:

- *Neighborhoods should have open space focal points.*
- *Provide a wide range of recreation and open space opportunities to address the athletic, recreation, leisure, ecological and scenic needs of Portland's diverse population.*
- *Develop a vision of the natural and landscape environment that provides for the full range of dynamic contrasts found in our City that will enrich and enliven the use of our City and its built form.*

VII. STAFF RECOMMENDATION

Staff recommends the zoning map amendment to Recreation Open Space for three parcels encompassing Fort Sumner Park and the adjoining City Owned Lank Bank property totaling 1.2027 acres. Staff also recommends the zoning map amendment establishing the Fort Sumner Park Overlay Zone and associated Text amendments to the Land Use Code as presented in this report.

VIII. MOTIONS FOR THE BOARD TO CONSIDER

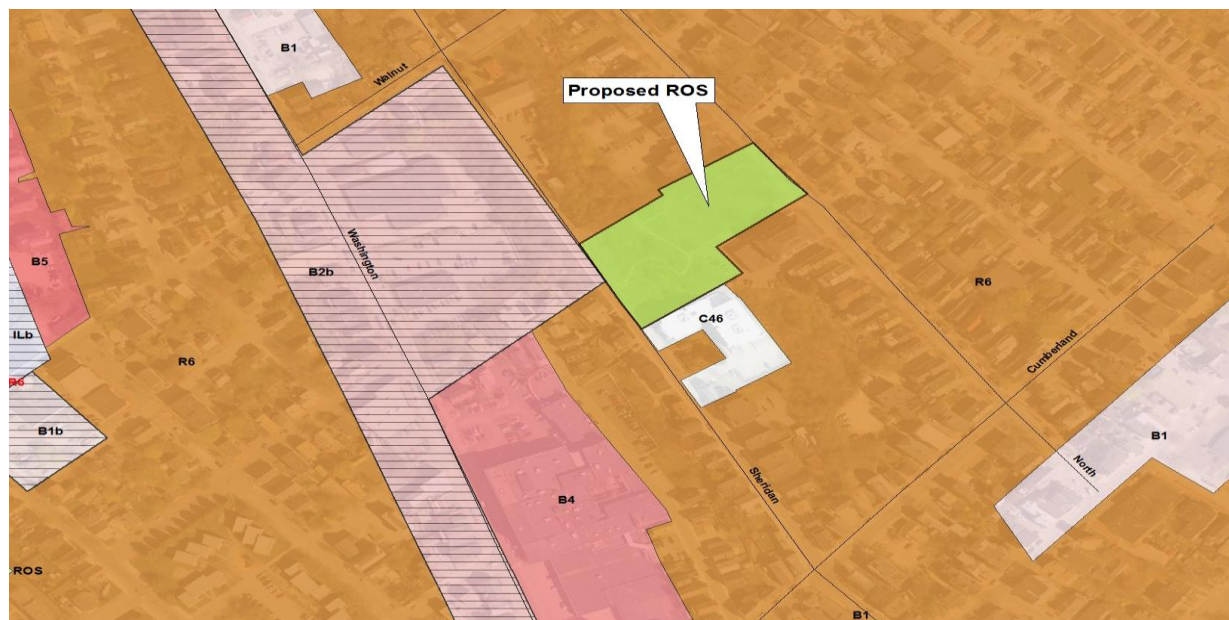
On the basis of plans and materials submitted by the applicant, the policies of the R-6 Residential Zone, Portland's Comprehensive Plan, public comment, the information provided in the public hearing on January 24, 2017 for the project #2016-### (Fort Sumner Park Overlay), and/or other

findings as follows:

A. Map Amendments from R-6 Residential to ROS Recreation Open Space and R-6 Residential to R-6 Residential with Fort Sumner Park Overlay:

The Planning Board finds that the proposed rezoning of Fort Sumner Park and adjoining City Owned Land Bank Property to ROS Recreation Open Space **[is or is not]** consistent with the Comprehensive Plan for the City of Portland; and

Therefore, the Planning Board **[recommends or does not recommend]** to the City Council approval of the zoning map amendment for Fort Sumner Park and adjoining City Owned Land Bank Property from R-6 Residential to ROS Recreation Open Space for 1.2027 acres as area shown below.



B. Text Amendment R-6 Residential Zone

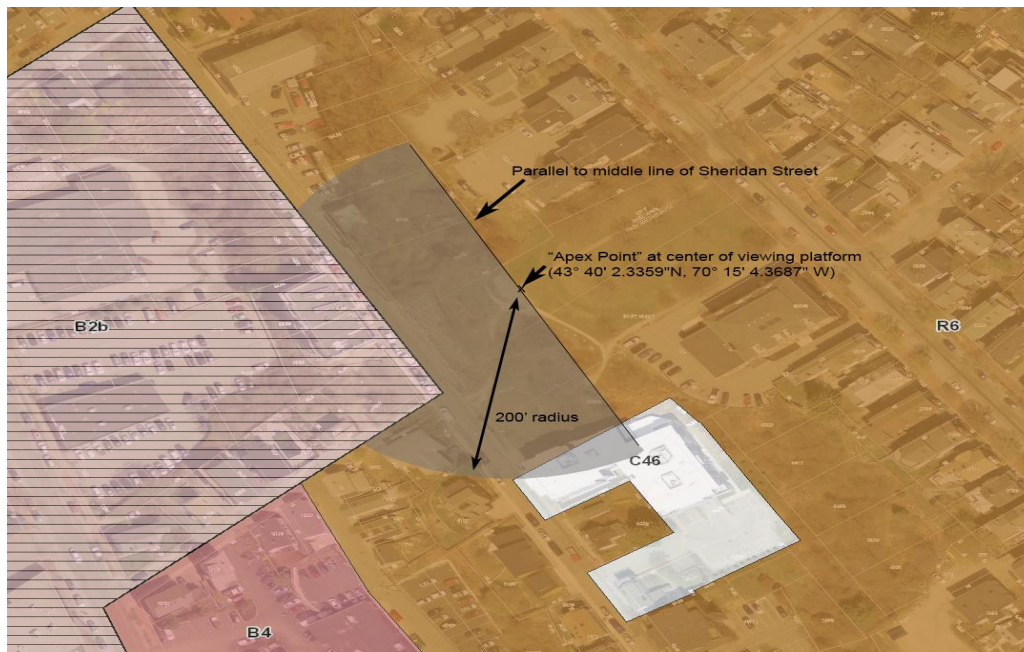
The Planning Board finds that the proposed text amendments including Figure 6 from this report to Division 7 R-6 Residential Zone, as presented in Attachment 1 of this report, **[are or are not]** consistent with the Comprehensive Plan for the City of Portland; and

Therefore, the Planning Board **[recommends or does not recommend]** to the City Council approval of the zoning text amendments to Division 7 R-6 Residential.

C. Map Amendment from R-6 Residential to R-6 Residential with Fort Sumner Park Overlay:

The Planning Board finds that the proposed zoning amendment to create the Fort Sumner Park Overlay Zone **[is or is not]** consistent with the Comprehensive Plan for the City of Portland; and

Therefore, the Planning Board **[recommends or does not recommend]** to the City Council approval of the zoning map amendment to establish the Fort Sumner Park Overlay Zone as shown below.



IX. REPORT ATTACHMENTS

1. Proposed Fort Sumner Park Overlay Zone Text Amendment
2. Order 73-16/17 (90 day Moratorium)
3. Public Comments
4. Neighborhood Meeting Packet

