

1. Agenda (Updated 5-4-16)

Documents: [5-5-16 AGENDA.PDF](#)

2. 252 Concord Street

Documents: [APPLICATION \(ZBA - 252 CONCORD ST.\).PDF](#)

3. 349 Park Avenue

Documents: [APPLICATION \(ZBA - 349 PARK AVE.\).PDF](#)

4. 184 State Street

Documents: [APPLICATION \(ZBA - 184 STATE ST.\).PDF](#)

5. 205 Congress Street

Documents: [APPLICATION \(ZBA - 205 CONGRESS ST.\).PDF](#)

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

Kent Avery, Chair
Donna Katsiaficas, Secretary
Chip Gavin
William Getz
Eric Larsson
Joseph Zamboni

APPEAL AGENDA

The Board of Appeals will hold a Public Hearing on Thursday, May 5, 2016, 6:30 p.m., Room 209, 2nd Floor, City Hall, 389 Congress Street, Portland, Maine, to hear the following appeals:

1. **New Business:**

A. Interpretation Appeal:

252 Concord Street West, Ryan McKown, owner, Tax Map 175, Block C, Lot 004, R-5 Residential Zone: The applicant is challenging the Zoning Administrators's determination dated March 3, 2016 that the proposed 65-inch by 84-inch cupola to be constructed on top of the two-family dwelling would not qualify as a "roof structure" under the height limitations provision of the zoning ordinance (section 14-430). Representing the appeal is the landowner and Tracie Reed, Maine Licensed Architect.

B. Practical Difficulty Variance Appeal:

349 Park Avenue, H.P. Hood, LLC, owner, Tax Map 066, Block DD, Lots 001, 006, and 007, I-M Moderate Industrial Zone: The applicant proposes to construct two new vertical milk storage silos at its existing milk processing plant. The applicant is seeking a practical difficulty variance to reduce the minimum front yard setback from the required 39 feet [section 14-250(f)] to 27 feet. Representing the appeal is Richard Seiler, plant maintenance manager, and Dan Cowles, project manager.

C. Variance Appeal:

184 State Street, Geoffrey I. Rice, owner, Michael Keon, prospective lessee, Tax Map 045, Block C, Lot 001, B-1 Neighborhood Business Zone: The applicant is seeking a variance to waive the off-street parking requirement of four spaces for a proposed restaurant [section 14-332(i)] and is also seeking a variance to allow the restaurant to operate until 1:00 AM instead of closing at 11 PM as required by section 14-162(a)(2)(h)(c). Representing the appeal is Jonathan Goldberg, Esq.

D. Miscellaneous Appeal:

205 Congress Street, C&C Apartments, owners, Spa Lotta D/B/A Southern Maine Electrolysis, lessee, Tax Map 013, Block M, Lot 018, B-1 Neighborhood Business Zone: The applicant is proposing to open a business at 205 Congress Street. To meet the off-street parking requirement of three spaces [section 14-332(j)] the applicant is seeking a miscellaneous appeal (section 14-334) to lease three off-street parking spaces at 54 Cumberland Avenue, less than 1,500 feet from 205 Congress Street. Representing the appeal is Coralie Curran from Spa Lotta.

2. **Adjournment**



Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND
ZONING BOARD OF APPEALS

Interpretation Appeal Application

APPLICANT INFORMATION:

Ryan McKowen

NAME

BUSINESS NAME

252 Concord Street W

ADDRESS
Portland, ME 04103

207.272.0618

TELEPHONE #

Owner

APPLICANT'S RIGHT, TITLE OR INTEREST
(eg; owner, purchaser, etc)

R-5

CURRENT ZONING DESIGNATION

EXISTING USE OF PROPERTY:

Two-family dwelling

SUBJECT PROPERTY INFO:

252 Concord Street W

PROPERTY ADDRESS

175 C004001

CHART/BLOCK/LOT (CBL)

PROPERTY OWNER INFO (If Different):

NAME

ADDRESS

Disputed Provisions from Section 14:

Sec. 14-430(a)

**Order, decision, determination or
interpretation under dispute:**

TYPE OF RELIEF REQUESTED:

Owner seeks a determination by staff on 3.04.16 regarding classification of 37 SF cupola which formerly existed and was removed by previous owner. Client seeks to reconstruct cupola. Existing stair remains to partial height room in attic, occupying the footprint/structure of the former room. Owner is re-roofing structure this summer and would like to add cupola to match 1924 tax photo.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for an appeal as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

SIGNATURE OF APPLICANT

04.24.16

DATE



A | City plot plan with highlighted property. Lot is 22,388 SF.



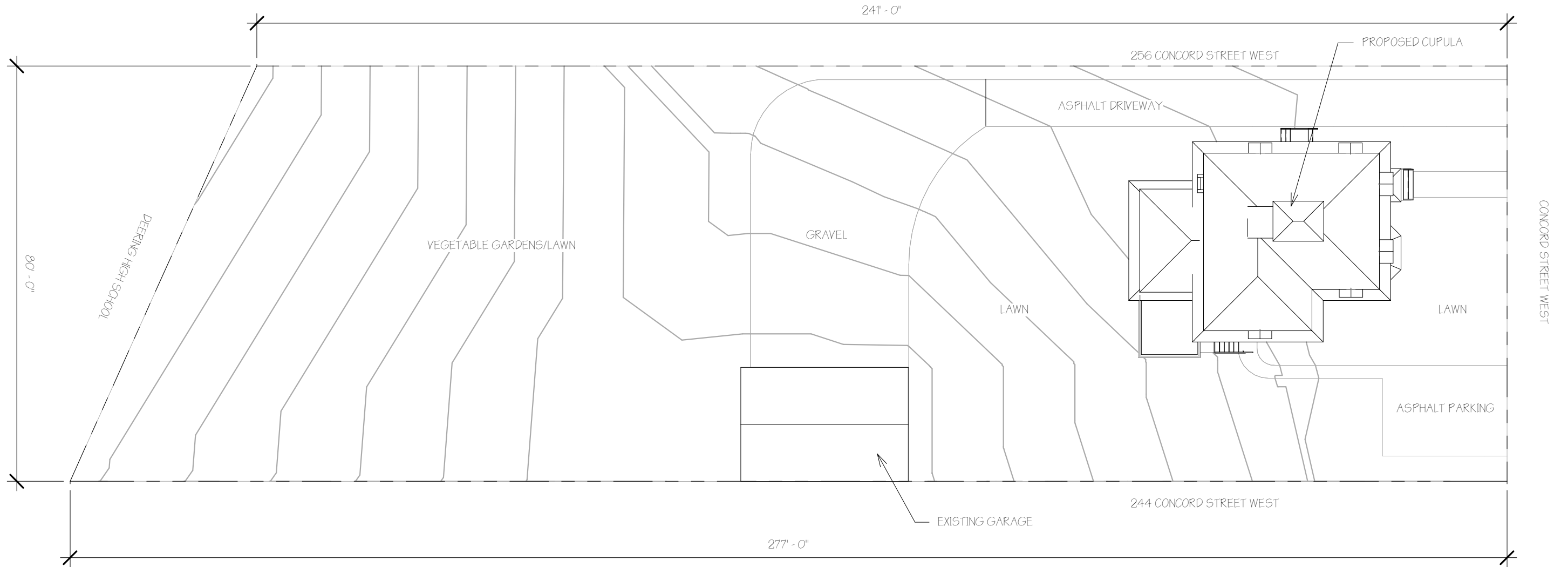


(A) North Existing
1/8" = 1'-0"



(B) North Proposed
1/8" = 1'-0"

A Site Plan
1" = 20'-0"





1924 Tax Assessor Photo



(A) 1924 Tax Photo Existing



(B) 1924 Tax Photo Renovation



(C) Google Car View Existing



(D) Google Car View Renovation



October 2015 Google Car View

Concord Street Cupola
272 Concord Street West
Perspectives
03.22.16

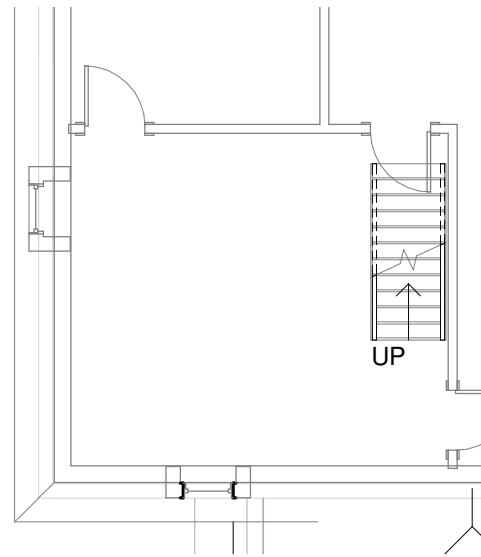


DEXTRIOUS
CREATIVE



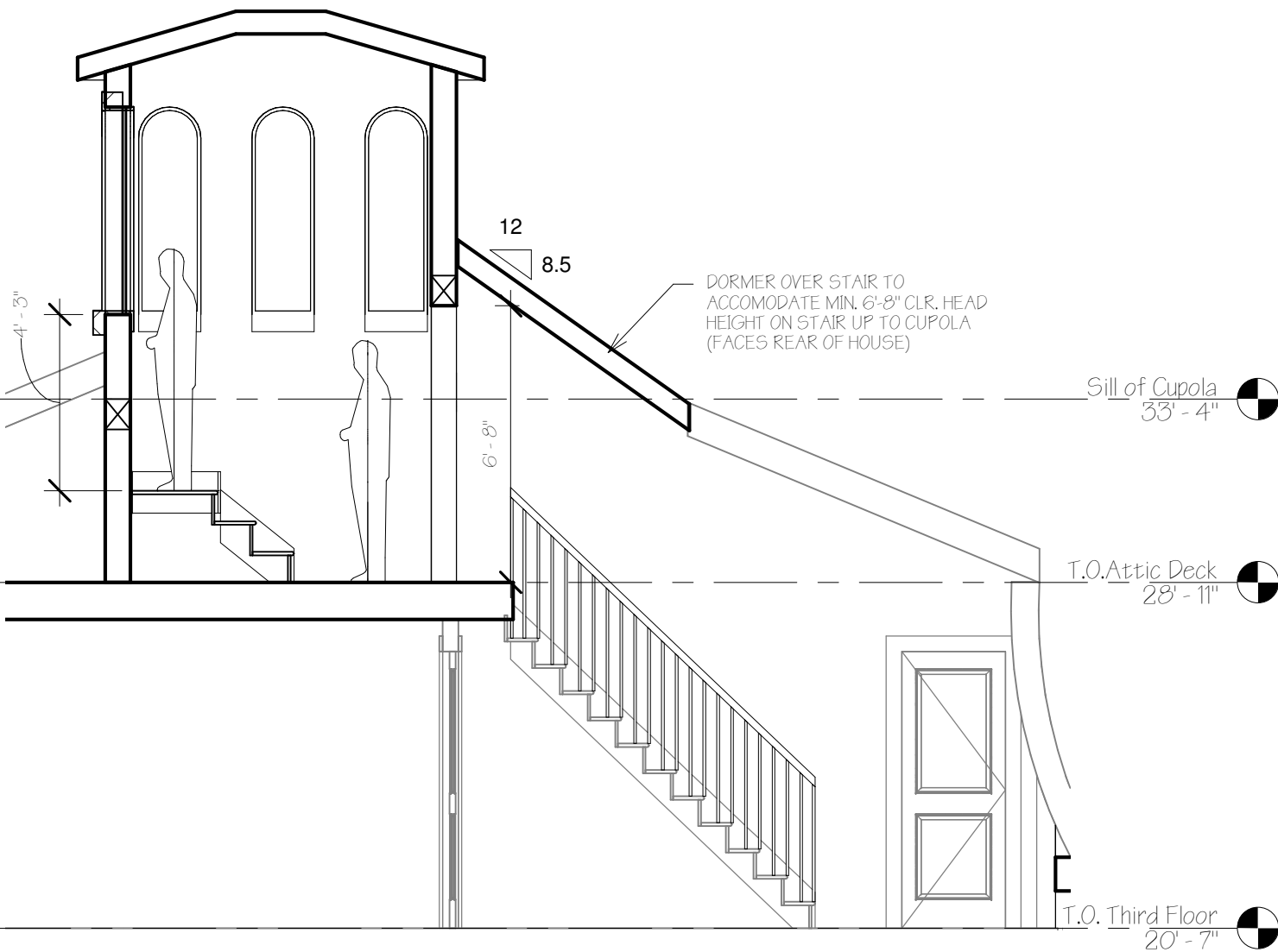
VIEW FROM SIDEWALK OUTSIDE 256 CONCORD STREET WEST

A



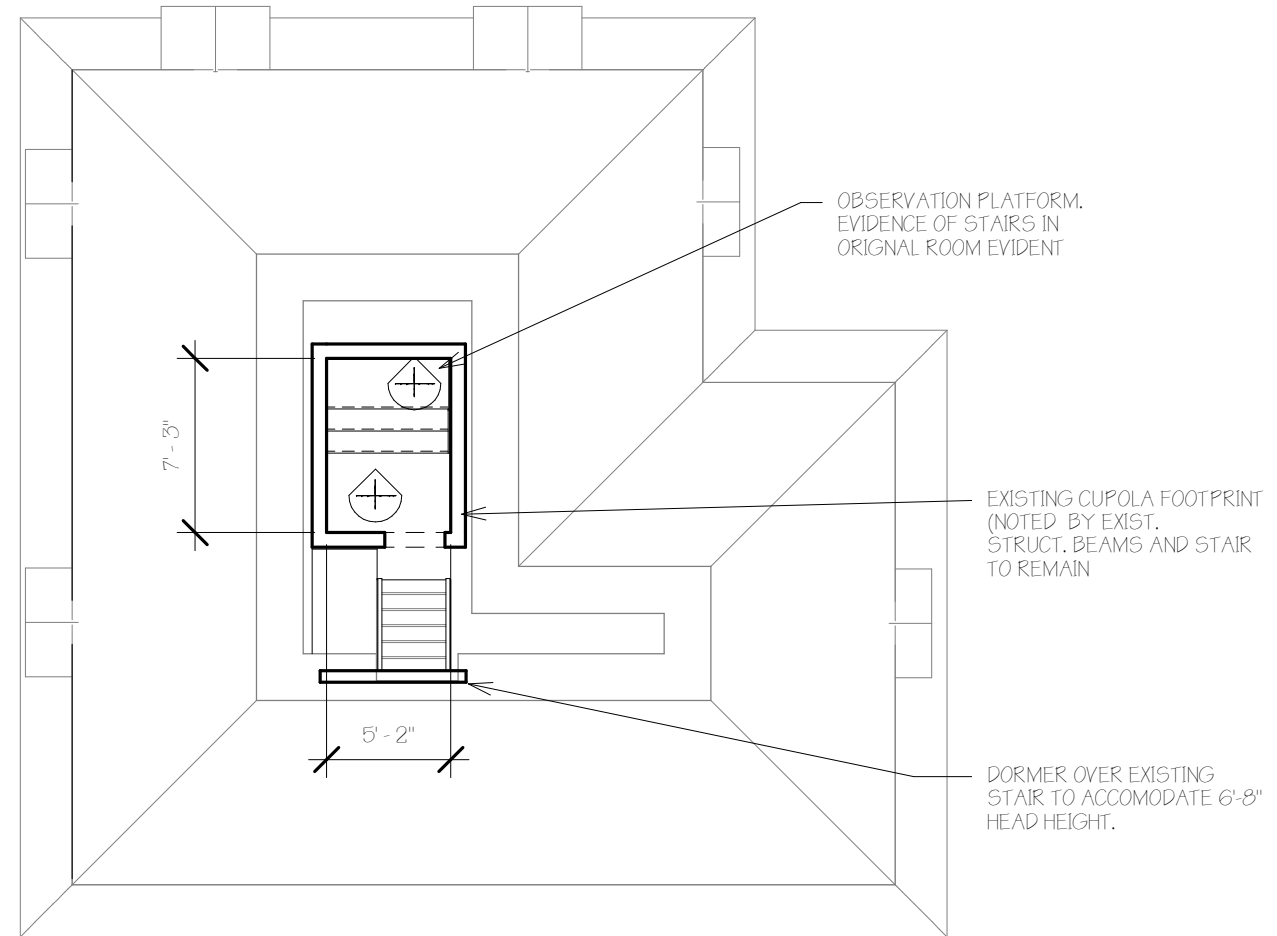
Third Floor
1/8" = 1'-0"

B



Section Showing Observation Platform
1/4" = 1'-0"

E



Attic Plan
1/8" = 1'-0"

C

Concord Street Cupola

272 Concord Street West

Plans

03.22.16



DEXTROUS
CREATIVE



Tracie J. Reed, NCARB, LEED AP BD+C,
Maine Licensed Architect
Portland, Maine
207.409.0459 (cell)
traciereed@dextrouscreative.com

To | Portland Zoning Board of Appeals
From | Tracie Reed, Maine Licensed Architect
Subject | 252 Concord Street West Copula (CBL 175 C004001)
CC | Ryan McKown (Owner)
Date | 04.24.16
Pages | 2

Summary | Client seeks to appeal a determination from City zoning staff dated 03.04.16 concerning interpretation of Sec. 14-430(a), Height Limits for Roof Structures. Client owns two-family in R-5 zone and to reconstruct copula previously present and shown in 1924 Tax Assessment photograph. The home with mansard roof was built prior to 1874 has a building height of 32'-6". Mid-point on new cupola roof will be approx. 42'-2" as measured from the midpoint of the roof. A full-width stair remains in a third floor bedroom, leading to a partial height room in the attic previously occupied by cupola.

Footprint of the cupola was 65" x 84" and original sill/structure of cupola remains. Cupola to remain unfurnished, with observation stair/platform allowing visitor to look out over the city, as is evident via remaining stair stringers in room. The room will have a finished area of 37 SF which the architect deems to small to be considered classified as an occupiable space.

Client is re-roofing structure in summer 2016 and seeks to rebuild cupola as part of that project.

Note that the building footprint will remain unchanged.

Attached | Attached please find perspective renderings illustrating before and after views of the property, alongside photographs of the structure. Perspectives include:

- Street view of property
- Proposed cupola alongside historic 1924 tax photograph
- View from adjacent house sidewalk (256 Concord Street West)

Additionally the deed, two conceptual sections, plans and elevations showing the house presently and as proposed are provided.



DEXTROUS
CREATIVE



A | City plot plan with highlighted property. Lot is 22,388 SF.





Christina Stacey <cstacey@portlandmaine.gov>

Re: Widow's watch in Rosemont Neighborhood

Christina Stacey <cstacey@portlandmaine.gov>
To: "Reed, Tracie" <traciereed@dextrouscreative.com>

Fri, Mar 4, 2016 at 4:01 PM

Hi Tracie,

Apologies for the long delay in responding. I did talk over your question with Ann Machado and her interpretation it that this would be too large to meet the intent of the roof structure exemption for Section 14-430, since the space is more than large enough for people to utilize as sitting space. We have only approved cupolas if they are inaccessible or so small as to only provide rooftop access. This interpretation may be appealed to the ZBA within 30 days, please let me know if you would like paperwork to pursue that.

Please let me know if you have any other questions.

Yours,
Chris

Christina Stacey
Zoning Specialist - Inspections Division
City of Portland
389 Congress St.
Portland, ME 04101
(207) 874-8695
cstacey@portlandmaine.gov

>>> Tracie Reed <traciereed@dextrouscreative.com> 2/28/2016 10:06 AM >>>

Christina, I'm so sorry it's taken me so long to get this sketch to you. Note it's not to scale. Let me know if you have any questions. Note that IRC and NFPA allow the existing stairs to remain. Again, here's the historical photograph showing the house with cupola: <https://www.mainememory.net/artifact/46635/zoom>

Tracie Reed, Maine Licensed Architect

On Mon, Feb 8, 2016 at 8:24 AM, Christina Stacey <cstacey@portlandmaine.gov> wrote:

Possibly, but would you be able to send a quick sketch of what the interior floor plan would look like, including stairs?

>>> Tracie Reed <traciejeanreed@gmail.com> 2/5/2016 2:20 PM >>>

Chris, I verified with the owner that the clear dimensions from the inside of the support beams that the former cupola was attached to is 84"x65". We would obviously like to keep the same footprint. Do you think this is too large? Obviously the finished interior space would be slightly smaller than that factoring in gypsum, etc.

Tracie

On Fri, Jan 29, 2016 at 12:36 PM, Christina Stacey <cstacey@portlandmaine.gov> wrote:

I am looking at it purely from the perspective of the zoning ordinance, so my use of the term "uninhabitable" is not related to the building code definition at all. It probably wasn't the best term to use. What I was trying to say is that if you look at the language of the roof structure height exemption, the intent is to allow things like elevator shafts, stairway shafts, steeples, chimneys, etc - things that

will not be used for living space. When we get permits to add roof structures (especially residential rooftop stairway access structures), we make sure it's the minimum size needed to access the roof and that it could not be used as a room. In light of this I suspect an 8' by 8' area would probably be considered too large to be allowed under the exemption. If the landowner wants a formal decision on this, we could send an interpretation letter which would be able to be appealed to the ZBA.

Chris

>>> Tracie Reed <traciejeanreed@gmail.com> 1/29/2016 12:20 PM >>>

Chris, Thanks for weighing in! From the IRC perspective their definition of habitable space is basically anything that's not a bathroom, closet or utility room, irregardless of size especially since it has an existing stair providing access. I haven't measured out the space but it's under 8'x8' and definitely under 70 SF.

Tracie

On Fri, Jan 29, 2016 at 10:24 AM, Christina Stacey <cstacey@portlandmaine.gov> wrote:

Hi Tracie,

There is a provision in the rules, Sec 14-430 (see attached) that does allow for certain roof structures to be exempt from the height limitation. To qualify, the widow's watch would need to be uninhabitable in terms of size - i.e., it could basically only have a stair access and a place to stand, not space for furniture, etc.

Let me know if you have questions.

Yours,

Chris

Christina Stacey
Zoning Specialist - Inspections Division
City of Portland
389 Congress St.
Portland, ME 04101
(207) 874-8695
cstacey@portlandmaine.gov

>>> Jeanie Bourke 1/28/2016 12:54 PM >>>

Hi Tracie,

I am cc'ing Chris Stacey in zoning for her to weigh in on the height questions. Deb Andrews does the historic review, of which this property is not in a district, not that she wouldn't be interested to know of the potential resurrection of the widows watch.

So for code this would fall under a rooftop structure by definition. The IRC does not elaborate on this much, but it would definitely not be considered a habitable space, so hopefully it's less than 70 SF. I can't imagine the stair is compliant anyway.

Best,

Jeanie

Jeanie Bourke
CEO/LPI/Plan Reviewer

City of Portland
Planning & Urban Development Dept./ Inspections Division
389 Congress St. Rm 315
Portland, ME 04101
jmb@portlandmaine.gov
Direct: (207) 874-8715
Office: (207) 874-8703

Permit status can be viewed at: <http://www.portlandmaine.gov/792/Permit-Status>

>>> Tracie Reed <traciejeanreed@gmail.com> 1/28/2016 10:43 AM >>>

Greetings, I have been approached by a client who is interested in adding a widow's watch to his house, located at 252 Concord Street W. when he replaces his leaking roof this summer. The structure existed in the 1924 Tax photo (<http://www.mainememory.net/artifact/46635/enlarge>) but was removed at some point thereafter. At present a stair leading to an unfinished partial height room

exists where structural supports and a new roof peak clearly demarcates the location of the former room.

