

PLANNING BOARD

Tuesday, January 10, 2023 at 4:30 PM
Via Zoom



MEMBERS

Maggie Stanley, Chair
Brandon Mazer, Vice Chair
Justin Barker
Marpheen Chann
Sean Murphy
David Silk
Austin Smith

REMOTE ACCESS INFORMATION:

The Planning Board will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Planning Board. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

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Webinar ID: 854 5208 9978

PUBLIC COMMENT INFORMATION:

To submit written public comment on an agenda item, email planningboard@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Planning Board meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

Please note that the placement of each item on the agenda is subject to change. Please check the [Agenda Center](#) prior to the meeting for the item start time.

AGENDA:

WORKSHOP - 4:30 PM

1. COMMUNICATION AND REPORTS

Parks Communication (4:30 – 4:45 pm) Staff from the Parks Department will provide the Planning Board with an update on the City's use of American Rescue Plan Act (ARPA) funds to address tree equity in the Bayside Neighborhood.

Planning Board Communication (estimated time 4:45 – 5:00 pm) Staff will provide the Planning Board with an overview of development activity that occurred in 2022.

2. NEW BUSINESS

- i. Level III Site Plan and Subdivision; 58 Fore Street; Portland Foreside Development Company, Applicant. (estimated time 5:00 – 6:00 p.m.) The Planning Board will hold a remote workshop to consider a proposal for Phase 2, to develop Block 4 and Block 6 of the Portland Foreside Master Development Plan, which includes 716,836 square feet of mixed-use development; inclusive of 401 residential units, 696 off-street parking spaces, and 21,058 square feet of commercial/retail/service space, along with various infrastructure and utility improvements. The subject property is a 10.7-acre parcel zoned B-6, R-6, and EWPZ, with a portion of the site located within the Shoreland Zone and within the Portland Company Historic District and Munjoy Hill Historic District. A project and plan summary are available for viewing on the city's CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number PL-002202-2022.

PUBLIC HEARING (THERE ARE NO ITEMS SCHEDULED FOR THE PUBLIC HEARING)

3. ROLL CALL AND DECLARATION OF QUORUM

4. REPORT OF ATTENDANCE AT THE MEETING HELD ON DECEMBER 13, 2022

Afternoon Workshop

Zoning Map Amendment; 50 Industrial Way: Barker, Chann, Smith and Stanley present; Silk, Murphy and Mazer absent.

Evening Hearing

Zoning Map Amendment; 1772 Westbrook Street: Barker, Chann, Smith and Stanley present; Murphy and Mazer absent; Silk recused.

5. REPORTS OF DECISIONS AT THE MEETING HELD ON DECEMBER 13, 2022

- i. Zoning Map Amendment; 1772 Westbrook Street; Touchstone Enterprises, Inc. Applicant. Chann moved and Smith seconded a motion to find the proposed map amendment (I-L to I-M) for property at 1768 Westbrook Street, 1772 Westbrook Street, 1784 Westbrook Street, and 1828 Westbrook Street consistent with the Comprehensive Plan and to not recommend its adoption by the City Council. Vote 1-3, Barker opposed, Chann opposed, Smith opposed, Mazer absent, Murphy absent, and Silk recused.

6. NEW BUSINESS

- i. Major Site Plan; 31 Forest Street; DB9 Ventures, LLC., Applicant. **(AT THE REQUEST OF THE APPLICANT, THIS ITEM HAS BEEN REMOVED FROM THE AGENDA)**

Planning and Urban Development

Kevin Kraft, AICP

Deputy Director



To: Chair Stanley and Members of the Planning Board

From: Kevin Kraft, Planning & Urban Development Department Deputy Director

Date: January 6, 2022

Re: Planning Board 2022 Accomplishments

The following is a summary of the Planning Board's accomplishments over the course of 22 meetings held during the calendar year 2022:

1. Planning Board Major Site Plan Approvals:

A total of 13 Major Site Plan applications were approved in 2022, including ten residential projects and three non-residential projects resulting in:

- Total Housing Units Approved: 317
- Total Affordable Housing Units: 65
- Total Jill C. Dusen Housing Trust Fund Contributions: 0
- Total Hotel IZ Jill C. Dusen Housing Trust Fund Contributions: \$707,916
- Total Hotel Rooms: 186
- Total EV Charging Infrastructure: 119
- Bicycle Spaces: 526
- Preserved Street Trees: 6
- New On-Site Street Trees: 268
- Tree Fund Contributions: \$29,600

2022 Major Site Plan approvals advanced 317 new homes including 65 affordable units, collected \$707,916 in Jill C. Dusen Housing Trust Fund contributions and furthered the city's sustainability goals by approving the planting of 268 new street trees, installation of 119 EV charging stations, and 526 bicycle racks. Moreover, the Planning Board approved an approximately 111,800 square foot Center for Health Sciences building for the University of New England (UNE) and a new 186 room hotel with retail and restaurant space at the Time and Temperature building, furthering Economic Development goals as expressed in *Portland's Plan 2030*. Residential projects consisted of development on former city property and a mix of infill development, and conversions.

Residential approvals by zone:

Zone	Total Projects	Total Residential Units
R-5/R-5A	3	268
R6	2	15
B-2b	2	7
B-3	2	13
B-5b	1	14
Total	10	317

Notable residential approvals included:

Disposition of City Owned Property:

57 Douglas Street (43 & 91 Douglas Street)

On May 24, 2022, the Planning Board unanimously approved (5-o; Stanley and Chann absent) a Major Site Plan and Inclusionary Zoning Conditional Use application for Dougherty Commons Redevelopment to construct two residential developments including 63 units (Phase 1) and 57 units (Phase 2) for a combined total of 120 new residential units (120,345 square feet) at 57 Douglas Street located in the R-5a Residential Zone in the Libbytown neighborhood.



Figure 1 57 Douglas Street

Infill Development:

392 St. John Street

On April 26, 2022, the Planning Board unanimously approved (7-o) a Major Site Plan and Conditional Use application to construct a new three-story building including nine residential units, and one office space totaling 10,726 square feet at 392 St. John Street, located in the R-6 zone in the Libbytown neighborhood.



Figure 2 392 St. John Street

Residential Conversions:

54 York Street

On April 26, 2022, the Planning Board unanimously approved a Major Site Plan application for the change of use of an existing three-story building into 14 residential units and two commercial spaces, totaling 22,770 square feet at 54 York Street, located in the B-5b Urban Commercial Zone.



Figure 3 54 York Street

Notable non-residential approvals included:

Institutional Development:

780 Stevens Avenue (UNE Center for Health Sciences)

On September 27, 2022, the Planning Board approved a Major Site Plan and Conditional Use application to facilitate the construction of the UNE Center for Health Sciences; an approximately 111,813 square foot, four-story building located in the R-5 Residential zone in the Deering Center neighborhood.



Figure 4 UNE Center for Health Sciences

Commercial Development:

477 Congress Street (Time & Temperature Hotel)

On January 25, 2022, the Planning Board approved a Level III Site Plan application for the redevelopment of the existing historic building at 477 Congress Street (Time & Temperature building) into a 186-room hotel with retail space, restaurant, rooftop bar, and associated hotel amenities (78,680 square feet) in the B-3 Downtown Business zone. The approval will result in a \$707,916 contribution into the City's Housing Trust Fund as a result of the Hotel IZ provisions.

2. Planning Board Master Development Plan (MDP) Approvals:

One MDP was approved by the Planning Board for a three-phase development at 385 Congress Street located in the B-3 Downtown Business Zone. The approved MDP included the construction of three attached buildings that would include a 156-room hotel, 297 total condominium units, retail spaces, restaurant, and parking structure for up to 337 vehicles as well as a linear park along Congress Street and publicly accessible terrace space. Phase 1 of the MDP, which contemplates a 156-room hotel, nine condominiums, retail space, parking, and open space is currently under review by the Planning Board.



Figure 5 Illustrative 385 Congress Development

3. Planning Board Conditional Use Approvals:

A total of five Conditional Use applications were approved in 2022, resulting in:

- 24 Teen Emergency Shelter beds at 343 Cumberland Avenue
- 240 square feet of low-impact industrial space for a wholesale bakery at 505 Fore Street in the B-3 Zone
- 390 square feet of low-impact industrial space for a commercial community kitchen at St. Luke's Cathedral Church
- 2,160 square feet of Place of Assembly space at 11 Pomeroy Street
- 1,900 square foot food pantry at 1498 Westbrook Street

4. Planning Board Zoning Map and Text Amendment Recommendations:

A total of four Zoning Map Amendments and three Zoning Text Amendment applications were reviewed and recommended to the City Council including:

Zoning Map Amendments:

- Munjoy Hill Neighborhood Conservation Overlay District (MHNCO): The Planning Board unanimously recommended (7-0) to repeal the MHNCO removing the overlay map from the City of Portland zoning map.
- 2 Riverton Drive: The Planning Board unanimously voted (5-0; Stanley, Barker recused) to recommend a Zoning Map Amendment to the City Council to rezone the R-5 Residential zone bounded by Forest Avenue and Riverside Street into R-5a Residential and B-2 Community Business to facilitate the redevelopment of the Portland Housing Authority Riverton Drive property. The map amendment also included the rezoning of the R-5a Residential zone north of Forest Avenue into B-2 Community Business
- 50 County Way: The Planning Board voted (5-0; Barker, Silk absent) to recommend to the City Council a Zoning Map Amendment to rezone 50 County Way from I-L Industrial Low-Impact to B-2

Community Business to bring the existing legally non-conforming governmental use into conformance.

- 1772 Westbrook Street: The Planning Board voted (4-1; Silk recused, Mazer absent) **not to recommend** to the City Council a Zoning Map Amendment to rezone 1772 Westbrook Street from I-L Industrial Low Impact to I-M Industrial Moderate Impact to facilitate the development of warehousing space greater than 10,000 square feet. After the Board's recommendation the applicant withdrew their application.

Zoning Text Amendments:

- 35 Commercial Street: The Planning Board unanimously recommended (6-0; Smith recused) to the City Council a zoning text amendment submitted by Maine Public Broadcasting Corporation to amend the India Street Form Based Code to allow height bonuses along Commercial Street within the Urban Active Subdistrict.
- Munjoy Hill Neighborhood Conservation Overlay District (MHNCO): The Planning Board unanimously recommended (7-0) to repeal the MHNCO, striking the applicable text from Table 5-A, Table 7-A, and Sec 8.7 from the Land Use Code.
- 2 Riverton Drive: The Planning Board unanimously voted (5-0; Stanley, Barker recused) to recommend a Zoning Text Amendment to the City Council to allow Places of Assembly as a conditional use in the R-5a zone to facilitate the redevelopment of the Portland Housing Authority Riverton Drive property.

The Planning Board also reviewed and favorably recommended an Institutional Overlay Zone (IOZ) for the Roux Institute at Northeastern University. In addition, to the four zoning map amendment applications and three zoning text amendment applications described above, the IOZ application included zoning map and text amendments.

Institutional Overlay Zone:

- 1 Bean Pot Circle (IDEALS): On November 22, 2022, the Planning Board favorably recommended to the City Council zoning map and text amendments to identify the Roux Institute at Northeastern University as an eligible institution, to add the Roux Institute Regulatory Framework to Article 8 of the Land Use Code, to map an IOZ boundary coterminous with the property boundary for 1 Bean Pot Circle and to rezone 1 Bean Pot Circle and adjacent properties from I-M and R-3 to a B-5 Urban Commercial Zone. The proposed actions, if adopted would facilitate the development of a new mixed-use campus for the Roux Institute at Northeastern University with campus facilities, academic space, commercial office, lab and incubator space for partner organizations, associated commercial uses including hotel and ancillary retail and restaurant uses as well as residential housing units, and publicly accessible open space at 1 Bean Pot Circle in the East Deering neighborhood. The City Council will hold a workshop on the proposed IOZ on January 9th, 2023

and anticipated Public Hearing on February 6th. If adopted by the City Council, the Roux Institute IOZ will become only the second IOZ in the city, joining Maine Medical Center.



Figure 6 Conceptual Rendering Roux Institute

- In addition, to the Roux Institute at Northeastern University IOZ application the Planning Board held a workshop on a proposed IOZ for the University New England.

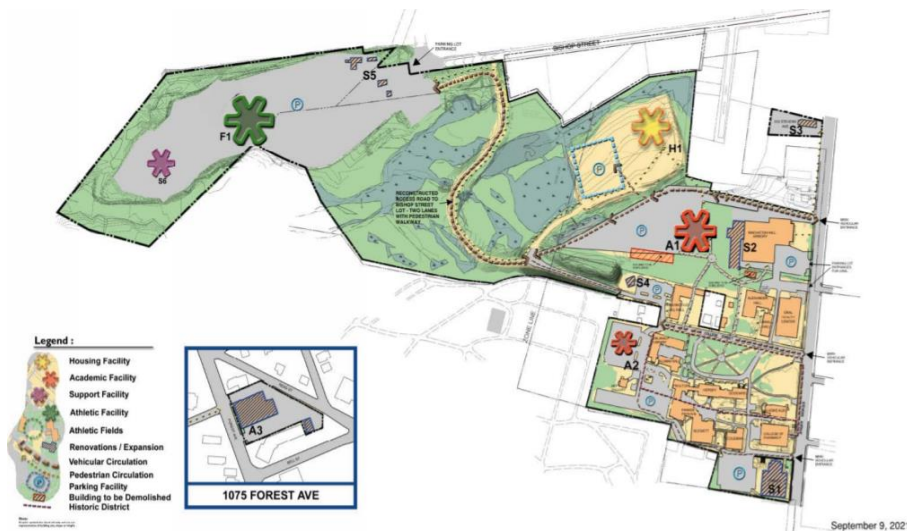


Figure 7 UNE Conceptual Campus Plan

Technical Manual Amendments:

- The Planning Board voted to approve (6-0; Barker absent) amendments to Sections 1, 2, 4 and 10 of the City of Portland Technical Manual, focusing on technical standards related to transportation systems and street design, sewer and storm drain design, site landscaping, and street lighting.

5. Traffic Movement Permits:

- 29 Marginal Way (unanimously approved 7-0)

- 170 Anderson Street (unanimously approved 6-o; Stanley absent)

6. Subdivisions:

- 33 McAlister Farm Road: (approved 6-o, Barker absent)

7. Communications:

- ReCode Update: January 11, 2022
- One Climate Future Plan Presentation: February 8, 2022
- ReCode Update: October 25, 2022

To: Chair Stanley & Members of the Planning Board
From: Charles Tetelman
Date: January 6, 2023
Re: 58 Fore Street
Project ID: PL-002202-2022
Meeting Date: January 10, 2023

I. INTRODUCTION

Portland Foreside Development Company has submitted a Level III Site Plan and Subdivision application to facilitate the development of two mixed-use buildings (716,836 total sq. ft.) including 401 residential units, approximately 21,000 sq. ft. of retail, service, and restaurant space, and 696 parking spaces. This application is the third site plan application associated with the Portland Foreside Master Development Plan (including parcels associated with 58 Fore Street and 1 Marina Way) which was approved by the Planning Board on December 20, 2016(Attachment 1).



Figure 1: 58 Fore Street Overall Site

This workshop is intended to guide the Planning Board through the original 2016 Master Development Plan approval as well as other site plan approvals and amendments associated with 58 Fore Street and 1 Marina Way. The background information will provide context to the Planning Board related to pending proceeding status and relevant review criteria, approved and ongoing work associated with Phase 1 development, and serve as a precursor for future Planning Board meetings focusing specifically on the proposed Phase 2 development for Blocks 4 and 6.

The Planning and Urban Development Department mailed 276 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the January 1, 2023 and January 3, 2023 editions of the *Portland Press Herald*.

Applicant: Portland Foreside Development Company
Applicant Woodard & Curran
Representatives:

II. REQUIRED REVIEWS

<i>Review</i>	<i>Applicable Standards (as of 12/20/16)*</i>
Level III Site Plan	Section 14-526
Subdivision	Section 14-497
Inclusionary Zoning	Section 14-474, Section 14-487
Site Location of Development	Technical Manual Section 14
Historic Preservation	Certificate of Appropriateness HP Advisory Review
Design Review	Section 14 (iii) MDP Standards of Review Eastern Waterfront Master Plan City of Portland Design Manual (g) EWPZ Eastern Waterfront Port Zone and B-6 Eastern Waterfront Mixed Use Zone
*Approval of Master Development Plans confer pending proceeding status upon the development with the effect of maintaining the applicability of municipal regulations in effect at the time of approval for as long as the Master Development Plan approval remains valid, including permissible extensions.	

<i>Waiver Requests</i>	<i>Applicable Standards</i>
At the time of MDP approval, the project site received a waiver to Flooding Standards.	City of Portland Technical Manual Section 5 – Stormwater Management Standards Maine DEP Chapter 500 Stormwater Management Section IV.

III. PROJECT DATA

Existing Zoning	B-6 Eastern Waterfront Mixed Zone R-6 Residential EWPZ Eastern Waterfront Port Zone Shoreland Zone
Historic Districts	Portland Company Historic District (Block 4) Munjoy Hill Historic District (Block 6)
Property Size	438,900 sq. ft. (~10 acres)
Existing Use	Vacant
Proposed Use	Residential (401 units - 407,840 sq. ft.) Retail/Service/Restaurant (21,058 sq. ft.) Parking (696 spaces – 288,738 sq. ft.)

	<i>Block 4</i>	<i>Block 6</i>	<i>Total</i>
Building Footprint	47,160 sq. ft.	49,030 sq. ft.	96,190 sq. ft.
Building Floor Area	425,800 sq. ft.	291,836 sq. ft.	716,836 sq. ft.
Parking Spaces	454	242	696
Bicycle Parking Spaces	100 Internal 20 External	70 Internal 12 External	170 Internal 32 External
EV Charging Stations	-	-	78

IV. RIGHT, TITLE, AND INTEREST

The applicant has provided short form quitclaim deed with covenant as demonstration of Right, Title, and Interest (Attachment C).

V. FINANCIAL AND TECHNICAL CAPACITY

The applicant has provided two letters demonstrating Financial Capacity. The first from Rockland Trust Company Senior Vice President Rose M. Buckley dated September 14, 2022 and the second from Middlesex Savings Bank Senior Vice Presidents Mary Ann Devlin and Robert F. Millerick dated September 16, 2022 (Attachment B).

The applicant has included a summary of the engineering, landscape architecture, and architecture firms and partners who are completing various aspects of design (Attachment B). The four main consultants include Woodard & Curran, MBLA, Perkins+Will, and Baskervill. The combined experiences and portfolios of all partners demonstrate technical capacity.

VI. BACKGROUND

In 2016, the Planning Board approved the Portland Foreside Master Development Plan (MDP) which included a proposal to comprehensively redevelop the former Portland Company industrial site (approximately 10 acres of land area and 13.2 acres in submerged land lease). This approval would effectively create a new mixed-use neighborhood along Portland's eastern waterfront with nearly 1,000,000 sq. ft. of new residential and commercial space as well as vehicle parking, marina access, public open space, and a new walking path along the water's edge.

Since the approval of the MDP, the applicants have received approvals for the expansion of the Fore Points Marina on Block 7 and for Phase I of the development, which included a mixed-use building with office, retail, and parking use and reconstruction of historic building #12 on Blocks 1, 2, and 4.

VII. PREVIOUS APPROVALS

Project	Project ID
Portland Foreside Master Development Plan	#2016-224 (approved 12/20/16) PL-001654-2021 (approved 11/23/21) PL-002289-2022 (under review)

Fore Points Marina	PL-000330-2018 (approved 1/16/19) PL-000906-2019 (approved 4/17/20) PL-001656-2021 (approved 1/13/22) PL-002252-2022 (under review)
Phase 1 Site Plan (Blocks 1 + 2 + 4)	PL-000924-2019 (approved 1/28/20) PL-002253-2022 (under review)
Phase 2 Site Plan (Blocks 4 + 6)	PL-002202-2022 (under review)

I. Master Development Plan

In 2016, CPB2 LLC received approval for a Master Development Plan (MDP) known as Portland Foreside (#2016-224). The original concept included retail, office, residential, hotel, restaurant, function space, and a marina. As shown in Figure 2, the site includes seven development “blocks”. The MDP development program included 958,679 sq. ft. of mixed residential and commercial uses, 435,200 sq. ft. of parking for 736 spaces, 638 residential units, a marina for 220 slip spaces for seasonal and transient vessels, and a 2,600 sq. ft. building for marina facilities.



Figure 2: Original MDP Approval

The core parcels of the site (58 Fore Street) are separated from the marina parcel (1 Marina Way) by a 50' corridor owned by the Maine Department of Transportation. This parcel contains the Maine Narrow Gauge Railway and a portion of the Eastern Promenade trail (via an easement between MDOT and the City of Portland + Portland Trails). The Eastern Promenade Trail continues to the east and west on City of Portland owned land, abutting the marina.

Approved MDP Program	
Commercial + Residential Space	~1,000,000 sq. ft.
Residential Unit Count	638
Structured Parking Spaces	736
Marina	220 Slips 2,600 sq. ft. Marina Building
Other Amenities	Public Open Spaces Waterfront Walkways

The MDP establishes the general parameters to be adhered to for redevelopment of the site and provides a high-level, overall framework plan for the proposed development, detailing for example site layout, program of uses, site-wide infrastructure improvements, concepts for open space, basic design elements, off-street parking and site circulation. Although the MDP approval does not constitute an authorization for development, it does maintain the applicability of regulations in effect at the time of the approval for as long as the MDP approval remains valid.

Following the MDP approval, the Planning Board approved a Traffic Movement Permit (TMP) (4/25/17) that included all future development as proposed in the MDP. At the time of approval, the TMP anticipated 506 AM peak hour trips and 585 PM peak hour trips at full build-out, and further required that a Transportation Demand Management (TDM) Plan be implemented and monitored at each phase of development to help reduce vehicle trips to and from the site. The TMP also established an impact fee of \$650 per PM peak hour trip. As clarification, this impact fee is separate from the city-wide impact fee system, which was later adopted by the City in 2018, and for which this development is still subject as stated in Section 16.13 of the City's Land Use Code.

The Planning Board approved an MDP Amendment (PL-001654-2021) on November 23, 2021 to formalize an interim condition phase for the Fore Points Marina site located on Block 7, prior to the development of a permanent marina building as identified in the 2016 MDP. The Interim Condition Plan allowed interim structures totaling no more than 3,200 sq. ft. within the areas defined as Marina Operations Area and required for a portion of the site to be opened to the public. This plan is set to automatically expire on November 24, 2024.

II. Fore Points Marina

On January 16, 2019, the Planning Authority approved a Level II Site Plan application (PL-000330-2018) for the Fore Points Marina; a proposal to expand the existing marina from 69 slips to 141 slips, with 1,776 sq. ft. of boat wake. This increase provided a wider range of boat users with convenient waterside access to downtown amenities.

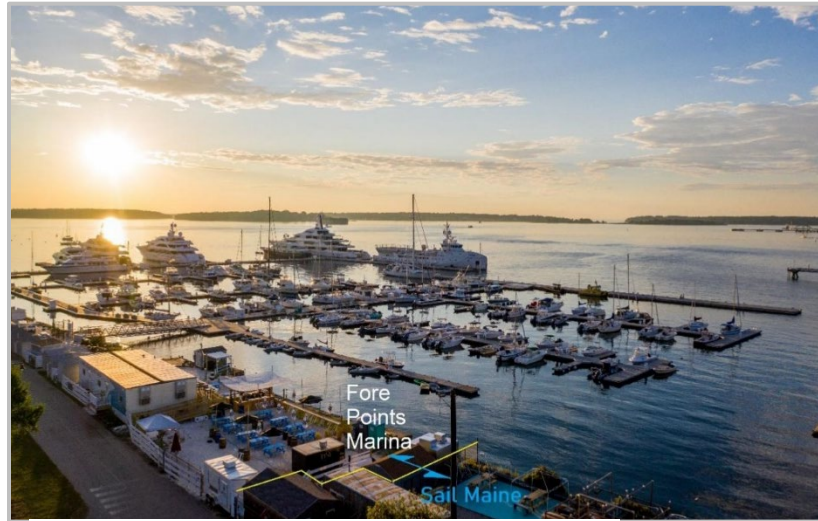


Figure 3: Fore Points Marina (rendering)

On January 13, 2022, the Planning Authority approved a Level II Site Plan amendment (PL-001656-2021) to permit thirteen interim structures, a temporary 4-inch domestic water line and 8-inch fire protection line, and a new pathway and publicly accessible open space along the central portion of the marina site. (following MDP Amendment PL-001654-2021). The approval for the temporary structures is set to automatically expire on November 24, 2024.

In December of 2022, the applicant submitted a Level II Site Plan amendment (PL-002252-2022) to facilitate seawall repairs and modify outfall locations associated with the Fore Points Marina. This application is currently under review.

III. Phase 1 Site Plan: Blocks 1 + 2 + 4

On January 28, 2020, the Planning Board approved a Level III Site Plan, Subdivision and Conditional Use application (PL-000924-2019) for the first major phase of development under the Portland Foreside MDP. The site plan application included a proposal to construct a new mixed-use building with office, retail, and structured parking on Block 1, reconstruct historic Building #12, renovate historic buildings within Block 2, develop a series of townhomes along Fore Street totaling 12 residential units within Block 4, and construct a parking structure with 722 parking spaces on Block 4. As approved, the Phase 1 development was expected to create 12 residential units, 110,000 sq. ft. of office space, 49,500 sq. ft. of retail and restaurant space, and 17,900 sq. ft. of event space. As of the writing of this memorandum, this phase is still under construction.

In December of 2022, the applicant submitted a staff-level amendment (PL-002253-2022) which includes work and modifications within the Maine Department of Transportation 50' corridor including the Maine Narrow Gauge Railroad rail reconstruction and the Eastern Promenade Trail Reconstruction. This amendment also includes waterfront improvements (grading, landscaping, and drainage) and relocation of utility infrastructure within the site to accommodate future development. This application is currently under review.

At the time of approval, the applicant anticipated future development above the Block 4 parking garage as part of a separate application. As of today, a majority of the work on Block 1 has been completed. However, the townhomes and parking structure on Block 4 were never constructed. The Phase 1 Level III Site Plan will need further amendments to remove elements of the plan that were not constructed, or that are in conflict with proposed development associated with Phase 2.

VIII. PROPOSED DEVELOPMENT: BLOCK 4 + 6

I. Proposed Development

Portland Foreside Development Company has submitted a Level III Site Plan application to facilitate the development of two mixed-use buildings on Block 4 and Block 6, considered Phase 2 of the Portland Foreside MDP. The two buildings include 401 residential units (407,840 sq. ft.), 21,058 sq. ft. of retail, service, and restaurant space, and 696 parking spaces (288,738 sq. ft.). The development includes a variety of residential units including studio, 1-bedroom, and 2-bedroom rental units as well as townhomes, and condominiums, and in addition will continue to open up the site for public access, establishing new open spaces and enhancing existing open spaces along the waterfront.

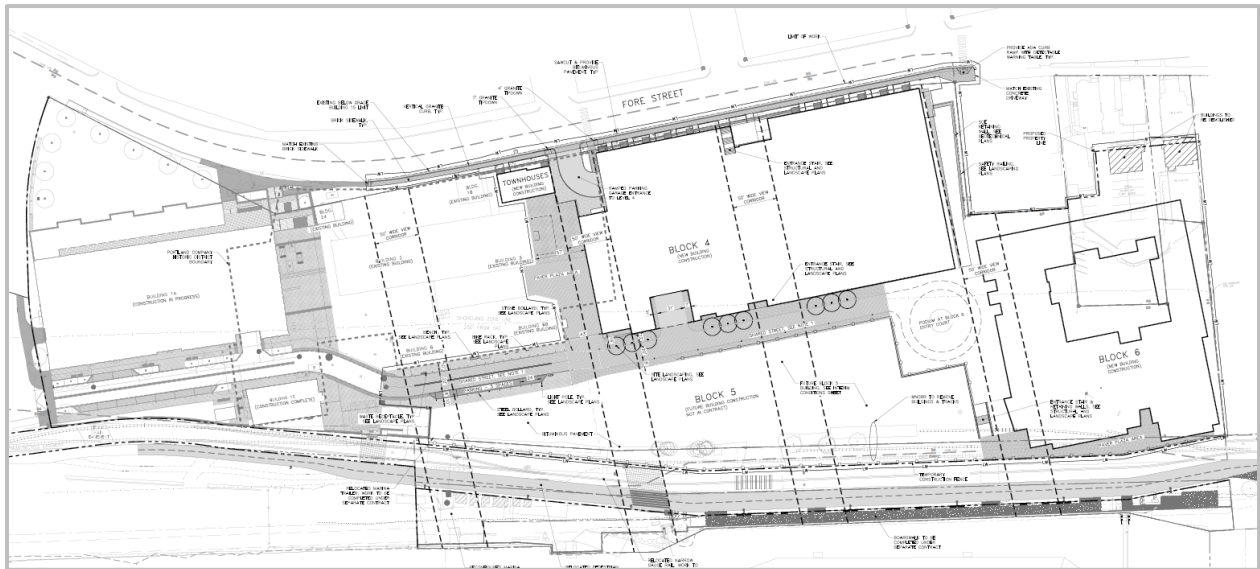


Figure 4: Phase 2 Overall Site Plan (Plan 1)

The site plan depicts important infrastructure, including utility and proposed street right-of-way being developed in the shared space between the development blocks, with reciprocal easements granted between parcels. Utility improvements for Blocks 4 and 6 will connect with existing utilities developed for the Phase 1 development (Blocks 1 and 2). The Thames Street extension (private way) will be extended along Block 4 through to Block 6.

II. Block 4

The approved 2019 Level III Site Plan included a five-level parking garage and townhomes along Fore Street, including 12 residential units, 1,100 sq. ft. of commercial space, and 652 parking spaces. Construction associated with the 2019 approval on Block 4 was not completed. The current Level III Site Plan application includes a different program for Block 4 (although still within the scope of the MDP). As proposed, the Block 4 building is nine stories, which include a mix of 247 residential units, 11,950 sq. ft. of retail, service, and restaurant space, and 454 parking spaces. The Block 4 parking garage has been reduced and will now connect below-grade to the Block 6 parking garage, and eventually to Block 5.

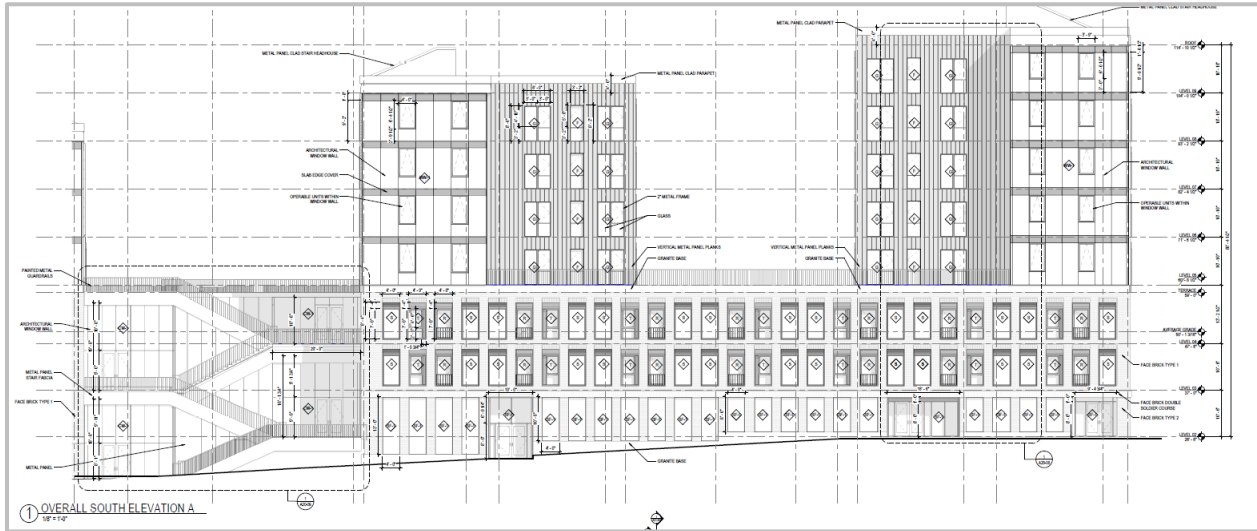


Figure 5: Block 4 South Elevation (Plan K)

III. Block 6

The proposed development on Block 6 consists of a ten-story building with 154 condominium units, 9,108 sq. ft. of retail, service, and restaurant space, and 242 parking spaces. The building includes an interior courtyard with ground-level retail. The Block 6 parking garage will connect with Block 4.

IV. Subdivision Amendment

The applicant has submitted a subdivision amendment which divides the property into ten parcels with utility and access space held in common with reciprocal access and utility easements granted to both proposed parcels. This subdivision amendment will be subdividing Parcel 5 into Parcels 5 and 6, and includes adjacent land area recently acquired by the applicant.



Figure 6: Block 6 Site Plan (Plan L)

V. Block 2 and Block 5

The application also includes minor work on Blocks 2 and 5 to facilitate future construction of this phase. The changes include minor grading and utility work on Block 2 and minor improvements to grading, stormwater management, utility work, and interim surface parking on Block 5.

IX. SITE LOCATION OF DEVELOPMENT

The City of Portland has delegated review authority from the Maine Department of Environmental Protection for larger projects that trigger Site Location of Development Act review. The Standards for Local Site Location of Development Review can be found in Section 14 of the City of Portland Technical Manual.

X. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant is required to hold a Neighborhood Meeting as part of this application process. The applicant hosted the first neighborhood meeting on December 20, 2022 and has scheduled a second neighborhood meeting to be held on January 11, 2023. Required documents will be submitted following the second neighborhood meeting.

The Planning & Urban Development Department has received 4 public comments regarding this Level III Site Plan application (PC 1 - 4).

XI. NEXT STEPS

- Preliminary City Staff and Third-Party Peer Review and Applicant Resubmission
- Schedule Future Planning Board Workshops
- Future City Staff and Third-Party Peer Review and Applicant Resubmission

XII. ATTACHMENTS

The full application package has not been included as part of this memo. The full plan set is available through the City of Portland CSS and will be included in full as part of future Planning Board packets.

MEMO ATTACHMENTS

1. Portland Foreside MDP Planning Board Report (12.20.16)

APPLICANT SUBMITTAL

- A. Summary
- B. Permitting & Zoning
- C. Right, Title, & Interest
- D. Waiver Table
- E. Application Checklist
- F. Zoning Analysis Table
- G. Consistency with Comprehensive Plan

PLANS

- A. Plan List
- B. Overall Site Plan
- C. Subdivision Plat (Draft Amendment)
- D. Interim Conditions Site Plan
- E. Boundary Survey 13-23 Eastern Prom
- F. Boundary Survey 58 Fore Street
- G. Block 4 Civil Site Plan
- H. Block 4 Elevations Courtyard
- I. Block 4 Elevation East & West

J. Block 4 Elevation North
K. Block 4 Elevation South
L. Block 6 Civil Site Plan
M. Block 6 Elevations East & North
N. Block 6 Elevations West & South

PUBLIC COMMENT

PC 1. J2 Portland ME 12/8/22
PC 2. Denise Preisser 12/10/22
PC 3. Susan Green 12/12/22
PC 4. Sandra Guay 12/28/22



41 Hutchins Drive
Portland, ME 04102
800.426.4262

woodardcurran.com

Att. A

**PORTLAND
FORESIDE
DEVELOPMENT
– BLOCKS 4 & 6**

**MAJOR SITE PLAN
APPLICATION**

58 Fore Street
Portland, ME

0227007.19
**Portland Foreside
Development
Company**
November 2022

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1. PROJECT SUMMARY

On behalf of Portland Foreside Development Company (Applicant), Woodard & Curran is pleased to submit this Major Site Plan Application to develop Blocks 4 and 6 of the Portland Foreside Master Development Plan ("Phase 2"). A letter authorizing Woodard & Curran to act as the agent on behalf of the Applicant is attached to this Section.

The transformation of the former 58 Fore Street Portland Company Complex property is underway as it emerges into a new urban neighborhood that is a welcoming place to live, work and visit, while staying connected to its authentic and important past. The development is known as Portland Foreside, and this next phase of implementing the Master Development Plan will continue the redevelopment of this 10.7-acre property into an accessible, connected, public neighborhood along the City's eastern waterfront.

This Major Site Plan Application is for the second major phase of development on the site and includes the full buildout of Blocks 4 and 6.

Table 1-1 Proposed Block 4 and Block 6 Development Areas and Uses

Use	Proposed Block 4	Proposed Block 6	Total
	Area (SF)	Area (SF)	Area (SF)
Residential	211,180 (247 units)	196,660 (154 units)	407,840 (401 units)
Office	N/A	N/A	N/A
Retail/Service/Restaurant	11,950	9,108	21,058
Event	N/A	N/A	N/A
Parking	202,670 (454 spaces)	86,068 (242 spaces)	288,738 (696 spaces)
Total	425,800 SF	291,836 SF	716,836 SF

The continued redevelopment of the 58 Fore Street property into a resilient, mixed-used waterfront neighborhood will be a tremendous benefit to the City. This next phase of development is arranged around the following framework:

- Support the City in its goal for housing production by providing 400+ housing units which will help meet critical demand in the market;
- Support the City's goal of providing a variety of housing types by introducing rental apartments, townhouses and condominiums to the market that are located along the waterfront in a densely developed area of the City with access to a variety of transportation options;
- Improve public connections from the eastern waterfront to the rest of the City through meaningful open spaces, plaza spaces and pedestrian/bicycle connections;
- Reinforce the eastern waterfront as key to the City's overall health and vibrancy;

- Consider resiliency and sustainability measures that are important to the City such as redevelopment and reuse, provisioning for EV charging stations and renewed focus on pedestrians and bicycles;
- Introduce additional housing, retail, office, and restaurant spaces that all contribute to the City's tax and employment bases; and
- Continue utility and infrastructure improvements that will serve the development and provide added benefits to the surrounding area such as improved drainage and stormwater quality.

As one of the largest redevelopment projects in the City, this next phase of the Portland Foreside redevelopment work will continue to turn this underutilized waterfront area into a space for residents, employees, and visitors to enjoy. With thoughtful connections to existing and new open space, the new housing and economic opportunities will bring to life many of the ideas that were envisioned by the Eastern Waterfront Master Plan and Portland's Plan 2030.

1.1 Completed Development Phases

The redevelopment planning for the former Portland Company Complex Site began with a Master Development Plan that was approved by the City of Portland Planning Board in 2016. The Master Development Plan includes seven development "blocks" consisting of new buildings, renovated historic buildings, open space plazas, public access easements, view corridors to the waterfront, a marina, and a private roadway that provides shared access for both vehicular and pedestrian traffic through the Site. Figure 1-1 below shows the block layout as it was approved as part of the Master Development Plan.

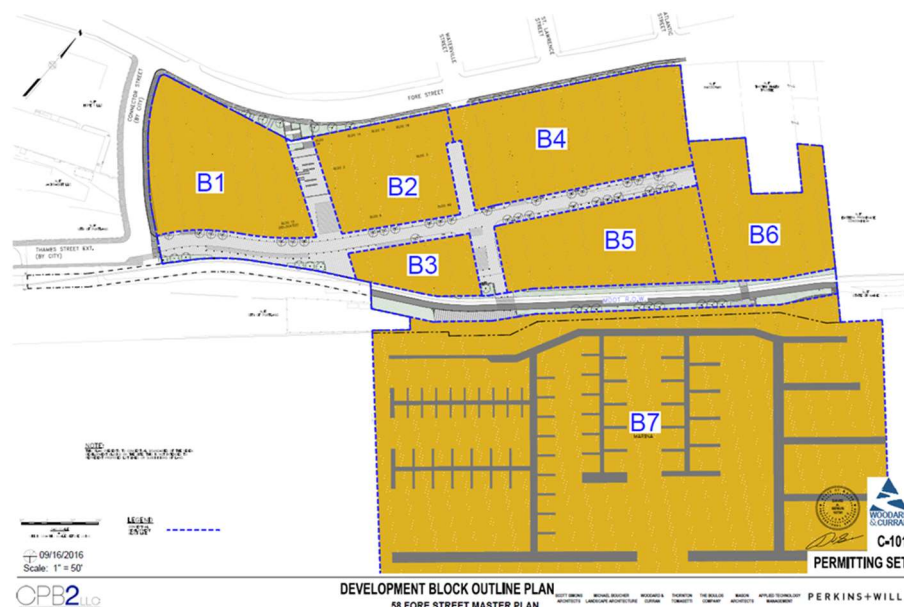


Figure 1-1 Master Development Plan Blocks B1-B7

The site has previously received a number of permits from the City of Portland, as described later in this report. The work that has been completed to date includes the construction of the Fore Points Marina on Block 7, Buildings 1A and 12 on Block 1, the extension of utility infrastructure within the site to support both

the constructed and future blocks, the extension of Thames Street as a private roadway into the site, and site and landscaping improvements supporting the site. These site improvements include the construction of the Grand Stair and pedestrian plaza space between Blocks 1 and 2 that provides access from Fore Street within the public access easement on the site.

1.2 Proposed Project Description – Phase 2

The development of Blocks 4 and 6 continues the implementation of the overall vision for the site which is to create a mixed-use neighborhood that includes residential, parking, retail, restaurant, and public open space uses on these two blocks. The proposed uses are consistent with the original Master Development Plan.

For this Site Plan application, we have broken all proposed development areas down into three categories – residential, retail/service/restaurant, and parking. These categories are consistent with other blocks of development on the site.

Block 4

Development of a portion of Block 4 was previously submitted and approved as part of a Phase 1 Level III Site Plan Application that was approved by the Planning Board in January 2020. Block 4 previously included a five-level structured parking garage that would allow for future buildout of residential (above), ground-floor retail (south elevation) and expansion of the parking garage into other development blocks during a future phase. A small number of residential units, storage and retail were proposed on the west elevation. After the project received Planning Board approval for the Level III Site Plan, construction advanced on a portion of Phase 1; however, Block 4 construction was not completed.

The current proposed development work now includes the full build-out of Block 4, with some revisions to what was previously planned during Phase 1. This work will include the construction of a four-level structured parking garage with overlying rental apartment units and plaza space, three-story townhouses along Fore Street, and ground-level retail on the north and south elevations. **Table 1-2** summarizes the uses and square footage amounts associated with Block 4 and provides a comparison to the previously approved Phase 1 version of the block.

Table 1-2: Block 4 Building Use Breakdown

Use	Previously Approved Phase 1 Block 4 (January 2020)	Proposed Phase 2 Block 4 (Current Application)
	Area (SF)	Area (SF)
Residential	12,900 (12 units)	211,180 (247 units)
Retail/Service/Restaurant	1,100	11,950
Parking	221,800 (652 spaces)	202,670 (454 spaces)
Total	234,700 SF (12 units)	425,800 SF (247 units)

The parking garage within Block 4 has been reduced in size from what was previously approved. The garage space will connect below-grade to Block 6 (and eventually Block 5) providing for a continuous parking area that will serve all blocks.

Block 6

Block 6 includes development of residential condominiums, an interior courtyard area, ground-level retail, and below-grade parking. The below-grade parking lot is a continuation of the Block 4 parking garage and will be accessed using the Block 4 garage entrances on Fore Street and Thames Street. The residential condominiums will be built throughout seven levels with amenities that include a café/library, coworking space, fitness center and spa, pool, community room, and rooftop garden. **Table 1-3** summarizes the uses and square footage amounts associated with Block 6.

Table 1-3: Block 6 Building Use Breakdown

Use	Proposed
	Area (SF)
Residential	196,660 (154 units)
Office	N/A
Retail/Service/Restaurant	9,108
Event	N/A
Parking	86,068 (242 spaces)
Total	291,836 SF (150 units)

Infrastructure, Utilities & Access Improvements

In addition to Block 4 and Block 6, shared street infrastructure and utilities will be installed throughout the site in the common spaces between the development parcels with reciprocal easements granted throughout. The private roadway into the site is an extension of Thames Street and carries the primary utilities to serve the buildings of Blocks 4 and 6. This is a continuation of infrastructure installation that began with Phase 1 of the project.

Interim Conditions

In order to create a complete, functional site following construction of this phase, interim conditions are proposed in areas of the site that will not see their finished conditions as part of this project, including:

- Block 2 – Minor surface improvements, grading, and utility work within Parcel 2B and 2C to enable the surrounding work.
- Block 5 – Minor surface improvements, grading, stormwater management, utility work and interim surface parking within Parcel 5 to enable the surrounding work. Development proposed for Block 5 is currently in design and will be submitted as part of a future site plan application.

2. PERMITTING & ZONING

For our proposed Block 4 and 6 development work, a Major Site Plan Application will be required along with a number of associated permit applications and updates. This section documents prior permits, proposed permits, and a number of conditions required for the project's permits.

2.1 Prior Permitting

The Portland Foreside redevelopment project has received a number of prior permit approvals from the City of Portland for the overall project and for work that has been completed to date on the site.

Master Development Plan

The 58 Fore Street Master Development Plan was unanimously approved by the Portland Planning Board (Project ID: 2016-224) on December 22, 2016, to redevelop and revitalize the 10.7-acre former Portland Company Complex into a mixed-use development. The 2016 Master Development Plan approval established the general parameters for the overall development including development program, massing, open space, and infrastructure. The proposed development of Blocks 4 and 6 is consistent with the Master Development Plan.

Traffic Movement Permit

The project received a Traffic Movement Permit (TMP) from the City of Portland under its delegated review authority on May 26, 2017. This permit was approved in association with the Master Development Plan, and the site's phased projects have, and will continue to address the requirements of this permit. No updates to this permit have been required, and the current proposed development work will continue to fall within the thresholds established by the TMP.

