

KATE SNYDER (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
ROBERTO RODRÍGUEZ (A/L)



ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK N. DION (5)

CITY COUNCIL MEETING - FEBRUARY 6, 2023 AT 5:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Kate Snyder, Mayor, will preside.

To submit written public comment on an agenda item, email publiccomment@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Council 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 order number (see below).

REMOTE ACCESS INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. 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.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/84536489671?pwd=R0NHMmlyRXdPWXVKYUNYdDBoVIU3UT09>

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US: +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623

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PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL MEETING:

Special Meeting of the Corporator of the Portland Fish Pier Authority

A Special Meeting of the Corporator of the Portland Fish Pier Authority, which is the City Council, is being held to take action on the order below.

Order 128-22/23 Appointing Ben Martens a Class B Director of the Board of Portland Fish Pier Authority - Sponsored by Kate Snyder, Mayor

The City Council, as Corporator of the Portland Fish Pier Authority (PFPA), appoints the one Class A member and the two Class B members of the PFPA Board of Directors. The two Class C Directors are appointments from senior leadership at the Maine Department of Transportation (MDOT) and the Maine Department of Marine Resources (MDMR). The remaining two ex officio members of the PFPA Board are the City Manager or the City Finance Director, and the second is the President of the Portland Fish Exchange Board of Directors.

Pursuant to the PFPA Bylaws Section 2, Qualifications of Directors, and Section 4, Nominations of Directors, the Maine Department of Marine Resources (MDMR) nominates a Class B Board Director to the Corporator. MDMR is nominating Ben Martens, Executive Director of the Maine Coast Fishermens Association, to the PFPA Board of Directors. Staff supports this nomination.

Five affirmative votes are required for passage after public comment.

5:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Regular City Council Meeting- January 18, 2023

PROCLAMATIONS:

Proclamation 12-22/23 Recognizing February 2023 as Black History Month - Sponsored by Kate Snyder, Mayor

Proclamation 13-22/23 Recognizing February 7, 2023 as "2-0-7 Day" - Sponsored by Kate Snyder, Mayor

APPOINTMENTS:

Order 129-22/23 Appointing Kelly Hrenko, PhD as a member of the Public Art Committee - Sponsored by Danielle P. West, Interim City Manager

This item would approve the City Manager's recommended appointee, Kelly Hrenko, PhD to the Public Art Committee for a three-year term.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 130-22/23 Granting Municipal Officers' Approval of Banded Horn Brewing Company LLC, dba Banded Brewing Company. Application for Class III & IV FSE at 82 Hanover Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 1/17/23. New City and State applications. Establishment currently holds B/W/D On-Premise Consumption and Small Brewery Manufacturing.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Communication 22-22/23 Regarding the 2023 East End Food Truck Program - by Danielle P. West, Interim City Manager

As a communication this item requires no public comment or formal Council action.

Communication 23-22/23 Regarding the Portland Harbor Dredge Project and Funding Commitment - Danielle P. West, Interim City Manager

As a communication this item requires no public comment or formal Council action.

UNFINISHED BUSINESS:

Order 117-22/23 Approving and Appropriating \$3,257,004 in Housing Trust Funds and \$1,000,000 in American Rescue Plan Act Funds for the Avesta Housing Winchester Woods Affordable Housing Project - Sponsored by Danielle P. West, Interim City Manager

This order would approve and appropriate a total of \$4,257,004 to Avesta Housing's purchase of a 48-unit rental housing development called Winchester Woods, located in the East Deering neighborhood on Sherwood and Dalton Streets. Avesta intends to purchase the development when construction is completed and provide 48 asylum-seeking families with housing.

The development includes four 12-unit buildings, each comprised of six one-bedroom and six two-bedroom apartments. Construction on all the buildings is estimated to be completed by the beginning of 2023. Avesta will partner with local and state agencies, including MaineHousing, the City's Health and Human Services Department, Prosperity Maine, Greater Portland Family Promise, and Project Home to identify and provide housing and services for those families most in need.

According to Avesta, Maine Housing is restricting 20% (10 units) of the units at 50% of area median income (AMI) for 30 years. Avesta has agreed to an affordability requirement for 28 units at 80% of the area median income, which includes the current owner's inclusionary zoning requirements (12 units at 80% AMI). Winchester Woods is currently under construction by a private developer as a market-rate rental housing development. As such, 25% of the units must be affordable to households at or below 80% of the area median income (1-person \$62,550, 2- person \$71,500, 3-person \$80,450 and 4-person \$89,350). Long-term (90 years), these units will remain affordable to families earning 80% of the area median income or less.

To facilitate the purchase of this property, Avesta is seeking financial assistance from MaineHousing, Cumberland County, and the City of Portland.

The State of Maine has provided a preliminary commitment to pay for two years of rental assistance for all 48 units. In response to feedback provided by the Council at a workshop on September 22, 2022, City staff have identified \$3,257,004 in funding from the Jill C. Duson Housing Trust Fund and \$1,000,000 from the first tranche of American Rescue Plan funding for this project.

This item must be read on two separate days. It received its first reading on December 19, 2022. Due to the withdrawal of the request for funding by the applicant, staff recommend that the item be postponed indefinitely.

Order 125-22/23 Amendment to Portland City Code Chapter 14 re: Roux Institute Overlay Zone - Sponsored by Portland Planning Board, Maggie Stanley, Chair

On November 22, 2022, the Planning Board voted unanimously (6-0; Barker absent) to recommend to the City Council adoption of a zoning text amendment to Article 8 of the Land Use Code to add the Roux Institute at Northeastern University (Roux Institute) as an eligible institution and voted (5-1; Silk opposed; Barker absent) to recommend to the City Council adoption of the proposed Roux Institute regulatory framework that identifies the zoning requirements that apply to the proposed Roux IOZ. The proposed zoning text amendment application was submitted by the Initiative for Digital Engineering and Life Sciences (IDEALS). This application, in conjunction with a zoning map amendment application to rezone 1 Bean Pot Circle and nearby parcels from I-M Industrial Moderate Impact and R-3 Residential to a B-5 Urban Commercial zone, and a zoning map amendment application to map the Roux Institute IOZ over an area encompassed by 1 Bean Pot Circle, 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 spaces 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.

Over the course of the extensive review process, the proposal has been revised in response to public, staff, and Planning Board comments. The IOZ application involves the development of a long-range plan for the institution, known as an Institutional Development Plan (IDP), that informs the eligible institutions Regulatory Framework, which codifies supplemental zoning regulations to the base zoning district related to uses, dimensional standards, design, transportation and parking, environment, neighborhood integration and engagement, mitigation of future impacts, and on-going monitoring.

This item must be read on two separate days. It received its first reading on January 18, 2023. Five affirmative votes are required for passage after public comment.

Order 126-22/23 Amendment to the Zoning Map Re: B-5 Urban Commercial Zone for Roux Institute - Sponsored by Portland Planning Board, Maggie Stanley, Chair

On November 22, 2022, the Planning Board voted unanimously (6-0; Barker absent) to recommend to the City Council adoption of a zoning map amendment for 1 Bean Pot Circle, 3 Sherwood Street, and portions of Maine DOT parcels (430 X002, 440 X001, 429 X001) and City Right-of-Way to Sherwood Street in the East Deering neighborhood from an I-M Industrial Moderate Impact zone and R-3 Residential zone to a B-5 Urban Commercial zone. The proposed zoning map amendment application was submitted by the Initiative for Digital Engineering and Life Sciences (IDEALS). This application, in conjunction with a zoning text amendment application to amend Article 8 of the Land Use Code to add the Roux Institute at Northeastern University (Roux Institute) as an eligible institution, as well as a “Regulatory Framework,” that identifies the zoning requirements that apply within the proposed Roux Institutional Overlay, and a zoning map amendment application to map the Roux Institute IOZ over an area encompassed by 1 Bean Pot Circle, 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 spaces 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.

This item must be read on two separate days. It received its first reading on January 18, 2023. Five affirmative votes are required for passage after public comment.

Order 127-22/23 Amendment to the Zoning Map Re: Institutional Overlay Zone for Roux Institute - Sponsored by Portland Planning Board, Maggie Stanley, Chair

This is the second of two related Zoning Map changes related to Roux Institute.

On November 22, 2022, the Planning Board voted unanimously (6-0; Barker absent) to recommend to the City Council adoption of a zoning map amendment to include the Roux Institute Institutional Overlay Zone (IOZ) at 1 Bean Pot Circle. The proposed zoning map amendment was submitted by the Initiative for Digital Engineering and Life Sciences (IDEALS). This application, in conjunction with a zoning map amendment application to rezone 1 Bean Pot Circle and nearby parcels from I-M Industrial Moderate Impact and R-3 Residential to a B-5 Urban Commercial zone and a zoning text amendment application to amend Article 8 of the Land Use Code to add the Roux Institute at Northeastern University (Roux Institute) as an eligible institution, as well as a “Regulatory Framework,” that identifies the zoning requirements that apply within the proposed Roux Institutional Overlay at 1 Bean Pot Circle, 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 spaces 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.

This item must be read on two separate days. It received its first reading on January 18, 2023. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 131-22/23 Approving Modification 1 to an Agreement between the Maine Department of Transportation, the Portland Area Comprehensive Transportation System and Portland Re: Improvements to Cumberland Avenue - Sponsored by Danielle P. West, Interim City Manager

This order approves a modification to the City's agreement with the Maine Department of Transportation (MDOT) and the Portland Area Comprehensive Transportation System (PACTS) for the Cumberland Avenue project, which includes the paving of Cumberland Avenue from Washington Avenue to Franklin Street, upgrading ADA ramps, and new striping.

This modification adds \$33,000 more in PACTS funds toward the project. It does not include any additional funds on the part of the City.

The City's share is estimated to be \$401,600, which represents 68% of the estimated construction cost and was approved by the City Council as part of the FY23 Capital Improvement Plan (CIP).

This project is part of the Municipal Partnership Initiative (MPI) Program, through which the City administers the project and receives a percentage of funding from the state Municipal Partnership Organization (PACTS).

Five affirmative votes are required for passage after public comment.

Order 132-22/23 Approving Modification 3 of Agreement with Maine Department of Transportation Re: West Commercial Street Trail - Sponsored by Danielle P. West, Interim City Manager

This order would approve a modification to the City's agreement with the Maine Department of Transportation to fund the design and construction of a segment of the West Commercial Street Multi-use Path along the frontage of the Star Match building, resulting in an increase in cost to the City of \$18,556.

The current agreement obligates the state and the City to fund the project at an 80%-20% split. The modification before the Council increases the funding obligations from both parties to reflect final construction costs as recently bid. The City's 20% obligation as a result of the modification would increase from \$137,000 to \$155,556.

This increase in City share will be funded out of a Fiscal Year 2019 CIP account designated for the West Commercial Street Pathway.

Five affirmative votes are required for passage after public comment.

Order 133-22/23 Approving the Revised Remote Participation Policy of the Portland City Council - Sponsored by Kate Snyder, Mayor

On July 19, 2021, by Order 18-21/22, the City Council adopted its current remote participation policy. Since then, the Legislature amended 1 M.R.S. § 403-B, the law allowing remote participation in public meetings, to allow remote participation under broadened circumstances. With the adoption of the revised remote participation policy included in the backup materials, meetings of the City Council and its committees may continue to be held with the option of remote participation in most circumstances. Notice of the hearing for this item on the agenda was done in accordance with 1 MRS § 406(2)(A), the City Charter, and Portland City Code.

Five affirmative votes are required for passage after public comment.

Order 134-22/23 Order Approving City Application, in a partnership with the Maine Department of Transportation, for Federal Funds to Dredge Public and Private Berthing and Vessel Support Resources and to Develop a Confined Aquatic Disposal Cell in Portland Harbor - Sponsored by Danielle P. West, Interim City Manager

This order would approve an application for up to \$10 Million in Federal funding through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Transportation Discretionary Grant program to implement planned public and private dredging projects in Portland Harbor, in partnership with the Maine Department of Transportation (MDOT).

Dredging vessel support areas will provide safe and full tide access to berthing, loading, and marine support services. Dredging will also remove and responsibly dispose of

contaminated sediment impacted by historic industrial activities and non-point source pollution. These sediments will be sequestered in a Confined Aquatic Disposal (CAD) Cell to be constructed within Portland Harbor as a component of the project. The City of Portland and MDOT will be the lead applicants for RAISE project funds, with the City of South Portland and the Portland Harbor Commission (PHC) as co-applicants.

Five affirmative votes are required for passage after public comment..

Order 135-22/23 Approving the Purchase and Sale Agreement with The Trust for Public Land for North Deering Park - Sponsored by Danielle P. West, Interim City Manager

This item approves the Purchase and Sale Agreement between The Trust for Public Land (seller) and the City of Portland (buyer) to purchase approximately 24 acres of land in North Deering neighborhood for the purpose of creating a new park. The total purchase price is \$833,000 with funds provided through federal and state grants, philanthropic funds from The Trust for Public Land, and the Portland Land Bank. The Trust for Public Land holds the purchase contracts with the landowners (Julie and Dan Anderson and Haverty Park, LLC) of the 24 acres. These contracts allow The Trust for Public Land to direct the deed to the City of Portland at closing, with approval of the Purchase and Sale agreement. The City is being asked to provide \$644,123.00 as outlined in the back-up material.

This item must be read on two separate days. This is its first reading.

ADJOURNMENT:

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director
DATE: January 25, 2023
SUBJECT: Order 128-22/23 Appointing Ben Martens a Class B Director of the Board of Portland Fish Pier Authority - Sponsored by Kate Snyder, Mayor
SPONSOR: Mayor Kate Snyder
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 2/6/2023

Final Action 2/6/2023

Can action be taken at a later date: Yes

Does this item involve a new contract with the City: No.

PRESENTATION: Mary Davis and Bill Needelman will be present to answer questions if needed.

I. SUMMARY

This would approve the Class B Board Director nomination from the Maine Department of Marine Resources for a fishing industry representative.

II. AGENDA DESCRIPTION

The City Council, as Corporator of the Portland Fish Pier Authority (PFPA), appoints the one Class A member and the two Class B members of the PFPA Board of Directors. The two Class C Directors are appointments from senior leadership at the Maine Department of Transportation (MDOT) and the Maine Department of Marine Resources (MDMR). The remaining two ex officio members of the PFPA Board are the City Manager or the City Finance Director, and the second is the President of the Portland Fish Exchange Board of Directors.

Pursuant to the PFPA Bylaws Section 2, Qualifications of Directors, and Section 4, Nominations of Directors, the Maine Department of Marine Resources (MDMR) nominates a Class B Board Director to the Corporator. MDMR is nominating Ben Martens, Executive Director of the Maine Coast Fishermens Association, to the PFPA Board of Directors. Staff supports this nomination.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

On June 7, 1989, the Portland City Council, in its sole capacity as Corporator, authorized the incorporation of the PFPA.

Pursuant to the Articles of Incorporation and Bylaws of the PFPA, the Corporator appoints Class A and Class B Directors to the Board; the Class C Directors appointed by MDOT and MDMR.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intended result is for the City Council to approve the nomination by MDMR of Ben Martens, Executive Director of Maine Coast Fishermens Association, to the PFPA Board of Directors.

V. FINANCIAL IMPACT

There is no financial impact.

VI. STAFF ANALYSIS AND BACKGROUND

Staff supports the nomination of Ben Martens by the MDMR to the PFPA Board of Directors. Mr. Martens is a well-known and well-respected representative of the fishing industry and has been active in Portland Fish Pier and Portland Fish Exchange Board discussions for many years. In his capacity as Executive Director of the Maine Coast Fishermens Association, Mr. Martens leads Maine's largest trade organization representing groundfishing, as well as lobstering and other seafood harvesting interests.

Mr. Marten's appointment comes at a pivotal time for the Portland Fish Pier. Recently, both Boards of Directors for the Portland Fish Pier Authority and the Portland Fish Exchange have voted to engage in a joint process to explore potential changes in governance of the two bodies. Mr. Marten's appointment will strengthen the seafood industry's representation on the PFPA Board prior to critical decision making on the Fish Pier's future. Such industry representation has been requested by the fishing community with staff's strong agreement. Any recommendations for governance changes at the Portland Fish Pier or the Portland Fish Exchange will come to the City Council for review and final decisions.

VII. RECOMMENDATION

Staff recommends the City Council vote to approve the nomination by MDMR of Ben Martens, Executive Director of the Maine Coast Fishermens Association, to the PFPA Board of Directors as a Class B representative.

VIII. LIST ATTACHMENTS

1. Appointing Ben Martens to Board of Portland Fish Pier Authority 2.6.2023
2. PFPA Bylaws Revised 5-31-2022
3. 1-25-2023 DMR Ltr Nominating Class B - Ben Martens

Prepared by:

Mary Davis, Division Director

Date: 01/25/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**ORDER APPOINTING BEN MARTENS A CLASS B DIRECTOR OF
THE BOARD OF THE PORTLAND FISH PIER AUTHORITY**

ORDERED, that Ben Martens is hereby appointed as a Class B Director of the Portland Fish
Pier Authority.

BYLAWS OF PORTLAND FISH PIER AUTHORITY

ARTICLE I

Name, Principal Office, Corporate Seal

Sec. 1. Name.

The name of this corporation shall be Portland Fish Pier Authority.