The house is in the R-5 zone, with a building height of 35'-0". We're still working to verify the height of the existing roof but I'm guessing since it's three stories that we're basically at this height without the widow's walk/cupola. Considering this I told him I would check with you both to see if it would be possibly granted since I wouldn't want him to pay me to come up with a set of construction drawings for a project that would get denied in permitting. Another component to the project's feasibility is the extent of reinforcements required to the existing structure - of which structural engineer, Al Hodson, will be conducting an analysis.

The client would be seeking to replicate the cupola/widow's walk as close to what had previously been constructed as possible.

Regards,
Tracie Reed, Maine Licensed Architect
[207.409.0459](tel:207.409.0459) (cell)

Exhibit A

252 Concord Street, Portland, Maine

Certain lots or parcels of land with the buildings thereon numbered fifty-seven (57) and fifty-eight (58) on a plan of the T. S. Files property situated on West Concord Street, formerly Clark Street, in said Portland, which plan is recorded in the Cumberland County Registry of Deeds in Plan Book 3, Page 2, bounded and described as follows:

Commencing on the southwesterly sideline of said West Concord Street at a point on said line three hundred and forty (340) feet westerly from the point of intersection of said line with Stevens Avenue, formerly known as the County Road; thence Southwesterly by the line of lot number fifty-six (56) on said plan, two hundred seventy-seven (277) feet to a point; thence westerly and north-westerly by the back line of said lots numbered fifty-seven (57) and fifty-eight (58) as indicated on said plan till said back line meets a line two hundred sixty-seven and five-tenths (267.5) feet long, drawn southerly at right angles with said West Concord Street and parallel with the first line from a point on the southwesterly sideline of said West Concord Street, eighty (80) feet westerly from the point begun at; thence northeasterly by said line mentioned as two hundred sixty-seven and five-tenths (267.5) feet long to said West Concord Street; thence by said West Concord Street eighty (80) feet to the point of beginning.

Meaning and intending to describe and convey the same premises conveyed to **Alice R. Rideout and Arnold C. Rideout (D.O.D. 7/24/99)** by Warranty deed of Woodrow W. Oakes dated 12/15/75 and recorded at the Cumberland County Registry of Deeds in Book 3784, Page 21.

Received
Recorded Register of Deeds
Dec 08, 2008 09:43:33A
Cumberland County
Pamela E. Lovley

J. P. R.

Warranty Deed

KNOW ALL PERSONS BY THESE PRESENTS, That **Alice Rideout** of 252 Concord Street, Portland, ME, for consideration paid, grants to **Ryan McKown**, whose present mailing address is 98 Whipple Road, Kittery, Maine, with Warranty Covenants, the following described premises situated in the City of **Portland**, County of **Cumberland** and State of **Maine** :

SEE EXHIBIT A ATTACHED HERETO

Dated December 1, 2008

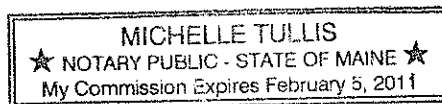
Alice R. Rideout
Alice R. Rideout

STATE OF MAINE
COUNTY OF CUMBERLAND

DECEMBER 1, 2008

Then personally appeared the above named(s): **Alice R. Rideout**, and acknowledged the foregoing certification to be true and correct and the foregoing instrument to be her free act and deed before me.

Michelle Tullis
Notary Public/ Attorney at Law
My commission expires: 2/5/11
Printed Name: Michelle Tullis



MAINE REAL ESTATE TAX PAID



Jeff Levine
Director, Planning & Urban Development

Ann Machado
Zoning Administrator

CITY OF PORTLAND
ZONING BOARD OF APPEALS
Practical Difficulty Variance Application

Applicant Information:

HP Hood LLC

NAME

349 Park Ave

ADDRESS

Portland, ME 04102

207-772-4600 Dan.Cowles@hphood.com

PHONE # & E-MAIL

owner

APPLICANT'S RIGHT/TITLE/INTEREST

(EG; owner, purchaser, etc)

1-M

CURRENT ZONING DESIGNATION

Subject Property Information:

349 Park Ave.

Portland, ME 04102

PROPERTY ADDRESS

CHART/BLOCK/LOT (CBL)

PROPERTY OWNER (if different)

ADDRESS

PHONE # & E-MAIL

PRACTICAL DIFFICULTY VARIANCE
FROM SECTION 14- 250(f)

EXISTING USE OF PROPERTY:

MILK PROCESSING PLANT

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a Practical Difficulty Variance as described above, and certifies that the information supplied herein is true and correct to the best of his OR her knowledge and belief.

[Signature]
SIGNATURE OF APPLICANT

4/08/2016
DATE

The following words have the meanings set forth below:

1. **Dimensional Standards**: Those provisions of the article which relate to lot area, lot coverage, frontage and setback requirements
2. **Practical Difficulty**: A case where strict application of the dimensional standards of the Ordinance to the property for which a variance is sought, would BOTH preclude a use of the property which is permitted in the zone in which it is located AND also result in significant economic injury to the applicant.
3. **Significant Economic Injury**: The value of the property, if the variance were denied, would be substantially lower than its value if the variance were granted. To satisfy this standard, the applicant need not prove that the denial of the variance would mean the practical loss of all beneficial use of the land.

A Practical Difficulty Variance may not be used to grant relief from the provisions of Section 14-449 (Land Use Standards) to increase either volume or floor area, nor to permit the location of a structure, including, but not limited to, single-component manufactured homes, to be situated on a lot in a way which is contrary to the provisions of this article.

The following words have the meanings set forth below:

1. **Dimensional Standards**: Those provisions of the article which relate to lot area, lot coverage, frontage and setback requirements
2. **Practical Difficulty**: A case where strict application of the dimensional standards of the Ordinance to the property for which a variance is sought, would BOTH preclude a use of the property which is permitted in the zone in which it is located AND also result in significant economic injury to the applicant.
3. **Significant Economic Injury**: The value of the property, if the variance were denied, would be substantially lower than its value if the variance were granted. To satisfy this standard, the applicant need not prove that the denial of the variance would mean the practical loss of all beneficial use of the land.

A Practical Difficulty Variance may not be used to grant relief from the provisions of Section 14-449 (Land Use Standards) to increase either volume or floor area, nor to permit the location of a structure, including, but not limited to, single-component manufactured homes, to be situated on a lot in a way which is contrary to the provisions of this article.

Notwithstanding the provisions of subsections 14-473(c)(1) and (2) of this section, the Zoning Board of Appeals (ZBA) may grant a variance from the dimensional standards of this article when strict application of the provisions of the Ordinance would create a practical difficulty, as defined herein, and when all the following conditions are found to exist:

"Practical Difficulty" variance standards pursuant to Portland City Code §14-473(c)(3):

1. The need for the variance is from dimensional standards of the Land Use Zoning Ordinance (lot area, lot coverage, frontage, or setback requirements).

Satisfied _____ NOT Satisfied _____ (deny the appeal)

Reason and supporting facts:

The overall height of the proposed tanks would exceed the regulation in reference to the setback distance.

2. Strict application of the provisions of the ordinance would create a *Practical Difficulty*, meaning it would both (1) preclude a use of the property which is permitted in the zone in which it is located, and also (2) would result in significant economic injury to the applicant. (*"Significant Economic Injury" means the value of the property, if the variance was denied, would be substantially lower than its value if the variance were granted.*) To satisfy this standard, the applicant need not prove that denial of the variance would mean the practical loss of all beneficial use of the land.

Satisfied _____ NOT Satisfied _____ (deny the appeal)

Reason and supporting facts:

The inside of the plant leaves no room for additional tanks.

3. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.

Satisfied _____ Not Satisfied _____ (deny the appeal)

Reason and supporting facts:

Property has unique issues and leaves minimal opportunity for the placement of the proposed tanks.

4. The granting of the variance will not produce an undesirable change in the character of the neighborhood and will not have an unreasonably detrimental effect on either the use, or fair market value, of abutting properties.

Satisfied _____ Not Satisfied _____ (deny the appeal)

Reason and supporting facts:

The proposed tanks will sit next to existing tanks and will have limited or minimal impact on the street view.

5. The practical difficulty is not the result of action taken by the applicant or a prior owner.

Satisfied _____ Not Satisfied _____ (deny the appeal)

Reason and supporting facts:

The plant was built as a derry in 1918.

6. No other feasible alternative is available to the applicant, except the variance.

Satisfied _____ Not Satisfied _____ (deny the appeal)

Reason and supporting facts:

The space and location are the
determining factors.

7. The granting of a variance will not have an unreasonably adverse effect on the natural environment.

Satisfied _____ Not Satisfied _____ (deny the appeal)

Reason and supporting facts:

The proposed tanks would be located on
an existing black top area.

8. The property is not located, in whole or in part, within a shoreland area, as defined in 38 M.R.S.A. §435, nor within a shoreland zone or flood hazard zone.

Satisfied _____ Not Satisfied _____ (deny the appeal)

Reason and supporting facts:

Not located in a shore line or flood zone.

1. STRUCTURAL DAMAGE SHALL BE USED IN CONNECTION WITH DAMAGES/REPAIRS FOR AIRFRAME, INTERIOR, CABINETS, INSIDE OF STRUCTURAL DAMAGING.
2. DAMAGES AND DAMAGING MUST BE REPORTED IN THE ATTENDANCE OF THE DAMAGE REPORT MEETING WITH THE AFFECTED PART OF THE MOBILE.
3. ALL APPLICABLE FEDERAL, STATE AND MUNICIPAL REGULATIONS AND THE NATIONAL GOVERNMENT OF LABOR REGULATIONS, SMITH AND BARTON ACT (SBA).

30'-0"

17'-0"

EXISTING 1 STORY PORTION

EXISTING 2 STORY PORTION

PROPOSED ADDITION

EXISTING BUILDING

PROPERTY LINE

SEE PLAN 12 FOR PROPOSED ADD AND INFORMATION.

PART PLAN

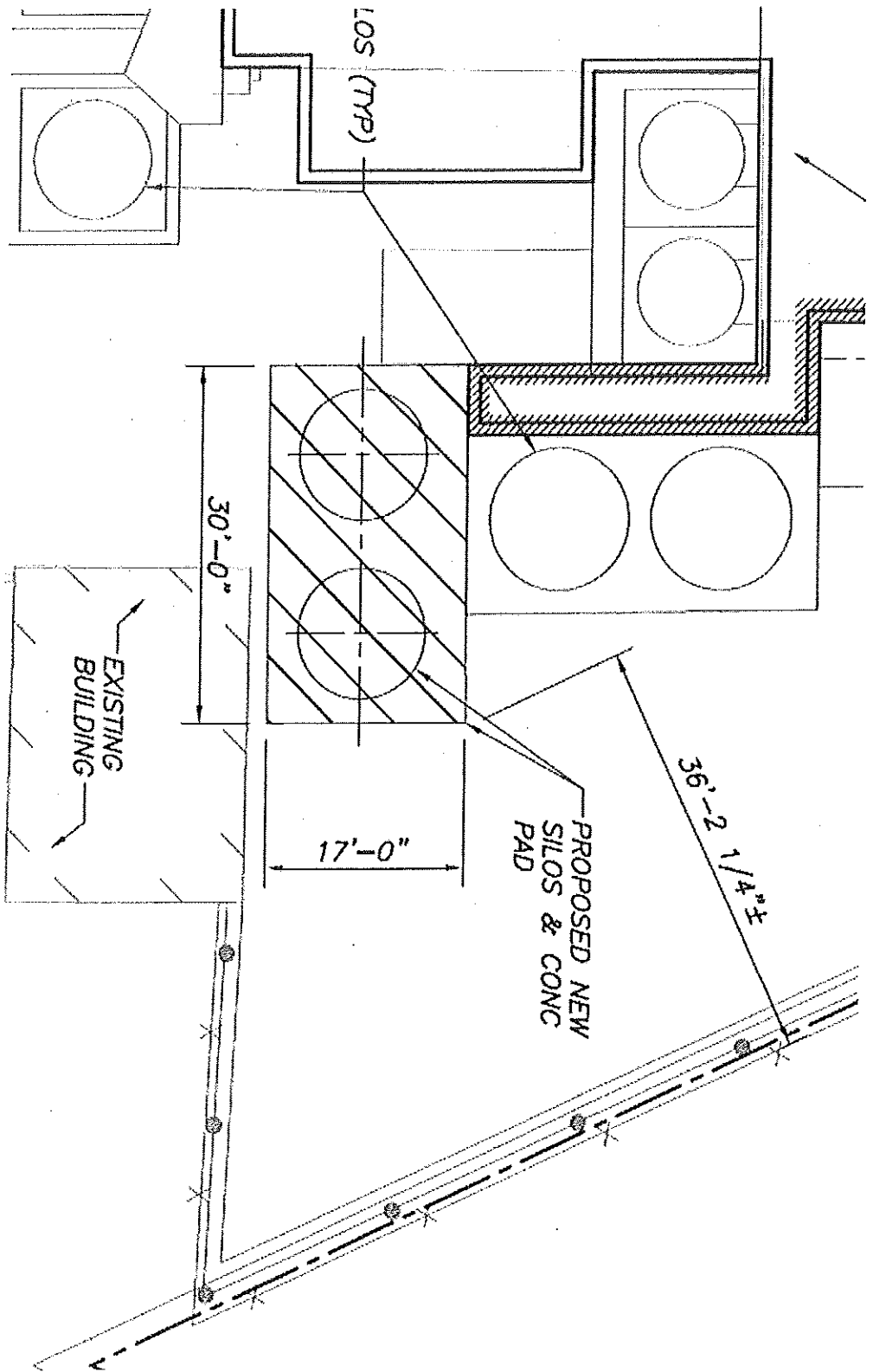
1/8"=1'-0"

[illegible][illegible][illegible][illegible][illegible]

S1



BECKER
 87520745, 749-1111
 75 York Street, Portabel, Maine 04101
 27-275-222 • FAX 27-275-222



Quote/Order #:

Date:

February 18, 2016

Customer:

HP Hood

Reference:

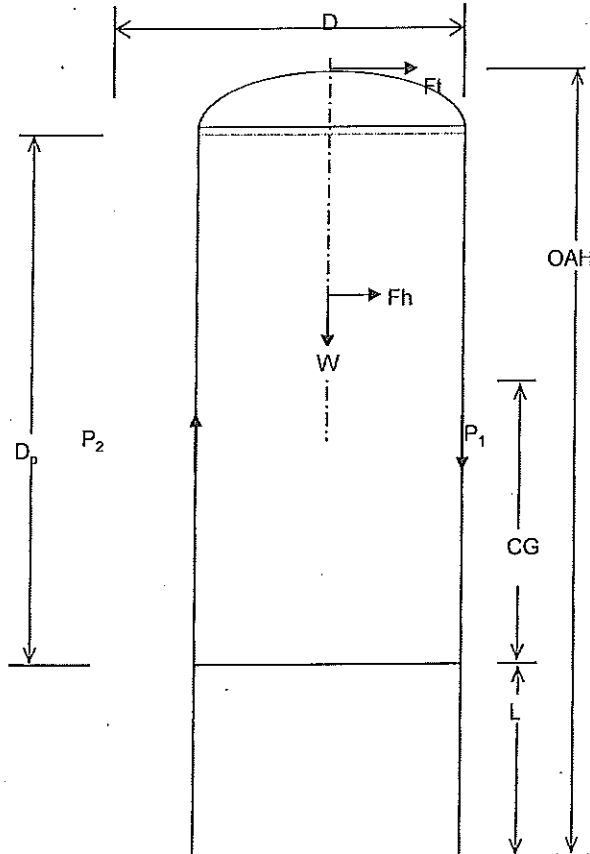
20K Silo

Product:

Designer:

FSK

State: Maine



Liner Diameter (ID) = 120 in
 Insul Skin (OD) = 126.5
 OD of Base Ring (Db) = 129 in
 Height (OAH) = 462 in
 C.G. (OAH-L)/2 = 218.5 in
 Skirt Height (L) = 25 in
 Product Ht (Dp) = 420 in
 Empty Weight Lining (Wl) = 18,000 lbs
 Empty Weight Total (We) = 18,000 lbs
 Capacity (V) = 20,000 gal
 Int. or Ext. Pressure (Pr) = 0 psi
 Spec Gravity (SG) = 1
 Number of Anchors (N) = 7
 Size of Anchor Bolts
 Yield Strength (Fy) = 30,000 psi
 Modulus (E) = 28,000,000 psi
 Prod Weight (Wp) = 166,840 lbs
 Total Weight (Wt) = 184,840 lbs
 Total Weight on Lining (Wz) = 184,840 lbs
 Silo Skin Type
 Light Sheathing or With Slip Joint

Weight per Foot (w) lb/ft = 5,037.66
 Moment of Inertia (Im) in⁴ = 71,251 = $\pi r^3 t$
 Gravitation Const (g) in/sec² = 386
 Fundamental Period (sec) = 0.0068
 $= 1.79 \sqrt{wH^4/EImg}$
 T < .06, Tank is a Rigid Structure

<http://www.zipinfo.com/search/zipcode.htm>
<http://earthquake.usgs.gov/designmaps/us/application.ph>

SEISMIC LOADING INPUT: 2009 INTERNATIONAL BUILDING CODE

USE THE LINK BELOW, ENTER A ZIP CODE, OR COORDINATES FOR SEISMIC VALUES

GET USGS DATA.jar

<=CLICK THE LINK

Zip Code =>

04102

Silo is considered a "Non-Building Structure"

Importance Factor

(I)

Site Class Note: (Additional Info. Is needed for Site Class 'F')

Spectral Response Acceleration for short periods (5% damped) \$s)

Spectral Response Acceleration for 1-second periods (5% damped) \$1)

Design Response Acceleration for short periods (5% damped) \$Ds)

Design Response Acceleration for 1-second periods (5% damped) \$D1)

Site Coefficient

(Fa)

Site Coefficient

(Fv)

Max. Spectral Response Acceleration for short periods \$ms)

Max. Spectral Response Acceleration for 1-second periods \$m1)

Base Shear (Full) = .3SdsIWt

Base Shear (Empty) = .3SdsIWt

Base Shear (Full) Lining Only = .3SdsIWt

(Vs)

(Ve)

(Vs)

1.00

0.317

0.077

0.327

0.123

1.547

2.400

0.490

0.185

46,066 lbs.

1,766 lbs.

46,066 lbs.

WIND LOADING INPUT: ASCE /SEI 7-10

EXIST ALCOVE

EXIST
ENCLOSURE

ELEV TO MATCH
EXIST ALCOVE
FLOOR

EXIST SILO

EXIST PAD

(-0'-7"±)

DEPRESSED RAMP
SLOPE 1/4" PER FT

FUTURE
ENCLOSURE
BY OWNER

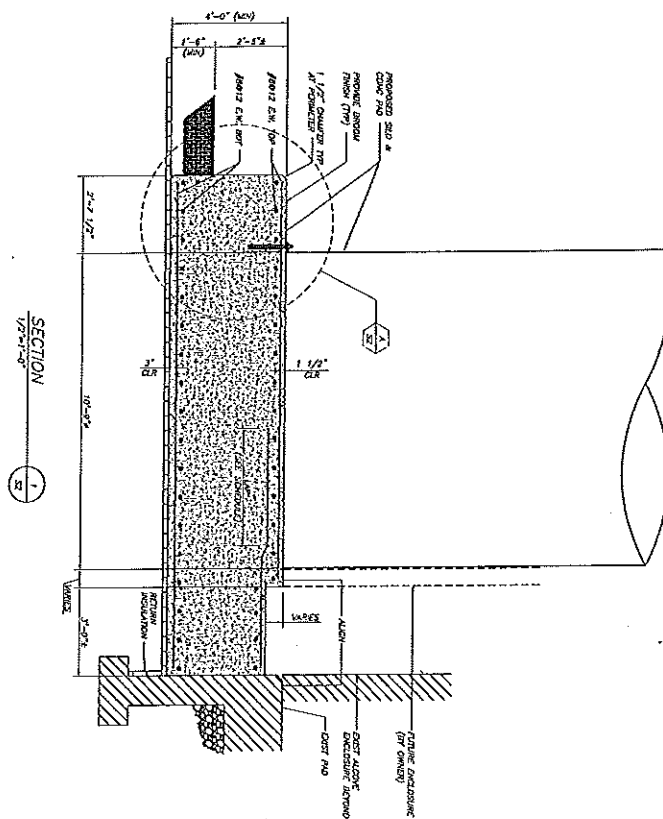
PROPOSED SILO

(-0'-2"±) DEPENDING ON
DEFINED END OF DEPRESSION

SEE MANUF
DETAILS FOR
ANCHOR LAYOUT

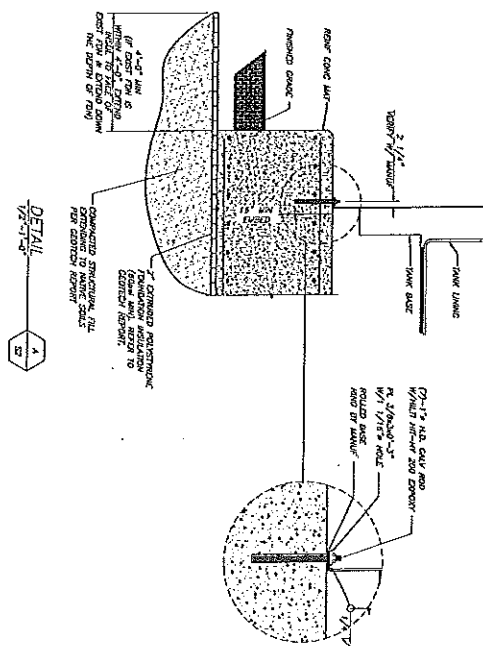
EXIST BUILDING

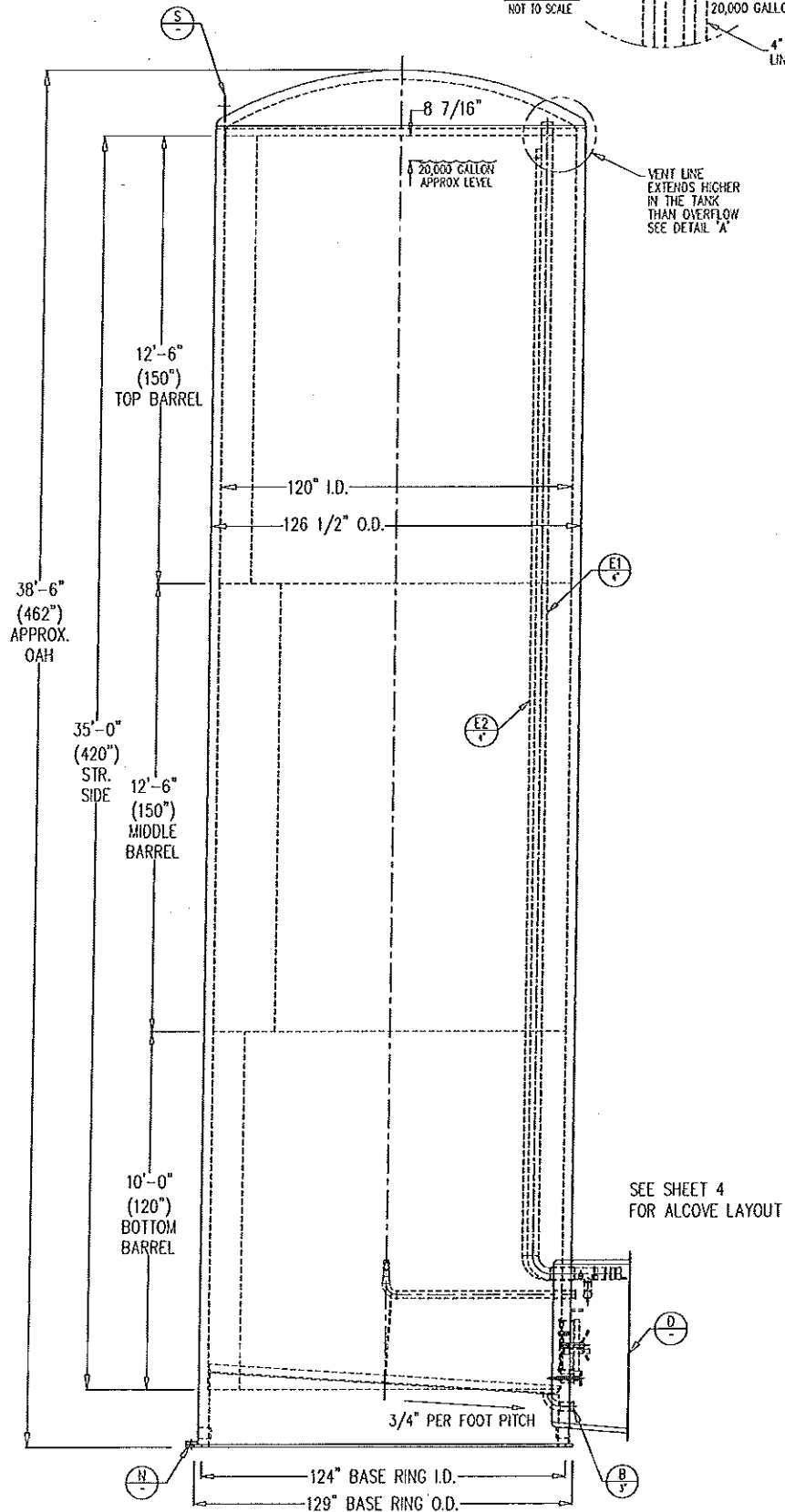
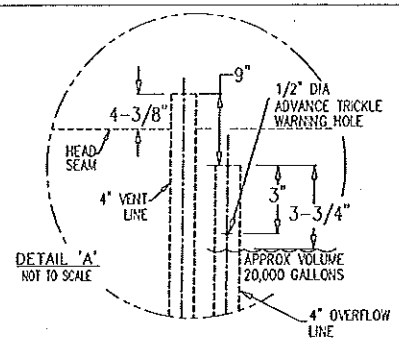
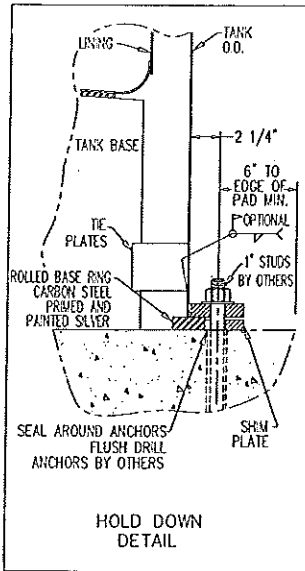