Phase 1 Level III Site Plan (PL-000924-2019)

On January 28, 2020, the project received approval of a Level III Site Plan, Site Location of Development Permit (under delegated review authority) and Subdivision from the Portland Planning Board for Phase I of the development. Phase I included portions of Block 1 (office building on Parcel 1A and reconstruction of Building 12 on Parcel 1C), Block 2 (renovation of historic core buildings on Parcels 2A, 2B and 2C), a portion of Block 4 (parking garage on Parcel 4), construction of site infrastructure around these buildings, and improvements along the waterfront. This approved waterfront work included the relocation of the MaineDOT-owned corridor that includes the Maine Narrow Gauge Railroad and the Eastern Promenade Trail closer to the water. The first part of the work approved as part of the Level III Site Plan, including construction of Building 1A, Building 12, and associated site and utility infrastructure is largely complete.

Waterfront Level II Site Plan (PL-00906-2019)

On April 17, 2020, Level II Site Plan approval was granted by the Planning Authority for work associated with Fore Points Marina, which included modifications to the seawall and site utilities, as well as two stormwater outfalls to convey runoff from the upgradient Portland Foreside Development. Shortly after receiving approval for the project, a short section of the seawall failed adjacent to the eastern outfall. As a result, the work associated with this approval was only partially constructed in 2020. The western stormwater outfall and some of the proposed utility work has been completed. This Level II Site Plan approval also

permitted up to 13 temporary buildings totaling no more than 3,200 square feet within the Marina Operations Area.

Minor Site Plan (PL-001656-2021) and Master Development Interim Conditions (PL-001654-2021)

As the planned final condition for Fore Points Marina is dependent on the completion of other work on the site, it was identified that there is a varying interim condition in the marina space. On November 23, 2021, the Planning Board approved an amendment to the Master Development Plan approval to add an interim condition plan for Fore Points Marina. This MDP Interim Conditions plan permitted up to 13 temporary buildings totaling no more than 3,200 square feet within the Marina Operations Area. Subsequently, on January 13, 2022, the Planning Authority approved a Minor Site Plan amendment application for interim conditions on the Fore Points Marina property.

Waterfront Enablement Site Plan Amendments

On July 29, 2022, an amendment application was initially submitted for waterfront and utility enablement work. Per discussions with City Planning staff, we have separated the review materials and resubmitted them as part of three separate application packages to distinguish the different amendments. The applications include the following:

- Phase I Level III Site Plan Amendment (PL-000924-2019): Submitted to the City on October 25, 2022. This amendment application included modification to the Maine DOT corridor, relocation of the Maine Narrow Gauge Railroad rail lines, relocation and widening of the Eastern Promenade Trail, modifications to waterfront improvements and modifications to utility infrastructure within the land swap boundaries shown on the approved Level III site plan application.
- Waterfront Level II Site Plan Amendment (PL-00906-2019): Submitted to the City on October 25, 2022. This amendment application included relocation of a stormwater outfall and modification to seawall reconstruction.
- Minor Site Plan Amendment (PL-001656-2021): In progress for submission. This amendment application includes relocation of the Fore Points Marina temporary buildings within current property boundaries.

We are working with the City on these applications, and they will be reviewed and approved separately.

2.2 New Permits Required

The proposed development work for Blocks 4 and 6 will require approval by the Planning Board for multiple permit applications.

Major Site Plan

The project's size and scale qualify it for a Major Site Plan that will require review and approval by the Planning Board.

Site Location of Development (SLOD) Amendment

The project is subject to the Maine Department of Environmental Protection (DEP) regulations for a Site Location of Development Act (SLOD) or Site Law Permit. It is our understanding that the project will be reviewed as an amendment to the prior approved SLOD by the City of Portland under their Delegated Review Authority. A separate SLOD permit application has been provided with this Site Plan Application, and 3 paper copies will be provided for the City to give to the Maine DEP.

Subdivision Plan Amendment

This application requires modifications to the previously approved 58 Fore Street Subdivision Plan, which divides property into ten development parcels with utility and access space held in common with reciprocal easements granted to the proposed parcels. Specifically, the plan is being amended to subdivide Parcel 5 into Parcels 5 and 6, and to include adjacent land area acquired by the Applicant since the last subdivision plan was approved.

A draft of the revised subdivision plan prepared by Owen Haskell, Inc. is included with the project drawings.

Master Development Plan Amendment

As part of this application, we are proposing an amendment to the Master Development Plan to include the adjacent land that has been acquired by Portland Foreside. This change has been updated on the subdivision plan which shows all of the block areas associated with the Master Development Plan. An updated illustrative Master Development Plan that includes the adjacent parcel is currently in progress and will be provided under separate cover.

2.3 Master Development Plan Consistency

The 2016 Master Development Plan for 58 Fore Street approved a proposed mixed-use neighborhood that intertwines a historic core with new development along the eastern waterfront. The total development square footage of 1,393,879 that was approved was broken down into the following categories:

- 958,679 SF of mixed residential and commercial uses
 - Including 638 residential units
- 435,200 SF of parking
 - Including 736 spaces

The proposed development of Blocks 4 and 6 is consistent with the Master Development Plan. The design intent of each phase of development is to remain true to the Master Development Plan, providing for the planned uses generally within the planned footprints. As noted, Phase 1 included Buildings 1A and 12 of Block 1, the historic core of Block 2, and a portion of Block 4. Buildings 1A and 12 have been constructed. Phase 2 includes Block 4 in its entirety and Block 6. The following table outlines the square footages of each of the proposed Blocks to date showing progress towards the total areas defined in the Master Development Plan. In addition to the information below, the proposed development of Blocks 4 and 6 is consistent with the general layout of the site on the Master Development Plan. There have been some adjustments made, as necessary. For example, with the addition of new property, the Block 6 footprint has

changed. In addition, we are planning to use “stackers” for some of the structured parking areas, which allows for more efficient use of space for parking.

As noted in the table, with the proposed development work, the site will be at just over 66% of the original planned square footage for the Master Development Plan. As future development blocks advance, we will evaluate if there is a need to adjust total areas that were originally proposed in the Master Development Plan.

Table 2-1 Master Development Plan Consistency

Development Phase	Block/Building	Use	Area	% of Total Master Development Plan Area
Overall Master Development Plan		Mixed Residential & Commercial	958,679 SF (includes 638 residential units)	68.8%
		Parking	435,200 SF (includes 736 spaces)	31.2%
TOTAL	1,393,879 SF Total			100%
Phase 1	Block 1 - Building 1A	Office, retail	104,400 SF	7.5%
		Parking	26,500 SF (includes 68 spaces)	1.9%
Phase 1	Block 1 - Building 12	Restaurant, office, residential	9,600 SF (includes 2 residential units)	0.69%
Phase 1	Block 2	Retail, restaurant	66,200 SF	4.7%
Phase 2	Block 4	Residential, retail, restaurant	223,130 SF (includes 247 residential units)	16.0%
		Parking	202,670 SF (includes 454 spaces)	14.5%
Phase 2	Block 6	Residential, retail	205,768 SF (includes 154 residential units)	14.8%
		Parking	86,068 SF (includes 242 spaces)	6.2%
TOTAL	924,336 SF Total 609,098 SF Mixed Residential & Commercial (403 residential units) 315,238 SF Parking (764 parking spaces)			66.3%

2.4 Zoning

The next phase of development associated with Block 4 and Block 6 are associated with multiple Zoning Districts including:

- B-6 Eastern Waterfront Mixed Zone (B6),
- R-6 Residential Zone (R6), and

- Eastern Waterfront Port Zone (EWPZ).

Portions of the work will also be within the Shoreland Overlay Zone and the Munjoy Hill Historic District. We understand that while the Munjoy Hill Neighborhood Conservation Overlay District (NCOD) is referenced within the Land Use Code and the City’s GIS mapping data online, this overlay district has been repealed by the City of Portland Council.

Since the time of the Master Development Plan approval, Portland Foreside has acquired the property located at 21 Eastern Promenade. The addresses associated within this property are 13, 17, 19, 21A and 21-23 Eastern Promenade. 21 Eastern Promenade is partially located in both the B6 and R6 Zoning Districts. The Table below summarizes the Zoning Districts associated with Block 4, Block 6 and the Infrastructure, Utility and Access Improvements that are being proposed.

Table 2-2 Project Zones

Development Block	Zone
Block 4	B6
Block 6	B6, R6, Shoreland Overlay Zone, Munjoy Hill Historic District
Infrastructure, Utilities & Access Improvements	B6, EWPZ, and Shoreland Overlay Zone

2.4.1 B6 Zone

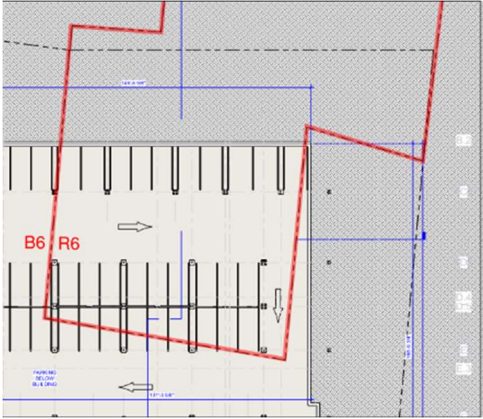
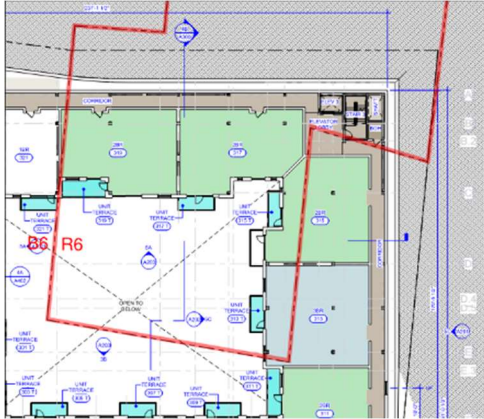
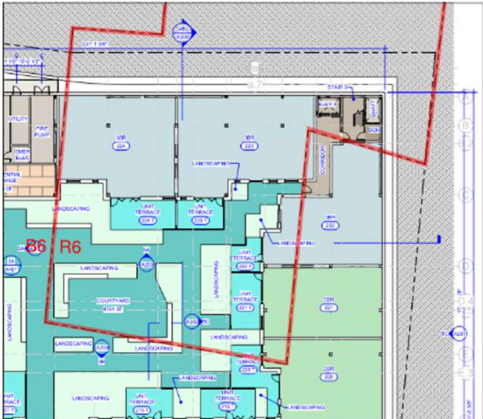
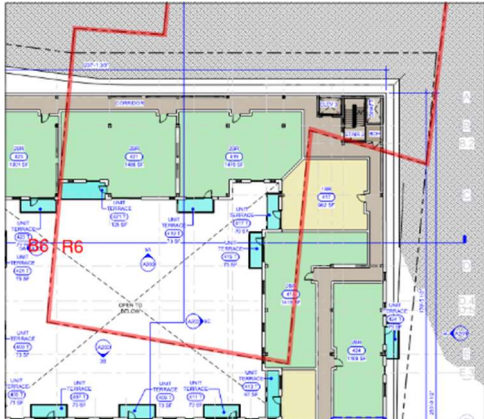
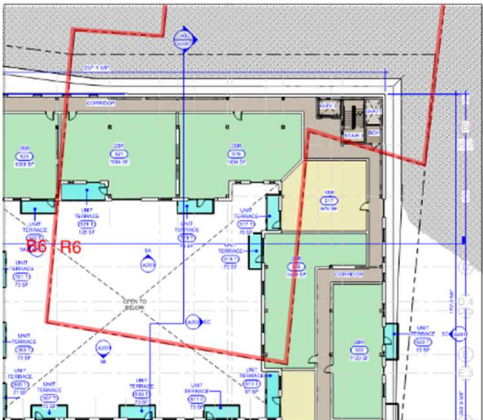
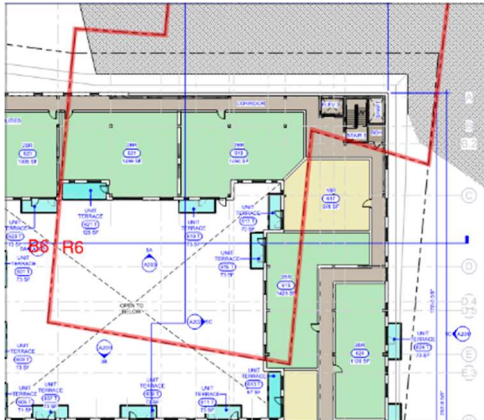
Uses associated with Blocks 4 and 6 within the B6 Zone include residential, parking, and retail. Residential and retail are permitted uses in the B6 zone. Structured parking is a permitted conditional use in B6, given that first floor retail space is provided on the street frontages. The proposed structured parking on Block 4 includes a first-floor retail wrap along the frontage of the new private roadway.

The attached Zoning Assessment Table shows that the project complies with dimensional requirements specified in the City’s Land Use Ordinance. For the B6 zone, most standard zoning analysis values are not applicable. The property exceeds the required lot size. The Block 4 building has been designed to meet the maximum front yard setback and building wall length requirements. Height is addressed later in this report.

2.4.2 R6 Zone

A portion of Block 6 will be located within the R6 Zone. The zone boundary crosses through the building, passing through parking on the first floor and residential units on the second through eighth floors. Screenshots of the R6 area on each of the floors are provided in the following table just for general reference and with notes on the specific uses within each floor. The zone boundary line is shown on the civil drawings as well as on the architectural floor plans where more detail can be viewed. In total, the R6 zone area includes 4 complete residential units, and 23 partial units that are split in some way by the zone boundary.

Table 2-3 R6 Zone Boundary for B6 Floors

	
Floor 1 – Structured Parking	Floor 2 – 5 Partial Residential Units
	
Floor 3 – 1 Complete, and 3 Partial Residential Units	Floor 4 – 1 Complete, and 3 Partial Residential Units
	
Floor 5 – 1 Complete and 3 Partial Residential Units	Floor 6 – 1 Complete and 3 Partial Residential Units

The attached Zoning Assessment Table shows that this portion of the project complies with dimensional requirements specified in the City's Land Use Ordinance for the R6 zone. The size of the lot located within the R6 zone exceeds the minimum required and considering the 27 residential units located at least partially within the zone, the minimum land area per dwelling unit is accomplished. This portion of the project does not include any street frontage but is attached to the remainder of Blocks 4 and 6 that include frontage in the B6 zone. This portion of the site meets the lot dimension and coverage requirements associated with the R6 zone, and the figure on the previous shows some general dimensional values for the portion of the site. Building height is addressed later in this section of the report.

2.4.3 Eastern Waterfront Port Zone

The portion of the site that falls within the Eastern Waterfront Port Zone is primarily not planned for direct impact due to this project. The only planned work within this zone is utility connection. Disturbance in this zone due to work on the marina and on the Eastern Promenade Trail and Narrow Gauge Railroad is covered under separate permits.

2.4.4 Building Height Evaluation

The Block 4 and Block 6 buildings have been designed in compliance with the B6 Height Overlay Map and the Master Development Plan. In addition, the portion of the site that is located in the R6 Zone will comply with the height requirements of that zone.

Per the City of Portland's Land Use Code, allowable heights are calculated from average finished grade. The Master Development Plan considered the proposed parking podium structure that spans Block 4, Block 5, and Block 6 as one single structure, with an average grade measured at 50.1'. This average grade was calculated by evaluating the grade at each corner of the overall building structure. The Master Development Plan identified that Blocks 4, 5, and 6 may be constructed in phases, and noted that at each phase conformance with average grade/height regulations should be confirmed.

For the current phase of work, we have evaluated the height of Blocks 4 and 6 by utilizing the average grade of the "Podium" which includes the below-grade structured parking that connects the Blocks. We have also evaluated the entire planned structure including the future Block 5 connecting to the Podium based on schematic design plans that have been developed for the future block. Average grades for these two scenarios have been calculated as follows:

- Block 4 & 6 Average Grade = 54.14'
- Block 4, 5, & 6 Average Grade = 50.76'

The architects for Blocks 4 and 6 have been designing the building heights based on the Master Development Plan average grade of 50.1'. With the calculated average grade for the current phase and for the future full structure buildout at higher elevations than 50.1 feet, we will have flexibility for adjustments as the Block 5 design is finalized.

The building designs take into consideration the height requirements of the B6 Height Overlay Map and the R6 Zone where applicable. The B6 map identifies areas with different height restrictions within the B6 Zone, including a number of view corridors that are defined by the streets that intersect with Fore Street. Buildings may be located within the view corridors, but the height of structures within the view corridors

must be lower than the grade of Fore Street. The attached average grade figures include the B6 height zones and view corridors. Block 4 is located entirely within the B6 Zone in an area with a maximum height of 45', with sections that allow for 55' and 65' height extensions. The Waterville Street and St. Lawrence Street view corridors both cross the Block 4 building. Block 6 is located partially within the B6 Zone in an area with a maximum height of 45' and an allowance for 55' height extensions, and partially in the R6 zone which allows a maximum height of 45'. The Atlantic Street view corridor is located along the western edge of Block 6.

2.4.5 Housing Preservation & Replacement

During Block 6 construction, two buildings on the acquired Eastern Promenade property will be demolished. The five units in these two buildings are four, 2 bedroom/1 bath units and one, 1 bedroom/1 bath units. These buildings are non-contributing to the Munjoy Hill Historic District (see February 17, 2022 email from Deb Andrews). There are 154 condominiums that will be built as a part of the condominium project on this development block resulting in a net increase of 149 units for Block 6. In total, over 400 residential units are proposed as part of this overall development phase.

2.4.6 Inclusionary Zoning

The project is required to comply with the City of Portland's Inclusionary Zoning requirements that were in effect at the time the site received its Master Development Plan in December 2016. These Inclusionary Zoning requirements will apply to each phase of development. The Planning and Housing and Economic Development departments confirmed in September and October 2022 that these are the appropriate thresholds to consider. The project plans to meet the inclusionary zoning requirements for each block as follows:

- Block 4: This development block will include a total of 247 housing units. A total of 25 units, 10%, will be provided as market rate apartments at 100% Area Median Income (AMI).
- Block 6: This development block will include a total of 154 condominium units. The Applicant will be paying the fee-in-lieu for these units. We have reached out to the Housing and Economic Development department to confirm what the current adjusted fee will be.

2.5 Floodplain

Portland Foreside has submitted and received approval of two Letters of Map Amendment (LOMA), removing the site's developed area from the floodplain. As a result, a Flood Hazard Permit is not required as part of this project's permit review. A copy of the LOMA documentation is attached.

2.6 Waiver Requests

We are requesting the following waivers as a part of the Site Plan process.

- Driveway Apron Grading – The steepness of the existing Fore Street slope does not allow for the creation of a continuously graded driveway apron without pedestrian ramps, per the current requirements of the Department of Public Works. We are requesting a waiver of this requirement.
- Electric Vehicle Charging – Section 1.17 Electric Vehicle Infrastructure within Section 1 – Transportation Systems of the City of Portland Technical Manual requires new structured parking

facilities of five or more spaces to include energized electrical outlets or installed chargers capable of providing Level 2 EV charging or higher to 20% of parking spaces (rounded down to the nearest whole number). Applying that formula to the Block 4/6 garage would require a total of 139 charging stations. The applicant is currently proposing seventy (78) electric vehicle charging station parking spaces within the garage, as follows:

Table 2-4 Block 4 & 6 Electric Vehicle Charging Quantities

Charger Level	EV Charging Spaces	
	Proposed	Future (Additional)
Level 2	70	60
Level 3	8	4
TOTALS	78	64

These stations will meet the projected demand for the residents and visitors to the site. The proposed 78 parking spaces represent 11% of the proposed Block 4 and 6 parking spaces. The applicant is committed to meeting EV charging demand as it grows and will increase the number of EV charging stations within the garage, over time, up to 142 or 20%. Given the pace of change in EV charging technology and equipment, it is not advisable to install EV charging stations or other infrastructure beyond the 78 charging station spaces as described above, as the excess will largely go unused until more electrical vehicles are on the road, at which time the technology will have advanced and underutilized charging stations will need to be replaced. The open steel and concrete construction type of this garage easily accommodates sleeve installation to facilitate future conduit and electrical infrastructure for additional EV charging stations. The current electrical infrastructure will be sized to accommodate growth (i.e., providing additional space for panels within electrical rooms and sizing transformers to account for future electrical load). By monitoring and installing in response to demand, the applicant will remain up to date with the rapidly improving technology.

The applicant requests a Waiver from paragraph 1.17 Electric Vehicle Infrastructure within Section 1 – Transportation Systems outlined in the City of Portland Technical Manual from 132 Level 2 electric vehicle chargers to forty-eight Level 1, fourteen Level 2, and eight Level 3, chargers.

- Stormwater Flooding Standard – The project site received a waiver of the Flooding Standard as part of the Master Development Plan. This waiver will continue to remain in place for the current phase of work. As described in our Stormwater Management report, our site discharges directly to Casco Bay, part of a tidal body of water, via the outfall discharge.

2.7 Evidence of State and/or Federal Approvals

The following state and federal permits will be required for the proposed work:

- MaineDEP Site Location of Development Act Permit (reviewed by City of Portland under Delegated Review Authority);
- Maine Construction General Permit Notice of Intent; and
- FAA Notice of Proposed Construction.

Copies of these permit approvals can be provided to the City of Portland.

2.8 Evidence of Financial Capability

We have included copies of two letters verifying the Applicant's financial capacity to undertake the project.

2.9 Evidence of Technical Capacity

The project team includes the following partners completing various engineering, landscape architecture, and architecture components of the project work. Copies of resumes can be provided upon request.

- **Woodard & Curran (W&C)**, an over 1,000-person Portland-based firm, has provided engineering services to the public and private sector for over 40 years, including permitting, civil/site engineering, stormwater, and construction management services. W&C has completed projects for colleges, universities, and healthcare institutions that build strong, sustainable infrastructure and environmental programs serving both their business needs and the communities that make them so vibrant. With extensive experience in design and permitting for site development projects, W&C has completed many projects within the City of Portland and for the University of Maine System.
- **MBLA** is a professional design firm located in Freeport, Maine. MBLA practices nationally and internationally, and over the past twenty-eight years, the office has collaborated on diverse and notable projects, located in a wide range of settings and climates and across the state of Maine. MBLA projects range in scale and complexity including plazas, courtyards, university building projects, private school facilities, master plans, museums, churches, resorts, parks, and residential landscape projects. Many of MBLA's design projects have focused on creating places for people to gather while addressing issues of circulation, security, and programming.
- **Perkins+Will** architects is a firm consisting of twenty-four domestic and international offices with a depth of technical and management skill employed to execute projects of great complexity. Perkins+Will maintains a full-time QA/QC leader in each office to provide ongoing quality assurance for projects. These experts are guided by a national project delivery system that has resulted from the best practices from around the firm.
- **Baskervill**, founded in 1897, is one of the nation's oldest continually operating architectural firms. With five offices along the east coast of the United States, and internationally, Baskervill is a multi-disciplinary design firms with a mix of services from architecture and interior design to MEP engineering and sustainable design.

2.10 Attachments

- Agent Letter
- Location Map
- Tax Map
- FEMA Map and LOMA Documentation
- Financial Capacity Letter
- Average Grade Figures & Calculations

2.11 Construction Management Plan (uploaded to Construction Management Plan folder in Eplan)

A draft Construction Management Plan has been prepared for the proposed development. The Contractor will be required to provide adequate safety fencing and signage directing pedestrians safely around the construction area. The Construction Management Plan is attached to this Section for your reference.

It should be noted that the constructability of future phases of development has been considered. The proposed development has been designed such that it will not prevent the construction of future phases of the site's Master Development Plan.

2.12 Forms (uploaded separately to Documents folder in Eplan)

- Application Checklist
- Zoning Assessment Table
- Waiver Table

2.13 Drawings (uploaded separately to Drawings folder in Eplan)

- Drawing List – Due to the quantity of drawings required for this project, we have included a drawing list to be uploaded to the drawing folder with an upload date included. This will be updated with each submission to help manage drawing changes.
- Boundary & Topographic Surveys, prepared by Owen Haskell, Inc.
- Civil, Landscape, & Architecture Design Plans
- Subdivision Plan

July 21, 2022

RE: Agent Authorization

To Whom It May Concern:

Woodard & Curran will be acting as the agent on behalf of PF Marina LLC and PF Land LLC for all local, state, and federal permitting associated with the projects located on or adjacent to the properties at 58 Fore Street / 110 Thames Street / 115 Thames Street / 1 Marina Way in Portland, Maine.

Please contact me if you have any questions, 207.517.1102.

Sincerely,

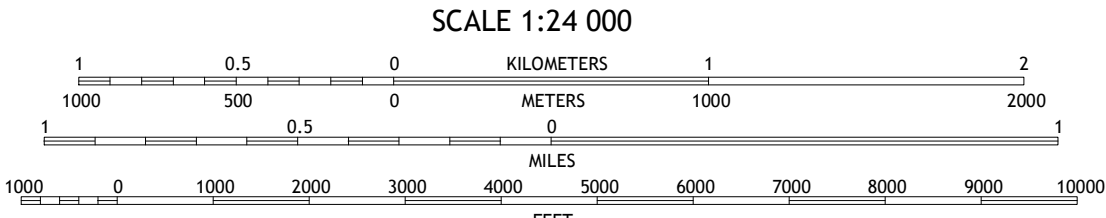
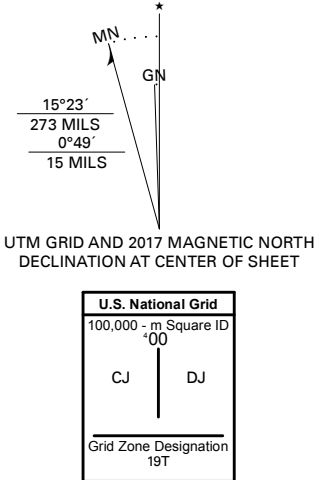
A handwritten signature in dark ink, appearing to read "David Senus", with a stylized flourish at the end.

David Senus

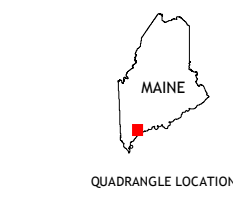
Director of Planning and Design



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid/Universal Transverse Mercator, Zone 19T
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.
Imagery.....NAIP, July 2015 - November 2015
Roads.....U.S. Census Bureau, 2017
Names.....GNIS, 1980 - 2017
Hydrography.....National Hydrography Dataset, 2003 - 2016
Contours.....National Elevation Dataset, 2005 - 2012
Boundaries.....Multiple sources; see metadata file 2014 - 2016
Wetlands.....FWS National Wetlands Inventory 2001 - 2004



CONTOUR INTERVAL 20 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
This map was produced to conform with the
National Geospatial Program US Topo Product Standard, 2011.
A metadata file associated with this product is draft version 0.6.18



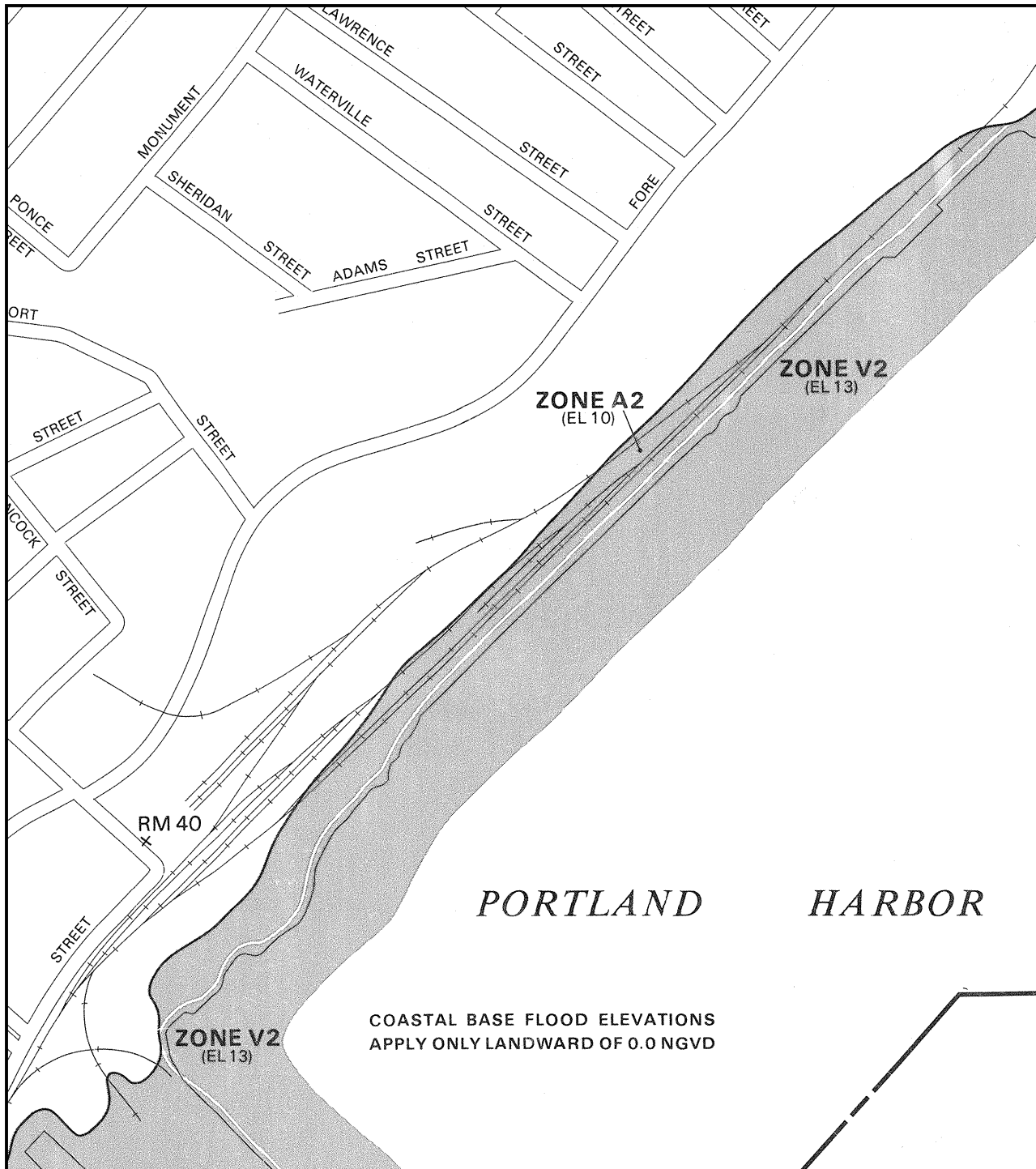
1	2	3
4	5	6
7	8	9

1 Cumberland Center
2 Yarmouth
3 Freeport
4 Portland West
5 South Harpswell
6 Prouts Neck
7 Cape Elizabeth

ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	4WD
Interstate Route	US Route
	State Route







APPROXIMATE SCALE

400 0 400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
PORTLAND, MAINE
CUMBERLAND COUNTY

PANEL 14 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

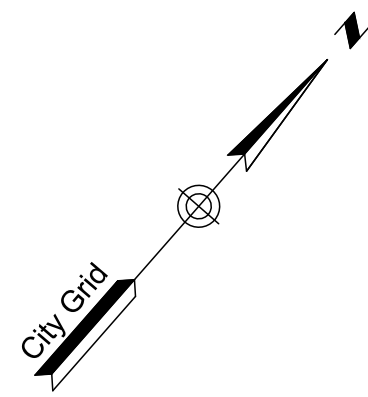
COMMUNITY-PANEL NUMBER
230051 0014 B

EFFECTIVE DATE:
JULY 17, 1986



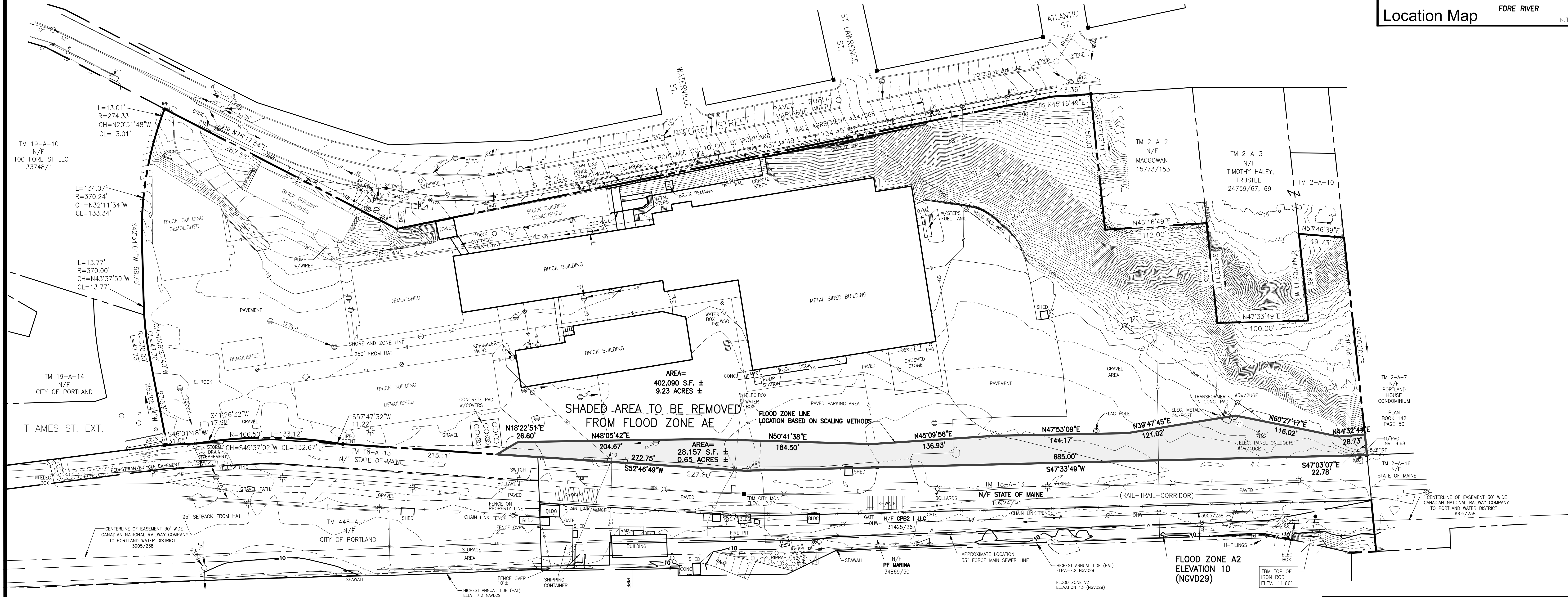
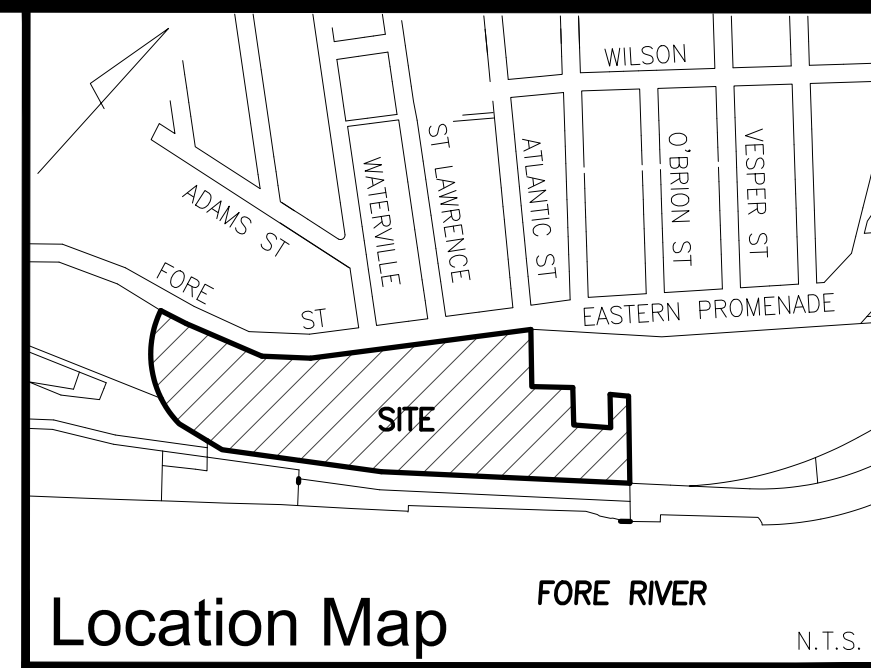
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Legend

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- MANHOLE
- CATCH BASIN
- HYDRANT
- W — WATER LINE
- N/F NOW OR FORMERLY
- 000/000 DEED BOOK / PAGE



CASCO BAY / FORE RIVER

Area to be Removed from Flood Zone AE

A CERTAIN LOT OR PARCEL OF LAND ON THE SOUTHERLY SIDE OF, BUT NOT ADJACENT TO FORE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTHERLY LINE OF LAND NOW OR FORMERLY OF STATE OF MAINE AS DESCRIBED IN DEED BOOK 10924, PAGE 91 AT THE SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF PORTLAND HOUSE CONDOMINIUM AS SHOWN ON PLAN BOOK 142, PAGE 50;

THENCE, S 47°33'49" W ALONG THE NORTHERLY LINE OF SAID STATE OF MAINE 685.00 FEET;

THENCE, S 52°46'49" W CONTINUING ALONG THE NORTHERLY LINE OF STATE OF MAINE 272.75 FEET TO THE NORTHERLY LIMIT OF FLOOD ZONE A2 (EL. 10) AS SCALED FROM FEMA FLOOD INSURANCE RATE MAP NO. 230051-0014B;

THENCE, THE FOLLOWING COURSES AND DISTANCES ALONG THE NORTHERLY LIMIT OF SAID FLOOD ZONE A2:

N 18°22'51" E A DISTANCE OF 26.60 FEET;
N 48°05'42" E A DISTANCE OF 204.67 FEET;
N 50°41'38" E A DISTANCE OF 184.50 FEET;
N 45°09'56" E A DISTANCE OF 136.93 FEET;
N 47°53'09" E A DISTANCE OF 144.17 FEET;
N 39°47'45" E A DISTANCE OF 121.02 FEET;
N 60°27'17" E A DISTANCE OF 116.02 FEET;
N 44°32'44" E A DISTANCE OF 28.73 FEET TO THE WESTERLY LINE OF LAND OF SAID PORTLAND HOUSE CONDOMINIUM;

THENCE, S 47°03'07" E ALONG PORTLAND HOUSE CONDOMINIUM 22.78 FEET TO THE POINT OF BEGINNING, CONTAINING 28,157 S.F. OR 0.65 ACRES, MORE OR LESS.

Plan References

1. LAND TITLE SURVEY & SUBDIVISION PLAN IN PORTLAND, MAINE U.S.A. MADE FOR THE TRUST FOR PUBLIC LAND, THE CITY OF PORTLAND, THE MAINE DEPARTMENT OF TRANSPORTATION, THE CANADIAN NATIONAL RAILWAY COMPANY DATED FEB. 19, 1993, REV. 9 11/04/96 BY OWEN HASKELL, INC. AUGUST 29, 2016, RECORDED IN PLAN BOOK 193, PAGE 187.

2. RECORDING PLAT OCEAN GATEWAY MADE FOR THE CITY OF PORTLAND AND STATE OF MAINE, BY OWEN HASKELL, INC. DATED AUGUST 4, 2004, RECORDED IN PLAN BOOK 204, PAGE 622-624.

3. BOUNDARY & TOPOGRAPHY SURVEY AT 58 FORE STREET, PORTLAND, MAINE MADE FOR WOODARD & CURRAN BY OWEN HASKELL, INC. AUGUST 29, 2016, REVISED THROUGH FEB. 2019.

4. EXHIBIT PLAN PARCELS TO BE CONVEYED 58 FORE STREET, PORTLAND, MAINE MADE FOR WOODARD & CURRAN BY OWEN HASKELL, INC. DATED MARCH 21, 2018.

5. TOPOGRAPHIC SURVEY 100 FORE STREET MADE FOR JONATHAN COHEN BY OWEN HASKELL, INC. DATED DECEMBER 4, 2017 REVISED THROUGH 12/17/18.

6. AMENDED SUBDIVISION PLAN, OCEAN GATEWAY, COMMERCIAL STREET, THAMES STREET & FORE STREET, PORTLAND, MAINE MADE FOR OWNER OF RECORD CITY OF PORTLAND JULY 17, 2019 BY OWEN HASKELL.

7. SUBDIVISION PLAT PORTLAND FORESIDE THAMES STREET & FORE STREET PORTLAND, MAINE MADE FOR OWNER OF RECORD CPB2 I LLC, BY OWEN HASKELL, INC. DATED FEB. 13, 2020, RECORDED IN PLAN BOOK 220, PAGE 65.

Flood Zone Note

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE C, AREAS OF MINIMUM FLOODING, ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051-0014B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986. THE FEMA FIRM ZONE A2 FLOOD LINE IS DEMARKED ON THE PLAN BY THE ELEVATION 10 CONTOUR. ALL POINTS NORTH OF THIS CONTOUR ON THE SUBJECT PROPERTY EXCEEDS THIS ELEVATION AND THEREFORE FALL OUTSIDE OF THE A2 ZONE.

General Notes

1. OWNER OF RECORD: CPB2 I LLC, C.C.R.D. BOOK 31425 PAGE 267, BOOK 30879 PAGE 75, BOOK 35264, PAGE 286. SEE AFFIDAVIT RECORDED IN BOOK 34737 PAGE 327 FOR NAME CHANGE & CPB2 I LLC BOOK 35576 PAGE 153

2. PARCEL IS MADE UP OF LOTS A3, A1, PART OF A2 & PART OF A13 ON TAX MAP 18 AND LOT A3 & A16 ON TAX MAP 19 AS SHOWN ON THE OFFICIAL CITY OF PORTLAND TAX ASSESSORS MAPS.

3. BEARINGS ARE BASED ON MAINE STATE PLANE COORDINATES WEST ZONE NAD83. CITY POINTS: T-113-80-206 N:302687.77 E:2932345.31 T-113-12-111 N:302722.13 E:2933029.45

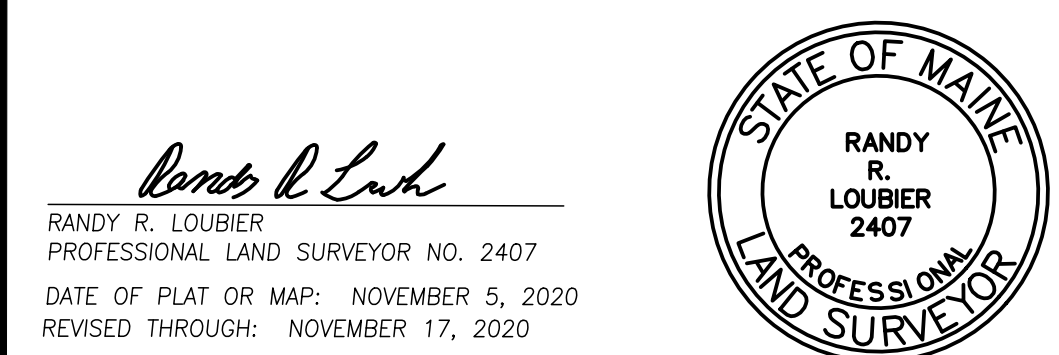
4. BENCH MARK: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) - TIDAL BENCHMARK. BENCHMARK STAMPING: NO. 3 1971 ELEVATION 11.02 FEET NGVD 29 DATUM.

EXISTING CONDITIONS SURVEY

58 Fore Street
Portland, Cumberland County, Maine
Made For
PF One Devco LLC & PF Land LLC

Surveyor's Certification

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.



OWEN HASKELL, INC.			
PROFESSIONAL LAND SURVEYORS			
390 U.S. ROUTE ONE, UNIT 10, FALMOUTH, MAINE 04105			
Tel. (207) 774-0424 www.owenhaskell.com rlobier@owenhaskell.com			
DRAWN BY:	RRL/JLW	FIELD BOOK:	FILE
CHECKED BY:	RRL/SDG	SCALE:	1" = 50'
		JOB NO.	2019-013 P
		DRWG. #	LOMA

Utility Note

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPREHEND ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

SCALE: 1" = 50'





Federal Emergency Management Agency
Washington, D.C. 20472

MR. RANDY LOUBIER
OWEN HASKELL
390 U.S. ROUTE 1 UNIT 10
FALMOUTH, ME 04105

CASE NO.: 21-01-0177A
COMMUNITY: CITY OF PORTLAND,
CUMBERLAND COUNTY, MAINE
COMMUNITY NO.: 230051

DEAR MR. LOUBIER:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415.

Sincerely,

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF PORTLAND, CUMBERLAND COUNTY, MAINE	A parcel of land, as described in the Quitclaim Deed with Covenant recorded as Document No. 13675 in Book 31425, Pages 267, 268, and 269; and in the Trustee's Deed recorded as Document No. 45157 in Book 30879, Pages 75 through 79; both deeds in the Office of the Register of Deeds, Cumberland County, Maine
	COMMUNITY NO: 230051	
AFFECTED MAP PANEL	NUMBER: 2300510014B	The portion of property is more particularly described by the following metes and bounds:
	DATE: 7/17/1986	
FLOODING SOURCE: PORTLAND HARBOR; CASCO BAY		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 43.662943, -70.242677 SOURCE OF LAT & LONG: GPS DATUM: NAD 83

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
--	--	--	58 Fore Street	Portion of Property	C	--	--	12.0 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION
PORTIONS REMAIN IN THE SFHA/FLOODWAY
eLOMA DETERMINATION

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. If there are any errors on this eLOMA Determination Letter that cause FEMA to rescind and/or nullify the determination the property owner should consult the Licensed Professional that submitted this eLOMA. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, 3601 Eisenhower Avenue, Alexandria, VA 22304-4605, Fax: 703-751-7415.