Sec.2. Principal office.

The principal office for the conduct of the activities of the corporation shall be located at the premises leased by the corporation on the Portland Fish Pier, Portland, Maine.

Sec. 3. Corporate seal.

The corporate seal of the corporation shall be circular in form and shall bear the words and figures "Portland Fish Pier Authority," the word "Maine" and the year of the corporation's incorporation. The form of such seal may be altered from time to time by the Board of Directors.

ARTICLE II

Meetings of Corporator

Sec. 1. Annual meeting.

The annual meeting of the Corporator shall be held upon such date during the month of July in each year as shall be fixed by the Board of Directors at the principal office of the corporation, provided that the Corporator may in any year itself fix the date of the Annual Meeting of the Corporator and may fix the place thereof as the City Council Chambers, City Hall, Portland, Maine. If the Board of Directors or Corporator for any reason fails to fix such date, the Annual Meeting of the Corporator shall be held at the principal office of the corporation on the third Monday of September in each year. The Secretary shall cause a notice of the Annual Meeting: (i) to be posted at some conspicuous place at the principal office of the corporation; and (ii) to be mailed to the Clerk of the City of Portland, in both cases not less than 30 days before the date fixed for the meeting. The Board of Directors and members of the public shall be entitled and encouraged to attend the Annual Meeting and shall be entitled, subject to the direction of the chairman of the meeting, to ask questions and state their views.

Sec. 2. Special meetings.

Special meetings of the Corporator may be called by the President or by the Board of Directors or by the Corporator to be held at such time and place as shall be fixed in the call of the meeting. If no such place is fixed, the special meeting shall be held at the principal office of the corporation. Notice of special meetings shall be given in the same manner as the notice of the annual meeting, and the Board of Directors and members of the public shall have the same right to attend and to ask questions and state their views as in the case of the annual meeting.

Sec. 3. Proxies.

The Corporator may vote at any annual or special meeting of the Corporator by proxy or proxies executed in writing by the Corporator as authorized by its City Council. The Corporator may, but is not required to, appoint any one or more, or all, of its City Councilors as its proxy agents to represent it at any annual or special meeting of the Corporator.

Sec. 4. Action in writing.

Notwithstanding any other provision of these bylaws, any action required or permitted by law or otherwise to be taken at a meeting of the Corporator may be taken without a meeting if a written consent, setting forth the action so taken, is signed by the Corporator by authority of its City Council and is filed with the Secretary of the corporation as part of the corporate records. Such written consent shall have the same effect as a unanimous vote by the Corporator and may be stated as such in any certificate or document required or permitted to be filed with the Secretary of State, and in any certificate or document prepared or certified by any officer of the corporation for any purpose.

ARTICLE III

Board of Directors

Sec. 1. Powers; Eligibility.

The business and affairs of the corporation shall be managed by a Board of Directors, who shall have the powers and duties set forth in the Articles of Incorporation, these Bylaws and the Rules and Regulations. Directors need not be residents of the City of Portland; provided, however, that Directors shall be residents of the State of Maine.

Sec. 2. Qualifications of Directors.

The Board of Directors shall be divided into three classes as follows:

Class A Director – there shall be one (1) Class A Director who shall be an individual who is a duly elected member of the Portland City Council.

Class B Director – there shall be two (2) Class B Directors who shall be individuals who represent the fishing industry in the State of Maine.

Class C Director – there shall be two (2) Class C Directors. Notwithstanding any provision contained in these Bylaws to the contrary, such persons shall be: (i) the Commissioner of the Maine Department of Transportation (DOT) or a representative from the senior leadership of DOT designated by the Commissioner of DOT; and (ii) the Commissioner of the Maine Department of Marine Resources (DMR) or a representative from the senior leadership of DMR designated by the Commissioner of DMR. The provisions of Section 4 regarding nomination of directors and Section 5 regarding vacancies shall not apply to the Class C Directors. In order to effect nomination or removal, written notification must be received by the Secretary of the Board of Directors at least forty-eight (48) hours before the annual meeting of the Board of Directors, or any other meeting of the Board of Directors including, without limitation, any regular meeting, any special meeting and any executive session.

Sec. 3. Ex-Officio members of the Board of Directors.

There shall be two (2) individuals who shall be deemed ex-officio members of the Board of Directors by virtue of his or her holding the position of:

- (i) City Manager of the City of Portland.

In the event that the City Manager shall decline or is precluded from serving, the first of the following city officials who is able and eligible shall serve as ex officio member: (i) Assistant City Manager; (ii) Finance Director; and

- (ii) President of the Board of Directors of the Portland Fish Exchange.

In the event that the person holding the office of President shall decline or be precluded from serving, the first of the following officers who is able and eligible shall serve as ex-officio member: (i) Secretary; (ii) Treasurer; (iii) Assistant Secretary; (iv) Assistant Treasurer.

The provisions of these bylaws contained in Section 5 regarding term of office, Section 4 regarding nomination of directors and Section 7 regarding vacancies shall not apply to said ex-officio members. Each ex-officio member may be a member of the Board of Directors so long as he or she continues to serve in the office by virtue of which he or she was appointed; and shall enjoy all the rights, privileges and responsibilities of all other members of the Board of Directors. The Board of Directors may take action by unanimous consent only with the consent of said ex-officio members. Ex-officio members shall be entitled to the same indemnification rights available to all Directors under the law, these bylaws or otherwise.

Sec. 4. Nomination of Directors.

In determining who shall be appointed Directors at the first annual meeting of the Corporator following the incorporation of this corporation, and at each annual meeting thereafter, the Corporator, acting through its City Manager or an appropriate committee, shall receive nominations as follows:

Class A Director - nomination of the Class A Director shall be received from the Mayor of the City of Portland.

Class B Director – nomination of one of the Class B Directors shall be received from the Commissioner of the Maine Department of Marine Resources, and the nomination of the other Class B Director shall be received from the Mayor of the City of Portland.

Sec. 5. Term of office.

Each director shall serve for a term of one year or until his or her successor is appointed and qualified. Directors shall be appointed prior to the annual meeting of the Board.

Sec. 6. Voting.

Each director shall be entitled to one vote.

Sec. 7. Vacancies.

Vacancies occurring in the Board of Directors for any reason shall be filled for the unexpired term by the Corporator by appointment of an individual qualifying and eligible for such position.

Sec. 8. Resignations.

Any director may resign his or her office by delivering a written resignation to the President, such resignation to be effective upon the date or condition stated therein.

ARTICLE IV

Meetings of Board of Directors

Sec. 1. Annual meeting.

The annual meeting of the Board of Directors shall be held without call immediately following the annual meeting of the Corporator at the principal office of the corporation, or at some other place fixed by the President.

Sec. 2. Regular meetings.

Other regular meetings of the Board of Directors may be held, without call, at such place, date and time as shall be fixed from time to time by resolution of the Board of Directors.

Sec. 3. Special meetings.

Special meetings of the Board of Directors may be called by such persons as are authorized by law to call special meetings. The place, date and time of the special meeting shall be fixed in the call therefor.

Sec. 4. Notice of meetings.

Notice of each annual, regular or special meeting of the Board of Directors shall be given by the person or persons calling the same or by the President or Secretary at least five (5) days in advance thereof. Notice may be given in writing, by telegraph, by telephone, by oral statement or by any other means to the Directors in person or by delivery of a writing to his or her residence or business address. Notice given in writing by mail shall be deemed given on the day that the same is deposited in the U.S. Mail as first class mail, postage prepaid. Neither the business to be transacted thereat, nor the purpose of, any annual, regular or special meeting of the Board of Directors need be specified in the notice of such meeting, except when otherwise provided by law.

Sec. 5. Executive Session.

The Board of Directors may go into Executive Session and determine matters therein when they deem appropriate and whenever, in their judgment, the best interests of the corporation would be served thereby.

Sec. 6. Quorum.

Four directors shall constitute a quorum for the transaction of business at meetings of the Board of Directors. The act of a majority of the directors present at a meeting of the Board of Directors at which a quorum is present shall be the act of the Board of Directors.

Sec. 7. Indemnification.

This corporation shall in all cases indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that he or she is or was a director, officer, employee or agent of this corporation, against expenses, including attorneys' fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding to the maximum extent permitted by

law, including, without limitation, 13-B M.R.S.A. § 714 and acts additional thereto and supplementary thereof, to which reference is made.

ARTICLE V

Officers

Sec. 1. Officers.

The officers of the corporation shall be chosen annually at the annual meeting of the Board of Directors, and shall be a President, a Vice President, a Treasurer and a Secretary. One individual may serve in more than one such office. The Board of Directors may also appoint one or more Assistant Secretaries and Assistant Treasurers.

Sec. 2. Term.

Officers shall be elected for a term of one (1) year to serve until the next annual meeting of the Board of Directors or until their successors are duly chosen and qualified. Officers may succeed themselves for any period of years. The initial officers shall be appointed by the Board of Directors at their first meeting following incorporation to serve as such until the first annual meeting of the Board of Directors.

Sec. 3. Removal.

Any officer of the corporation may be removed by the Board of Directors whenever in their judgment the best interests of the corporation will be served thereby.

Sec. 4. Vacancies.

Any vacancy in any office (except the Office of Director) may be filled by the Board of Directors.

Sec. 5. President.

The President shall be a Director and shall preside at all meetings of the Board of Directors.

Sec. 6. Secretary.

The Secretary shall attend all meetings of the Corporation and the Board of Directors and keep minutes of all meetings of the Corporation and the Board of Directors in a book or books kept for that purpose. The Secretary shall perform such other duties as may be prescribed by the Board of Directors or the President, under whose supervision the Secretary shall be. The

Revised, 4-10-2017

Revised, 5-31-2022

Secretary, and any Assistant Secretaries, shall have authority to affix the corporate seal to any instrument which requires it, and when so affixed, it may be attested by the Secretary or by any Assistant Secretary.

Sec. 7. Treasurer.

The Treasurer shall be the chief financial officer of the corporation and shall have the responsibility for all corporate funds and securities and shall maintain full and accurate accounts of receipts and disbursements in a book or books kept for that purpose. The Treasurer shall perform such other duties as may be prescribed by the Board of Directors or the President, under whose supervision the Treasurer shall be. The Treasurer may delegate any of his or her duties to the Fish Pier Authority Manager.

Sec. 8. Assistant Treasurers and Assistant Secretaries.

If appointed by the Board of Directors, Assistant Secretaries and Assistant Treasurers shall have such powers and duties as may be prescribed from time to time by the Board of Directors.

Sec. 9. Fish Pier Authority Manager.

The Fish Pier Authority Manager shall have superintendence of the business activities of the corporation, and shall have such other powers and duties as may be set forth in the Rules and Regulations of the Fish Pier Authority. The Fish Pier Authority Manager may be an individual, corporation or partnership, and shall be selected by the Board of Directors, which shall fix the compensation of the Fish Pier Authority Manager. The Fish Pier Authority Manager as such shall not be an officer of the corporation or a member of the Board of Directors, but the Fish Pier Authority Manager, if an individual, may be a member of the Board of Directors of the corporation.

Sec. 10. Other employees.

Other employees of the corporation shall be appointed and supervised by, and shall serve at the pleasure of, the Fish Pier Authority Manager.

ARTICLE VI

Adoption, Amendment

Sec. 1. Adoption.

The initial bylaws of this corporation shall be adopted by the Board of Directors.

Revised, 4-10-2017

Revised, 5-31-2022

Sec. 2. Amendments.

These bylaws may be amended at any meeting of the Board of Directors, provided that a written notice stating the proposed amendments shall be sent to each director and member of the Advisory Committee no less than five (5) days before the date of such meeting. A two-thirds (2/3) vote of those directors present is necessary for the passage of any amendment.

ARTICLE VII

Conflict of Interest

No director may vote on any matter in which the director has a direct or indirect pecuniary interest as defined in 30-A MRS 2605(4). Directors shall also attempt to avoid the appearance of a conflict of interest in any matter by disclosure or by abstention pursuant to 30-A MRS 2605(6).



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

January 25, 2023

Dear Mr. Needleman,

As you are aware, the Portland Fish Pier Authority added an additional Class B seat to represent the seafood industry in September 2022. We did not immediately appoint the Department of Marine Resources Commissioner-appointed seat due to the fact that governance discussions were commencing between the Authority and the Portland Fish Exchange.

However, as that governance subcommittee has begun its work, fishing industry representatives have expressed their strong desire for increased industry involvement as a voting representative on both boards as soon as possible. In response to this call for action, I have decided to make my appointment now, with the understanding that both boards may be making governance changes in the coming months.

It is critically important to me that the seafood industry representation on this board include expertise relevant to the active groundfish fleet, as the Fish Pier and Exchange are both infrastructure of statewide importance for this fishery. While I realize that there are many sectors with interest in the use of the Portland Fish Pier both now and going forward, I feel that my appointment to the Class B Director's seat needs to reflect the groundfish industry experience that is fundamental to these two facilities given the challenges of the governance conversation currently taking place.

With this in mind, I am appointing Ben Martens, the Executive Director of the Maine Coast Fishermen's Association. Ben's organization represents the largest number of active groundfishermen in the state, and as a member of the Groundfish Advisory Panel, he is actively engaged in the federal management arena and understands how changes at the federal level may impact landings in Maine. At the same time, his organization also represents a broader group of industry members who participate in other fisheries as well, and Ben is considered a leader in the state who participates in many processes and conversations impacting the fishing industry. I am confident that he will seek input from a broad array of views from the fishing industry to inform his participation on the Authority board.

Thank you for your consideration, and please do not hesitate to contact Meredith Mendelson, who serves in the Class C Director seat for the Department, if you have any questions.

Sincerely,

Patrick C. Keliher
Commissioner

ZOOM INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. 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.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

To join the meeting remotely, please click the link below:

<https://portlandmaine-gov.zoom.us/j/89911473409?pwd=NllpZXRiWms3Nm9HQTNwaVZSWHlhZz09>

Passcode: 115765

Or One tap mobile :

US: +19292056099,,89911473409#,,,*,115765# or +13017158592,,89911473409#,,,*,115765#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468

Webinar ID: 899 1147 3409

Passcode: 115765

International numbers available: <https://portlandmaine-gov.zoom.us/j/koJo6UgHX>

PLEDGE OF ALLEGIANCE:

Mayor Snyder led all present in the Pledge of Allegiance.

ROLL CALL:

Mayor Snyder called the meeting to order at 5:00pm.

City Councilors Present: Councilor Fournier, Councilor Rodriguez, Councilor Dion, Councilor Ali, Councilor Zarro, Councilor Trevor, Councilor Pelletier, Councilor Phillips, Mayor Snyder.

5:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

Mayor Snyder opened the floor for public comment. The following individuals spoke:

No one spoke.

ANNOUNCEMENTS:

Portland Parks Conservancy Awarded \$2 Million in Omnibus Funding to support Portland Harbor Common Open Space Project - By Kate Sponsor, Mayor

The following individuals gave an announcement:

Councilor Pelletier- January 22nd marks the 50th Anniversary of the Roe Vs. Wade. This Sunday Planned Parenthood asks for individuals to shine a light and put a candle in their window, recognizing this anniversary.

Mayor Snyder- Portland Parks Conservancy Awarded \$2 Million in Omnibus Funding to support Portland Harbor Common Open Space project.

Councilor Fournier- Deadline for the Open Board & Commission seats is Friday, January

20th at 5:00pm.

RECOGNITIONS:

Recognizing Jeff Tarling for 34 years of service to the City of Portland - By Kate Snyder, Mayor

Mayor Snyder recognized Jeff Tarling for 34 years of service to the City of Portland. The following individuals also gave remarks: Ethan Hipple (Director of Parks and Recreation), Jamie Willard (Caleb Street), Danielle West (Interim City Manager), Councilor Zarro, Councilor Ali

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Regular City Council Meeting Minutes- January 4, 2023

Motion was made by Councilor Ali and seconded by Councilor Zarro for approval of the City Council Meeting minutes, January 4, 2023. Passage 9-0.

APPOINTMENTS:

Order 118-22/23 Appointing Councilor April Fournier to the Maine Municipal Association Legislative Policy Committee - Sponsored by Kate Snyder, Mayor

Motion was made by Councilor Zarro and seconded by Councilor Rodriguez for passage. Passage 9-0.

Mayor Snyder gave an overview of the item.

Mayor Snyder opened the floor for public comment. No one spoke.

LICENSES:

Order 119-22/23 Granting Municipal Officers' Approval of Oscar Pizza LLC, dba Otto. Application for Class I FSE at 250 Read Street - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Ali and seconded by Councilor Fournier for passage. Passage 9-0.

Danielle West (Interim City Manager) gave an overview of the item.

Mayor Snyder opened the floor for public comment. The following individuals spoke: Eric Holstien (Otto Pizza)

Order 120-22/23 Granting Municipal Officers' Approval of Foundation Brewing Company, dba Foundation Brewing Company. Application for Combined Entertainment at 1 Industrial Way, Ste 7 - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Rodriguez and seconded by Councilor Fournier for passage. Passage 9-0.

Danielle West (Interim City Manager) gave an overview of the item.