LOCAL & STATE

Posted September 21, 2016

Updated September 22, 2016

INCREASE FONT SIZE **AA⁺**

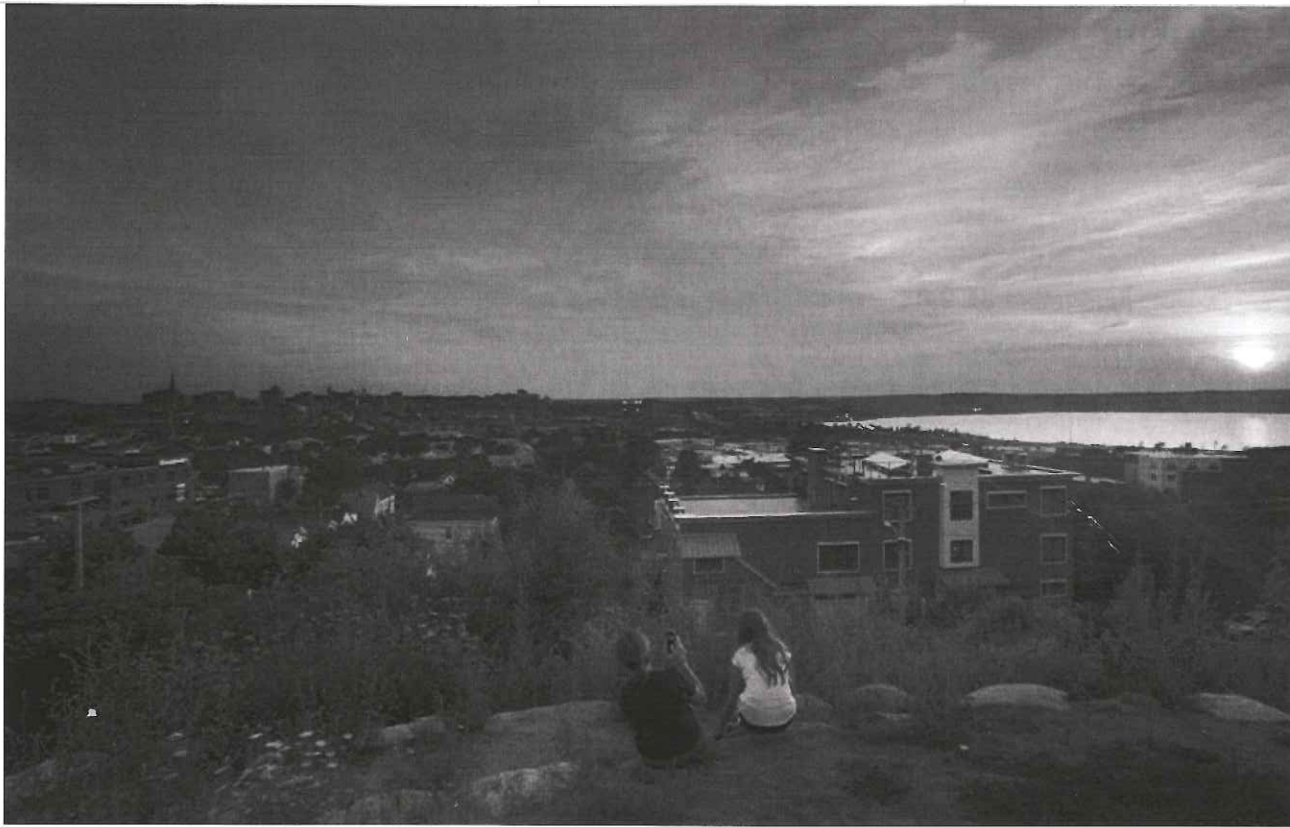
Munjoy residents seek to protect Fort Sumner Park's panoramic views

A group requests landmark status for the park on North Street to force the city to consider how any proposed development would affect the views.

BY PETER MCGUIRE STAFF WRITER



Share      Comment



Nicole Hoglund of Portland, left, enjoys the sunset with her niece Sophia Lanzano of New Jersey last month from Fort Sumner Park, a public space on Portland's Munjoy Hill. *Derek Davis/Staff Photographer*

Munjoy Hill residents are working on multiple fronts to protect the sweeping view of the city from Fort Sumner Park on North Street that could be obstructed by a planned condo building.

On Monday, residents delivered two petitions to the City Council asking it to ensure a planned development on Sheridan Street would not have an adverse effect on the view. One of the petitions, submitted by Carolyn Young, had almost 300 signatures, according to the Facebook group Save Fort Sumner Park.

On Wednesday night, activists asked the city's historic preservation board to start the process of designating the park a local landmark. A designation would require the Planning Board to consider the impact of proposed development on the park's historic characteristics, namely the view.

David Cowie, who lives about a block away from the park on North Street, said residents will use any means possible to prevent construction that would block the park vista.

“There is something not right in workings of city hall when a group of citizens has to take the steps we have had to take to simply preserve what is an integral part of our neighborhood,” Cowie said.

People are worried that a six-story condo complex at 155 Sheridan St., below the park’s steep bank, floated by developer Bernie Saulnier will block part of the view over Back Cove and into the western foothills and Mount Washington. In an interview last week, Saulnier said no plans have been submitted to the city and his company is changing the design so it will not block the view.

In a presentation to the preservation board, Cowie and Willis Street resident Nini McManamy said the park has been an important part of the neighborhood since the 18th century, first as a fortification, then for recreation. Local historians Herb Adams and Ken Thompson presented a history of the fort to the board.



An earth and timber citadel was built on the site of the park in 1794 as part of the first federal coastal defense system. It was a recruiting station for the War of 1812, but was decommissioned and eventually torn down. Portland acquired the property in 1890 and it was listed as a city park in 1934, according to research done by the group. The park’s vista has been its most important characteristic throughout its history, first for soldiers to keep watch for an approaching enemy, and later as a treasured public resource and a place for quiet reflection, Cowie said.

Portland's individual landmarks are buildings and a number of neighborhoods, like the Old Port, are local historic districts. Public parks like the Eastern and Western proms and Deering Oaks are on the National Register of Historic Places.

But Fort Sumner Park is a "different animal," said Deb Andrews, manager of Portland's historic preservation program. It was likely passed over when other parks were put on the national register in the late 1980s because it didn't have the same type of designed landscape, or was simply overlooked.

"It was probably omitted for a variety of reasons," she said.

To move the process forward, at least two board members have to formally nominate the park for landmark designation. Then, it will need to make sure the park meets the city's requirements for landmark status before making a recommendation to the City Council.

If the park is given landmark designation, the Planning Board would have to consider how its character would be affected by proposed development within 100 feet, Andrews added.

Landmark designation could be complicated since no evidence of the fort remains. It's not even clear exactly where it was located and no archaeological work has been undertaken. In order to recommend landmark status, the preservation board has to determine if the property is historically significant, but also if it has sufficient integrity to make it worthy of preservation or restoration.

Board member John Turk questioned whether the board would need to turn to its possible archaeological value as a basis for the integrity of the site. If petitioners think the site's long history as a public space is also part of its historic significance, then the board would have to determine why the city purchased it in the 19th century, said board member Ted Oldham. It would be interesting to find out if it was bought to be a park, or as part of the land for the adjacent Shailer School, he said.

Cowie acknowledged the site had its complications, but hoped board members would still nominate it and work with residents to prove its historic importance.

"It is unfortunate that the evidence has vanished, but the boundaries of the fort are where the park is now, and I don't think it would be a stretch for anyone to nominate the park for what it used to be," Cowie said.

Correction: This story was revised at 10:38 a.m., Sept. 22, 2016, to correct the spelling of Shailer School.

READ OR POST COMMENTS

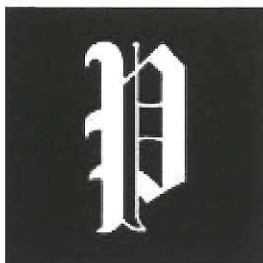
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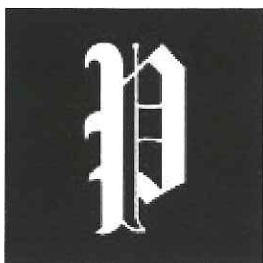
Send questions/comments to the editors.

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LETTERS

Letter to the editor: Show support for protecting views at Fort Sumner Park



LETTERS

Letter to the editor: Out of military necessity came a spiritual space



LOCAL & STATE

Portland councilor wants to delay Munjoy Hill condo project

Order 73-16/17

Postponed to 11/21/2016; 9-0 on 11/7/2016

Amended to extend the Moratorium till February 6, 2016: 9-0 on 11/22/2016

Passage as amended as an emergency: 9-0 on 11/21/2016

Effective: 11/21/2016

ETHAN K. STRIMLING (MAYOR)

BELINDA S. RAY (1)

SPENCER R. THIBODEAU (2)

EDWARD J. SUSLOVIC (3)

JUSTIN COSTA (4)

CITY OF PORTLAND

IN THE CITY COUNCIL

DAVID H. BRENERMAN (5)

JILL C. DUSON (A/L)

JON HINCK (A/L)

NICHOLAS M. MAVODONES, JR (A/L)

Moratorium

Re: City Parks and Public Grounds in the R-6 Zone on the Portland Peninsula

WHEREAS, the Comprehensive Plan for the City of Portland acknowledges that “Being virtually encircled by water, Portland owes much of its beauty to the surrounding water bodies including freshwater rivers, the ocean, a working harbor and an enclosed cove”; and

WHEREAS, the Comprehensive Plan further describes the importance of “Vistas from Promenades and High Points,” stating that City parks were established on the Eastern and Western Promenades “precisely because of the scenic views they afforded of Casco Bay, the Fore River, the surrounding countryside, and the White Mountains”; and