1. ALL LOADS AND DIMENSIONS FOR Joints AND CONNECTIONS SHALL BE AS LISTED ON THE MANUFACTURER'S NEW YORK SHOP DRAWINGS AND AS LISTED ON THE CONTRACT DOCUMENTS.
2. ALL JOINTS AND CONNECTIONS SHALL BE DESIGNED TO BE CAPABLE OF WITHSTANDING THE FULL DESIGN LOADS. NEW JOINTS ARE PERMITTED TO BE DESIGNED TO WITHSTAND A REDUCED LOAD IF THE JOINTS ARE DESIGNED TO WITHSTAND THE FULL DESIGN LOADS. THE JOINTS SHALL BE DESIGNED TO WITHSTAND THE FULL DESIGN LOADS. THE JOINTS SHALL BE DESIGNED TO WITHSTAND THE FULL DESIGN LOADS.
3. REFER TO SECTION REPORT FOR ALL REQUIREMENTS REGARDING EXAMINATIONS, SUBGRADE INSPECTIONS, SITE PREP AND EROSION.

REBAR LAP SPUCE TABLE	
BAR SIZE	LAP LENGTH
	5,000 PSI
#4	48"
#3	20"

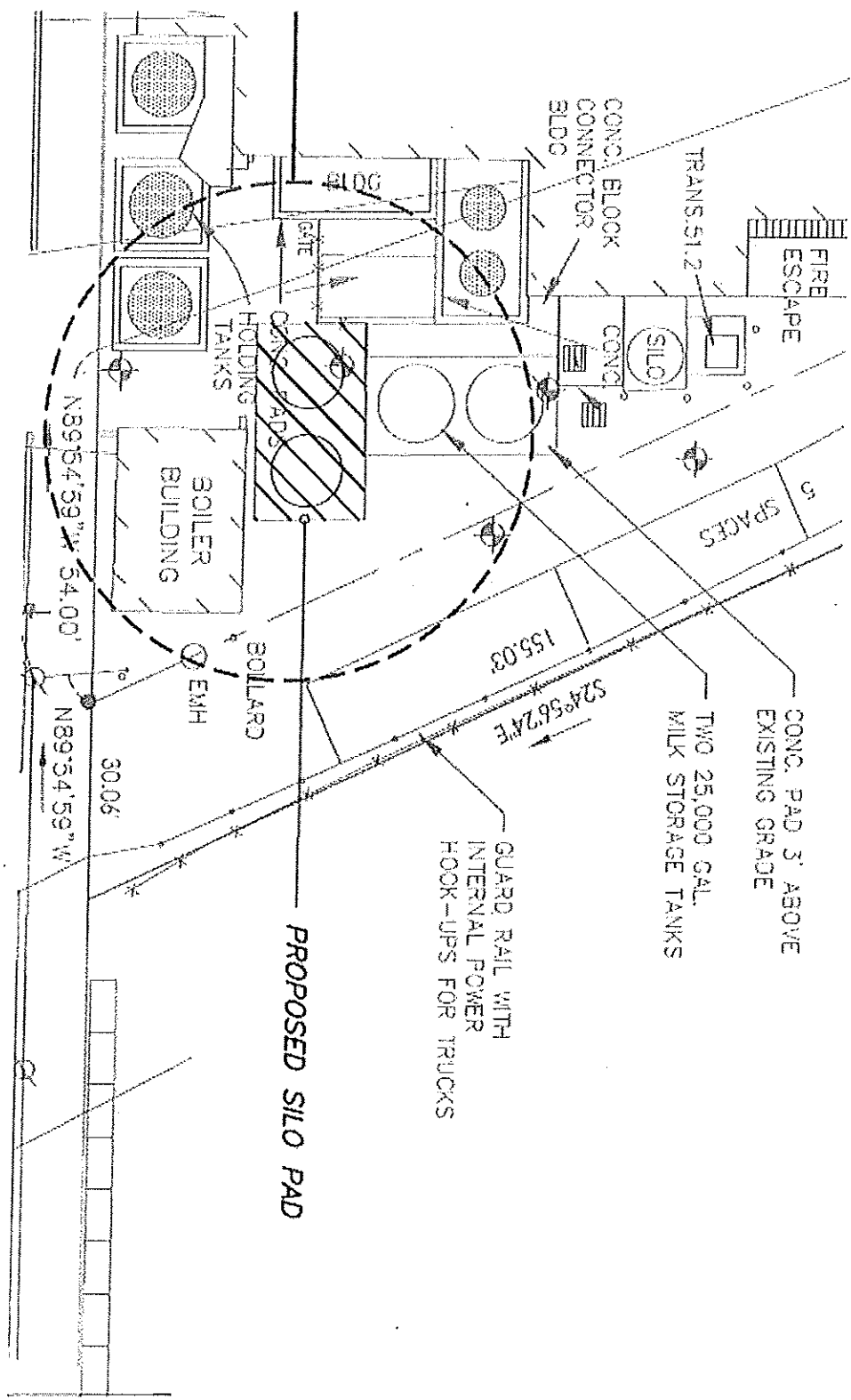




ELEVATION
SEE PLAN VIEW
FOR TRUE ORIENTATION

4 TANKS
E-0536-10
E-0537-10
E-0538-10
E-0539-10

QUOTE N A 080791D1R3.doc	P.O. No. 5341
FELDMER EQUIPMENT	
Little Falls, N.J. 07424	
Drawn BY: M.M.	ENGRG. Approved By: C.I.
DATE 6/30/10	REV A
QTY: (4) SV - 20,000 GALLONS x 120" I.D.	SHEET: 3 of 4
SOLD TO: HP HOOD/ROSENBERG'S DAIRY	
847 FORTY-FOOT RD. HAITFIELD, PA 19440	
SHIP TO: HP HOOD/ROSENBERG'S DAIRY	
847 FORTY-FOOT RD. HAITFIELD, PA 19440	
DRAWING NO. E-0536-10	



SHORT FORM QUITCLAIM DEED WITH COVENANT

H. Steven Carvel and Shelley Stuart Carvel, both of Portland, Maine ("Grantors"), FOR CONSIDERATION PAID, grant to HP Hood Inc., a Massachusetts corporation with an address of 90 Everett Avenue, Suite 200, Chelsea, Massachusetts 02150-2301, with QUITCLAIM COVENANT, certain real property, together with any improvements thereon, located in the City of Portland, Cumberland County, Maine and more particularly described on Exhibit A attached hereto and made a part hereof.

Together with any and all right, title and interest of Grantors in and to former St. James Street.

The property conveyed hereby is depicted on a Boundary Survey on Park Avenue, Portland, Maine made for H.P. Hood & Sons, Inc. by Owen Haskell, Inc., dated July 25, 2002, which survey is to be recorded at the Cumberland County Registry of Deeds.

For Grantors' source of title, reference is made to the deed from Frances B. Carvel and Richard J. Carvel, a/k/a R.J. Carvel, dated January 1, 1992 and recorded in the Cumberland County Registry of Deeds on March 21, 1994 in Book 11344, Page 228.

WITNESS our hands and seals this 31st day of January, 2003.

WITNESS:

Name:

Name: Christopher Devlin

H. Steven Carvel

Shelley Stuart Carvel

State of Maine

County of Cumberland, ss.

January 31, 2003

PERSONALLY APPEARED the above-named H. Steven Carvel and Shelley Stuart Carvel and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Name: Christopher Devlin
Notary Public/Attorney at Law

MAINE REAL ESTATE TAX PAID

EXHIBIT A

Parcel 1

A certain lot or parcel of land situated on the northerly side of Park Avenue, formerly known as Portland Street, City of Portland, County of Cumberland and State of Maine, more particularly described and bounded as follows:

Beginning at a point on the northerly sideline of said Park Avenue said point being distant westerly by the northerly sideline of Park Avenue sixty-three and seventy-one hundredths (63.71) feet from the southwesterly corner of land described in a deed from J. Hopkins Smith to the Portland Creamery, dated April 20, 1910, and recorded in the Cumberland County Registry of Deeds, in Book 858, Page 144; thence westerly by the northerly sideline of said Park Avenue north 74° 46' west, a distance of ninety-eight and eight hundredths (98.08) feet to a point; thence North 23° 52' east by land now or formerly of J. Hopkins Smith et al, one hundred twelve and seventy-two hundredths (112.72) feet to a point; thence South 57° 41' east by land now or formerly of J. Hopkins Smith et al, forty-eight and sixty-one hundredths (48.61) feet to a point; thence south 4° 25' east by land now or formerly of J. Hopkins Smith et al, one hundred three and seventeen hundredths (103.17) feet to the point of beginning, containing seven thousand four hundred seventy-four and eight tenths (7,474.8) square feet, more or less.

The magnetic bearings set forth above were determined in the year 1910.

Meaning and intending to convey and hereby conveying the same premises conveyed to Grantors herein by deed of Ernest C. Soule dated March 18, 1963 and recorded in said Registry of Deeds in Book 2737, Page 327.

Parcel 2

A certain lot or parcel of land situated in said City of Portland, County of Cumberland, and State of Maine, bounded and described as follows:

Beginning at the northeasterly corner of land now or formerly of Richard J. Carvel et al, (deed reference: Cumberland County Registry of Deeds, Book 2737, Page 327), said point being on the westerly sideline of the former location of St. James Street;

Thence in a westerly direction along the northerly boundary of said land of Carvel Forty-eight and Sixty-one Hundredths Feet, more or less, to the northwesterly corner of said land of Carvel;

Thence in a northeasterly direction along land now or formerly of the State of Maine (deed reference: Cumberland County Registry of Deeds, Book 3311, Page 294) to the westerly sideline of the former location of St. James Street;

Thence in a southerly direction along the westerly sideline of said former location of St. James Street to the point of beginning.

Meaning and intending to convey and hereby conveying the same premises conveyed to Grantors herein by deed of J. B. Brown & Sons dated June 21, 1989 and recorded in said Registry of Deeds in Book 8820, Page 55.

Parcel 3

A certain lot or parcel of land situated in Portland, County of Cumberland and State of Maine and being shown on a Maine Department of Transportation Right of Way Map for State Highway "295" on file in its office at Augusta, File No. 3-183, a copy of which is recorded in said registry of Deeds in Plan Book 112, Page 51, bounded and described as follows, to wit:

Beginning at a point 32 feet easterly from and as measured along a line at right angles to the St. James Street Base Line at Sta. 113+96.02;

Thence N. 0° 27' 10" E. one hundred forty-three and sixty-nine hundredths (143.69) feet to a point 32 feet easterly from and as measured along a line at right angles to the Base Line at P.T. Sta. 112+51.33;

Thence northerly along a curved line 32 feet easterly from and concentric with a 3° 30' curve of the Base Line about thirty-five (35) feet to a point 95 feet southerly of the State Highway "295" Ramp CS-7 Base Line;

Thence easterly along a curved line 95 feet southerly from and concentric with a 3° 00' 00" curve of the State Highway "295" Ramp CS-7 Base Line to a point on the line normal to the said Base Line at Sta. 5+50;

Thence southwesterly by a direct course crossing discontinued St. James Street to land described in Quit Claim Deed from J.B. Brown and Sons to Richard J. Carvel and Frances B. Carvel dated June 21, 1989 and recorded at the Cumberland County Registry of Deeds, Book 8820, Page 55 and continuing southwesterly by said direct course along the northwesterly line described in said deed from J.B. Brown and Sons, a total distance of about one hundred forty-two (142) feet to the northwesterly corner of land of Richard J. Carvel and Frances B. Carvel as described in deed recorded at the Cumberland County Registry of Deeds, Book 2737, Page 327;

Thence southwesterly along land of Richard J. Carvel and Frances B. Carvel one hundred twelve and seventy-two hundredths (112.72) feet to the northerly line of Park Avenue;

Thence northwesterly by a direct course about twenty-one (21) feet to the point of beginning.

Received
Recorded Register of Deeds
Jan 31, 2003 10:24:20A
Cumberland County
John B. O'Brien

MAINE REVENUE SERVICES



FILE BOTH COPIES
OF THIS FORM WITH
COUNTY REGISTRY OF DEEDS
DO NOT DETACH!

REAL ESTATE TRANSFER TAX DECLARATION

TITLE 38, M.R.S.A., SECTIONS 4841 through 4841-H

1. MUNICIPALITY OR TOWNSHIP Portland		COUNTY Cumberland		BOOK (REGISTRY USE ONLY)	PAGE
GRANTEE (BUYER)					
2. IDENTITY: NAME(S) (LAST, FIRST, INITIAL) AND SOCIAL SECURITY NUMBER(S) OR CORPORATE NAME(S) AND FEDERAL IDENTIFICATION NUMBER(S) HP Hood Inc.				04-14 50 950	
3. NUMBER AND STREET 90 Everett Avenue, Suite 200		CITY OR TOWN Chelsea		STATE AND ZIP CODE MA 02150-2301	
GRANTOR (SELLER)					
4. IDENTITY: NAME(S) (LAST, FIRST, INITIAL) AND SOCIAL SECURITY NUMBER(S) OR CORPORATE NAME(S) AND FEDERAL IDENTIFICATION NUMBER(S) Carvel, H. Steven Carvel, Shelley Stuart				004-501-25681 166-401-96741	
5. NUMBER AND STREET 72 Stroudwater Road		CITY OR TOWN Portland		STATE AND ZIP CODE ME 04102	
PROPERTY	6. TAX MAP & LOT NUMBER (If municipality does not have maps, describe property) Map 66 Block A Lot 10				WARNING TO BUYER! If the property is classified as Farmland, Open Space, or Tree Growth, a substantial financial penalty could be triggered by development, subdivision, partition, or change in use of the property. ☐ Classified ☐ Not Classified
	7. DATE OF TRANSFER: MO DAY YR. 1 31 03				
CONSIDERATION	8. Consideration meaning total amount or price paid, or required to be paid, for real property valued in money, whether received in money or otherwise and shall include the amount of any mortgage, liens or encumbrances thereon. If a gift or nominal consideration only is paid, consideration is based on the value of the property. Value is the estimated price the property would bring in the open market. (Tax will be collected at the registry when the deed is recorded. The tax rate is \$2.20 per \$500, or fractional part thereof, of consideration or value. The tax is equally divided between the buyer and the seller.) <u>If exempt, complete line 9</u> FULL VALUE \$ 846,000 .00 TAXABLE CONSIDERATION \$ 846,000 .00				
EXEMPTION	9. EXPLAIN BASIS FOR EXEMPTION (Complete only if transfer is claimed to be fully or partially exempt pursuant to M.R.S.A. 38 §4841-C)				
SPECIAL CIRCUMSTANCES	10. Were there special circumstances in the transfer which suggest that the price of the property was either more or less than its fair market value. (Such as the fact that transfer was a forced sale, foreclosure, intercorporate sale, exchange, or transfer tax was based on estimate value.) <u>PLEASE EXPLAIN.</u> ☐ YES ☒ NO				
INCOME TAX WITHHELD	11. ☐ Buyer(s) certify that they have withheld Maine income tax from the purchase price as required by § 5250-A and will remit to Maine Revenue Services within 30 days after date of transfer. ☒ Buyer(s) not required to withhold Maine income tax because: ☒ seller has qualified as a Maine resident, ☐ a waiver has been received from the State Tax Assessor, ☐ consideration for the property is less than \$50,000, ☐ foreclosure sale: exempt per 38 M.R.S.A. §5250-A, sub§ 3-A				
OATH	12. Aware of penalties as set forth by Title 38, Section 4841-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete.				
	GRANTEE(S) or AUTHORIZED AGENT		DATE		GRANTOR(S) or AUTHORIZED AGENT
	By: <i>[Signature]</i> Its: <i>Attorney at law</i>		1-31-03		<i>H. Steven Carvel</i> H. Steven Carvel <i>Shelley Carvel</i> Shelley Carvel
				1-31-03	

RELEASE DEED AND EASEMENT

City of Portland, a Maine municipal corporation, with a mailing address of 389 Congress Street, Portland, Maine (the "City"), FOR CONSIDERATION PAID, releases to HP Hood Inc., a Massachusetts corporation with a place of business in Chelsea, Massachusetts ("Hood") all its right, title and interest in and to the following real property located in the City of Portland, Cumberland County, Maine (the "Property"), bounded and described as follows:

A certain parcel of land situated northerly of, but not adjacent to, Park Avenue, in the City of Portland, County of Cumberland, State of Maine as shown on a plan "Boundary Survey on Park Avenue, Portland Maine Made for H.P. Hood and Sons, Inc." dated July 25, 2002 by Owen Haskell, Inc., being bounded and described as follows:

Beginning on the westerly sideline of "Old St. James Street" at the northeasterly corner of land now or formerly of H. Steven Carvel, Reference Book 11344 Page 228;

Thence N 72° 25' 34" W along said land and following the southerly sideline of a proposed street 48.32 feet;

Thence N 23° 47' 28" E, crossing said proposed street, 56.02 feet to the northerly sideline of said proposed street and said westerly sideline of "Old St. James Street";

Thence S 19° 36' 59" E along said westerly sideline 69.91 feet to the Point of Beginning containing 1346 square feet, more or less.

Hood hereby grants to City the perpetual right and easement to inspect, install, construct, lay, relay, maintain, repair, rebuild, replace and remove three underground sanitary sewer lines and a related over-flow chamber, together with all necessary underground fixtures and appurtenances thereto (said sanitary sewer line, over-flow chamber, fixtures and appurtenances being hereinafter referred to collectively as the "Sewer Equipment"), the location of such Sewer Equipment to be at approximately its current location as shown within the area (the "Easement Area") identified as "Proposed Utility Easement to City 3,022 S.F.+-" on Exhibit A attached hereto and made a part hereof, which Easement Area is more particularly identified as follows:

Commencing at a point on the northerly sideline of Park Avenue;

Thence N 43° 50' 27" W 19.96 feet to a point on the easterly sideline of St. James Street;

Thence N 00° 14' 01" E along said easterly sideline 121.39 feet to the Point of Beginning;

Thence continuing N 00° 14' 01" E along said easterly sideline of St. James Street 22.30 feet;

Thence northerly along said sideline and along a curve concave to the left having a radius of 1768.24 feet an arc distance of 9.41 feet, said curve having a chord which bears N 00° 04' 52" E 9.41 feet;

Thence S 71° 15' 20" E 37.20 feet;

Thence N 28° 12' 47" W 49.59 feet to the southwesterly sideline of Route 295;

Thence northeasterly along said sideline and along a curve concave to the right having a radius of 1814.86 feet an arc distance of 20.02 feet, said curve having a chord which bears N 59° 27' 54" E 20.02 feet;

Thence S 28° 12' 47" E 47.30 feet;

Thence S 19° 36' 59" E 57.85 feet;

Thence N 88° 18' 10" W 21.28 feet;

Thence N 39° 21' 37" W 15.00 feet;

Thence N 11° 43' 47" W 10.59 feet;

Thence S 89° 56' 01" W 37.98 feet to the Point of Beginning.

Hood further grants to City the right to enter upon the Easement Area for the purpose of performing maintenance on the Sewer Equipment, the cost and expense thereof to be borne by the City; provided, however, that City, its successors and assigns, shall (i) give reasonable notice to Hood, its successors and assigns, prior to each such entry, (ii) exercise the rights granted hereunder in such manner as to cause a minimum of inconvenience to any businesses being conducted upon or about the Property and Easement Area, and (iii) restore the surface of the land immediately following each such entry to substantially the condition that existed thereon just prior to such entry.



ST. JAMES STREET

RELOCATED

TO PARK AVE.