Mayor Snyder opened the floor for public comment. The following individuals spoke: Tina Bonnie (Foundation Brewing)

Order 121-22/23 Granting Municipal Officers' Approval of SBS Worldwide LLC, dba Continental. Application for Class I FSE with Outdoor Dining on Private

Property at 170 Brighton Avenue - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Rodriguez and seconded by Councilor Zarro for passage. Passage 9-0.

Danielle West (Interim City Manager) gave an overview of the item.

Mayor Snyder opened the floor for public comment. The following individuals spoke: Michael Barbuto (Continental)

Order 122-22/23 Granting Municipal Officers' Approval of Old Port Pizza Bar LLC, dba Pat's Pizza. Renewal application for a Class XI Restaurant/Lounge at 30 Market Street - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Zarro and seconded by Councilor Fournier for passage. Passage 9-0.

Danielle West (Interim City Manager) gave an overview of the item.

Mayor Snyder opened the floor for public comment. The following individuals spoke: Michael Lizotte (Pats Pizza), Nichole Albert (Associate Corporation Counsel, City of Portland), Eric Nevins (Lt. Portland Police), Councilor Pelletier, Michael White (Pats Pizza), Councilor Zarro, Councilor Trevarrow, Councilor Fournier, Councilor Dion, Danielle West (Interim City Manager), Councilor Ali, Councilor Rodriguez, Michael Goldman (Corporation Counsel, City of Portland), Mayor Snyder, Councilor Phillips, Zachary Lenhart (Licensing Manager)

Mayor Snyder closed public comment

Mayor Snyder opened the floor for Council deliberation. The following individuals spoke: Councilor Rodriguez, Councilor Pelletier, Councilor Fournier, Councilor Trevarrow, Councilor Zarro, Councilor Dion, Mayor Snyder.

ORDERS:

Order 123-22/23 Accepting and Appropriating a \$17,000 Community Resilience Partnership Community Action Grant - Sponsored by Danielle P. West, Interim City Manager

*Point of Order, This item and Order 124-22/23 was taken out of order and read before Order 119-22/23.

Motion was made by Councilor Zarro and seconded by Councilor Rodriguez for passage. Passage 9-0.

Troy Moon (Sustainability Director) gave an overview of the item.

Mayor Snyder opened the floor for public comment. The following individuals spoke: Councilor Rodriguez

Order 124-22/23 Accepting and Appropriating a \$9,000 Maine Department of Environmental Protection Waste Diversion Grant - Sponsored by Danielle P. West, Interim City Manager

Motion was made by Councilor Ali and seconded by Councilor Rodriguez for passage. Passage 9-0.

Troy Moon (Sustainability Director) gave an overview of the item.

Mayor Snyder opened the floor for public comment. No one spoke.

AMENDMENTS:

Order 125-22/23 Amendment to Portland City Code Chapter 14 re: Roux Institute Overlay Zone - Sponsored by Portland Planning Board, Maggie Stanley, Chair

The item is a first read item. No Council action taken.

Order 126-22/23 Amendment to the Zoning Map Re: B-5 Urban Commercial Zone for Roux Institute - Sponsored by Portland Planning Board, Maggie Stanley, Chair

The item is a first read item. No Council action taken.

Order 127-22/23 Amendment to the Zoning Map Re: Institutional Overlay Zone for Roux Institute - Sponsored by Portland Planning Board, Maggie Stanley, Chair

The item is a first read item. No Council action taken.

ADJOURNMENT:

Motion was made by Councilor Fournier and seconded by Councilor Rodriguez to adjourn. Passage 9-0 at 8:04pm.

A TRUE RECORD

Ashley Rand, City Clerk

**CITY OF PORTLAND
IN THE CITY COUNCIL**

PROCLAMATION RECOGNIZING BLACK HISTORY MONTH 2023

WHEREAS, African people were involuntarily brought to the shores of what is now the continental United States as early as 1526; and

WHEREAS, peoples brought forcibly to the United States of America from Sub-Saharan Africa and their descendents were enslaved by law until the Emancipation Proclamation of 1862, and subsequently faced the injustices of lynch mobs, Jim Crow-era segregation laws, and the denial of their fundamental human rights; and

WHEREAS, the descendants of enslaved Africans in the United States of America are known as Black Americans or African Americans; and

WHEREAS, Black Americans have come out from the adversity of their past to make significant contributions to American life and society; and

WHEREAS, the month of February is officially celebrated as Black History Month, which dates back to 1926 when Dr. Carter G. Woodson conceived of setting aside a special week in February to recognize the heritage and achievements of Black Americans; and

WHEREAS, countless Black Americans throughout the City's history contributed to making Portland the welcoming place it is today; and

NOW, THEREFORE, BE IT RESOLVED, that I, Kate Snyder, Mayor of the City of Portland, Maine and members of the City Council do hereby:

- 1) recognize the significance of Black History Month as a time to acknowledge and celebrate the contributions of Black Americans in our nation's history and encourage the continued annual celebration of Black History Month to provide opportunities for all Portland's residents to learn, examine, and better understand how history has shaped this nation; and
- 2) recognize the ways in which the City of Portland's ethnic and racial diversity enriches and strengthens our community; and
- 3) encourage all centers of education in the City of Portland to include in their year-round educational curriculum the history and contributions of Black Americans in Portland, the United States, and around the world.

Signed and sealed this 6th day of February, 2023



**Kate Snyder, Mayor
City of Portland**

**CITY OF PORTLAND
IN THE CITY COUNCIL**

PROCLAMATION RECOGNIZING FEBRUARY 7, 2023 AS “2-0-7 DAY”

WHEREAS, Maine is one of only 11 states with a single area code; and

WHEREAS, our area code, 207, is a well-recognized aspect of our state’s collective identity and a source of pride; and

WHEREAS, Portland Downtown works to stimulate a thriving, vibrant, and sustainable downtown community; and

WHEREAS, Portland Downtown launched 2-0-7 Day in 2022 to promote our entire city’s small business community during a slower time in our city’s economy; and

WHEREAS, Portland Downtown is once again hosting and will continue to host and promote 2-0-7 Day as an event and opportunity to enhance community pride as well as encourage residents to shop local and strengthen our city’s economy; and

NOW, THEREFORE, BE IT RESOLVED, that I, Kate Snyder, Mayor of the City of Portland, Maine and members of the City Council do hereby declare February 7, 2027 2-0-7 Day in the City of Portland, Maine, and encourage residents to join in celebrating and patronizing local small businesses to develop and sustain our vibrant community.

Signed and sealed this 6th day of February, 2023



**Kate Snyder, Mayor
City of Portland**

MEMORANDUM
City Council Agenda Item

FROM:

DATE: January 4, 2023

SUBJECT: Order 129-22/23 Appointing Kelly Hrenko, PhD as a member of the Public Art Committee - Sponsored by Danielle P. West, Interim City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: no

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

This item would approve the City Manager's recommended appointee, Kelly Hrenko, PhD to the Public Art Committee for a three-year term.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Appointing Kelly Hrenko, PhD, to the Public Art Committee 2.6..2023
2. Hrenko_CV_2022_Redacted

Prepared by:

Date: 01/04/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**ORDER APPOINTING KELLY HRENKO, PHD, TO THE
PUBLIC ART COMMITTEE**

ORDERED, that Kelly Hrenko, PhD, is hereby appointed to the Public Art Committee.

Kelly Hrenko, PhD
Associate Professor, Art Education
University of Southern Maine

EDUCATION

Ph.D., Art Education

University of Minnesota, Minneapolis MN, 2010

M.Ed., Art Education

University of Minnesota, Minneapolis MN, 2007

B.F.A., Art Education

Southern Illinois University, Carbondale IL, 1999

TEACHING EXPERIENCE

Professor, Art Education College of Arts, Humanities, and
Social Sciences, University of Southern Maine, September 2022- Current

Associate Professor, Art Education, College of Arts, Humanities, and
Social Sciences, University of Southern Maine, September 2016- August 2022

Assistant Professor, Art Education, College of Arts, Humanities, and Social Sciences,
University of Southern Maine, August 2010- August 2016

Adjunct Faculty, College of Continuing Education, Hamline University, 2007-2010.

Teaching Assistant, Department of Curriculum and Instruction, University of Minnesota
2006-2010.

Education Director, Theatre Arts and Dance Department, University of Minnesota.
2005-2007.

Art Education consultant, Fond Du Lac School, Fond Du Lac Reservation MN, 2005-2009

Art Educator, Snoqualmie Middle School, Snoqualmie WA, 2000-2005

SELECT PUBLICATIONS

Hrenko, K. Ackerman, A., Scribner, M. (submitted for review 2022) Thumbs up if you can hear me: engaged online arts integration. *Translations*, National Art Education Association.

Downey, L., Wilbur Van Mierlo, B., & Hrenko, K. (2021) Using project journals: Tools for creative learning in the k-6 classroom. US Department of Education, Arts in Education Grant publication.

Hrenko, K. et al. (2019). Side x Side: (Re)Imaging Arts Integration Handbook. US Department of Education Arts in Education Model Development and Dissemination Grant publication.

Hrenko, K. & Paul, M. (2017). Decolonizing vacationland. In Staikidis and Ballengee-Morris (Eds.), *Transforming Our Practices: American Indian Art, Pedagogies, and Philosophies*. Reston, VA: NAEA Press.

Dalton, J. & Hrenko, K. (2017) Caring as a transformative model for arts integration. *Curriculum and Teaching Dialogue*, 18 (1&2) 91-104.

Hrenko, K. & Dalton, J. (2016). Embodied art: Transformative learning and pre-service teacher preparation. *Curriculum and Teaching Dialogue* 18.

Hrenko, K. & Dalton, J. (2016). Indigenous communities + ELL students + pre-service teacher education = 3 ways of enacting change through place based education. *The International Journal of Arts Education*. The Arts and Society Press.

Hrenko, K. & Dalton, J. (2016). Music and contemporary visual arts. In Robinson, Hall, and Spano (Eds.), *Teaching general music: A K-12 experience*. Dubuque, IA: Kendall Hunt Publishing.

Kelly Hrenko, PhD
Associate Professor, Art Education
University of Southern Maine

Hrenko, K. (2014) The intersection of Indigenous cultures, visual arts and creative writing. *Journal of the American Association for Teaching and Curriculum*, 16 (1&2) 9-20.

Hrenko, K., & Stairs, A. (2012). Creative literacy: A new space for pedagogical understanding. [Special issue on Writing Across the Secondary School Curriculum] *Across the Disciplines*, 9(3). Retrieved January 17, 2013, from http://wac.colostate.edu/atd/second_educ/hrenko_stairs.cfm

Bequette, J., & Hrenko, K. (2010). Culture-based arts education. In Jon Reyhner, Willard Sakiestewa Gilbert, & Louise Lockard (Eds.), *Honoring our heritage: Culturally appropriate approaches to teaching indigenous students*. Flagstaff, AZ: Northern Arizona University Press.

Hrenko, K. (2010) American Indian curriculum handbook “ Intersecting Ojibwe Art Curriculum” University of Minnesota Press. <http://intersectingart.umn.edu>

Clover, F., Hrenko, K. (2009) “Bridging Cultures: Nordic and Ojibwe craft education”. *Journal of Crafticulation*, University of Helsinki Press, Finland.

SELECT CONFERENCE AND PROFESSIONAL PRESENTATIONS

Hrenko, K., ., Scribner, M., Van Mielo, B. “SidexSide: What we’ve learned”, invited panel, Federal Department of Education Annual Research conference, DC online, September 2022

Hrenko, K. “SidexSide case study: Best practices in arts integration”, National Art Education Association, New York, March 2022

Barnes, H. & Hrenko, K. “Navigating 21st Century Figure Drawing”, Foundations in Art, Theory and Education, Online conference, April 2021

Hrenko, K., Luenthner, L. & MacDonald, K. (2020) “Tabernacles of Silence”, Portland Museum of Art, Portland, ME. June 4, 2020.

Hrenko, K. & Dalton, J. “International experiences for pre-service teachers”, National Art Education Association, Minneapolis, March 2020 (Conference cancelled due to COVID)

Hrenko, K. “Life after the dissertation”, Panel organized by J. Bequette, National Art Education Association, Minneapolis, March 2020 (Conference cancelled due to COVID)

Hrenko, K. “Community Based Art Research” invited panelist, USM Research and Scholarship conference, Portland, March 2019

Hrenko, K. “Arts Assessment in Teacher Education” Maine International Conference on the Arts, Portland, October 2018

Lewis-Prosser, A. & Hrenko, K. “Side x Side: a pilot study”, American Education Research Association, New York NY, March 2018

Hrenko, K. & Dalton, J. “Side x Side: Arts based teaching and learning”. American Association for Teaching and Curriculum, Denver Co, October 2017

Kelly Hrenko, PhD
Associate Professor, Art Education
University of Southern Maine

Hrenko, K. & Lewis-Prosser, A. "Side x Side", National Art Education Association, New York, March 2017

Hrenko, K. "Transforming Our Practices: American Indian Art, Pedagogies, and Philosophies", Book Panel with Staikidis and Ballengee-Morris, National Art Education Association, Chicago IL, March 2016

Hrenko, K. "Visual thinking strategies as pedagogical practice", VTS workshop, Portland Museum of Art, Portland ME, February 2016

Hrenko, K. & Dalton, J. (2015) "Transformative learning and pre-service teacher preparation through arts-based curricula". American Association for Teaching and Curriculum, Portland ME, October 2015

Hrenko, K. & Dalton, J. (2015) "Place-Based Arts Education", Arts and Society Conference, London UK, June 2015

Hrenko, K. "Transforming Our Practices: American Indian Art, Pedagogies, and Philosophies", Book Panel with Staikidis and Ballengee-Morris, National Art Education Association, San Diego CA, April 2014

Hrenko, K. "Wabanaki Arts and Writing" American Education Research Association, Philadelphia PA, March 2014

Hrenko, K. & Dalton, J. "One Middle school+ Two teacher education programs = Three ways of enacting community-based art education" Eastern Educational Research Association, Jacksonville FL, February 2014

Hrenko, K. "The Intersection of Wabanaki Cultures, Visual Arts, and Creative Writing" American Education Studies Association, Baltimore MD, November 2013

Hrenko, K. "Gendered Art: An urban approach to single-sex arts education" Accepted for American Education Research Association, Vancouver BC, 2012

Hrenko, K. "Can We Really Recreate Culturally Relevant Curriculum Elsewhere? Problematising the Replication of Place-Specific Culture-Based Art. Accepted for American Education Studies Association. St Louis MO, 2011

Hrenko, K. "Space based art education". Accepted for American Education Research Association New Orleans LA, 2011

Hrenko, K. "Teacher education and professional development in the arts". Accepted for American Education Studies Association Denver CO, 2010

Hrenko, K. "Culture-Based Native Art". Accepted for New England Philosophy of Education Society, Hartford, CT, 2010

Hrenko, K., Bequette, J. "Art for the elementary teacher: an action research study". Accepted for National Art Education Association, Baltimore, MD, 2010.

Kelly Hrenko, PhD
Associate Professor, Art Education
University of Southern Maine

Hrenko, K. "Critical place-based art: Ideas of place in and out of the classroom". Accepted for Pineland Research conference, USM 2010

Hrenko, K. "Ojibwe arts integration". Accepted for American Education Studies Association, Pittsburgh PA, 2009.

Hrenko, K. "Arts Infusion for the Elementary generalist". Guest lecture, Gustavus Adolphus College, MN, 2009.

Hrenko, K., Bequette, J., & Piette, D. "American Indian art in the elementary classroom". Accepted for Art Educators of Minnesota Conference, MN, 2009.

Bequette, J., Hrenko, K. "Good, better, best: Culturally relevant arts integration". Accepted for National Art Education Association Conference, Minneapolis MN, 2009.

Clover, F., Hrenko, K., "Building Bridges". Accepted for National Art Education Association, Minneapolis MN, 2009.

Clover, F., Hrenko, K. "Arts and Crafts of Northern Minnesota". Accepted for International Craft Conference. Helsinki, Finland, 2008.

Hrenko, K. "Project Intersect". Accepted for Art Educators of Minnesota Conference, Saint Cloud, MN, 2008.

Clover, F., Hrenko, K. "Ojibwe Craft in the classroom". Accepted for Art Educators of Minnesota Conference, St Cloud MN, 2008.

Hrenko, K. "Culturally Relevant Art integration". Accepted for 5th International Conference on Teacher Education and Social Justice Center for Anti-Oppressive Teacher Education. Chicago, IL. 2008.

Hrenko, K., Neuman, E. "Teacher Education: Stories from the art room: A panel presentation". Accepted for Art Educators of Minnesota Conference, Minneapolis, MN, 2006 & 2007.