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

BEGINNING ON THE NORTHERLY LINE OF LAND NOW OR FORMERLY OF STATE OF MAINE AS DESCRIBED IN DEED BOOK 10924, PAGE 91 AT THE SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF PORTLAND HOUSE CONDOMINIUM AS SHOWN ON PLAN BOOK 142, PAGE 50; THENCE S47°33'49"W, ALONG THE NORTHERLY LINE OF SAID STATE OF MAINE 685.00 FEET; THENCE S52°46'49"W, CONTINUING ALONG THE NORTHERLY LINE OF STATE OF MAINE 272.75 FEET; THENCE N18°22'51"E, A DISTANCE OF 26.60 FEET; THENCE N48°05'42"E, A DISTANCE OF 204.67 FEET; THENCE N50°41'38"E, A DISTANCE OF 184.50 FEET; THENCE N45°09'56"E, A DISTANCE OF 136.93 FEET; THENCE N47°53'09"E, A DISTANCE OF 144.17 FEET; THENCE N39°47'45"E, A DISTANCE OF 121.02 FEET; THENCE N60°27'17"E, A DISTANCE OF 116.02 FEET; THENCE N44°32'44"E, A DISTANCE OF 28.73 FEET TO THE WESTERLY LINE OF LAND OF SAID PORTLAND HOUSE CONDOMINIUM; THENCE S47°03'07"E, ALONG PORTLAND HOUSE CONDOMINIUM 22.78 FEET TO THE POINT OF BEGINNING.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

Portion of Property Removal:

The following considerations may or may not apply to the determination for your Portion of Property:

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA and/or FLOODWAY - Portions of this property, but not the subject of the Determination document, may remain in the Special Flood Hazard Area (SFHA) and/or the regulatory floodway for the flooding source indicated on the Determination Document. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <https://www.fema.gov/regional-contact-information>

STUDY UNDERWAY - This determination is based on the flood data presently available. However, the Federal Emergency Management Agency may be currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. If a new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

EXTRATERRITORIAL JURISDICTION - The subject of the determination is shown on the National Flood Insurance Program map and may be located in an Extraterritorial Jurisdiction area for the community indicated on the Determination Document.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

GREAT LAKES - The Federal Emergency Management Agency (FEMA) has based this determination on elevation data which is published in the current Flood Insurance Study for the community. However, the elevations established in the U.S. Army Corps of Engineers (USACE) reports on the Great Lakes are the best available data known to us. If in the future there are any subsequent map revisions to the National Flood Insurance Program map and the USACE reports remain the best available data known, FEMA will use those elevations for any such revisions. Further, be advised that the elevations on the Flood Insurance Rate Map (FIRM) may only reflect the Stillwater elevation for the lake and may not account for the effects of wind driven waves or wave run-up. On-site conditions such as wind speed, wind direction, fetch distance, water depth and the slope of the beach or bluff may result in significant increases to the base flood elevation. Therefore, it is strongly recommended that the requestor be aware of these circumstances and, if warranted, evaluate the effects of wind driven waves along the shoreline of the property.

STATE AND LOCAL CONSIDERATIONS - Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

COASTAL BARRIER RESOURCE SYSTEM - Based upon information provided to FEMA by the U.S. Fish and Wildlife Service (USFWS), the subject property may be within a System Unit or an Otherwise Protected Area (OPA) of the John H. Chafee Coastal Barrier Resource System (CBRS). Federal flood insurance is generally not available within the CBRS for new construction or substantial improvements occurring after the flood insurance prohibition date (which is generally tied to the date that the area was first established as either a System Unit or OPA, but may differ in some cases). Other federal expenditures and financial assistance (including certain types of disaster assistance) are also restricted within System Units of the CBRS. The USFWS is the authoritative source for information regarding the CBRS. Additional information, including the CBRS Mapper, can be found on the USFWS website at: <https://www.fws.gov/cbra>.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

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The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

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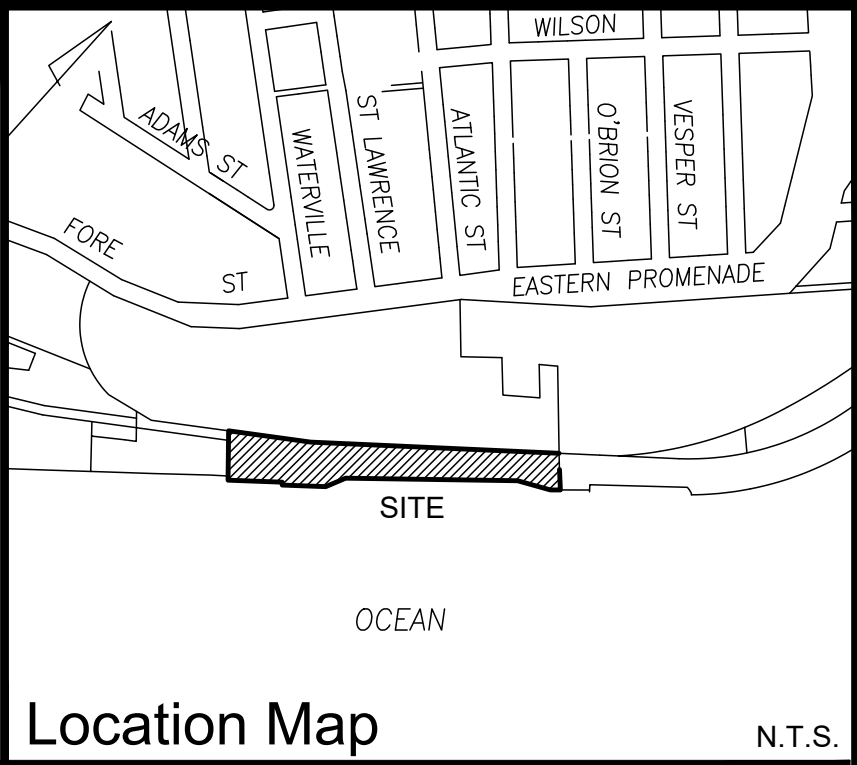
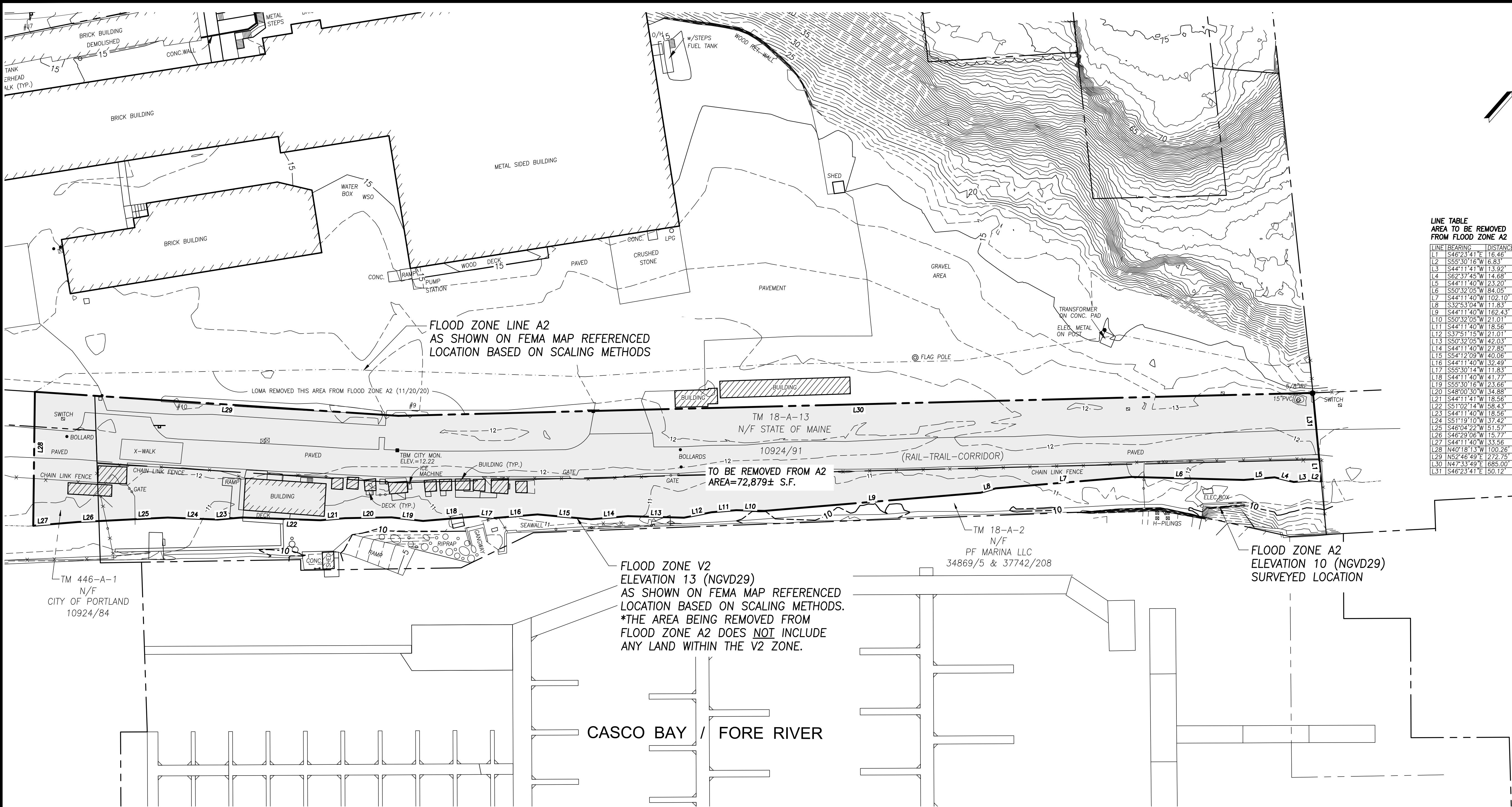
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FEMA has established "Grandfather" rules to benefit flood insurance policyholders who have maintained continuous coverage. Property owners may wish to note also that, if they live outside but on the fringe of the SFHA shown on an effective NFIP map and the map is revised to expand the SFHA to include their structure(s), their flood insurance policy rates will not increase as long as the coverage for the affected structure(s) has been continuous. Property owners would continue to receive the lower insurance policy rates.

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LINE TABLE
AREA TO BE REMOVED
FROM FLOOD ZONE A2

LINE	BEARING	DISTANCE
L1	S46°23'41" E	16.46'
L2	S55°30'16" W	6.83'
L3	S44°11'41" W	13.92'
L4	S62°37'45" W	14.68'
L5	S44°11'40" W	23.20'
L6	S50°32'05" W	84.05'
L7	S44°11'40" W	102.10'
L8	S32°53'04" W	11.83'
L9	S44°11'40" W	162.43'
L10	S50°32'05" W	21.01'
L11	S44°11'40" W	18.56'
L12	S37°51'15" W	21.01'
L13	S50°32'05" W	42.03'
L14	S44°11'40" W	27.85'
L15	S54°12'09" W	40.06'
L16	S44°11'40" W	32.49'
L17	S55°30'14" W	11.83'
L18	S44°11'40" W	41.77'
L19	S55°30'16" W	23.66'
L20	S48°00'30" W	34.88'
L21	S44°11'41" W	18.56'
L22	S51°02'14" W	58.43'
L23	S44°11'40" W	18.56'
L24	S51°19'10" W	37.42'
L25	S46°04'22" W	51.57'
L26	S46°29'06" W	15.77'
L27	S44°11'40" W	33.56'
L28	N40°18'13" W	100.26'
L29	N52°46'49" E	272.75'
L30	N47°33'49" E	685.00'
L31	S46°23'41" E	50.12'

Area to be Removed from Flood Zone A2

A CERTAIN LOT OR PARCEL OF LAND ON THE SOUTHERLY SIDE OF, BUT NOT ADJACENT TO FORE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE BOUNDED AND DESCRIBED AS FOLLOWS:

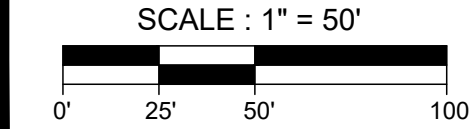
BEGINNING ON THE SOUTHERLY LINE OF LAND NOW OR FORMERLY OF STATE OF MAINE AS DESCRIBED IN DEED BOOK 10924, PAGE 91 AT THE NORTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF PF MARINA, LLC AS DESCRIBED IN DEED BOOK 37742, PAGE 208;

THENCE, S 46°23'41" E A DISTANCE OF 16.46 FEET TO THE V2 FLOOD ZONE LINE AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051-0014B;

THENCE, THE FOLLOWING COURSES AND DISTANCES ALONG SAID V2 ZONE:

S 55°30'16" W A DISTANCE OF 6.83 FEET;
S 44°11'41" W A DISTANCE OF 13.92 FEET;
S 62°37'45" W A DISTANCE OF 14.68 FEET;
S 44°11'40" W A DISTANCE OF 23.66 FEET;
S 50°32'05" W A DISTANCE OF 84.05 FEET;
S 44°11'40" W A DISTANCE OF 102.10 FEET;
S 32°53'04" W A DISTANCE OF 11.83 FEET;
S 44°11'40" W A DISTANCE OF 162.43 FEET;
S 50°32'05" W A DISTANCE OF 21.01 FEET;
S 44°11'40" W A DISTANCE OF 18.56 FEET;
S 37°51'15" W A DISTANCE OF 21.01 FEET;
S 50°32'05" W A DISTANCE OF 42.03 FEET;
S 44°11'40" W A DISTANCE OF 27.85 FEET;
S 54°12'09" W A DISTANCE OF 40.06 FEET;
S 44°11'40" W A DISTANCE OF 32.49 FEET;
S 55°30'14" W A DISTANCE OF 11.83 FEET;
S 44°11'40" W A DISTANCE OF 41.77 FEET;
S 55°30'16" W A DISTANCE OF 23.66 FEET;
S 48°00'30" W A DISTANCE OF 34.88 FEET;
S 44°11'41" W A DISTANCE OF 18.56 FEET;
S 51°02'14" W A DISTANCE OF 58.43 FEET;
S 44°11'40" W A DISTANCE OF 18.56 FEET;
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S 46°04'22" W A DISTANCE OF 51.57 FEET TO LAND NOW OR FORMERLY OF CITY OF PORTLAND AS DESCRIBED IN DEED BOOK 10924, PAGE 84;
THENCE, S 46°29'06" W CONTINUING ALONG THE SAID V2 ZONE AND THROUGH LAND OF SAID CITY OF PORTLAND A DISTANCE OF 15.77 FEET;
THENCE, S 44°11'40" W CONTINUING ALONG THE SAID V2 ZONE AND THROUGH LAND OF CITY OF PORTLAND A DISTANCE OF 33.56 FEET;
THENCE, N 40°18'13" W CONTINUING THROUGH LAND OF CITY OF PORTLAND AND LAND NOW OR FORMERLY OF SAID STATE OF MAINE A DISTANCE OF 100.26 FEET TO THE NORTHERLY LINE OF LAND OF SAID STATE OF MAINE;
THENCE, N 52°46'49" E ALONG THE NORTHERLY LINE OF STATE OF MAINE 272.75 FEET;
THENCE, N 47°33'49" E CONTINUING ALONG THE NORTHERLY LINE OF STATE OF MAINE 685.00 FEET;
THENCE, S 46°23'41" E THROUGH LAND OF STATE OF MAINE 50.12 FEET TO THE POINT OF BEGINNING, CONTAINING 72,879 S.F. OR 1.67 ACRES MORE OR LESS.

THE LAND DESCRIBED ABOVE DOES NOT INTEND TO INCLUDE ANY LAND WITHIN THE V2 ZONE.



General Notes

- OWNERS OF RECORD: PF MARINA LLC
C.C.R.D. BOOK 34869 PAGE 50
BOOK 37742, PAGE 208
- PARCEL IS SHOWN AS LOT 2 BLOCK A ON THE CITY OF PORTLAND'S ASSESSORS MAP 18.
- BEARINGS ARE BASED ON MAINE STATE PLANE COORDINATES WEST ZONE NAD83.
- BENCH MARK: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) - TIDAL BENCHMARK. BENCH MARK STAMPING: NO. 3 1971 ELEVATION 11.02 FEET NGVD 29 DATUM.

Plan References

- "ALTA/NSPS LAND TITLE SURVEY, 1 MARINA WAY, PORTLAND, MAINE MADE FOR PF MARINA, LLC" BY OWEN HASKELL, INC. DATED JANUARY 26, 2021 REVISED THROUGH MARCH 18, 2021.

Flood Zone Note

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS PARTIALLY LOCATED IN FLOOD ZONE A2 ELEV. 10, AREAS OF 100-YEAR FLOOD AND PARTIALLY LOCATED IN FLOOD ZONE V2 ELEV. 13, AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051-0014B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986. THE FEMA FIRM ZONE A2 FLOOD LINE IS DEMARKED ON THE PLAN BY THE ELEVATION 10 CONTOUR. ALL POINTS NORTH OF THIS CONTOUR ON THE SUBJECT PROPERTY EXCEEDS THIS ELEVATION AND THEREFORE FALL OUTSIDE OF THE A2 ZONE.

Existing Conditions Survey

1 Marina Way
Portland, Cumberland County, Maine
Made For
PF MARINA, LLC
1 Marina Way, Portland, Maine

Surveyor's Certification

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

Randy R. Loubier

RANDY R. LOUBIER
PROFESSIONAL LAND SURVEYOR NO. 2407
DATE OF PLAT OR MAP: JULY 19, 2021

390 U.S. ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY: RRL/JLW FIELD BOOK: FILE JOB NO. 2019-031 P

CHECKED BY: RRL/SDG SCALE: 1" = 50' DRWG. # MARINA-ALTA



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF PORTLAND, CUMBERLAND COUNTY, MAINE	A parcel of land, as described in the Deeds recorded as Document Nos. 23925 and 55154, both in the Office of the Register of Deeds, Cumberland County, Maine The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 230051	
AFFECTED MAP PANEL	NUMBER: 2300510014B	
	DATE: 7/17/1986	
FLOODING SOURCE: PORTLAND HARBOR; CASCO BAY		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY:43.662774, -70.242547 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
--	--	--	1 Marina Way	Portion of Property	C	--	--	10.5 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION	SUPERSEDES PREVIOUS DETERMINATION
ZONE V	STATE LOCAL CONSIDERATIONS
PORTIONS REMAIN IN THE SFHA	

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

BEGINNING ON THE SOUTHERLY LINE OF LAND NOW OR FORMERLY OF STATE OF MAINE AS DESCRIBED IN DEED BOOK 10924, PAGE 91 AT THE NORTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF PF MARINA, LLC AS DESCRIBED IN DEED BOOK 37742, PAGE 208; THENCE, S 46°23'41" E A DISTANCE OF 16.46 FEET TO THE V2 FLOOD ZONE LINE AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051-0014B; THENCE, THE FOLLOWING COURSES AND DISTANCES ALONG SAID V2 ZONE: S 55°30'16" W A DISTANCE OF 6.83 FEET; S 44°11'41" W A DISTANCE OF 13.92 FEET; S 62°37'45" W A DISTANCE OF 14.68 FEET; S 44°11'40" W A DISTANCE OF 23.20 FEET; S 50°32'05" W A DISTANCE OF 84.05 FEET; S 44°11'40" W A DISTANCE OF 102.10 FEET; S 32°53'04" W A DISTANCE OF 11.83 FEET; S 44°11'40" W A DISTANCE OF 162.43 FEET; S 50°32'05" W A DISTANCE OF 21.01 FEET; S 44°11'40" W A DISTANCE OF 18.56 FEET; S 37°51'15" W A DISTANCE OF 21.01 FEET; S 50°32'05" W A DISTANCE OF 42.03 FEET; S 44°11'40" W A DISTANCE OF 27.85 FEET; S 54°12'09" W A DISTANCE OF 40.06 FEET; S 44°11'40" W A DISTANCE OF 32.49 FEET; S 55°30'14" W A DISTANCE OF 11.83 FEET; S 44°11'40" W A DISTANCE OF 41.77 FEET; S 55°30'16" W A DISTANCE OF 23.66 FEET; S 48°00'30" W A DISTANCE OF 34.88 FEET; S 44°11'41" W A DISTANCE OF 18.56 FEET; S 51°02'14" W A DISTANCE OF 58.43 FEET; S 44°11'40" W A DISTANCE OF 18.56 FEET; S 51°19'10" W A DISTANCE OF 37.42 FEET; S 46°04'22" W A DISTANCE OF 51.57 FEET TO LAND NOW OR FORMERLY OF CITY OF PORTLAND AS DESCRIBED IN DEED BOOK 10924, PAGE 84; THENCE, S 46°29'06" W CONTINUING ALONG THE SAID V2 ZONE AND THROUGH LAND OF SAID CITY OF PORTLAND A DISTANCE OF 15.77 FEET; THENCE, S 44°11'40" W CONTINUING ALONG THE SAID V2 ZONE AND THROUGH LAND OF CITY OF PORTLAND A DISTANCE OF 33.56 FEET; THENCE, N 40°18'13" W CONTINUING THROUGH LAND OF CITY OF PORTLAND AND LAND NOW OR FORMERLY OF SAID STATE OF MAINE A DISTANCE OF 100.26 FEET TO THE NORTHERLY LINE OF LAND OF SAID STATE OF MAINE; THENCE, N 52°46'49" E ALONG THE NORTHERLY LINE OF STATE OF MAINE 272.75 FEET; THENCE, N 47°33'49" E CONTINUING ALONG THE NORTHERLY LINE OF STATE OF MAINE 685.00 FEET; THENCE, S 46°23'41" E THROUGH LAND OF STATE OF MAINE 50.12 FEET TO THE POINT OF BEGINNING

ZONE V (This Additional Consideration applies to the preceding 1 Property.)

A portion of this property, but not the subject of the Determination/Comment Document, is located within a Coastal High Hazard Area (Zone V, VE or V1-30). Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. No construction using fill for structural support or that may increase flood damage to other property may take place in these areas.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

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Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

SUPERSEDES OUR PREVIOUS DETERMINATION (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

This Determination Document supersedes our previous determination dated 7/16/2021, for the subject property.

STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

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LOMAENC-1 (LOMA Removal)

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Your property has been reclassified as moderate-to-low flood risk. Your flood risk has been reduced but not removed.

You may now qualify for a Preferred Risk Flood Insurance Policy with annual rates starting as low as \$325. Keep your home—and everything inside of it—covered for less money. Contact your insurance agent to secure a lower-cost policy today.

Protect the life you've built.

Call **800-427-4661** or visit
www.FloodSmart.gov



FEMA

Page 58



Flooding 101: Did you know?

- Flooding is the most common and costly disaster in the United States. Just 1 inch of flood water can cause \$25,000 of damage to your home.
- People outside of high-risk flood areas file more than 20% of NFIP claims and receive one-third of disaster assistance for flooding.
- Most homeowners and renters insurance doesn't cover flood damage. Only flood insurance provides financial protection from costly flooding.

Stay covered. Save money. Talk to an agent today.

For more information visit [FloodSmart.gov](https://www.floodsmart.gov).

September 14, 2022

PF One Devco, LLC
Portland Foreside Development Company
Casey Prentice
Kevin Costello
254 Commercial Street,
Portland, ME 02101

To: City of Portland
From: Rose M. Buckley, Senior Vice President
Rockland Trust Company

Rockland Trust Company has and will provide funding for the construction at 58 Fore Street, Portland ME. Rockland Trust is funding the construction of the Sun Life Building and has provided funding for Building 12 occupied by Twelve Restaurant.

Rockland Trust looks forward to working with Portland Foreside Development Company in the future.

Please contact me at 781-982-6165 with any questions.

Best regards,
ROCKLAND TRUST COMPANY

By: Rose M. Buckley
Rose M. Buckley, Senior Vice President



Mary Ann Devlin
Director & Senior Vice President
Commercial Real Estate
Middlesex Savings Bank
301 Edgewater Place
Wakefield, MA 01880

Robert F. Millerick
Senior Vice President
Commercial Real Estate
Middlesex Savings Bank
301 Edgewater Place
Wakefield, MA 01880

September 16, 2022

Ms. Christine Grimando, AICP
Planning Director
Planning & Urban Development
Department
389 Congress Street 4th Floor
Portland, ME 04101

RE: 58 Fore Street Development, Portland, ME

Dear Ms. Grimando,

It is with pleasure that we provide this letter confirming our association with Portland Foreside Development Company (PFDC) and its managing partners Casey Prentice and Kevin Costello. My colleague and I have worked directly with the principals for the past three years having provided a \$65.0 million construction loan facility in 2020 to finance the first of several phases of an approved Master Development Plan located at 58 Fore Street in downtown Portland, ME.

Loan proceeds were used to conduct Phase I site work, relocate and renovate a historical building and conduct vertical construction of an approximately 144,000 SF office/retail building including underground parking that will when complete be the home to the consolidated Maine offices of Sun Life of Canada. Additionally some preliminary earthwork was performed on the remaining adjacent phases. Phase I of the project is now nearing completion. It has been our experience that all stages of the Phase I development from the planning, to the design, engineering and implementation were carried out as represented, on time and on budget.

We value our affiliation with PFDC and its principals, Casey and Kevin. Their vision for 58 Fore Street continues to impress as they help to transform the waterfront along the Eastern Promenade into a uniquely beautiful destination for all to enjoy. The principals have continuously demonstrated their determination, resilience, maneuverability and resourcefulness in making Fore Street a reality. It is our hope that we will continue our association with Casey and Kevin and their vision, and take an active financing role in the next phase or phases of development at Fore Street.

Very truly yours,

A handwritten signature in blue ink, reading "Mary Ann Devlin", with a stylized flourish at the end.

Mary Ann Devlin
Director, Senior Vice President

A handwritten signature in blue ink, reading "Robert F. Millerick", with a stylized flourish at the end.

Robert F. Millerick
Senior Vice President



-
- 30' 0 30' 60'
- BAR SCALE
1" = 30'
- CHECK GRAPHIC SCALE BEFORE USING

SEAL:

NOT FOR CONSTRUCTION

CLIENT INFO:

PORTLAND FORESIDE
DEVELOPMENT COMPANY
PORTLAND, MAINE

BLOCK 4 - HARBOR HILL
BLOCK 6 - CHANNEL MAR

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EV	MM/DD/YY	DESCRIPTION

DB NO:	227007
DATE:	NOVEMBER 2022
SCALE:	1"=30'
DESIGNED BY:	LJS/BCM
DRAWN BY:	BCM
CHECKED BY:	LJS
FILENAME:	BUILDING HEIGHT FIGURE.dwg

DRAWING TITLE:

CIVIL

BUILDING HEIGHT

CALCULATION FIGURE

BLOCKS 4 & 6

DRAWING NO: **C-1**

SHEET: 1 OF 2



**Woodard
& Curran**

41 Hutchins Drive
Portland, Maine 04102
800.426.4262 | www.woodardcurran.com

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PE SEAL:

NOT FOR CONSTRUCTION

CLIENT INFO:
PORTLAND FORESIDE
DEVELOPMENT COMPANY
PORTLAND, MAINE

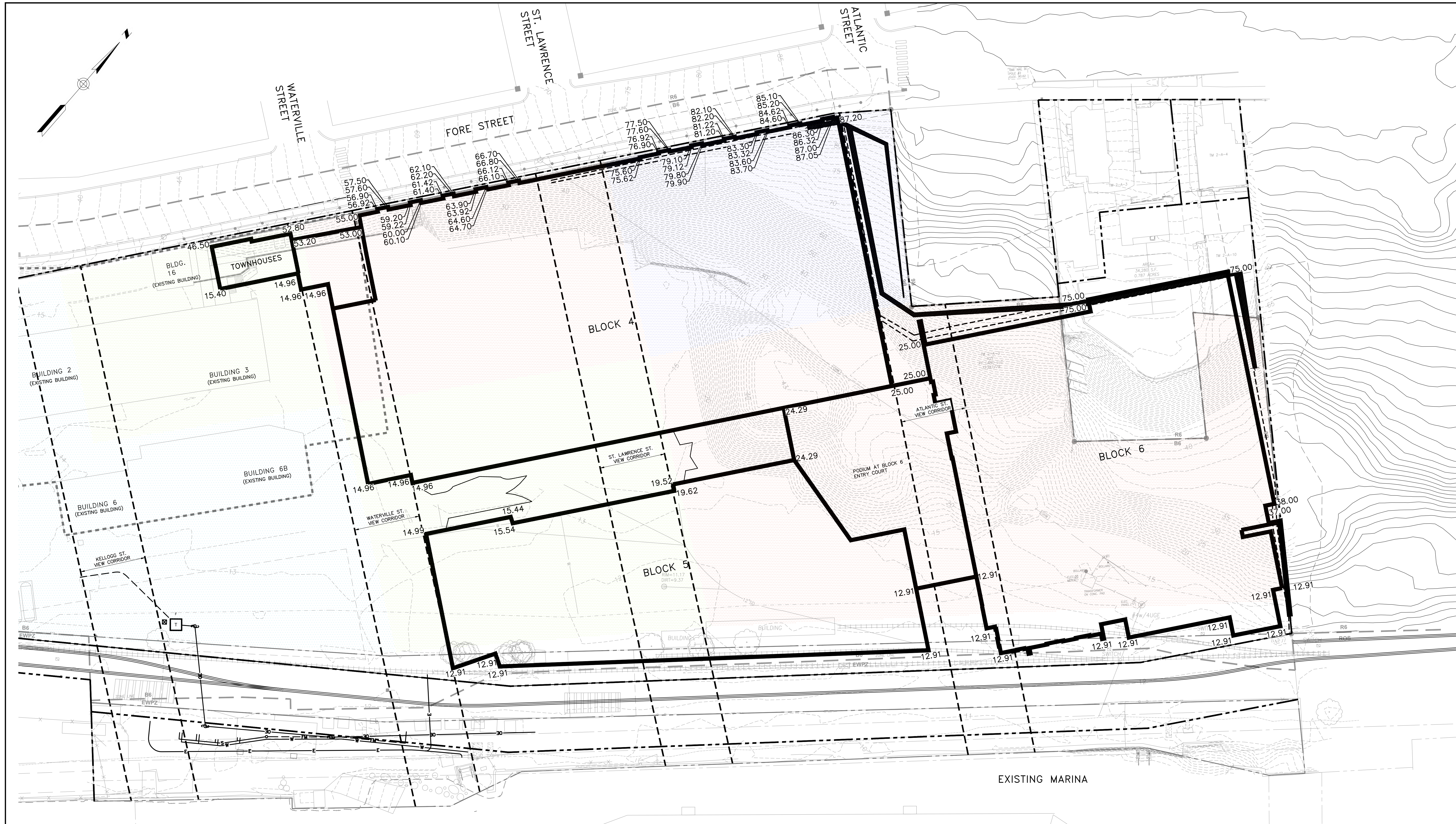
BLOCK 4 - HARBOR HILL
BLOCK 6 - CHANNEL MARK

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REV.	MM/DD/YY	DESCRIPTION
JOB NO.	227007	
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SCALE:	1"=30'	
DESIGNED BY:	LJS/BCM	
DRAWN BY:	BCM	
CHECKED BY:	LJS	
FILENAME:	BUILDING HEIGHT FIGURE.dwg	

DRAWING TITLE:
**CIVIL
BUILDING HEIGHT
CALCULATION FIGURE
BLOCK 5**

DRAWING NO:
C-2
SHEET: 2 OF 2



LEGEND

- 35 FOOT MAX HEIGHT
- 45 FOOT MAX HEIGHT
- 45 FOOT MAX HEIGHT WITH
55 FOOT EXTENSIONS
- 45 FOOT MAX HEIGHT WITH
65 FOOT EXTENSIONS

30' 0 30' 60'
BAR SCALE
1" = 30'
CHECK GRAPHIC SCALE BEFORE USING

Block 4, 5, & 6 Average Grade Calculation

Block 4 Start at southeast corner, at podium and work clockwise

<u>Point #</u>	<u>Grade</u>	<u>Point #</u>	<u>Grade</u>	<u>Point #</u>	<u>Grade</u>
1	24.29	21	60.1	41	79.1
2	14.96	22	61.4	42	79.8
3	14.96	23	61.42	43	79.9
4	14.96	24	62.1	44	81.2
5	14.96	25	62.2	45	81.22
6	14.96	26	63.92	46	82.1
7	14.96	27	63.9	47	82.2
8	15.4	28	64.6	48	83.3
9	46.5	29	64.7	49	83.32
10	52.8	30	66.1	50	83.6
11	53.2	31	66.12	51	83.7
12	53	32	66.7	52	84.6
13	55	33	66.8	53	84.62
14	56.92	34	75.62	54	85.1
15	56.9	35	75.6	55	85.2
16	57.5	36	76.9	56	86.32
17	57.6	37	76.92	57	86.3
18	59.22	38	77.5	58	87
19	59.2	39	77.6	59	87.05
20	60	40	79.12	60	87.2
				61	25

Block 6 Start at northwest corner, down to podium and work clockwise

<u>Point #</u>	<u>Grade</u>
1	25
2	25
3	75
4	75
5	75
6	38
7	37
8	12.91
9	12.91
10	12.91
11	12.91
12	12.91
13	12.91
14	12.91
15	12.91
16	12.91
17	12.91

Block 5 Start at southeast corner, in at podium and work clockwise

<u>Point #</u>	<u>Grade</u>
1	12.91
2	12.91
3	12.91
4	12.91
5	12.91
6	14.99
7	15.44
8	15.54
9	19.62
10	19.52

Podium Prior to Block 5 Construction

<u>Point #</u>	<u>Grade</u>
1	13.75
2	13.55
3	14.4

Podium After Block 5 Construction

<u>Point #</u>	<u>Grade</u>
1	24.29

Target Minimum Avg Grade

50.1

Block 4 & 6 Only

	<u>Count</u>	<u>Sum</u>
Block 4	61	3864.44
Block 6	17	479.1
Podium	3	41.7
Total	81	4385.24
Average:		54.14

Block 4, 5 & 6

	<u>Count</u>	<u>Sum</u>
Block 4	61	3864.44
Block 6	17	479.1
Block 5	10	149.66
Podium	1	24.29
Total	89	4517.49
Average:		50.76

3. EVIDENCE OF RIGHT, TITLE & INTEREST

3.1 Right, Title & Interest

The Project will occur on a parcel of land identified by the City as Lot 18-A-01 and owned by PF Land LLC. The deed for PF Land is attached. PF Land LLC subsequently conveyed approximately 482 square feet to PF One Devco LLC. The deed from PF Land LLC to PF One Devco LLC is also attached, modifying the original parcel into PF Land.

The Project area also includes a portion of an adjacent lot purchased by 21 Eastern Prom LLC, which is an entity affiliated with PF Land LLC. That lot is identified by the City as Lot 2-A-4 and is located at 21 Eastern Promenade. 21 Eastern Prom will convey said portion of Lot 2-A-4 to PF Land LLC prior to obtaining a building permit for the work occurring on that portion of the property.

3.2 Easements & Other Burdens

Project construction may require installation of tiebacks into property on adjacent land, including City land, similar to the tiebacks into the City's Fore Street right-of-way for the Block 4 garage as previously approved in the Phase 1 Site Plan. The Phase 1 Site Plan approval contained the following condition to address the situation: "Prior to application for building permits, the applicant shall finalize any agreement required by the City of Portland authorizing the replacement and maintenance of the retaining wall along Fore Street and any license agreements required to permit encroachments into the City's right of way. All necessary agreements shall be finalized to the satisfaction of the Planning Authority, Department of Public Works, and Corporation Counsel."

The Applicant requests a similar condition to address possible encroachments onto the City right-of-way for Phase 2. In addition, to the extend the project design results in encroachments onto adjacent private property, the Applicant requests the following condition: "Prior to application for building permits, the applicant shall provide written agreements with adjacent landowners necessary to permit encroachments onto adjacent property."

Small portions of the Project located along the Maine DOT corridor are subject to the Land Exchange Agreement between the City, Maine DOT, and PF Land. The land swap will occur prior to obtaining building permits for work occurring on that southern edge of the property.

3.3 Attachments

- Property Deeds

TRUSTEE'S DEED
(Maine Statutory Short Form)

KNOW ALL PERSONS BY THESE PRESENTS, that **TIMOTHY HALEY**, of **Stuart, Florida**, **SOLE TRUSTEE OF THE TIMOTHY HALEY LIVING TRUST**, dated **June 3, 2005** ("Grantor"), for consideration paid, grants to **21 EASTERN PROM LLC**, a Maine limited liability company with a mailing address of 254 Commercial Street, Portland, Maine 04101 ("Grantee"), the following described real estate situated at 13-23 Eastern Promenade, in the City of Portland, Cumberland County, State of Maine as more particularly described in Exhibit A attached hereto and made a part hereof

See Attached Exhibit A

Meaning and intending to convey the premises conveyed by virtue of Quitclaim Deed without Covenant from Katherine C. Haley and Timothy J. Haley, Trustees, under the Daniel T. Haley Sr. Family Trust dated January 21, 2006, dated January 11, 2007, and recorded in the Cumberland County Registry of Deeds in Book 24759, Page 67, by Quitclaim Deed without Covenants from Katherine C. Haley and Timothy J. Haley, Trustees, under the Daniel T. Haley Sr. Family Trust dated January 21, 2006, dated January 11, 2007 and recorded at Cumberland County Registry of Deeds in Book 24759, Page 069 and by Quitclaim Deed without Covenants from Timothy J. Haley and Julia A. Haley, successor Trustees, under the Haley Family Living Trust dated February 6, 1997, dated December 4, 2008 and recorded at Cumberland County Registry of Deeds in Book 26503, Page 224 to Timothy Haley, sole Trustee or his successors in trust, under the Timothy Haley Living Trust, dated June 3, 2005.

I hereby covenant that I am Trustee pursuant to said Trust; that said Trust is still in full force and effect; that I have the power thereunder to convey as aforesaid; and that, in the making this conveyance, I have, in all respects, acted pursuant to the authority vested in and granted to me there.

WITNESS my hand and seal, this 08 day of December, 2021.

WITNESS:

Cecilia de la Cruz

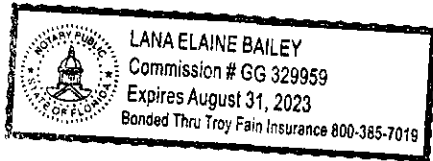
Timothy J. Haley
Timothy Haley, Sole Trustee of The Timothy Haley
Living Trust, dated June 3, 2005

MAINE REAL ESTATE TAX PAID

STATE OF FLORIDA
COUNTY OF MARTIN, ss.

December 28, 2021

Then personally appeared the above-named Timothy Haley, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.



Before me,

Lana Elaine Bailey
Attorney at Law/Notary Public

Print Name:

Elaine Bailey
My Commission Expires: 8-31-23

Exhibit A

Certain lots or parcels of land, together with any building and improvement thereon, situated on the southeasterly side of Eastern Promenade, in the City of Portland, Cumberland County, State of Maine, bounded and described as follows:

PARCEL ONE:

A certain lot or parcel of land, with the buildings thereon, situated on the southeasterly side of the Eastern Promenade in said Portland, and bounded and described as follows, viz: Beginning on said side of said Eastern Promenade at the northeasterly corner of land now or formerly of Henry F. Merrill, and running thence southeasterly by said Merrill land and land of Portland Company two hundred fifty-five (255) feet, more or less, to land conveyed by John G. Munroe and others to the Portland Company by deed dated January 5, 1904, and recorded in Cumberland County Registry of Deeds, Book 765, Page 307; thence northeasterly by said land conveyed to said Portland Company as aforesaid one hundred (100) feet to other land now or formerly of Henry F. Merrill; thence northwesterly on a line parallel with the first described course two hundred fifty-five (255) feet, more or less, to said Eastern Promenade; thence southwesterly by said Eastern Promenade one hundred (100) feet to the place of beginning.

PARCEL TWO:

Beginning at a point on the southeasterly side of said Eastern Promenade at the northwesterly corner of land of Walter W. Duffett and thirty-six (36) feet southwesterly from the dividing line between the land now or formerly of Walter W. Duffett and the land now or formerly of William Curtis; thence southwesterly by said Eastern Promenade, forty-nine (49) feet, more or less, to land formerly belonging to one Monroe; thence southeasterly by said Monroe's land seventy (70) feet, more or less, to land now or formerly of Cyrus Cole; thence northeasterly by said Cole's land, forty-nine (49) feet, more or less, to said Duffett's land; thence northwesterly by said Duffett's land, seventy (70) feet, more or less, to the point begun at.

PARCEL THREE:

Beginning at a point in a southeasterly direction from the Eastern Promenade in the northeasterly side line of land now or formerly owned by heirs of J. Monroe, and distant one hundred and sixty-two (162) feet from the point of intersection of said side line of the Monroe land with the southeasterly side line of said Eastern Promenade, and from this point extending in a northeasterly direction about fifty (50) feet along the northwesterly side line of land sold to Henry Merrill et als. by deed dated June 29, 1898, recorded in Cumberland Registry of Deeds in Book 661, Page 176, and to the southwesterly side of land sold to Walter W. Duffett by deed dated June 29, 1898, recorded in said Registry of Deeds in Book 661, Page 175; thence by said southwesterly side line of the land so conveyed to Walter W. Duffett and by land now or

formerly of Mary Duffett to the southeasterly side line of land now or formerly of one Clark:
thence by the said southeasterly side line of land now or formerly of said Clark, and by said line
extended, to the said northeasterly side line of said Monroe land; thence by said Monroe land, in
a southeasterly direction to the point of beginning.

Received
Recorded Register of Deeds
Dec 30, 2021 03:33:48P
Cumberland County
Jessica M. Spaulding

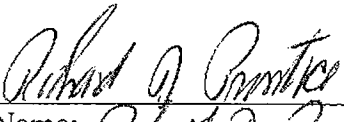
SHORT FORM QUITCLAIM DEED WITH COVENANTDLN: 1002040119134

CPB2 I LLC (formerly known as **CPB2 LLC**), a Delaware limited liability company, with a mailing address of 254 Commercial Street, Suite 118, Portland, Maine 04101 (the "Grantor"), FOR CONSIDERATION PAID, grants to **PF LAND LLC**, a Maine limited liability company, with a mailing address of 254 Commercial Street, Suite 118, Portland, Maine 04101 (the "Grantee"), with QUITCLAIM COVENANT, certain real property, together with any improvements thereon, situated southerly of Fore Street, in the City of Portland, County of Cumberland and State of Maine, more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

Being a portion of the property described in the following deeds: (i) Quitclaim Deed with Covenant from 100 Fore Street, LLC dated April 10, 2019 and recorded in the Cumberland County Registry of Deeds in Book 35576, Page 153; (ii) Quitclaim Deed with Covenant from the City of Portland to CPB2 I LLC dated November 2, 2018 and recorded in the Cumberland County Registry of Deeds in Book 35264, Page 286; (iii) Quitclaim Deed with Covenant from The Portland Company to CPB2 LLC dated April 1, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31425, Page 267; and (iv) Trustee's Deed from Elizabeth M. Sprague, Eric Thomas Sprague and Phineas M. Sprague, Trustees of the Buena Vista Trust, to CPB2 LLC dated July 19, 2013 and recorded in the Cumberland County Registry of Deeds in Book 30879, Page 75.

IN WITNESS WHEREOF, CPB2 I LLC has caused this instrument to be executed by Casey W. Prentice, Manager of CPB2 Management LLC, Manager of CPB2 I LLC, thereunto duly authorized, as of this 4th day of November 2020.

WITNESS:


Name: Richard D. Prentice

CPB2 I LLC

By: CPB2 Management LLC, Manager

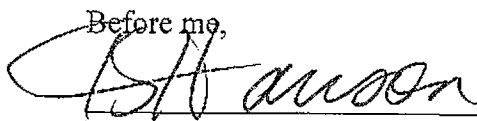
By: 
Casey W. Prentice, Manager

State of Maine
County of Cumberland, ss.

November 3, 2020

PERSONALLY APPEARED the above-named Casey W. Prentice, Manager of CPB2 Management LLC, Manager of CPB2 I LLC, 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 limited liability companies.