WHEREAS, Fort Sumner, which was first listed as a City park in 1934, offers unparalleled views not only of the cityscape but also of the Back Cove and Mount Washington while also providing Portland residents and visitors with the ability to experience open space, a view of the shoreline, long sightlines, and a feeling of expansiveness not often achieved in a public space in an urban environment; and

WHEREAS, a City master plan for Fort Sumner completed in 2006 includes elements designed to highlight the park’s most valued asset: its view; and

WHEREAS, at present there is a lack of regulation in City Code to ensure that developments on parcels abutting City parks and public grounds as defined in City Code, Chapter 18, section 18-11 in the R-6 Zone of the 1st Council District (hereinafter “District 1”) on the City of Portland Peninsula (hereinafter referred to as “City parks and public grounds”) in Portland do not infringe upon the natural beauty or compromise the quality of open space provided by such City parks and public grounds; and

WHEREAS, development pressure concentrated in District 1 on the Portland Peninsula, which contains many public parks, has resulted in two (2) recent citizen initiative petitions to address and preserve parks and view corridors; and

WHEREAS, this development pressure has not been adequately accounted for in the existing Portland City Code; and

WHEREAS, there is a strong likelihood that District 1 on the Portland Peninsula, and specifically the R-6 zone located in that District, will continue to be subjected to this development pressure; and

WHEREAS, pursuant to 30-A M.R.S. § 4356(1)(A), the continued development of projects directly abutting City parks and public grounds in the R-6 Zone of District 1 on the Portland Peninsula pursuant to the existing City Code requirements could pose serious threats to the public health, safety and welfare of the residents of the City of Portland through the over-development of and overburdening of the City's public facility (i.e. public parks and grounds) which is reasonably foreseeable as a result of the development pressure; and

WHEREAS, pursuant to 30-A M.R.S. § 4356(1)(B), since the application of existing Portland City Code provisions or regulations or other applicable laws are inadequate to address the development pressure and prevent the public harm from the potential residential, commercial and/or industrial development in the R-6 zone of District 1 of the City of Portland on the Portland Peninsula; and

WHEREAS, after sufficient notice and a public hearing, there is strong support for this Moratorium on the City Council; and

WHEREAS, the City will need at least ninety (90) days to develop and implement the necessary amendments to the City Code to address these development pressures through-out the City of Portland; and

WHEREAS, in the judgment of the Portland City Council, these facts create an emergency within the meaning of 30-A M.R.S. § 4356(1) and the City Charter, and require the following Moratorium as immediately necessary for the preservation of the public health, safety and welfare;

NOW THEREFORE, pursuant to its authority in 30-A M.R.S. §§ 3001 and 4356, the Portland City Council hereby ordains that a Moratorium is imposed on any and all site plan or subdivision proposals for property located in the R-6 zone in District 1 on the Portland Peninsula [see map attached hereto as Exhibit A] which directly abuts a City park or public ground [i.e. directly touches a City park or public ground, and specifically does not include properties located across the street from a City park or public ground]; and

BE IT ORDERED, that no site plan or subdivision application shall be accepted or processed and no site plan or subdivision approval shall be issued or granted by the Planning Authority or the Planning Board for any and all property located in the R-6 zone of District 1 on the Portland Peninsula which directly abuts a City park and/or public ground, from and after October 5, 2016 to and including February 6, 2017; and

BE IT FURTHER ORDERED, that this Moratorium shall go into effect on October 5, 2016 and shall remain in effect until February 6, 2017, unless extended, repealed, or modified by the Portland City Council; and

BE IT FURTHER ORDERED, that notwithstanding the provisions of 1 M.R.S.A. § 302, this Ordinance shall only apply to any site plan or subdivision proposal or application to develop property, excluding applications for building permits, located in the R-6 zone in District 1 on the Portland Peninsula which directly abuts [i.e. touches a City park or public ground, and specifically does not include properties located across the street from a City park or public ground] a City park and/or public ground, whether or not an application or proceeding to establish said development proposal would be deemed a pending proceeding under 1 M.R.S. § 302; and

BE IT FURTHER ORDERED, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium that shall remain shall be considered valid; and

BE IT FURTHER ORDERED, that in view of the emergency cited in the preamble above, that it is hereby found and determined by the Portland City Council that it is necessary that this Moratorium take effect immediately as an emergency pursuant to Article II, Section 8 of the City of Portland Charter.

Portland's historic Fort Sumner Park

1 message

Richard Peterson <rpeterson@une.edu>

Tue, Jan 3, 2017 at 10:18 AM

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Dear Elizabeth Boepple, Chair, and Members of the Portland City Planning Board,

I write to express my strong support of efforts to limit development near Munjoy Hill's Fort Sumner Park in order to preserve the park's spectacular aesthetic value known most powerfully through the view the park provides of our great city, and of the natural magnificence of the Back Bay landscape. It is the only place in Portland that affords such a view for the public and for all those who will continue into the future to call Portland home. It would be a travesty to block access to the beauty the park provides by allowing a single developer and a few tenants to claim for themselves what is now enjoyed by all.

Please find a solution that allows the developer to provide needed housing without stealing away from all of us the pleasure, appreciation, and solace that beautiful landscapes afford.

Sincerely,

Dr. Richard Peterson
93 Winding Way
Portland, ME 04102

Richard B. Peterson, Ph.D.

Associate Professor

Department of Environmental Studies

University of New England

(207) 602-2862

rpeterson@une.edu

This e-mail may contain information that is privileged and confidential. If you suspect that you were not the intended recipient, please delete it and notify the sender as soon as possible.

Fort Sumner Park Protection

Paula Hill <paulafhill60@gmail.com>

Jan 3, 2017 9:17 PM

Posted in group: **Planning Board**

Hello Planning Board Members!

I'm new to the Munjoy Hill neighborhood. I'm at the Ft Sumner Park every morning and evening, with my dog, Tyrus. We visit with neighbors and check out the vista. Not a day goes by where I don't meander over to the park to soak-up the lighting over the bluff. I fear the new development plan. It is far too close to the park and I believe will completely downgrade the view.

I see people on the park benches, enjoying the morning or nighttime scene. It would be a shame for us to not have this park and the extraordinary view, to enjoy in the future.

Thanks for allowing me in your IN box!

Paula

--

Paula F Hill
72 Melbourne Street #1
Portland, ME 04101

Sorted Affairs/Encore Life

<http://paulafhill.com/>

207-332-6197 (note the new number!!)

LinkedIn member

Facebook

Fort Sumner Park

1 message

Kate Lawrence <klawrence33@gmail.com>
To: planningboard@portlandmaine.gov

Wed, Jan 4, 2017 at 1:26 PM

Attn: Elizabeth Boepple, Chair, and Members of the Planning Board,

Dear Ms. Boepple,

I am a homeowner at 81 Quebec Street on Munjoy Hill, almost directly across from Ft. Sumner Park. The unrestricted views that the park provides are a rare find in a city like Portland. People go there daily to peacefully sit, watch the sunset, and enjoy the outdoor space. The proximity of the park, its beautiful views, and the chance to be near some green space, were a major factor in my family's decision to buy our home. I am very concerned that a proposed development will undermine the historic park and its view.

Thank you for taking the time to consider this message.

Best,

Kate

Kate M. Lawrence, Esq.
81 Quebec St. 2
Portland, ME 04101
(845) 544 4088

Ft. Sumner Park

1 message

'Dbird34' via Planning Board <planningboard@portlandmaine.gov>

Thu, Jan 5, 2017 at 9:46 AM

Reply-To: Dbird34 <dbird34@protonmail.com>

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Dear Elizabeth Boepple, Chair,
and Members of the Planning Board—

My wife and I moved to Portland three years ago, and our only regret is that we didn't do it ten years earlier. We love this city, not least the views over Casco Bay from the Eastern Prom and over downtown from Ft. Sumner Park. These views *must* be preserved. We recognize the need for new housing, and support most of the development that seeks to supply it. But, surely, this development can proceed without compromising the views from Ft. Sumner Park and elsewhere. It is the board's job to insist on that compromise. I urge you to do so, thus preserving Portland's unique esthetic.

Sincerely,
Richard Pollak

28 Melbourne Street
Portland, ME 04101
[917-848-5843](tel:917-848-5843)

Please preserve the view from Fort Sumner Park

1 message

Joyce Walworth <joycewalworth@gmail.com>

Thu, Jan 5, 2017 at 9:47 AM

To: planningboard@portlandmaine.gov

Dear Ms. Boepple and members of the Planning Board:

Having recently turned 70, I reflect daily on the urgency of what to preserve for future generations. Change is inevitable, but some changes are mistakes and cannot be undone. I believe it would be a mistake to block the view from Fort Sumner Park. The view - available to one and all - is spectacular. It's a spot for reflection and wonder but also appreciation for a thriving city below. I hope that tomorrow's children will not lose this view because of a developer's lack of concern for the historic value of Fort Sumner Park and the residents of Munjoy Hill.