N00°14'01"E 121.39'

N43°50'27"W 19.95'

CH=N59°27'54"E
20.02'
L=20.02'

R=1814.86' L=102.02'

N28°12'47"W 49.59'

S71°15'20"E 37.20'

SS 24" VC

42" BRICK

37.98'
S89°56'01"W

N11°3'47"W 15.00'
N39°21'57"W

N88°18'10"W

FOUNDATION

87.31'
S23°47'28"W

PROPOSED UTILITY
EASEMENT TO CITY
3,022 S.F. ±

S19°36'59"E 57.85'

OVERFLOW
CHAMBER

SS 24" VC
42" BRICK

Received
Recorded Register of Deeds
Jan 31, 2003 10:25:45A
Cumberland County
John B. O'Brien

EXHIBIT A

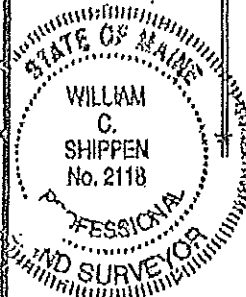
H.P. HOOD & SONS, INC.

PARK AVENUE, PORTLAND, MAINE

BY: OWEN HASKELL, INC, 16 CASCO ST., PORTLAND, MAINE

DATE: JANUARY 15, 2003 SCALE: 1"=20'. 2002-165P

PARK AVE.



William C. Shippen

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of the 31st day of January, 2003.

WITNESSETH:

CITY OF PORTLAND

Print Name: _____

By: _____
Print Name: _____
Its _____

WITNESSETH:

HP HOOD INC.

Bruce Bacon
Print Name: Bruce Bacon

By: Paul Beatty
Print Name: Paul Beatty
Its General Counsel and Vice President

State of Maine
County of Cumberland, ss.

January _____, 2003

PERSONALLY APPEARED the above-named _____,
of the City of Portland, as aforesaid, and acknowledged the foregoing instrument to be his/her free
act and deed in his/her said capacity and the free act and deed of said City.

Before me,

Attorney at Law/Notary Public

Commonwealth of Massachusetts
County of Suffolk, ss.

January 29, 2003

Personally appeared the above named Paul Beatty, General Counsel and Vice President of
HP Hood Inc. and acknowledged the foregoing to be his/her free and deed in his/her said capacity
and the free act and deed of said corporation.

Before me,

Camille DiCocco
Name: Camille DiCocco
Notary Public. My commission expires on
September 25, 2003.

SEAL

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of this 31st
day of January, 2003.

WITNESSETH:

CITY OF PORTLAND

Donna Katsafias
Print Name: Donna KATSAFIAS

By: [Signature]
Print Name: Duane Kline
Its Dir. of Finance

WITNESSETH:

HP HOOD INC.

Print Name: _____

By: _____
Print Name: _____
Its _____

State of Maine
County of Cumberland, ss.

January 29, 2003

PERSONALLY APPEARED the above-named Duane Kline, Director of Finance
of the City of Portland, as aforesaid, and acknowledged the foregoing instrument to be his/her free
act and deed in his/her said capacity and the free act and deed of said City.

Before me,

Donna M. Katsafias
Attorney at Law/Notary Public
Donna M. Katsafias

Commonwealth of Massachusetts
County of _____, ss.

January _____, 2003

Personally appeared the above named _____
of HP Hood Inc. and acknowledged the foregoing to be his/her free and deed in his/her said
capacity and the free act and deed of said corporation.

Before me,

Name:
Notary Public/Attorney at Law

SULLIVAN & WORCESTER LLP

ONE POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02109

IN WASHINGTON, D.C.
1666 K STREET, NW
WASHINGTON, D.C. 20006
(202) 775-1200
FAX NO. (202) 293-2275

(617) 338-2800

FAX NO. 617-338-2880

www.sandw.com

DIRECT DIAL 617-338-2476

EMAIL: LMONTI@SANDW.COM

IN NEW YORK CITY
565 FIFTH AVENUE
NEW YORK, NEW YORK 10017
(212) 486-8200
FAX NO. (646) 865-1494

292 MADISON AVENUE
NEW YORK, NEW YORK 10017-6307
(212) 213-8200
FAX NO. (212) 685-2028

June 27, 2003

BY OVERNIGHT DELIVERY

Ann Adams
Lawyers Title Insurance Corporation
19 Northbrook Drive
Falmouth, Maine 04105

RECEIVED

JUN 30 2003

LEGAL DEPT.

Re: 349 Park Avenue, Portland, Maine

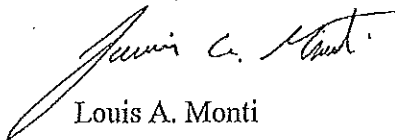
Dear Ann:

Following up on our earlier conversations, please find enclosed one (1) original deed from H.P. Hood & Sons, Inc. to HP Hood Inc. conveying the property located at 349 Park Avenue, Portland, Maine, to be recorded with the Cumberland County Registry of Deeds. Also enclosed is the Real Estate Transfer Tax Declaration to be filed with the Cumberland County Registry of Deeds.

We would like the deed to go to record by Monday, June 30, 2003. Once the deed has been recorded, please provide me with the recording information and return the original recorded deed to me.

Please feel free to contact me at (617) 338-2476 with any questions or comments. Thank you.

Sincerely,


Louis A. Monti

cc: ☒ Paul F. Beatty, Esq.
☒ Paul Nightingale, Esq.
Warren M. Heilbronner, Esq.

QUITCLAIM DEED WITH COVENANT

H.P. Hood & Sons, Inc., a Massachusetts corporation, having a mailing address of 90 Everett Avenue, Chelsea, Massachusetts 02150, for consideration paid and in full consideration of One Dollar and NO/100 (\$1.00) does hereby grant to its parent, HP Hood Inc., a Massachusetts corporation, having a mailing address of 90 Everett Avenue, Chelsea, Massachusetts 02150, with *quitclaim covenants*, that certain parcel of land with the buildings thereon situate in Portland, Cumberland County, Maine, now known and numbered as 349 Park Avenue, further bounded and described on Exhibit A attached hereto and made a part hereof.

The premises are conveyed subject to, and with the benefit of, all rights, reservations, restrictions, easements and other matters of record, insofar as the same are now in force and applicable.

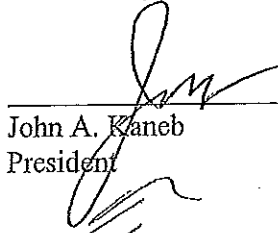
For Grantor's title reference, see deed of H.P. Hood Inc., dated December 15, 1995 and recorded with the Cumberland County Registry of Deeds in Book 12272, Page 84.

[Remainder of page left blank intentionally.]

EXECUTED as a sealed instrument as of this 27th day of June, 2003.

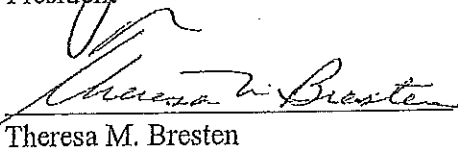
H.P. Hood & Sons, Inc.

By:



John A. Kaneb
President

By:



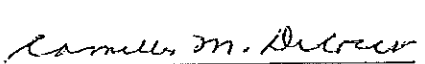
Theresa M. Bresten
Treasurer

COMMONWEALTH OF MASSACHUSETTS

County of Suffolk

June 26, 2003

Then personally appeared the above named John A. Kaneb, President of H.P. Hood & Sons, Inc., and Theresa M. Bresten, Treasurer of H.P. Hood & Sons, Inc., and acknowledged the foregoing instrument to be their free act and deed in their said capacities and the free act and deed of said corporation.



Notary Public

Notary Public

Print name: Camille M. DiCocco

My commission expires: 9/25/03

[Affix Official Seal Hereto]

EXHIBIT A

A certain lot or parcel of land situated in the City of Portland, in the County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point on the northerly side of Park Avenue, said point being twenty (20) feet northwesterly measured along said Park Avenue from the point of intersection of a line extended southwesterly one hundred eighteen (118) feet from and measured normal to the center or base line of location of said Portland Terminal Company as established by the Federal Valuation Plans dated June 30, 1916:

Thence northwesterly along said Park Avenue fifty-four (54) feet, more or less, to the southeasterly corner of land now or formerly of H.P. Hood & Sons, Inc.; Thence N 19° 27' 30" W along the northeasterly line of said Hood land and continuing on a straight prolongation of said northeasterly line a distance of five hundred forty and nine tenths (540.9) feet, more or less, to a point which is one hundred eighteen (118) feet southwesterly of and measured normal to said base line;

Thence southeasterly on a straight line a distance of five hundred sixty-one and three tenths (561.3) feet, more or less, to the point of beginning. Containing 13,760 square feet, more or less.

A certain lot or parcel of land situated in Portland, in the County of Cumberland, and State of Maine, and bounded and described as follows:

Beginning at a point in the northerly side line of Park Avenue, formerly called Portland Street in said City of Portland, which point is seventy-four feet (74') westerly along said northerly side line of said Park Avenue, from the southwesterly corner of a strip of land conveyed to the Maine Central Railroad Company by trustees of the J. B. Brown Estate; thence from said point northerly by the westerly side line of the triangular lot of land sold by the J. B. Brown & Sons to the Maine Central Railroad Company three hundred eighteen and fifty-five hundredths (318.55) feet to a stake; thence westerly on a line parallel to said Park Avenue two hundred (200) feet to a stake, thence southerly, parallel to the westerly side line of the triangular lot of land above referred to, three hundred eighteen and fifty-five hundredths (318.55) feet to a stake in the northerly side line of said Park Avenue, thence easterly along side line of said Park Avenue, to the point of beginning containing sixty thousand (60,000) square feet of land northerly of the present line of Park Avenue.

Excepting so much of the premises as was conveyed by H. P. Hood & Sons, Inc. to the State of Maine by deed dated July 28, 1971 and recorded with the Cumberland County Registry of Deeds in Book 3186, Page 109.

Together with all of Grantor's right, title and interest in the land abutting the above-described premises formerly known as St. James Street which was the subject to the Order of Discontinuance adopted by the Portland City Council on July 3, 1989 recorded in the Cumberland County Registry of Deeds in Book 8882, Page 11.

**MAINE REVENUE
SERVICES**

Property Tax Division
P.O. Box 9106
Augusta, Maine 04332



FILE BOTH COPIES
OF THIS FORM WITH
COUNTY REGISTRY OF DEEDS
DO NOT DETACH!

PLEASE READ INSTRUCTIONS ON REVERSE BEFORE COMPLETING DECLARATION

REAL ESTATE TRANSFER TAX

DECLARATION

TITLE 36, M.R.S.A., SECTIONS 4641 through 4641-N

1. MUNICIPALITY OR TOWNSHIP Portland	COUNTY Cumberland	BOOK (REGISTRY USE ONLY)	PAGE
GRANTEE (BUYER)			
2. IDENTITY: NAME(S) (LAST, FIRST, INITIAL) AND SOCIAL SECURITY NUMBER(S) OR CORPORATE NAME(S) AND FEDERAL IDENTIFICATION NUMBER(S) HP Hood Inc.		04 145 0950	
3. NUMBER AND STREET 90 Everett Avenue	CITY OR TOWN Chelsea	STATE AND ZIP CODE MA 02150	
GRANTOR (SELLER)			
4. IDENTITY: NAME(S) (LAST, FIRST, INITIAL) AND SOCIAL SECURITY NUMBER(S) OR CORPORATE NAME(S) AND FEDERAL IDENTIFICATION NUMBER(S) H.P. Hood & Sons, Inc.		04 250 7140	
5. NUMBER AND STREET 90 Everett Avenue	CITY OR TOWN Chelsea	STATE AND ZIP CODE MA 02150	
PROPERTY	6. TAX MAP & LOT NUMBER (Required) ▶ Map 66, Block D, Lot 1		Warning to Buyer! If the property is classified as Farmland, Open Space, or Tree Growth, a substantial financial penalty could be triggered by development, subdivision, partition, or change in use of the property. ☐ Applicable ☒ Not Applicable
	☐ MUNICIPALITY DOES NOT HAVE TAX MAPS (Please describe property)		
	7. DATE OF TRANSFER MO. DAY YR. (Use numerals) ▶ 06 27 03		
CONSIDERATION	8. Consideration meaning total amount or price paid, or required to be paid, for real property valued in money, whether received in money or otherwise and shall include the amount of any mortgage, liens or encumbrances thereon. If a gift or nominal consideration only is paid, consideration is based on the value of the property. Value is the estimated price the property would bring in the open market. (Tax will be collected at the registry when the deed is recorded. The tax rate is \$2.20 per \$500, or fractional part thereof, of consideration or value. The tax is equally divided between the buyer and the seller.) <u>If exempt, complete line 9</u>		
	FULL CONSIDERATION ▶ \$ 1,846,220.00	TAXABLE CONSIDERATION	\$ 0 .00
EXEMPTION	9. EXPLAIN BASIS FOR EXEMPTION (Complete only if transfer is claimed to be fully or partially exempt pursuant to M.R.S.A. 36 §4641-C) Transfer is from a subsidiary corporation to its parent corporation, pursuant to M.R.S.A. 36 §4641-C(8).		
SPECIAL CIRCUMSTANCES	10. Were there special circumstances in the transfer which suggest that the price of the property was either more or less than its fair market value. (Such as the fact that transfer was a forced sale, foreclosure, intercorporate sale, exchange, or transfer tax was based on estimate value.) PLEASE EXPLAIN. Since the transfer is from a subsidiary corporation to its parent corporation, the transfer is for nominal consideration. ▶ ☒ YES ☐ NO		
INCOME TAX WITHHELD	11. ☐ Buyer(s) certify that they have withheld Maine income tax from the purchase price as required by § 5250-A and will remit to Maine Revenue Services within 30 days after date of transfer. ☒ Buyer(s) not required to withhold Maine income tax because: ☐ seller has qualified as a Maine resident, ☐ a waiver has been received from the State Tax Assessor, ☒ consideration for the property is less than \$50,000, ☐ foreclosure sale: exempt per 36 M.R.S.A. §5250-A, sub § 3-A		
OATH	12. Aware of penalties as set forth by Title 36, Section 4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete.		
	GRANTEE(S) or AUTHORIZED AGENT	DATE	GRANTOR(S) or AUTHORIZED AGENT
	<i>Paul Smith</i>	6/27/03	<i>Paul Smith</i>
PREPARER	13. Name and address of person or firm preparing this form Sullivan & Worcester LLP, One Post Office Square, Boston, MA 02109		
			6/27/03

9555/137

[Portland, ME]

COPY

43120.65558 391 XP-5584/h
4/10/91 12:10 p.m. CR.003

QUITCLAIM DEED WITH COVENANT

AGRI-MARK, INC., a Delaware corporation, having a place of business at Milk Street Office Park, 100 Milk Street, Methuen, Massachusetts, for full value and consideration paid, hereby grants to H.P. HOOD INC., a Massachusetts corporation, having a place of business and a mailing address at 500 Rutherford Avenue, Boston, Massachusetts 02129, with QUITCLAIM COVENANT, those parcels of land located at or near 349 Park Avenue in the City of Portland, County of Cumberland and State of Maine, as more particularly described in Exhibit A attached hereto and made a part hereof, together with all buildings, structures and improvements located thereon, and together with all rights and appurtenances pertaining to such land.

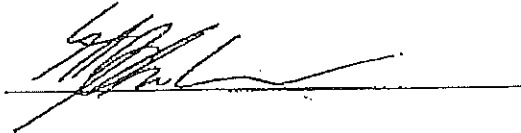
Being the same premises conveyed to Agri-Mark, Inc. by deed of H.P. Hood Inc. dated July 16, 1980, and recorded in the Cumberland County Registry of Deeds in Book 4632, Page 254.

The premises are conveyed subject to and with the benefit of all easements, restrictions, rights of way and other matters of record, if any, insofar as the same are now in force and applicable.

IN WITNESS WHEREOF, Agri-Mark, Inc. has caused this deed to be executed and sealed by JOHN J. McLEOD JR. its duly authorized SR V.P. - FIN. ADM. this 9th day of May, 1991.

WITNESS:

AGRI-MARK, INC.



By:

JOHN J. McLEOD JR.
Name: JOHN J. McLEOD JR.
Its: SR V.P. - FIN. ADM.

STATE OF NEW YORKCounty of NEW YORK, ss.May 9, 1991

Personally appeared the above-named JOHN J. McLEOD JR., SR V.P. - FIN. ADM. of AGRI-MARK, INC., and acknowledged the foregoing instrument to be the free act and deed of AGRI-MARK, INC.

Before me,

Elizabeth Lajca
Notary Public/Attorney-at-Law
Print Name: _____
My Commission Expires: _____

XP-5584/h

ELIZABETH LAJCA
Notary Public, State of New York
No. 01LA4686203
Qualified in Kings County
Commission Expires June 30, 1991

State of Maine. Cumberland, ss.

August 13, 1943.

Then personally appeared the above named Ralph L. Goddard, Assistant Treasurer of said Bank as aforesaid, and acknowledged the foregoing instrument to be his free act and deed, in his said capacity and the free act and deed of said Bank.

Before me, Albert E. Libby Notary Public, Notarial Seal

My Commission Expires Feb. 7, 1947

Received August 13, 1943, at 11h 46m A. M., and recorded according to the original

KNOW ALL MEN BY THESE PRESENTS, That the Federal Loan and Building Association, a corporation organized and existing under the banking laws of the State of Maine and having its office and principal place of business at Portland in the County of Cumberland and State of Maine, owner of a certain mortgage given by Jacob J. Young, of said Portland, to said Federal Loan and Building Association dated July 6, A. D. 1942, and recorded in Cumberland County Registry of Deeds, Book 1684, Page 9, does hereby acknowledge that it has received full payment and satisfaction of the same and of the debt thereby secured, and in consideration thereof it does hereby cancel and discharge said mortgage, and release unto the said Jacob J. Young, his heirs and assigns forever the premises therein described.

Federal
L. & B.
Ass'n.
to
Young
Disch.

IN WITNESS WHEREOF, it the said Federal Loan and Building Association has caused these presents to be subscribed by its Assistant Treasurer thereunto duly authorized and also its corporate seal to be affixed this twelfth day of August, A. D. 1943.

Signed, Sealed and Delivered in Presence of

FEDERAL LOAN AND BUILDING ASSOCIATION
CORPORATE SEAL

Edith C. Keith

By Thomas A. Sanders, Ass't. Treas.

State of Maine. Cumberland, ss.

Portland, August 12th, 1943.

Personally appeared the above named Thomas A. Sanders, Assistant Treasurer of said corporation and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Federal Loan and Building Association. Before me, Edith C. Keith Justice of the Peace
Received August 13, 1943, at 12h 20m P. M., and recorded according to the original

KNOW ALL MEN BY THESE PRESENTS, That Portland Terminal Company, a corporation existing under the laws of Maine, with a principal place of business at Portland in the County of Cumberland and said State in consideration of one dollar and other valuable considerations paid by H. P. Hood & Sons, Inc., a Massachusetts corporation with offices at Boston, Suffolk County, Massachusetts, the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said H. P. Hood & Sons, Inc., its successors and assigns forever, a certain lot or parcel of land situated in the City of Portland, in the County of Cumberland and State of Maine, bounded and described as follows:

Portland
Terminal
Co.
to
H.P.
Hood &
Sons,
Inc.
Q. C.

Beginning at a point on the northerly side of Park Avenue, said point being twenty (20) feet northwesterly measured along said Park Avenue from the point of intersection of a line extended southwesterly one hundred eighteen (118) feet from and measured normal to the center or base line of location of said Portland Terminal Company as established by the Federal Valuation Plans dated June 30, 1916;

Thence northwesterly along said Park Avenue fifty-four (54) feet, more or less, to the southeasterly corner of land now or formerly of H. P. Hood & Sons, Inc.;

Thence N. 19° 27' 30" W. along the northeasterly line of said Hood land and continuing on a straight prolongation of said northeasterly line a distance of five hundred forty and nine tenths (540.9) feet, more or less, to a point which is one hundred eighteen (118) feet southwesterly of and measured normal to said base line;

Thence southeasterly on a straight line a distance of five hundred sixty-one and three tenths (561.3) feet, more or less, to the point of beginning.

Containing 13,760 square feet, more or less.

By the acceptance of this deed the grantee hereby covenants and agrees for itself, its successors and assigns, to make no excavations on the above described premises that will in any way endanger the lateral support of land of said grantor without providing, at its sole expense, a safe and proper protection to said land satisfactory to the Chief Engineer of said Portland Terminal Company.

By the acceptance of this deed the grantee also hereby covenants and agrees for itself, its successors and assigns, to make no future claim for damage against said Portland Terminal Company, its successors and assigns, on account of drainage of water from other land of this grantor on to the land herein above conveyed, and further agrees to provide, at its sole expense, a suitable drainage system satisfactory to the Chief Engineer of said Portland Terminal Company.

By the acceptance of this deed the grantee hereby covenants and agrees for itself, its successors and assigns, to build and maintain at its sole expense along the northeasterly side of the above bounded premises any fence which said grantee, its successors or assigns, may desire or require at any time hereafter, or which any law or government authority may require to be constructed by the grantor or the grantee, their successors or assigns.

These covenants are to run with the land herein above conveyed and to be binding upon the grantee, its successors and assigns, forever.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to it the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Portland Terminal Company has caused these presents to be executed on its behalf, and its corporate seal affixed hereto, by Dana C. Douglass, its Vice President, thereto duly authorized this 11th day of May in the year of our Lord one thousand nine hundred and forty-three.

Signed, Sealed and Delivered in Presence of

PORTLAND TERMINAL COMPANY CORPORATE SEAL

By Dana C. Douglass Vice President

M. L. Rhoads

U.S.I.R.
\$2.75
P.T.Co.
5-11-43

State of V
Perso
instrument
self as s:

At a meet
notified
following
VOTE

by author:
this Comp.
of them m:
Portland,
Beginning

(20) feet
tion of a
ured norm
as establ

Thence no
the south
Thence N.

uing on a
dred fort
dred eigh
Thence so
three ter

Containin
By the ac
its succe
that will
viding, &

to the Cl
By the a
self, it
Portland

water fr
ther agr
to the Cl

By the n
its succe
easterly
sors or :
governme

ity
sec-
meas-
pany
to
tinuing
forty
teen
f,
es
t
actory
it-
d
water
r
to
f,
north-
c-
w or
their
upon
ances
sents
he
ATE
dent

State of Maine. County of Cumberland, ss.

May 11, 1943.

Personally appeared the above named Dana C. Douglass and acknowledged the above instrument to be the free act and deed of said Portland Terminal Company and of himself as said Vice President. Before me, Michael L. Rhoads Notary Public

Notarial Seal

At a meeting of the Board of Directors of Portland Terminal Company duly called, notified and held at Portland, Maine, on March 31, 1943, a quorum being present, the following action was taken:

VOTED: That the President or Vice President be and each of them singly is hereby authorized to execute, acknowledge and deliver a conveyance for and on behalf of this Company and under its corporate seal, for such consideration as they or either of them may determine, of a certain lot or parcel of land situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows: Beginning at a point on the northerly side of Park Avenue, said point being twenty (20) feet northwesterly measured along said Park Avenue from the point of intersection of a line extended southwesterly one hundred eighteen (118) feet from and measured normal to the center or base line of location of said Portland Terminal Company as established by the Federal Valuation Plans dated June 30, 1916;

Thence northwesterly along said Park Avenue fifty-four (54) feet, more or less, to the southeasterly corner of land now or formerly of H. P. Hood & Sons, Inc.;

Thence N. 19° 27' 30" W. along the northeasterly line of said Hood land and continuing on a straight prolongation of said northeasterly line a distance of five hundred forty and nine tenths (540.9) feet, more or less, to a point which is one hundred eighteen (118) feet southwesterly of and measured normal to said base line; Thence southeasterly on a straight line a distance of five hundred sixty-one and three tenths (561.3) feet, more or less, to the point of beginning.