Before me,



Notary Public/Attorney at Law

Print Name: Tom S. Hanson

Commission Expires: N/A

EXHIBIT A

A CERTAIN LOT OR PARCEL OF LAND WITH THE BUILDING THEREON SITUATED ON THE SOUTHERLY SIDE OF FORE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF LAND NOW OR FORMERLY OF 100 FORE STREET LLC AS DESCRIBED IN DEED BOOK 33748, PAGE 1 ON THE SOUTHEASTERLY SIDELINE OF FORE STREET AT AN IRON ROD FOUND;

THENCE, N 76°17'54"E ALONG THE SOUTHEASTERLY SIDELINE OF SAID FORE STREET 287.55 FEET;

THENCE, N 37°34'49"E CONTINUING ALONG THE SOUTHEASTERLY SIDELINE OF FORE STREET 734.45 FEET;

THENCE, N 45°16'49"E CONTINUING ALONG THE SOUTHEASTERLY SIDELINE OF FORE STREET 43.36 FEET TO THE SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY OF KENNETH & CAROLL MACGOWAN AS DESCRIBED IN DEED BOOK 15773, PAGE 153;

THENCE, S 47°03'11"E ALONG THE SOUTHERLY LINE OF SAID MACGOWEN 150.00 FEET;

THENCE, N 45°16'49"E ALONG THE EASTERLY LINE OF LAND OF MACGOWEN 112.00 FEET TO THE SOUTHERLY LINE OF LAND NOW OR FORMERLY OF TIMOTHY HALEY, TRUSTEE AS DESCRIBED IN DEED BOOK 24759, PAGE 67 & 69;

THENCE, ALONG THE LAND OF SAID HALEY THE FOLLOWING COURSES AND DISTANCES:

S 47°03'11"E A DISTANCE OF 110.28 FEET;

N 47°33'49"E A DISTANCE OF 100.00 FEET;

N 47°03'11"W A DISTANCE OF 95.88 FEET;

N 53°46'39"E A DISTANCE OF 49.73 FEET TO THE SOUTHERLY LINE OF LAND NOW OR FORMERLY OF PORTLAND HOUSE CONDOMINIUM AS SHOWN ON PLAN BOOK 142, PAGE 50;

THENCE, S 47°03'07"E ALONG THE SOUTHERLY LINE OF LAND OF SAID PORTLAND HOUSE CONDOMINIUM 240.48 FEET TO THE NORTHWESTERLY LINE OF LAND NOW OR FORMERLY OF STATE OF MAINE KNOWN AS THE RAIL-TRAIL CORRIDOR AT AN IRON ROD FOUND;

13531538.3

12481681.4.4.3.3.2

THENCE, S 47°33'49"W ALONG THE NORTHWESTERLY LINE OF LAND OF SAID STATE OF MAINE 685.00 FEET;

THENCE, S 52°46'49"W CONTINUING ALONG THE NORTHWESTERLY LINE OF LAND OF STATE OF MAINE 442.91 FEET TO THE LAND NOW OR FORMERLY OF CITY OF PORTLAND AS DESCRIBED IN DEED BOOK 10924, PAGE 84;

THENCE, S 57°47'32" W ALONG LAND OF SAID CITY OF PORTLAND 11.22 FEET TO A POINT OF CURVATURE;

THENCE, SOUTHWESTERLY CONTINUING ALONG LAND OF SAID CITY OF PORTLAND ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 466.50 FEET, AN ARC LENGTH OF 133.12 FEET, CHORD BEARING OF S 49°37'02" W AND CHORD LENGTH OF 132.67 FEET;

THENCE, S 41°26'32" W CONTINUING ALONG LAND OF THE CITY OF PORTLAND 17.92 FEET TO THE LAND NOW OR FORMERLY OF SAID STATE OF MAINE;

THENCE, S 46°01'18" W ALONG LAND OF STATE OF MAINE 31.95 FEET TO THE LAND OF CITY OF PORTLAND;

THENCE, N 52°05'24" W ALONG LAND OF CITY OF PORTLAND 97.53 FEET TO A POINT OF CURVATURE;

THENCE, NORTHWESTERLY ALONG LAND OF CITY OF PORTLAND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 370.00 FEET, AN ARC LENGTH OF 47.73 FEET, CHORD BEARING OF N 48°23'40" W AND CHORD LENGTH OF 47.70 FEET TO THE SOUTHERLY LINE OF LAND OF SAID 100 FORE STREET LLC;

THENCE, NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID 100 FORE STREET, LLC ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 370.00 FEET, AN ARC LENGTH OF 13.77 FEET, CHORD BEARING OF N 43°37'59" W AND CHORD LENGTH OF 13.77 FEET;

THENCE, N 42°34'01" W CONTINUING ALONG THE EASTERLY LINE OF 100 FORE STREET LLC 68.76 FEET;

THENCE, NORTHWESTERLY CONTINUING ALONG THE EASTERLY LINE OF 100 FORE STREET, LLC ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 370.24 FEET, AN ARC LENGTH OF 134.07 FEET, CHORD BEARING OF N 32°11'34" W AND CHORD LENGTH OF 133.34 FEET;

THENCE, NORTHWESTERLY CONTINUING ALONG THE EASTERLY LINE OF 100 FORE STREET, LLC ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 274.33 FEET, AN ARC LENGTH OF 13.01 FEET, CHORD BEARING OF N 20°51'48" W AND CHORD LENGTH OF 13.01 FEET TO THE SOUTHERLY SIDELINE OF SAID FORE STREET AT THE POINT OF BEGINNING.

13531538.3

12481681.4.4.3.3.2

BEARING ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL, THE LAND CONVEYED BY CBP2 1 LLC TO PF ONE DEVCO LLC BY DEED OF EVEN DATE TO BE RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS CONTEMPORANEOUSLY WITH THIS DEED

REFERENCE IS MADE TO THAT CERTAIN PLAN ENTITLED "ALTA/NSPS LAND TITLE SURVEY, 58 FORE STREET, PORTLAND, CUMBERLAND COUNTY, MAINE, MADE FOR PF ONE DEVCO LLC & PF LAND LLC", DATED MARCH 4, 2020 AND REVISED THOUGH NOVEMBER 2, 2020, PREPARED BY OWEN HASKELL, INC., JOB NO. 2019-013P.

THE PROPERTY IS CONVEYED SUBJECT TO AND WITH THE BENEFIT OF CERTAIN INTERESTS, RIGHTS, EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS AND ENCUMBRANCES AS MORE FULLY SET FORTH IN THAT CERTAIN DECLARATION OF RESTRICTIONS, EASEMENTS AND AGREEMENTS BY CPB2 1 LLC OF NEAR OR EVEN DATE HEREWITH, AND TO BE RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS BEFORE THE RECORDING OF THIS DEED.

THE PROPERTY IS CONVEYED TOGETHER WITH THAT CERTAIN REVOCABLE ACCESS LICENSE BY AND BETWEEN THE CITY OF PORTLAND, PF ONE DEVCO LLC, PF LAND LLC AND PF MARINA LLC OF NEAR OR EVEN DATE HEREWITH, TO BE RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS AT OR NEAR THE DATE OF THIS DEED.

THIS CONVEYANCE IS ALSO MADE SUBJECT TO ALL OTHER EASEMENTS, CONDITIONS, COVENANTS AND RESTRICTIONS OF RECORD.

MAINE REAL ESTATE TAX-Paid

QUITCLAIM DEED WITHOUT COVENANT
DLN: **1002140132239**

PF LAND LLC, a Delaware limited liability company, with a mailing address of 254 Commercial Street, Suite 118, Portland, Maine 04101 (the "Grantor"), FOR CONSIDERATION PAID, grants to PF ONE DEVCO LLC, a Delaware limited liability company, with a mailing address of 254 Commercial Street, Suite 118, Portland, Maine 04101 (the "Grantee"), certain real property, together with any improvements thereon, situated southerly of Fore Street, in the City of Portland, County of Cumberland and State of Maine, more particularly described on Exhibit A attached hereto and made a part hereof.

Being a portion of the property conveyed to Grantor by deed from CPB2 I LLC dated November 4, 2020 and recorded in the Cumberland County Registry of Deeds in Book 37397, Page 78.

IN WITNESS WHEREOF, PF Land LLC has caused this instrument to be executed by Casey W. Prentice, Manager, thereunto duly authorized, this 10th day of February, 2021.
as of

WITNESS:

PF LAND LLC

Richard D. Prentice
Name:

By: [Signature]
Casey W. Prentice, Manager

State of Maine
County of Cumberland, ss.

February 9, 2021

PERSONALLY APPEARED the above-named Casey W. Prentice, Manager of PF Land LLC, and acknowledged that the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me,

[Signature]
Notary Public/Attorney at Law

Print Name: William M. Welch
Commission Expires:

EXHIBIT A

A CERTAIN LOT OR PARCEL OF LAND SITUATED ON THE SOUTHERLY SIDE OF, BUT NOT ADJACENT TO FORE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERLY CORNER OF LAND OF PARCEL 1C AS SHOWN ON PLAN TITLED "SUBDIVISION PLAT PORTLAND FORESIDE THAMES STREET & FORE STREET PORTLAND, MAINE MADE FOR OWNER OF RECORD CPB2 I LLC" BY OWEN HASKELL, INC. DATED FEB. 13, 2020, RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 220, PAGE 65;

THENCE, S 57°47'32" W A DISTANCE OF 10.19 FEET;

THENCE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 466.50 FEET, AN ARC LENGTH OF 1.10 FEET, A CHORD BEARING OF S 57°43'29" W AND CHORD DISTANCE OF 1.10 FEET;

THENCE, N 49°28'50" W THROUGH REMAINING LAND BY DEVELOPER A DISTANCE OF 19.41 FEET;

THENCE, N 40°31'10" E CONTINUING THROUGH REMAINING LAND BY DEVELOPER A DISTANCE OF 38.71 FEET TO SAID PARCEL 1C;

THENCE, S 53°28'50" E ALONG PARCEL 1C A DISTANCE OF 9.05 FEET;

THENCE, S 40°31'10" W ALONG PARCEL 1C A DISTANCE OF 28.56 FEET;

THENCE, S 49°28'50" E ALONG PARCEL 1C A DISTANCE OF 13.73 FEET TO THE POINT OF BEGINNING, CONTAINING 482 S.F. MORE OR LESS.

BEARING ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83.

Standard to be Waived: Cite Ordinance or Technical Manual Standard	Cite Standard Language: Cite specific language of applicable Ordinance or Technical Manual Standard	Waiver Being Sought: Describe waiver being sought. Ex. – We are requesting a two-way parking lot drive aisle width of 20' feet.	Justification for Waiver: Address specific waiver criteria, if applicable, and document reasons for the waiver request.
Current Department of Public Works Requirements for Driveway Aprons	Per discussions with City DPW staff, driveways should be continuously graded without pedestrian ramps.	Driveway apron at the Fore Street garage to be graded with pedestrian ramps on both sides.	The steepness of the existing Fore Street slope does not allow for a continuously graded driveway apron.
City of Portland Technical Manual Section 1 - Transportation Systems - Subsection 1.17 Electric Vehicle Infrastructure	New structured garages shall provide EV charging to 20% of parking spaces. Remaining spaces must be served by sufficient conduit, wiring, and electrical service to allow for future installation of electric vehicle supply equipment.	78 Charging Stations (11% of garage spaces) with plan to increase the number of EV charging stations within the garage, over time, up to 142 (20%) as EV charging demand grows.	See Section 2.6 of the Site Plan Narrative (Permitting and Zoning) for waiver justification.
City of Portland Technical Manual Section 5 - Stormwater Management Standards and Maine DEP Chapter 500 Stormwater Management Section IV.	...provide the following submission items...Flooding Standard: Subcatchment plans with flow paths, full hydrology computations/model output of pre- and post-development conditions, summary of pre- and post-development	The project site received a waiver of the Flooding Standard as part of the Master Development Plan. This waiver will continue to remain in place for the current phase of work.	As described in our Stormwater Management report, our site discharges directly to Casco Bay, part of a tidal body of water, via the outfall discharge.

CITY OF PORTLAND
Planning & Urban Development Department

MAJOR SITE PLAN GENERAL DOCUMENT AND DRAWINGS CHECKLIST Please submit each document as a separate PDF file. Please confirm by electronically checking the boxes in the left-hand column. ** PLEASE FILL OUT AND UPLOAD THE ZONING ASSESSMENT TABLE AND WAIVER TABLE SEPARATELY AS NOTED BELOW ** At the time of application submission, please contact the Department of Public Works regarding E-911 addressing for your project.		
GENERAL APPLICATION DOCUMENTS		
☒	NA	Project Description Cover letter with detailed project description
☒	NA	Completed Checklist (this document)
☒	NA	Evidence of Right, Title, and Interest Deeds, leases, or purchase and sales agreements
☒	NA	Evidence of State or Federal Approvals Permits or letters of non-jurisdiction, if applicable
☒	NA	Zoning Assessment (see Zoning Assessment Table) Summary of compliance with use and dimensional standards of the land use code
☒	NA	Site Plan Standards Assessment (see Section 14.6 of the land use code) Summary of project compliance with site plan standards of the land use code
☒	NA	Summary of Existing and/or Proposed Easements or Covenants, applicable. Evidence of existing easements and any proposed easements, covenants, public or private rights-of-way
☒	NA	Waiver Requests (see Waiver Table) Written request for waiver describing request and compliance with applicable waiver standards
☒	NA	Financial Capability Letter or evidence from a financial institution or third party verifying financial capacity to undertake project
☒	NA	Technical Capability Evidence of technical capability of applicant and consultants – resumes and/or examples of past projects

MAJOR SITE PLAN STANDARDS AND SUBMISSION CHECKLIST

**Provide assessment of compliance with standards and include supplemental documentation, as applicable.
Please submit each document as a separate PDF file.**

TRANSPORTATION		
Yes	NA	Impact on Surrounding Street Systems (14-14.6.1(A)) Describe incremental volume of traffic impacts and mitigation measures. If needed
Yes	NA	Access and Circulation (14-14.6.1(B)) Identify and describe the following: - Site access and internal circulation, including ADA access - Drive-up features, if applicable - Loading and servicing needs, routes, and geometry, providing turning templates for delivery vehicles, if applicable - Sidewalks and condition along street frontages and internal walkways - Engineered details for ADA ramps and public sidewalks, meeting sidewalk material policy and construction requirements (Technical Manual, Section 1)
Yes	NA	Public Transit (14-14.6.1(C)), if applicable Identify and describe the following: Existing available transit service and proposed transit improvements, including design details, such as easement, pad base, and shelter
Yes	NA	Off-Street Parking (14-14.6.1(D)), if applicable Identify and describe the following: - Proposed vehicular and bicycle parking supply (including ADA-compliant parking) in relation to applicable parking requirements in Article 19 of the land use code - Curb cut separation and parking layout (Technical Manual, Section 1) - Construction details for bicycle racks - Management plan for snow storage and removal
Yes	NA	Transportation Demand Management (TDM) (14-14.6.1(E)), if applicable Provide TDM plan drafted in accordance with Technical Manual Section 1 requirements

ENVIRONMENTAL		
Yes	NA	Preservation of Significant Natural Features (14-14.6.2(A)), if applicable Identify and describe the following: • High and moderate value waterfowl and wading habitat • Aquifers (for Casco Bay Islands) • Waterbodies (including wetlands, watercourses, significant vernal pools and floodplains) • Proposed preservation areas and protection measures • Documentation from environmental compliance consultants and determinations from applicable state and federal agencies
Yes	NA	Landscape Preservation (14-14.6.2(B)) Identify and describe the following: • Measures to preserve trees, including within required zoning setbacks (Technical Manual, Section 4) • Measures to protect existing vegetation during construction
Yes	NA	Site Landscaping and Buffers (14-14.6.2(C)) Identify and describe the following: • Overall landscaping approach and consistency with standards • The use of screening and buffering of service areas and between non-residential and residential uses • Existing Heritage or Feature Trees on site and measures to preserve • Compliance with street tree requirements
Yes	NA	Water Quality, Stormwater Management, and Erosion Control (14-14.6.2(D)) Identify and describe the following: • Erosion and sedimentation control plan and measures • Evidence of compliance with Urban Impaired Stream Standards pursuant to DEP Chapter 500 stormwater law, as applicable • Subsurface sanitary sewage disposal and groundwater protection measures

PUBLIC INFRASTRUCTURE AND COMMUNITY SAFETY		
Yes	NA	Consistency with City Master Plans (14-14.6.3(A)) Describe proposed easements, rights and improvements to connect or continue off-premises public infrastructure, as applicable
Yes	NA	Public Safety and Fire Prevention (14-14.6.3(B)) Identify and describe the following: - Compliance with Crime Prevention through Environmental Design (CPTED) requirements (Technical Manual, Section 3) - Emergency vehicle access - Consistency with public safety standards (Technical Manual, Section 3)
Yes	NA	Availability and Adequacy of Public Utilities (14-14.6.3(C)) (Technical Manual, Sections 2 & 9) Identify and describe the following: - Electrical services, including providing underground services - Existing and proposed connections for public utilities and required public utility upgrades - Sewer line connections
SITE DESIGN		
Yes	NA	Massing, Ventilations and Wind Impact (14-14.6.4(A)) Identify and describe the following: - Wind and ventilation impacts on adjoining structures and/or adjacent public spaces, including wind study, if applicable - Bulk, location, or height impacts on adjoining structures
Yes	NA	Shadows (14-14.6.4(B)), if applicable Provide shadow analysis of impacts on publicly accessible open space (Technical Manual, Section 11)
Yes	NA	Snow and Ice Loading (14-14.6.4(C)) Describe building design measures to prevent snow and ice from loading or falling onto adjacent properties or public ways
Yes	NA	View Corridors (14-14.6.4(D)), if applicable Describe any protection of designated view corridors (Portland Design Manual, Appendix. 1)
Yes	NA	Historic Resources (14-14.6.4(E)), if applicable Identify and describe the following: - The site's status as a designated landmark, within a historic district or historic landscape district, or within 100 feet of any designated landmark, historic district, or historic landscape district - Compliance with standards for preservation and documentation of archaeological resources

Yes	NA	Exterior Lighting (14-14.6.4(F)) Describe how the proposed site lighting will adhere to photometrics requirements as it relates to light trespass and full cutoff fixture design, pursuant to Technical Manual Section 12
Yes	NA	Noise and Vibration (14-14.6.4(G)) Provide data on noise levels for HVAC and other mechanical equipment, such as design specifications, to demonstrate consistency with state and federal noise emissions requirements as well as City code
Yes	NA	Signage and Wayfinding (14-14.6.4(H)), if applicable - Provide signage plan showing the location, dimensions, height and setback of all existing and proposed signs - Provide drawings of all commercial and directional signage on site
Yes	NA	Zone-Related Design Standards (14-14.6.4(I)) Address any applicable design review standards by zone, including compliance with Design Manual

MAJOR SITE PLAN DRAWINGS CHECKLIST

Please upload the following **DRAWINGS** with the listed details into e-Plan as separate pdfs.

All drawings must be submitted in a 24 x 36 sheet size.

BOUNDARY SURVEY (stamped by a Maine Licensed Surveyor and drawn as per Technical Manual Sec. 13)

SITE PLAN(s) (stamped by a Maine Licensed Professional Engineer) including:

All sheets – Include a title block with project title and the following information:

- Project street address
- Name and address of property owner & applicant
- Licensed design professional, incl firm that produced plans
- North arrow
- Date of preparation and revision history block
- Tax parcel (chart, block, and lot) number

Existing Conditions Plan with the following:

- Existing structures, with distance from primary building façade(s) to the property line
- Approximate location of structures on abutting properties
- All streets and intersections adjacent to the site
- Existing driveways, pedestrian ways, and bicycle infrastructure, including dimensions and materials
- Existing public transit infrastructure
- Existing vehicle & bicycle parking areas
- Existing utilities on site and within adjacent rights-of-way
- Existing grades (two-foot contours preferred)
- Location of water courses, wetlands, and vegetation, or other significant natural features
- Existing soil conditions and location of test pits and borings
- Zoning boundary lines, including overlays
- Location of all existing easements and rights-of-way

Proposed Site Plan with the following:

- Proposed structures, including distance from primary building façade(s) to property lines
- Ground floor area, and finished floor elevations for all buildings
- Any proposed geometric modifications to streets and intersections adjacent to site
- Location, dimensions and materials of all proposed driveways, vehicle, bicycle, & pedestrian access ways with corresponding curb lines
- Engineered specifications/ cross-sections for proposed driveways, sidewalks & paved areas
- Location and dimensions of proposed loading areas, including turning templates
- Proposed transit infrastructure with dimensions/ engineering specifications
- Location of vehicle and bicycle parking with dimensions and engineering specifications
- Location of all snow storage areas
- Exterior lighting (please see Technical Manual Sec. 12 for photometrics requirements)

• Location of fire hydrants • Location of solid waste management receptacles • Location of all proposed HVAC and mechanical equipment, including proposed screening, where applicable • Location of proposed easements and rights-of-way, including dimensions • Please utilize color-coding and/or hatches and shading to delineate changes between the pre and post development condition as needed
UTILITY PLAN including:
• Proposed electrical infrastructure • Location, sizing and directional flows of all proposed sewer and stormwater infrastructure • Location and dimensions of off-premises public or publicly accessible infrastructure adjacent to site • Electric utility infrastructure
GRADING AND DRAINAGE PLAN including:
• Proposed grades • Proposed stormwater management measures meeting Technical Manual (Section 5) standards • Any proposed alteration of a watercourse or wetlands • Any groundwater protection measures • Proposed buffers and preservation measures for wetlands or significant natural features
LANDSCAPE PLAN including:
• Existing vegetation to be preserved and preservation measures • Proposed landscaping, screening, and street trees, including caliper widths for trees • Planting schedule, including street trees
ARCHITECTURAL PLANS AND RENDERINGS including:
• Exterior building elevations, color renderings, illustrations of all sides • Axonometric and street-level views for structures greater than three stories in height • Provide context drawings, if applicable (Design Manual, page 1) • Floor plans
CONSTRUCTION MANAGEMENT PLAN including:
• Specifics on traffic control, sidewalk sheds, and pedestrian rerouting • Include a drawing and written narrative
OTHER
• Details and cross-sections, as necessary



ZONING ANALYSIS Relevant Zone(s) B6 - Block 4 and Block 6

All Projects:

	Required	Proposed
Lot Size	10,000 SF	438,900 SF
Area Per Dwelling Unit	N/A	N/A
Minimum Street Frontage	N/A	N/A
Front Yard Minimum (Setback)	N/A	N/A
Front Yard Maximum (Setback)	10'	10'
Rear Yard (Setback)	N/A	N/A
Yard Right (Setback)	N/A	N/A
Yard Left (Setback)	N/A	N/A
Side Street Setback	N/A	N/A
Step Back	N/A	N/A
Maximum Lot Coverage	N/A	N/A
Minimum Lot Coverage	N/A	N/A
Maximum Height	45/55/65/Fore St	Varied
Open Space	N/A	N/A
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	See parking study	See parking study
Loading Bays	1	2
Other 1 Length of building wall at maximum setback (min)	N/A	N/A
Other 2		
Other 3		

See Avg Grade figure for more detail on locations of varied height requirements and Building Elevations for corresponding heights.

For 5,000-40,000 SF retail; loading area provided for each, Blocks 4 and 6
The project is located east of the Fore Street Connector.



ZONING ANALYSIS Relevant Zone(s) R6 - Block 6

All Projects:

	Required	Proposed
Lot Size	2000 SF	20,000 SF
Area Per Dwelling Unit	725 SF	741 SF
Minimum Street Frontage	20'	N/A
Front Yard Minimum (Setback)	5'	N/A
Front Yard Maximum (Setback)	N/A	N/A
Rear Yard (Setback)	10'	15'
Yard Right (Setback)	None	18'-6"
Yard Left (Setback)	None	N/A
Side Street Setback	None	N/A
Step Back	10' side/15' rear	> min
Maximum Lot Coverage	60%	55%
Minimum Lot Coverage	N/A	55%
Maximum Height	45'	45'
Open Space	20%	45%
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	See parking study	See parking study
Loading Bays	N/A	N/A
Other 1 Lot Width	20'	100'
Other 2		
Other 3		

A total of 27 units fall in part or in whole within the R6 portion of the property.

The portion of the lot in the R6 zone does not front on a public street

The portion of the structure in the R6 zone does not have a front yard, or a yard left (west) as it is integral with the remainder of the building that extends into the B6 zone.

The portion of the building in the R6 zone will be located such that it will exceed minimum setbacks and in turn minimum step backs as required.


ZONING ANALYSIS Relevant Zone(s) R6 -Remaining Fore St Property
All Projects:

	Required	Proposed
Lot Size	2000 SF	14,260 SF
Area Per Dwelling Unit	725 SF	1,100 SF
Minimum Street Frontage	20'	No change
Front Yard Minimum	5'	No change
Front Yard Maximum	N/A	N/A
Rear Yard	10'	10'
Yard Right	5'	No change
Yard Left	5'	No change
Side Street Setback	None	N/A
Step Back	10' side/15' rear	No change
Maximum Lot Coverage	60%	43%
Minimum Lot Coverage	N/A	N/A
Maximum Height	45'	No change
Open Space	20%	20%
Maximum Impervious Area	N/A	N/A
Pavement Setback	N/A	N/A
Floor Area Ratio	N/A	N/A
Off Street Parking Spaces	13	13
Loading Bays	N/A	N/A
Other 1		
Other 2		
Other 3		

Note, no new building construction is proposed; two buildings will be demolished; only dimensional items that have changed are noted.

13 dwelling units remaining; parking spaces to be provided within the Block 4/6 parking garage

Planned Residential Unit Developments (PRUD) Requirements

	Required	Proposed
Minimum Lot Size		
Minimum Lot Area per Dwelling		
Maximum # Units per Building		
Maximum Building Length		
Maximum Accessory Building Length		
Minimum Setbacks		
Minimum Building Separation		
Minimum Open Space		

Affordable Housing Density Bonuses (if applicable)

	Bonus Increase or Decrease	Maximum Allowable With Bonus	Proposed
Density			
Height			
Setback Reduction			
Recreation Space			
Maximum Accessory Building Length			
Minimum Setbacks			
Minimum Building Separation			
Minimum Open Space			
Explanatory Text 1 (optional):			
Explanatory Text 2 (optional):			
Explanatory Text 3 (optional):			

8. CONSISTENCY WITH CITY COMPREHENSIVE PLAN

Since the original vision for the redevelopment of 58 Fore Street was formed, Portland Foreside has reviewed, considered, and referenced numerous City Planning documents – both past and present. The broad planning efforts that have been undertaken in the past have provided a foundation for what the intention and vision is for the eastern waterfront and for what this new, mixed-use neighborhood will become.

Portland Foreside has documented consistency with the City's comprehensive plan(s) twice in the past, including the Master Development Plan that was approved in 2016 and the Phase I Level III Site Plan that was approved in 2020. Phase II, the next phase of development which includes Block 4, Block 6 and associated site and infrastructure improvements was designed to bring to life many of the goals and themes of Portland's Plan 2030. Creating a vibrant mixed-use neighborhood that is an extension of the City's downtown area and opens up the waterfront to residents, employees and visitors is what this overall project seeks to achieve.

The City's current Comprehensive Plan (Portland's Plan 2030) completed in 2017 articulates a vision of Portland's values and provides a framework for decision making revolving around the values, goals, and strategies of the City over the next decade. This next phase of the redevelopment remains consistent with the previous planning documents and is also consistent with Portland's Plan 2030.



Figure 8-1 Six Interconnected Themes Identified During Portland's Comprehensive Planning Process

Comprehensive Plan Vision Statement

Portland's Plan 2030 is guided by a vision statement for the City that includes six interconnected themes, which provide the foundation for focusing City policies and priorities identified for gauging success. The goals and implementation strategies in the Plan support the vision statement.

This current phase of the Portland Foreside development aligns with all six themes of the vision statement, with focus on many of the specific points (listed below in italics) highlighted within those themes.

Equitable *We (City) will remain an open and inclusive city, celebrating diversity and providing a welcoming and safe place for residents and visitors alike.*

The benefits and costs of our City will be born fairly across the entire City.

We will incorporate the needs of all our residents in planning for our future.

A core principle of the entire Portland Foreside project is connectivity to the rest of the City and opening up this part of the eastern waterfront to the public for the very first time. Enjoying the waterfront is something that should be available to all residents, employees, and visitors to the City. This new mixed-use neighborhood will be welcoming and safe.

Phase II of the project features the addition of 400 housing units of various types to the Portland market as well as retail spaces and public plaza spaces. The added tax revenue to the City that will be generated from this currently underutilized property will be a tremendous benefit. Phase I of the project completed site features such as stairs and plaza areas that are now accessible from Fore Street. The site is intended to be welcoming to pedestrians and provide important public access to the waterfront.

Sustainable *Portland has been built and rebuilt to endure; we will balance our historic fabric, sound infrastructure, and the best of new technology and design for the future.*

Portland will grow in order to sustain our community, infrastructure, and economy.

Growth should respect and seek to preserve our spectacular natural resources.

We will recognize our responsibility as a global citizen and that climate change will have significant impacts on our city by prioritizing a transition to a low-carbon economy and adapting to those climate changes we can no longer mitigate.

With an authentic, celebrated historic core, Portland Foreside is excited to balance the past with a mix of uses that will allow for full enjoyment of the eastern waterfront by the public. Redevelopment and reuse are a core sustainability principle. Block 4 and Block 6 will serve to complement the adjacent historic core and provide needed housing units and additional infrastructure to support sustainable growth. Developing underutilized urban sites by nature helps to preserve natural resources where otherwise growth may occur. The Portland Foreside neighborhood has been framed with important consideration given to floodplain, drainage during storm events, EV charging stations, bicycle access, pedestrian access and offering residents, visitors, and employees a place to live, work and visit without using a vehicle or other mode of transportation. Each of these considerations are actions to help advance the City's climate change goals.

Dynamic *We will embrace innovation in order for our community to thrive.*

We will welcome new residents into our community because they enrich and sustain our city.

Portland will plan for a built environment that encourages an active citizenry.

Phase II of the Portland Foreside redevelopment project supports the opportunity to link its vibrant downtown to the eastern waterfront. Connections to the Eastern Promenade trail reinforce important pedestrian and bicycle connections, while the shared street design prioritizes pedestrian access through the site. The space will be accessible to residents, visitors, and employees from within the development and from the surrounding Portland neighborhoods. The addition of 400 housing units to this site in an already densely developed area is good urban planning and a way to further enrich the City and where people can live. With a new neighborhood that provides places for people to work, live and visit, there is a natural intersection of the built environment with varying uses to encourage an active, diverse, dynamic vibrancy.

Secure *We will strive to create a resilient economy through innovation, investment, and commitment to diversity.*

We will be committed to accessible housing and healthy food for all our residents.

We will prepare for emergencies and be ready for a changing climate.

We will strive to create a resilient economy through innovation, investment, and commitment to diversity.

Phase I of the redevelopment at Portland Foreside focused heavily on adding good paying jobs to the local downtown area by constructing a building for Sun Life Financial. The innovation, investment, and commitment to diversity of this company is inspiring. To further support this office use, Phase II is further diversifying the uses on the site to include retail, housing, waterfront improvements and infrastructure that will be a major investment along the eastern waterfront. Creating 400 housing units in Block 4 and Block 6 is advancing the City's commitment to accessible housing units. Designing these two blocks with climate change and security in mind will provide the City the ability to achieve its resilient economy goals.

Authentic *We (City) will celebrate our city's incredible history.*

The uniqueness and integrity of our neighborhoods will be maintained and enhanced.

We will invest in and support our local economy.

We will maintain our character through preservation, innovation, and excellence in design for the built environment.

The entire Portland Foreside redevelopment project is a celebration of the City's history while positioning the eastern waterfront to be successful in the future. The historic core of this project is complemented by Phase II which is unique and different from any other neighborhood in the City. As a true mixed-use neighborhood, the uses not only provide much needed housing, but also a variety of jobs that are good paying and foster further investment in the local economy. Maintaining the character of the eastern waterfront is evident through what has been preserved on site and the outstanding thought and design put forth in Blocks 4 and 6 to complement the historic core and waterfront area.

Connected *We will foster accessible linkages between where we live, work, shop, and play.*

We will enable meaningful access to the natural world and recreational opportunities as a central component of community health.

Our success will be tied to our connections to each other, our state, and our region.

A 21st century Portland will continue to rely on integrated transportation infrastructure.

The entire Portland Foreside redevelopment project is focused on being connected and fostering linkages to the rest of the Old Port, the Eastern Promenade, and the Munjoy Hill Neighborhood. The access to these areas is very meaningful, because historically, they have not existed in this part of the City. Residents, employees, and visitors have not been able to live, work or visit this area of the City and the access that Phase II will provide immediate, meaningful access to the Eastern Promenade trail and the enjoyment of Casco Bay. As a true mixed-use neighborhood, connection of all uses on this property are key to success of the project, but also for people who live and work there. The massive changes as a result of this project connect directly to the City, State and region through increased tax revenue, increased sales tax, and increased income tax. The commitment to integrating this site into the City's public infrastructure will also serve to offer meaningful connections and integration throughout other areas of Portland and the region.

The proposed development supports Portland's desire to endure by offering an opportunity to grow, change, and revitalize an area of the City that has been underutilized for many years and to support redevelopment where it makes sense within the City. The following sections describe how the proposed development will align with the policy guides associated with Portland's Plan 2030.

Comprehensive Plan Policy Guides

The City of Portland Comprehensive Plan includes eight specific policy guides focused on the topics of environment, historic resources, waterfront, economy, housing, recreation and open space, facilities and services and transportation. The discussion below emphasizes how the proposed development is consistent with each individual policy guide.

Environment Policy Guide

- Within the Environment Policy Guide, one of the local goals is to develop climate resilience through specific carbon reduction goals, comprehensive climate adaptation strategies, and protections for the City's most vulnerable infrastructure. The design team has specifically considered resiliency as part of the proposed Block 4 and Block 6 development through building design and site layout.
- The Policy Guide also has a local goal to adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation. The proposed development is the next phase of the overall 58 Fore Street Master Development Plan to move forward, and it was conceptualized around the ideas of connectivity and walkability. The proposed shared street concept will prioritize pedestrian movements through the site, and parking garages have been efficiently incorporated into the site layout. Pedestrians will be able to access the site directly from Munjoy Hill.
- One future strategy is improving water quality. As described by the project-specific Stormwater Management Plan, stormwater best management practices will be incorporated into the Site to improve drainage and water quality treatment.

- Another future strategy is to develop climate resilience by pursuing strategic investment where storm surge and sea level rise will have impacts, including the waterfront. The design team has considered future sea level rise, storm surge, and flooding scenarios and the project has been designed to prioritize resiliency on the Site. Building finish floor elevations are established in consideration of future sea level rise.
- The development also includes the addition of stormwater treatment and conveyance systems to improve drainage and water quality. Prior to the site's redevelopment, no stormwater treatment was in place on the site. The development of this phase of work will bring the site to a level of 50% treatment through the use of proprietary treatment devices and below-grade stormwater storage.

The proposed development of Blocks 4 and 6 of the 58 Fore Street Master Development Plan will have a positive impact on maintaining and enhancing connectivity and walkability in the East End of the City. This downtown development is also in line with the goals of the City's environmental policy.

Historic Resources Policy Guide

The overall proposed development supports the Historic Resources Policy Guide by aligning with the following goals:

- Promote historic preservation as a key economic, sustainability, and community development strategy.
- Stabilize and enhance historic areas of the city by ensuring quality investment in existing structures and compatible infill development.
- Ensure an appropriate balance of continuity and change as Portland grows and evolves.

Portions of the proposed development are located within the Portland Company Historic District and the Munjoy Hill Historic District. This phase of the 58 Fore Street Master Development Plan will be compatible with the major character defining elements of the districts. The development has been designed to promote historic preservation as an economic, sustainability, and community development strategy. The redevelopment of this Site is based on enhancing the former Portland Company Complex components that remain through quality investment and compatible adaptive reuse. The project balances continuity and change in an evolving Portland by preserving the historic character of the site while helping to meet the demand for sustainable growth.

Waterfront Policy Guide

The proposed development includes access points from Fore Street and through the site that connect plaza areas on the building rooftops down to the waterfront level. Promoting passive and active recreational access to the waterfront is a key goal in the Waterfront Policy Guide. The overall site development will create public access to the waterfront in an area of the City where direct access does not currently exist by creating thoughtful linkages at the pedestrian level in a built environment. The proposed development will also promote the City's connectivity by maintaining and enhancing the existing Eastern Promenade Trail, which provides pedestrian access to both the Site and the waterfront area. Reconstruction of the trail has been included as part of a separate site plan application along with the reconstruction of the Narrow Gauge

Railroad through this area, and other waterfront improvements that will supplement the work being completed for this phase.

Economy Policy Guide

The proposed development directly supports goals within the Economy Policy Guide including:

- Create economic prosperity by growing Portland's tax and employment base.
- Reinforce the waterfront as a key component of Portland's economic health, balancing traditional and emerging industries with tourism and recreation.

Retail and residential space created by the development will help to grow Portland's tax and employment base. Locating these types of uses in this development helps to balance activity in this part of the City between tourism and recreation and traditional and emerging industries, while also providing for new residential uses. The proposed development intends to encourage public access by creating an authentic and dynamic environment, which will help stimulate use of the businesses located in the City's east end. The scale of residential development proposed will also bring a new residential population a property in the City that has never previously served the residential use. Additionally, the proposed development will revitalize the area, which will ultimately result in an increased valuation of the existing surrounding properties.

Housing Policy Guide

Phase II (Block 4 and Block 6) includes the development of 400 housing units and supports the goals of the City's Housing Policy Guide to create complete neighborhoods. The proposed development will provide housing in close proximity to the City's urban center and transportation hubs in support of a walkable and vibrant neighborhood.

In a 2021 memo to the HECD from the City's Planning Director, it is noted that housing is one of the City's most pressing issues. It references Portland's Plan 2030 and the housing production target goals to "encourage housing that meets the needs, preferences and financial capabilities of all Portland households." Portland's Plan 2030 also is supportive of housing creation "in all neighborhoods and supports significant increases in housing within major transportation nodes and corridors."

The opportunity to create 400 housing units on the peninsula in a mixed-use waterfront neighborhood is consistent with both local policies and plans and with redevelopment efforts throughout the country. The opportunity to live, work and visit waterfront areas that have been previously underutilized in the past is a documented, successful approach to sustainable cities and communities. Phase II will directly and immediately address some of the City's housing production goals in a positive way and allow for residents at varying incomes to live in a vibrant, densely developed area.

Recreation and Open Space Policy Guide

Additional public access to the waterfront from Fore Street is being created as part of Phase II through the addition of two staircases that will take pedestrians through a courtyard down a staircase to Thames Street or through an interior staircase down to the historic core. From these locations, pedestrians can continue onto the waterfront and the Eastern Promenade Trail. The proposed development is exciting and directly consistent with goals in this policy guide including:

- Sustain and build our system of parks, trails, and open spaces to enhance our quality of life, protect our environment, and promote the economic well-being of our remarkable city by the sea.
- Strengthen connections between open spaces.

Providing and strengthening connections to the waterfront and providing passive open space areas is stated in this policy guide as integral to the health and well-being of Portland's residents and visitors. The preservation of open space and revitalization of the downtown area will help the City to maintain its authentic character.

Facilities and Services Policy Guide

The infrastructure associated with the proposed development is supportive of the goal in the Facilities and Services Policy Guide focused on coordinating infrastructure planning and investments with areas of greatest anticipated growth. The buildings will require connections to water, sewer, gas, and electric utilities. Some of the infrastructure investments will be paid for privately, but the coordination and additional investments by the City are in an area where growth is supported and has been planned for. The City will realize a reduced cost for public infrastructure operations and maintenance by permitting downtown development and leveraging existing utilities when compared to developments in other areas of Portland where new utilities are required.

Eastern Waterfront Master Plan

The Master Plan for Redevelopment of the Eastern Waterfront (EWMP) specifically acknowledges the vacant, underutilized land in the area of the project site at 58 Fore Street. The EWMP notes that, given the location of the site and proximity to water views, urban amenities, vehicular access, port access and integration with the City trail system, significant redevelopment potential exists. Redevelopment such as parking structures, intensive reuse of historic buildings, replacement of non-historic structures, and open space enhancement were all anticipated in the EWMP. Many of these items are included in this Phase II project. Several principles and associated objectives for redevelopment are identified in the EWMP, including:

- *"Development within the eastern waterfront will be compatible with the surrounding areas, neighborhoods, natural environment and maritime uses."* Objectives associated with this principle that are consistent with the proposed redevelopment are the use of compatible architecture, continued establishment of a new street and pedestrian network that integrates with the surrounding street and trail network and preservation of significant view corridors to the water and along the waterfront.
- *"Development within the eastern waterfront will create a vital and active mixed-use urban area that generates life and use every day of the year and all hours of the day."* Objectives associated with this principle that are consistent with the proposed redevelopment are the creation of mixed-used non-marine development and activities that are compatible with the use of maritime resources, the increase of the public's use of the water, waterfront, and shore through public access, and maintaining and enhancing recreational trail access.
- *"Development in the eastern waterfront on piers, bulkheads and on land within 75' of mean high-water line, will give priority to compatible water-dependent and maritime uses."* Objectives associated with this principle that are consistent with the proposed redevelopment are preserving

and enhancing water dependent uses by providing public physical and visual access to the water and continued prioritization of Fore Points Marina, a water dependent use.

- *“Development in the eastern waterfront will provide a significant benefit to the City and the regional economy.”* Objectives associated with this principle that are consistent with the proposed redevelopment are creating a positive economic return to City, sustaining, and strengthening water-related tourism, enhancing the economic viability of the eastern waterfront’s property and facilities, and assuring that development benefits the residents of the greater Portland community.

The vision for Phase II of the Portland Foreside Master Development Plan was built on the foundation of the EWMP with the intent of connecting the waterfront to the City of Portland with inspiring design focused on mixed-uses, public spaces and historic preservation.

Design Guidelines for the Eastern Waterfront

Consistent with Phase I of the project, the Design Guidelines for the Eastern Waterfront have been considered as part of the master planning of the proposed project. In general, it was noted that encouraging the adaptive reuse and sensitive rehabilitation of historic structures, increasing connections to Commercial Street, and promoting shared parking with abutting uses were key points to consider in the design of the proposed project. The design team has made the following considerations:

Streets

- **Appropriate Street Design** – The proposed shared roadway has been designed to accommodate expected vehicles and pedestrians safely and efficiently while encouraging appropriate speeds. On-street parking has been provided wherever possible to provide a buffer between pedestrians and moving traffic and to serve the retail, residential, and commercial uses in the area.
- **Sidewalks** – The proposed shared street concept along with sufficient additional walkways will accommodate pedestrians comfortably and safely. The pedestrian environment will be further enhanced using fixed street furniture, compatible and consistent lighting, and landscaping. Sidewalk cafes, temporary art installations, and seasonal lighting will also be considered to encourage year-round activity.
- **View Corridors** – The site has been designed to provide for views to and from the water, including the view corridors.
- **Underground Utilities** - Overhead utilities have been avoided; utilities have been designed to be located underground to the maximum extent practicable.
- **Bicycle Safety** - The proposed roadway has been designed to accommodate bicycle traffic and safety. Bicycle parking will be provided throughout the site and in the parking garage.

Buildings/Architecture

- **Contextual Design** - Buildings have been designed in response to their context and will be compatible with the surrounding neighborhood.

- Pedestrian Environment - Large expanses of blank walls have been avoided and multiple entries will be provided into buildings. Amenities such as street furniture and lighting will encourage year-round pedestrian use.
- Primary Entrances and Service Entrances - Service entrances and loading facilities have been strategically located such that they will not directly impact primary entrances.
- Parking Structures - Parking structures will be compatible with adjacent uses and architecture.

Open Space

- Public Open Space and Plazas – The proposed project will contribute to the public realm through enhancement of pedestrian spaces and increased recreational opportunities.

Waterfront

- The Eastern Waterfront - The function of this area as an intermodal transportation center has been designed to facilitate integration and coordination of the various current and potential future modes of transportation.

The overall intent of the project has been to create a vibrant, usable space that will become an extension of the City of Portland's existing downtown. Throughout design, the project team has considered the City's various master plans, policies, and guidelines with the goal of integrating the project into the existing City fabric.



PLANNING BOARD REPORT PORTLAND, MAINE

58 Fore Street
Master Development Plan
Project #: 2016-224
CPB2

Submitted to: Portland Planning Board Public Hearing Date: December 20, 2016 CBLs: 018 A001, 018 A002, 018 A003	Prepared by: Christine Grimando, Senior Planner Date: December 16, 2016
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I. INTRODUCTION

CPB2 LLC has submitted for review a Master Development Plan (MDP) for the (+/-) 10 acre site at 58 Fore Street known as the Portland Company Complex. The proposed development includes retail, office, residential, hotel, restaurant, function space, a marina, and residential units. The site also contains a linear parcel owned by the Maine Department of Transportation that includes the Maine Rail/Trail corridor and the Eastern Promenade Trail, which will continue to traverse the site. In addition to the approximately 10 acres, the property includes a 13.2 acre submerged land lease, currently containing a marina. There are currently a variety of the uses on the developed site, including storage, office, a marina, event space and the Maine Narrow Gauge Railroad Museum.

The application is being reviewed under the MDP review standards (Section 14-524.a.3.ciii). Development proposals for the site are also subject to review under the B-6 Eastern Waterfront Mixed Use Zone, the Eastern Waterfront Port Zone, the Shoreland Zone, and flood plain standards. The following workshops have taken place to date on this application: October 12th, Planning Board and Historic Preservation Board joint workshop, October 18th, Planning Board held a site walk that included reconvening in Council Chambers for follow-up public comment and discussion. On November 15th the Planning Board held a third workshop which emphasized traffic, site layout and landscaping, stormwater management and infrastructure. The November 22nd workshop emphasized design considerations for the site.

A Master Development Plan is a regulatory option, at the discretion at the applicant, for sites with one acre or more in cumulative lot area that's designed as a cohesive and integral development program consisting of multiple buildings and associated site improvements built in phases over an extended timeframe (Sec. 14-522). An approved MDP establishes parameters to be adhered to for the full development, including total residential units, types of uses, lot coverage, open space, stormwater management, infrastructure, traffic, parking, site layout and circulation. It is a regulatory option, at the discretion of the applicant, with the intent of establishing a cohesive program for a site, while allowing the site to be built out over an extended time frame. MDPs may be developed concurrently with site plans and/or subdivisions, or independently. Approval does not constitute an authorization for development, but it does maintain the applicability of regulations in effect at the time of the approval for as long as the MDP approval remains valid (six years, with possible extensions up to a cumulative maximum ten years). Master Development Plan submission requirements are deliberately not as detailed as Site Plan and (when applicable) Subdivision requirements, which will be required before any development on the site can proceed. When reviewing and making the eventual decision of this application under the review standards of Section 14-524.a.3.ciii, Section 14-524.f.iv (*Planning Board Master Development Plan Decisions*) states that the Planning Board shall approve, approve with conditions, or deny a Master Development Plan application based upon the applicable review standards. An approval, including an approval of waivers, establishes the general parameters to be adhered to for the development, including the supporting documentation for floor area ratio and/or residential density, general types of uses, building coverage, generalized open space plans and infrastructure systems.