Sincerely,

Joyce Walworth
135 Sheridan St
Portland, ME 04101

Fort Sumner Park

Fort Sumner <fortsumnerpark@gmail.com>

Jan 5, 2017 9:12 PM

Posted in group: **Planning Board**

To: Elizabeth Boepple, Chair and Members of the Planning Board

The Friends of Fort Sumner Park is extremely grateful for the work done by staff to preserve the views from Fort Sumner Park. We heartily endorse the concept of the overlay zone, keeping in mind that in 1983 the state legislature protected the park "solely for park and recreational purposes in perpetuity". We are also supportive of the establishment of a view cone which defines the panoramic view from the park, and also the graduated protection from foreground clutter in the proposed overlay.

While we would prefer a greater setback from the property line to preserve the quiet and tranquility of the park, we think the addition of vegetative screening in the "no build" area can provide additional visual and noise protection from air handling systems and all manner of HVAC equipment and systems on the building roofs.

With respect to the height limit, we would like to set this established at the historic altitude for the park lookout, which can be seen in an early twentieth century postcard, which was at the level of what we believe to have been the parade ground for Fort Sumner. The current bumped-up observation deck was added during the 1991 renovation of the park and we would like to see the original topography restored at some point, without the visual and noise intrusion of roof appliances and structures such as heat pumps or elevator shafts.

Finally, we would like to see the height limits to include landscaping. One new American elm could spoil the sunset view very quickly.

We urge you to endorse the staff recommendations, with the amendments suggested above. The view from Fort Sumner Park is unique and extraordinary, so much so that area hotels regularly send visitors up to the park in the summer to enjoy the sunset. We believe the McCarthy family, owners of the land at 155 and 165 Sheridan Street, as well as a developer, can make a good profit building on the land within the overlay zone. We look forward to working with city staff to enhance the recreational and historic value of Fort Sumner Park so that future generations will get to enjoy it as much as we do today.

Mayor Baxter, in his 1905 report, *The Park System of Portland*, made it clear that the view was the central defining feature of this park, established and designed in 1891:

"Some years ago, when the Mayor of Cork visited Portland, I took him to the Eastern Promenade, pausing at Fort Sumner Park, and while he was admiring the charming view of the city, which that lofty outlook affords, I ventured to outline to him some of the improvements which I was then considering and which Mr. Olmsted has so admirably embodied into his plans. "But why don't you do it?" asked the Mayor with the little brogue which made him most engaging. "Because," I replied, "our people are rather shy of taxes". "Taxes!" he exclaimed. "Why should they bother about that if they get their money's worth? What's money for but to get the good of it?" (Park System of Portland, City of Portland, 1911)

Respectfully yours,

Carolyn Young, President
Friends of Fort Sumner Park
207-899-2276

Re: Fort Sumner Park Development

Kobi Eng <kobieng47@gmail.com>

Jan 5, 2017 6:44 PM

Posted in group: **Planning Board**

Elizabeth Boepple, Chair, and Members of the Planning Board,

I apologize for the two unfinished messages I've sent to you, my computer is being problematic. I am writing in support of Fort Sumner Park, and asking that nothing be done that would obstruct the park's view or degrade its ambience. I am an 18-year-old student at Casco Bay High School, and I have lived on Munjoy Hill for almost ten years. Fort Sumner Park was the first place where I spent time outside in Portland, and it has been a significant location for me every year since. I have spent countless hours climbing its trees, playing hacky sack in it, resting on the grass, and enjoying its glorious view; in these ways it has become an important part of the city to me - just the way it is. I would be greatly saddened to see a building constructed very close to it, as this would detract from the park's aesthetic value. It would also make the park feel much more cramped and awkward, for I feel that it should maintain its wide-open quality and be surrounded by as much forest and nature as possible. I recognize that there are many incentives at play in this situation, but I plead that you take my concerns into consideration. Thank you very much.

Sincerely,
Kobi Eng
kobieng47@gmail.com
39 North Street
Portland, Maine 04101

On Thu, Jan 5, 2017 at 5:54 PM, Kobi Eng <kobieng47@gmail.com> wrote:

Elizabeth Boepple, Chair, and Members of the Planning Board,

On Thu, Jan 5, 2017 at 5:53 PM, Kobi Eng <kobieng47@gmail.com> wrote:

Elizabeth Boepple, Chair, and Members of the Planning Board,

Google Groups

Ada Mathews <beloada@yahoo.com>

Jan 5, 2017 10:37 PM

Posted in group: **Planning Board**

Please save Fort Sumner, Portland need this beautiful place for us Portland natives and others.

Thank you,

Ada Mathews

beloada@yahoo.com

ANNE B. PRINGLE

44 Neal Street Portland, ME 04102-3527
oldmayor@maine.rr.com

January 5, 2017

Portland Planning Board
389 Congress Street
Portland, ME 04101

Re: Proposed Sumner Park Overlay Ordinance

Dear Members of the Board:

I have lived in Portland for 43 years and learned early on that its wonderful network of parks and open spaces is a defining feature of our fabulous city. I chaired the Parks Commission for two years while serving on the City Council in the early 1990s and have been a vocal park advocate ever since.

That said, I must confess that until recently I was not fully aware of Fort Sumner Park and the truly exceptional public asset it represents. Anyone who visits, as I have done several times recently, can attest that the view is spectacular and unique in its scope. It is fully on par with the magnificent vistas seen from the historic Eastern and Western Promenades. It **must** be protected from encroachment!

I believe the proposed Sumner Park Overlay projects this unique public asset and urge the Planning Board to unanimously recommend it for adoption by the Portland City Council.

Very truly yours,



Fort Sumner Park

1 message

'Gunnel Larsdotter' via Planning Board <planningboard@portlandmaine.gov>

Thu, Jan 5, 2017 at 5:14 PM

Reply-To: Gunnel Larsdotter <glarsdotter@yahoo.com>

To: planningboard@portlandmaine.gov

Attention:

Elizabeth Boepple, Chair &
Members of the Planning Board
City of Portland, Maine

As a resident of Munjoy Hill, as well as longtime resident of both Portland and Peaks Island, I am writing to implore you to do what you possibly can to save Fort Sumner Park from becoming an embarrassment to the City. I'm referring here to that of the historic Union Station which no longer exists due to bad judgment by city managers.

PLEASE DO NOT TAKE THE JOY OUT OF MUNJOY HILL by allowing money hungry developers to ruin forever the magnificent view enjoyed by countless visitors who return again and again, year in and year out, to Fort Sumner Park. In 2014 my husband and I decided to move in order to live our senior years on Munjoy Hill. We love it here. Since then I have taken countless silhouette pictures (sample attached) of people all ages enjoying the peace and beauty of the park. Personally I am able to walk only a certain distance each day. I am sure I'm not the only 'senior person' with similar concern. Fort Sumner Park, or "Sunset Park" as we call it, has become our daily walk of joy. The very thought of losing the Park with its view is heart breaking, to say the least.

PLEASE DO EVERYTHING YOU CAN TO KEEP MUNJOY HILL FROM BECOMING A FUTURE
"MUNSORROW HILL".

Thanking you,
Sincerely,
Gunnel Larsdotter
46 Cumberland Avenue
Portland ME 04102
[207-272-2076](tel:207-272-2076)

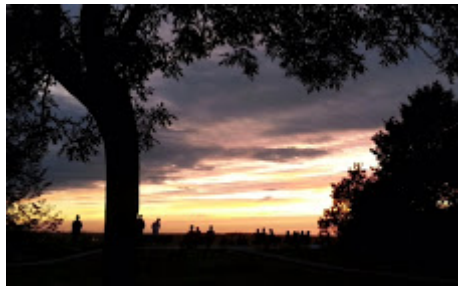
Our grandson, Noah age 6, lives in Texas. He and his mother visit us on Munjoy Hill every year. The first thing he says when they arrive is -
"Can we go to Sunset Park?"

Sent from my iPhone

3 attachments



IMG_1756.JPG
102K



IMG_1729.JPG
88K



IMG_1727.JPG
52K



Jennifer Munson <jmy@portlandmaine.gov>

Fort sumner park

1 message

Elaine H Jones <jonesedj@gmail.com>

Fri, Jan 6, 2017 at 9:47 AM

To: planningboard@portlandmaine.gov

I implore you to keep the vista at this park. Portland's scenery and our sense of place is very important to the vibrancy of our city. We don't need to look like the canyons of large cities. Our open spaces and green spaces are an integral part of why we live here and so many people are moving here.