Containing 13,760 square feet, more or less.

By the acceptance of this deed the grantee hereby covenants and agrees for itself, its successors and assigns, to make no excavations on the above described premises that will in any way endanger the lateral support of land of said grantor without providing, at its sole expense, a safe and proper protection to said land satisfactory to the Chief Engineer of said Portland Terminal Company.

By the acceptance of this deed the grantee also hereby covenants and agrees for itself, its successors and assigns, to make no future claim for damage against said Portland Terminal Company, its successors and assigns, on account of drainage of water from other land of this grantor on to the land herein above conveyed, and further agrees to provide, at its sole expense, a suitable drainage system satisfactory to the Chief Engineer of said Portland Terminal Company.

By the acceptance of this deed the grantee hereby covenants and agrees for itself, its successors and assigns, to build and maintain at its sole expense along the northeasterly side of the above bounded premises any fence which said grantee, its successors or assigns, may desire or require at any time hereafter, or which any law or governmental authority may require to be constructed by the grantor or the grantee,

their successors or assigns.

These covenants are to run with the land herein above conveyed and to be binding upon the grantee, its successors and assigns, forever.

Attest:

E. Spencer Miller

Clerk.

At a meeting of the Board of Directors of Portland Terminal Company duly called, notified and held at Portland, Maine, on June 23, 1943, a quorum being present, the following action was taken:

VOTED: That the vote of this Board adopted at its meeting held March 31, 1943, relating to sale of land in Portland, Maine, to H. P. Hood & Sons, Inc., be amended by inserting in the preamble after the word "land" the words "which has ceased to be required for the purposes of this Company" so that said preamble, as amended, shall read as follows:

"VOTED: That the President or Vice President be and each of them singly is hereby authorized to execute, acknowledge and deliver a conveyance for and on behalf of this Company and under its corporate seal, for such consideration as they or either of them may determine; of a certain lot or parcel of land which has ceased to be required for the purposes of this Company, situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:"

Attest:

E. Spencer Miller

Clerk

CORPORATE SEAL

OF

PORTLAND TERMINAL COMPANY

Received August 13, 1943, at 2h -m P. M., and recorded according to the original

Martin &
to
Costa
Bond

KNOW ALL MEN BY THESE PRESENTS, That I, Jeffery C. Martin, of Flint, Michigan, holden and stand firmly bound and obliged unto Ralph R. Costa of Portland, County of Cumberland and State of Maine, in the full and just sum of Twelve hundred dollars (\$1200.00) to be paid unto the said Jeffery C. Martin, his executors, administrators or assigns; to the which pay well and truly to be made do bind my heirs, executors and administrators, firmly by these presents. Sealed with my seal.

Dated the fourteenth day of October in the year of our Lord one thousand nine hundred and forty-one.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas, the said Jeffery C. Martin and Josephine E. Martin agreed and does hereby agree to sell and convey to the said Ralph R. Costa, his heirs or assigns a certain lot or parcel of land together with the buildings thereon, situated on the westerly side of the County Road, so called, leading from College's Corner, in Falmouth, to Cumberland Center, in the County of Cumberland and State of Maine, and beginning at an iron post seven hundred sixty-eight (768) feet, eight (8) inches, more or less, south of an iron post set in the side of a culvert on said road; thence westerly nine hundred forty-nine (949) feet to an iron post; thence southeasterly three hundred (300) feet to an iron post;

Pasteurized Milk Tank Variance Proposal

HP Hood LLC
349 Park Ave.
Portland, ME 04102

Dear Zoning Board,

The milk processing facility that is owned by HP Hood in Portland would like to propose a plan to install two vertical milk tanks. These tanks will hold approximately 20,000 gallons each. They will be used for fluid milk products. The proposed area has been considered due to the limited space at the location.

The front setback is required to be 39 feet per Section 14-250(f) [i.e. one foot for every foot in height of the silo] and we are requesting a reduction to 27 feet. This would be the shortest distance from the tank to the front property line.

The company will have Richard Seiler (Maintenance Manager) and Dan Cowles (Project Manager) to represent HP Hood at the meeting on May 5th. We appreciate your consideration for this project.



Food
FRESH MAINE MILK
CAP. 344,000 LBS.

ONE WAY







MITTEL ASEN, LLC

ATTORNEYS AT LAW
www.mittelasen.com

ROBERT E. MITTEL
MICHAEL P. ASEN
DIANE DUSINI
JONATHAN L. GOLDBERG
SUSAN S. BIXBY
ANDREW J. KULL
MARIA FOX
HEATHER T. WHITING

85 EXCHANGE STREET, 4th FLOOR
PORTLAND, MAINE 04101

PHONE 207 775-3101
FAX 207 871-0683

April 15, 2016

VIA HAND DELIVERY

Zoning Board of Appeals, Rm. 315
City of Portland
389 Congress Street
Portland, ME 04101

Hardship Variance Application of Michael Keon
for Property at 184 State Street, Portland, Maine;
C/B/L: 45/C/1

Dear Members of the Zoning Board of Appeals:

This office represents Michael Keon, prospective tenant under a proposed lease agreement for part of the property identified as 184 State Street owned by Geoffrey I. Rice (the "Property"). Please see the enclosed authorization letters signed by Mr. Rice and Mr. Keon authorizing me to pursue this appeal (Exhibits A and B enclosed herewith). On Mr. Keon's behalf, and with authorization from Mr. Rice, we are asking the Board to grant two (2) variances: one for parking required under Section 14-332(i) and one regarding a limitation on hours of operation under Section 162(a)(2)(h)(c). We respectfully request to have our application heard on the evening of May 5, 2016 at the Board's regularly scheduled meeting. Enclosed is our check in the amount of \$150.00 payable to the City of Portland as payment in full for the application fee and the processing fee.

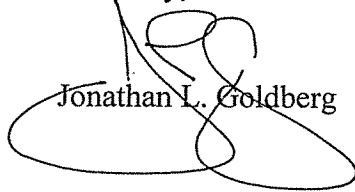
We propose to convert a vacant storefront (formerly a frame shop) to restaurant use. Restaurants are permitted in the B1 zone, but with specific parking requirements and limits on their hours of operation that do not apply to the adjacent B3 zone. The Property is adjacent to B3 zoning directly across Pine Street and directly across State Street. There are three existing restaurants within just a few steps of the Property that are not subject to the parking requirement and the limited hours of operation: Pai Men Mayaki and LFK on State Street and Blackstones (which shares the building on the subject Property). Pai Men Mayaki and LFK are in the B3 zone; Blackstones is in B1, but grandfathered such that it needn't provide parking or limit its hours in accordance with B1 zoning.

The building on the subject Property occupies the entire parcel (see Exhibit D, Tax Map 45). There is simply no available area that could accommodate parking for the restaurant. We calculate that three (3) parking spaces are required for the less-than-525 square foot dining area. We have enclosed a Map of Parking Garages and Lots in Downtown Portland (Exhibit J) and the Annual Parking Survey of Downtown Garages and Lots for March, 2016 (Exhibit K). These provide graphic evidence of the availability of parking in the immediate vicinity of the subject Property and in the downtown area, generally. We believe that the grant of a variance that would eliminate the Zoning Ordinance's requirement for three parking spaces would be a *de minimis* reduction in the amount of available parking that would, for all intents and purposes, go unnoticed.

Also enclosed are internet webpages (Exhibit L) that show the advertised hours of operation for the three restaurants referenced above. The grant of the requested variance would "level the playing field" among these businesses and constitute what we think would be a *de minimis* relaxation of the limitation on hours of operation for a restaurant in the B1 zone.

Thank you for your consideration. We look forward to presenting our variance appeal to the Board on May 5.

Sincerely,


Jonathan L. Goldberg

Enclosures: Exhibits

- (A) Variance Appeal Application
- (B) Authorization letter signed by Michael Keon
- (C) Authorization letter signed by Geoffrey I. Rice
- (D) Tax Map 45
- (E) Aerial Photograph of the Property
- (F) Lot Coverage (Building Footprint) Map
- (G) Quitclaim with Covenant Deed
- (H) Portland Assessor's Card
- (I) Property Photographs (3 pages)
- (J) Parking Garage and Parking Lot Map
- (K) Annual Parking Survey of Downtown Garages and Lots, March, 2016
- (L) Internet Webpages for Nearby Restaurants



Portland, Maine



Yes. Life's good here.

EXHIBIT

A

Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND
ZONING BOARD OF APPEALS
Variance Appeal Application

Applicant Information:

Mike Keon
NAME

BUSINESS NAME

576 CONGRESS STREET
ADDRESS

PORTLAND, ME 04101

(978) 886-8178
TELEPHONE #

PROSPECTIVE TENANT
APPLICANT'S RIGHT, TITLE OR INTEREST
(eg; owner, purchaser, etc)

B1
CURRENT ZONING DESIGNATION

EXISTING USE OF PROPERTY:

VACANT STOREFRONT

Subject Property Information

184 State Street
PROPERTY ADDRESS

45/C/1
CHART/BLOCK/LOT (CBL)

PROPERTY OWNER (if different)
Geoffrey I. Rice

NAME
658 Congress Street 1st Floor
ADDRESS

PORTLAND, ME 04101

VARIANCE FROM
SECTION 14 - 332(i); 14.162(a)(2)(h)(c)

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

[Signature]
SIGNATURE OF APPLICANT

4/15/16
DATE

ZONING BOARD OF APPEALS
VARIANCE APPEAL APPLICATION

1. The land in question cannot yield a reasonable return unless a variance is granted.

Satisfied: X

NOT Satisfied:

Reason and supporting facts:

PARKING. The building situated on the subject property occupies virtually all of the land area—there is no land available for automobile parking. It is therefore impossible to satisfy the parking requirement in Section 14-332(i), which in this case would require the proposed restaurant to have a minimum of three (3) parking spaces available. Given the proximity of dozens of public parking garages and lots in downtown Portland that provide literally thousands of available parking spaces, the relaxation of the requirement for three (3) spaces seems de minimis. The rental space in question currently is vacant. In its present blighted condition it produces no return whatsoever for its owner. Without the grant of the variance requested, the space will not yield a reasonable return.

HOURS OF OPERATION. Section 14-162(2)(h)(c) limits restaurant hours of operation in the B-1 zone from 6:00 a.m. to 11:00 p.m. daily. In order to be able to compete with the three restaurants within a few steps of the subject property (Blackstones, LFK, and Pai Men Mayaki), all of which stay open past 11:00 p.m., we ask for a variance that will permit the proposed restaurant to operate until 1 a.m. Without the opportunity to compete on an even basis with its competitors, the proposed restaurant cannot justify a rental that will yield a reasonable return.

2. The need for a variance is due to the unique circumstances of the property and NOT to the general conditions of the neighborhood.

Satisfied: X

NOT Satisfied:

Reason and supporting facts:

The subject property is a mixed-use building comprised of residential apartments, a retail store and a restaurant/bar in addition to the vacant space for which the variances are sought. The uniqueness of the property is its location at the “end” of a B-1 zone and adjacent in two directions (across State Street and across Pine Street) to the more permissive B-3 zone. The B-3 zone carries no requirement for restaurant parking. Nor does it limit restaurant hours of operation to 11:00 p.m. But for its unique location in a B-1 zone cradled on two sides by a B-3 zone, no variance would be necessary. The general conditions of the neighborhood have no bearing on the need for requested variances.

3. The granting of the variance will not alter the essential character of the locality.

Satisfied: X

NOT Satisfied:

Reason and supporting facts:

The essential character of the neighborhood is a mix of homes and apartments, retail stores, churches, a funeral home, and restaurants. Rather than altering the essential character of the neighborhood, a grant of the requested variances will reinforce the essential character of the neighborhood in a positive fashion. The vacant space in question suffers the blemishes of graffiti and disrepair. Our proposal to create a first-class restaurant in that space will convert that space to an attractive, carefully maintained place of business that creates employment opportunities and an attractive dining choice to residents and visitors alike. The grant of the variances sought will not alter the essential character of the locality.

4. The hardship is not the result of action taken by the applicant or a prior owner.

Satisfied: X

NOT Satisfied:

Reason and supporting facts:

The hardship is due to the irregular juxtaposition of zones in the area. Those zones include R6, B1, B2b, and B3. Uses of properties that are adjacent to each other are governed by different zoning restrictions, resulting in inconsistent limits on permitted uses. The subject property predates Portland's Zoning Ordinance. No action by the applicant or a prior owner or tenant created or contributed to the hardship that we seek to abolish.

April 12, 2016

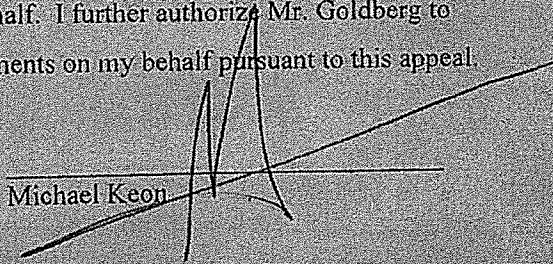
Zoning Board of Appeals, Rm. 315
City of Portland
389 Congress Street
Portland, ME 04101

Re: *Hardship Variance Application
of Michael Keon
for Property at 184 State Street, Portland*

Dear Board Members:

In all matters related to my application for variances for my proposed use of the first floor of property known as 184 State Street, I, the undersigned, designate Jonathan L. Goldberg, Esq. and MittelAsen, LLC as my representative. I authorize Mr. Goldberg to appear on my behalf in all matters that come before the Portland Zoning Board of Appeals pursuant to my application for variances and to submit any materials on my behalf. I further authorize Mr. Goldberg to speak, negotiate, prepare and sign any and all documents on my behalf pursuant to this appeal.

Michael Keon



April 13, 2016

Zoning Board of Appeals, Rm. 315
City of Portland
389 Congress Street
Portland, ME 04101

Re: *Hardship Variance Application
of Michael Keon
for Property at 184 State Street, Portland
C/B/L 045 C001001*

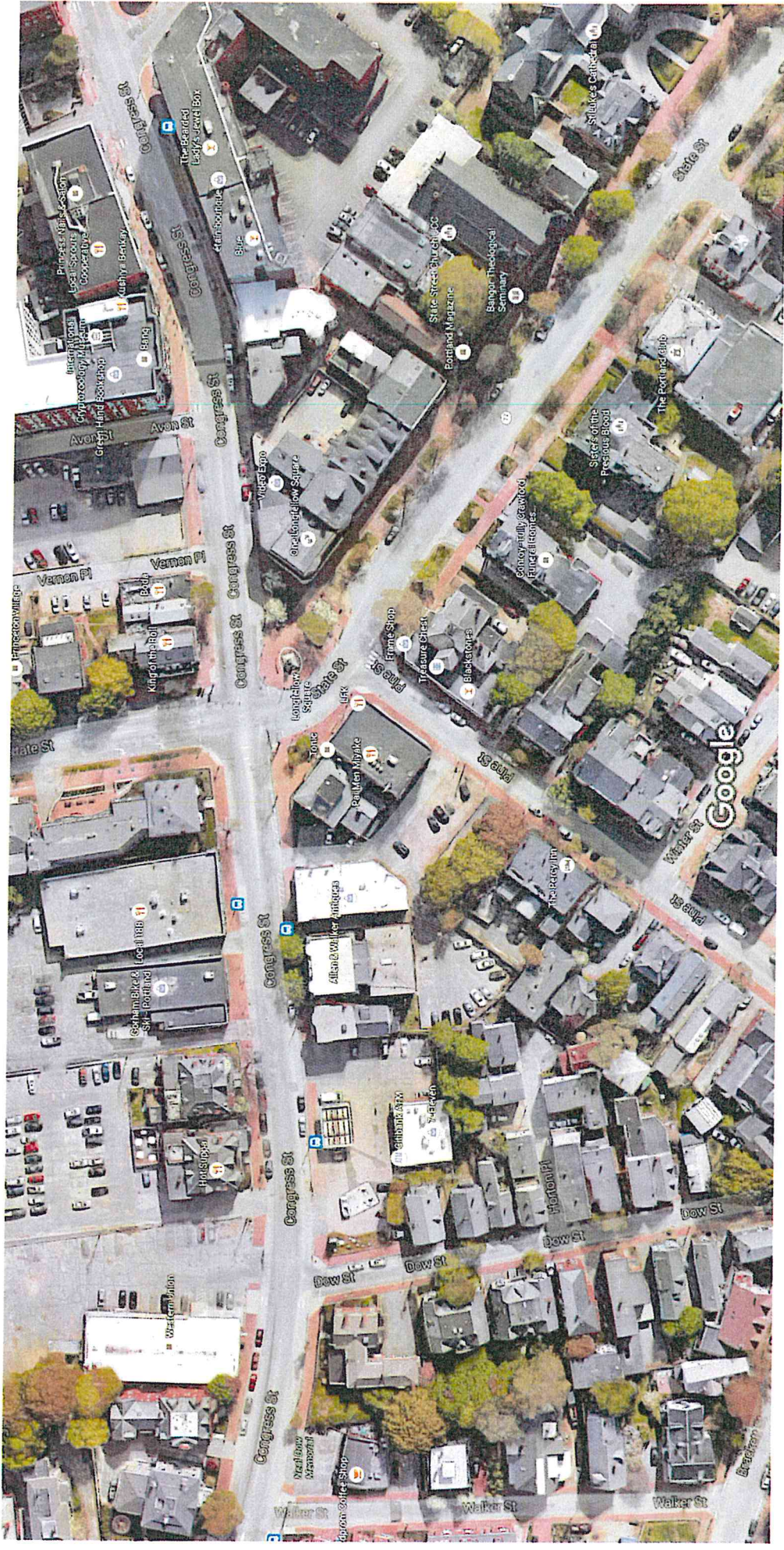
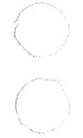
Dear Board Members:

I am the owner of the above-referenced property. I am currently in negotiations with Michael Keon regarding his lease of the first-floor space previously occupied by The Frame Shop. Subject to the grant of variances to (1) the requirement for parking spaces and (2) the limitation on hours of operation for a restaurant, I will enter into a lease with Mr. Keon for use of the space as a restaurant.

In all matters related to the application for variances, I designate Michael Keon and his attorney, Jonathan L. Goldberg, Esq. and MittelAsen, LLC as my representative. I authorize Mr. Keon and Mr. Goldberg to appear on my behalf in all matters that come before the Portland Zoning Board of Appeals pursuant to this application for variances and to submit any materials on my behalf. I further authorize Mr. Keon and Mr. Goldberg to speak, negotiate, prepare and sign any and all documents on my behalf pursuant to this application.

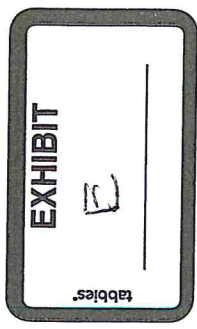


Geoffrey I. Rice
658 Congress Street, 1st Floor
Portland, ME 04101



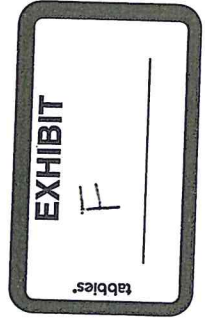
Imagery ©2016 Google, Map data ©2016 Google 50 ft

Google Maps



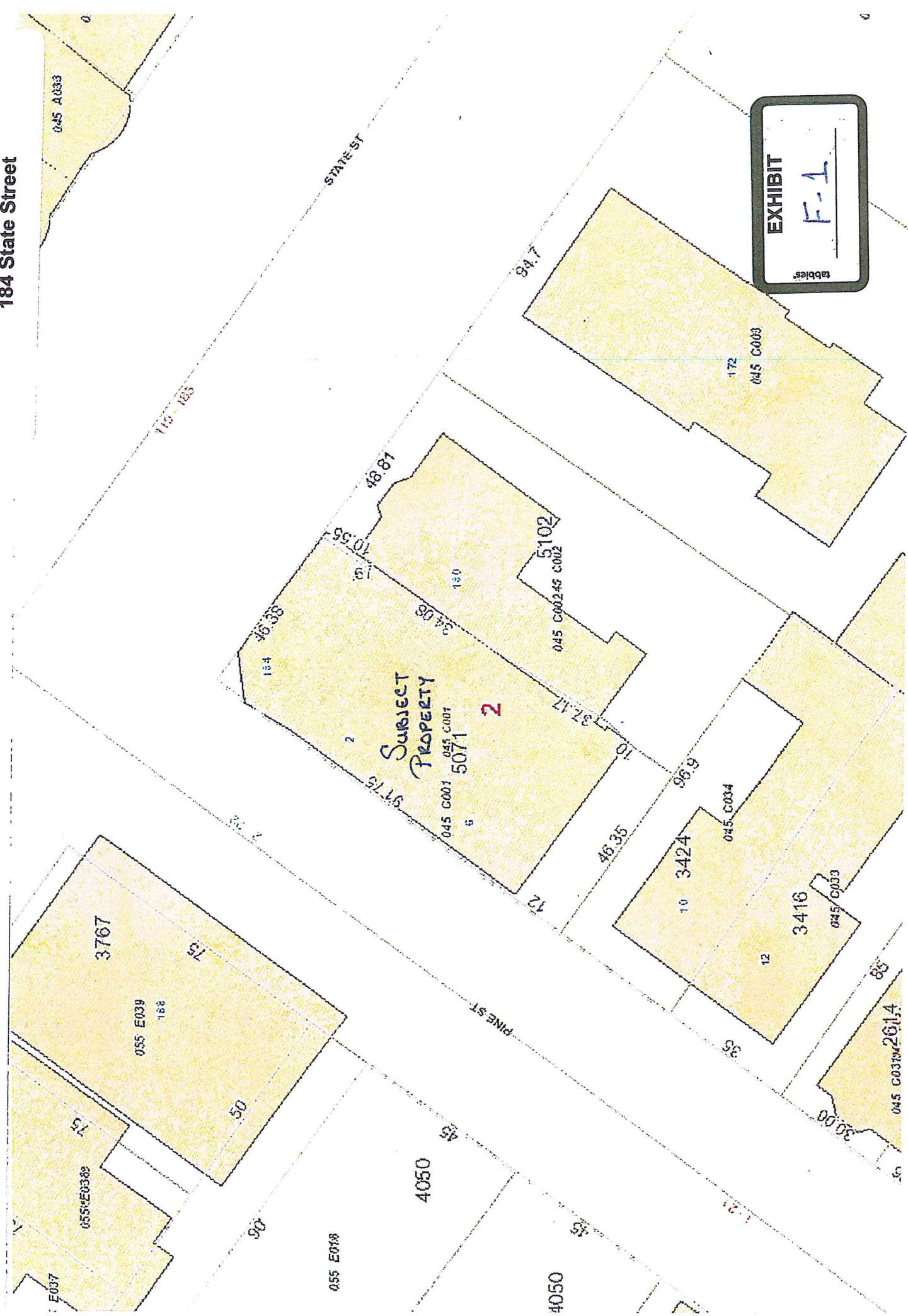
My Map

182 State Street



EXHIBIT

F-1



1467
(90)

300 Know all Men by these Presents,

That H. M. SHWARTZ PROPERTIES, INC.

a corporation organized and existing under the laws of the State
of Maine and located at Portland
in the County of Cumberland and State of Maine
in consideration of one dollar (\$1.00) and other valuable considerations
paid by GEOFFREY I. RICE, 655 Congress Street, Portland, Maine

the receipt whereof it does hereby acknowledge, does hereby give.

grant, bargain, sell and convey, unto the said GEOFFREY I. RICE

his heirs and assigns forever,
the following described real estate:
a certain lot or parcel of land with the buildings thereon, situated on the
southerly side of Congress Street, in said Portland, and bounded and described
as follows:

Beginning on said Congress Street at the northeasterly corner of land
formerly of John G. Warren which corner is distant westerly on said Congress
Street fifty-five feet and ten inches (55'10") more or less, from the westerly
side of the passageway extending from said Congress Street to Pine Street;
thence from said point of beginning running southwardly by said Warren land
ninety-two (92) feet, more or less, to a passageway in the rear of the premises
hereby conveyed; thence eastwardly on said last mentioned passageway thirty-two
feet and six inches (32'6"), more or less, to a corner in said passageway; thence
on said passageway North 49° East thirty-five feet and eight inches (35'8"), more
or less, to a corner in said passageway; thence on said passageway, which
is also the aforesaid passageway running to Pine Street, North 61° East sixty-
five feet and four inches (65'4"), more or less, to said Congress Street; thence
westwardly on said Congress Street fifty-five feet and ten inches (55'10"), more
or less, to the point of beginning. Together with the right to use in common
with other owners a passageway sixteen (16) feet wide running from said Congress
Street to Pine Street. Also a right in the passageway running in the rear of the
premises from the last mentioned passageway to the line of the Douglas land.
Said premises are numbered 684-686-688 on said Congress Street according to
Valuation plans of said Portland.