A Master Development Plan approval shall not be construed as final authorization of the development. Approval shall confer pending proceeding status upon the development with the effect of maintaining the applicability of regulations in effect at the time of approval for as long as the master Development Plan approval remains valid, including permissible extensions if granted.

All Level III site plans for each phase shall be in general conformance with the Master Development Plan.

This development is being referred to the planning board for compliance with the Master Development Standards standards of the land use code. A total of 352 notices were sent to property owners within 500 feet of the site and a legal ad ran in the *Portland Press Herald* on December 12th and December 13th.

A Neighborhood Meeting was held on October 4th, 2016 which was attended by approximately 140 people.

Applicant: CPB2 LLC, c/o Jim Brady

Consultants: David Senus/Mary McCrann, Woodard & Curran; Owen Haskell, Surveyor; Perkins+Will, Architect; Mary Costigan, Bernstein Shur

II. REQUIRED REVIEWS

Waiver Requests	Applicable Standards
Flooding Stormwater Standard	Technical Manual, 14.3.7

Review	Applicable Standards
Master Development Plan	14-527.a.3.c

III. PROJECT DATA

Existing Zoning	B-6 & Eastern Waterfront Port Zone, w/Shoreland & Floodplain overlays. Historic District on a portion of the site.
Existing Use	Mixed use, including full service marina, parking, warehouses, boat storage, a blacksmith facility and office space.
Proposed Use	Mixed use (including commercial, residential, office, marina)
Proposed Development Program	958,679 sf of mixed residential and commercial uses, 435,200 sf parking (736 spaces), and 638 residential units.
Property Size	+/- 10 acres

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	111,822 sf	215,306 sf	103,484
Building Floor Area	167,500 sf	958,679 sf	791,179
Impervious Surface Area	335,000 sf	409,000 sf	74,000
Parking Spaces (on site)	+/-105	736	631
Bicycle Parking Spaces	0	38 racks/78 spaces	78
Estimated Cost of Project	TBD		

IV. EXISTING CONDITIONS & SITE CONTEXT

The project is adjacent to Portland Harbor to the southeast and Fore Street to the northwest. The Eastern Promenade is adjacent to the east; bounded by the harbor on the southeast and by Fore Street on the northwest.

The property is contiguous with active waterfront uses to the west, bordered by the Ocean Gateway Terminal, and near the Maine State Pier, both serving deep water dependent large vessels, including cruise ships. To the east is the Eastern Promenade. The neighborhood to the immediate north is residential, with Waterville, St. Lawrence and Atlantic Streets perpendicular to the Fore Street-side boundary of the property, and abutted by Munjoy South apartments. Also to the north but immediately west of this residential area is the India Street neighborhood, which contains residential uses and a diverse mix of commercial uses – Shipyard Brewery, parking garages, the shops of India Street, a Marriot Residence Inn, and the Eastern Cemetery.

The majority of the site is located within the B-6 Eastern Waterfront Mixed Zone. The Eastern Waterfront Port Zone (EWPZ) has a depth of 75 feet, and encompasses approximately 1,000 feet of waterfront frontage. In addition to the two base zones, there are multiple other overlays on the property - a portion of the site is in the Shoreland Zone; a small area is partially in the A2 flood zone; and the B-6 portion of the site is included in the Building Height Overlay & Building Envelopes map. The property is a local historic district (as shown on Attachment P39). The immediately adjacent zones to 58 Fore Street are the R-6 residential zone to the east and north, ROS (Recreation and Open Space) to the east, B-6 to the west, and EWPZ to the west and south. As mentioned above, a portion of the property is a local historic district and is subject to review under Article X, Historic Preservation, in the City's Land Use Code.

58 Fore Street had been in continuous use since 1846, when it was established as the Portland Company for the manufacture of railroad equipment. An industrial site at its inception, it continued as one well into the 20th century, continuing to manufacture steel until 1978. It's now occupied by multiple tenants and uses, including a marina with associated parking and laydown areas, the Narrow Gauge Railroad, office, and storage. A 50' wide strip of Maine Department of Transportation (MDOT) land that encompasses both the Maine Narrow Gauge Railway and a public, multi-use trail that is an extension of the Eastern Promenade, maintained by Portland Trails and the City of Portland, bisect the site. Two easements run with the MDOT land.

There are significant grade changes across the site, both north to south towards the waterfront and west to east up Fore Street. Retaining walls mark much of the Fore Street edge of the property. Access is currently through a steep Fore Street drive to the west on the site.

The applicant has performed a Phase I environmental assessment of the site in 2013, and will need to meet the requirements of the Maine DEP Voluntary Response Action Program (VRAP) during redevelopment.

V. MASTER DEVELOPMENT PLAN PROGRAM

The application proposes a mixed use center that includes a marina, retail, office, restaurant, and residential space. At +/-10 acres it would constitute a new mixed-use neighborhood for the city. It includes open spaces in the forms of plazas, a public access easement, a waterfront walkway as well as integration of the existing, public mixed-use trail. Buildings include a mixture of repurposed, existing, historic structures and new construction. The application frames the development program into seven blocks, B1-B7. The majority of parking will be enclosed in a common parking pedestal that connects B4, B5, and B6.

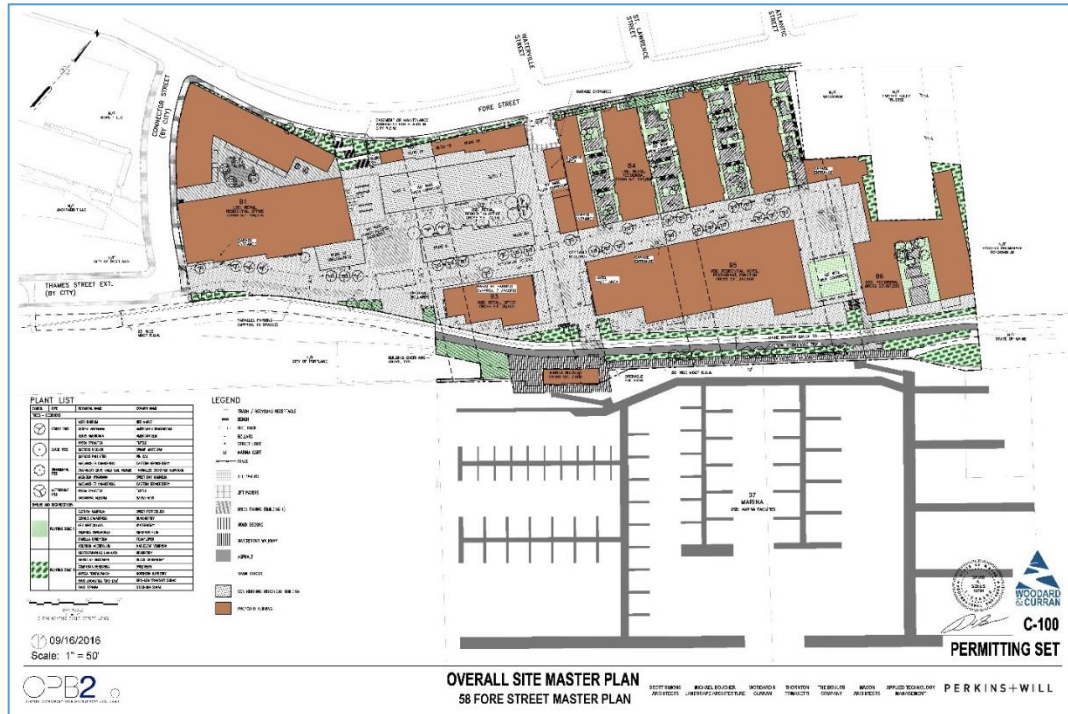


Figure 1, Revised Site Master Plan

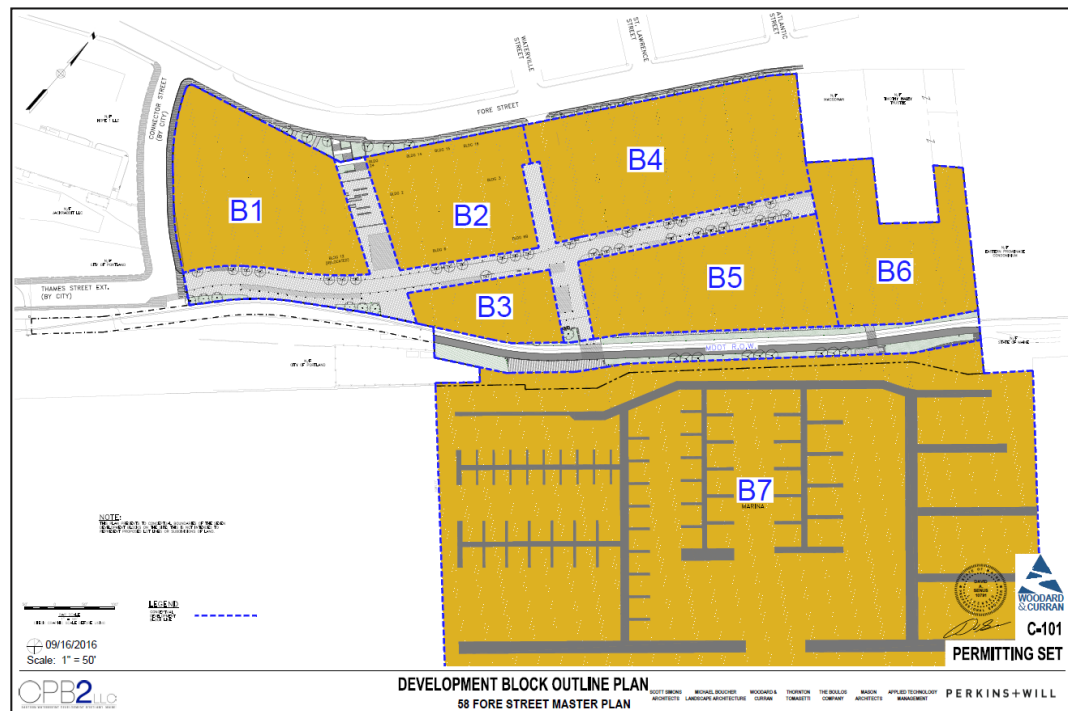


Figure 2, Development Blocks

The development program includes:

- 958,679 sf of mixed residential and commercial uses

- 435,200 sf parking to hold 736 spaces
- 638 residential units
- A marina for 220 slip spaces for seasonal and transient vessels, and a 2,600 sf building for marina facilities.
- Waterfront access that includes the Eastern Promenade Trail as well as a pedestrian walkway that runs for the length of the property. The property connects to the city-owned Amethyst lot, currently being discussed as eventual a newly designed public open space.
- Vehicular access to the site, currently from an access drive from Fore Street, will eventually be from an extension of the public Thames Street to the site, as well as a further extension of the same to Fore Street. A garage entrance to the structured parking is proposed along Fore Street. Pedestrian and bicycle access is from Fore Street, Thames Street extension, as well as via the Eastern Promenade trail.
- The project includes a proposed public access easement that runs from Fore Street to the water, on the southerly boundary of the property. The provision for the easement was made as part of the historic district designation, and final configuration will need to be determined over the course of review.
- The project includes view corridors, in accordance with the B6 Building Height & Building Envelope overlay. The view corridors, which require that no building occur above the grade of Fore Street, are 50 feet wide, and are aligned with Kellogg, Waterville, St. Lawrence, and Atlantic Streets.

The application includes a table of detailed specifications for each development block in Appendix C, Project Description.

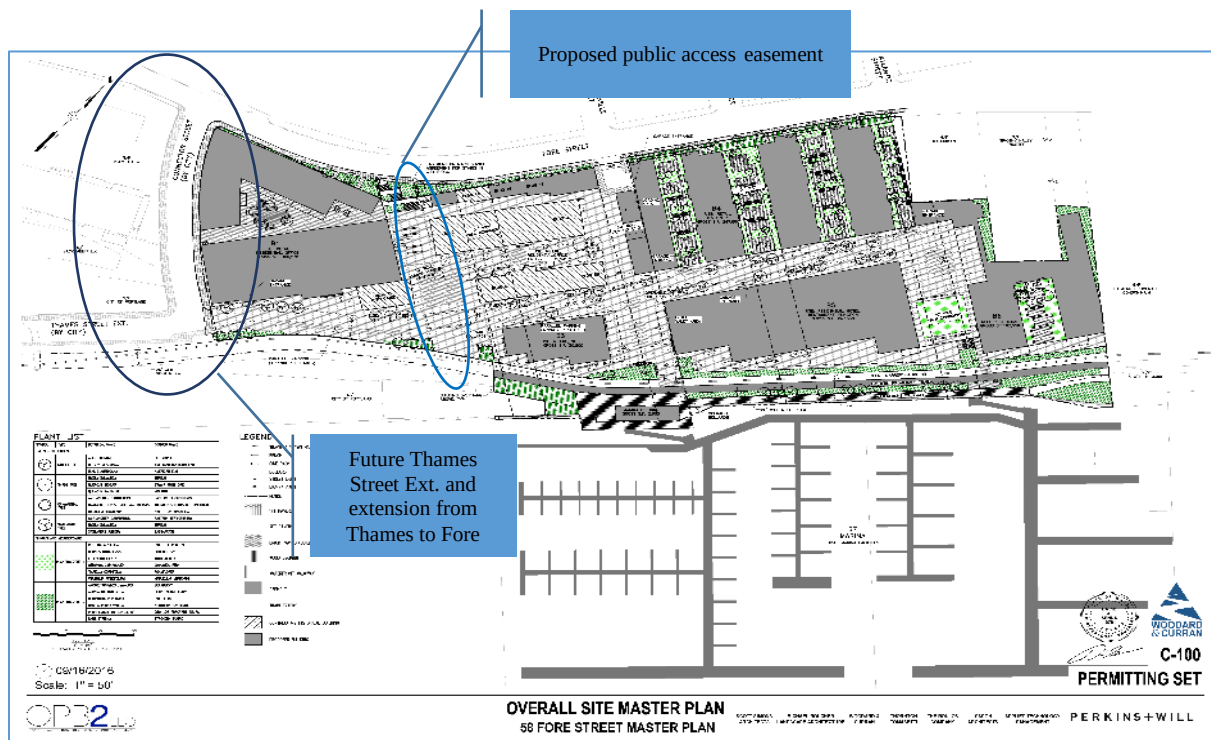


Figure 3, Overall Site Master Plan

VI. PREVIOUS REVIEWS

This MDP application is preceded in the previous three years by two significant review processes, involving the Planning Board, the Historic Preservation Board and the City Council. In February 2016, following a lengthy designation process by the Historic Preservation Board and Planning Board, the Portland City Council voted to designate a portion of the 58 Fore Street property as a local historic district subject to the provisions of Portland's historic preservation ordinance. The Portland Company Historic District as approved by the Council ensured the preservation of seven of the sixteen Portland Company structures on site. Figure 4 is a visual of the historic core of the site and the current historic district in the context of the overall site master plan.

An application for zoning map and text amendments for this site was submitted in August 2014, with the final changes adopted by the City Council on June 1, 2015.

The application included a map amendment to rezone the property from the Waterfront Special Use Zone to B-6 and Eastern Waterfront Port Zone, with accompanying text amendments and amendments to the existing Building Height Overlay & Building Envelopes overlay (Figure 6). There was an extensive, detailed review of the application in 2014 and 2015 leading to a Planning Board recommendation to the City Council on February 24, 2015, and the approval of the application in June 2015.

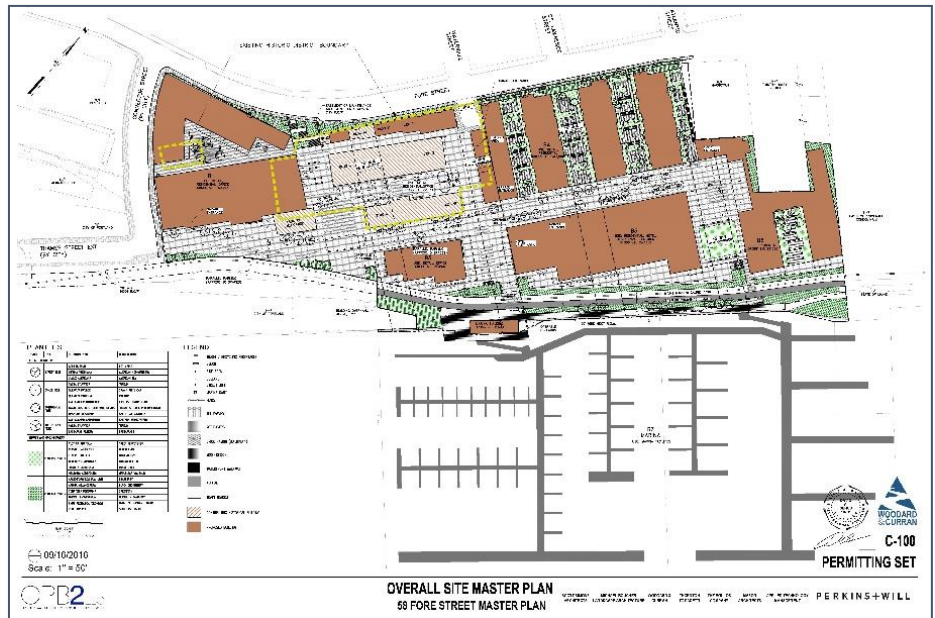


Figure 4, Historic District Boundary identified with dashed yellow line

Below is a chronology of the map and text amendments:

- August 22, 2014. Application submitted to Department of Planning & Urban Development
- September 17, 2014. Applicant's Neighborhood Meeting
- October 21, 2014. Planning Board Workshop
- November 18, 2014. Planning Board Workshop and Site Walk
- January 8, 2015. Staff-Lead Neighborhood Meeting
- February 10, 2015. Planning Board Workshop
- February 24, 2015. Planning Board Public Hearing
- February 9, 2015. City Council Workshop
- March 30, 2015. City Council Workshop/1st Reading
- June 1, 2015. City Council Public Hearing

The property was rezoned from the now non-existent WSUZ to a combination of B-6 and EWPZ in June 2015. The rezoning application included text, map, and B-6 height overlay amendments. All three of these zoning elements were created to serve the specific needs of the Eastern Waterfront and were a direct result of the recommendations of the Eastern Waterfront Masterplan. The Eastern Waterfront Masterplan includes recommendations for zoning, height, and associated design for the entire Eastern Waterfront, including the 58 Fore Street site. The 2015 rezoning extended the existing height overlay, B-6 and EWPZ zones eastward to encompass 58 Fore Street. Previous to the rezoning of 58 Fore Street, these zones were in place on the land

immediately adjacent to the southwest, of 58 Fore Street, and in 2015 were extended eastward to encompass the property. The WSUZ was eliminated altogether.

The overlay amendment established view corridors, building envelopes with maximum heights, a massing break line, and specific restrictions on heights above Fore Street over the course of the 9-month review.

Details of the final, approved rezoning underwent numerous changes over the course of the extensive review, based on staff, Board, and public feedback on the application. The appropriate zone boundary of the EWPZ (75' in depth) to protect water dependent and maritime resources, as well as uses and dimensional standards within the zone were modified over the course of the review. Uses in the B-6 were also modified from the original proposal to insure sensitivity to the residential neighborhood on Fore Street and waterfront use compatibility within the site. Site plan standards regarding massing and permeability were included for these zones, as well, consistent with the content of the Eastern Waterfront Design Guidelines.

Both the designation of the historic district and the requirements of the B6/EWPZ/Height Overlay have directly shaped the site configuration of the current MDP proposal.

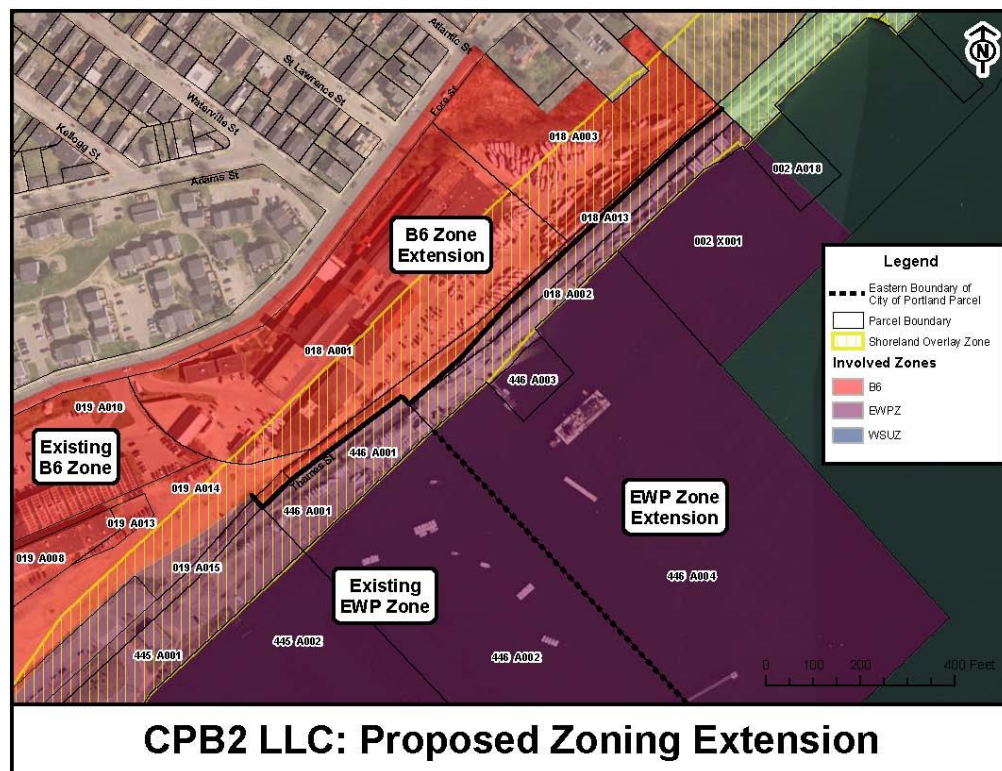


Figure 5, Area of Zoning Extensions, from Map Amendment Application

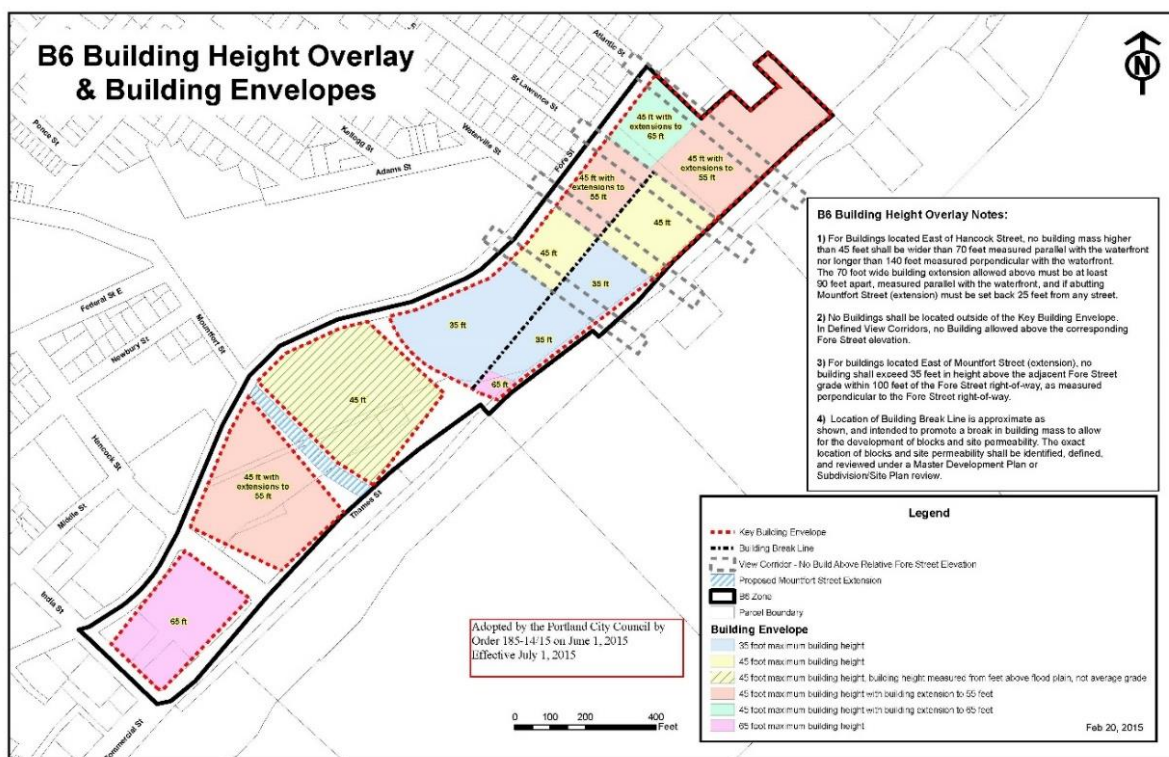


Figure 6, B-6 Building Height Overlay & Building Envelopes

VII. PUBLIC COMMENT

All public comment submitted via email has been included as attachments 1-14. These and comments made over the course of the workshops have touched on such items as the implications of the area being susceptible to flooding, height measurement methodology (addressed in section IX, below), adequacy of parking and parking management, scale and massing of the development, sensitivity of new construction to the historic core, wind impacts, questions regarding the MDP review process and scope, questions regarding road alignment, view impacts and traffic impacts. Though many of these questions have been answered during the course of the meetings, the applicant has submitted a written response to outstanding items (Attachments XXII). Other items raised for consideration were provisions to ensure that local businesses occupy the retail and commercial spaces, as well as concern for the impact of the project on overall housing affordability for the surrounding area. Many of these items will be addressed in much greater detail in the course of Level III reviews. Some, such the issue of local business tenants is not in the scope of Planning Board review to mandate. Another category of questions raised during public comment has had to do with construction management, such as how monitoring of parking, excavation, and construction-related vibrations will be managed; each of these will be specifically addressed in a required construction management plan in association with a Level III review.

A question about the Fore Street retaining wall has been raised several times – the applicant addressed ownership in their November 2, 2016 memo (Attachment I). The memo states: *The Board inquired*

about the existence of information regarding the Fore Street retaining wall. The City has a 4' wide easement along the full length of the retaining wall, which was built along the property line. The City is responsible for maintaining the wall and the purpose of the easement is for the City to be able to go onto the property in order to repair the wall if necessary. Preliminary geotechnical exploration will occur to inform the future design details related to the B2 and B4 development blocks, specifically how these foundation systems will interface with the retaining wall system. Future Level III Site Plans will identify the construction solutions for this area.

VIII. RIGHT, TITLE, & INTEREST

Evidence of Right, Title & Interest is included in Attachment E. Attachment E includes deeds, a Submerged Lands Lease and a Memorandum of Understanding with MaineDOT which establishes the ability to alter the current alignment of Maine DOTs right of way across the site. Attachment XXI includes the Purchase and Sale Agreement for the real estate transaction recently approved by the Council. This land transaction allows for site access/connectivity to the City street network through extension and connection of Thames Street. It also establishes a first phase of road extension that will be concluded by the further extension of the street network from Thames Street to Fore Street.

The Master Development Plan shows the proposed connector road to Fore Street and a building with frontage along this potential street. As shown the building encroaches upon land not at this time held by the developers. The applicant will need to confirm ownership or permission of the current landowner to proceed when a site plan application is brought forward. Suggested MDP approval conditions asks for this area to be visually clarified on the final plans, and specifies that any application for development approvals in this area require clear of Right, Title and Interest prior to review.

VIII. FINANCIAL & TECHNICAL CAPACITY

Evidence of Financial & Technical Capacity is included in Attachment J. This includes an overview of other development projects successfully completed as well as a description of the consulting design team to address technical capacity, and a letter from Holliday Fenoglio Fowler, L.P. attesting to CPB2 LLC's financial and technical capacity for the proposed project.

IX. ZONING ASSESSMENT (Sec. 14-527.c.6)

The project is encompassed by the B-6 Eastern Waterfront Mixed Zone, the Eastern Waterfront Port Zone, the B-6 height overlay, and is partially located in both a Shoreland zone and in a flood zone. The site also contains the Portland Company Historic District. As mentioned above, the zoning for this site is the result of a recent and extensive rezoning process initiated by the applicant. The Master Development Plan is consistent with zoning, including individual zone purposes, uses and dimensional standards, and the B-6 Height Overlay. The proposal is also consistent with allowed activity in the shoreland flood plain standards. Each site plan and subdivision (if applicable) will be evaluated for conformance with zoning, site plan, and subdivision standards, shoreland and flood plain requirements as well as undergoing Historic Preservation reviews for Certificates of Appropriateness.

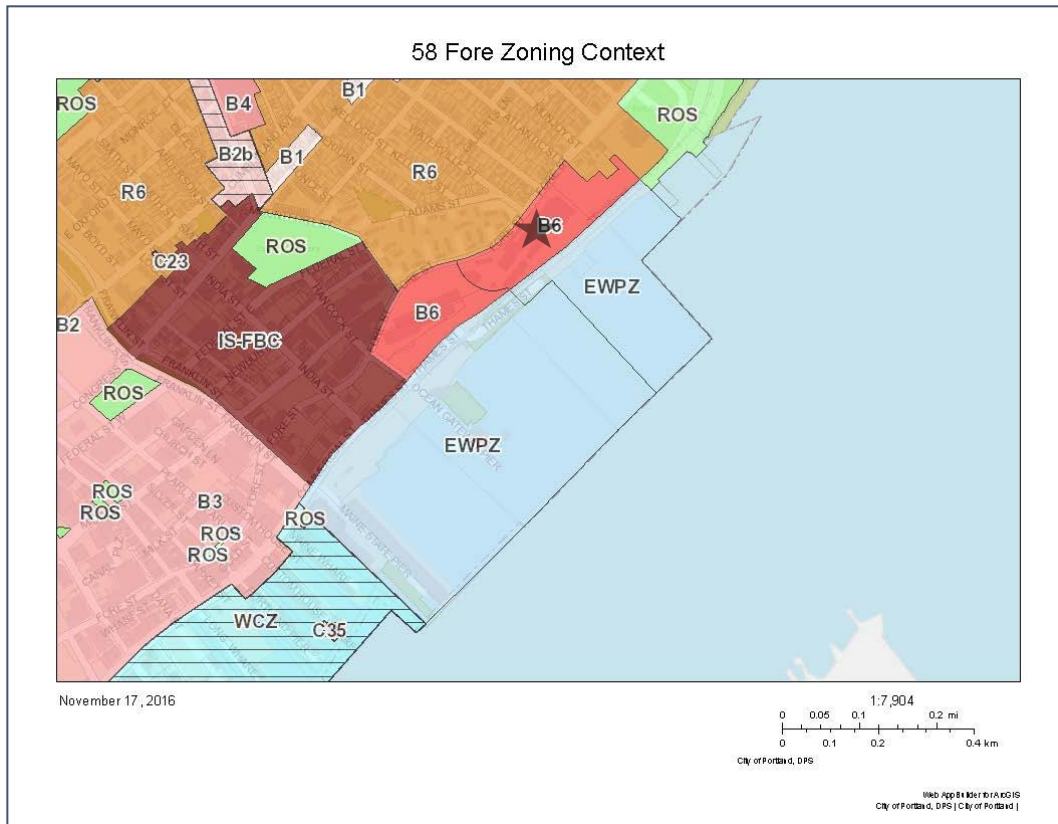


Figure 7, Zoning Context

The B-6 zone was specifically created to serve as a compatible zone for the upland portion of the Eastern Waterfront. The intent of the zoning standards for the B-6 is to provide for a mixed-use neighborhood that, according to the zone's purposes statement, *emphasizes a quality pedestrian experience, promotes public transit, and demonstrates exemplary urban design. The zone promotes a range of uses to achieve twenty-four urban vitality and shared use of parking infrastructure as recommended in the eastern waterfront master plan for redevelopment.*

The purpose of the EWPZ is to nurture a wide range of deepwater-dependent industry and commerce, particularly the marine passenger industry and upland support for the marine passenger industry. Piers, uplands, and circulation patterns consistent with the transportation needs of marine facilities are included in the purpose of the zone, as well as the encouragement of non-marine uses that support deepwater activities, provided that they do not conflict or compete for limited space with existing or anticipated deepwater-dependent needs. It's primary emphasis, however, is on the berthing and support of large vessels. A second priority is for shallow water-dependent uses. Consistent with the hierarchy of the City's other waterfront zones, specified, non-marine dependent uses are permitted provided they do not interfere with and are not incompatible with higher priority uses.

Full purposes statements for both zones are included in Attachment VI.

The B-6 zone includes a wide range of permitted uses, including each of the uses mentioned for inclusion in the MDP:

The following uses are permitted in the B-6 zone (Sec. 14-269):

(a) *Commercial:*

1. Professional, business and general offices;
2. Restaurants and other eating and drinking establishments, except that no drinking establishments as defined in section 14-47 that are located east of Waterville Street shall be permitted within fifty feet (50') of Fore Street, and provided that restaurants that are located east of Waterville Street and within fifty feet (50') of Fore Street must meet the following requirements:
 - a. The hours of operation shall be limited to between 5:00 a.m. and 11:00 p.m. each day; and
 - b. Food service and consumption are the primary function of the restaurant;
3. Hotels and inns limited to no more than 150 rooms;
- ...
5. Retail and retail service establishments, excluding those with gas pumps;

Other permitted commercial uses include but are not limited to carpentry shops; theaters; brew pubs; marine supplies and services; bakeries, coffee roasters and commercial kitchens; combined living/working spaces, including but not limited to artist residences with studio space; mixed use residential and commercial structures; studios for artists, photographers and craftspeople including but not limited to, painters, sculptors, dancers, graphic artists and musicians; health clubs; museums and art galleries; educational facilities.

(b) *Residential:*

1. Attached dwellings including row houses, two-family and multifamily dwellings;
2. Handicapped family units;
3. Combined living/working spaces, including but not limited to artist residences with studio space;
4. Mixed use residential and commercial structures.

The B-6 zone includes standards for parking that allow for surface parking while encouraging a site to ultimately incorporate mixed-use, structured parking, as this application does.

Allowed uses in the EWPZ zone are prefaced with language that no use in the zone may have an adverse impact on marine uses (Sec. 14-300.1). Permitted uses (Sec.14-301) allow for a host of marine uses, including marine passenger facilities, transient and long-term commercial berthing; boat and marine equipment storage; marine supplies and services such as fueling and bunkering of vessels; public, non-profit, or commercial marine transportation and excursion services, including captained charter services, sport fishing and water taxis. Residential is not allowed.

Pedestrian and multi-use trails are permitted in both zones.

The application also includes a zoning assessment, including allowed uses and dimensional requirements, in Attachment G.

Allowable heights are calculated, city-wide unless otherwise specified, from average finished grade. Building height is defined in Chapter 14 (Sec. 14-47) as the *vertical measurement from grade, or the predevelopment grade on the islands, to the highest point of the roof beams in flat roofs; to the highest point of the roof beams or the highest point on the deck of mansard roofs; to a level midway between the level of the eaves and highest point of pitched roofs or hip roofs; or to a level two-thirds of the distance from the level of the eaves to the highest point of*

gambrel roofs. For this purpose, the level of the eaves shall be taken to mean the highest level where the plane of the roof intersects the plane of the outside wall on a side containing the eaves.

Ann Machado, the City's Zoning Administrator has confirmed that there are two acceptable methods for establishing average grade (Attachment XIV): averaging the elevation of the proposed abutting ground surface at the building corners, or by averaging the elevation of the abutting ground surface at consistent intervals around the perimeter of the building. The applicant is proposing a single building on the eastern portion of the site that has pedestal parking at the base, with connected and architecturally varied residential uses above. Attachment G includes the applicant's calculations of average grade for each building proposed, which the Zoning Administrator has confirmed. She also states that if the parking base is built in phases, the average grade for each phase each phase will need to be evaluated for consistency with the B-6 Height Overlay. There are no final building designs in a MDP plan application, so this review addresses the feasibility of the site design concept as proposed.

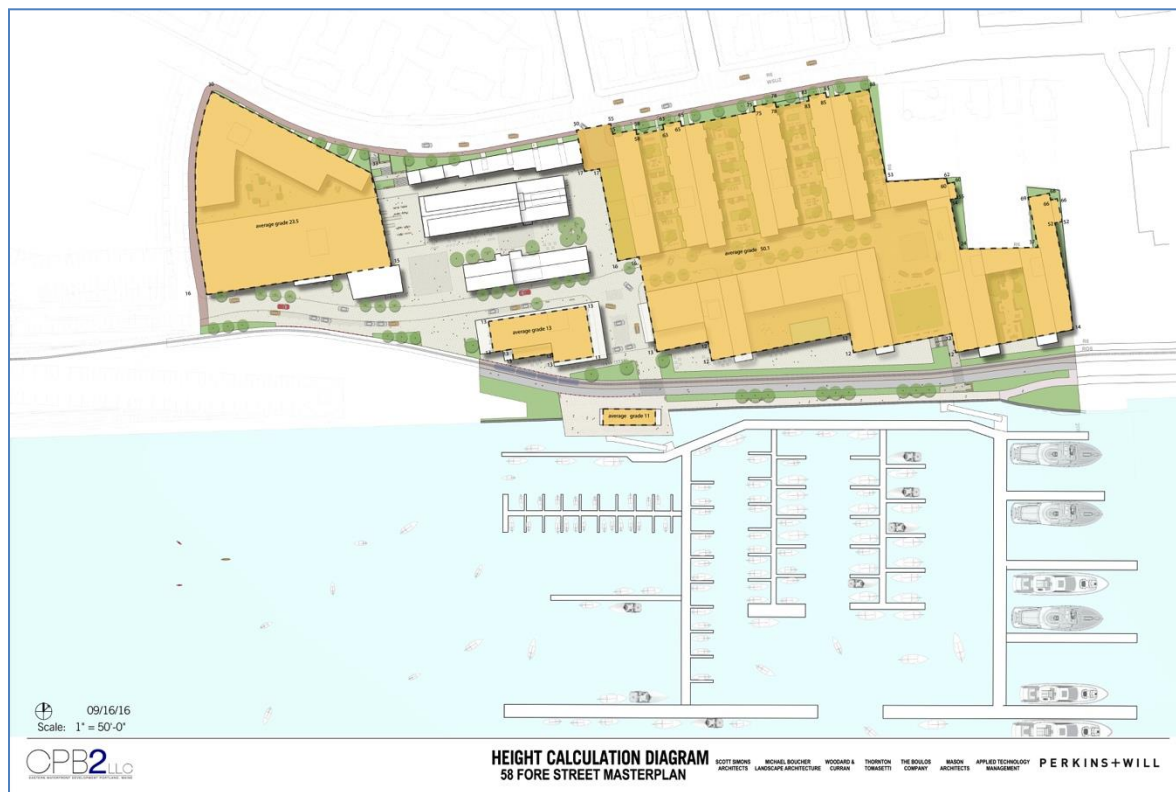


Figure 8, Average Grade Calculations

The MDP site layout and building heights have been proposed in accordance with the B-6 Height Overlay (Figure 6, and included in Attachment G), which not only determines allowable heights, but establishes the location and requirements for view corridors. Additional significant elements of the height overlay are varying allowable heights within the zone arranged in blocks ranging from base heights of 35 to 65 feet throughout the site. Many of the blocks include base heights with allowable extensions 10-20 feet above the base height. Further articulation of the permitted heights is stated in the overlay notes which set parameters for the height extensions, the view corridors, and restrictions on height at Fore Street. The overlay notes also include an explanation of the dashed building break line running east-west across the property:

1. For Buildings located East of Hancock Street, no building mass higher than 45 feet shall be wider than 70

feet measured parallel with the waterfront nor longer than 140 feet measured perpendicular with the waterfront. The 70 foot wide building extension allowed above must be at least 90 feet apart, measured parallel with the waterfront, and if abutting Mountfort Street (extension) must be set back 25 feet from any street.

2. No Buildings shall be located outside of the Key Building Envelope. In Defined View Corridors, no Building allowed above the corresponding Fore Street elevation.
3. For buildings located East of Mountfort Street (extension), no building shall exceed 35 feet in height above the adjacent Fore Street grade within 100 feet of the Fore Street right-of-way, as measured perpendicular to the Fore Street right-of-way.
4. Location of Building Break Line is approximate as shown, and intended to promote a break in building mass to allow for the development of blocks and site permeability. The exact location of blocks and site permeability shall be identified, defined, and reviewed under a Master Development Plan or Subdivision/Site Plan review.

The plan as shown in the Overall Site Masterplan and in the Height Calculation Diagram (Figures 1 & 8) is consistent with the definition of building height in Chapter 14, the allowed heights in the B6 Height Overlay, and established methodology. View corridors and the break in massing have been adhered to. All final building designs will be reviewed for compliance with the Height Overlay and other applicable sections of Chapter 14 over the course of Site Plan Review.

X. MASTER PLAN SUBMISSION REQUIREMENTS (Section 14-527(e))

Section 14-527 of the city's site plan ordinance outlines master development plan submittal requirements. The applicant has met these requirements.

XI. REVIEW OF MASTER DEVELOPMENT PLAN STANDARDS (Section 14-524(a)3.c(iii))

An approved MDP establishes parameters to be adhered to for the full development, including total residential units, types of uses, lot coverage, open space, stormwater management, infrastructure, traffic, parking, site layout and circulation. It is a regulatory option at the discretion of the applicant for sites of one acre or more, with the intent of establishing a cohesive program for a site, while allowing a site to be built out over an extended time frame. MDPs may be developed concurrently with site plans and/or subdivisions, or independently. Approval does not constitute an authorization for development, but it does maintain the applicability of regulations in effect at the time of the approval for as long as the MDP approval remains valid (six years, with possible extensions). All Level III site plans and subdivisions for each phase are required to be in general conformance with the approved MDP.

MDP review criteria (§14-524.a.3.C.III.) establishes standards under which MDP applications must be reviewed. Per this section, MDPs shall adhere to the following general requirements and features:

- a. A designated tract of land consisting of a parcel or parcels of contiguous land or land on both sides of a public street, totaling one (1) acre or more.*

The property, a (+/-) 10 acre site, meets this standard.

- b. Developed in a comprehensive, design-integrated manner, according to an overall master development plan.*

The applicant has submitted a master plan for 58 Fore Street which incorporates all major aspects of the site, including site layout, stormwater, utilities, parking, traffic, architecture and landscape design, in a comprehensive manner.

c. *Consistent with the objectives of this ordinance.*

The application and development plan are generally consistent with the objectives of the city's ordinance, including the purposes of the B-6 and EWPZ. The B-6 exists as a mixed-use zone for the upland portion of the eastern waterfront which *...encourages a distinctly urban form through development that emphasizes a quality pedestrian experience, promotes public transit, and demonstrates exemplary urban design.*

The EWPZ exists primarily to nurture deepwater dependent activity within the context of the established waterfront, shallow water-dependent and other marine uses, and other uses that are not incompatible with either. Each of the city's waterfront zones contain this hierarchy of water dependent, marine related, and compatible non-marine uses, across the respective purposes of the eastern, central and western waterfronts. The EWPZ is also the zone for Ocean Gateway and Maine State Pier and supports passenger ships, recreational boating, and other compatible uses.

d. *Consistent with the City's Comprehensive Plan and consistent with City Council approved master plans and facility plans for off-premise infrastructure, including but not limited to, trails, pedestrian and bicycle network, view corridors, environmental management, sewer and stormwater, streets, or other facilities (see Section 15 of the Technical Manual).*

Section 14-524.A.3.c.III.d requires that when reviewing a Master Development Plan application, the Planning find that the:

Consistent with the City's Comprehensive Plan and consistent with City Council approved master plans and facility plans for off-premise infrastructure, including but not limited to, trails, pedestrian and bicycle network, view corridors, environmental management, sewer and stormwater, streets, or other facilities.

Over the course of review of the rezoning application for this site, there was an extensive review of the map and text amendments for consistency with the Comprehensive Plan. The rezoning request was required to be consistent with the Comprehensive Plan in order for the zoning amendments to be approved. Any MDP application that complies with zoning that has been found consistent with the Comprehensive Plan is therefore, by extension, also broadly consistent with the Comprehensive Plan, particularly the sections that had direct application to the rezoning. With that as a starting place the role of the board in reviewing a MDP Application is to examine the Comprehensive Plan, and thus Eastern Waterfront Masterplan (EWMP) in relation to the particular MDP application before it, including elements not addressed in the zoning ordinance. The following is an overview of how the details of the MDP align with the varied goals of the EWDP.

In addition to the EWMP, Volume 1 of the Comp Plan gives an overview of the years of waterfront planning efforts of the City, and addresses redevelopment of the Eastern Waterfront specifically. It outlines four redevelopment principles for development in this area (these four principles are restated in the EWMP): Character and Impact of Development, with particular emphasis on compatibility with surrounding areas – residential, maritime, and natural environment; Mixed-use as a component of an active, vibrant urban area; maintaining Maritime Resources; and Economically Responsible Development that benefits the city and the region. The EWMP consists of three component parts that establish a vision for an area that includes the 58 Fore Street site (the entire Eastern Waterfront Masterplan in its 3 components can be accessed directly here: <http://www.portlandmaine.gov/DocumentCenter/Home/View/3391>). The three components of the document, adopted in 2002 and 2004, are *A Master Plan for Redevelopment of the Eastern Waterfront*, *Design Guidelines for the Eastern Waterfront*, and *Eastern Waterfront Building Height Study*.