E. Jones...Portland native

Sent from my iPad

Letter in support of Fort Sumner park recommendations from staff

1 message

'Jean McManamy' via Planning Board <planningboard@portlandmaine.gov>

Fri, Jan 6, 2017 at 9:53 AM

Reply-To: Jean McManamy <ninimaine@aol.com>

To: planningboard@portlandmaine.gov

Dear Chair Boepple and members of the Planning Board:

I am writing to you as a neighbor and user of Fort Sumner Park. I have watched that park come back from a drug dealing haven three years ago to a much visited gathering spot, thanks to the vigilance of neighbors and the Portland Police. The view is, as you know, a defining feature of the park, and has been since the park's establishment in 1891. Enclosed is a postcard from the early 1900's showing the landscape at the time. While we, as a band of neighbors, came together originally to save the view, our research into the park has uncovered an unappreciated gem on North St: Fort Sumner Park was the site of a revolutionary era fortification, a citadel built as part of the coastal defense system in 1794 under George Washington, and finally an early piece of the city's park system in 1891.

Preservation of this view—the city, with glimpses of the harbor, back cove, the sunset, and Mount Washington—is the cornerstone to future enhancement of the park's historic and recreational value.

I believe that two amendments to the staff recommendations would make a difference in the visitor experience: a requirement for buffer plantings in the “no-build” zone between the setback and property line, and a lowering of the plane of the height limit in the new overlay zone to the level of the original parade ground—a difference of 2 or 3 feet. It would be nice to be able to restore the original topography of the site without intrusion of elevator shafts or solar panels into the view. This would open up the vista to visitors entering the park; it is now quite hidden until you approach the bumped-up observation deck (added in 1991).

Thank you.

Sincerely,
Nini McManamy
10 Willis St.

**ft sumner gazebo postcard.pdf**

233K



29498.

Portland, Maine, The Lookout, Fort Sumner Park.



Matthew Grooms <mgrooms@portlandmaine.gov>

Overlay for Fort Sumner Park

Douglas <jimdoog@gmail.com>
To: mgrooms@portlandmaine.gov

Sat, Dec 31, 2016 at 3:46 PM

Mr Grooms:

Our house is at 32 North St, so we're very close to Fort Sumner Park and we go there often. If you've been there you know it provides the unique spectacular view of the Peninsula and Maine and NH mountains, including Mt Washington.

Btw, what is an "overlay"?

Lastly, I have two suggestions for board:

ALL Portland residents have a stake in in the overlay issue, not just Munjoy Hill residents, and thus they should have received the notice for the meeting on Jan 10.

It is not Sumner Park, it is Fort Sumner Park.

Thank you,

James Douglas Cowie
Tel 321-8615

Google Groups

Make Portland a model for livability by maintaining historically significant height limitations.

Carol Parker <carolaparker@earthlink.net>

Jan 3, 2017 3:19 PM

Posted in group: **Planning Board**

Dear Elizabeth Boepple, Chair, and Members of the Planning Board:

Please restrict the height of new buildings so that it will be more in keeping with the Historical nature of Portland. It is also critical to the most stunning view of the sunset from Ft. Sumner Park. People gather there every night to watch the spectacular sunset over Portland. High rise buildings near Munjoy Hill would ruin one of the most beautiful community resources.

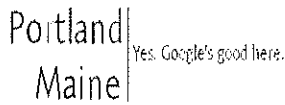
I know you must consider that the building would create jobs that would help employ many people. Lowering the height could still provide employment, but without destroying the view and historical nature of one of the most beautiful cities on the East Coast. Developers need to create livable cities that fit into the historical character of Portland.

Washington DC years ago placed a height limit so that one can see the Washington Monument and the Capitol from all over the city. When you come into Washington, it still is a welcoming, soothing city surrounded by green parks and trees. Let that be a model for Portland as well.

Please stand tough to create buildings and spaces that promote livability over profits for the few. You have the opportunity to create jobs, improve the tax base, while creating a strong precedence to integrate new buildings to enhance the community's beauty and historical significance to make the City of Portland a model jewel for others to follow.

Carol Parker
carolaparker@earthlink.net

18 North Street
Portland, ME 04101
703-405-2486 c



James Dealaman <jdealaman@portlandmaine.gov>

Fort Sumner Park and its value to the community

1 message

Judith Tierney <judy.tierney@gmail.com>

Tue, Jan 10, 2017 at 2:45 PM

To: planningboard@portlandmaine.gov

Hello Elizabeth and Planning Board members,

Thank you all for the work you do on behalf of our wonderful community and city.

As a 12 year resident of Munjoy Hill, a renter and recently semi-retired on a fixed income, I realize how blessed I am to be living in such a beautiful location with a vibrant community of folks who care deeply about one another as well as the life of the precious earth we share; green spaces, trees and the sky and water which is, in reality, our shared **home**.

There's a lot of development happening very quickly in Portland. I am not against development, only development that is pushed through without enough foresight for the long term values of everyone, not just those whose narrow focus is real estate development and profit margins in a hot market. It is difficult to quantify on paper the values of a **qualitative** nature.

If we lose our green spaces and parks to ever increasing, fast paced encroachments for (mostly) high end condominiums (built ever higher), what does that do to **quality of life for everyone**? There may be a few folks who enjoy a better quality (those who can afford the new residences and those who profit from selling and building them) but what about the greater number of all the citizens of Portland?

Please take these questions and considerations into your heart as well your minds as you make decisions that affect the quality of life for a great number of people.

Thank you again for good work and taking a moment to listen to these words.

Judith Tierney
10 Willis Street, #1
Portland, Maine 04101
judy.tierney@gmail.com
207 899-5238



Patrick Venne
Redwood Development Consulting, LLC
15 Monument Square
Portland, ME 04101

January 19, 2017

Via Email

Jeff Levine,
Director of Planning & Development
City of Portland

RE: *R-6 Height Overlay Proposal;*

Dear Mr. Levine:

I am writing on behalf of BD Sheridan, LLC, as contract purchaser and prospective developer of real property located at and around 155 Sheridan Street in Portland (the "Project").

The Project's development team appreciates your distribution of planning board materials related to the Fort Sumner Park Overlay ordinance proposed in response to the City's recent and related enactment of a 90-day development moratorium. This letter sets forth our response to the same, which we hope will be fully considered by staff, the Board, and Council prior to any formal action.

Rooftop Appurtenances –

While not without its complications or expense, the Project team is prepared to pursue design approaches which meet the spirit of the height limitations by incorporating traditional mechanical rooftop units into the body of the proposed Project. However, the rooftop elevator override penthouse represents an exception to this general point anchored in impracticality. In order for the Project to be ADA compliant, it must have an elevator. In order for the elevator to allow for safe maintenance, it must have an override. Without an exception for the elevator override, the Project will be forced to eliminate an entire floor of housing.

As such, we would respectfully ask the Board consider, and staff to support, a modification to the proposed ordinance language which allows rooftop elevator overrides alone to be exempt from the overlay restrictions otherwise applicable. While I know there has been discussion of this in the past, it bears emphasizing that such an allowance would still be subject to the 'no undue adverse impact' requirements of the existing subdivision ordinance. The proposal would neither permit as of right, nor completely prohibit, the enclosure. Instead, it would merely permit an opportunity to explore the options by allowing the eminently qualified Board to exercise its discretion in line with the intent of the overlay in order to reach a reasonable outcome that meets City expectations and works for the Project team as well.



Apex Point -

Our Project team notes that the proposed apex point appears to be tied to ground level. Further, it has reflected that if the intent of the proposed apex point is principally to preserve the cherished viewshed, it should be considered from the perspective of the viewing public. The lowest point at which someone visiting Fort Sumner Park would normally perceive the view, without lying down, is from a seated position while sitting on a park bench. This would call for an apex at eye level from that perspective, or approximately 163.77 (3 ½ feet above the proposed apex point). This apex point would also permit children old enough to appreciate the view to enjoy the same from a standing position.

From a Project benefits perspective, the increased height of the apex point reference would provide additional ceiling height (and thus bear upon the marketability of Project units), in addition to extending the extent to which the Project may remain four as opposed to three stories in height. As such, it would have a positive impact on marketability and may even increase the total number of housing units (by up to two additional residences).

It is important to stress that we understand and appreciate the public interest driving the proposed regulations, and in this letter have attempted to propose only such modifications which result in increased Project flexibility without impinging on that interest.

Thank you for your time and attention to these matters. Please let me know if I can answer any questions or clarify anything herein in advance of the public hearing next week.

Very Sincerely,

A handwritten signature in black ink, appearing to be 'Patrick Venne', with a stylized initial 'P' and a long horizontal stroke extending to the right.