AWARDS AND GRANTS

Federal Department of Education, Arts in Education Development and Dissemination Grant (AAEDD), Project (RE) IMAGINE, Co-PI, 2018-2022, \$2,500,000.00

Maine Economic Improvement Fund, North Atlantic Student Teacher Exchange Program, PI, 2017-19, \$50,000.00

University of Southern Maine Title III Faculty Fellowship, 2017-19

Susan Curtis Foundation Community Partnership Award, 2017

Federal Department of Education, Arts in Education Model Development and Dissemination Grant (AEMDD), Project IMAGINE, Co-PI, 2014-2018, \$1,911,849.00

National Science Foundation, Transforming Undergraduate Education in Science (TUES) Grant, Co-PI, 2013-2016, \$192,226.00

University of Maine System Multicultural Grant, 2013, \$3,000.00

University of Southern Maine Faculty Senate Research Grant, 2012, \$700.00

Maine Campus Compact Faculty Fellowship, 2011, \$1,500.00

Kelly Hrenko, PhD
Associate Professor, Art Education
University of Southern Maine

University of Southern Maine Technology Grant, 2011, \$500.00
University of Southern Maine Faculty Professional Development Grant, 2010-2011, \$700.00
University of Southern Maine Faculty Senate Service Award, 2011, \$700.00
Federal Department of Education, Arts in Education Model Development and Dissemination Grant (AEMDD), Project Intersect, Research Assistant, Fond du Lac Reservation, 2006-2010, \$906,688.00

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

Maine Art Education Association 2010- present
American Educational Studies Association 2008-present
American Education Research Association 2008- present
College Art Association 2007-present
National Art Education Association 1999-present

BOARD AND COMMITTEE SERVICE

USM Interim Associate Dean for College of Arts, Humanities and Social Sciences, 2022-2023
USM Gloria S. Duclos Convocation Committee, 2021-22
USM Percent for Art Campus Committee 2021-22
Arts in Education Partnership (AEP) Higher Education Committee- 2021-22
USM Priority Four: Research, Creativity and Innovation Committee, President appointed, 2021
USM Center for the Arts Design Committee, Dean appointed, 2020-21
USM Advising and Assessment Sub-Committee, 2020-21
USM Art Department Chair, 2017- present
USM Maine North Atlantic Institute, Co-Chair of Art and Culture Committee, 2019-2020
USM New England Commission of Higher Education Recertification Committee, 2019-2020
USM Faculty Senate Scholarship Committee, Dean appointed, 2017
USM Community Based Learning Committee, Faculty Senate, 2016- 2017
USM University Assessment Committee, Provost appointed, 2015-2019
USM Curriculum Review Committee & Co-Chair, 2014- 2015
USM Title III HIP Advisory Committee, 2014- 2016
USM Faculty Advising Liaison/ Major Advising Coordinator, 2011-2016
USM Professional Education Council, 2011-present
USM Academic Program Assessment Software Committee, Provost appointed, 2012
Side x Side Arts Integration Organization, Steering Committee, 2013-2018
Maine Art Commission, Education Board, 2011-2013
Maine Art Education Association, Board, 2010-2014
Portland Museum of Art, Education Board, 2010-present
The ArtVan, Board, 2012-2015
The Telling Room, Education Board, 2011-2014
City of Saint Paul MN, Star Grant Board, 2007

TEACHING CERTIFICATIONS

Minnesota Teaching Certification, Art K-12
Washington Teaching Certification, Art K-12
Illinois Teaching Certification, Art K-12

MEMORANDUM
City Council Agenda Item

FROM:

DATE: January 23, 2023

SUBJECT: Order 130-22/23 Granting Municipal Officers' Approval of Banded Horn Brewing Company LLC, dba Banded Brewing Company. Application for Class III & IV FSE at 82 Hanover Street - Sponsored by Danielle P. West, Interim City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: n/a

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 1/17/23. New City and State applications. Establishment currently holds B/W/D On-Premise Consumption and Small Brewery Manufacturing.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2023.02.06_Banded Brewing
2. Banded Brewing_Council Packet

Prepared by:

Date: 01/23/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA PHILLIPS (3)
ANDREW ZARRO (4)

**CITY OF
PORTLAND**
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Banded Horn Brewing Company LLC, dba Banded Brewing Company. Application for
Class III & IV FSE at 82 Hanover Street**

Antonio Lynch
General Manager
Banded Brewing Company
82 Hanover Street Ste 6
Portland, ME 04101

January 17th, 2023

Mayor Snyder and City Council
Portland, Maine

Dear Mayor Snyder and esteemed City Councillors of Portland,

I am writing to you on behalf of Banded Brewing Company. The purpose of this letter is to request from the city of Portland an expansion of our business licenses to allow us to better serve our guests and the people of Portland. During the past two years of tasting room operations, we've heard near constant requests for gluten-free or non-malt beverage options, as well as requests for an expanded menu of snacks to compliment our beer. Our intention is to continue to operate our taproom and brewery - located 82 Hanover Street in the Bayside neighborhood - much the same as we have, but with the additions of a more thoughtful snack menu and wine and hard cider beverage options. We expect that by offering a broader menu for our guests, our business will be viewed as more inclusive and approachable to a wider range of guests - and will thus draw more people to the burgeoning Bayside neighborhood.

I've included our original letter of intent which was approved by the City Council in July of 2020 as we intend to continue our operations much the same as they were when we opened later that year.

Thank you very much for your time and consideration.

Cheers,



Tony Lynch
General Manager
917.776.3638
tony@bandedbrewing.com



CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information	Banded Horn Brewing Company, LLC D/B/A Banded Brewing Co.		
Establishment Name (d/b/a):		Phone:	207.602.1561
Location Address:	82 HANOVER ST. STE 6 PORTLAND, ME Zip: 04101		
If new, what was formerly at this location:	N/A		
Mailing Address:	32 MAIN ST. BLDG 13-W BIDDEFORD, ME Zip: 04005		
Contact Person:	TONY LYNCH	Phone:	917.776.3638
Contact Person Email:	TONY@BANDEDBREWING.COM		
Manager of Establishment:	CODY GRYSKO	Date of Birth:	3/13/91 Phone: 207.387.5280
Owner of Premises (Landlord):	PORT PROPERTY 82 HANOVER LLC		
Address of Premises Owner (Landlord):	82 HANOVER ST. STE 5 PORTLAND, ME Zip: 04101		

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address
IAN MCCONNELL	02/24/1980	150 OAK LANE DAYTON, ME 04005

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address	
Banded Horn Brewing Company LLC		32 MAIN ST. BLDG 13-W BIDDEFORD, ME Zip: 04005	
Contact Person:	TONY LYNCH	Phone:	917.776.3638
Principal Officers	Title	Date of Birth	Residence Address
IAN MCCONNELL	Principal Owner	02/24/80	150 OAK LANE DAYTON, ME 04005
Class of Liquor License: III + IV			

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557

bl@portlandmaine.gov • www.portlandmaine.gov



CITY OF PORTLAND
Permitting and Inspections Department

Type of food served:	<u>PRE-PACKAGED SNACKS AND SMALL BITES</u>	
Please circle all that will be served:	<u>Beer</u> <u>Wine</u> Liquor	
Projected percentage of sales:	Generated from Food: <u>7-10%</u>	Generated from Alcohol: <u>90-93%</u>
Hours & days of operation:	<u>W, Th 4-9pm F 2-9pm Sa 12-9pm Su 12-6pm</u>	
QUESTIONS		
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	Y/N <u>Y</u>	
If No, please explain:		
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	Y/N <u>Y</u>	
If yes, give the distance:		
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)	Y/N <u>Y</u>	
Will you permit dancing after 1:00 a.m.?	Y/N <u>Y</u>	
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	Y/N <u>Y</u>	
If yes, will the outside dining be on PUBLIC or <u>PRIVATE</u> property (circle one).		
Will you have any amusement devices (pinball, video games, juke box)?	Y/N <u>Y</u>	
If yes, please list: # of amusements: _____ # of pool tables: _____		
What is your targeted opening date?		
Does the issuance of this license directly or indirectly benefit any City employee(s)?	Y/N <u>Y</u>	
If Yes, list name(s) of employee(s) and department(s):		
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	Y/N <u>Y</u>	
If Yes, please list business name(s) and location(s):		
<u>BANDED BREWING COMPANY 82 HANOVER ST. PORTLAND, ME 04101</u>		
Is any principal officer under the age of 21?	Y/N <u>Y</u>	
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	Y/N <u>Y</u>	
If Yes, please explain:		

I, TONY LYNCH do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request, require me to produce Server Training certificates for each employee that serves alcohol to the public in my establishment. Failure to meet the training requirement imposed by section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653 (2) (G).

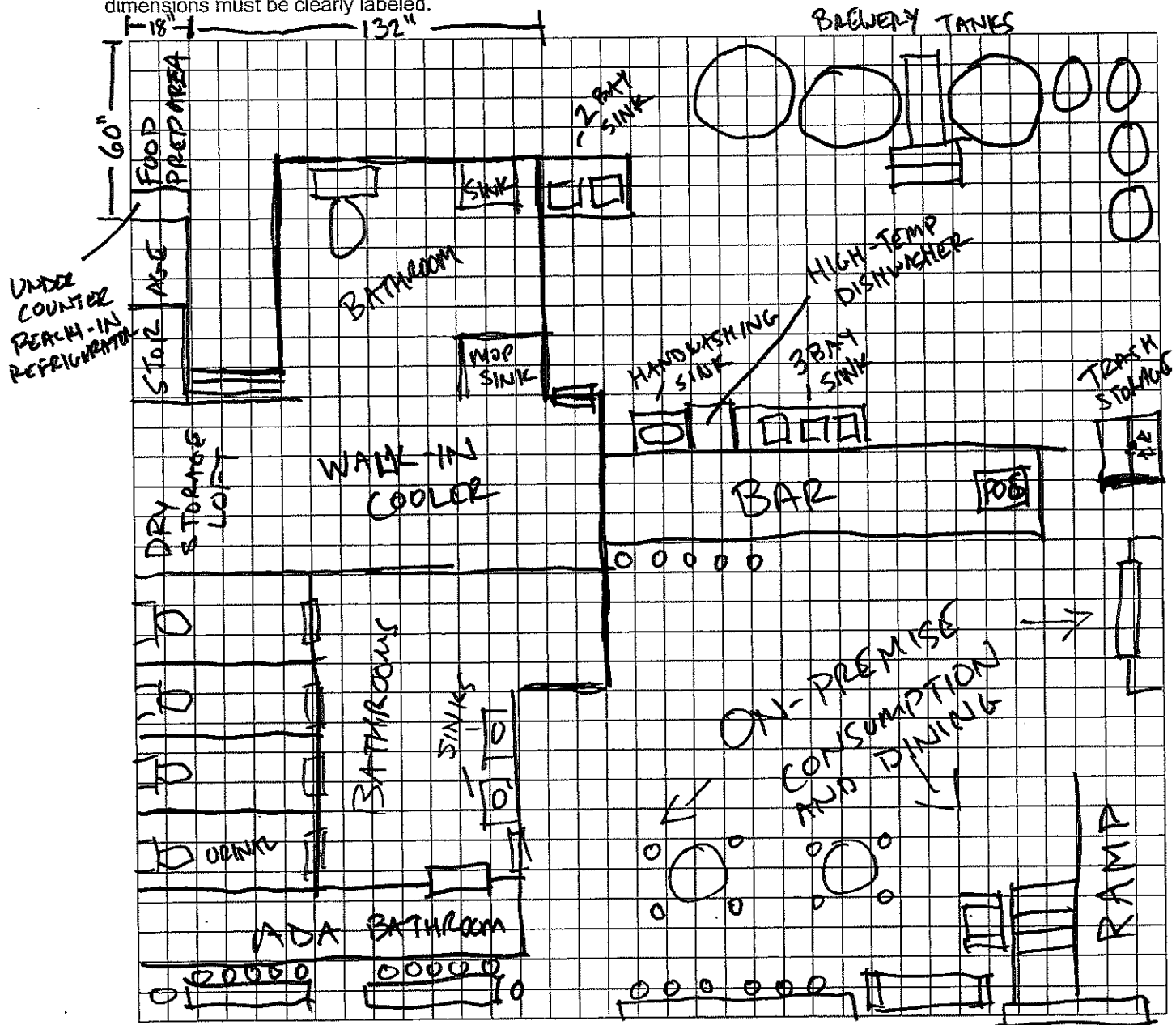
Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive any rights to privacy with respect thereto.

Signature Tony Lynch Title GENERAL MANAGER Date 1/16/23

9. Kitchen or Food Preparation Area Plan:

Use this grid or a separate sheet of graph paper to draw a floor plan, or provide a floor plan prepared by a knowledgeable party, for eating place food preparation area(s)/kitchen(s). If the plan is not drawn to scale, the dimensions must be clearly labeled.



The floor plan should include the following items.

Sinks:	Toilet Facilities:	Refrigeration:	Facilities:
1. Hand Washing	1. Toilets	1. Walk-in Coolers	1. Food Preparation Areas
2. Ware Washing	2. Sinks	2. Walk-in Freezers	2. Food Storage Areas
3. Utility	3. Urinals	3. Freestanding Coolers	3. Trash/Refuse/Redemption Areas
4. Food Prep	4. Other	4. Freestanding Freezers	4. Dining Areas
5. Dipper Wells		5. Ice Maker	5. Equipment/Counters/Seats/Tables
6. Other		6. Other	6. Dry Storage/All Other Storage



CITY OF PORTLAND
Permitting and Inspections Department

Outdoor Dining Permit on Private Property
Supplemental Application

License accompanies a City of Portland Food Service Establishment or Food Service Establishment with Liquor License

☐ Outdoor Dining on Private Property \$125.00 ☐ Legal Advertisement Deposit \$100.00

Business Information	
Business Name (d/b/a):	BANDED BREWING Co. Phone: 207.602.1561
Location Address:	82 HANOVER ST. STE 6 PORTLAND, ME Zip: 04101
Mailing Address:	32 MAIN ST. BLDG 13W STE 102 BIDDEFORD ME Zip: 04005
Contact Person:	TONY LYNCH Phone: 917.776.3638
Contact Person Email:	TONY@BANDED BREWING.COM
Manager of Establishment:	CODY GRYBKO Date of Birth: 3/13/91 Phone: 207.387.5280
Owner of Premises (Landlord):	PORT PROPERTY
Address of Premises Owner:	82 HANOVER ST. STE 5 PORTLAND, ME Zip: 04101

Owner Information

Corporate Name		Corporate Mailing Address	
BANDED HORN BREWING COMPANY, LLC		32 MAIN ST. BLDG 13W BIDDEFORD ME Zip: 04005	
Contact Person:	TONY LYNCH	Phone:	207.602.1561
Principal Officers	Title	Date of Birth	Residence Address
IAN McCONNELL	Principal Owner	02/24/80	150 OAK LANE DAYTON, ME 04005



CITY OF PORTLAND
Permitting and Inspections Department

Class of License:	III / IV
Type of food served:	PREPACKAGED SNACKS AND SMALL BITES
Please circle all that will be served:	Beer Wine Liquor
Hours & days of operation:	W, Th 4-9pm F 2-9pm Sa 12-9pm Su 12-6pm
Number of Tables	8 INDOORS + BAR 7 PATIO
Number of Chairs	50 INDOORS 34 PATIO

Design and Construction

- If you are building a structure or adding impervious surface for the outdoor dining area please contact the Permitting and Inspections Department for permitting requirements at permitting@portlandmaine.gov or 874-8703.

Maintenance and Operations

- Outdoor dining components must be within the permitted area and allow safe passage of pedestrian traffic. Failure to comply may result in a revocation of the permit.
- No food shall be prepared in the designated outdoor dining area.
- Outdoor dining areas must meet ADA regulations and accessible seating is required.

I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Portland, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk or park space. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Portland, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable.

Signature Tony Lyall Title General Manager Date 1/17/23

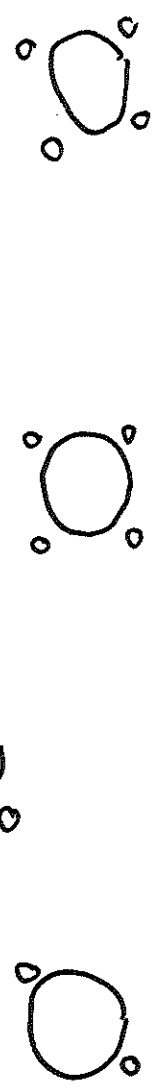
For Administrative Use Only

Amount: _____	Request Date / Approval	Notes: _____
Date Paid: _____	FD: _____	_____
CC _____ CA _____ CK _____	Health: _____	_____
	PD: _____	_____
Amount: _____	PR: _____	_____
Date Paid: _____	Treasury: _____	_____
CC _____ CA _____ CK _____	Zoning: _____	_____

BANDED BREWING CO.

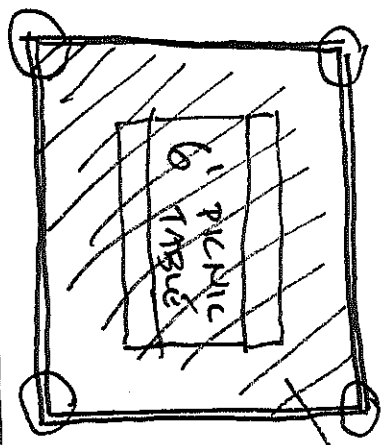
82 HANOVER ST.