Being the same premises conveyed to this corporation by David Shwartz & Sons,
Inc. by its Warranty Deed dated November 6, 1923 and recorded in Cumberland
County Registry of Deeds in Book 1153, Page 186.

This conveyance is made subject to an existing lease to 3-M Business
Products Sales, Inc.

Also,
a certain lot or parcel of land situated on the northwesterly side of Pine Street,
in said Portland, being numbered 7-9 Pine Street, and bounded and described as
follows:

Beginning on the northwesterly side of Pine Street, at a point distant
ninety-one (91) feet southwesterly from the monument standing at the intersection
of said line of Pine Street with the southwesterly line of State Street; thence
running southwesterly on the northwesterly line of Pine Street forty-five (45)
feet; thence running northwesterly at right angles with said line of Pine Street
ninety (90) feet; thence running northeasterly on a line parallel with said line
of Pine Street forty-five (45) feet; and thence running southeasterly at right
angles to the last line ninety (90) feet to Pine Street and the point of
beginning.

Also a right of way in common with others for all purposes in and to the
following described passageways or alleys, namely, in and to the passageway or
alley sixteen feet in width adjoining the above described lot or parcel of land

on the northeasterly side thereof and extending at right angles to said Pine Street; in and to the passageway or alley sixteen (16) feet in width adjoining the above described lot or parcel of land on the northwesterly side thereof; in and to the passageway or alley sixteen (16) feet in width extending from the intersection of the above described passageways to Congress Street at right angles to said Congress Street; and in and to the other passageways and alleys therewith connected. Also all right, title and interest of said Grantor in and to the alleys and passageways above described and the land beneath said passageways with all rights and privileges therewith connected.

Being the same premises conveyed by Thomas D. Kiriakis' to State Realty Co. by deed dated August 8, 1946 and recorded in said Registry of Deeds in Book 1833, Page 99.

Also,

A certain lot or parcel of land with the buildings thereon situated on the Southwesterly side of State Street and Southeasterly side of Pine Street in said Portland being numbered 182-184 State Street and 2-6 Pine Street and bounded and described as follows:

Beginning at the corner formed by the intersection of the southwesterly side line of State Street with the southeasterly side line of Pine Street; thence running southeasterly by the southwesterly side line of State Street forty-six (46) feet and four and one-fourth ($4\frac{1}{4}$) inches to land of Estelle M. Moulton; thence southwesterly at right angles to said southwesterly side line of State Street by said Moulton land, ten (10) feet and six and five-eighths ($6\frac{5}{8}$) inches to the northeasterly face of the adjoining building on the lot under description; thence southeasterly along said northeasterly face of said building eight (8) inches to the center line of the party wall between said Globe Realty Co. building and the original building owned by said Moulton; thence southwesterly by the center line of said party wall a distance of thirty-four (34) feet and one (1) inch to a point; thence continuing southwesterly, a little more southerly, by the northerly wall of said Moulton house, thirty-seven (37) feet and two (2) inches to the northwesterly corner of the ell of the building of said Moulton; thence southwesterly, a little more westerly, ten (10) feet to a point in the southeasterly line of land conveyed to said Globe Realty Co. by deed of Harry R. Virgin, Executor, dated June 8, 1927, recorded in Cumberland County Registry of Deeds in Book 1268, Page 60, which point is twelve (12) feet, more or less, northeasterly from land now or formerly of William Chase; thence southwesterly by said last mentioned line twelve (12) feet, more or less, to said Chase land; thence northwesterly by said Chase land about forty-six (46) feet and four and one-fourth ($4\frac{1}{4}$) inches to Pine Street; thence northeasterly by the southeasterly side of said Pine Street to the point of beginning.

Being the same premises conveyed to Globe Realty Co. by deed of Harry R. Virgin, Executor, dated June 8, 1927 and recorded in said Registry of Deeds in Book 1268, Page 60, and by deed of Willis B. Moulton dated September 3, 1927, recorded in said Registry of Deeds in Book 1275, Page 7, excepting from the foregoing Virgin deed a small strip of land conveyed by Globe Realty Co. to Willis B. Moulton by deed dated September 3, 1927, recorded in said Registry of Deeds in Book 1275, Page 6.

Subject to and with the benefit of the right of way as set forth in the deed from Mary E. Carlisle to Frederic Storer, dated June 2, 1871 and recorded in Book 386, Page 261.

This conveyance is made subject to existing leases to Manpower, Inc. and the Frame Shop.

Reference is made to a Certificate of Merger of State Realty Co. and Globe Realty Co. into H. M. Schwartz Properties, Inc. on November 1, 1976 and recorded in Cumberland County Registry of Deeds in Book 3930, Page 221.

To have and to hold, the aforegranted and bargained premises

with all the privileges and appurtenances thereof to the said

GEOFFREY I. RICE

his heirs and assigns, to them and their use and behoof forever.

And the said Grantor Corporation does hereby COVENANT with the

said Grantee, his heirs and assigns, that it is lawfully seized

in fee of the premises, that they are free of all incumbrances; except as aforesaid;

that it has good right to sell and convey the same to the said Grantee to hold as aforesaid; and that it and its successors, shall and will WARRANT AND DEFEND the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons, except as aforesaid.

In Witness Whereof, the said H. M. SHWARTZ PROPERTIES, INC. has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Wingo S. Lewenson, its Treasurer, thereunto duly authorized, this 12 day of January in the year one thousand nine hundred and seventy-eight.

Signed, Sealed and Delivered in presence of

H. M. SHWARTZ PROPERTIES, INC.

Edward F. Lane

By Wingo S. Lewenson
Its Treasurer



State of Maine

County of Cumberland

on

January 12, 1978

Then personally appeared the above named

Wingo S. Lewenson

, Treasurer

of said Grantor

Corporation as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before me,

JAN 20 1978

Edward F. Lane

Justice of the Peace.

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE.

Notary Public.

Received at 11 H 45 AM, and recorded in

BOOK 4164

PAGE 100

Edward F. Lane

Registrar

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

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

This page contains a detailed description of the Parcel ID you selected.

[New Search!](#)**Current Owner Information:****Services**
[Applications](#)
[Doing Business](#)
[Maps](#)
[Tax Relief](#)
[Tax Roll](#)
[Q & A](#)
[browse city services a-z](#)[browse facts and links a-z](#)

Best viewed at 800x600, with Internet Explorer

CBL 045 C001001

Land Use Type RETAIL & PERSONAL SERVICE
Verify legal use with Inspections Division

Property Location 184 STATE ST

Owner Information RICE GEOFFREY I
658 CONGRESS ST 1ST FLOOR
PORTLAND ME 04101

Book and Page

Legal Description 45-C-1
STATE ST 182-184
PINE ST 2-6
5071 SF

Acres 0.1164

Current Assessed Valuation:

TAX ACCT NO.	6912	OWNER OF RECORD AS OF APRIL 2015
LAND VALUE	\$152,200.00	RICE GEOFFREY I
BUILDING VALUE	\$312,000.00	
NET TAXABLE - REAL ESTATE	\$464,200.00	658 CONGRESS ST 1ST FLOOR PORTLAND ME 04101
TAX AMOUNT	\$9,576.46	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).**Building Information:****Building 1**

Year Built 1900

Style/Structure Type

Units 3

Building Num/Name 1 - FRAME SHOP

Square Feet 8853

[View Sketch](#)[View Map](#)[View Picture](#)**Exterior/Interior Information:****Building 1**

Levels B1/B1

Size 1336

Use SUPPORT AREA

Height 7

Heating NONE
A/C NONE

Building 1

Levels 01/01
Size 1504
Use BAR/LOUNGE
Height 10
Walls BRICK/STONE
Heating HW/STEAM
A/C UNIT

Building 1

Levels 01/01
Size 2835
Use RETAIL STORE
Height 10
Walls BRICK/STONE
Heating HW/STEAM
A/C UNIT

Building 1

Levels 02/02
Size 1336
Use APARTMENT
Height 9
Walls BRICK/STONE
Heating HW/STEAM
A/C NONE

Building 1

Levels 03/03
Size 920
Use APARTMENT
Height 9
Walls BRICK/STONE
Heating HW/STEAM
A/C NONE

Building 1

Levels 04/04
Size 922
Use APARTMENT
Height 8
Walls BRICK/STONE
Heating HW/STEAM
A/C NONE

Other Features:**Building 1**

Structure STORE FRONT - AVG
Size 336X0

[New Search!](#)

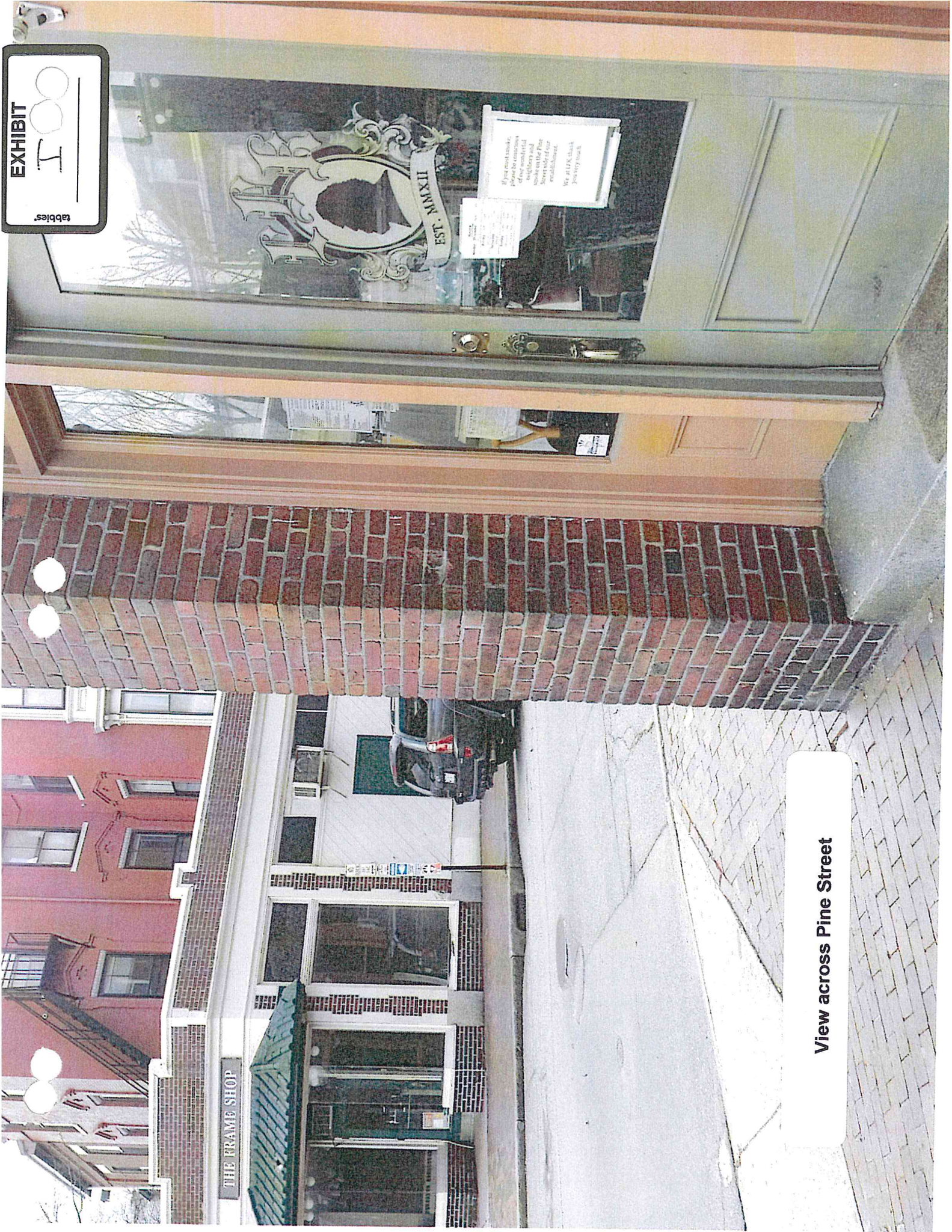


EXHIBIT I

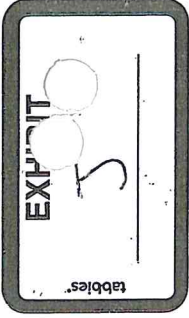
View across Pine Street



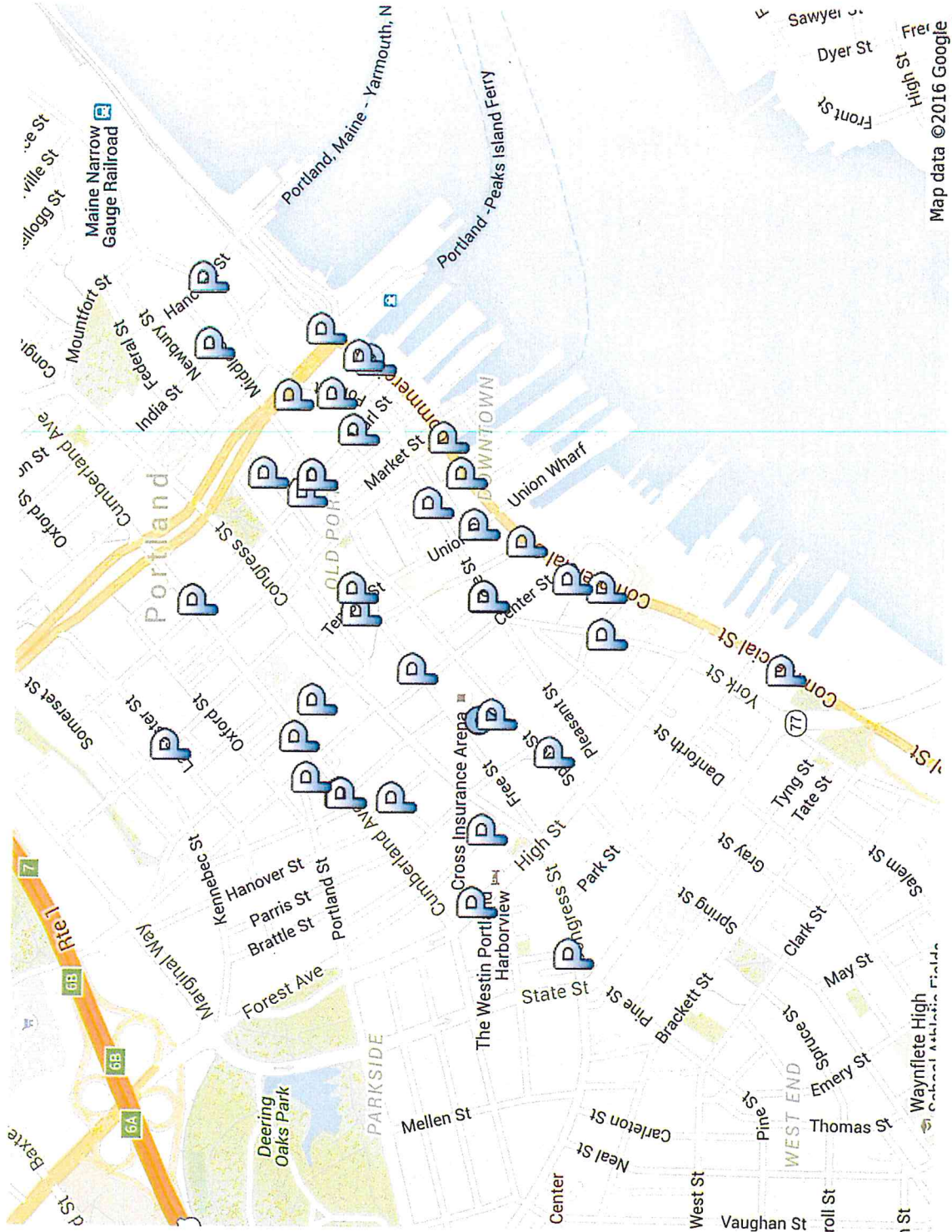
Subject storefront on State Street



Subject property along Pine Street



Parking Garages and Lots in Downtown Portland

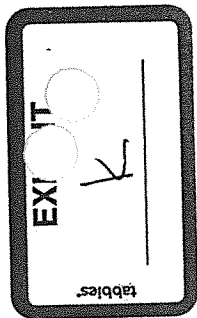


Untitled layer

- Commercial Street Parking Lot
- York Street Lot
- Pearl Street
- Baxter Place Lot
- By the Bay Parking
- Casco Bay Parking Garage
- Chestnut and Lancaster Parking Garage
- Cotton and Center Parking Lot
- Cumberland Ave and Brown Street
- Cumberland County Court House
- Custom House Square Parking Garage
- Demillo's Parking Lot
- East Brown Cow Parking Lot
- Elm Street Parking Garage
- Fish Pier Parking Lot
- Fishermans Wharf Parking Lot

- P Ocean Gateway Parking Garage
- P Gateway Parking Garage
- P Harbor Plaza Parking Garage
- P Hubb Furniture Parking Lot
- P International Marine Terminal Parking Lot
- P Joe's Smoke Shop Parking Lot
- P Maria's Restaurante Parking Lot
- P Micucci's Parking Lot
- P Middle and Pearl Parking Lot
- P Pearl St & Middle St
- P Midtown Parking Lot
- P Monument Square Parking Garage
- P Ocean Gateway
- P One City Center Parking Garage
- P Portland Square Lower Lot
- P Portland Square Visitor Lot
- P Public Market Garage
- P Shepley Street Parking Lot
- P Simba/Hale Parking Lot
- P Spring Street Garage
- P Temple Street Garage
- P Pearl Street Garage
- P VIP Parking Lot





CITY OF PORTLAND PARKING DIVISION
ANNUAL PARKING SURVEY OF
DOWNTOWN GARAGES AND LOTS

MARCH 2016

The information in this survey was believed to be accurate; however, before quoting from it, we suggest you verify the information with the individual facility.

NOTE: Availability of spaces often changes; therefore, interested parties are encouraged to check with the facility to see if they have a waiting list. Most people have their names on multiple lists. RATES AND AVAILABILITY ARE SUBJECT TO CHANGE.

The Parking Survey consists of the following:

- List of Downtown Parking Facilities
- Detailed list of garages and lots showing the number of spaces and rates
- Enlarged copy of map as shown on our parking tickets

DOWNTOWN PARKING FACILITIES MARCH 2016

NAME	ENTRANCE ADDRESS	MAP #	OFFICE PHONE	GARAGE LOT PHONE
Garages				
Casco Bay Parking Garage	54 Commercial St. (Maine State Pier)	32	358-7888	774-8653
Chestnut St. Parking Garage	Chestnut / Lancaster / Oxford Sts.	3	747-4230	450-6129
Cumberland County Courthouse Garage	188 Newbury St.	18	871-8293	871-8275
Custom House Square Parking Garage	25 Pearl St.	28	358-7888	774-2203
Elm St. Parking Garage	21 Elm St.	6	874-2861	871-1106
Fore St. Parking Garage	419 Fore St.	21	871-1290	772-7738
Gateway Parking Garage	181 High St.	11		761-1568
Harbor Plaza Parking Garage	10 Union St.	26	772-2992	none
Holiday Inn By The Bay	60 Spring St.	24	775-2311	none
Monument Square Parking Garage	Cumberland Ave. & Brown St.	8	772-0689	773-2761
Ocean Gateway Garage	167 Fore St.	37	747-4230	772-6327
One City Center Parking Garage	One City Center	15	871-1080	775-0444
Public Market Garage	Preble St. / Cumberland Ave. / Elm St.	2	774-0027	774-0027
Spring St. Parking Garage	45 Spring St.	13	874-2861	874-2842
Temple St. Parking Garage	11 Temple St.	17	358-7888	772-5762

NAME

ENTRANCE ADDRESS

MAP

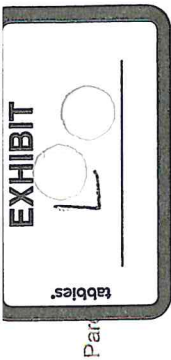
OFFICE PHONE

GARAGE LOT PHONE

Lots on Map

385 Congress St	Congress and Pearl	5	747-4230	699-2927
66 Pearl St. Parking Lot	66 Pearl St.	38	775-2252	n/a
Casco St. Parking Lot	15 Casco St.	9	415-4493	n/a
Cotton & Center Parking Lot	Center / Cotton / Spring Sts.	23	791-3300	
DiMillo's Parking Lot	25 Long Wharf, Commercial St.	33	747-4230	n/a
East Brown Cow Parking Lot	75 Commercial St.	31	775-2252	n/a
Fish Pier Parking Lot	40 Commercial St.	35	874-2842	874-2842
Fisherman's Wharf Parking Lot	Commercial St.	34	751-3551	773-6649
Free St. Parking	120 Free St.	12		773-3271
J.B. Brown Parking Lot on Free St.	Center & Free Sts.	14	747-4230	n/a
Maria's Ristorante Parking Lot	Portland & Preble Sts.	1	772-9232 or 233-	n/a
Middle & Pearl Parking Lot	Middle & Pearl Sts.	19	774-1000	n/a
Midtown Parking Lot	44 Free St.	16	774-5908	772-7716
Omni Park System / Casa Parking Lot	India & Fore Sts.	29	749-5590	n/a
Portland Square Monthly Lower Lot	Cross / Commercial / Center Sts.	25	874-6000	n/a
Portland Square Upper Visitor Lot	Cotton / Fore / Cross Sts.	22	761-1568	n/a
Regency Hotel Parking Lot	Silver St.	27	774-1000	n/a
Simba / Hale Parking Lot	Fore St.	30	615-3422	772-5354
Top of the Old Port Parking Lot	119 Pearl St.	4	871-1080	828-1212
Venture (VIP) Parking Lot	11 Forest Ave.	10	729-7970	774-5541
Lots Not on Map				
14 York St Parking Lot	14 York St		747-4230	
57 York St. Parking Lot	57 Danforth St. & York St.		747-4230	n/a
66 - 68 Danforth St. Parking Lot	66 - 68 Danforth St.		747-4230	n/a
68 Commercial St	68 Commercial St		747-4230	
Amato's Federal St. Parking Lot	Federal St.		828-5981	774-3975
Baxter Place Lot	305 Commercial St.		772-1131	n/a
Center St. Parking Lot	Center St.		671-8584	
Cumberland Ave. & Brown St. Lot	Cumberland Ave. & Brown St.		415-4493	n/a

NAME	ENTRANCE ADDRESS	MAP #	OFFICE PHONE	GARAGE LOT PHONE
Hub Furniture Parking Lot	291 Fore St.		773-1789	n/a
Joe's Smoke Shop Parking Lot	665 Congress St.			n/a
Maine Health Lot	Spring & Free Sts.			n/a
Maine Historical Society Parking Lot	Brown St.		774-1822	n/a
Shepley St. Parking Lot	Casco / Shepley / Oak Sts.		415-4493	
Thames St. Lot	Thames St.		874-8444	



About 44,000 results (0.59 seconds)

LFK - Facebook

www.facebook.com > ... > Vegetarian & Vegan Restaurant >
Rating: 4.2 - 215 votes - Price range: \$\$
LFK, Portland, ME. 2902 likes · 24 talking about this · 6073 were here. LFK!