Patrick Venne

Enclosures: Exhibit A: Requested modification to proposed Sec. 14-139(d)

CC: Stuart O'Brien, Planning Director, City of Portland
Matthew Grooms, Planner, City of Portland
planningboard@portlandmaine.gov
Bernard Saulnier, BD Sheridan, LLC
William Savage, Acorn Engineering
Ryan Senatore, Ryan Senatore Architecture



Exhibit A

Requested modification to proposed Sec. 14-139(d)

R-6 Height Overlay Ordinance Amendment (Fort Sumner Park)

Add a new section as follows:

14-139 (d) Fort Sumner Park Overlay: This Overlay is established to protect the public interest by limiting the impact of development on the quintessential views of natural resources and the changing Portland skyline from Fort Sumner Park. There is established a key apex point in Fort Sumner Park at 43° 40' 2.3349"N. 70° 15' 4.3687"W. The Fort Sumner Park Overlay includes all land within 200 feet, or the R-6 zone boundary, whichever is closer, of this key apex point that is located closer to the middle line of Sheridan Street than said apex point.

Notwithstanding any other section of this Ordinance, development in the Overlay shall be subject to the following additional provisions:

- The top of structure, including rooftop appurtenances, within the Overlay shall not exceed the baseline vertical height of the apex point (~~163.77'~~~~160.27'~~ City of Portland Datum (Mean Tide)). For each 25' radially away from the apex point, the vertical height permitted in the Overlay is reduced by 1 foot (see Figure 4 below). ~~Notwithstanding anything within this Section to the contrary, rooftop elevator equipment enclosures are permissible above the baseline vertical height of the apex point where the same are necessary for a building which is otherwise compliant with this Section to satisfy State or federal law, so long as they shall not cause any undue adverse impact on the quintessential views of natural resources and the changing Portland skyline from Fort Sumner Park.~~
- The minimum building setback from the park property shall be 15 feet.

Any project within this Overlay shall go to the Parks Commission for a recommendation to the Planning Board regarding potential impacts on Sumner Park.

Fort Sumner Park and its value to the community

Judith Tierney <judy.tierney@gmail.com>

Jan 10, 2017 2:45 PM

Posted in group: **Planning Board**

Hello Elizabeth and Planning Board members,

Thank you all for the work you do on behalf of our wonderful community and city.

As a 12 year resident of Munjoy Hill, a renter and recently semi-retired on a fixed income, I realize how blessed I am to be living in such a beautiful location with a vibrant community of folks who care deeply about one another as well as the life of the precious earth we share; green spaces, trees and the sky and water which is, in reality, our shared **home**.

There's a lot of development happening very quickly in Portland. I am not against development, only development that is pushed through without enough foresight for the long term values of everyone, not just those whose narrow focus is real estate development and profit margins in a hot market. It is difficult to quantify on paper the values of a **qualitative** nature.

If we lose our green spaces and parks to ever increasing, fast paced encroachments for (mostly) high end condominiums (built ever higher), what does that do to **quality of life for everyone**? There may be a few folks who enjoy a better quality (those who can afford the new residences and those who profit from selling and building them) but what about the greater number of all the citizens of Portland?

Please take these questions and considerations into your heart as well your minds as you make decisions that affect the quality of life for a great number of people.

Thank you again for good work and taking a moment to listen to these words.

Judith Tierney
10 Willis Street, #1
Portland, Maine 04101
judy.tierney@gmail.com
207 899-5238

'Fort Sumner Park Overlay Zone Amendment'

1 message

TinytownWorkshop <tinytownworkshop@gmail.com>

Fri, Jan 20, 2017 at 11:04 AM

To: planningboard@portlandmaine.gov

Spoke with the city this am regarding the cryptic plan view drawings on the recent flyer sent out regarding 'Fort Sumner Park Overlay Zone Amendment'. I reminded them that humans are not drones or seagulls and do not look at the world in a plan view but in elevation. Therefore, I suggested that someone simply take a pano photo of the view standing on the outer edge of the viewing deck. Simply superimpose a bright line that boxes out what the new proposed maximum allowable structure is. Print it out approx 4feet x8 feet and post it in the ground on the down hill slope approx 10 feet from the edge of the existing viewing deck. In addition to planting this sign for visitors, demand that the city post it online and in the local newspaper. Ultimate goal is to insure that the entire shoreline of Back Cove will continue to be visible from the EXISTING LANDING (not a foolish built up monstrosity). This appears to have become a very time sensitive concern.

Logical to me.

You?

Neighborhood Meeting Certification

Fort Sumner Park Height Overlay Zone and Rezone from R-6 to ROS

I, Barbara Barhydt, Development Review Services Manager, hereby certify that a neighborhood meeting was held on January 18, 2017 at the East End School at 5:30 p.m.

I also certify that the notice was mailed on January 9, 2017, invitation were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development.
2. Residents on the "interested parties" list.
3. A digital copy of the notice was provided to the Planning Division (jym@portlandmaine.gov) and the assigned planner to be forwarded to those on the interested citizen list.

Signed,

A handwritten signature in black ink that reads "Barbara Barhydt". The signature is written in a cursive, flowing style.

Attached to this certification are:

1. Copy of the invitation sent
2. Sign in Sheets
3. Meeting Minutes
4. Copy of Power Point Presentation



**Fort Sumner Park Text and Map Amendments Sign-In
Sheet | January 18, 2017**

Name	Address	Email
Thomas Leonhardt	340 E. Prom	
Brent Adler	67 Mount St 19/Walnut	
Brendan O'Neil	105 Walnut St	
Kevin Schoch	275 Sheridan St.	
David Cowie	32 North Street #3 Portland	
CAROL McCRAKEN	645 Congress St #207	
Douglas Cowie	32 North St # Portland	
Kelley Erickson	156 SHERIDAN ST, #2A, Portland 04101	
Rhonda Green	156 Sheridan St., #1A Portland 04101	
Tim Baehr	105 North St #2	
Ann Landsberg	105 North St #2	
Neil Rouda	109 Sheridan St.	
Vanna Carmone	105 North #1	
Rose Olmsted	73 North St	
Cynthia Cochran	17 Hammond St.	
HERB ADAMS	231 STATE ST.	
Carolyn Young	135 Sheridan St #201	

Neighborhood Meeting – January 18, 2017
Sumner Park Overlay Zone and Zone Change from R-6 to ROS for Sumner Park
East End School – 5:30

Matthew Grooms, Planner, presented the zoning amendments proposed by the city to regulate the heights of buildings near Sumner Park and to rezone the park from Residential R-6 to ROS (power point presentation attached). The proposed height overlay zone sets an elevation above sea level of 160.27 feet at the apex point in the park and extends in an arc 200 feet from this point within the R-6 zone or to the extent of the R-6 and B-2b line. Building heights and all appurtenances would need to be under the sight line as shown on the graphic and the allowable building height is decreased by 1 foot for every 15 feet from the apex point. The overlay zone establishes a 15 foot building setback from the park and development proposals will go to the Park Commission for a recommendation to be submitted to the Planning Board's project review.

The Planning Board public hearing will be on January 24, 2017 at 7:00 p.m. and the Board's recommendation will be considered by the City Council on February 6, 2017.

Questions and Comments from the Public:

- Explain how the underlying zone with the 45-foot height limit and the overlay zone will work? The 45 foot building height is too high. What is the elevation of Sheridan Street? Want to see a virtual image of what will be looking at the maximum height. Show us what we will see.
- D. Cowie stated the purpose of the sloped line is to retain the sight line, so that building heights will not obstruct the vista. The proposal doesn't keep the shoreline near Marginal Way in view, but the water and the land on the far shore will be visible. The higher land and views of Mount Washington will be preserved.
- Is the newest house across the street from this site the highest that can be built in the B-2 zone along Sheridan Street? Discussion: The house is at the maximum height.
- Does the developer have to be in agreement with this proposal? Discussion: If adopted by the City Council, then this becomes part of the zoning ordinance and would regulate building height in this area. There is no pending application for the adjoining site.
- When does the moratorium end? Discussion Feb 6, 2017
- Will the B-2b zone be restricted by the height overlay? Discussion: The height overlay applies to the R-6 zone and does not extend into the B-2b.
- N. McManamy clarified that the steep slope between Sheridan Street and the park is owned by the City and would not be developed. The overlay zone sweeps to the right and will effect what is built. From the observation point in the park, there are views of Mount Washington. The building height

within the overlay zone would be roughly 8 to 10 feet lower than this point. Screening and landscaping can be used to buffer development. Convinced views of Mount Washington will be preserved.