DOOR TO
BREWERY
PLANT

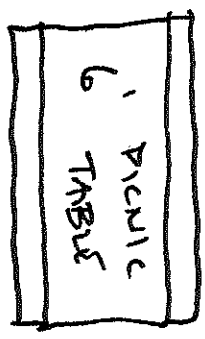


25'

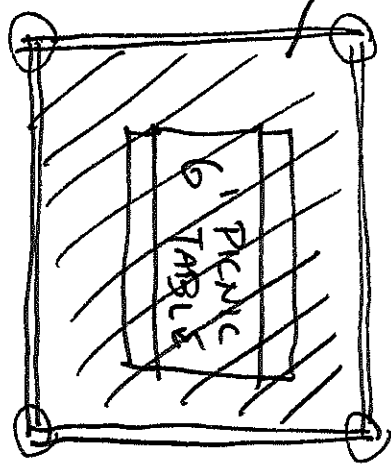
PALLET WALL



COVERED PERGOLAS
10' x 10'

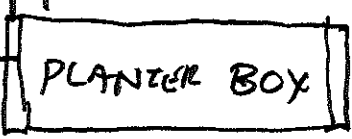


45'



PALLET WALL

PALLET WALL



PUBLIC SIDEWALK

PUBLIC PEDESTRIAN WAY

(FORMERLY LANCASTER STREET)

Total Square Feet = 1,125
(25' x 45')

HANOVER STREET

BANDED BREWING

BUILD YOUR OWN FLIGHT // \$11.11

your choice of four 5oz pours

LIGHT + CRISP

MILLTOWN // AMERICAN LAGER // 4.0%

ALL-MALT LIGHT LAGER. CRISP, CLEAN, + ULTIMATELY REFRESHING.

DRAFT: 12oz, \$4.63 // 16oz, \$5.56

PEPPERELL // GERMAN-STYLE PILSNER // 4.6%

SNAPPY, CRISP, REFINED. A STAFF FAVORITE.

DRAFT: 12oz, \$6.02 // 16oz, \$6.94

HOP-FOCUSED

VERIDIAN // IPA // 6.0%

HAZY + HEAVENLY W/ NOTES OF CITRUS, CREAMSICLE, + RESIN.

DRAFT: 12oz, \$6.48 // 16oz, \$7.41

DAIKAIJU // DOUBLE IPA // 8.7%

MONSTROUS HOP FLAVORS. DANGEROUSLY BALANCED.

DRAFT: 5oz, \$2.78 // 12oz, \$6.94

LUMINAIRE // IPL // 6.3%

A FUSION OF OUR LOVE FOR BREWING HOPPY, PUNCHY ALES AND SNAPPY, CRISP LAGERS. TROPICAL, BRIGHT, AND CRUSHABLE.

DRAFT: 12oz, \$6.48 // 16oz, \$7.41

LIGHTBRINGER // RED IPA // 8.0%

MALT-FORWARD WITH NOTES OF STRAWBERRY, PINE, BITTER CITRUS, SAGE + COOKIE DOUGH.

DRAFT: 5oz, \$3.50 // 12oz, \$6.94

MALT-FORWARD

2021 MOUNTAIN // BARREL-AGED IMPERIAL STOUT // 12.0%

AN ANNIVERSARY TRADITION! BREWED THE PREVIOUS YEAR AND ALLOWED TO AGE IN BOURBON BARRELS. MOUNTAIN PROVIDES FULL, RICH OAK ON THE NOSE. BURNED VANILLA LEADS TO MOCHA AND COCONUT. HINTS OF MAPLE SYRUP AND PECAN ARE BALANCED BY A TART BLACKBERRY. A WARMING ALCOHOL CLOSING WITH A SEMI-SWEET FINISH

DRAFT: 5oz, \$4.17 // 8oz, \$6.48

AGLOW // STOUT W/ COCOA + PEPPERMINT // 7.6%

BREWED TO SUPPORT COASTAL MAINE BOTANICAL GARDENS (BOOTHBAY, ME). CHOCOLATE, MINT, + ABSINTHE, ARE BALANCED OUT BY SEMI-SWEET LAYERS OF COCONUT + MAPLE.

DRAFT: 5oz, \$3.50 // 12oz, \$6.94

NORWEALD // CLASSIC STOUT // 6.5%

INSPIRED BY OUR PLAYGROUND, THE NORTH WOODS OF MAINE. DARK MALT FLAVORS OF DARK CHOCOLATE, TOFFEE, CREAM, + CARAMEL.

DRAFT: 12oz, \$6.02 // 16oz, \$6.94

WEDNESDAYS + THURSDAYS 4-6PM // FRIDAYS 2-6PM

\$4 PINTS OF MILLTOWN, PEPPERELL, + NORWEALD

\$5 PINTS OF VERIDIAN AND CHARMS + HEXES

BANDED BREWING

BUILD YOUR OWN FLIGHT // \$11.11

your choice of four 5oz pours

MALT-FORWARD

(CONTINUED)

ELDIR // RAUCHBIER // 5.8%

BREWED WITH 100% BEECHWOOD SMOKED MALT. RUGGED YET PLEASANT NOTES OF CAMPFIRE SMOKE, HEARTH-BAKED BREAD + MULLING SPICES. THE FIRE KINDLER.

DRAFT: 12oz, \$6.48 // 16oz, \$7.41

****NITRO** JOLLY WOODSMAN // COFFEE STOUT // 7.5%**

BREWED WITH SPECKLED AX KENYAN ESPRESSO. FUELS THE MOST VORACIOUS OF FIRES OR ARDENT OF WOODSMAN. NOTES OF ORANGE, CACAO HUSK, CRANBERRY, + BITTER CHOCOLATE.

DRAFT: 12oz, \$6.48 // 16oz, \$7.41

LOCALLY FORAGED

GOURD LORD // LAGER W/ PUMPKIN + SPICES // 6.7%

PUMPKIN SPICE LAGER! BREWED WITH LOCAL PUMPKINS FROM LEARYS FARM [SACO, ME]. FALL SPICE + EVERYTHING NICE, WITH A CRISP LAGER FINISH.

DRAFT: 12oz, \$6.48 // 16oz, \$7.41

SOUR/FUNKY

CONVERGENT EVOLUTION // SAISON // 6.0%

BELGIAN-STYLE SAISON WITH ULTRA COMPLEX CHARACTER. NOTES OF RIPE PEACH, LIME LEAF, STRAWBERRY, AND GREEN PEPPERCORN. A COLLAB W/ BARRELED SOULS (SACO, ME).

DRAFT: 5oz, \$3.70 // 12oz, \$6.48

CHARMS + HEXES // ROTATING SOUR ALE // 5.2%

TART, REFRESHING SOUR ALE MADE W/ ROTATING FRUIT. CURRENT BATCH: CRANBERRY, CURRENT, + SOUR CHERRY

DRAFT: 12oz, \$6.48 // 16oz, \$7.41

RESOLUTION // CHAMPAGNE-INSPIRED ALE // 9.8%

INSPIRED BY CHAMPAGNE AND BREWED WITH NEW YEAR'S EVE IN MIND. EFFERVESCENT + FUNKY W/ NOTES OF CHARDONNAY, GREEN APPLE + PEAR.

CAN POUR: : 16OZ can pour, \$6.50

WEDNESDAYS + THURSDAYS 4-6PM // FRIDAYS 2-6PM

\$4 PINTS OF MILLTOWN, PEPPERELL, + NORWEALD

\$5 PINTS OF VERIDIAN AND CHARMS + HEXES



@BANDEDBREWING

#BANDEDBREWING

@BANDEDPORTLAND

#BANDTOGETHER

FLIP FOR MORE ►

FLIP FOR MORE ►

BANDED BREWING



32 Main Street | Biddeford, ME

82 Hanover Street | Portland, ME

Snacks & Small Bites

Patagonia Provisions Tinned Fish - \$10

All varieties - 4.2 oz tin served with Little Spruce crackers

- Roasted Garlic Spanish White Anchovies
- Lemon Caper Mackerel
- Savory Sofrito Mussels

Righteous Felon Beef Jerky - \$7

All varieties - 2 oz bag

- O.G. Hickory
- Bourbon Franklin
- Habanero Escobar
- Baby Blues BBQ

Banded Board Bento Box - \$10

A snack board in a box

- Includes Cabot white cheddar, Morse's landjaeger (semi-dry, smoked sausage), house pickles, Little Spruce crackers, house beer mustard

Ian's Sweet and Spicy Peanuts - \$6

Ian's own recipe. 4-5oz bag

Banded Beer Needhams - \$8

Chocolate-covered candies made with and inspired by Banded beers. Made by Robin's Confections in Biddeford, ME. Box of four assorted flavors.

City of Portland | Permitting and Inspections
Zachary Lenhert, Licensing and Housing Safety Manager



January 31, 2023

Banded Brewing Company
32 Main St, BLDG 13-W
Biddeford, ME 04005

Re: Banded Horn Brewing Company LLC, dba Banded Brewing Company. Application for Class III & IV FSE at 82 Hanover Street

Dear Banded Brewing Company:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday February 6, 2023 at 5:00 p.m., for the review of application for Banded Horn Brewing Company LLC, dba Banded Brewing Company. Application for Class III & IV FSE at 82 Hanover Street. The meeting will take place in person and virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on February 3, 2023.

You or a representative of the business must be present at this meeting in the event that the city council has questions regarding the license application. If there is no representation and questions arise, the item may be postponed.

Please contact our office directly with questions at (207) 874-8557 or at bl@portlandmaine.gov.

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager



Zachary Lenhart <zlenhart@portlandmaine.gov>

Banded Brewing

Matthew Coldwell <mcoldwell@portlandmaine.gov>

Wed, Jan 25, 2023 at 2:08 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <erickn@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>

Hello,

The legal use for this tenant space is microbrewery with bar and retail. Zoning approves.

Thank you,

Mac

Mac Coldwell

City of Portland
Zoning Specialist
Permitting & Inspections Department
389 Congress ST, Room #315
Email: mcoldwell@portlandmaine.gov
he/him

[Quoted text hidden]

Banded Brewing

Eric Nevins <ericn@portlandmaine.gov>

Wed, Jan 25, 2023 at 6:13 PM

To: Zachary Lenhert <zlenhert@portlandmaine.gov>

Cc: Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>

Approved

On Tue, Jan 24, 2023 at 1:55 PM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:

[Quoted text hidden]

--

Eric Nevins
Lieutenant
Portland Police Department
(207) 874-8513

K.L.



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	CAR-14886
Class:	3 By: CP
Deposit Date:	
Amt. Deposited:	\$230-
Payment Type:	V# 2721
OK with SOS:	Yes ☒ No ☐

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): Banded Horn Brewing Company, LLC	Business Name (D/B/A): Banded Brewing Co.
Individual or Sole Proprietor Applicant Name(s): Ian McConnell	Physical Location: 82 Hanover St, Ste 6, Portland, ME 04101
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 32 Main St, Bldg 13-W, Biddeford, ME 04005
Mailing address, if different from DBA address:	Email Address: TONY@BANDEDBREWING.COM
Telephone # Fax #: 207-602-1561	Business Telephone # Fax #: 207-602-1561
Federal Tax Identification Number: 46-2161354	Maine Seller Certificate # or Sales Tax #: 1165649
Retail Beverage Alcohol Dealers Permit: SMB-12433 BR-ME-21012	Website address: www.bandedbrewing.com

1. New license or renewal of existing license? ☒ New Expected Start date: 02/01/2023
☐ Renewal Expiration Date: 02/01/2024

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \$ 10,000.00 Beer, Wine or Spirits: \$ 150,000.00 Guest Rooms: \$ 0.00

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

RECEIVED

DEC 28 2022

Liquor Licensing
& Enforcement

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| ☒ Restaurant
(Class I, II, III, IV) | ☐ Class A Restaurant/Lounge
(Class XI) | ☐ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☐ Other: _____ | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

32 Main St, Bldg 13-W Ste 102, Biddeford, ME 04005

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

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10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Banded Brewing Co.	SMB-42R	32 Main St Bldg 13W, Biddeford, ME 04005

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Ian McConnell	02/24/1980	Etna, ME
Antonio Lynch	02/01/1983	New York, NY
Residence address on all the above for previous 5 years		
Name	Address:	
Ian McConnell	150 Oak Lane, Dayton, ME 04005	
Name	Address:	
Antonio Lynch	50 Granite St, Biddeford, ME 04005	
Name	Address:	
Name	Address:	

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13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Port Property Management 82 Hanover St, Ste 5, Portland, ME 04101

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18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Taproom common area, patio, bathrooms

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Portland High School

Distance: 0.4 miles

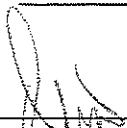
Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 12/23/2022

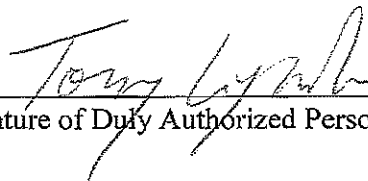
12/23/22



Signature of Duly Authorized Person

Ian McConnell

Printed Name Duly Authorized Person



Signature of Duly Authorized Person

Antonio Lynch

Printed Name of Duly Authorized Person

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Adding wine

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

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B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

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& Enforcement

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

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& Enforcement

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

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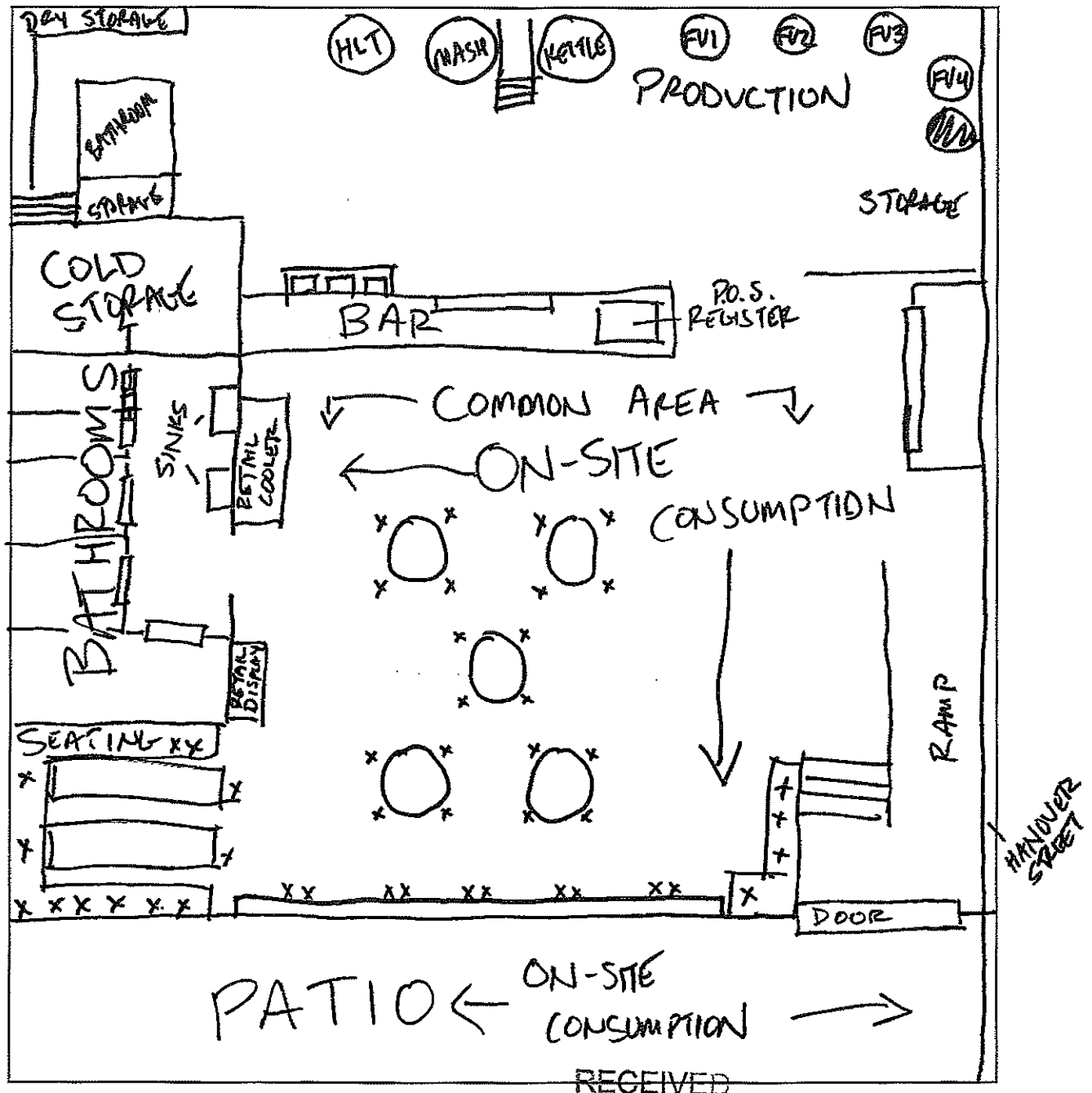
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Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Banded Horn Brewing Company, LLC
2. Doing Business As, if any: Banded Brewing Co.
3. Date of filing with Secretary of State: 02/13/2013 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Ian McConnell	150 Oak Lane Dayton, ME 04005	02/24/1980	Principal	100.0000

(Ownership in non-publicly traded companies must add up to 100%.)