Design Guidelines for the Eastern Waterfront touch on many aspects of the built environment – including but not limited to street design, open spaces, utilities, bicycle safety, parking, and building composition. The guidelines emphasize new development that respects surrounding neighborhoods while allowing for new design that furthers

the creation of a new neighborhood. These guidelines are the primary basis for the Design Review of the MDP and are addressed in Attachment XVI and XVII.

The *Eastern Waterfront Building Height Study* outlines the process and principles that informed the study's recommendations for implementation, as summarized by that study's *Illustration 33*. The document gives an overview of the process used in the study and the principles that guided it, including considerations of scale, topography, massing, the impact on adjacent neighborhoods to inform the eventual recommendations on view corridors, heights, parking structure orientation and design, setbacks, road alignments, alleyways, visual focal points, civic spaces, and others. Implementation of the Eastern Waterfront Building Height Study resulted in the adoption of the original B-6 Height Overlay, as well as the amendment of that map to include the 58 Fore Street property (Figure 6) over a 9 month public process outlined in section VI, above.

A Master Plan for Redevelopment of the Eastern Waterfront is the parent document to which the Design and Height studies were later appended, and establishes the vision for the area. It is intended to form the basis for rezoning of the Eastern Waterfront (pg. 3: *The Master Plan will provide the policy basis for future zoning amendments necessary to implement the plan*) to facilitate the redevelopment of vacant and underutilized land (pg. 6: *The area is blessed with water views, proximity to urban amenities, reasonable vehicular access, excellent port access, and integration into the City trail system. Given its location and proximate attractions, significant potential for redevelopment exists within the Eastern Waterfront.....*).

Specific mention of the Portland Company Complex includes:

The Portland Company complex, a mid-nineteenth century manufacturing facility, occupies the easterly end of the Eastern Waterfront. As an early manufacturing center, the site is home to several large brick and granite industrial buildings of architectural significance with potential for adaptive reuse. The Portland Company property is currently designated as eligible for inclusion in the National Register of Historic Places.

The property is highly developed, but in need of significant structural and cosmetic repair. Importantly, the complex is the only private property in the study area with direct water access. Currently, the Portland Company houses a variety of commercial uses, including a marina, boatyard, boat repair, general office, exhibition space, and the Narrow Gauge Railroad Museum.

Future parking enhancements and better vehicular and pedestrian access to the central redevelopment area will better integrate the Portland Company complex with the Eastern Waterfront and the Commercial Street business district, spurring the adaptive reuse and restoration of the historic structures.

Development Considerations

- *Historic 19th Century industrial complex.*
- *Promote the continuation of boat yard and yacht support services.*
- *Encourage the adaptive reuse and sensitive rehabilitation of historic structures.*
- *Increase connections to Commercial Street and promote shared parking with abutting uses.*
- *Expand recreational boating and active public use of the water.*

Objectives for the Eastern Waterfront are grouped according to four overarching themes: Character and impact of development, Mixed Use, Maritime Resources, and Economically Responsible Development. Specific objectives addressed by this MDP application:

- *Encourage compatible architecture.*

Overall site design is being addressed in Design Review comments, and final building designs will be further reviewed with submission of site plans.

- *Encourage historic preservation and adaptive reuse of historic structures.*

A portion of the site was designated a local historic district, insuring preservation of designated buildings and review of the district under the Historic Preservation Ordinance in perpetuity.

- *Establish a new street and pedestrian network that integrates with the surrounding street and trail network.*

There are no public streets within the site, but public street extensions of Thames and the connector to Fore are proposed in conjunction with buildout of this project. Overall the site increases connectivity to the surrounding street system at Fore Street, at Thames Street, as well as maintaining trail access. Additional public access will be provided through a public easement across the site, from Fore Street to the water. Private entrances to residences and rooftops along Fore Street will connect residents to Fore Street, as well. Access to the site is also increased from the water through the expanded marina. The interior of the site includes plazas and courtyards, not publicly owned, but intended for public access to the shopping, dining, working and otherwise utilizing the new commercial and residential space.

Overall this standard has been well met, though connections are stronger on the western end of the site than the eastern. The question of adequate permeability through the site was raised at a Planning Board meeting, drawing particular attention to the ability for pedestrians to move through the site along the eastern end, particularly in regard to access from Fore Street along block 4. There are topographical challenges to the eastern end that don't exist to the same extent at the western end of the property that will require alternative solutions for enhancing connections.

- *Preserve significant public view corridors to and from water and along the waterfront.*

The view corridors recommended by the plan were implemented into the B-6 Height Overlay. View impacts from the water, and from Fore Street are still being assessed, and the applicant has responded with renderings from various vantage points to address these questions (additional renderings are included in Attachment XII).

- *Manage traffic, noise, and air and water emissions to minimize the impacts on the surrounding community and users.*

Management of traffic impacts, transportation demand management, and parking are currently being reviewed. The stormwater plan for the site promises to significantly improve water quality leaving the site. The Master Development Plan calls for an overview to the approach for managing traffic and other impacts, and future site plans will be required to address these items in full detail.

- *Improve and protect the value and quality of natural resources.*

As noted above, the stormwater plan for the site will yield water quality benefits, as there is no treatment on site currently, and the application shows water quality treatment of approximately 6 acres of land.

- *Provide opportunity for mixed-use and non-marine development and activities in locations and in ways that are compatible with the use of maritime resources.*

The recent rezoning of the property directly allows the waterfront to be developed as a marina and the upland area to be a mixed use development consisting residential, office and commercial uses. Thus the MDP addresses this goal.

- *Increase public use of the water, waterfront and shore through public access and green space development.*

Public Access to the water will be improved through trail re-alignment, an additional waterfront walkway, and the public access easement.

- *Maintain and enhance recreational trail access.*

The trail will be maintained and realigned. The MDP's proposed realignment of the trail to the water's edge is specifically supported (*The Eastern Promenade Trail and the Narrow Gauge Railroad, with their linear orientation parallel to the shore, have a tendency to divide the uplands from the water's edge. Some relocation and redesign of both of these corridors will be needed in order for the Master Plan to take advantage of the amenities provided by these features while retaining connectivity with the uplands and the functional utility of marine uses*).

- *Preserve and encourage long-term enhancement of emerging and traditional maritime and water dependent uses.*
- *Utilize the harbor's deep-water resources to serve deep draft vessels.*
- *Encourage small boat berthing where water depth does not permit deep-water berthing.*

This area is supported in the zoning for recreational boating. The area of the EWPZ to the west of 58 Fore serves deep draft vessels – provisions were made in the course of the rezoning to insure no interference with this primary purpose of the zone.

- *Encourage public physical and visual access to the water where appropriate.*

This goal is met through required view protection, increased connectivity of the site to surrounding neighborhoods, and through the proposed public easement.

- *Allow non-marine mixed uses when compatible with water dependent and marine uses.*

The B-6 is written to be compatible with the EWPZ, allowing marine support uses in the mixed use zone.

- *Encourage a positive economic return.*
- *Sustain and strengthen water-related tourism.*
- *Enhance the economic viability of the eastern waterfront's property and facilities.*
- *Assure that the public investment and development benefit the residents of the greater Portland community.*
- *Provide adaptable, flexible infrastructure that will allow the city to adjust to future technological trends.*
- *Enhance multi-modal transportation opportunities.*

Reinvestment in this site allows for retention and rehabilitation of historic resources, greater access to the water and expanded water-related tourism opportunities, and expanded economic activity.

The Eastern Waterfront Masterplan is a vision for the eastern waterfront's transformation into a walkable, mixed use, connected part of the city that also supports an active waterfront. That process is underway in the eastern waterfront, and the rezoning of 58 Fore Street, and now this application, are a part of that vision. The EWMP places considerable emphasis on connectivity of the area to the water, to the trail, and to the surrounding neighborhoods, all of which are achieved by this proposal. The EWMP also places significant emphasis on minimizing negative impacts on existing and future residential neighborhoods, which is addressed through a thorough review of urban design, traffic impacts, stormwater and other performance standards required by the Land Use Code. These areas are under review for the MDP, and will continue to be scrutinized as greater levels of detail arrive with future applications. Staff analysis finds that the proposed development program advances the goals of the EWMP particularly successfully. Areas for further discussion and refinement are discussed in Ms. Cameron's design review memos and in the review of site design and optimizing connectivity of the site to surrounding areas. Accordingly, the MDP application is generally and specifically consistent the EWMP.

- e. Developed so as to locate buildings and improvements in a manner that provides usable open space, preserves significant natural features, as defined by the site plan ordinance standards, and preserves existing trees to the maximum extent possible.*

The eastern end of the property currently includes some inaccessible vegetated area in the steepest areas of the property, but the remainder of the site has long been developed. The site is currently bisected by the Eastern Promenade trail, offering off-road travel across the property and visual access to the water. Significant natural features as defined by the site plan standards (14-526.b.1) include such things as endangered trees, plants or animals, high value bird habitat, wetlands and vernal pools. The standards also mention flood plains and the shoreland zone, portions of which are on this property – any new construction in either of these zones will be reviewed for consistency with these standards; there are no activities proposed on the MDP that would be prohibited in these overlay zones. There's an opportunity for stormwater quality improvements on the site with the inclusion of green infrastructure and Low Impact Development techniques mentioned in the Stormwater Management narrative (Attachment L).

The application proposes to formalize a significant amount more open space, public and private, than is currently on this developed, industrial site. The submission materials dated November 2nd (Attachment I) include several plan sheets that help visualize this component, with distinctions between ground level and rooftop, hardscape and planted areas. Hardscape includes plazas and courtyards for gathering spaces, as well as shared use streets that will accommodate pedestrian and vehicular circulation. The application calculates the open space for the site at 60% of total property area, including ground level hardscape and planted areas, and occupy-able roof terraces. The application estimates that 75% of that space will be accessible to the public.

In addition to ground level/rooftop, hardscape/planted, there are other categories the open space worth considering in assessing consistency with this standard. Waterfront access, for instance, is addressed in the form of the existing trail and an additional pedestrian walkway across the site, the expanded marina, and through the public easement option to the site. The trail continues to travel across the site (connecting the Eastern Promenade with the Amethyst Lot parcel), re-aligned from its current location for greater proximity to the water's edge, as well as a proposed extended walkway along the water. The proposed marina will increase transient berthing slips, offering additional possibility for accessing the site from Casco Bay. The 50' public easement option, exact location and configuration required at site plan review, includes provisions for physical and visual access across the site and to the water. Visual access is further provided through the four required view corridors in the Building Height Overlay.

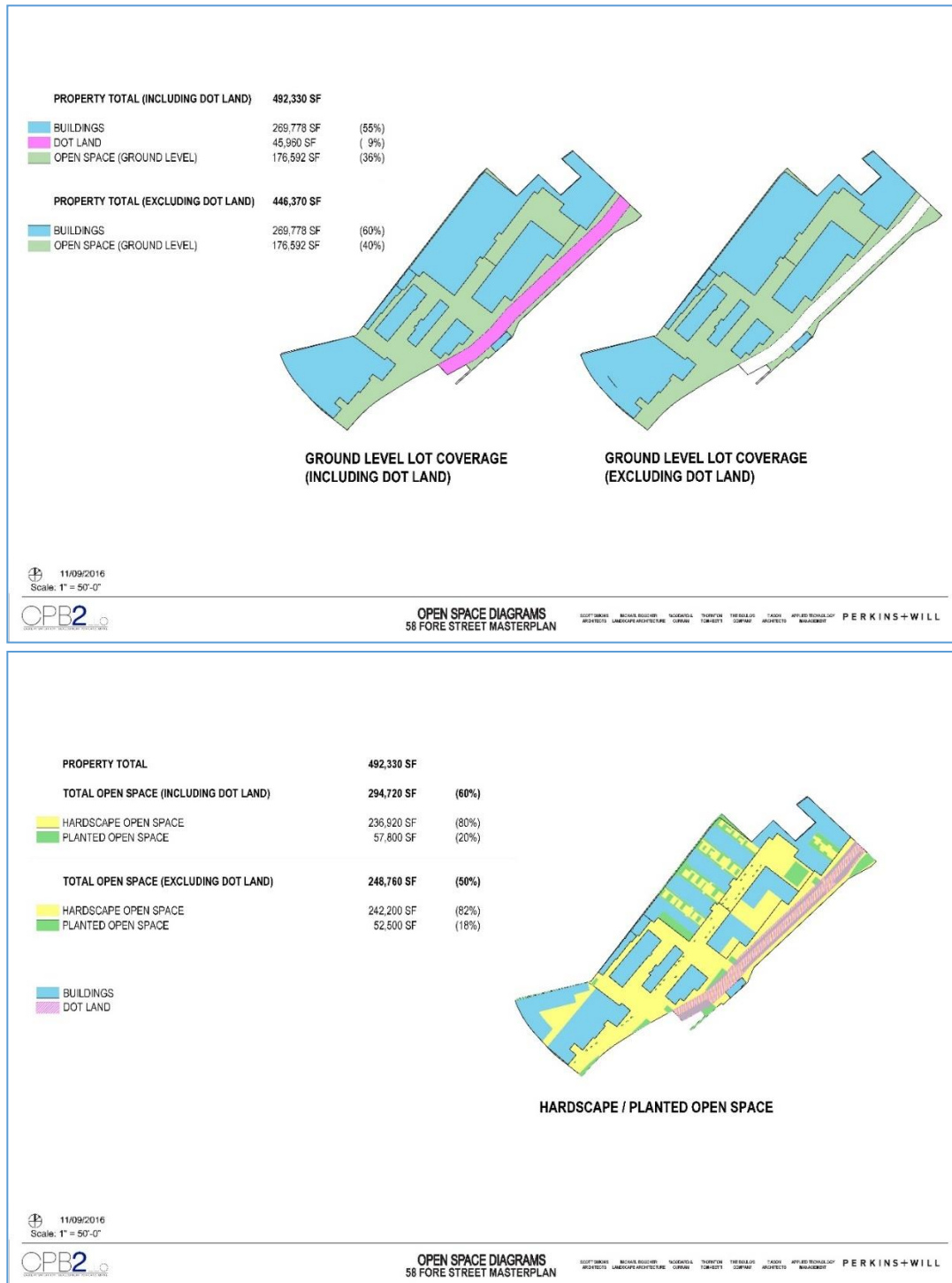


Figure 9, Open Space Diagrams

- f. *Developed so as to be in conformance with Portland's Historic Preservation Ordinance standards for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. When proposed adjacent to or within one hundred (100) feet of designated*

landmarks, historic districts or historic landscapes, the Master Plan shall be developed so as to be generally compatible with the major character defining elements of the landmark or portion of the district in the immediate vicinity of the proposed development.

Historic Preservation review of this aspect of the MDP criteria occurred concurrently with Planning Board review. Following the joint Historic Preservation and Planning Board workshop on October 12, the Historic Preservation Board reviewed the application at a workshop on November 16th and held a public hearing on December 7th. At the December 7th hearing the Historic Preservation Board made a determination of the MDP's consistency with this standard, determining visual compatibility of the proposal with the Portland Company Historic District Designation Report and consistency with the standards of the Historic Preservation Ordinance.

The Historic District's recommendation is included in Attachment XVIII. It contains a thorough overview of the review process, issues raised, input for future reviews, and the Board's formal finding.

The Historic Preservation Board found that the Master Development Plan is in conformance with Portland's Historic Preservation Ordinance standards, subject to the removal of the proposed rooftop addition above Building 16, the reduction in scale of proposed infill construction on the footprint on Buildings 14 and 15 to a height not to exceed existing building heights, and the provision of an offset separating Building 16 and new townhouses to the east. In addition, the Board found that the proposed development adjacent to or within one hundred feet of the Portland Company Historic District will be developed so as to be generally compatible with the major character defining elements of the landmark or portion of the district in the immediate vicinity of the proposed development.

Accordingly, a condition of approval has been recommended that any approval of the Master Development Plan include final revised plans that reflect the Historic Preservation Board's findings, so that the Planning Board can then affirm that the MDP application is consistent with review criteria f.

The Historic Preservation Board also detailed numerous input for future reviews (section IV, General Input for Future Reviews in Attachment XVIII), feedback that will impact future design of the site. These did not form the formal finding of the Board, but have been recorded as a record of Historic Preservation Board direction on future submissions (when new construction, additions or modifications are proposed that fall within the Historic Preservation Ordinance's purview, the applicant will be required to apply for a Certificate of Appropriateness, distinct from the advisory opinion required for the Master Development Plan).

g. An efficient use of land which properly considers topography and protects significant natural features including, but not limited to, waterways, wetlands, floodplains and wildlife.

The significant natural feature of the site is the water's edge. A currently developed waterfront parcel, it has been zoned to maintain 75 feet of waterfront zoning (EWPZ) along the water's edge to maintain water dependent, marine dependent, and limited compatible other uses. All construction within shoreland and floodplains will be reviewed for conformity with those sections. The site modifies the steep elevation changes of the site to allow for safe vehicular and pedestrian entrance, and also works with topography to the extent that view corridors from Fore Street to the water have been preserved (as required by the B-6 Height Overlay) so that no new construction breaks the elevation of Fore Street.



Figure 10, Rendering, Fore Street pedestrian entrance

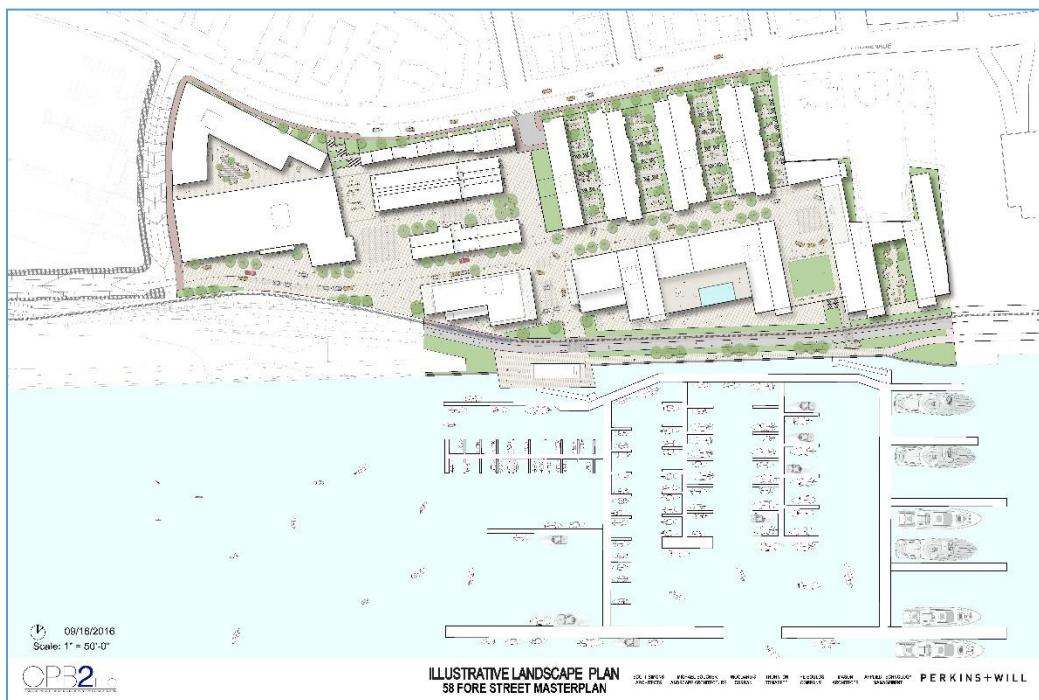


Figure 11, Illustrative Landscape Plan

The applicant has provided a conceptual drainage plan (Attachments L, P9 Stormwater) to address stormwater for the site, including water quality treatment areas, drainage infrastructure and a description of stormwater management measures. A waiver has been requested from the Flooding Standard, due to the fact that the project will discharge directly into the ocean – the stormwater review conducted by Stephen Bushey finds this waiver request justified (Attachment II). The conceptual plan indicates that existing drainage patterns will be largely maintained, with runoff from the development collected or directed to stormwater treatment systems located throughout the site. The project also proposes Best Management Practices such as tree box filters, rain gardens, green roofs, and related Low Impact Development (LID) measures.

Mr. Bushey's stormwater review found the conceptual plan to be sound in its strategy. He emphasized that the site's stormwater management will benefit from LID measures for water quality, aesthetics and visual appeal. Applicant presentations on stormwater techniques for the site indicate robust and creative inclusion of these techniques – the site at build out promises to be a gain over existing conditions for water quality leaving the site.

Mr. Bushey's review also suggested that the site design take into consideration recent research on storm surges for Maine's coast, attaching two the Maine Geological Survey Sea Lake and Overland Surges from Hurricanes (SLOSH) maps showing potential impact and inundation areas, included in Attachment II. These maps can inform discussion of site and building design – he includes such parameters as floor grades, exterior grades, waterproofing and related aspects for consideration. The maps he includes are informative for this review, but are not regulatory maps for the purposes of review and approval of the application. The application is in a flood zone (aerial w/flood overlay included below), an AE zone and a velocity zone, and this will impact design and construction in this area, but does not extend to an extensive deep into the site. Marine-related construction will need to meet the particular construction requirements for any building or structure in these zones.

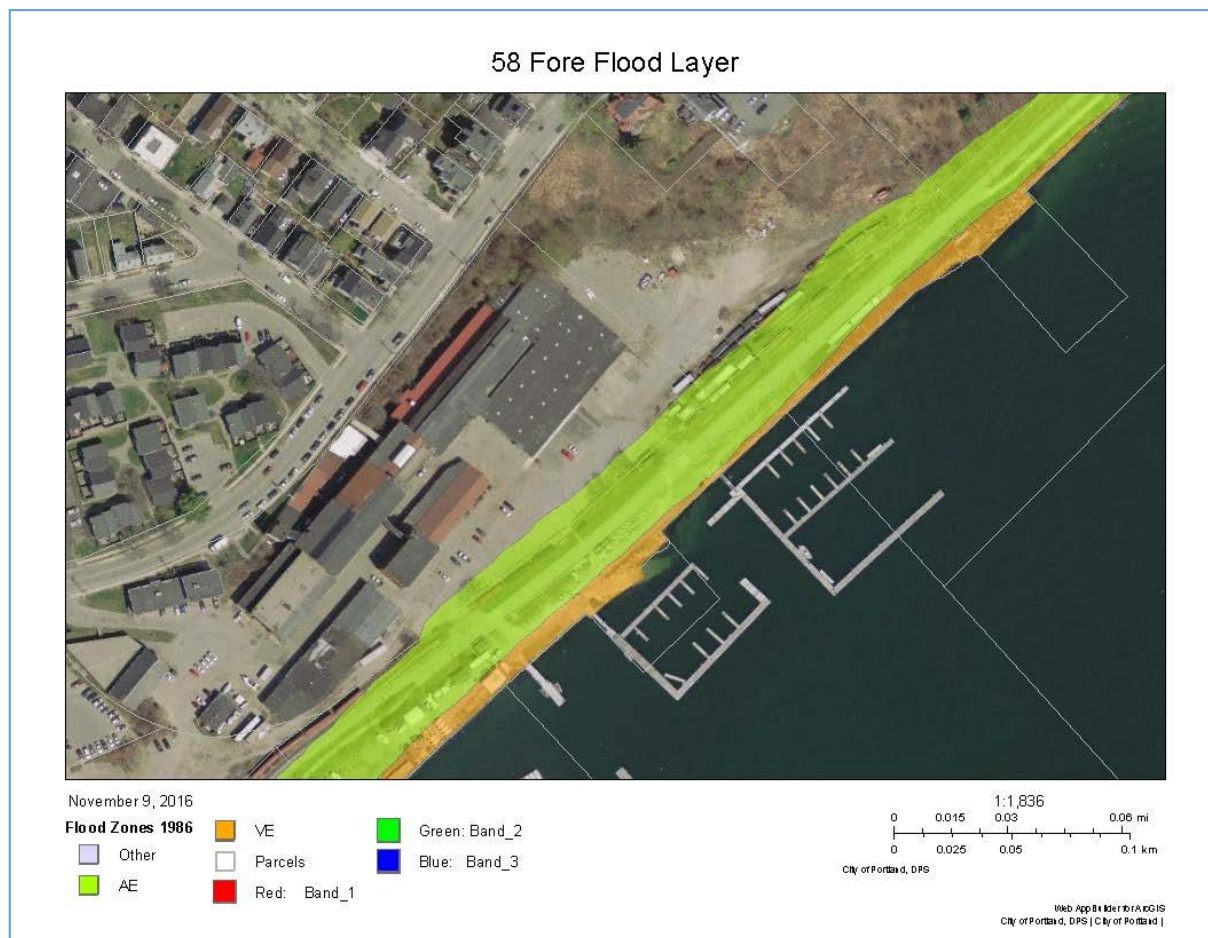


Figure 12, Flood Zones Layer Over Existing Conditions

Jeff Tarling, City Arborist, has commented that landscaping for the site should incorporate native plantings, particularly those suitable to salt water environments and potential storm inundations. This is an item that will receive more specific review when Level III site plans are brought forward.

Lastly, Mr. Bushey's review noted the need for additional information regarding stormwater infrastructure phasing. The MDP does not include a phasing requirement, but each subsequent application for development will need to address how the increment relates to the whole, whether it be stormwater management, utilities, or traffic generation.

- h. An efficient use of land demonstrating full coordination of its own site development and surrounding context including, but not limited to, the land uses and functions contemplated, architecture, open space and pedestrian networks, vehicular access and circulation, and all other infrastructure.***

The MDP proposes to retain existing buildings within the historic core of the site, adaptively reusing existing buildings and maintaining historic patterns of open space between buildings. It also proposes redesigning areas outside of the district, incorporating new construction and design. The proposal follows recommendations of the Eastern Waterfront Masterplan for redevelopment, including re-use of historic resources, new construction, a mix of uses, infrastructure improvements and additional connections to the surrounding neighborhood. Vehicular and circulation plans have been submitted, as well as supplemental pedestrian circulation materials that were included in November.

Overall, site connectivity both benefits from existing conditions, including the presence of the Eastern Promenade trail, connection to the water, the adjacency to surrounding neighborhoods, abutting open space to the east and future open space in the form of the Amethyst Lot to the west. The proposal will also improve connectivity for the site, and for the surrounding neighborhoods. Vehicular access to the site will eventually come from an extension of Thames Street, as well as plans for an eventual, further extension of the street network from Thames to Fore Street. A garage entrance to the structured parking is proposed along Fore Street. Pedestrian and bicycle access is from Fore Street, Thames Street extension, as well as via the Eastern Promenade trail.

Areas where connectivity and circulation have been identified either for improvement or further articulation are marina pick-up and drop off areas, building entrances and building relationships to the street as they impact the pedestrian experience (addressed in Attachment XVII), and the ability of pedestrians to circulate on the eastern portion of the site where grade changes make pedestrian movement, particularly from Fore Street towards the water. Future reviews will evaluate vehicular, bicycle, and pedestrian circulation in greater detail as development proposals are brought forward. As phases of development emerge, each proposal will need to be evaluated for successful circulation and safety at interim phases, prior to the full site circulation plan being realized.

The Amethyst Lot, a City-owned parcel abutting 58 Fore Street and the waterfront on the western and southern edge of the site, is slated to be designed into a newly conceived public open space. The public access easement option from Fore Street connects with the Amethyst Lot, as well, creating another interface between 58 Fore Street and this public space. Design of both 58 Fore Street and the Amethyst Lot impact each other, with implications for the particulars of trail and waterfront access across both sites. Coordination between the City and the applicant on the interaction of these properties will be important, as each project unfolds, to optimize pedestrian and bicycle connections through the city, as well as to the water.

- i. Linked and coordinated with surrounding land uses, infrastructure and off-site public facilities, including but not limited to the public school system, where appropriate, in a manner that is safe, efficient, non-injurious to the public, and an improvement or benefit to the public where possible.***

The applicant has provided the required utilities analysis (Attachment N, Utility Plans P7 & P8). An engineering review from Stephen Bushey, consulting civil engineer is attached (Attachment II). Mr. Bushey found that the application demonstrates it can be served by sufficient infrastructure, including wastewater, water, drainage, power, natural gas, and communications. He notes that more detail and coordination will be necessary when a development proposal is brought forward:

Ultimately it will be necessary for the developer's design team to complete significant coordination with all utility providers to verify that adequate capacity is in place and what, if any, improvements to these systems are necessary. However, as part of the Master Plan we see no particular issues with the utilities, except that the City of Portland and Portland Water District must address the project's potential impacts on their Combined Sewer Overflow Abatement plans and the capacity of the conveyance systems.

The Department of Public Works has provided initial feedback on the need to mitigate impacts of any input of wastewater into the City's system. A condition has been added identifying several potential strategies to address this, with final determination of the most appropriate measures to be made by Portland's Department of Public Works.

As noted above, the site's current, relative disconnection from its surrounding context will be improved by this proposal through its additional vehicular and pedestrian access points along Fore and Thames Streets. In the new uses on the site it will also create new connections, with residential uses predominating along Fore Street, mirroring the surrounding neighborhood, and mixed commercial uses predominating below Fore Street.

j. *Designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the Master Plan.*

In November there was a discussion of the still in-process traffic review. Initially the applicant submitted materials for a Traffic Movement Permit for the entire site to address traffic analysis for the project. A Traffic Movement Permit is required for developments that trigger 100 or more passenger car trips per hour, but is not required for a Master Development Plan application. For a project of this scope, there was extensive discussion and review of data and methodology for the TMP, and it became clear after the November 15th workshop that the full TMP review and approval would extend beyond the timeframe of the MDP review. Therefore, the TMP has been decoupled from the MDP, and will come before the Planning Board as a separate item in the future. The applicant was requested by staff to submit a revised traffic analysis that spoke directly to the traffic-related submission requirements for the MDP (14-527.e.xii), which read: *A traffic analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies, including current traffic counts for streets surrounding the project, analysis of the existing capacity of those streets, projections of the amount of traffic that will be generated by the proposed development, and the ability of the street system to absorb the increased traffic without decreasing the level of service below an acceptable level – said level to be determined by the Planning Authority in concert with the Department of Public Works. In cases where the Master Development Plan is subject to a Traffic Movement Permit (TMP) for all phases, the TMP submissions and review shall supersede these requirements.*

The final traffic review conducted by staff, with the aid of Tom Errico, consulting traffic engineer, is for the MDP standard, with the understanding that a TMP, and an associated Traffic Demand Management plan, will be brought forward in full prior to any Level III Site Plan and/or Subdivision Plan reviews that would trigger TMP thresholds.

Tom Errico provided the following review comments:

A traffic analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies.

The traffic study and analysis was performed by Randy Dunton, PE, PTOE and accordingly this requirement is met.

Current traffic counts for streets surrounding the project.

The applicant has collected traffic counts in the vicinity of the project and the methods and adjustments meet professional engineering methods. This requirement is met as part of the MDP, but revisions may be required as part of the Traffic Movement Permit.

Analysis of the existing capacity of those streets.

The applicant developed SimTraffic models for both the immediate study area and along Franklin Street between Commercial Street and I-295. The models are reasonably constructed for traffic mobility conclusions for the purposes of the MDP approval process. Refinement of the model and resulting existing conditions and future conditions analysis and reporting of that analysis will be required during the TMP process to account for pedestrian interaction with vehicles, calibrating the model to existing conditions (such as vehicle queue lengths, roadway geometry and traffic signal equipment) and other modeling and analysis details.

Projections of the amount of traffic that will be generated by the proposed development.

The applicant has conducted a trip generation estimate for the proposed project generally from data provided by the Institute of Transportation Engineers. Without any adjustments, the project would be expected to generate 733 AM peak hour trips and 885 PM peak hour trips. The applicant incorporated “shared use” adjustments to the ITE estimate to account for the interaction of trip activity between land uses. From national sources, the proposed project would be expected to have shared trip activity of between 12% and 18% (e.g. a resident shopping and working at 58 Fore Street). In addition, the project assumes ‘other modes reductions’: that 35.8% of the residential uses and 18% of the non-residential uses will be non-automobile trips and reductions. These reductions are based upon available information from American Community Survey data. Following these adjustments, the project is expected to generate 506 trips during the AM peak hour and 585 trips during the PM peak hour. City staff has reviewed the methods used to estimate traffic from the project and finds the methods to be reasonable.

I would note that a key assumption is the reduction of vehicle trips from the site due to non-motorized modes of transportation. Accordingly, the implementation and monitoring of a TDM plan and other potential mitigation that has achievable strategies linked to these assumed vehicle trip reductions of these magnitudes is critical and as such will be an important element of the TMP and Site Plan approvals.

The ability of the street system to absorb the increased traffic without decreasing the level of service below an acceptable level.

- The MDP traffic study documents that many localized intersections/roadways will operate at acceptable levels of service with the primary exception of Franklin Street from Commercial Street to I-295/Marginal Way. Accordingly, mitigation requirements may be required along Franklin Street and those will be determined through the TMP permitting and site plan approval process.
- Other locations including the Commercial Street/High Street intersection and the Congress Street/Washington Avenue/India Street area will need further evaluation during the TMP and Site Plan approval process which may include additional traffic analyses and identification of potential mitigation strategies.

MaineDOT Traffic Movement Permit

It is recommended that a phased TMP for this project be required given the location of the project in an area that is experiencing significant growth and that the project will likely be constructed over many years and with that the transportation context and infrastructure should be evaluated at a time when future conditions are better known when site-generated traffic is being added to the system.

To Mr. Errico's final two subjects on mitigation and phasing, a condition of approval is proposed to require the TMP to be phased. Regarding off-site mitigation of any impacts related to this site, in order to guide mitigation, a menu of potential traffic-related public improvements will be developed for known areas of impact, to be evaluated as development proposals are brought forward. The final list may be altered based on the phased TMP review, and supplemented according to Site Plan Review transportation standards. Based on traffic analysis to date, Planning staff has identified the following focus areas:

- The design and construction of the Fore Street Connector;
- Franklin Street, particularly at the intersections of Franklin with Marginal Way/Fox/Somerset;
- The Commercial Street Corridor, particularly at the intersection of High and Commercial;
- The development of a robust Traffic Demand Management Plan to identify trip reduction targets and implementation strategies for reducing single occupant vehicle trips to this site.

It is anticipated that if new generators of traffic or significantly different circulation patterns emerge as subsequent phases are submitted, the menu and responses will be revisited. As a rubric for evaluating traffic impacts over the course of a full multi-year buildout of the site, this allows for flexibility and proportionate implementation. This menu of items has not yet been finalized, as it may be expanded or altered in the course of the Traffic Movement Permit review, but is listed here to establish expectations for future application phases.

k. Designed to create a street grid pattern that reflects average city block sizes of the neighborhood for street connectivity.

Due to historic development patterns, as well as topography, Eastern Waterfront policy direction, and the historic district, the internal circulation plan does not propose a traditional street grid. However, it does create multiple new connections to the adjacent street system. The internal, private street system both adheres to existing patterns on the site in the historic district by maintaining the linear presence and pattern of alleyways there, and connects to the street system at Fore Street and through pedestrian and vehicular entrances where currently there are none. The view corridors also align with the streets that intersect with Fore Street. These view corridors run perpendicular to the linear rhythm of the historic buildings and the spaces between them. The Eastern Waterfront masterplan anticipated this to allow for respect of the historic fabric while also allowing for greater connectivity to the surrounding residential neighborhood on the eastern portion of the property. The site also extends the existing street network from the west through the connection with Thames Street. Internally, the project proposes streets designed as shared spaces for vehicles and pedestrians.



Figure 13, Supplemental Circulation Plan

- l. Designed as to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials, architectural detailing at pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located.*

Caitlin Cameron, Urban Designer, addresses this standard in her initial memo for the November 22nd workshop (Attachment XVI), and an updated memo for the December 20th Public Hearing (Attachment XVII). These final comments are central to the overall review of the Master Development Plan, respond to the Comprehensive Plan and adopted Design Guidelines, and also to comments received over the course of the review of the application. A recommended condition is for the design review comments to serve as guidance for future submissions for this site.

- m. Inclusive of provisions for the ownership and maintenance of usable open space as appropriate.*

As part of the Historic District designation, the City Council accepted a public easement option from CPB2 LLC to allow public visual and physical access across the site. The option is for a 50' wide easement, with final location and configuration to be determined over the course of site plan review, with the agreement of the applicant and approval by the Planning Board and Corporation Counsel. This application precedes site plan review, the easement details are not required to be finalized at this stage, but the MDP review offers an opportunity to envision the easement's role (as shown on Appendix P4, Overall Site Master Plan) in the context of the entire site.

The layout of the Eastern Promenade trail shifts towards to water's edge, but public access to this public resource is unchanged.

The master development plan shows courtyards, plazas, landscaped areas, all with potential to serve as gathering spaces for residents, customers, and visitors. At this stage, the application narrative has indicated that the applicant anticipates definition of open space ownership, access and maintenance to be determined over the course of Subdivision review for the site.

- n. For areas proposed as future development phase(s), the proposed interim conditions shall be managed and maintained to ensure stable, safe and attractive site conditions.*

Phasing is not required at this stage. As site plans and/or subdivision applications are submitted, this standard will be applied to all increments of development for the site.

XIV. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the master development plan for 58 Fore Street.

XV. PROPOSED MOTIONS – MASTER DEVELOPMENT PLAN

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on December 20, 2016 for application #2016-224 relevant to the master development plan regulations; and the testimony presented at the Planning Board hearing:

- a. The Planning Board (**waives/does not waive**) the Technical Standard for flooding as provided Technical Manual III. 4. E.(2) Waiver of the flooding standard due to direct discharge into the ocean, a great pond, or major river segment.
- b. The Planning Board finds that the plan **is/is not** in conformance with the master development plan standards of the land use code, subject to the following conditions of approval, which must be met prior to the submission of a Level III application unless otherwise stated.
- c. The design review contained in Attachment XVII, shall serve as design guidance for this approval, and all future Site Plan submissions shall be responsive to the Areas of Focus and *Design Parameters* outlined in that December 15, 2016 document.
- d. Consistent with the December 7, 2016 finding and recommendation of the Historic Preservation Board, the applicant shall provide revised plans reflecting the change to the Fore Street townhouses identified as needing to be removed from the Master Development Plan in order to have the plan be consistent with Portland's Historic Preservation Ordinance. Future design proposals or substantive changes to the Master Development Plan may be considered for additional review provided they can demonstrate consistency with the Historic Preservation Ordinance and that they do not materially diminish the visibility and integrity of the historic district.
- e. The final revised Master Development Plan plan set shall label the street extension from Thames Street Extension to Fore Street as *Potential Fore Street Connector*, and strike the current label of *Connector Street (By City)*.

- f. The final revised Master Development Plan plan set shall clearly label current property lines, and indicate any areas of encroachment on abutting property lines.
- g. All documentation of Right, Title and Interest on property pending acquisition shall be included with application materials prior to any review of Level III Site Plan and/or Subdivision plan applications.
- h. Prior to review of any Level III Site Plan and/or Subdivision Plan applications, the terms of the December 5, 2016 Purchase and Sale Agreement for the Thames Street Extension, particularly with regard to section 10, *City Conditional Commitment to Construct Thames Street Extension*, shall be met.
- i. The applicant shall pursue a phased Traffic Movement Permit, the approval of which is required for any qualifying Level III Site Plan and/or Subdivision Plan application.
- j. The applicant shall coordinate with City regarding the design of the public access easement area and its transition to and integration with the adjacent City-owned waterfront parcel, to assure a well designed public space that enhances the public access to and the enjoyment of the waterfront.
- k. Transportation review of Level III Site Plan applications to implement phases of this MDP will follow guidance provided in this document regarding specific focus areas.
- l. As part of future Site Plan approvals for the site, the applicant shall do one or a combination of the following to insure the input of wastewater into the City's system from the 58 Fore Street site is offset or mitigated to avoid additional contribution to combined sewer overflows (CSO's) at the India Street CSO:
 - Collect and store wastewater onsite, and regulate discharge to the City's combined sewer system during active wet-weather CSO conditions.
 - Perform offsite mitigation of stormwater input into the City's combined sewer system in proportion to the estimated amount of wastewater generated for that phase.
 - Make a financial contribution to a City project within the India Street CSO collection area that mitigates stormwater input into the City's combined sewer system in proportion to the estimated amount of wastewater generated for that phase.

Final wastewater impact mitigation strategies shall be approved by the City of Portland's Department of Public Works.

XVI. ATTACHMENTS

MATERIALS ADDED SINCE OCTOBER WORKSHOPS

- I. Applicant Response
- II. Engineering Review
- III. Fire Comments
- IV. Revised TIS
- V. TDMF

MATERIALS ADDED SINCE NOV.15 WORKSHOP

- VI. B6EWMP Purpose Statements
- VII. 11/10 Letter to HP Board
- VIII. 11/17 Applicant response Letter

- IX. 10/28 CMP Ability to Serve Letter
- X. 11/2 Unitil Ability to Serve Letter
- XI. 11/17 PWD Ability to Serve Letter
- XII. 11/17 Additional Renderings
- XIII. 11/15 Presentation Slides
- XIV. 10/11 Email from Zoning Administrator
- XV. DAndrews 11_9 Memo
- XVI. Design Review

MATERIALS ADDED SINCE NOV.22 WORKSHOP

- XVII. Design Review 12_15
- XVIII. Historic Preservation Board Findings 12_15
- XIX. Wastewater Capacity Memo 12_7
- XX. Traffic Review Comments
- XXI. Purchase & Sale Agreement
- XXII. Applicant's Public Comment Response 12_14
- XXIII. Applicant's Additional Information Letter 12_2
- XXIV. Applicant's Traffic Submittal 12_7

PUBLIC COMMENTS

- 1. Lowell 10_3
- 2. Sawin 10_4
- 3. Vestal 11_15
- 4. GPL 12_6
- 5. Millard 12_9
- 6. GPL 12_15
- 7. Adams 12_15
- 8. Hamill 12_15
- 9. Haley 12_15
- 10. Vestal 12_15
- 11. Oldham 12_16
- 12. Stevens 12_15
- 13. Murray 12_16
- 14. Snyder 12_16

APPLICANT'S SUBMITTAL

- A. Cover letter, TOC, Application Form
- B. Application Fees
- C. Project Description
- D. Master Development Plan Review
- E. Evidence of Right, Title and Interest
- F. Evidence of State, Federal Approvals
- G. Assessment of Zoning

PLANS

- P1. Cover Sheet
- P2. Existing Conditions Plan
- P3. Overall Existing Conditions Plan
- P4. Overall Site Master Plan
- P5. Concept Dev. Block Plan
- P6. Conceptual Grading Plan
- P7. Utility Plan 1
- P8. Utility Plan 2
- P9. Concept. SW Treat. Plan
- P10. Vehicle Circulation Plan
- P11. Land Transfer Proposal Plan
- P12. Boundary Survey
- P13. Pedestrian Circulation
- P14. Illustrative Landscape
- P15. Level 15
- P16. Level 25
- P17. Level 55
- P18. Level 85
- P19. Section Fore Street
- P20. Section Along Waterfront
- P21. Section Through Dev Block 4
- P22. Section Through Dev Block 1
- P23. Section Through Project Site
- P24. Fore Street Section Aerial

H. Easements and Other Burdens	Plan
I. Waiver Requests	P25 Rendering View Key
J. Evidence of Financial and Technical Capacity	P26 Rendering 1
K. Conceptual Site Plan	P27 Rendering 2
L. Stormwater Management	P28 Rendering 3
M. Traffic Analysis	P29 Rendering 4
N. Utilities Analysis	P30 Rendering 5
O. Boundary Survey	P31 Rendering 6
P. Site Law Determination Letter	P32 Rendering 7
Q. Neighborhood Meeting Invitation	P33 Rendering 8
R. Trip Generation – Bay House Supplement	P34 Rendering 9
	P35 Rendering 10
	P36 Rendering 11
	P37 Fore Street Marina
	P38 Average Grade
	Calculations Diagram
	P39 Historic District Boundary

jt2 portland me <joantwin2jean@gmail.com>
to planningboard@portlandmaine.gov

Dec 8, 2022, 6:22:04 PM (16 hours ago)

Oh my fmg god! Not more people on the prom! 700 parking spaces and fmg expensive 401 condos. We have had enough! Stop it! It's bad enough you ruined 218 Washington ave with an ugly condo box. I am a senior citizen who lived at eastern prom for 30 years. You have ruined it with developers! Greedy fmg bastards.

Denise Preisser <depreisser@hotmail.com>

Dec 10, 2022, 9:36:22 AM (yesterday)

to planningboard@portlandmaine.gov

Greetings,

I received a card in the mail in regards to site plan submission. I am very concerned about a wall of buildings between Waterville and St. Lawrence and St. Lawrence and Atlantic.

The original design had 5 view corridors for walkers to enjoy up and down Fore Street. The new design on the white model has built a wall of dwellings with only 3 openings at the street intersections. I do think the design would be more neighborhood walking friendly for Munjoy Hill residents and visitors of the original plan of 5 openings was used, in addition to, create some mini park outcrops with benches tucked in on the Fore Street hill for pedestrians to have a relaxing view spot.

I am also concerned with that wall of dwellings causing a lack of sunlight hours on Fore Street in winter. Very steep hill and sunlight does wonders melting snow. The street with those dwellings would lose 2 hours of morning sunlight in winter.

I hope you continue to work on creating a nice Munjoy Hill neighborhood vibe, rather than a wall between the neighborhood and water. The original design, created space rather than Building the Wall.