- C. Cochran asked what is the height of Sheridan Street and where is it in relationship to the figure showing sight lines. Discussion: The planning staff will look into getting this information.
- Using the height overlay slide, B. Adler asked where the view lines are for the sunset and Mount Washington. Discussion: N. McManamy indicated on the slide the general sight lines for sunsets and views of Mount Washington.
- Why are the three lots beyond the overlay zone not included? Discussion: Due to the grades of the land in the B-2b zone, the maximum building height would not impact the sight lines.
- Concerned that building up the hill will be the problem and that the 45 foot height will block views. Discussion: The proposed overlay is based upon the sea level and not the grade of the street. The overlay zone will supersede the underlying R-6 height limit.
- Why not have overlay in B-2b zone? Discussion: Current zoning would apply and the buildings would not block the view.
- C. Cochran shared concern about the overlay zone not extending over B-2b because the zoning could change. What is the hesitation of extending the overlay zone?
- Putting a compass on the plan would help.
- R. Gan asked for clarification of the height in the B-2b zone, which is 45 feet and not 65 feet as had been stated earlier. He noted that building height is measured with the median height, but that the overlay zone and the sloping land will lower the building heights.
- P. Murray asked why the overlay zone did not go to the end of Sheridan Street to protect the views?
- C. Young asked to include the lot adjoining the park and held by the Land Trust to be included within the ROS. Discussion: The parcel has been included in the proposal.
- What is the significance of the 200 feet for the arc? Discussion: Beyond that there are no view impacts due to the slope of the land.
- C. Cochran asked what will happen with the elevation figure with sea level rise. Discussion: The ordinance could include a specific Portland datum of a particular date.
- Is it possible that the developer cannot build with this overlay zone. Discussion: Development will be possible on the parcel, but the height could not block the view.
- D. Cowie, representing Friends of Fort Sumner Park, is encouraged by the proposal and encourages residents to participate in the Planning Board public hearing o Feb. 24th and the City Council hearing on Feb 6th.



Fort Sumner Park Map and Text Amendments: Neighborhood Meeting

January 18, 2017

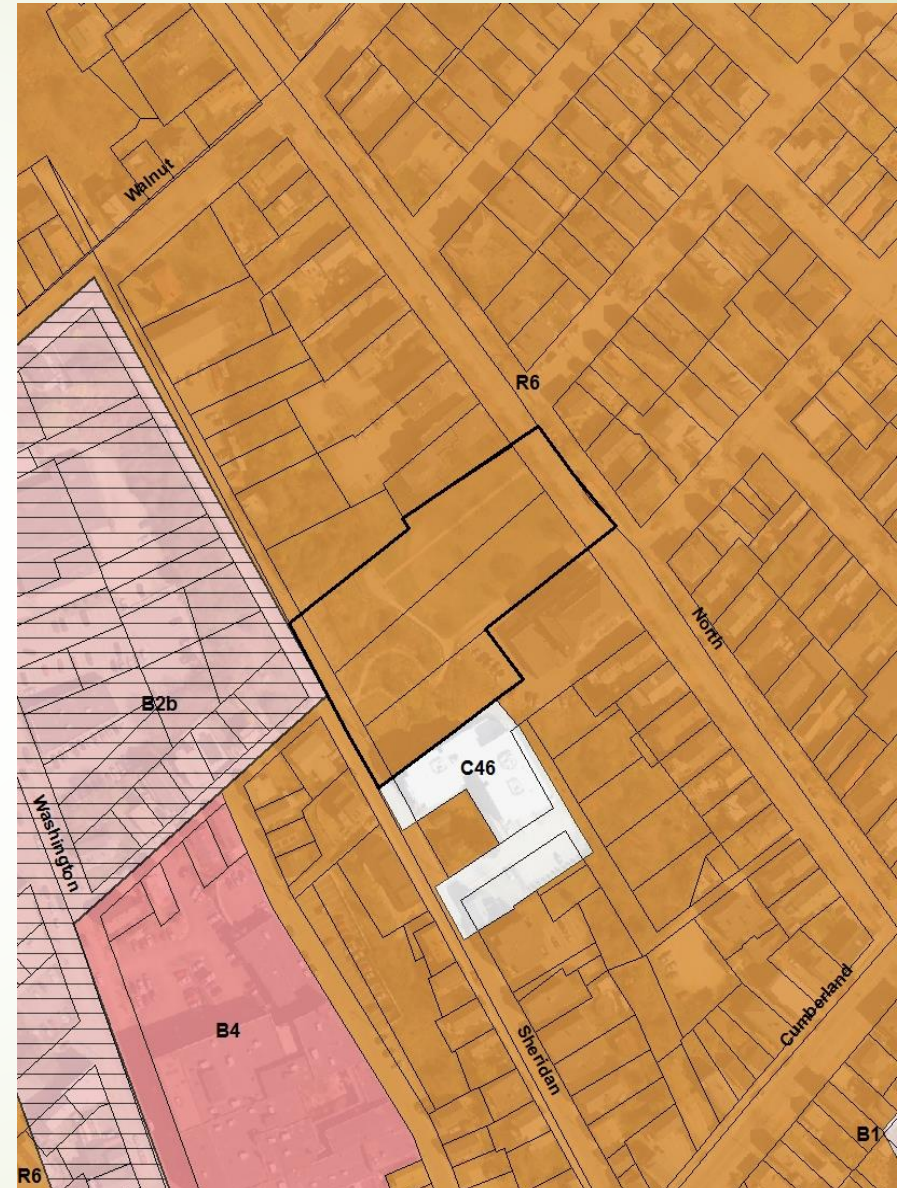
Introduction

- Provides Publicly Accessible 'Panorama'
- Lacks Sufficient Protection Under Zoning/Applicable Design Standards
- Recent Development Discussions Have Highlighted Vulnerability
- City Council Order 73-16/17