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INVOICE

CITY OF PORTLAND
LICENSING & REGISTRATION
389 Congress Street
Portland, Maine 04101
(207) 756-8131



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00078374	01/17/2023	01/17/2023	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
LL-005085-2023	Class III & IV	\$906.00
	Legal Advertisement Deposit	\$100.00
	New Application Fee	\$45.00
Banded Brewing Co - 82 Hanover St Portland, ME 04101		
SUB TOTAL		\$1,051.00

TOTAL **\$1,051.00**

BILLING CONTACT

IAN MCCONNELL
BANDED HORN BREWING COMPANY LLC
32 Main St, Bldg 13-W
Biddeford, Me 04005

Make checks payable to the City of Portland, ATTN: Licensing & Registration, 389 Congress Street, Portland, ME 04101

City of Portland
Permitting & Inspections
389 Congress St
Portland, ME 04101
207 874-8490
Welcome

016818-0005 Alyssa W. 01/17/2023 03:23PM

INVOICE

MCCONNELL, IAN (BANDED HORN BREWING COMPANY LLC)
LL-005085-2023

2023	Item: INV-00078374	
	Class III & IV	906.00
	New Application Fee	45.00
	Legal Advertisement	
	Deposit	100.00

1,051.00

Subtotal 1,051.00

Total 1,051.00

CHECK 1,051.00

Check Number 2730

Change due 0.00

Paid by: MCCONNELL, IAN (BANDED HORN
BREWING COMPANY LLC)

Thank you for your payment

City of Portland COPY
DUPLICATE RECEIPT

City of Portland | Executive Department
Danielle P. West, *Interim City Manager*

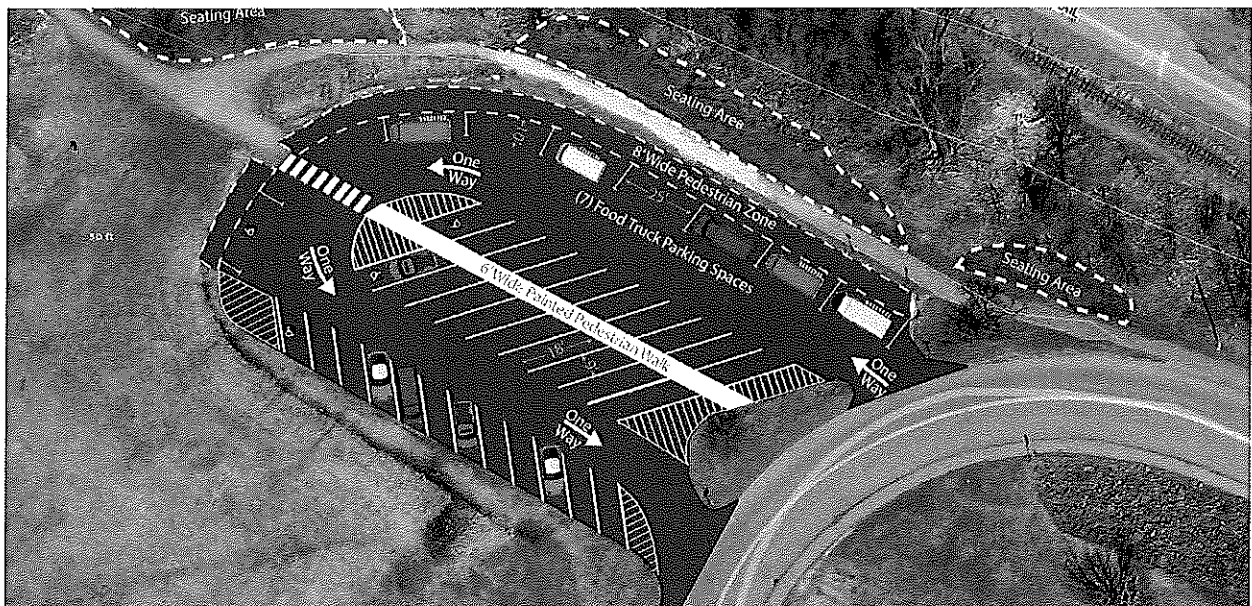


To: Mayor Snyder and Members of the Portland City Council
CC: Relevant City Departments
From: Danielle P. West, Interim City Manager 
Date: February 3, 2023
Re: Food Truck Policy 2023

During the summer of 2022, the City piloted a food truck plaza in the Cutter Street middle parking lot in Eastern Promenade Park. The pilot was initiated due to community and staff concerns about impacts related to the food truck use along the Eastern Prom Roadway, tree-root compaction, trash, parking, generator noise and fumes in close proximity to residences, and very tight travel lanes and safety concerns due to the location of the food trucks.

Following the 2022 season, the City solicited and received feedback on the pilot plaza location in the middle lot. The City conducted an online public survey that had over 1,862 unique respondents (results are attached), as well as a survey of food truck operators that had 18 respondents. The City also received written commentary from community members and food truck operators. Lastly, City staff observed first-hand how the pilot program operated, sometimes making adjustments to improve performance during the season.

After reviewing and incorporating public feedback (including 1,862 poll respondents), conversations and feedback from food truck owners, and input from multiple City Departments including Parks, Recreation and Facilities, Public Works, Permitting and Inspections, and Parking, we are instituting the following program for the 2023 season:



- **Maintain food truck plaza location at Cutter Street middle parking lot.** The approximate layout depicted above, final layout may differ slightly.
- **Adjust the number of dedicated food truck spaces from 14 to 7.** Food truck attendance data collected during the summer season of 2022 (June to September) shows that on average, there were 5.9 food trucks present each day, with a minimum of 0 and a maximum of 11 on the busiest days. During these times, staff received many complaints due to the lack of parking. Reducing the reserved food truck spaces from 14 to 7 allows the Department of Parks, Recreation and Facilities to balance two important park priorities: activation of the park through food and beverage, and parking and equitable access for all park users and visitors. This reduction will allow the addition of approximately 20 parking spaces, which can be accessed by both food truck customers and other park users including, but not limited to, boat traffic, tourists, and other visitors to the park.
- **Explore installation of electricity on the north side of the parking lot during the 2023 season.** This could result in reduced noise and emissions by the food trucks. In addition, the electricity would have the potential to serve other park uses. Funding for this installation will depend on available funds and the number of food trucks using the designated spaces during the 2023 season. If there is sufficient use of the area during 2023, funding will be requested in a future budget.
- **Locate the 7 reserved food truck spaces along the north side of the Cutter Street middle parking lot (away from the base of the sledding hill on the south side of the lot).** This will address concerns raised by some food truck operators related to the lack of shade for queuing customers, as well as the distance of the plaza from nearby picnic tables. This will also allow for the future installation of electricity without interfering with winter sledding opportunities.
- **Install trash vault trash cans.** Trash vaults are now in-hand and can be installed on the Eastern Prom after many supply-chain delays. In addition to the continuation of more frequent trash collection by City staff, we believe that this installation will help address trash/maintenance issues.
- **Improve access to the plaza by installing a walkway and stairs from the Cleeves Monument to the Cutter St Mid Lot.** Capital Improvement funding for the installation of these stairs and walkway has been allocated, and the project has received unanimous approval from the Historic Preservation Board.
- **Provide additional food truck parking at the Amethyst Lot.** In addition to the 2 dedicated food truck parking spaces that are already present, an additional 2 spaces will be added to this location. The high foot traffic from the Eastern Prom Trail, SailMaine activities, and cruise ships make this an ideal location for activation. There will be a fee to use this location.
- **Eastern Prom Parking Spaces.** Food trucks selected to use the Eastern Prom/Cutter Street mid lot spaces will pay rent in the amount of \$3,900 for the season. This rental fee will be in addition to the standard annual food truck license fee.
- **Food Truck Selection Process.** The 11 available spaces (7 at Eastern Prom/Cutter Street mid lot and 4 at the Amethyst Lot) will be available by lottery. Two separate lotteries will be held - one for the Eastern Prom spaces and one for the Amethyst Lot spaces, except that qualified food

trucks in good standing with the City, who conducted business at the Eastern Prom/Cutter Street mid lot for 50 or more days in the previous 2022 pilot season will be prioritized to receive a space in that lot in the upcoming 2023 season. All spaces in the Eastern Prom/Cutter Street mid lot and the Amethyst lot may also be shared by no more than 2 food trucks as co-applicants. The shared spaces can only be used by 1 food truck at a time.

All of the program changes seek to specifically address the survey results, the many public comments, city staff observations, and suggestions for improvement from the food truck vendors. The primary issues raised by these stakeholders include:

- **Access:** many respondents felt that access was challenging, and parking was limited. The new plan would improve pedestrian access and add 20 parking spaces.
- **Protecting Trees:** maintaining the Cutter Street location continues to protect our valuable and fragile street trees along the Eastern Prom roadway.
- **Trash:** the 2023 changes would address concerns about trash by installing trash vaults and maintaining increased pickup.
- **Emissions and noise:** Installing electricity will eliminate prolonged generator idling.
- **Balancing Park Priorities:** This proposal seeks to protect the park, as well as balance the desires of the community, food truck vendors, and general public, and allow for limited commercial food and beverage activity, while infringing minimally on the many other park uses.
- **Traffic and Safety:** maintaining the Cutter Street Mid Lot location addresses the safety concerns of hosting the food trucks on Eastern Prom Roadway.

Please note that in addition to this plan for food trucks at Eastern Prom in 2023, the City of Portland currently allows (and will continue to allow) food trucks in dozens of other locations throughout the City. For a license fee of \$546, food trucks are free to use any of those locations. The City currently allows food trucks at most large City Parks or park parking lots, including Deering Oaks, Payson Park, Back Cove, Dougherty Field, Amethyst Lot, Western Prom and many others locations. Complete food truck rules and allowable locations can be found here: <https://www.portlandmaine.gov/388/Food-Service-Inspections>

City of Portland | Executive Department

Danielle P. West, *Interim City Manager*



To: Mayor Kate Snyder and Members of the City Council

From: Danielle P. West, Interim City Manager

Date: February 3, 2023

Re: Portland Harbor Dredge Project and Funding Commitment

This memo is intended to 1) share the current status of financial support from the City of Portland and other stakeholders for the Portland Harbor Dredge Project and 2) reaffirm the City's longstanding commitment to this project.

In total, over \$23 million has either been committed or reliably scheduled to be committed to this project (see table on page 2). Where funding has not yet been formally committed by the responsible body, additional explanation has been provided.

As shown, there are many funding sources for this very important dredging project, and the complexity of this funding plan is not unusual for a project of this scope and cost.

This project has been and remains a priority of the City's, and we are committed to supporting it as outlined below, as well as through the pursuit of federal grants to close the funding gap.

Portland Harbor Dredge Project Funding Partners
As of February 3, 2023

Source	Amount	Status
Maine DOT	\$3 million	MDOT has indicated this funding could increase to \$6 million if the City contribution also increased, to \$4 million (as reflected in this memo).
State of Maine	\$10 million	
City of Portland	\$4 million	\$1.5 million was appropriated as part of the FY23 budget process. The appropriation of an additional \$2.5 million will be considered by the City Council during the budget approval process in May 2023. Please note that this appropriation is dependent on capture rates in the City's Waterfront TIF district.*
City of South Portland	\$1.07 million	\$568K was appropriated as part of the FY23 budget process. The appropriation of an additional \$500K will be considered by the City Council in June 2023.
Private Tipping Fees	\$4 million	This amount represents a conservative estimate of the revenue expected to be generated by private companies' use of the CAD cell once it is constructed.
United States Environmental Protection Agency (Brownfields Program)	\$1.5 million	The value of in-kind services provided by the EPA's Brownfields Program toward the project. These services include engineering design, cleanup planning, and assessment services.

*In 2002, the City of Portland established the Waterfront Tax Increment Financing (TIF) District to promote economic and public infrastructure development on the waterfront. This dedicated source of funding ensures consistent, impactful investment in the waterfront, as well as prevents additional demands on limited Capital Improvement Plan (CIP) funds.

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: January 5, 2023

SUBJECT: Order 117-22/23 Approving and Appropriating \$3,257,004 in Housing Trust Funds and \$1,000,000 in American Rescue Plan Act Funds for the Avesta Housing Winchester Woods Affordable Housing Project - Sponsored by Danielle P. West, Interim City Manager

SPONSOR: Danielle West, Interim City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 12/19/2022

**Final
Action 12/19/2022**

Can action be taken at a later date: No Under the terms of the Purchase and Sale Agreement, Avesta must have all financial commitments in place by December 21.

Does this item involve a new contract with the City: Yes. The City will need to enter into an agreement with Avesta Housing concerning the covenants, conditions and restrictions associated with the provision of these financial resources. Due to the immediate need to provide a financial commitment for this project, the legal document(s) have not yet been drafted.

PRESENTATION: Mary Davis will be available for a brief presentation and to answer questions along with representatives from Avesta Housing.

I. SUMMARY

Approval to appropriate financial assistance to Avesta Housing to purchase a 48 unit rental housing development to house New Mainers.

II. AGENDA DESCRIPTION

This order would approve and appropriate a total of \$4,257,004 to Avesta Housing's purchase of a 48-unit rental housing development called Winchester Woods, located in the East Deering neighborhood on Sherwood and Dalton Streets. Avesta intends to purchase the development when construction is completed and provide 48 asylum-seeking families with housing.

The development includes four 12-unit buildings, each comprised of six one-bedroom and six two-bedroom apartments. Construction on all the buildings is estimated to be completed by the beginning of 2023. Avesta will partner with local and state agencies, including MaineHousing, the City's Health and Human Services Department, Prosperity Maine, Greater Portland Family Promise, and Project Home to identify and provide housing and services for those families most in need.

According to Avesta, Maine Housing is restricting 20% (10 units) of the units at 50% of area median income (AMI) for 30 years. Avesta has agreed to an affordability requirement for 28 units at 80% of the area median income, which includes the current owner's inclusionary zoning requirements (12 units at 80% AMI). Winchester Woods is currently under construction by a private developer as a market-rate rental housing development. As such, 25% of the units must be affordable to households at or below 80% of the area median income (1-person \$62,550, 2- person \$71,500, 3-person \$80,450 and 4-person \$89,350). Long-term (90 years), these units will remain affordable to families earning 80% of the area median income or less.

To facilitate the purchase of this property, Avesta is seeking financial assistance from MaineHousing, Cumberland County, and the City of Portland.

The State of Maine has provided a preliminary commitment to pay for two years of rental assistance for all 48 units. In response to feedback provided by the Council at a workshop on September 22, 2022, City staff have identified \$3,257,004 in funding from the Jill C. Duson Housing Trust Fund and \$1,000,000 from the first tranche of American Rescue Plan funding for this project.

This item must be read on two separate days. It received its first reading on December 19, 2022. Due to the withdrawal of the request for funding by the applicant, staff recommend that the item be postponed indefinitely.

III. BACKGROUND

City staff have identified funding from the Jill C. Duson Housing Trust Fund (HTF) of \$3,257,004, which includes the \$500,000 minimum balance approved in the 2022 Jill C. Duson Housing Trust Fund Annual Plan. \$548,810 is available because two projects previously awarded a HTF allocation have experienced delays due to increased construction costs and will not be ready for construction until some time in 2023. \$1,000,000 allocated for housing in the first tranche of ARP funding, will also be included, bringing the total available to \$4,257,004. Avesta originally requested \$5,000,000 in assistance from the city. Maine Housing will provide funding to fill the remaining gap.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Council Goals Addressed: (1) Advance efforts to reduce homelessness and assist people experiencing homelessness through city, regional and state efforts; (2) Increase access to rental and home ownership housing that is safe, affordable, and accessible, with emphasis on the unhoused.

V. FINANCIAL IMPACT

Avesta Housing Development Corporation is a non-profit entity and will own the property once the purchase is complete. As a non-profit entity, Avesta intends to file for real estate tax exemption as a non-profit property owner. When providing financial assistance to a housing development, It has been a practice of the city to include a requirement that states that, in the event ownership of the property becomes tax exempt, an amount equal to the amount that would have been assessed as real estate taxes be paid annually. There is a long documented city history and staff recommendations against a waiver of this payment in lieu of taxes (PILOT) practice.

On November 2nd, a consultant working with the City's Tax Assessor's Office, provided an estimate of value of \$9,000,000 to \$10,000,000 and an annual tax estimate between \$122,000 to \$136,000 (utilizing the current tax rate of .01361).

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

At this time, if the City Council votes to approve funding in the amount of \$4,257,004 for this project, staff would make the following recommendation.

Without benefit of an appraisal of the project and utilizing the current financial pro forma, staff recommends loan terms of 0% interest with the payment deferred for 30 years.

VIII. LIST ATTACHMENTS

1. Appropriating ARPA and Housing Trust funds for Winchester Woods Housing Project 10.3.2022

2. Avesta Winchester Woods ARPA Application Public Version
3. Winchester Woods Pro Forma 48 Units 20% at 50% - 12.16.22
4. Council Memo_ Winchester Woods
5. City of Portland Mail - Winchester Woods update (1.30.23)

Prepared by:

Mary Davis, Division Director

Date: 01/05/2023

KATE SNYDER (MAYOR)
ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

**ORDER APPROVING AND APPROPRIATING
\$3,257,004 IN JILL C. DUSON HOUSING TRUST FUNDS
AND \$1,000,000 IN AMERICAN RESCUE PLAN ACT FUNDS FOR THE
AVESTA HOUSING WINCHESTER WOODS AFFORDABLE HOUSING PROJECT**

ORDERED, that the amount of \$3,257.004 in Jill C. Duson Housing Trust funding is hereby approved and appropriated to fund a loan to Avesta Housing Development Corporation for the purchase of the Winchester Woods Affordable Housing Project, on the condition that the terms and conditions of the loan are consistent with the description of the Project set forth in the attached Memorandum from Mary P. Davis, Director of the Housing and Economic Development Department; and

BE IT FURTHER ORDERED, \$1,000,000 from the first allocation to the City of Portland of federal American Rescue Plan Act funding is hereby approved and appropriated to fund a loan to Avesta Housing Development Corporation for the purchase of the Winchester Woods Affordable Housing Project on the condition that the terms and conditions of the loan are consistent with the description of the Project set forth in the attached Memorandum; and

BE IT FURTHER ORDERED, upon review and approval by the Corporation Counsel's office, the City Manager or designee is authorized to execute a loan agreement and any and all other documents and instruments containing terms and conditions that are consistent with the attached Memorandum as may be necessary or convenient to carry out the intent of this order.