LFK - 33 Photos - Lounges - West End - Portland, ME ...
www.yelp.com > Nightlife > Bars > Lounges > Yelp >
Rating: 3.5 - 85 reviews

85 reviews of LFK "4 stars for drinks, service and ambiance! This is a really cute place. There is a big table in the back that can sit 10 people. There are also so ...

LFK Portland Maine

www.lfkportland.me/ >
Web site for Restaurant/Bar in Portland, Maine. Est.2012.

LFK, Portland, Portland - Urbanspoon/Zomato

www.zomato.com > ... > Portland, Maine > Rest of Portland > Portland >
Rating: 3.5 - 75 votes - Price range: \$\$
LFK Portland; LFK, Portland; Get Menu, Reviews, Contact, Location, Phone Number, Maps and more for LFK Restaurant on Zomato.

LFK Menu, Menu for LFK, Portland, Portland - Urbanspoon ...

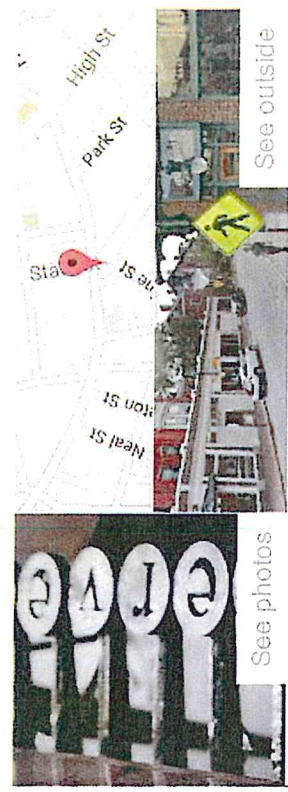
www.zomato.com > ... > Rest of Portland > Portland > LFK >
Rating: 3.5 - 75 votes
LFK Portland Menu - View the Menu for LFK Portland on Zomato for Delivery, Dine-out or Takeaway, LFK menu and prices. LFK Menu.

At LFK, name is elusive, but food is easy to love - Portland ...

www.pressherald.com/.../at-lfk-name-is-elusive-but... > Portland Press Herald >
Mar 17, 2013 - We duck into nearby LFK, a faintly signed establishment, and what a ... LFK occupies the former home of Cunningham Books in Portland's ...

Good Brunch - Review of LFK, Portland, ME - TripAdvisor

www.tripadvisor.com > ... > Portland Restaurants > LFK > TripAdvisor >
Rating: 4 - Review by a TripAdvisor user - Jul 9, 2013
LFK: Good Brunch - See 28 traveler reviews, 16 candid photos, and great deals for Portland, ME, at TripAdvisor.



LFK

3.9 14 Google reviews
American Restaurant

Website Directions

Laid-back watering hole draws hipsters for craft beer, wine & cocktails plus updated pub fare.

Address: 188A State St, Portland, ME 04101

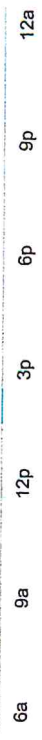
Phone: (207) 899-3277

Hours: Wednesday 5PM-1AM
Thursday 5PM-1AM
Friday 5PM-1AM
Saturday 12PM-1AM
Sunday 10AM-1AM
Monday 5PM-1AM
Tuesday 5PM-1AM

Suggest an edit

Popular times

Wednesdays
peak



Reviews

Write a review Add a photo

About 34,000 results (0.48 seconds)

Welcome to Blackstones.com
www.blackstones.com/

Welcome to Portland Maine's oldest neighbor gay bar!

Blackstone's - 19 Photos - Gay Bars - West End - Portland ...
www.yelp.com > Nightlife > Bars > Gay Bars > Yelp

Rating: 2.5 - 6 reviews - Price range: \$ (Inexpensive)
6 reviews of Blackstone's "A Portland staple? This place is a dive bar. Drinks are strong. The patrons are friendly (if not occasionally terrifying). If you're out and ...

Blackstones Portland | Facebook
<https://www.facebook.com/blackstones.portland>

Blackstones Portland is on Facebook. Join Facebook to connect with Blackstones Portland and others you may know. Facebook gives people the power to share ...

Blackstones - Portland, Maine - Gay Bar | Facebook
<https://www.facebook.com/pages/Blackstones/212175048924935>

Rating: 4.4 - 66 votes
I will always remember Blackstone's as being in my top 5 Pubs of "All Time." I miss living in Portland and being able to go to Blackstone's on a regular basis.

Blackstones reviews, photos - West End - Portland, ME ...
portland-maine.gaycities.com > BARS & CLUBS

Rating: 3.7 - 3 reviews
Portland's oldest, only, & evolving gay bar. Blackstones at 6 Pine StPortland, ME 04102 2077752885 Visit GayCities for reviews, photos and a map of ...

Letter to the editor: Blackstones bar is fine as is: A perfect ...
www.pressherald.com/.../letter-to-the-editor-blackst... > Portland Press Herald > Mar 13, 2015 - As a longtime resident of Portland's Parkside neighborhood, ... However, I was displeased that Blackstones bar was characterized as a remnant ...

gay_owned - gay portland
www.gayportlandme.com/gay_owned.html

Blackstones—Portland's oldest neighborhood gay bar is located just off historic Longfellow Square near the west-end. Blackstones hosts a number of events for ...

Blackstone's Lounge in Portland. ME - 2077752885



Blackstones

4.0 9 Google reviews

Gay Bar

Website Directions

Low-key gay bar with a leather-&-Levis slant, serving cocktails from a classic wood bar since 1987.

Address: 6 Pine St, Portland, ME 04102

Phone: (207) 775-2885

Hours: Wednesday 4PM–1AM
Thursday 4PM–1AM
Friday 4PM–1AM
Saturday 4PM–1AM
Sunday 4PM–1AM
Monday 4PM–1AM
Tuesday 4PM–1AM

Suggest an edit · Own this business?

Popular times

Wednesdays
peak

6a	9a	12p	3p	6p	9p	12a
----	----	-----	----	----	----	-----

Reviews

Write a review Add a photo



All Maps News Images More Search tools

About 87,300 results (0.75 seconds)

Showing results for pai men *miyake*
Search instead for pai men myata

Pai Men Miyake - Miyake Restaurants

www.miyakerestaurants.com/pai-men-miyake
Pai Men Miyake opened in September, 2010 as Masa Miyake's second restaurant in Portland. Meaning "100 noodles" in Japanese, the focus is on ramen with ...

Pai Men Miyake - 284 Photos - Japanese - West End ... - Yelp

www.yelp.com Restaurants Japanese Yelp
Rating: 4 - 258 reviews - Price range: \$11-30 per person
258 reviews of Pai Men Miyake "I give this place a perfect rating just for their lunch special and the Tokyo Abura. The indoors are Brooklyn-like, very industrial ...

Pai Men Miyake - Facebook

www.facebook.com Local Businesses Sushi Restaurant
Rating: 4.7 - 270 votes - Price range: \$
Pai Men Miyake, Portland, ME. 3039 likes · 77 talking about this · 8829 were here.
Japanese Pub, Noodle House, Sake Bar, Craft Beer, Wine, & House...

Pai Men Miyake, Portland - Menu, Prices & Restaurant ...

www.tripadvisor.com Portland Portland Restaurants TripAdvisor
Rating: 4.5 - 154 reviews
Pai Men Miyake, Portland: See 154 unbiased reviews of Pai Men Miyake, rated 4.5 of 5 on TripAdvisor and ranked #60 of 582 restaurants in Portland.

Pai Men Miyake, Portland, Portland - Urbanspoon/Zomato

www.zomato.com Portland, Maine Rest of Portland Portland
Rating: 3.8 - 277 votes - Price range: \$
Pai Men Miyake Portland; Pai Men Miyake, Portland; Get Menu, Reviews, Contact, Location, Phone Number, Maps and more for Pai Men Miyake Restaurant on ...

Portland, ME: Getting My Ramen Fix at Pai Men Miyake ...

www.serious eats.com pai-men-miyake-ramen-review-port... Serious Eats
Feb 2, 2012 - It's just that this place, Masa Miyake's noodle shop called Pai Men Miyake, has been feeding me so well that procrastination has become a ...



Pai Men Miyake

4.2 28 Google reviews
\$\$ · Restaurant

Website

Directions

Refined ramen & soba noodle soups plus yakitori skewers & sake served in a sleek yet warm nook.

Address: 188 State St, Portland, ME 04102

Phone: (207) 541-9204

Hours: Wednesday 11:30AM–11PM
Thursday 11:30AM–11PM
Friday 11:30AM–12AM
Saturday 11:30AM–12AM
Sunday 11:30AM–12AM
Monday 11:30AM–11PM
Tuesday 11:30AM–11PM

Menu: miyakerestaurants.com

Suggest an edit

Popular times

Wednesdays

Now: Not usually busy

peak

6a

9a

12p

3p

6p

9p

MITTEL ASEN, LLC

ATTORNEYS AT LAW
www.mittelasen.com

ROBERT E. MITTEL
MICHAEL P. ASEN
DIANE DUSINI
JONATHAN L. GOLDBERG
SUSAN S. BIXBY
ANDREW J. KULL
MARIA FOX
HEATHER T. WHITING

85 EXCHANGE STREET, 4th FLOOR
PORTLAND, MAINE 04101

PHONE 207 775-3101
FAX 207 871-0683

April 15, 2016

VIA HAND DELIVERY

Zoning Board of Appeals, Rm. 315
City of Portland
389 Congress Street
Portland, ME 04101

***Re: Hardship Variance Application of Michael Keon
for Property at 184 State Street, Portland, Maine;
C/B/L: 45/C/1***

Dear Members of the Zoning Board of Appeals:

This office represents Michael Keon, prospective tenant under a proposed lease agreement for part of the property identified as 184 State Street owned by Geoffrey I. Rice (the "Property"). Please see the enclosed authorization letters signed by Mr. Rice and Mr. Keon authorizing me to pursue this appeal (Exhibits A and B enclosed herewith). On Mr. Keon's behalf, and with authorization from Mr. Rice, we are asking the Board to grant two (2) variances: one for parking required under Section 14-332(i) and one regarding a limitation on hours of operation under Section 162(a)(2)(h)(c). We respectfully request to have our application heard on the evening of May 5, 2016 at the Board's regularly scheduled meeting. Enclosed is our check in the amount of \$150.00 payable to the City of Portland as payment in full for the application fee and the processing fee.

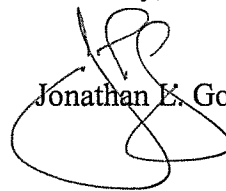
We propose to convert a vacant storefront (formerly a frame shop) to restaurant use. Restaurants are permitted in the B1 zone, but with specific parking requirements and limits on their hours of operation that do not apply to the adjacent B3 zone. The Property is adjacent to B3 zoning directly across Pine Street and directly across State Street. There are three existing restaurants within just a few steps of the Property that are not subject to the parking requirement and the limited hours of operation: Pai Men Mayaki and LFK on State Street and Blackstones (which shares the building on the subject Property). Pai Men Mayaki and LFK are in the B3 zone; Blackstones is in B1, but grandfathered such that it needn't provide parking or limit its hours in accordance with B1 zoning.

The building on the subject Property occupies the entire parcel (see Exhibit D, Tax Map 45). There is simply no available area that could accommodate parking for the restaurant. We calculate that four (4) parking spaces are required for the 575 square foot public space within the restaurant. We have enclosed a Map of Parking Garages and Lots in Downtown Portland (Exhibit J) and the Annual Parking Survey of Downtown Garages and Lots for March, 2016 (Exhibit K). These provide graphic evidence of the availability of parking in the immediate vicinity of the subject Property and in the downtown area, generally. We believe that the grant of a variance that would eliminate the Zoning Ordinance's requirement for three parking spaces would be a *de minimis* reduction in the amount of available parking that would, for all intents and purposes, go unnoticed.

Also enclosed are internet webpages (Exhibit L) that show the advertised hours of operation for the three restaurants referenced above. The grant of the requested variance would "level the playing field" among these businesses and constitute what we think would be a *de minimis* relaxation of the limitation on hours of operation for a restaurant in the B1 zone.

Thank you for your consideration. We look forward to presenting our variance appeal to the Board on May 5.

Sincerely,



Jonathan E. Goldberg

Enclosures: Exhibits

- (A) Variance Appeal Application
- (B) Authorization letter signed by Michael Keon
- (C) Authorization letter signed by Geoffrey I. Rice
- (D) Tax Map 45
- (E) Aerial Photograph of the Property
- (F) Lot Coverage (Building Footprint) Map
- (G) Quitclaim with Covenant Deed
- (H) Portland Assessor's Card
- (I) Property Photographs (3 pages)
- (J) Parking Garage and Parking Lot Map
- (K) Annual Parking Survey of Downtown Garages and Lots, March, 2016
- (L) Internet Webpages for Nearby Restaurants

ZONING BOARD OF APPEALS
VARIANCE APPEAL APPLICATION

1. The land in question cannot yield a reasonable return unless a variance is granted.

Satisfied: X

NOT Satisfied:

Reason and supporting facts:

PARKING. The building situated on the subject property occupies virtually all of the land area—there is no land available for automobile parking. It is therefore impossible to satisfy the parking requirement in Section 14-332(i), which in this case would require the proposed restaurant to have a minimum of four (4) parking spaces available. Given the proximity of dozens of public parking garages and lots in downtown Portland that provide literally thousands of available parking spaces, the relaxation of the requirement for four (4) spaces seems de minimis. The rental space in question currently is vacant. In its present blighted condition it produces no return whatsoever for its owner. Without the grant of the variance requested, the space will not yield a reasonable return.

HOURS OF OPERATION. Section 14-162(2)(h)(c) limits restaurant hours of operation in the B-1 zone from 6:00 a.m. to 11:00 p.m. daily. In order to be able to compete with the three restaurants within a few steps of the subject property (Blackstones, LFK, and Pai Men Mayaki), all of which stay open past 11:00 p.m., we ask for a variance that will permit the proposed restaurant to operate until 1 a.m. Without the opportunity to compete on an even basis with its competitors, the proposed restaurant cannot justify a rental that will yield a reasonable return.

2. The need for a variance is due to the unique circumstances of the property and NOT to the general conditions of the neighborhood.

Satisfied: X

NOT Satisfied:

Reason and supporting facts:

The subject property is a mixed-use building comprised of residential apartments, a retail store and a restaurant/bar in addition to the vacant space for which the variances are sought. The uniqueness of the property is its location at the “end” of a B-1 zone and adjacent in two directions (across State Street and across Pine Street) to the more permissive B-3 zone. The B-3 zone carries no requirement for restaurant parking. Nor does it limit restaurant hours of operation to 11:00 p.m. But for its unique location in a B-1 zone cradled on two sides by a B-3 zone, no variance would be necessary. The general conditions of the neighborhood have no bearing on the need for requested variances.

3. The granting of the variance will not alter the essential character of the locality.

Satisfied: X

NOT Satisfied:

Reason and supporting facts:

The essential character of the neighborhood is a mix of homes and apartments, retail stores, churches, a funeral home, and restaurants. Rather than altering the essential character of the neighborhood, a grant of the requested variances will reinforce the essential character of the neighborhood in a positive fashion. The vacant space in question suffers the blemishes of graffiti and disrepair. Our proposal to create a first-class restaurant in that space will convert that space to an attractive, carefully maintained place of business that creates employment opportunities and an attractive dining choice to residents and visitors alike. The grant of the variances sought will not alter the essential character of the locality.

4. The hardship is not the result of action taken by the applicant or a prior owner.

Satisfied: X

NOT Satisfied:

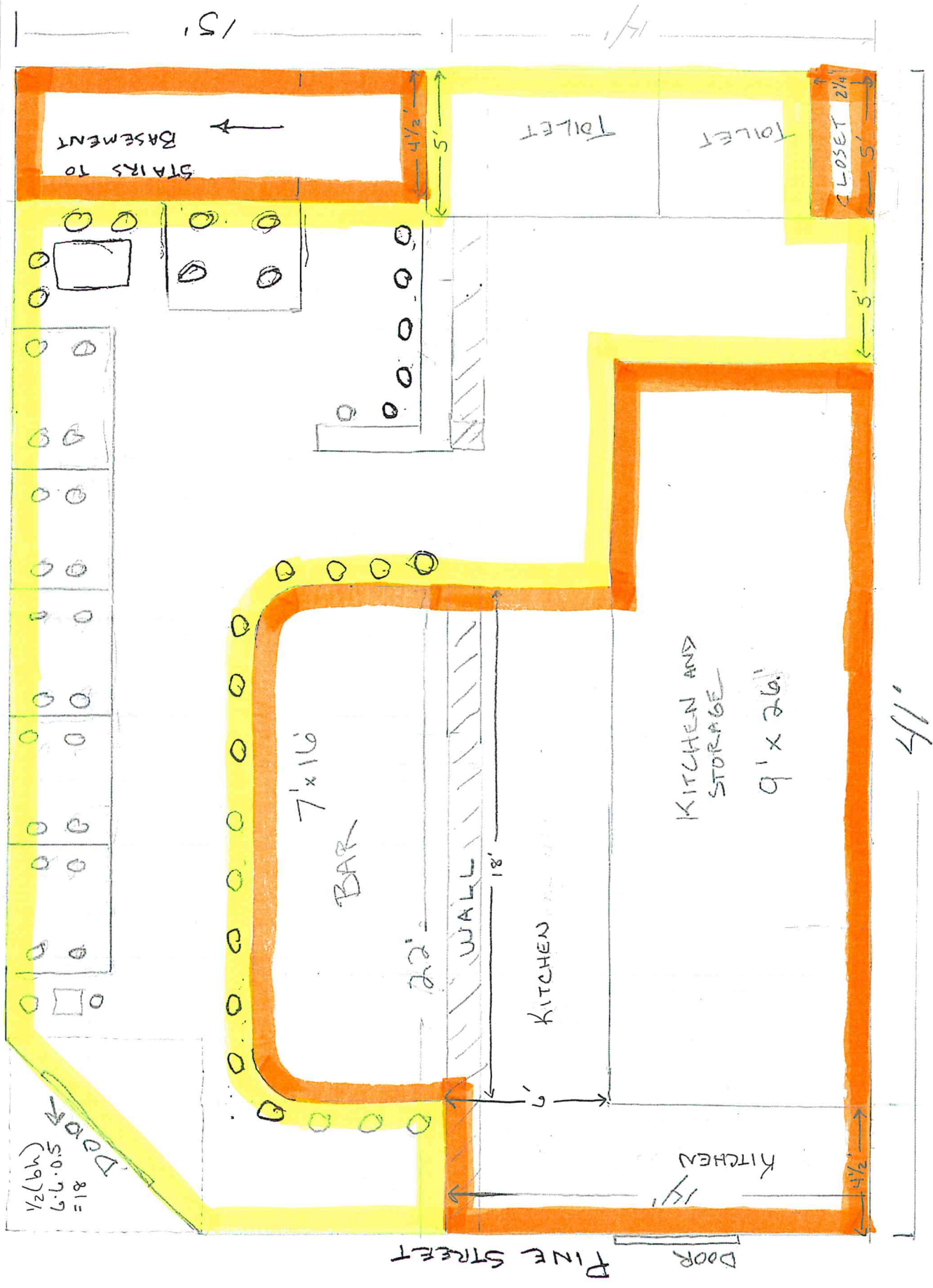
Reason and supporting facts:

The hardship is due to the irregular juxtaposition of zones in the area. Those zones include R6, B1, B2b, and B3. Uses of properties that are adjacent to each other are governed by different zoning restrictions, resulting in inconsistent limits on permitted uses. The subject property predates Portland's Zoning Ordinance. No action by the applicant or a prior owner or tenant created or contributed to the hardship that we seek to abolish.

4.5' 20.25 S.F.

Non-Public Space (Storage + Food Preparation)
Public Space
STATE STREET

Gross Area: 1,189 s.f.
Storage & Food Prep. Area: 614 s.f.
Public Space: 575 s.f.





Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND ZONING BOARD OF APPEALS

Miscellaneous Appeal Application

Applicant Information:

NAME
coralie curran

BUSINESS NAME
spa lotta d/b/a southern maine electrolysis

BUSINESS ADDRESS
205 congress street

BUSINESS TELEPHONE & E-MAIL
207 650 0984 ccurran@maine.rr.com

APPLICANT'S RIGHT/TITLE/INTEREST
owner

CURRENT ZONING DESIGNATION
B-1

EXISTING USE OF THE PROPERTY:
residential

Subject Property Information:

PROPERTY ADDRESS
205 congress street

CHART/BLOCK/LOT (CBL)
013 MO 18 001

PROPERTY OWNER (If Different)
LEC Apartments, LLC

ADDRESS (If Different)
799-4272 ccurran@maine.rr.com

PHONE # AND E-MAIL
com

APPEAL PERTAINS TO SECTION 14- 334

PAST USE OF PROPERTY:

residential

BASIS FOR APPEAL AND RELIEF REQUESTED

applying for a miscellaneous appeal under section 14-334 to provide two (2) off-street parking spaces measuring 900 ft from property within the 1500 required footage

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

ccurran
SIGNATURE OF APPLICANT

4/19/16
DATE

Zoning Board of Appeals
Department of Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Zoning Board of Appeals:

I am requesting a miscellaneous appeal for off-street parking with regards to my proposed personal service business – Spa Lotta - located at 205 Congress Street, first floor in the B1 zone.

The property at 205 Congress Street currently does not have parking on-site. Pursuant to Section 14-334 of the Code of Ordinances I have secured two parking spaces at 54 Cumberland Ave., Portland, ME.

These spaces, at a distance of 900 feet from the property, fall within the guidelines of ‘no more than 1500 feet from the principal building’.

Enclosed in the packet you will find a copy of a letter of intent from Schneider Property Management to C&C Apartments that addresses the stipulation of 14-334 (b) - ‘five years with an option to renew’. My lease with C&C Apartments states that the two parking spaces will be leased to my business – Spa Lotta d/b/a Southern Maine Electrolysis. I have also enclosed a map showing the route with the distance from the business to the parking lot.