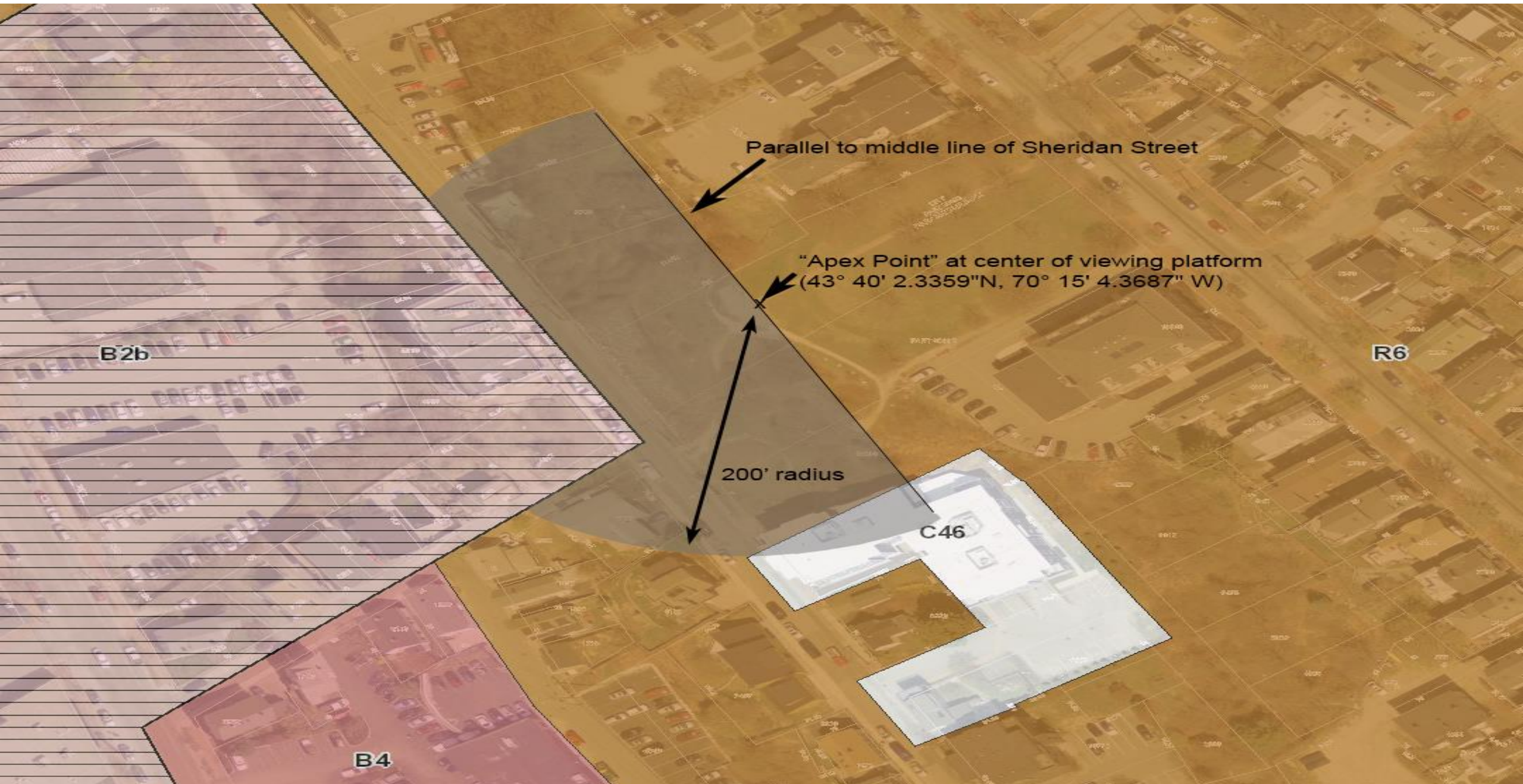


Zoning Context

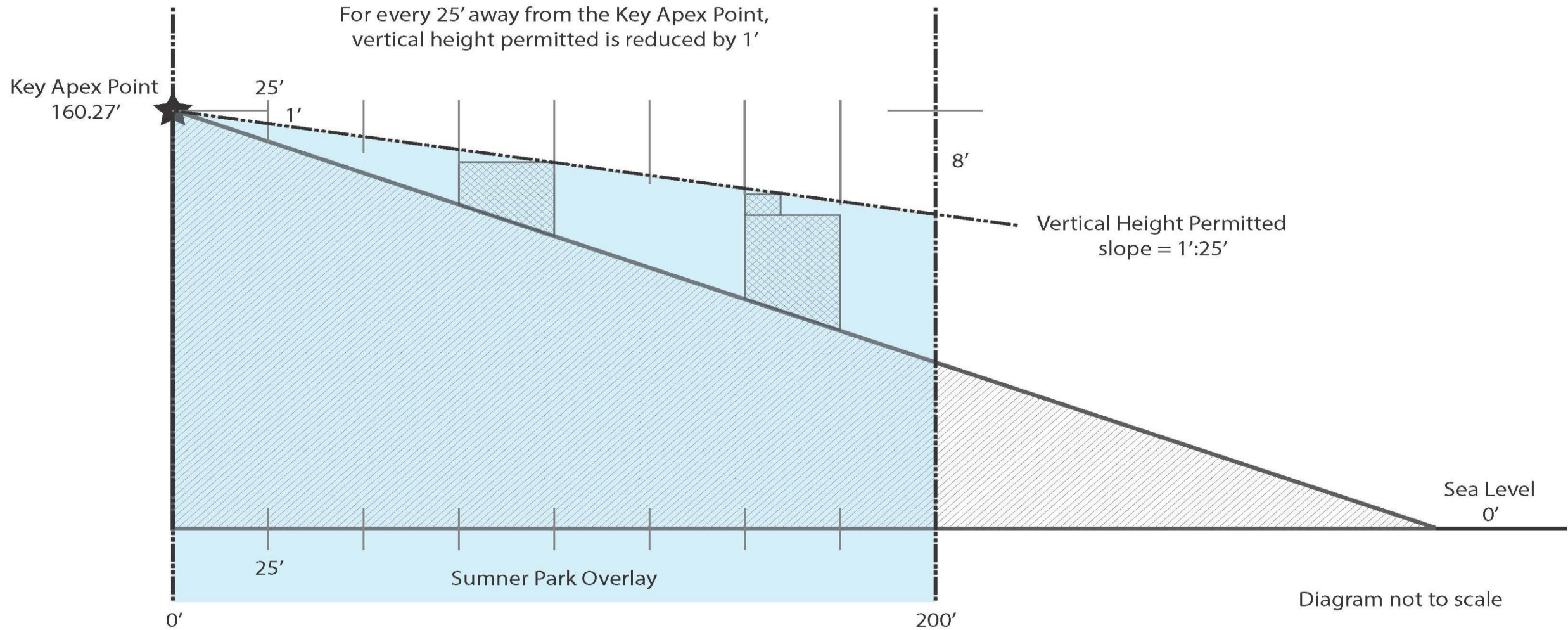
- Three parcels totaling 1.2027 acres
- Zoned R-6 Residential
- Permissible Heights within R6: 45 Feet
- Zoning Districts in the Immediate Vicinity:
 - R-6: Residential
 - B-2b: Neighborhood Business
 - B-4: Commercial Business
 - C46: Contract



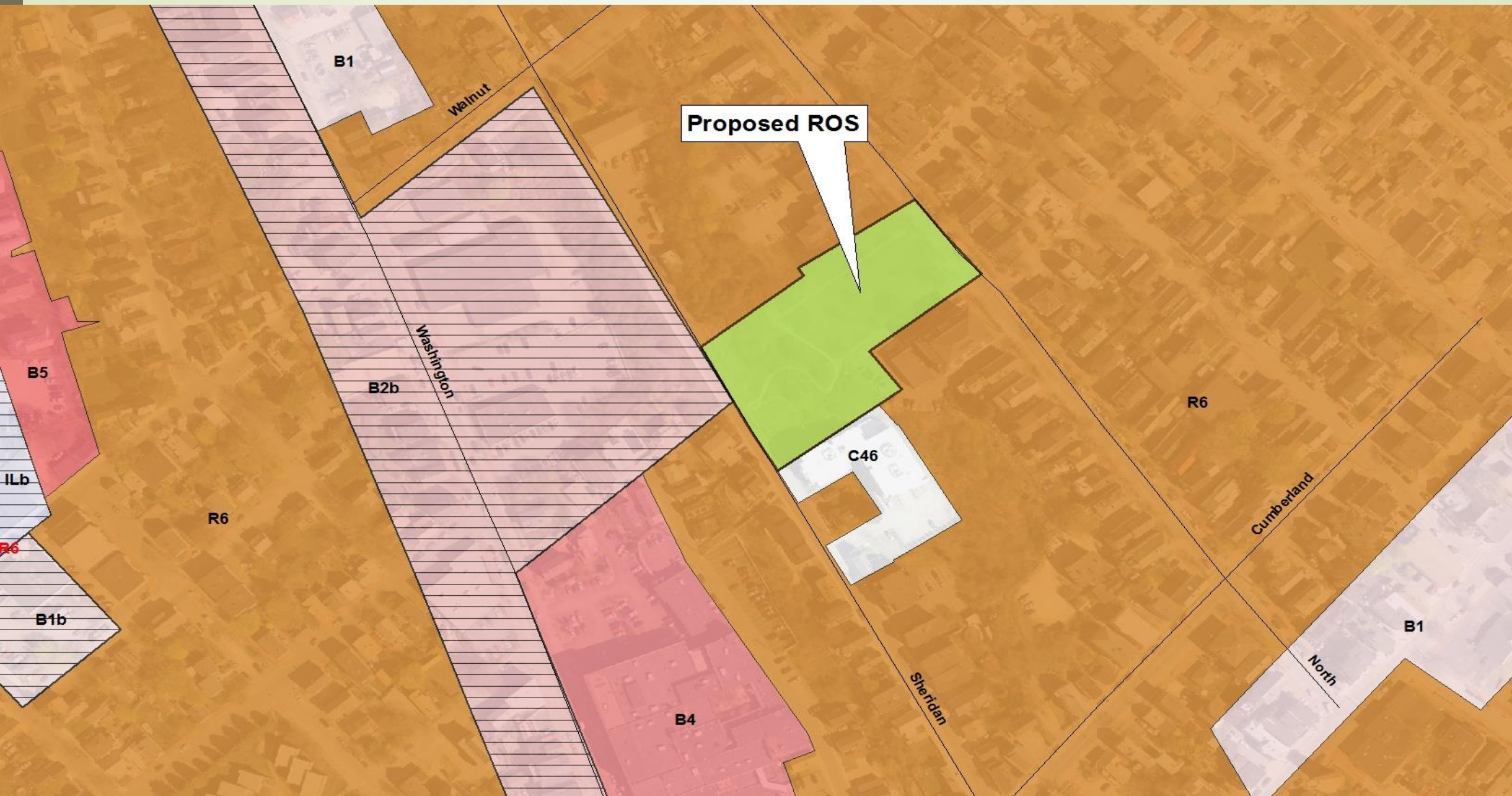
Proposed Map Amendment: Overlay Zone



Proposed Overlay Ordinance Graphic



Proposed Map Amendment: ROS





Approach Justification

- Comprehensive Plan Calls For:
 - Preservation of Vistas From High Places
 - Celebration of Portland's Water Resources
 - Recreation/Open Space Opportunities that Address Scenic Needs
 - Public Access to Surface Water
 - Downtown Height Study Highlights Fort Sumner Park Views for Preservation
- 



Next Steps

- ▶ January 24th: Planning Board Public Hearing
- ▶ February 6th: City Council

QUESTIONS?