**American Rescue Plan
Act (ARPA) of 2021
APPLICATION
2nd Tranche Funding**

CITY OF PORTLAND, MAINE

Application deadline:

September 16th, 2022 at 4:00pm



OVERVIEW

The City of Portland is inviting applications from pre-approved applicants seeking grant funding to help address impacts from the COVID-19 pandemic. This is a reimbursable grant program, not a loan or grant that provides advance funding. The proposed project/program seeking funding must be designed with clear goals and objectives that facilitate the delivery of meaningful results and is compliant with 2 C.F.R. Part 200. The City will distribute up to \$11.2 million in this second round to applicants that are able to demonstrate their project/program will address eligible uses including improving public health, addressing negative economic impacts to households, providing services to disproportionately impacted communities, water/sewer infrastructure, and broadband infrastructure. Application minimum is \$50,000.

INSTRUCTIONS

1. Questions related to the grant and/or application process should be directed to the Finance Department at finance@portlandmaine.gov, no later than September 12th, 2022 at noon; questions submitted after that date will not be answered. The City may share responses with all applicants.
2. Applications must be completed in full to be considered for funding, including the forms included in this application package, a written narrative, and all required documents.
3. Additional attachments, brochures, or other materials may be included as part of the application. However, the electronic application and attachments cannot exceed 10 MB.
4. Please submit your completed application, including forms and attachments, either by:
 - a. Mail or hand deliver three (3) hard copies to the Dept of Housing & Economic Development, Attn: Kaela Gonzalez, 389 Congress St, Portland, ME 04101.
 - b. Email an electronic copy to finance@portlandmaine.gov.
5. Applications are due by: **4:00 P.M., September 16th, 2022** and will be published for public viewing (with some redactions as noted below).

EVALUATION & AWARD PROCESS

The City's Internal Review Team (IRT) will evaluate all Applications using the following criteria as outlined in the Pre-application package:

- Project Description
- Whether the Project Addresses a "Preferred Area" of Need
- Project Management Team and Experience
- Complexity of Project & Readiness to Proceed – ability to meet expenditure deadline
- Financial Plan, Leveraged/Companion Funds, & Project Budget
- Social Equity & Community Benefit
- Project Sustainability
- Whether the Project Meets a City Council Goal

Incomplete Applications will not be reviewed. Review of a completed Application is not a commitment that the City will fund the project. After reviewing each application, the IRT shall provide one of the following recommendations:

1. Fund or partially fund
2. Fund or partially fund with revisions
3. Do not fund at this time

Applications that are reviewed by the IRT will be made available for public review and discussed openly at a meeting of the Portland City Council. The City of Portland is committed to diversity, equity, and inclusion (DEI), and will consider DEI during its evaluation of grant applications. The IRT may ask applicants for clarifying information or meet with applicants as needed to complete its evaluation process. Each proposal should be evaluated by the members of the IRT using the following weighted scoring categories as a guideline:

Category	Point Value
Benefits and Outcomes – Project/Program goals and objectives address social equity and fair distribution of project benefits within Portland, making substantial impact and/or aiding populations most impacted by the pandemic, or broadly to the community as a whole.	40%
Completeness of Proposal and Approach – Proposal is organized, understandable, and provides all the information described in the application package. Project/Program is specific, measurable, achievable, realistic & time-bound, uses Evidence-Based Interventions (if applicable), and clearly describes how it aligns with the applicable ARPA Expenditure Category.	20%
Experience and Qualifications – Proposal includes composition of Project Team; experience administering federal grants; experience of staff in managing and executing programs similar to the one(s) described in the application, including demonstrated effectiveness and outcomes; ability to manage projects to meet milestones and deadlines.	10%
Financial Plan – Proposal includes a detailed Budget and identifies all sources of funding. It describes the project/program timeline and demonstrates that the grant will be fully drawn down and closed by December 31, 2026. If the project is dependent on other funding sources in addition to the ARPA request, it must demonstrate how all sources of funding will be available and spent within the overall timeline for completion. If the project is expected to continue past December 31, 2026, the proposal must describe how the project will sustain itself after ARPA funds are spent.	20%
Priority and Alignment with City Goals – Proposals that address a “Preferred Area” of Need and/or align with one or more City Council Goals will receive additional points.	10%

Projects will be recommended to the City Council by the City Manager based on feedback from the IRT, input from the public survey and participatory process, and other considerations including direct input from Council and whether proposed projects are duplicative or overlap in programming and whether full or partial funding can be sufficiently committed. The City expects to receive applications that triple or quadruple funds available, so some projects may receive a partial funding award and others may receive no funding award. The City will present initial recommendations at a public meeting of the Finance Committee who will then vote on full recommendations to the full City Council. The City Council will then vote on final decisions regarding all grant awards.

Once the City Council has approved funding for a project, awardees will enter into an agreement with the City. The agreement will describe the terms and conditions of the funding, including, but not limited to: purpose, term, eligible uses, scope, reporting requirements, required insurances, process to modify or terminate the agreement, audit requirements, and any other City requirements. The agreement will also include applicable federal terms and conditions, and the terms for reimbursement of funds.

SUBMISSION REQUIREMENTS

Attach a typed narrative limited to 10 pages using 12 point font and normal margins

1. PROJECT / PROGRAM DESCRIPTION & APPROACH

- a. Briefly describe your organization
- b. Describe the program or project for which you are requesting funds
- c. Describe the geographic location that your project will be located, or the area in which it will serve. If the project serves areas other than Portland the budget must be broken down by location
- d. Describe the need for your program/project
- e. Identify any other organizations that also work to address this need, and how you will prevent duplication of effort
- f. Describe your level of collaboration with other agencies on this project
- g. Explain whether this is a new, existing, or changed/expanded program
- h. Explain whether this project / program will not be initiated, or scope will be reduced, if ARPA funds are not provided

2. PROJECT / PROGRAM BENEFITS & OUTCOMES

- a. Identify who will benefit and how they will benefit,
- b. Identify how many individuals/families will benefit and the estimated project/program cost per beneficiary
- c. Describe measurable outcomes that will be used to evaluate social/community impact and overall success of your project/program (not just number of persons served)
- d. Briefly describe your organization's track record and provide examples of measurable outcomes within the past 3 years, regardless of funding

source

- e. Provide a project/program timeline, including steps, phases, or milestones, as applicable, and identify a target completion date
- f. If applicable, identify whether project/program uses Evidence-Based Interventions, and provide citations as necessary

3. EXPERIENCE & QUALIFICATIONS

- a. Attach list of project team members, position titles and roles of each person in the project throughout the life of this project/program
- b. Describe experience administering federal grants, including compliance and reporting
- c. Describe experience managing and executing project/programs similar to the one(s) described in the application
- d. Please disclose any occurrence, event, or condition that could have an adverse material impact on your ability to complete the project/program
- e. Indicate whether your organization has adopted a DEI Policy, and attach a copy of any such policy; applicants without a formal DEI Policy remain eligible for grant funding, but may be asked to adopt such a policy as a condition of award

4. PROJECT / PROGRAM FINANCIAL PLAN

- a. Using the Budget Overview sheet, provide a schedule of revenues and expenses for the project, along with a description of the sources and uses of funds, including cost categories specifically supported with ARPA funds, i.e. salaries and fringe, real property, equipment, rent and utilities of program space, training, etc.
- b. If project/program is dependent on other funding sources in addition to this ARPA request, describe how all sources of funding will be available and spent within the overall timeline for completion
- c. If the project/program is intended to continue beyond 2026, describe how the project will be financially sustained after ARPA funds are spent
- d. List any other entities you have requested or plan to request ARPA funding from
- e. For projects with multiple locations or that serve areas outside of Portland please include a breakdown of the budget by location.

5. FINANCIAL INFORMATION AND MANAGEMENT (THESE WILL NOT BE PUBLISHED AS PART OF THE PUBLIC POSTING OF ARPA APPLICATIONS)

- a. Attach a copy of your most recent financial statements
- b. Attach a copy of the most recent financial audit results, if applicable, including any findings
- c. Indicate whether the organization ever defaulted on a loan, lease, or other credit agreement
- d. Provide an organizational chart showing the management and administration for your organization, including names of individuals
- e. Attach a copy of your liability insurance to include fiduciary coverage

- for employees handling money
 - f. Provide the name of your banking institution
 - g. Attach a copy of your financial operating procedures, including procurement process
 - h. Describe your organization's fiscal oversight / internal controls to minimize risk of fraud, waste, and mismanagement
 - i. Describe how you plan to segregate ARPA funds from other funds for purposes of identification, tracking, reporting and audit
6. LEGAL (THESE WILL NOT BE PUBLISHED AS PART OF THE PUBLIC POSTING OF ARPA APPLICATIONS)
- a. Describe any outstanding lawsuits, citations, or other legal actions against your organization or its officers or employees

THIS PAGE MUST BE COMPLETED AND INCLUDED WITH YOUR APPLICATION

GENERAL INFORMATION

1. Organization Name: Avesta Housing
2. Project Title: Winchester Woods
3. Address: 17 Winchester Drive, Portland, ME
4. Primary Contact Person: Kyle Ambler
5. Title: Development Officer Phone: 207-956-1535
6. E-mail kambler@avestahousing.org
7. ARPA Expenditure Category (see Appendix A): 2.15 - Long Term Housing Security - Affordable Housing

8. Supports Council Goals (optional) Check All That Apply

Reducing homelessness	☒
Improving Equity, Inclusion and Diversity	☒
Safe and Affordable Housing	☒
Advance climate change and sustainability efforts	☐
Fiscal Responsibility	☒

FUNDING REQUEST (must match Budget Overview sheet)

ARPA Funds Requested	Total Project Cost	Annual Organizational Budget
\$ 5,000,000	\$ 15,600,000	\$ 58,027,224

THIS PAGE MUST BE COMPLETED AND INCLUDED WITH YOUR APPLICATION

BUDGET OVERVIEW / REVENUES AND EXPENSES

PROJECT/PROGRAM TITLE: Winchester Woods

FUNDING SOURCES

SOURCE	FUNDS SPECIFICALLY FOR THIS PROJECT/PROGRAM	SECURED? (YES/NO)
ARPA Funding Requested from City	\$ 5,000,000	
Other Government Grants (list below)		
MaineHousing Loan	8,100,000	Tentative
Cumberland County ARPA	2,500,000	Preliminary Approval
Non-government Grants (list below)		
Donations/Other Fundraising		
Internal/Self-Funding		
Loans		
Other (list below)		
TOTAL REVENUES	\$ 15,600,000	

EXPENSES

ITEM	ARPA FUNDS	OTHER SOURCES	TOTAL
Construction & Acquisition	\$ 5,000,000	\$ 10,600,000	\$ 15,600,000
TOTAL EXPENSES	\$ 5,000,000	\$ 10,600,000	\$ 15,600,000

NOTE: Revenues and Expenses must balance

**AVESTA HOUSING
WINCHESTER WOODS
48 New Apartments for New Mainers**



1. PROJECT / PROGRAM DESCRIPTION & APPROACH

a. Briefly describe your organization

Avesta Housing is a Portland based nonprofit organization celebrating 50 years of providing safe, decent affordable housing. Avesta currently has a portfolio of 110 developments which provide homes to over 3,200 households. Our developments are located in 44 municipalities and about one third are in Portland. Avesta focuses its efforts on serving very needy populations including homeless individuals, seniors, persons with disabilities and recent immigrants and asylum seekers (New Mainers). About two-thirds of the residents in Avesta's Portland area family developments are New Mainers.

b. Describe the program or project for which you are requesting funds

Avesta Housing has entered into a purchase and sale agreement to purchase a 48-unit rental housing development called Winchester Woods.. It was being developed by a private developer with the intent to rent the homes at market rates (\$1,800-\$2,400/month). Avesta's intent is to purchase the development when construction is completed in late 2022 and make the 48 homes available to New Mainer households who are currently living in area hotels and shelters. The development includes four 12-unit buildings, each comprised of six one-bedroom and six two-bedroom apartments.

The buildings will be ready for occupancy starting in October 2022, with the final building scheduled to be completed two to three months later.

c. Location

The property is currently under construction and is located in the East Deering neighborhood on Sherwood and Dalton Streets in Portland, Maine.

d. Need

During the past year, a large influx of asylum-seeking families and individuals have been arriving in Portland. Currently, hundreds of asylum seeker households (comprised of more than 1,000 individuals) are staying in temporary places in the Portland area. Because of the pandemic, traditional shelters have had to reduce capacity, and other non-immigrant homeless individuals and families have exceeded the capacity of the area's shelter system. Most of the recent influx of asylum seekers are staying in hotels in greater Portland with the majority in two South Portland hotels.

e. Identify any other organizations that also work to address this need, and how you will prevent duplication of effort

Avesta will work with Project HOME and the City's Refugee and Immigrant Services Coordinator to provide the most effective means of housing these families. There are a tremendous number of families in need of affordable housing and for that reason we believe there will be no duplication of effort among city and state organizations working to house them.

f. Describe your level of collaboration with other agencies on this project

Avesta will partner with Prosperity Maine, Greater Portland Family Promise, Project HOME and the City's Refugee and Immigrant Services Coordinator in order to identify and provide housing for those families most in need.

g. Explain whether this is a new, existing, or changed/expanded program.

The concept of purchasing a housing development that is currently under construction in order to ensure the apartments are kept affordable is new for Avesta, but with the success of this program, we hope to explore additional opportunities to house families this way in the future. Rarely do affordable housing organizations have the ability to house families so quickly from conception to lease-up.

h. Explain whether this project / program will not be initiated, or scope will be reduced, if ARPA funds are not provided.

Without funding assistance from the City of Portland, this project is not feasible. We are actively seeking significant funding sources in addition to funding from the City. Because of the nature of the transaction, many funding sources we would otherwise seek are not feasible, such as Low Income Housing Tax Credits.

2. PROJECT / PROGRAM BENEFITS & OUTCOMES

a. Identify who will benefit and how they will benefit,

48 asylum – seeking families will be provided with permanent housing for the immediate future. These apartments will remain affordable for a minimum of 15 years, and more likely 30 years or more.

b. Identify how many individuals/families will benefit and the estimated project/program cost per beneficiary

48 families will be housed as a result of this development. 48 families that would potentially face homelessness. The nightly cost of hotel stays is expensive, particularly during the summer tourist months. The cost of the hotel stays is generally averaging \$240 per night per household. This huge financial expense is being paid for with a combination of temporary FEMA funds, temporary federally-funded emergency rental assistance programs, and General Assistance. General Assistance is normally paid 70% by the state and 30% by the local municipality. During the pandemic, federal funds have paid for most of the hotel costs, but that funding stream is likely to expire in the coming months. This creates significant potential liability for municipalities and the state. The cost for 48 households to stay in hotels for the next two years is estimated to be in excess of **\$8,000,000**.

c. Describe measurable outcomes that will be used to evaluate social/community impact and overall success of your project/program (not just number of persons served)

Avesta has housed over 700 New Mainer families and will work with Prosperity Maine and the City's Refugee and Immigrant Services Coordinator in selecting the residents from among the hotel and shelter population, arranging their move-in, and providing services thereafter. Day care, access to English language learning classes, transportation, legal assistance, furniture, healthcare and job training are among the services will be provided. Evidence-Based Data is readily available throughout this process similar to the extensive data tracking used for Avesta's 110 other properties. This includes tracking the number of interested households, number of applicants, number of qualified applicants, number of successful move-ins, immigration/asylum status and qualification, and number of households that successfully move beyond the rental assistance provided at Winchester Woods and secure employment once work permits and income stabilization have occurred.

Researcher after researcher has proven that safe decent housing is an effective intervention. To quote a 2018 article in Social Science and Medicine by Anna Ziersch and Clemence Due "People with refugee and asylum-seeking backgrounds can face a range of risk factors for poorer health and wellbeing, including experiences of trauma, dislocation, and violence, with associated loss of family and community support (Fazel et al., 2005; Fozdar and Hartley, 2014; Hollifield et al., 2002; Taylor, 2004; Phillips, 2006; Silove and Ekblad, 2002). When building a new life, either temporarily within a refugee camp or longer term within countries of resettlement, there are several factors that are important for successful health outcomes, including housing. Secure housing is an important social determinant of health (Marmot, 2005) and both a means and marker of successful integration for refugees and asylum seekers."

d. Briefly describe your organization's track record and provide examples of measurable outcomes within the past 3 years, regardless of funding Source

Avesta Housing has provided affordable, safe, and high-quality homes to over 3,200 households in Maine and New Hampshire across 110 developments. More recently, Avesta has developed the following:

Southgate – 38 new family apartments in Scarborough
Wessex Woods – 40 new senior apartments in Portland
Deering Place – 75 family apartments in Portland
West End I – 64 new family apartments in South Portland

Each of these developments is comparable in scope to Winchester Woods, and utilized a combination of public and private funds including Low Income Housing Tax Credits and Federal Home Loan Bank funding totaling over \$48 million.

e. Provide a project/program timeline, including steps, phases, or milestones, as applicable, and identify a target completion date.