Best Regards,

Denise Preisser





Susan Green' via Planning Board

to planningboard, Susan

Hello:

I am a resident of The Portland House at 45 Eastern Promenade in Portland and am very interested in the proposed development of the parcel immediately adjacent to our property on the Old Port side.

I tried to find more information using the plan number referenced above, however, was unable to locate any summary or drawings of the proposal on the Citizen's Self Service Portal.

We are particularly interested in seeing elevations of the the new proposed condominium development adjacent to The Portland House. What would be helpful is an elevation showing how tall the new condominium will be in relation to the Portland House, including any structures to be located on the roof, such as antennas, HVAC structures, elevator vestibules, etc. We are very concerned about the views from our building, which has been there since about 1969, being blocked by the new condominium. That would destroy the property values of the units that lose their views.

Hoping someone in your department can help by forwarding the requested elevations and also floor plans. If the developer has not provided such elevations, they must be required to do so.

Thank you very much for any help you can provide.

Best regards,

Susan Green

45 Eastern Promenade
Apt. 6FG
Portland, ME 04101



Sandra L. Guay
Partner
sguay@archipelagolaw.com

1 Dana Street
Portland, Maine 04101
(207) 558-0102

December 28, 2022

Via Email:

Portland Planning Board
Maggie Stanley, Chair
C/O Kevin Kraft, Deputy Director
City of Portland Planning & Urban Development
389 Congress Street
Portland, ME 04101
kkraft@portlandmaine.gov

Re: Portland Foreside Development Company
58 Fore Street/Mixed Use of Blocks 4 and 6
Major Site Plan Review Application

Dear Madam Chair and Board Members:

This firm represents John Roger Trettel, the owner of property located at 5 Eastern Promenade, and a direct abutter to the 58 Fore Street Master Development Plan project. Mr. Trettel objects to the recent Portland Foreside Development Company application (“Application”) for the mixed use of Blocks 4 and 6 for multiple inconsistencies with the City of Portland code. While we represent Mr. Trettel only in this matter, be advised that the undersigned has heard from others in the community who express similar concerns. In the interest of brevity, this letter focuses on several of the more egregious inconsistencies, each of which are grounds for termination of Planning review, as presented below.

I. The Master Development Plan Approval Has Expired.

First and foremost, there is at present no valid Master Development Plan (“MDP”) approval for 58 Fore Street and any current applications must therefore be reviewed as non-MDP related Major Site Plan developments pursuant to the 2022 Land Use Ordinance.

On December 20, 2016, the Portland Planning Board granted approval of a Master Development Plan for a mixed-use development on approximately 10 acres of land at 58 Fore Street. As an integral part of that approval, Standard Conditions of Approval & Requirements, Section 3, “Master Development Plan Expiration” states that:

An approved master development plan shall expire six (6) years from the date of approval unless, prior to the expiration of the master development plan, a written

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request for an extension is submitted to the Planning Authority. Only two (2) such extensions may be granted by the Planning Authority, and each such extension shall be limited to two (2) years from the date of expiration of the master development plan. The Planning Authority may grant an extension provided there have not been substantial changes to the underlying zoning or site plan standards since the date of the master plan development plan approval that would have a substantial impact on approval. The Planning Authority may condition the extension on an amendment of the master development plan to comply with such applicable ordinance or site plan standard changes per section 14-532(d) of the city's land use ordinance. Approved major or minor amendments to a master development plan do not alter the expiration date for the master development plan.

The Section 3 MDP Condition language is also found in Section 14-532(d) of the Portland Land Use Ordinance, Expiration of Master Development Plan, effective on the date of the 2016 MDP approval.

There is no evidence that the applicant has ever submitted a written request for any extension to the 2016 MDP, and furthermore no evidence that the Planning Authority has ever made a determination in response to such a request that there have been no substantial changes to the underlying zoning or site plan standards (which would include, at a minimum the City's recent Inclusionary Zoning requirements). As such, that approval has now expired and there can be no further reviews undertaken or permits issued under the terms or conditions of that 2016 MDP approval. Any further site plan approvals must be subject to the Major Site Plan standards and requirements as found in the 2022 Land Use Ordinance.

II. The Proposed Development is Outside of the Master Development Plan Boundary.

The proposed site plan for Block 6 includes portions of three parcels of land, identified as 13-23 Eastern Promenade, which were purchased by the developer on December 28, 2021, a full 5 years after the MDP was approved and potentially adding up to 33,323 square feet to the project. Furthermore, these appended properties are not located in the B-6 zone, but rather in the R-6 zone and in the Munjoy Hill Neighborhood Conservation Overlay District and therefore subject to different and enhanced ordinance standards and regulations.

The 2016 Land Use Ordinance only provides a methodology for the Planning Authority to permit *minor* amendments to still effective Master Development Plans, and then only upon written application and explanation of the changes by the applicant. (14-532(b)(1)(a)). A minor amendment is defined as one that is generally consistent with the approved MDP layout of buildings, circulation infrastructure, and open spaces and: (i) does not propose a new general type of use; (ii) does not increase building ground coverage, floor area ratio or residential density; (iii) does not decrease any specified area regulations or enumerated parking rations; and (iv) does not

substantially change access, circulation, or infrastructure adjacent to the site. The application does not describe a minor amendment.

Neither the 2016 Land Use Ordinance, nor the 2016 MDP, provide *any* avenue for a major, substantive amendment to an MDP (such as expansion of the boundaries of the original MDP by the addition of new land located in a different zone); if permitted, presumably it would require a complete application, public hearings and Planning Board approval. Furthermore, any such consideration of a major amendment to expand the previously approved land area of a MDP must be in compliance with current zoning standards and requirements.

III. The Proposed Development Exceeds Height Restrictions on Numerous Grounds

The proposed site plan does not comply with height restrictions on numerous, interrelated and various grounds. The Code defines “height” as the “vertical measurement from grade” to the highest point of the roof or structure.¹ “Grade” is not defined, although throughout the Code, there are multiple indications that creative design and use of topography is not a permissible end run around height regulations.² There is nothing in the Code that codifies “average development grade” as the lawful beginning point for measuring height.³

No final building plans were submitted or approved as part of the MDP in 2016, and the Planning Board’s review and approvals were clear that compliance with applicable height standards for the B-6 Overlay would be undertaken on an individual, envelope-by-envelope basis at the time of the final site plan application.

The B-6 Building Height Overlay imposes height restrictions of 45 feet, with extensions up to 55 or 65 feet (as in another 10 or 20 feet) across the distinct building envelope areas. The B-6 Height Overlay prohibits buildings that exceed 65 feet in height. As depicted in the Master Plan renderings, “grade” of the site (in particular development Blocks 4, 5, and 6) show the existing grade as at or around approximately 12’ above sea level, with sharp increases in topography closer and up to Fore Street. The Portland Company property has long existed as a developed site and there is a defined existing, developed grade.⁴ At a minimum, it is from the existing site grade that

¹ This definition is more or less consistent in the 2014 City Land Use Code (as amended 2016) and the current 2022 Code.

² For example, the definition of “story” states in relevant part, “A basement shall be counted as a story for the purpose of height measurement where more than one-half of its height is above the average level of the adjoining ground.” Portland, Me. Code, Sec. 14-47 (2016).

³ Assuming that the Code effective in 2016 applies, there are only a handful of references therein to “average grade,” none of which apply to the B-6 Height Overlay. This strongly suggests that the drafters of the Code did not intend for “average grade” to control in analyzing the B-6 Height Overlay.

⁴ The unique topography of the Eastern Prom in this area, with 88’ of topography change from the shore up to Fore Street, has long been a known consideration of City planning and policy. *See, e.g.,* Design

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the B-6 Overlay for height must be calculated. These are the existing conditions; the applicant (as explained further below) cannot manipulate the earth or the numbers in a manner that would render height restrictions meaningless. The proposed plans submitted depicted buildings that stand up to 115 feet, more than double the 45' height restriction (and well beyond the contemplated extensions), well beyond and clearly contrary to the height restrictions for the B-6 Overlay.

Ordinances must be interpreted with common sense to avoid absurd or inconsistent results. *See Fryeburg Tr. v. Town of Fryeburg*, 2016 ME 174, ¶ 9, 151 A.3d 933 ("[W]e may reject any construction [of an ordinance] that . . . creates absurd, illogical, unreasonable, inconsistent, or anomalous results if an alternative interpretation avoids such results." (citation and quotation marks omitted)). A Planning Board interpretation of the height restrictions and calculations that would permit buildings standing 110' in a zone where buildings over 65' are prohibited is an absurd and unreasonable result.

The City cannot allow a methodology for defining "grade" and measuring heights that renders height restrictions meaningless. Moreover, the Planning Board has no authority to amend the height restrictions through manipulation of the grade calculation in an adjudicatory role; the substantive determination for height standards and restrictions has been made by the legislative authority and can only be changed by the legislative arm of City government, the City Council.

A. The use of the "pedestal" or "podium" parking garage to elevate the development is a creative, but unlawful, end run around the clear intent of the B-6 Overlay to restrict heights and contain each building/structure within defined envelopes.

To maximize purported "average grade" of the site, the developer proposes a massive parking structure that straddles a significant footprint of the site. The parking structure is presented as a "pedestal" or "podium" parking garage that spans across multiple building envelopes as depicted on the B-6 Overlay map. This is contrary to the B-6 Overlay, which requires that each proposed building stay within each of the contemplated building envelopes. This makes sense because the height restrictions are keyed to the building envelopes, which vary across portions of the site. The proposal then assumes that the constructed garage structure will constitute one structure that already has a height of 50.1', which is then proposed as the starting point for calculating building height. This method uses purported "grade" (which is really the height of the garage structure) as a springboard to launch the heights of the buildings over 100 feet where the height restrictions would call for buildings half as tall. This is clearly contrary to the letter and intent of the Code and the B-6 Overlay.

Guidelines, Master Plan for Redevelopment of the Eastern Waterfront. The site's topography has never been considered a means to artificially remold the promenade and peninsula to suit developer ambitions contrary to height restrictions.

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B. The assumed average grade of the site of ~50 feet is wrong.

The City and applicant has calculated average grade for Blocks 4, 5, and 6 at 50.1 feet. “Average finished grade” is not a lawful land use standard and is contrary to industry standards for professionals. This assumption is using a simplistic, misleading, and flawed methodology that would not be used by a licensed professional engineer or land surveyor for determining cut and fill calculations and ultimate finished grade of a building site. Even taking the unlawful “average finished grade” as an appropriate legal or professional standard for purposes of argument, the calculation of 50.1 is wrong. In fact, average elevation across the area calculates to around 36 feet, even if consolidating the grade outside the defined building envelopes rather than analyzing each building/structure as required by the Code and B-6 Overlay.

C. The Master Development Plan is inconsistent with the City’s Comprehensive Plan and Other Binding Regulatory Documents

Even if the Master Development Plan approval had not expired, and the methodology for calculating grade and height is somehow lawful and preserved by the 2016 approvals, those approvals are void and invalid for inconsistency with the City’s Comprehensive Plan, in particular the Eastern Waterfront Master Plan, the Eastern Waterfront Building Height Study, which called for height calculations to be measured from 2’ above floodplain, not developed grade, and specifically limited the number of stories and elevations of structure to not exceed the grade of Fore Street.⁵ The proposal is also not consistent with the Portland Company Historic District, for among other reasons, the proposed buildings and structures would obscure views various perspectives, including from the water, looking back towards the peninsula. The massive heights of the buildings would also obscure views to and from the Munjoy Hill Historic District. On the face of the application and plans, the proposed structures are inconsistent with the letter and intent of the Master Plan, Ordinance, and Comprehensive Plan.

IV. The Application is Not Complete.

Despite the Workflow notation on the CSS online portal showing that the Major Site Development Plan Application is complete in fact it is not and consequently, there should be no further review of the application. As just one example of incompleteness, the application notes that various easements are required for the project. At the December 20, 2022 Neighborhood Meeting, it was identified that an additional easement would be required from an abutter, the Portland House Condominium Association.

⁵ The Eastern Waterfront Building Height Study (September 2004) (“Study”), adopted into the E. Waterfront Master Plan and the City’s Comprehensive Plan as it existed in 2015, formed the foundation and basis for the B-6 Height Overlay. In the area of the proposed new development, any building over four stories (one story is defined as 11 feet) has “has a maximum 70’ width parallel with the shore and a maximum 140’ length perpendicular to the shore.” Per the Study, the maximum total number of stories permitted in this area of the B-6 Overlay is 5 to 6 floors.

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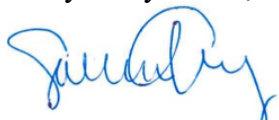
The 2016 MDP *requires* that “[a]ll documentation of Right, Title and Interest on property pending acquisition [including easements] *shall* be included with application materials prior to any review of Level III Site Plan and/or Subdivision plan application.” Sufficient evidence of an applicant’s right, title, and interest is a threshold requirement for an applicant seeking land use development approval in order to establish the legal authority to utilize the permits in the manner proposed. Clearly, the project cannot be constructed as proposed without these easements first being obtained. The easement documents are therefore critical evidence of right, title and interest as required in the MDP, in Sections 14-527(c)(4) and (d)(9) in the 2016 Ordinance and in the current Major Site Plan General Document and Drawings Checklist, and the application cannot be deemed complete without them.

Yet another example of how the application is incomplete is that the plan provides only a vague idea for a critical retaining wall along Fore Street bordering Lot 4 and on the westerly and northerly side of Block 6 of the project, while noting that “[p]roject construction may require installation of tiebacks into property on adjacent land, including City land.”⁶ The Applicant has submitted no easements from private property owners or the City to allow for these tiebacks and no discernable design or engineering plan for the retaining wall. There is no indication of any alternate means of anchoring, or how the retaining wall will effectively retain the steep slope behind it. There is also no discussion about how this structure, which appears to be located directly abutting the Trettel property, meets setback requirements. Again, this is critical information that could alter the Board’s review and that was not provided in the Application.

Beyond the issue of an incomplete application, the Applicant is utilizing valuable Planning Board time and resources to review a project that may need to be amended or ultimately be unbuildable because agreements for these easements cannot be reached.

We appreciate the Planning Board’s evaluation of these points and look forward to a robust discussion at any scheduled meeting where the Portland Foreside Development Company, 58 Fore Street/Mixed Use of Blocks 4 and 6 Major Site Plan Review Application will be discussed and we ask to be added to the list of interested parties who will receive notice of any such meetings.

Very Truly Yours,



SANDRA L. GUAY

SLG/lb
Copy to:

Roger Trettel

⁶ There is also no information on how this project may impact the historic Fore Street seawall.

Updated **November 22, 2022**

The following drawings have been uploaded to Eplan:

- Overall Site:
 - Boundary Survey for 58 Fore Street Property
 - Boundary Survey for 13-23 Eastern Promenade Property
 - Subdivision Plat – DRAFT Amendment
 - Overall Site Plan
 - Interim Conditions Plan
- Block 4:
 - Civil General Notes and Legend
 - Civil Existing Conditions Plan
 - Civil Demolition Plan
 - Civil Site Plan
 - Civil Grading and Drainage Plan
 - Civil Utility Plan
 - Civil Thames Street Profile
 - Civil Pipe and Structure Tables
 - Civil Details 1
 - Civil Details 2
 - Civil Details 3
 - Civil Details 4
 - Civil Details 5
 - Civil Details 6
 - Civil Details 7
 - Landscape Layout and Materials Plan Courtyard
 - Landscape Layout and Materials Plan Thames St
 - Landscape Planting Plan
 - Elevations Courtyard
 - Elevation North
 - Elevation South
 - Elevations East & West
 - Floor Plan Areas
 - Floor Plan Level 1
 - Floor Plan Level 2
 - Floor Plan Level 3
 - Floor Plan Level 4
 - Floor Plan Level 5
 - Floor Plan Level 6
 - Floor Plan Level 7
 - Floor Plan Level 8
 - Floor Plan Level 9
 - Floor Plan Roof
 - Parking Plan Level 1
 - Parking Plan Level 2
 - Parking Plan Level 3
 - Parking Plan Level 4

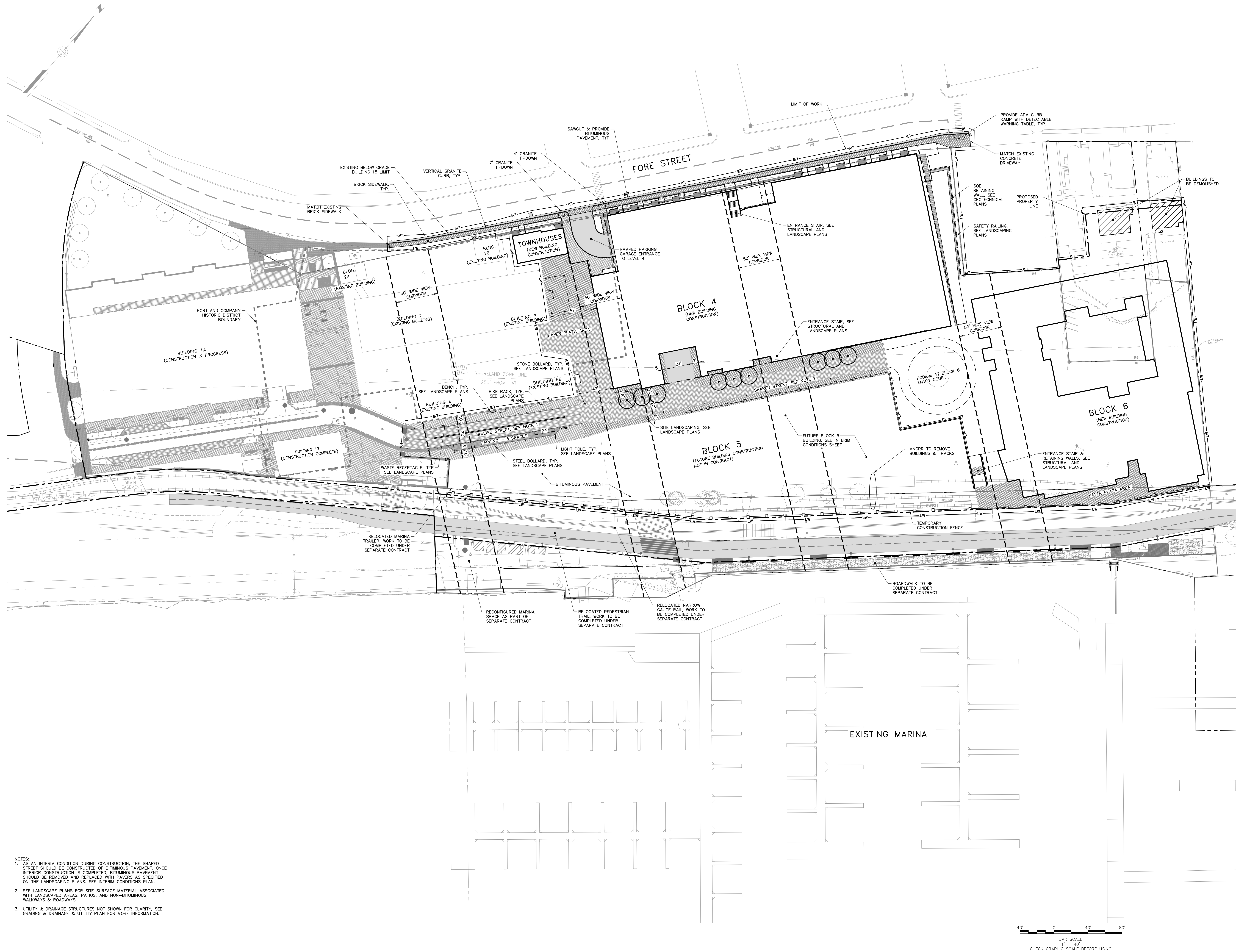
- Block 6:
 - Civil General Notes and Legend
 - Civil Existing Conditions Plan
 - Civil Demolition Plan
 - Civil Site Plan
 - Civil Grading and Drainage Plan
 - Civil Utility Plan
 - Civil Details 1
 - Civil Details 2
 - Civil Details 3
 - Civil Details 4
 - Landscape Layout and Materials Plan Level 1
 - Landscape Layout and Materials Plan Level 2
 - Landscape Layout and Materials Plan Level 2 Courtyards
 - Landscape Layout and Materials Plan Level 7 Terrace
 - Landscape Planting Reference Plan
 - Landscape Planting Detail Plans
 - Landscape Courtyard Sections and Elevations
 - Landscape Site Details
 - Landscape Site Furnishing Details
 - Landscape Rooftop Courtyard Details
 - Landscape Planting Details
 - Elevations East & North
 - Elevations West & South
 - Floor Plan Level 1
 - Floor Plan Level 2
 - Floor Plan Level 3
 - Floor Plan Level 4
 - Floor Plan Level 5
 - Floor Plan Level 6
 - Floor Plan Level 7
 - Floor Plan Level 8
 - Floor Plan Level 9
 - Floor Plan Level 10
 - Parking Plan Level 1



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- NOTES:**
1. AS AN INTERIM CONDITION DURING CONSTRUCTION, THE SHARED STREET SHOULD BE CONSTRUCTED OF BITUMINOUS PAVEMENT. ONCE INTERIOR CONSTRUCTION IS COMPLETED, BITUMINOUS PAVEMENT SHOULD BE REMOVED AND REPLACED WITH PAVERS AS SPECIFIED ON THE LANDSCAPING PLANS. SEE INTERIM CONDITIONS PLAN.
 2. SEE LANDSCAPE PLANS FOR SITE SURFACE MATERIAL ASSOCIATED WITH LANDSCAPED AREAS, PATIOS, AND NON-BITUMINOUS WALKWAYS & ROADWAYS.
 3. UTILITY & DRAINAGE STRUCTURES NOT SHOWN FOR CLARITY. SEE GRADING & DRAINAGE & UTILITY PLAN FOR MORE INFORMATION.

PE SEAL:



NOT FOR CONSTRUCTION

CLIENT INFO:

PORTLAND FORESIDE
DEVELOPMENT COMPANY
PORTLAND, MAINE

BLOCK 4 - HARBOR HILL
BLOCK 6 - CHANNEL MARK

REV (MM/DD/YY) DESCRIPTION

JOB NO:	227007
DATE:	SEPTEMBER 2022
SCALE:	1"=40'
DESIGNED BY:	LJS/BCM
DRAWN BY:	BCM
CHECKED BY:	LJS
FILENAME:	OVERALL SITE PLAN.dwg

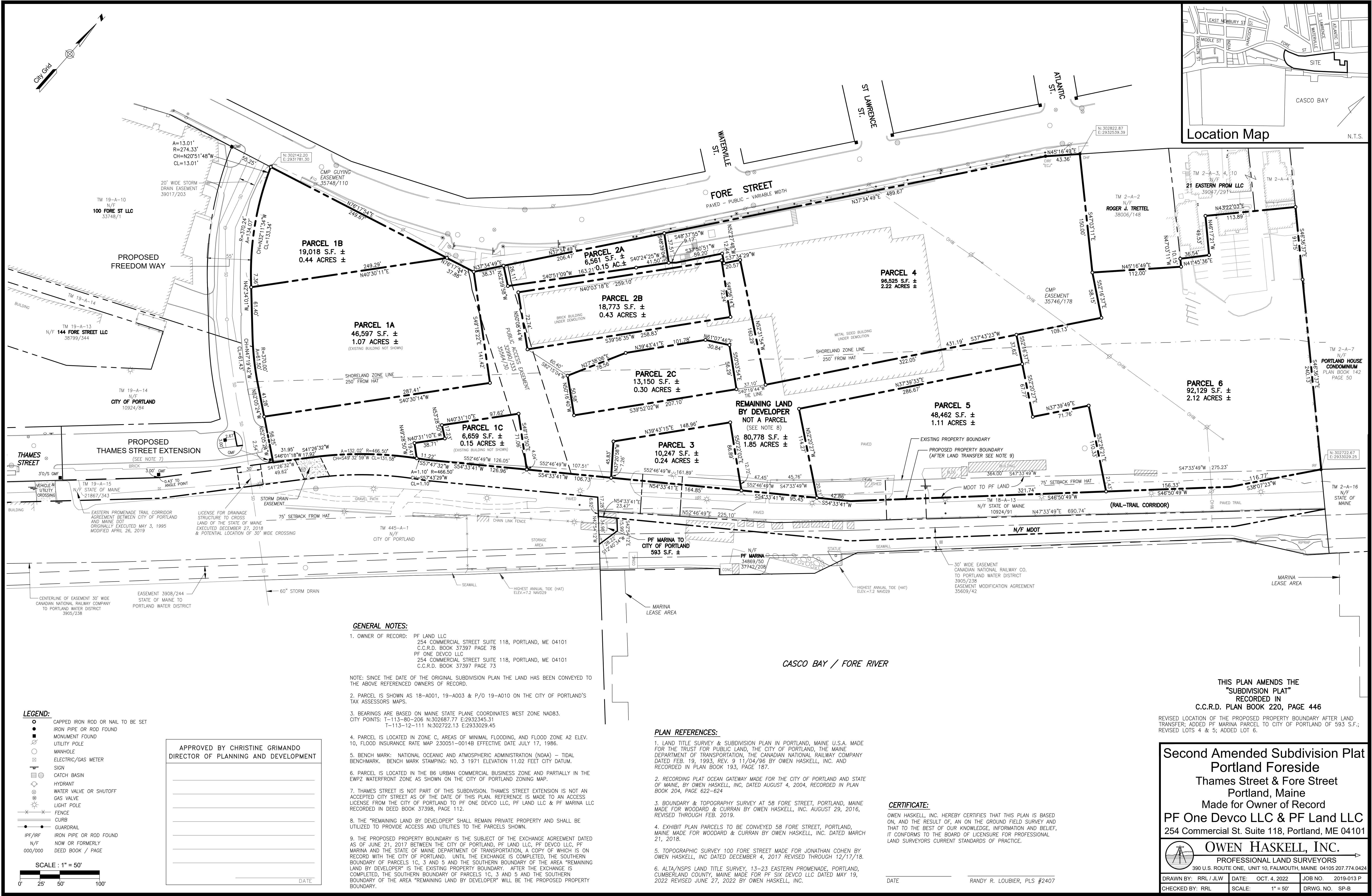
DRAWING TITLE:

**CIVIL
OVERALL SITE PLAN**

DRAWING NO:

C-1

SHEET: 1 OF 1



GENERAL NOTES:

- OWNER OF RECORD: PF LAND LLC
254 COMMERCIAL STREET SUITE 118, PORTLAND, ME 04101
C.C.R.D. BOOK 37397 PAGE 78
PF ONE DEVCO LLC
254 COMMERCIAL STREET SUITE 118, PORTLAND, ME 04101
C.C.R.D. BOOK 37397 PAGE 73
- PARCEL IS SHOWN AS 18-A001, 19-A003 & P/O 19-A010 ON THE CITY OF PORTLAND'S TAX ASSESSORS MAPS.
- BEARINGS ARE BASED ON MAINE STATE PLANE COORDINATES WEST ZONE NAD83.
CITY POINTS: T-113-80-206 N:302687.77 E:2932345.31
T-113-12-111 N:302722.13 E:2933029.45
- PARCEL IS LOCATED IN ZONE C, AREAS OF MINIMAL FLOODING, AND FLOOD ZONE A2 ELEV. 10, FLOOD INSURANCE RATE MAP 230051-0014B EFFECTIVE DATE JULY 17, 1986.
- BENCH MARK: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) - TIDAL BENCHMARK. BENCH MARK STAMPING: NO. 3 1971 ELEVATION 11.02 FEET CITY DATUM.
- PARCEL IS LOCATED IN THE B6 URBAN COMMERCIAL BUSINESS ZONE AND PARTIALLY IN THE EWPZ WATERFRONT ZONE AS SHOWN ON THE CITY OF PORTLAND ZONING MAP.
- THAMES STREET IS NOT PART OF THIS SUBDIVISION. THAMES STREET EXTENSION IS NOT AN ACCEPTED CITY STREET AS OF THE DATE OF THIS PLAN. REFERENCE IS MADE TO AN ACCESS LICENSE FROM THE CITY OF PORTLAND TO PF ONE DEVCO LLC, PF LAND LLC & PF MARINA LLC RECORDED IN DEED BOOK 37398, PAGE 112.
- THE "REMAINING LAND BY DEVELOPER" SHALL REMAIN PRIVATE PROPERTY AND SHALL BE UTILIZED TO PROVIDE ACCESS AND UTILITIES TO THE PARCELS SHOWN.
- THE PROPOSED PROPERTY BOUNDARY IS THE SUBJECT OF THE EXCHANGE AGREEMENT DATED AS OF JUNE 21, 2017 BETWEEN THE CITY OF PORTLAND, PF LAND LLC, PF DEVCO LLC, PF MARINA AND THE STATE OF MAINE DEPARTMENT OF TRANSPORTATION. A COPY OF WHICH IS ON RECORD WITH THE CITY OF PORTLAND. UNTIL THE EXCHANGE IS COMPLETED, THE SOUTHERN BOUNDARY OF PARCELS 1C, 3 AND 5 AND THE SOUTHERN BOUNDARY OF THE AREA "REMAINING LAND BY DEVELOPER" IS THE EXISTING PROPERTY BOUNDARY. AFTER THE EXCHANGE IS COMPLETED, THE SOUTHERN BOUNDARY OF PARCELS 1C, 3 AND 5 AND THE SOUTHERN BOUNDARY OF THE AREA "REMAINING LAND BY DEVELOPER" WILL BE THE PROPOSED PROPERTY BOUNDARY.

PLAN REFERENCES:

- LAND TITLE SURVEY & SUBDIVISION PLAN IN PORTLAND, MAINE U.S.A. MADE FOR THE TRUST FOR PUBLIC LAND, THE CITY OF PORTLAND, THE MAINE DEPARTMENT OF TRANSPORTATION, THE CANADIAN NATIONAL RAILWAY COMPANY DATED FEB. 19, 1993, REV. 9/11/04/96 BY OWEN HASKELL, INC. AND RECORDED IN PLAN BOOK 193, PAGE 187.
- RECORDING PLAT OCEAN GATEWAY MADE FOR THE CITY OF PORTLAND AND STATE OF MAINE, BY OWEN HASKELL, INC. DATED AUGUST 4, 2004, RECORDED IN PLAN BOOK 204, PAGE 622-624
- BOUNDARY & TOPOGRAPHY SURVEY AT 58 FORE STREET, PORTLAND, MAINE MADE FOR WOODARD & CURRAN BY OWEN HASKELL, INC. AUGUST 29, 2016, REVISED THROUGH FEB. 2019.
- EXHIBIT PLAN PARCELS TO BE CONVEYED 58 FORE STREET, PORTLAND, MAINE MADE FOR WOODARD & CURRAN BY OWEN HASKELL, INC. DATED MARCH 21, 2018.
- TOPOGRAPHIC SURVEY 100 FORE STREET MADE FOR JONATHAN COHEN BY OWEN HASKELL, INC. DATED DECEMBER 4, 2017 REVISED THROUGH 12/17/18.
- ALTA/NPS LAND TITLE SURVEY, 13-23 EASTERN PROMENADE, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR PF SIX DEVCO LLC DATED MAY 19, 2022 REVISED JUNE 27, 2022 BY OWEN HASKELL, INC.

CERTIFICATE:

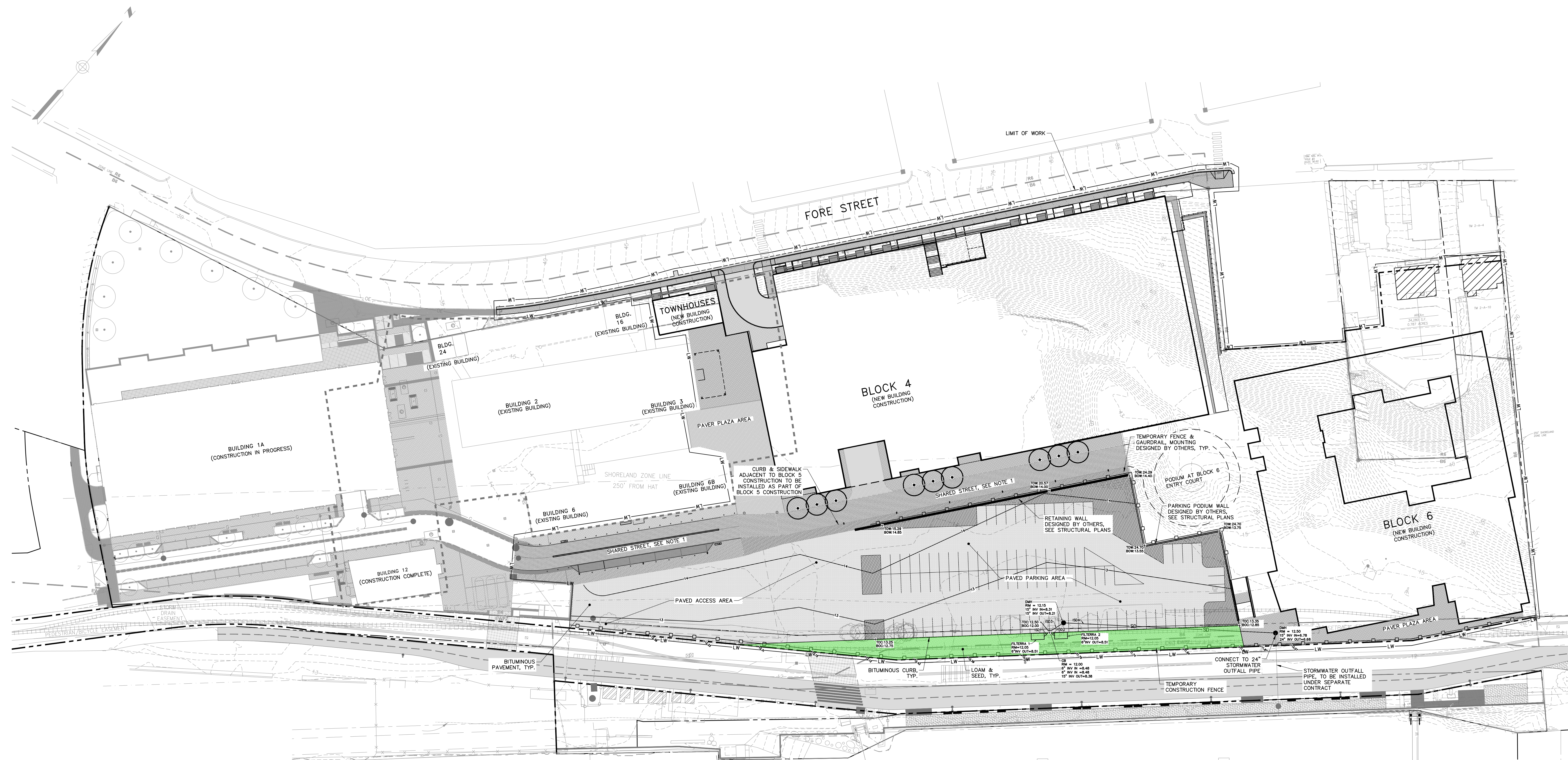
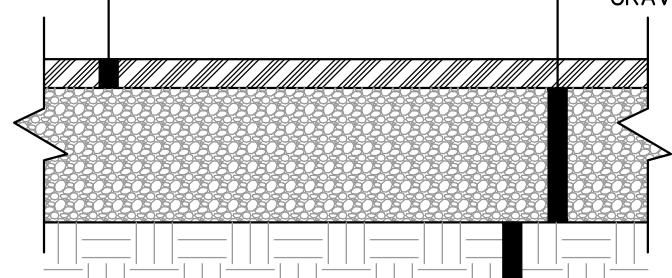
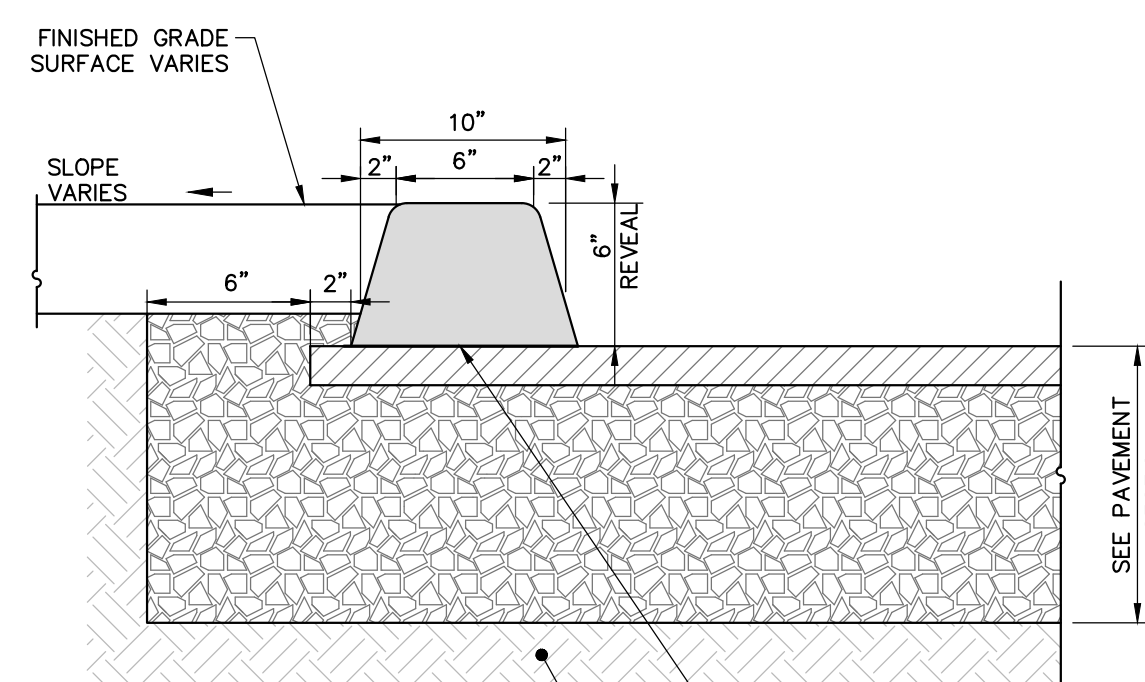
OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

THIS PLAN AMENDS THE
"SUBDIVISION PLAT"
RECORDED IN
C.C.R.D. PLAN BOOK 220, PAGE 446

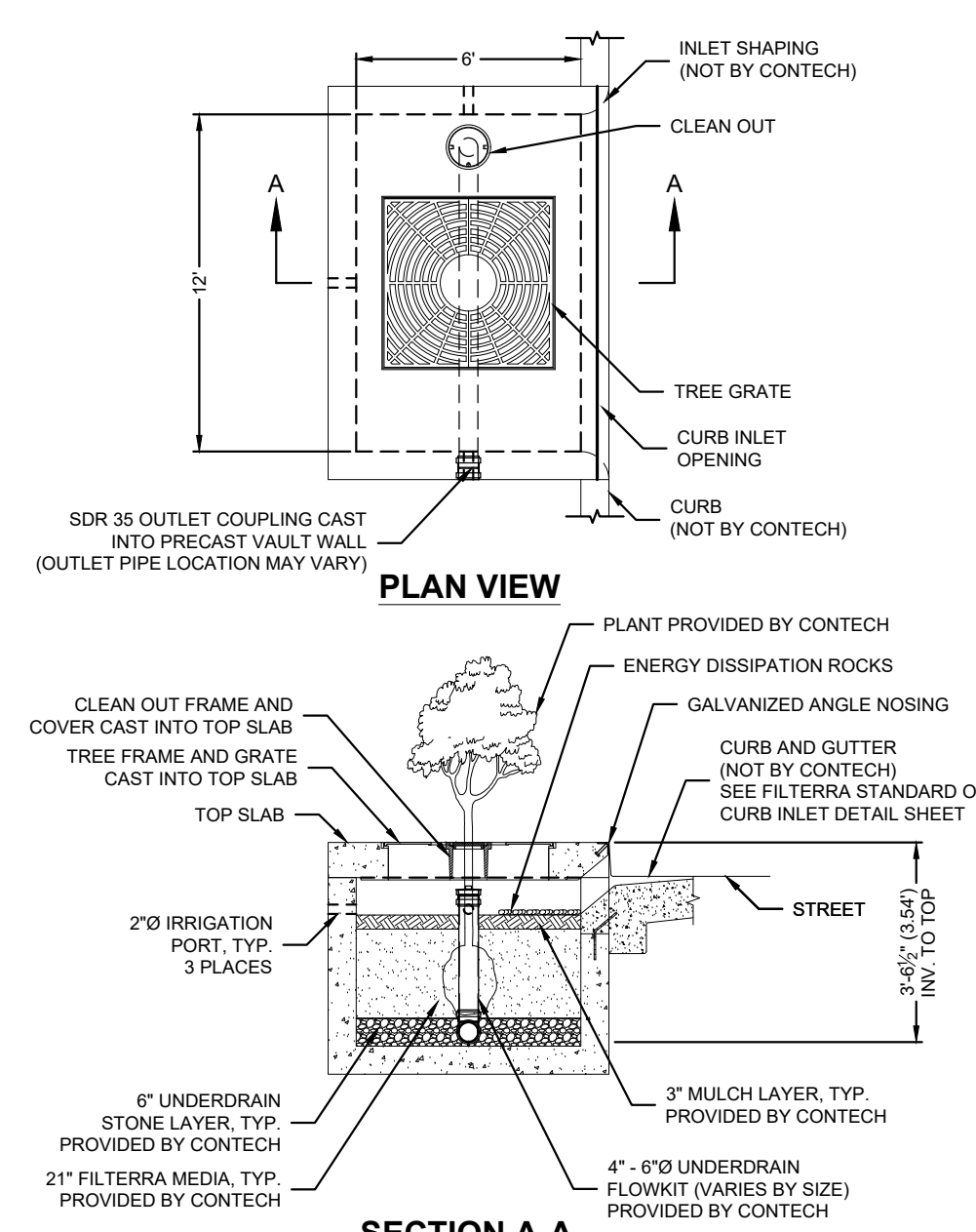
REVISED LOCATION OF THE PROPOSED PROPERTY BOUNDARY AFTER LAND TRANSFER; ADDED PF MARINA PARCEL TO CITY OF PORTLAND OF 593 S.F.; REVISED LOTS 4 & 5; ADDED LOT 6.

Second Amended Subdivision Plat
Portland Foreside
Thames Street & Fore Street
Portland, Maine
Made for Owner of Record
PF One Devco LLC & PF Land LLC
254 Commercial St. Suite 118, Portland, ME 04101

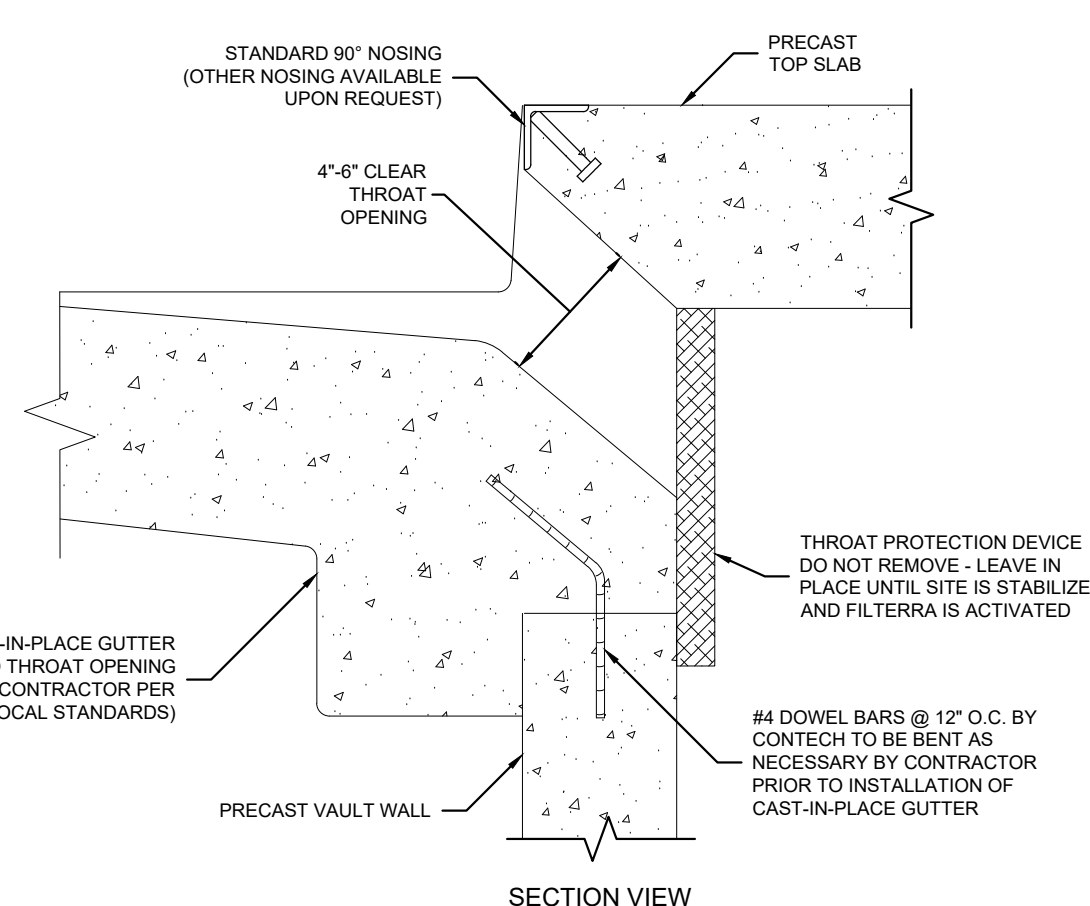
OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 U.S. ROUTE ONE, UNIT 10, FALMOUTH, MAINE 04105 207.774.0424
DRAWN BY: RRL/JLW DATE: OCT. 4, 2022 JOB NO. 2019-013 P
CHECKED BY: RRL SCALE: 1" = 50' DRWG. NO. SP-B

**Woodard
& Curran**41 Huxtons Drive
Portland, Maine 04103
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WOODARD & CURRAN AND ITS CLIENT.
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WRITTEN PERMISSION IS PROHIBITED.2" HOT BITUMINOUS
PAVEMENT, 19MM HMAAGGREGATE SUBBASE COURSE, TYPE "B"
GRAVEL, DEPTH VARIES, MIN 3" OVER EXISTING
GRAVEL SURFACES TO MEET PROPOSED GRADES**TEMPORARY PAVEMENT SECTION**
NOT TO SCALE**BITUMINOUS CURB**
NOT TO SCALE**NOTES:**

1. CURB MOLD 2 WILL BE USED IN ALL SITUATIONS EXCEPT WHERE THE CURB FORMS THE EDGE OF THE SIDEWALK. MOLD 1 SHALL BE USED IN CONJUNCTION WITH SIDEWALKS OR WHERE THERE IS A POTENTIAL FOR SIDEWALKS.