Thank you for your assistance in this matter.

Sincerely,

Coralie Curran



C&C Apartments, LLC
181 Harriet Street
South Portland, ME 04106

April 17, 2016

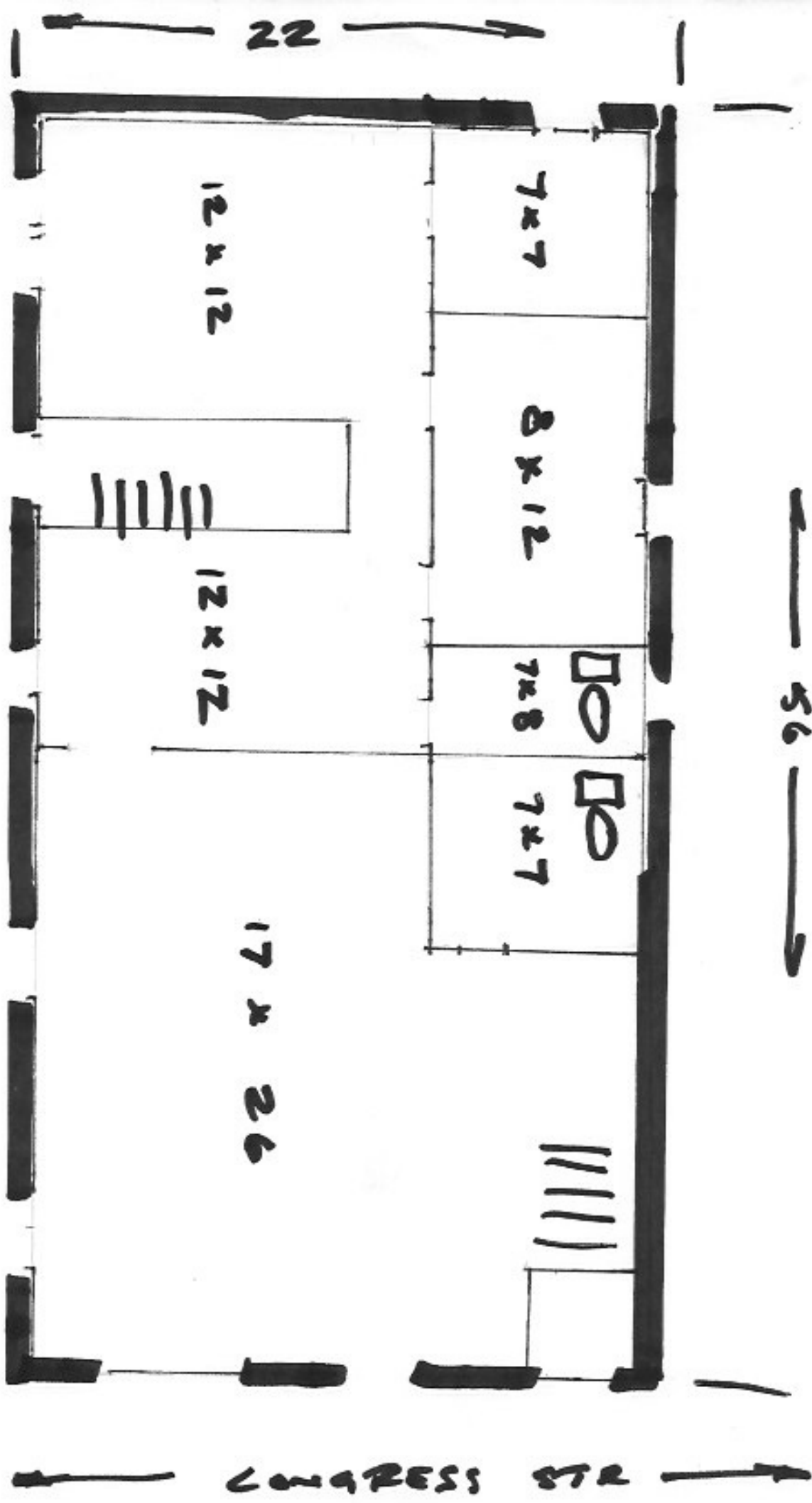
To Whom It May Concern:

C&C Apartments, LLC will be leasing the first floor of 205 Congress Street, Portland, ME to Spa Lotta d/b/a Southern Maine Electrolysis beginning May 1, 2016 and in doing so, there will be two parking spaces at 54 Cumberland Ave. Portland, ME rented to the business.

C&C Apartments, LLC gives permission to Coralie Curran, owner of Spa Lotta d/b/a Southern Maine Electrolysis, LLC to represent C&C Apartments, LLC for the specific issue with regards to parking related to the Zoning Board of Appeals Miscellaneous Appeal Application.

Sincerely,

Gregory M. Curran



FLOOR PLAN

203

CONGRESS

- NOT TO SCALE -

LEASE

   made the **first** day of May in the year of our Lord
Two thousand and sixteen (2016)

 That

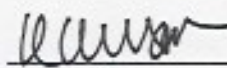
C&C Apartments, LLC, 181 Harriet Street, South Portland, ME 04106
Do hereby lease demise and let unto Spa Lotta d/b/a Southern Maine Electrolysis;

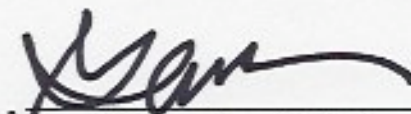
- A first floor space approximately 950 square feet located at 205 Congress Street, PWM, 04101.
- Utilities included: heat, hot water and "basic" electricity and internet ...
- No electric heaters or air conditioners unless \$20 per month additional expense
- This apartment is rented to Spa Lotta, d/b/a Southern Maine Electrolysis and shall not be sublet.
- No CIGARETTE smoking in any portion of the building or grounds. NASTY !!!
- Two parking spaces located at 54 Cumberland Ave., Portland, ME
-

 for the term of Month-to-month from the
FIRST of May two thousand and sixteen (2016) ... yielding and paying therefore the rent of
\$1,000... (one thousand and no/100 dollars) per month!
And said Lessee do covenant to pay the said rent in
full on the first of each month. Please note: Rent is due on the first.

   the parties have hereunto interchangeable set their hands and seals the day
and year first above written.

  
 in presence of


Coralie Curran
Spa Lotta
d/b/a Southern Maine Electrolysis


C&C Apartments, LLC



Schneider Property Management, LLC
522 Washington Ave, Portland, ME 04103
Office: 207-221-7533 | Fax: 207-772-4244

April 18th, 2016

To Whom It May Concern,

C&C Apartments, LLC will be able to obtain a minimum of 2 parking spots at the property located at 54 Cumberland Avenue for a minimum of 5 years, or as long as Schneider Property Management is continuing to rent out spots in the parking lot (whichever comes first).

The renting of the spots would be contingent upon the lessee (C&C Apartments, LLC) making timely rental payments, following snow plow rules, and following all rules laid forth in the lease agreement.

If you have any questions, or require any further information, please feel free to reach out to us at the contact information listed below.

Thank you,

A handwritten signature in black ink, appearing to read "CS", is written over a faint, larger signature that appears to read "Schneider".

Craig Schneider

Manager
(207)221-7533
info@mymainrental.com

YOUR TRIP TO:

205 Congress St, Portland, ME 04101



0.2 MI

Trip time based on traffic conditions as of 4:26 PM on April 17, 2016. Current Traffic: Moderate

- 
1. Start out going southwest on Cumberland Ave toward Sheridan St.

Then 0.03 miles

0.03 total miles

- 
2. Take the 1st left onto Sheridan St.

If you reach Romasco Ln you've gone a little too far.

Then 0.05 miles

0.08 total miles

- 
3. Take the 1st right onto Congress St.

If you reach Monument St you've gone a little too far.

Then 0.09 miles

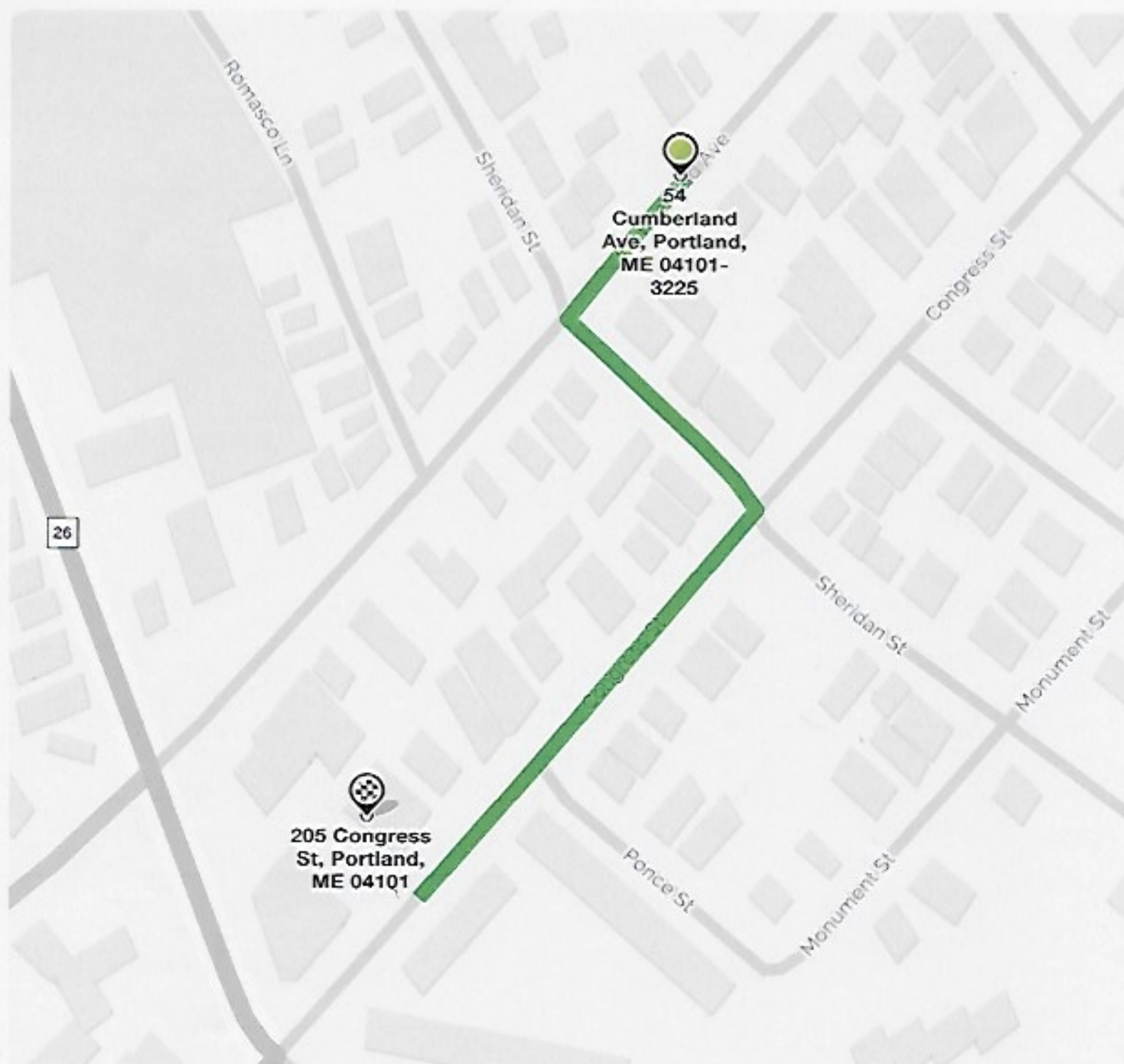
0.17 total miles

- 
4. 205 CONGRESS ST is on the right.

*Your destination is just past Ponce St.**If you reach Washington Ave you've gone a little too far.*

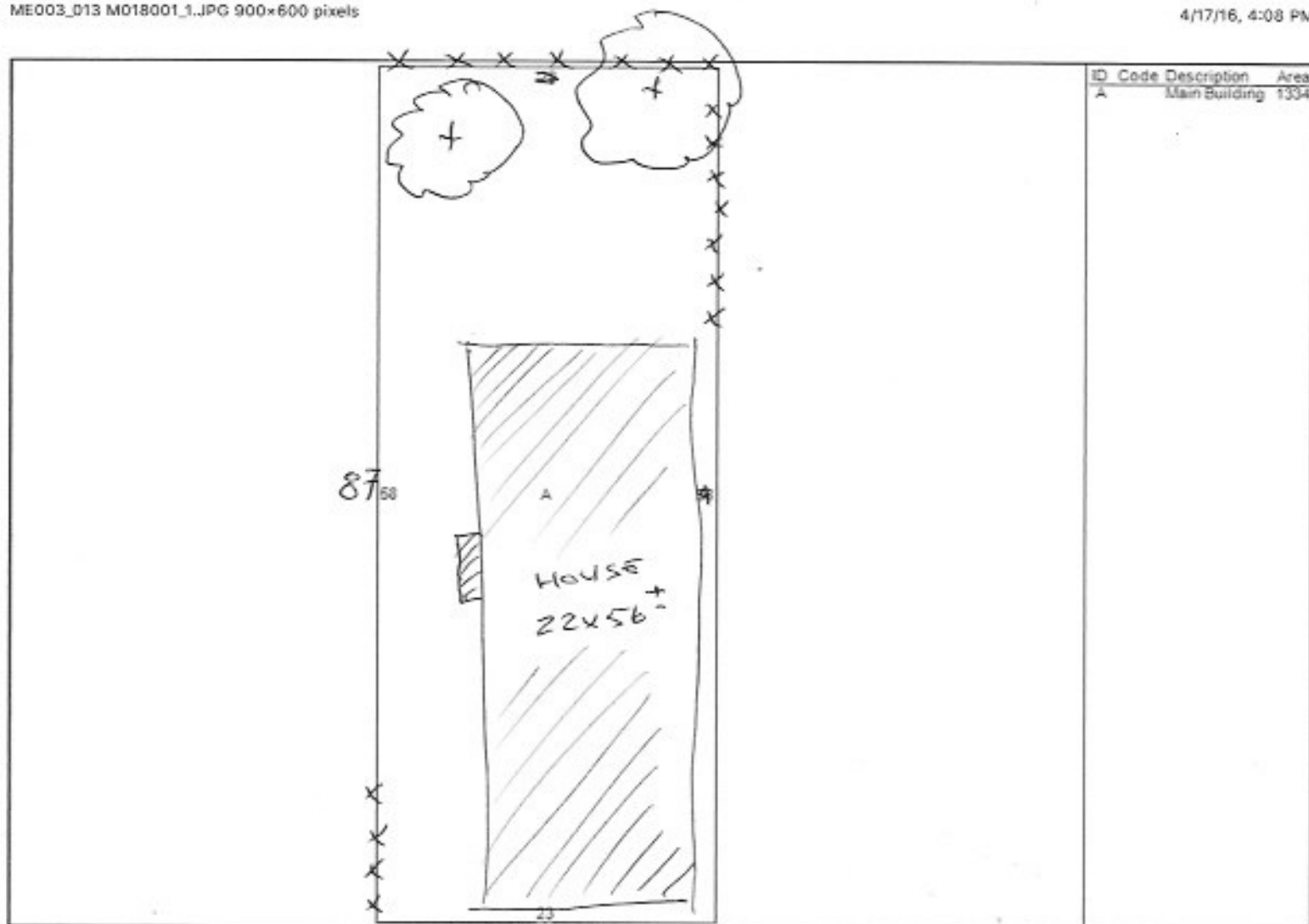
900 feet

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.





205 CONGRESS STREET



87

HOUSE
22x56'

- 28 -

201

203
CONGRESS

CONGRESS



$$\text{LOT} = 28' \times 87' = 2436'$$

$$\text{HOUSE} = 22' \times 56' = 1232'$$

Portland, Maine



Yes. Life's good here.

Jeff Levine, AICP, Director
Planning & Urban Development Department

Ann Machado
Zoning Administrator

CITY OF PORTLAND ZONING BOARD OF APPEALS
Miscellaneous Appeal Application

Applicant Information:

NAME

coralie curran

BUSINESS NAME

spa lotta d/b/a southern maine
electrolysis

BUSINESS ADDRESS

205 congress street

BUSINESS TELEPHONE & E-MAIL

207 650 0984 ccurran@maine.
rr.com

APPLICANT'S RIGHT/TITLE/INTEREST

owner

CURRENT ZONING DESIGNATION

B-1

EXISTING USE OF THE PROPERTY:

residential

PAST USE OF PROPERTY:

residential

Subject Property Information:

PROPERTY ADDRESS

205 congress street

CHART/BLOCK/LOT (CBL)

013 MD 18 001

PROPERTY OWNER (If Different)

CRC Apartments, LLC

ADDRESS (If Different)

777-4272 ccurran@maine.rr.
com

PHONE # AND E-MAIL

APPEAL PERTAINS TO SECTION 14- 334

BASIS FOR APPEAL AND RELIEF REQUESTED

applying for a miscellaneous appeal under section 14-334
to provide three(3) off-street parking spaces measuring
900 ft from property within the 1500 required footage

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as described above, and certifies that the information herein is true and correct to the best of his OR her knowledge and belief.

SIGNATURE OF APPLICANT

4/19/16

DATE

Zoning Board of Appeals
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Zoning Board of Appeals:

I am requesting a miscellaneous appeal for off-street parking with regards to my proposed personal service business – Spa Lotta - located at 205 Congress Street, first floor in the B1 zone.

The property at 205 Congress Street currently does not have parking on-site. Pursuant to Section 14-334 of the Code of Ordinances I have secured three parking spaces at 54 Cumberland Ave., Portland, ME.

These spaces, at a distance of 900 feet from the property, fall within the guidelines of ‘no more than 1500 feet from the principal building’.

Enclosed in the packet you will find a copy of a letter of intent from Schneider Property Management to C&C Apartments, the owner of 205 Congress Street, that addresses the requirement of 14-334 (b) - ‘five years with an option to renew’.

My lease with C&C Apartments states that the three parking spaces will be leased to my business – Spa Lotta d/b/a Southern Maine Electrolysis.

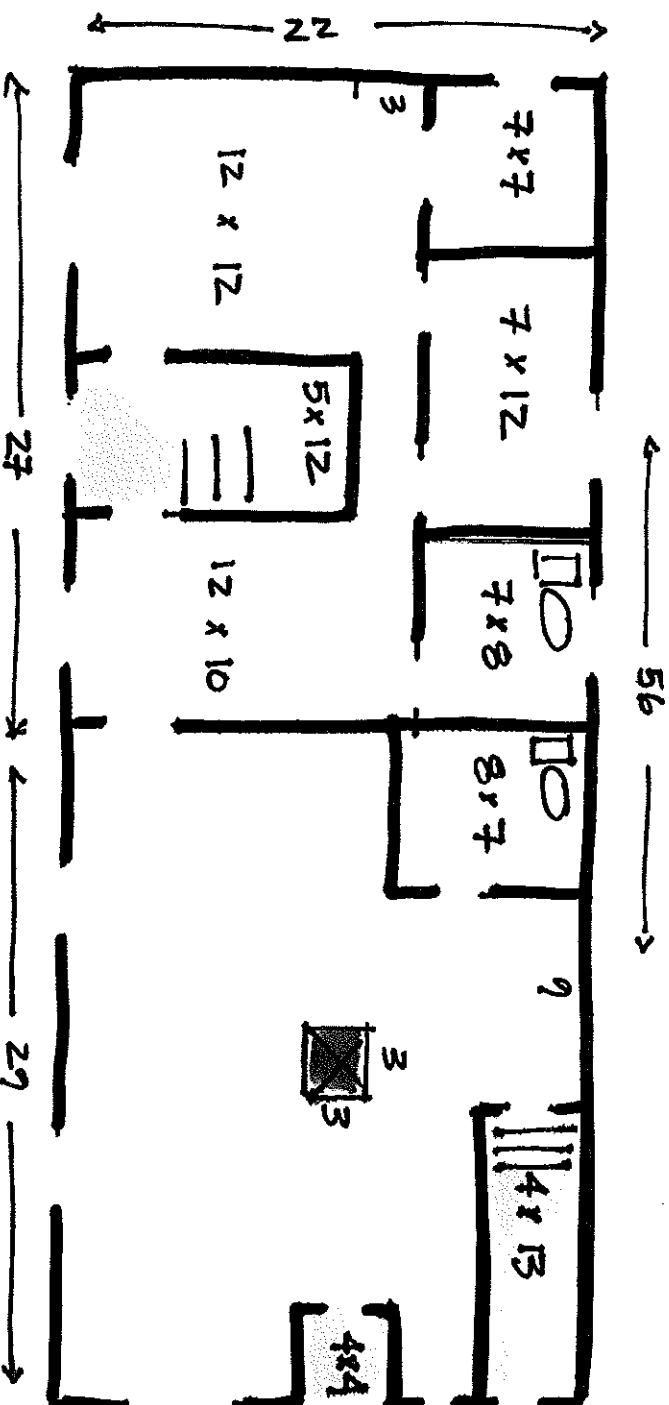
I have also enclosed a map showing the route with the distance from the business to the parking lot.

Thank you for your assistance in this matter.

Sincerely,



Coralie Curran



← CONGRESS STREET →

First Floor	1232
Stairway	- 60
Stairway	- 52
Stoop	- 16
Chimney	- 9
usable space	<u>1095</u>



Schneider Property Management, LLC
522 Washington Ave, Portland, ME 04103
Office: 207-221-7533 | Fax: 207-772-4244

April 18th, 2016

To Whom It May Concern,

C&C Apartments, LLC will be able to obtain a minimum of 3 parking spots at the property located at 54 Cumberland Avenue for a minimum of 5 years, or as long as Schneider Property Management is continuing to rent out spots in the parking lot (whichever comes first).

The renting of the spots would be contingent upon the lessee (C&C Apartments, LLC) making timely rental payments, following snow plow rules, and following all rules laid forth in the lease agreement.

If you have any questions, or require any further information, please feel free to reach out to us at the contact information listed below.

Thank you,

A handwritten signature in black ink, appearing to read "Craig Schneider", with a long, sweeping horizontal line extending to the right.

Craig Schneider
Manager
(207)221-7533
info@mymainerental.com

LEASE

This Indenture, made the first day of May in the year of our Lord
Two thousand and sixteen (2016)

Witnesseth, That

C&C Apartments, LLC, 181 Harriet Street, South Portland, ME 04106
Do hereby lease demise and let unto Spa Lotta d/b/a Southern Maine Electrolysis;

- A first floor space approximately 1,100 square feet located at 205 Congress Street, PWM, 04101.
- Utilities included: heat, hot water and "basic" electricity and internet ...
- No electric heaters or air conditioners unless \$20 per month additional expense
- This apartment is rented to Spa Lotta, d/b/a Southern Maine Electrolysis and shall not be sublet.
- No CIGARETTE smoking in any portion of the building or grounds. NASTY !!!
- Three parking spaces located at 54 Cumberland Ave., Portland, ME
-

Shall for the term of Month-to-month from the
FIRST of May two thousand and sixteen (2016) ... yielding and paying therefore the rent of
\$1,000... (one thousand and no/100 dollars) per month!
And said Lessee do covenant to pay the said rent in
full on the first of each month. Please note: Rent is due on the first.

In Witness Whereof, the parties have hereunto interchangeable set their hands and seals the day
and year first above written.

Signed, Sealed and Delivered
In presence of



Coralie Curran
Spa Lotta
d/b/a Southern Maine Electrolysis



C&C Apartments, LLC