**SECTION A-A****FT LONG SIDE INLET CONFIGURATION**

DESIGNATION	AVAILABILITY	MEDIA BAY SIZE	VAULT SIZE (L x W)	OUTLET PIPE DIA	TREE GRATE QTY & SIZE
FT1206	ALL	12 x 6	12 x 6	6" SDR 35	(2) 4' x 4'

FILTERRA UNIT
NOT TO SCALE**STANDARD THROAT OPENING**

EXISTING MARINA

INTERIM STORMDRAIN PIPE TABLE

PIPE NAME	SIZE	LENGTH	SLOPE
ISD1	6" SD	6'	S=0.005
ISD2	6" SD	6'	S=0.005
ISD3	15" SD	15'	S=0.005
ISD4	15" SD	196'	S=0.007

NOTES:

1. AS AN INTERIM CONDITION DURING CONSTRUCTION, THE SHARED STREET SHOULD BE CONSTRUCTED OF BITUMINOUS PAVEMENT. ONCE INTERIOR CONSTRUCTION IS COMPLETED, BITUMINOUS PAVEMENT SHOULD BE REMOVED AND REPLACED WITH PAVERS AS SPECIFIED ON THE LANDSCAPING PLANS.
2. INTERIM CONDITION CONSTRUCTION TO BE COORDINATED WITH TIMING OF FUTURE BLOCK 5 CONSTRUCTION. IF BLOCK 5 CONSTRUCTION TO BE STARTED DURING BLOCK 4 AND/OR 6 CONSTRUCTION, INTERIM CONDITION CONSTRUCTION NOT REQUIRED. CONTRACTOR TO BID INTERIM CONDITION AS ALTERNATE.



CHECK GRAPHIC SCALE BEFORE USING

PE SEAL:

**NOT FOR CONSTRUCTION**

CLIENT INFO:

PORTLAND FORESIDE
DEVELOPMENT COMPANY
PORTLAND, MAINEBLOCK 4 - HARBOR HILL
BLOCK 6 - CHANNEL MARK

REV (MM/DD/YY) DESCRIPTION

JOB NO: 227007

DATE: SEPTEMBER 2022

SCALE: 1"=40'

DESIGNED BY: LJS/BCM

DRAWN BY: BCM

CHECKED BY: LJS

FILENAME: OVERALL SITE PLAN.dwg

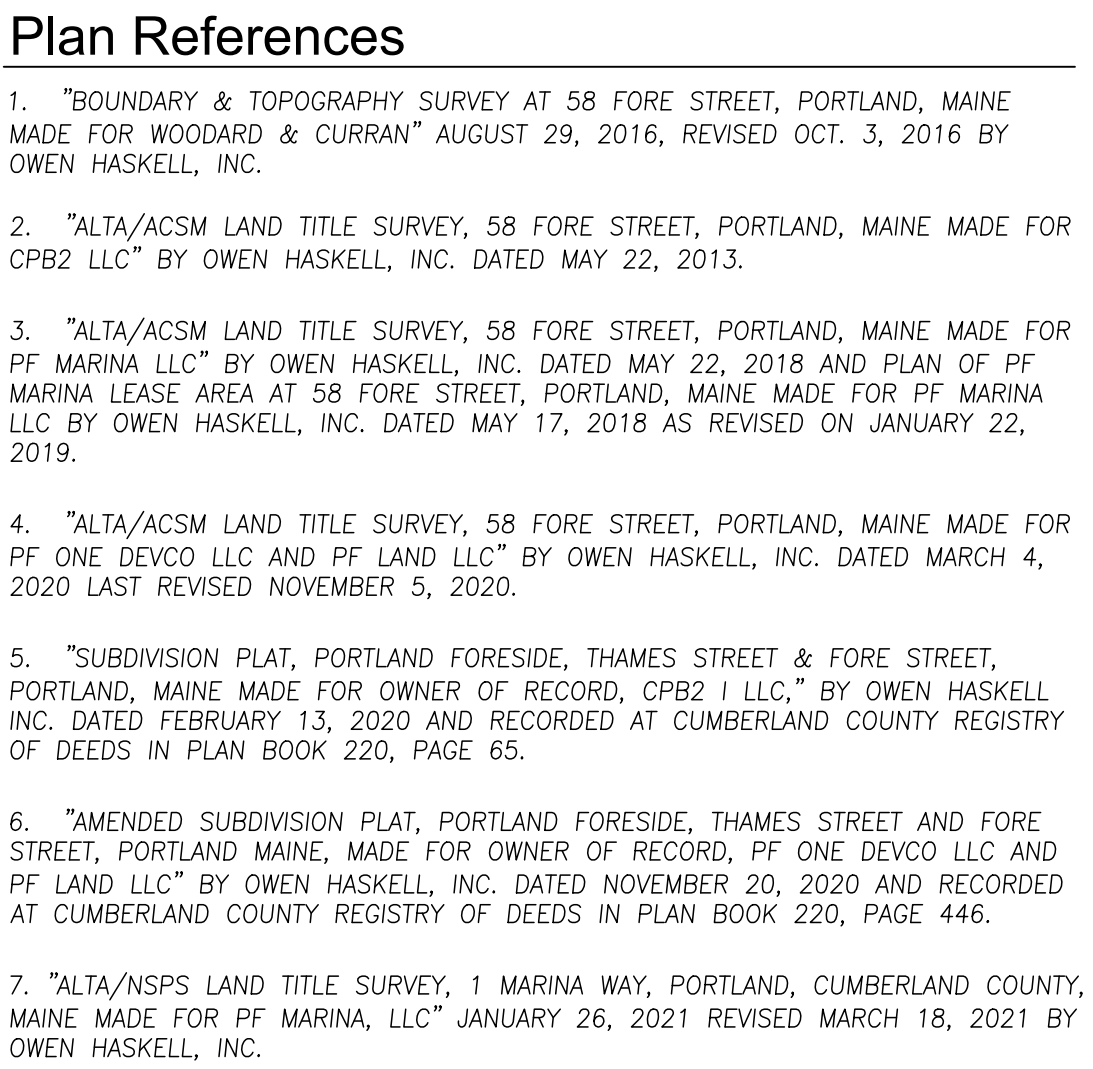
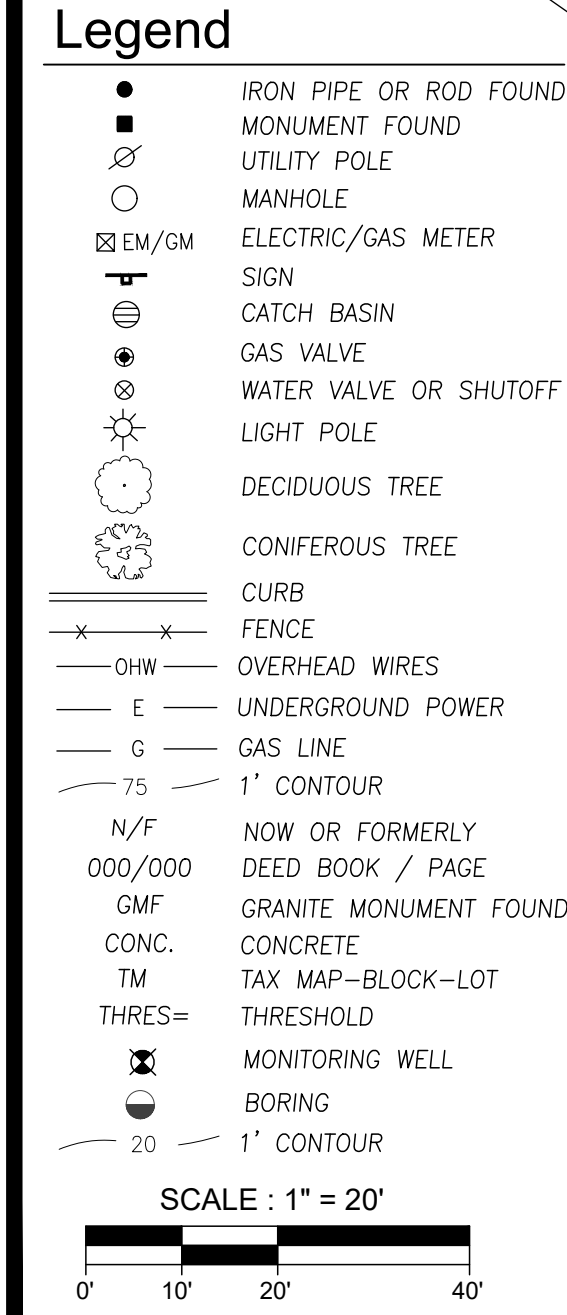
DRAWING TITLE:

CIVIL**INTERIM CONDITIONS PLAN**

DRAWING NO:

C-2

SHEET: 1 OF 1



Utility Note

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-686-5846 AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

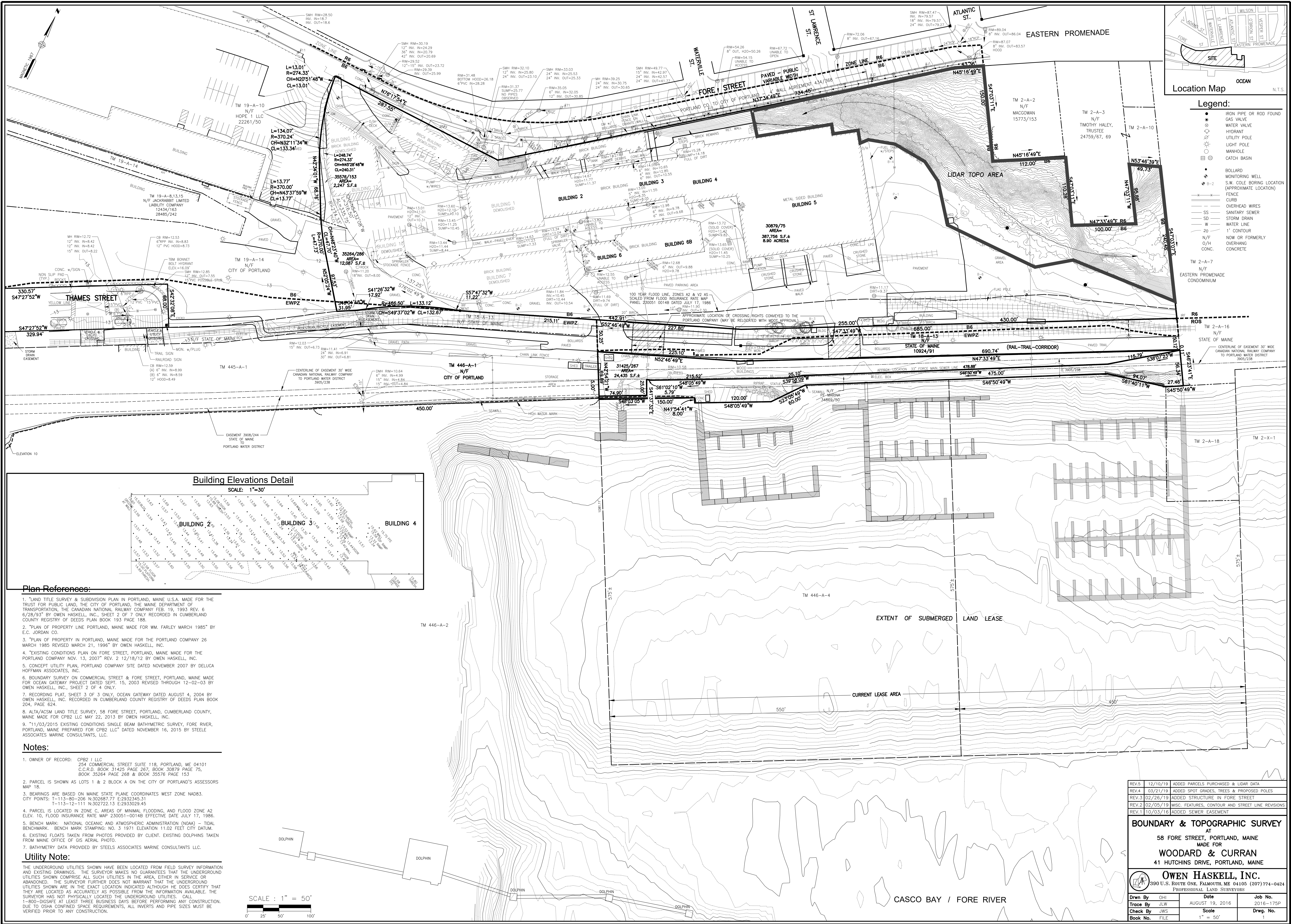
General Notes

1. OWNER OF RECORD: 21 EASTERN PROM LLC
254 COMMERCIAL STREET, PORTLAND, MAINE
CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 39047 PAGE 291
2. LOCUS IS SHOWN AS LOTS 3, 4 & 10 BLOCK A ON CITY OF PORTLAND'S ASSESSORS MAP 2.
3. BEARINGS ARE BASED ON MAINE STATE PLANE COORDINATES WEST ZONE NAD83.
CITY POINTS: T-113-80-206 N:3026877.7 E:2932345.31
T-113-12-111 N:3027222.13 E:2933029.45
4. THERE ARE 20 REGULAR PARKING SPACES ON SITE.
5. UTILITIES SHOWN ARE OBSERVED EVIDENCE ONLY.
6. ELEVATIONS ARE BASED ON CITY DATUM. BENCHMARK: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) - TIDAL BENCHMARK. BENCH MARK STAMPING: NO. 3 1971 ELEVATION 11.02, ALSO TBM 11, BOLT ON U.S.S. PORTLAND MEMORIAL - FORT ALLEN PARK TOPOGRAPHIC SURVEY BY CITY OF PORTLAND, ELEVATION 73.22. PER THE CITY OF PORTLAND THE CITY DATUM IS EQUAL TO +0.02 FEET ABOVE NGVD 29.

Topographic Survey
At
13-23 Eastern Promenade, Portland, Maine
Made for
PF Six Devco LLC
254 Commercial Street, Suite 18,
Portland, Maine

 **OWEN HASKELL, INC.** →
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL. 207-774-0424

DRAWN BY:	RS / JLW	DATE:	JUNE 27, 2022	JOB NO.	2022-042 P
CHECKED BY:	RRL	SCALE:	1" = 20'	DRWG. NO.	1-T



Plan References:

1. "LAND TITLE SURVEY & SUBDIVISION PLAN IN PORTLAND, MAINE U.S.A. MADE FOR THE TRUST FOR PUBLIC LAND, THE CITY OF PORTLAND, THE MAINE DEPARTMENT OF TRANSPORTATION, THE CANADIAN NATIONAL RAILWAY COMPANY FEB. 19, 1993 REV. 6 6/28/93" BY OWEN HASKELL, INC., SHEET 2 OF 7 ONLY RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 193 PAGE 188.
2. "PLAN OF PROPERTY LINE PORTLAND, MAINE MADE FOR WM. FARLEY MARCH 1985" BY E.C. JORDAN CO.
3. "PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR THE PORTLAND COMPANY 26 MARCH 1985 REVISED MARCH 21, 1996" BY OWEN HASKELL, INC.
4. "EXISTING CONDITIONS PLAN ON FORE STREET, PORTLAND, MAINE MADE FOR THE PORTLAND COMPANY NOV. 13, 2007 REV. 2 12/18/12 BY OWEN HASKELL, INC.
5. CONCEPT UTILITY PLAN, PORTLAND COMPANY SITE DATED NOVEMBER 2007 BY DELUCA HOFFMAN ASSOCIATES, INC.
6. BOUNDARY SURVEY ON COMMERCIAL STREET & FORE STREET, PORTLAND, MAINE MADE FOR OCEAN GATEWAY PROJECT DATED SEPT. 15, 2003 REVISED THROUGH 12-02-03 BY OWEN HASKELL, INC., SHEET 2 OF 4 ONLY.
7. RECORDING PLAN, SHEET 3 OF 3 ONLY, OCEAN GATEWAY DATED AUGUST 4, 2004 BY OWEN HASKELL, INC. RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 204, PAGE 624.
8. ALTA/ACSM LAND TITLE SURVEY, 58 FORE STREET, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR CPB2 LLC MAY 22, 2013 BY OWEN HASKELL, INC.
9. "11/03/2015 EXISTING CONDITIONS SINGLE BEAM BATHYMETRIC SURVEY, FORE RIVER, PORTLAND, MAINE PREPARED FOR CPB2 LLC" DATED NOVEMBER 16, 2015 BY STEELE ASSOCIATES MARINE CONSULTANTS, LLC.

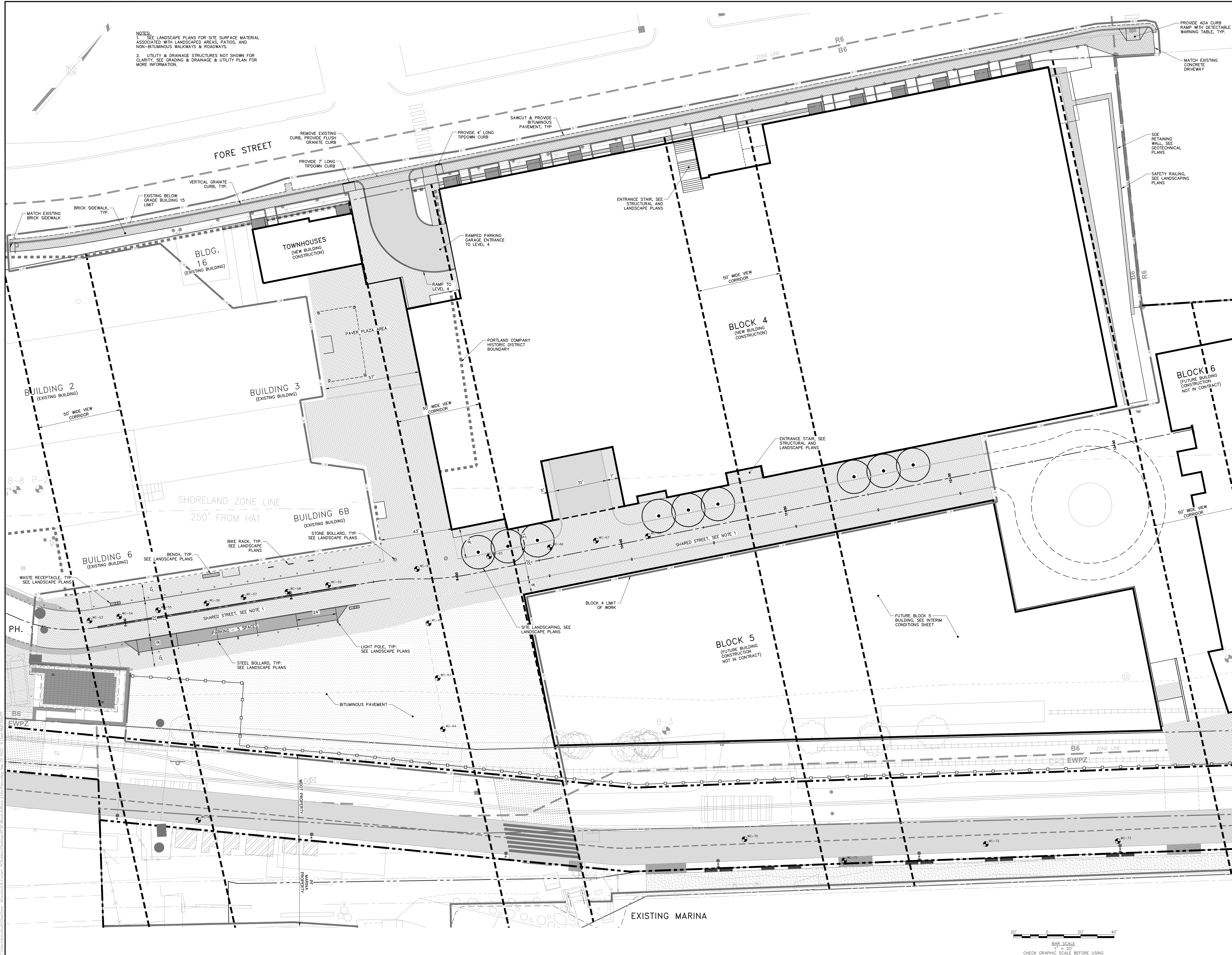
Notes:

1. OWNER OF RECORD: CPB2 LLC
254 COMMERCIAL STREET SUITE 118, PORTLAND, ME 04101
C.C.R.D. BOOK 31425 PAGE 267, BOOK 30879 PAGE 75,
BOOK 35264 PAGE 268 & BOOK 35576 PAGE 153
2. PARCEL IS SHOWN AS LOTS 1 & 2 BLOCK A ON THE CITY OF PORTLAND'S ASSESSORS MAP 18.
3. BEARINGS ARE BASED ON MAINE STATE PLANE COORDINATES WEST ZONE NAD83.
CITY POINTS: T-113-80-206 N:302687.77 E:2932345.31
T-113-12-111 N:302722.13 E:2933029.45
4. PARCEL IS LOCATED IN ZONE C, AREAS OF MINIMAL FLOODING, AND FLOOD ZONE A2 ELEV. 10, FLOOD INSURANCE RATE MAP 230051-0014B EFFECTIVE DATE JULY 17, 1986.
5. BENCH MARK: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) - TIDAL BENCHMARK. BENCH MARK STAMPING: NO. 3 1971 ELEVATION 11.02 FEET CITY DATUM.
6. EXISTING FLOATS TAKEN FROM PHOTOS PROVIDED BY CLIENT. EXISTING DOLPHINS TAKEN FROM MAINE OFFICE OF GIS AERIAL PHOTO.
7. BATHYMETRY DATA PROVIDED BY STEELS ASSOCIATES MARINE CONSULTANTS LLC.

Utility Note:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-800-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

REV.5	12/10/19	ADDED PARCELS PURCHASED & LIDAR DATA
REV.4	03/21/19	ADDED SPOT GRADES, TREES & PROPOSED POLES
REV.3	02/26/19	ADDED STRUCTURE IN FORE STREET
REV.2	02/05/19	MISC. FEATURES, CONTOUR AND STREET LINE REVISIONS
REV.1	10/03/16	ADDED SEWER EASEMENT
BOUNDARY & TOPOGRAPHIC SURVEY AT 58 FORE STREET, PORTLAND, MAINE MADE FOR WOODARD & CURRAN 41 HUTCHINS DRIVE, PORTLAND, MAINE		
OWEN HASKELL, INC. 390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424 PROFESSIONAL LAND SURVEYORS		
Drawn By	ONI	Date
Trace By	JLW	AUGUST 19, 2016
Check By	JWS	Scale
Book No.	FILE	1" = 50'
Job No.	2016-175P	Drwg. No.



NOTES:
1. SEE LANDSCAPE PLANS FOR SITE SURFACE MATERIAL ASSOCIATED WITH LANDSCAPED AREAS, PATIOS, AND NON-BITUMINOUS WALKWAYS & ROADWAYS.
2. UTILITY & DRAINAGE STRUCTURES NOT SHOWN FOR CLARITY. SEE GRADING & DRAINAGE & UTILITY PLAN FOR MORE INFORMATION.

Woodard & Curran
41 Hanchett Drive
Portland, Maine 04103
800.426.4262 | www.woodardcurran.com

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PE SEAL:

LAUREN JANE SWETT
No. 12284
MAINE PROFESSIONAL ENGINEER
Lauren J. Swett

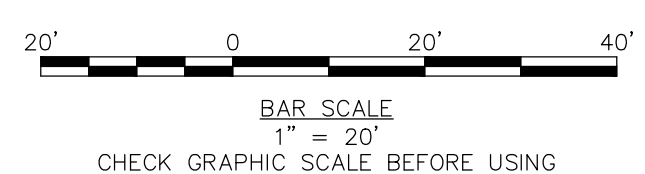
NOT FOR CONSTRUCTION

CLIENT INFO:
PORTLAND FORESIDE DEVELOPMENT COMPANY
PORTLAND, MAINE
BLOCK 4 - HARBOR HILL

REV	MM/DD/YY	DESCRIPTION
JOB NO.	227007	
DATE	SEPTEMBER 2022	
SCALE	1" = 20'	
DESIGNED BY	LJS/BCM	
DRAWN BY	BCM	
CHECKED BY	LJS	
FILENAME	BLOCK 4 SITE PLANS.dwg	

DRAWING TITLE:
**CIVIL
SITE PLAN**

DRAWING NO.
C-100
SHEET: 4 OF 15



C:\Users\jswett\OneDrive - Woodard & Curran\Documents\PE\B6\Block 4 Site Plans.dwg, Sep 29, 2022, 8:33am B6/CURR/UT

CONSULTANTS

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41 Hutchins Dr
Portland, ME 04102
1.207.774.2112

STRUCTURAL ENGINEER
Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
1.1.207.245.0062

MEP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
1.1.207.221.2260

OWNER'S CONSULTANT

LANDSCAPE ARCHITECT
Michael Boucher Landscape Architecture
457 US Route 1, Suite 2
Fresport, Maine
1.207.865.1080

PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN

MARK	ISSUE	DATE
------	-------	------

DESIGN DEVELOPMENT

SEPTEMBER 16, 2022

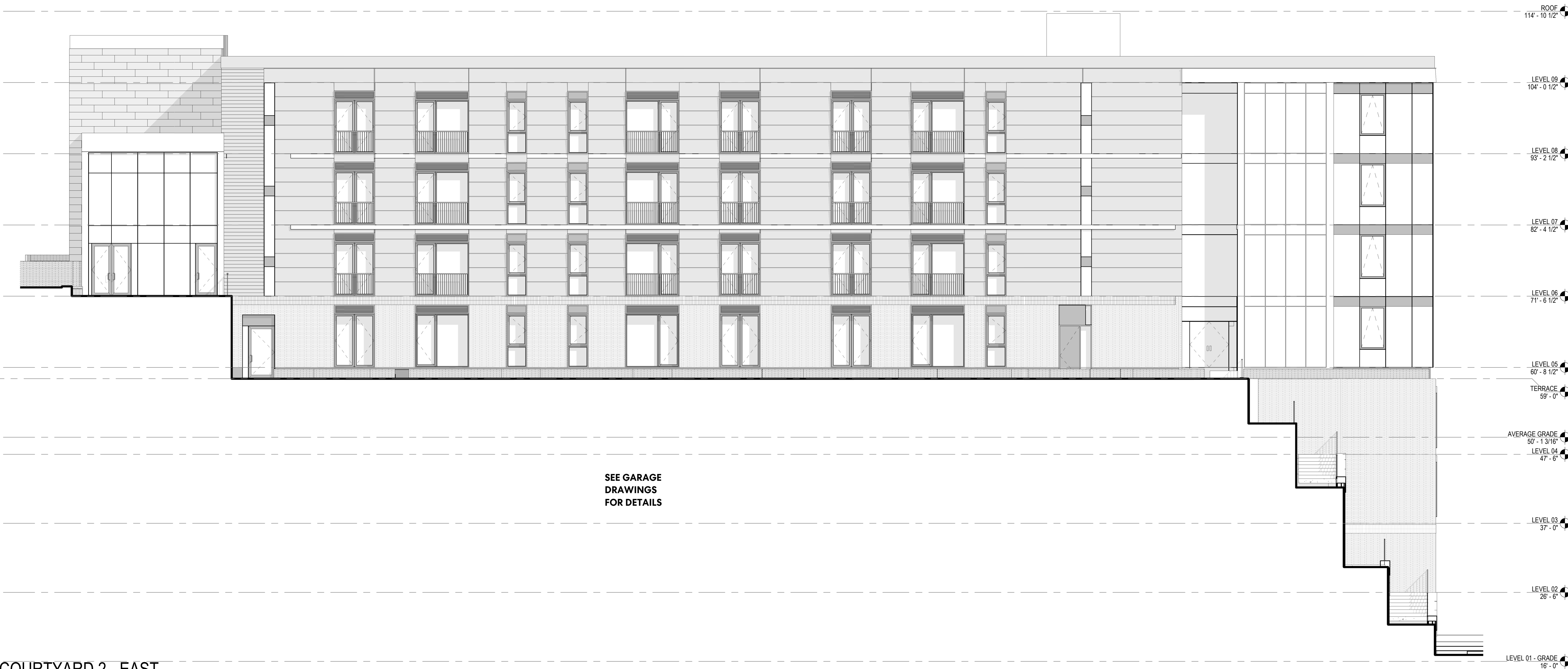
Job Number	157111
Drawn	Author
Checked	Checker
Approved	Approver

TITLE

**OVERALL
COURTYARD 2
ELEVATIONS Copy 1**

SHEET NUMBER

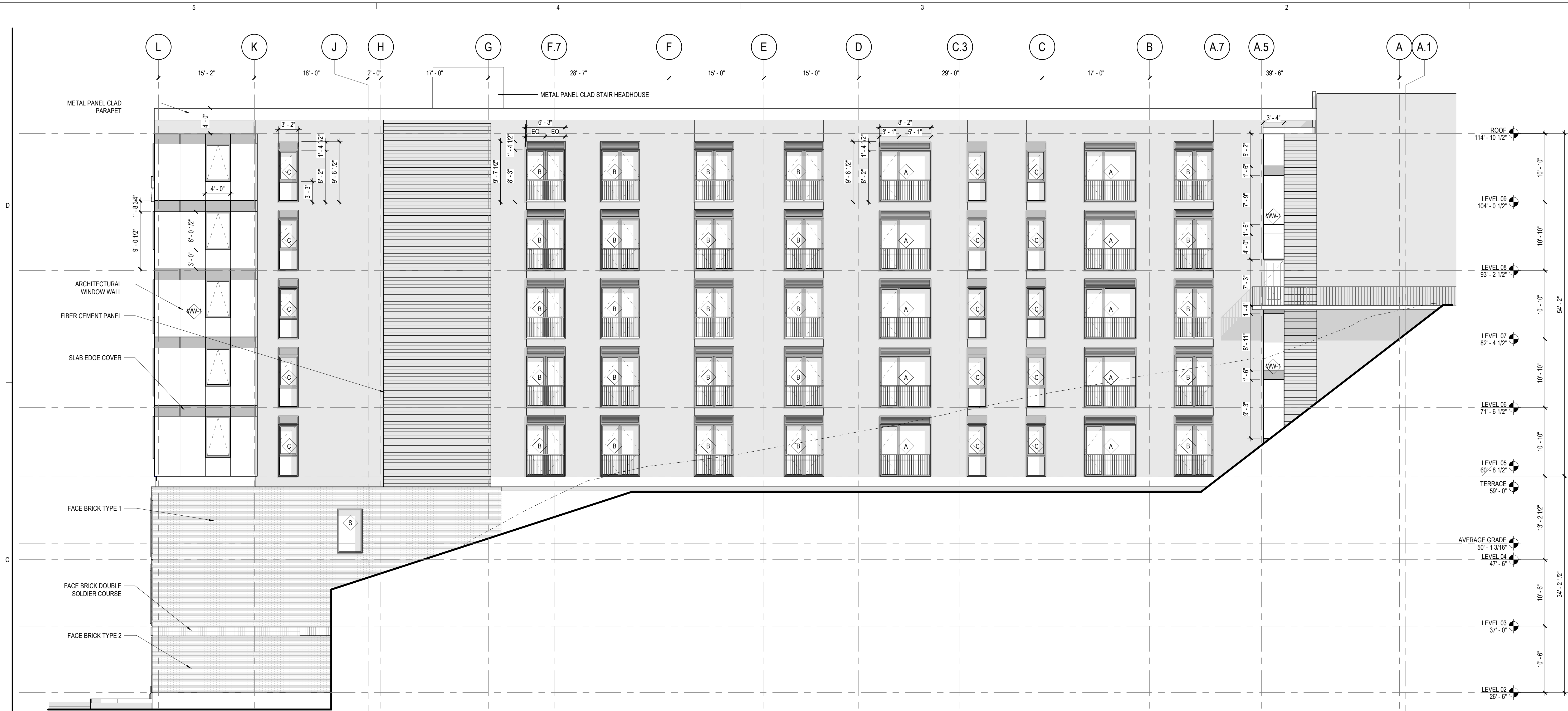
G01-21



② COURTYARD 2 - EAST
1/8" = 1'-0"



① COURTYARD 2 - WEST
1/8" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"

EXTERIOR ELEVATION
GENERAL NOTES

1. MATERIAL SYMBOLS ON ELEVATIONS ARE TO DISPLAY THE EXTENT OF THE MATERIAL ONLY. THEY ARE NOT TO SCALE.

2. REFER TO ENLARGED ELEVATIONS FOR DESCRIPTION OF FACE BRICK TYPES.

EXTERIOR ELEVATION
LEGEND

A

EXTERIOR GLAZING SYSTEM TAG REFER TO A33 SERIES FOR SCHEDULE

T

TEMPERED GLAZING

EL

BUILDING EXPANSION JOINT

MJ

MASONRY EXPANSION JOINT: MATCH MORTAR COLOR

Perkins&Will

225 Franklin Street, Suite 1100
Boston, MA 02110
1.617.478.0300
www.perkinswill.com

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Freeport, Maine
1.207.865.1060

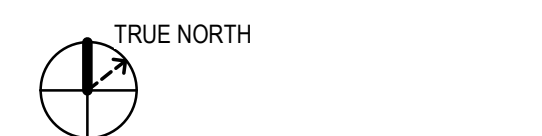
PROJECT

FORESIDE/
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



MARK ISSUE DATE

DESIGN DEVELOPMENT
SEPTEMBER 16, 2022

Job Number 157111
Drawn Author
Checked Checker
Approved Approver

TITLE

**OVERALL EAST/WEST
ELEVATIONS**

SHEET NUMBER

A20-02

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t 617.478.0300
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t +1 207.221.2260

OWNER'S CONSULTANT

LANDSCAPE ARCHITECT
Michael Boucher Landscape Architecture
457 US Route 1 Suite 2
Freeport, Maine
t 207.865.1080

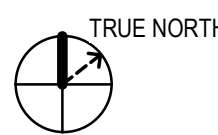
PROJECT

FORESIDE/
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



MARK ISSUE DATE

DESIGN DEVELOPMENT
SEPTEMBER 16, 2022

Job Number 157111
Drawn Author
Checked Checker
Approved Approver

TITLE

**OVERALL NORTH
ELEVATION**

SHEET NUMBER

A20-06

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1 North Elevation A
1/8" = 1'-0"



2 North Elevation B
1/8" = 1'-0"

Perkins&Will

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t 617.478.0300
www.perkinswill.com

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t +1 207.245.0002

MFP ENGINEER
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PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



EXTERIOR ELEVATION
GENERAL NOTES

1. MATERIAL SYMBOLS ON ELEVATIONS ARE TO DISPLAY THE EXTENT OF THE MATERIAL ONLY. THEY ARE NOT TO SCALE.
2. REFER TO ENLARGED ELEVATIONS FOR DESCRIPTION OF FACE BRICK TYPES.

EXTERIOR GLAZING SYSTEM TAG REFER TO A20-00 FOR PUNCHED OPENING SCHEDULE

DESIGN DEVELOPMENT
SEPTEMBER 16, 2022

Job Number 157111
Drawn Author
Checked Checker
Approved Approver

TITLE

**OVERALL SOUTH
ELEVATION**

SHEET NUMBER

A20-01

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1 OVERALL SOUTH ELEVATION A
1/8" = 1'-0"



2 SOUTH ELEVATION B
1/8" = 1'-0"





5C ELEVATION - EAST

SCALE: 3/32" = 1'-0" DRAWING REF: A112

NOT FOR
CONSTRUCTION

WINDOW SCHEDULE

Mark	Mfr	Model	Size (WxH)	Material	Comments
A1	Wasau	Invent 4250i-XLT	40" x 72"	MTL-01	
A2	Wasau	Invent 4250i-XLT	24" x 72"	MTL-01	
A3	Wasau	Invent 4250i-XLT	48" x 72"	MTL-01	
A4	Wasau	Invent 4250i-XLT	36" x 60"	MTL-01	
B1	Wasau	Invent 4250i-XLT	64" x 72"	MTL-01	
C1	Wasau	Invent Window Wall	40" x 108"	MTL-01	
C4	Wasau	Invent Window Wall	48" x 108"	MTL-01	
D1	Wasau	Invent Window Wall	64" x 108"	MTL-01	
D2	Wasau	Invent Window Wall	88" x 108"	MTL-01	
D3	Wasau	Invent Window Wall	120" x 108"	MTL-01	
E1	Wasau	Invent Window Wall	(66" X 66") X 108"	MTL-01	Corner Window
E2	Wasau	Invent Window Wall	(66" X 75") X 108"	MTL-01	Corner Window
E3	Wasau	Invent Window Wall	(66" X 75") X 88"	MTL-01	Corner Window
J1	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	(66" X 106") X 108"	MTL-01	Corner Window
J2	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	(66" X 106") X 108"	MTL-01	Corner Window
J3	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	(66" X 106") X 108"	MTL-01	Corner Window
K1	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	(34" X 150") X 108"	MTL-01	Corner Window
K2	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	(34" X 150") X 108"	MTL-01	Corner Window
K3	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	(120" X 30") X 108"	MTL-01	Corner Window
L1	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	(120" X 30") X 108"	MTL-01	Corner Window
L2	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	(120" X 30") X 108"	MTL-01	Corner Window
H1	TBD	Bay Window	60" x 60"	Varies	
G1	TBD	Double Hung	24" x 60"	Varies	
G2	TBD	Double Hung	36" x 60"	Varies	
F1	Wasau	Advantage Terrace Door TD4250i	Varies x 108"	MTL-01	
F2	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	88" x 108"	MTL-01	
F3	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	120" x 108"	MTL-01	
F4	Wasau	Invent Window Wall and Advantage Terrace Door TD4250i	152" x 108"	MTL-01	



5A ELEVATION - NORTH

SCALE: 3/32" = 1'-0" DRAWING REF: A117

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PROJECT NUMBER

2.210338.0

PFDC - BLOCK 6: THE
CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

ISSUE
11/18/22 -
DESIGN DEVELOPMENT

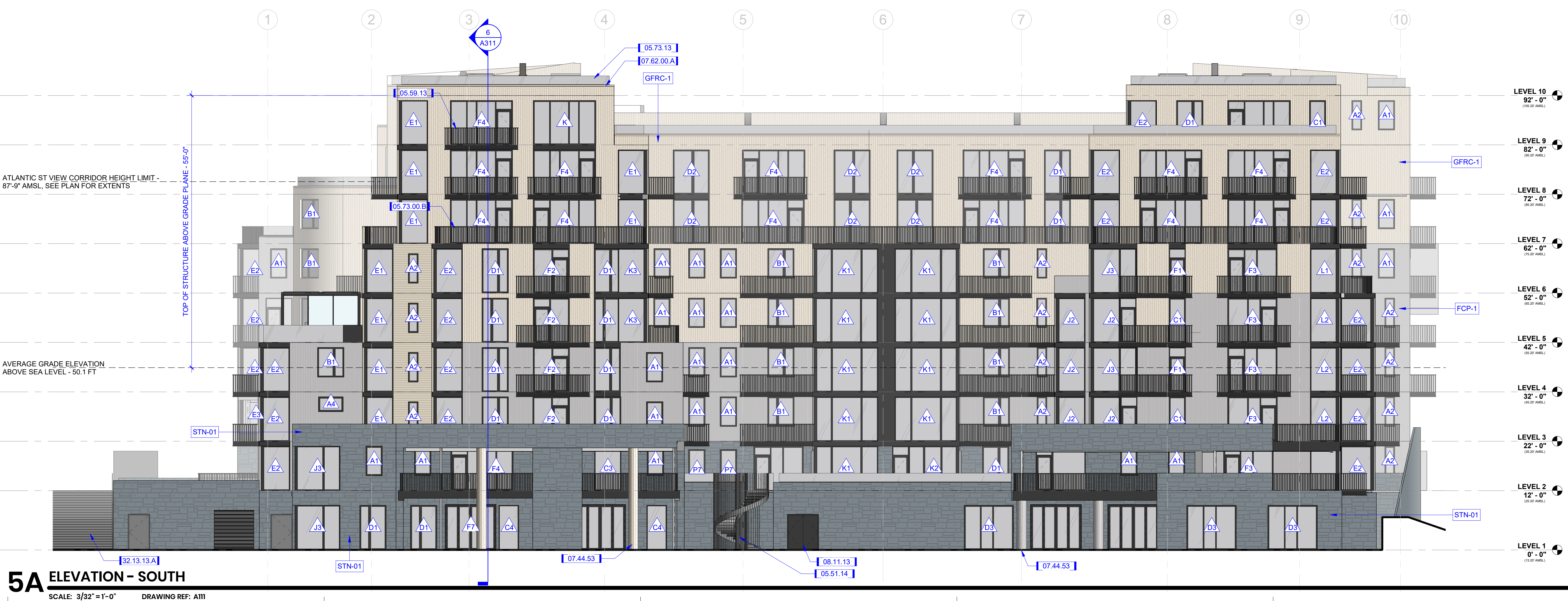
EXTERIOR ELEVATIONS
A201

EXTERIOR FINISH LEGEND

FINISH NO.	MATERIAL	MANUFACTURER	STYLE NAME / NO.	COLOR	SIZE	DESCRIPTION / REMARKS
CONCRETE	CONCRETE					EXPOSED POURED IN PLACE CONCRETE
EXTERIOR FLOORING						
CT-01	PORCELAIN PAVER		WOOD LOOK		LARGE FORMAT - RECTILINEAR	AT POOL AND ROOF TERRACES
CT-02	PORCELAIN PAVER		STONE LOOK		LARGE FORMAT - PLANK	AT POOL AND ROOF TERRACES
PS-01	PEDESTAL PAVER SYSTEM	HANOVER PAVERS	GRIDLOC ON PEDESTAL PAVERS			WEIGHTED
PS-02	PAVERS	PER LANDSCAPE			VARIED	ABOVE PODIUM
MASONRY						
BRK-01	BRICK	TBD		PINK	MODULAR	CAVITY WALL VENEER; RUNNING BOND
BRK-02	BRICK	TBD		RED-BROWN	MODULAR	CAVITY WALL VENEER; STACKED BOND
STN-01	STONE		GRANITE		LARGE FORMAT	CAVITY WALL VENEER
STN-02	STONE		GRANITE		LEDGESTONE	CAVITY WALL VENEER

EXTERIOR FINISH LEGEND

FINISH NO.	MATERIAL	MANUFACTURER	STYLE NAME / NO.	COLOR	SIZE	DESCRIPTION / REMARKS
METAL						
MTL-01	ALUMINUM FRAMED DOOR / WINDOW SYSTEM	WASAU		DARK BRONZE		THERMALLY BROKEN
MTL-02	ALUMINUM COMPOSITE PANEL	FAIRVIEW ARCHITECTURALS	VITRAPLATE			FACTORY FINISHED TO MATCH WINDOW SYSTEM
MTL-03	ALUMINUM RAILING SYSTEM	LEVOLUX	SERENITI BALUSTADE BOTTOM SHOE			FACTORY FINISHED TO MATCH WINDOW SYSTEM
MTL-04	GLASS GUARDRAIL	WESHAMPTON ARCHITECTURAL GLASS			48" PANELS	FINISH TO MATCH MTL-01
MTL-05	MODULAR BALCONY	LEVOLUX	SERENITI BALCONY			FINISH TO MATCH MTL-01
PAINT						
PNT-01	ELASTOMERIC COATING			COLOR TO MATCH MTL-01		ALL EXPOSED STEEL
RAINSCREEN PANEL						
FCP-1	FIBER CEMENT PANEL	SWISS PEARL	GRAVIAL	GRANITE 624		CONCEALED ATTACHMENT SYSTEM
FCP-2	FIBER CEMENT PANEL	TBD	CLAPBOARD	WHITE	6"	CONCEALED ATTACHMENT SYSTEM
GFRC-1	GLASSFIBER REINFORCED CONCRETE SLAT	RIEDER	OKO SKIN STRIPES	COLOR/FINISH MIX TBD	70mm, 147mm, 302m	CONCEALED ATTACHMENT SYSTEM; VERTICAL ORIENTATION
GFRC-2	GLASSFIBER REINFORCED CONCRETE SLAT	RIEDER	OKO SKIN STRIPES	COLOR/FINISH MIX TBD	70mm, 147mm, 302m	CONCEALED ATTACHMENT SYSTEM; HORIZONTAL ORIENTATION



Baskervill

FORESIDE/

THE
CHANNEL
MARK®

BASKERVILL, P.O. BOX 400, RICHMOND, VA 23218-0400

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PFDC - BLOCK 6: THE
CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

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11/18/22 -
DESIGN DEVELOPMENT

EXTERIOR ELEVATIONS
A200