The project has passed all development hurdles and is currently under construction. Apartments will become available for occupancy in November of this year. The project is expected to be fully completed in February 2023. We anticipate occupancy to begin as early as November.

We are currently in the process of procuring funding from MaineHousing and Cumberland County. Once all funding sources are in place, we will be able to complete the acquisition and begin occupying the buildings.

f. If applicable, identify whether project/program uses Evidence-Based Interventions, and provide citations as necessary.

3. EXPERIENCE & QUALIFICATIONS

a. Attach list of project team members, position titles and roles of each person in

the project throughout the life of this project/program

Project team & Roles attached.

b. Describe experience administering federal grants, including compliance and reporting

Avesta Housing has successfully administered funding from Federal, State, Local, and Private funding sources including ARPA, HOME, HUD, RD, Section 8, Choice Neighborhoods Initiative, and Low Income Housing Tax Credits. More recently, Avesta was selected as the development partner for a transformational redevelopment site in Lewiston which received \$30m in HUD Choice Neighborhoods grant funding which will leverage more than \$100m in additional development. Avesta is also currently administering more than \$1.2m in ARPA funds for development and operating activities.

c. Describe experience managing and executing project/programs similar to the one(s) described in the application

The aggressive timeline of this project is exciting and unique for how quickly we will be able to house families in need. And Avesta Housing has an exemplary record of managing the execution of similar complex developments with strict funding timelines. This includes the aforementioned Southgate development, West End I, Deering Place, and Wessex Woods. Each was financed utilizing competitive tax credits with strict funding deadlines, complex approval processes, and sophisticated design and construction. And each was completed and leased-up successfully.

d. Please disclose any occurrence, event, or condition that could have an adverse material impact on your ability to complete the project/program

The success of this project relies on the continued collaboration between Avesta, the project owner, contractor, MaineHousing, the City, and the county to provide funding. As the project is already approved and under construction, and we have maintained close monitoring of the construction process and schedule, we do not anticipate any adverse events. However, we are prepared to work diligently through any issues that may arise.

e. Indicate whether your organization has adopted a DEI Policy, and attach a copy of any such policy; applicants without a formal DEI Policy remain eligible for grant funding, but may be asked to adopt such a policy as a condition of award

4. PROJECT / PROGRAM FINANCIAL PLAN

a. Using the Budget Overview sheet, provide a schedule of revenues and expenses for the project, along with a description of the sources and uses of funds, including cost categories specifically supported with ARPA funds, i.e. salaries and fringe, real property, equipment, rent and utilities of

program space, training, etc.

Please see attached budget.

b. If project/program is dependent on other funding sources in addition to this ARPA request, describe how all sources of funding will be available and spent within the overall timeline for completion

Avesta has and will continue to communicate with Cumberland County and MaineHousing in order to secure adequate funding for the project to be successful. In addition to the request for \$5m from the city, we have requested \$2.5m from Cumberland County and over \$8m from MaineHousing.

c. If the project/program is intended to continue beyond 2026, describe how the project will be financially sustained after ARPA funds are spent

Avesta is underwriting this project to sustain continued operation for at least 30 years as affordable housing sustained by rental income. Utilizing our existing portfolio for comparison and extensive internal and external knowledge of operating expenses for similar developments, we believe the proposed financing will sustain the project far beyond 2026.

d. List any other entities you have requested or plan to request ARPA funding from

Cumberland County – Request for \$2.5m.

e. For projects with multiple locations or that serve areas outside of Portland please include a breakdown of the budget by location.

5. FINANCIAL INFORMATION AND MANAGEMENT

6. LEGAL

APPENDIX A: Expenditure Categories

The United States Treasury has identified expenditure categories under which ARPA funds can be spent. The City's list of priority expenditure categories are listed below. Applications must identify and justify how their project meets one of these categories. In addition, the City Council will place additional emphasis on any eligible applications which directly address a City Council goal.

Expenditure Category	EC	Previous EC
1: Public Health		
COVID-19 Mitigation & Prevention		
COVID-19 Vaccination ^	1.1	1.1
COVID-19 Testing ^	1.2	1.2
COVID-19 Contact Tracing	1.3	1.3
Prevention in Congregate Settings * (Nursing Homes, Prison/Jails, Dense Work Sites, Schools, Child Care Facilities, etc.) *^	1.4	1.4
Personal Protective Equipment^	1.5	1.5
Medical Expenses (including Alternative Care Facilities)^	1.6	1.6
Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)^	1.7	1.8
COVID-19 Assistance to Small Businesses^	1.8	-
COVID 19 Assistance to Non-Profits^	1.9	-
COVID-19 Aid to Impacted Industries^	1.10	-
Community Violence Interventions		
Community Violence Interventions*^	1.11	3.16
Behavioral Health		
Mental Health Services*^	1.12	1.10
Substance Use Services*^	1.13	1.11
Other		
Other Public Health Services^	1.14	1.12
	-	1.7
2: Negative Economic Impacts		
Assistance to Households		
Household Assistance: Food Programs*^	2.1	2.1
Household Assistance: Rent, Mortgage, and Utility Aid*^	2.2	2.2
Household Assistance: Cash Transfers*^	2.3	2.3
Household Assistance: Internet Access Programs*^	2.4	2.4
Household Assistance: Paid Sick and Medical Leave^	2.5	-
Household Assistance: Health Insurance*^	2.6	-
Household Assistance: Services for Un/Unbanked*^	2.7	-
Household Assistance: Survivor's Benefits^	2.8	-
Unemployment Benefits or Cash Assistance to Unemployed Workers*^	2.9	2.6

Expenditure Category	EC	Previous EC
Assistance to Unemployed or Underemployed Workers (e.g. job training, subsidized employment, employment supports or incentives)*^	2.10	2.7
Healthy Childhood Environments: Child Care * ^	2.11	3.6
Healthy Childhood Environments: Home Visiting * ^	2.12	3.7
Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System * ^	2.13	3.8
Healthy Childhood Environments: Early Learning*^	2.14	3.1
Long-term Housing Security: Affordable Housing * ^	2.15	3.10
Long-term Housing Security: Services for Unhoused Persons*^	2.16	3.11
Housing Support: Housing Vouchers and Relocation Assistance for Disproportionately Impacted Communities*^	2.17	-
Housing Support: Other Housing Assistance*^	2.18	3.12
Social Determinants of Health: Community Health Workers or Benefits Navigators*^	2.19	3.14
Social Determinants of Health: Lead Remediation*^	2.20	3.15
Medical Facilities for Disproportionately Impacted Communities^	2.21	-
Strong Healthy Communities: Neighborhood Features that Promote Health and Safety^	2.22	-
Strong Healthy Communities: Demolition and Rehabilitation of Properties^	2.23	-
Addressing Educational Disparities: Aid to High-Poverty Districts^	2.24	3.2
Addressing Educational Disparities: Academic, Social, and Emotional Services*^	2.25	3.3
Addressing Educational Disparities: Mental Health Services*^	2.26	3.4
Addressing Impacts of Lost Instructional Time^	2.27	-
Contributions to UI Trust Funds^	2.28	2.8
Assistance to Small Businesses		
Loans or Grants to Mitigate Financial Hardship^	2.29	2.9
Technical Assistance, Counseling, or Business Planning*^	2.30	
Rehabilitation of Commercial Properties or Other Improvements^	2.31	-
Business Incubators and Start-Up or Expansion Assistance*^	2.32	
Enhanced Support to Microbusinesses*^	2.33	
Assistance to Non-Profits		
Assistance to Impacted Nonprofit Organizations (Impacted or Disproportionately Impacted)^	2.34	2.10
Aid to Impacted Industries		
Aid to Tourism, Travel, or Hospitality^	2.35	2.11
Aid to Other Impacted Industries^	2.36	2.12
Other		
Economic Impact Assistance: Other*^	2.37	2.13
Household Assistance: Eviction Prevention*^	-	2.5
Education Assistance: Other*^	-	3.5
Healthy Childhood Environments: Other*^	-	3.9
Social Determinants of Health: Other*^	-	3.13

Expenditure Category	EC	Previous EC
3: Public Health-Negative Economic Impact: Public Sector Capacity		
General Provisions		
Public Sector Workforce: Payroll and Benefits for Public Health, Public Safety, or Human Services Workers	3.1	1.9
Public Sector Workforce: Rehiring Public Sector Staff	3.2	2.14
Public Sector Workforce: Other	3.3	-
Public Sector Capacity: Effective Service Delivery	3.4	7.2
Public Sector Capacity: Administrative Needs	3.5	-
4: Premium Pay		
Public Sector Employees	4.1	4.1
Private Sector: Grants to Other Employers	4.2	4.2
5: Infrastructure		
Water and Sewer		
Clean Water: Centralized Wastewater Treatment	5.1	5.1
Clean Water: Centralized Wastewater Collection & Conveyance	5.2	5.2
Clean Water: Decentralized Wastewater	5.3	5.3
Clean Water: Combined Sewer Overflows	5.4	5.4
Clean Water: Other Sewer Infrastructure	5.5	5.5
Clean Water: Stormwater	5.6	5.6
Clean Water: Energy Conservation	5.7	5.7
Clean Water: Water Conservation	5.8	5.8
Clean Water: Nonpoint Source	5.9	5.9
Drinking water: Treatment	5.10	5.10
Drinking water: Transmission & Distribution	5.11	5.11
Drinking water: Lead Remediation, including in Schools and Daycares	5.12	5.12
Drinking water: Source	5.13	5.13
Drinking water: Storage	5.14	5.14
Drinking water: Other water infrastructure	5.15	5.15
Water and Sewer: Private Wells	5.16	-
Water and Sewer: IIJA Bureau of Reclamation Match	5.17	-
Water and Sewer: Other	5.18	-
Broadband		
Broadband: "Last Mile" Projects	5.19	5.16
Broadband: IIJA Match	5.20	-
Broadband: Other projects	5.21	5.17

* Denotes areas where recipients must identify the amount of the total funds that are allocated to evidence-based interventions

^ Denotes areas where recipients must report on whether projects are primarily serving disadvantaged communities

Winchester Woods

Avesta Housing Development Corporation

48 New Affordable Apartments in East Deering

Avesta has housed over 700 New Mainer families and will work with Prosperity Maine and the City's Refugee and Immigrant Services Coordinator in selecting the residents from among the hotel and shelter population, arranging their move-in, and providing services thereafter. Day care, access to English language learning classes, transportation, legal assistance, furniture, healthcare and job training are among the services will be provided. Evidence-Based Data is readily available throughout this process similar to the extensive data tracking used for Avesta's 110 other properties. This includes tracking the number of interested households, number of applicants, number of qualified applicants, number of successful move-ins, immigration/asylum status and qualification, and number of households that successfully move beyond the rental assistance provided at Winchester Woods and secure employment once work permits and income stabilization have occurred.

Researcher after researcher has proven that safe decent housing is an effective intervention. To quote a 2018 article in Social Science and Medicine by Anna Ziersch and Clemence Due "People with refugee and asylum-seeking backgrounds can face a range of risk factors for poorer health and wellbeing, including experiences of trauma, dislocation, and violence, with associated loss of family and community support (Fazel et al., 2005; Fozdar and Hartley, 2014; Hollifield et al., 2002; Taylor, 2004; Phillips, 2006; Silove and Ekblad, 2002). When building a new life, either temporarily within a refugee camp or longer term within countries of resettlement, there are several factors that are important for successful health outcomes, including housing. Secure housing is an important social determinant of health (Marmot, 2005) and both a means and marker of successful integration for refugees and asylum seekers."

Avesta Housing is a Portland based nonprofit organization that has developed 110 apartment developments across Maine and New Hampshire providing homes to over 3,200 households. Avesta has another 16 under development or in construction. Each of these developments has utilized a combination of Federal, State, Local, and Private funding sources including: ARPA, HOME, HUD, RD, Section 8, Choice Neighborhoods, and LIHTCs. More recently, Avesta is the development partner for a transformational redevelopment site which received \$30m in HUD Choice Neighborhoods grant funding which will leverage more than \$100m in additional development. Avesta is also currently administering more than \$1.2m in ARPA funds for development and operating activities.

Avesta Housing has an annual budget of \$58,000,000 and has received many grants and assistance from the City of Portland. Avesta undergoes many annual audits and reviews by CPAs and federal, state, and municipal regulators with outstanding results. Neighborworks America has classified Avesta Housing as an 'exemplary' organization.

Avesta focuses its efforts on serving very needy populations including homeless individuals, seniors, persons with disabilities and recent immigrants and asylum seekers (New Mainers).

About two-thirds of the residents in Avesta's Portland area family developments are New Mainers. In 2021, 6,231 households applied to Avesta for housing and only 483 were able to be housed. Clearly the demand for affordable housing is huge and Avesta is working tirelessly to address this need.

Avesta's Winchester Woods development represents a unique and exciting opportunity to convert 48 new apartments into affordable housing for asylum seeker households currently living in shelters and hotels. These new apartments would be available almost immediately, with units available in October 2022 and with all 48 ready for occupancy by January 2023. This development would drastically lessen the huge financial burden on both Portland and the State who are currently paying expensive nightly hotel rates upwards of \$240 per family per night and estimated to be in excess of \$8,000,000 over two years.

Not only will this development provide for substantial savings over hotel rooms by cutting rental expenses, residents will enjoy substantially improved living conditions and stability. Separate bedrooms, kitchens, living areas, and laundry facilities will greatly improve the lives and dignity for these New Mainer households.

The development includes four 12-unit buildings, each with six one-bedroom and six two-bedroom apartments and is located in the East Deering area of Portland, Maine and is adjacent to Presumpscot School with nearby ball fields. Nearly every essential service is within walking distance.

Initially intended as a market rate development with much higher projected rents, Avesta is working with the current private developer to purchase the development at completion and make the units available to asylum seeker families. Long term, these apartments would remain affordable to families earning 80% or less of AMI.

Avesta has secured a preliminary commitment from the State of Maine to pay for two years of rental assistance for all 48 apartments, so that the asylum seeker households who move in would not need to rely on municipal General Assistance. These households are ineligible for traditional section 8 vouchers and are unable to have personal income until they secure work permits. However, we expect that the two years of rental assistance would provide them with sufficient time to file their asylum claims and gain work authorization, after which they would be able to join Maine's workforce and pay the rent on their own.

Because this development is already under construction, traditional affordable housing finance options such as tax credits or Federal HOME block grant funds are not feasible. Instead, Avesta is seeking to finance the development with public purpose loans from MaineHousing and from subsidy providers including the City of Portland, Cumberland County, and MaineHousing.

We cannot over-emphasize the urgency and need for housing solutions for asylum-seeking families arriving in Portland. Arguably, there is no humanity or financial challenge for the city of Portland more daunting than the unhoused crisis associated with the recent influx of asylum seekers. Currently, hundreds of asylum seeker households (comprised of more than 1,000 individuals) are staying in temporary shelters and hotels in the Portland area. Because of the pandemic, traditional shelters have had to reduce capacity, and other non-immigrant homeless individuals and families have exceeded the system's capacity. Most of the recent influx of asylum seekers are staying in hotels in greater Portland with the majority in two South Portland hotels.

In the introduction to Portland's FY 23 budget, the Acting City Manager stated "The second, and larger, budget challenge we face is quite unique to Portland... the State of Maine and the City of Portland continue to attract record numbers of asylum-seeking families from the southern U.S. border... we are in

a dire situation ... our shelters are beyond their capacity, and it is increasingly harder to find enough hotels to provide overflow....” In short, Winchester Woods represents a fast, humane, and cost-saving housing solution for the asylum seeker households who are currently living in hotels and shelters. All, while providing for substantial long-term savings to the city over the existing program.

This project also meets several of the Council’s 2022 Goals. In fact, this project directly responds to four of Portland’s five goals. It will: reduce homelessness; it will improve equity, inclusion and diversity; it will provide safe and affordable housing; and it will demonstrate fiscal responsibility. This development implements most all practitioners’ understanding, recognition, and agreement that affordable homes are the most important solution to unhoused vulnerable populations.



Rebecca Hatfield, President & CEO

Rebecca Hatfield joined Avesta Housing in 2015. She assumed her current role at Avesta in 2022 after previously serving in the positions of assets & acquisitions officer, director of real estate development, and Senior Vice President. In her current role, Rebecca oversees Avesta's Real Estate Development and Property Management divisions. Her experience in this role has facilitated a deep understanding of how to balance the feasibility challenges of property development with the operational needs of property management to maintain Avesta's high standards in development and management.

Prior to Avesta, Rebecca held a senior vice president position at Citigroup working in various roles within the commercial and corporate bank. She has more than a decade of experience in finance with a focus on deal structuring, underwriting, credit risk analysis, and portfolio management. Rebecca has worked with a range of clients from small businesses to multi-trillion-dollar entities and has seen a wide range of transactions. Additionally, she has extensive experience completing real estate transactions. Rebecca's previous employment also includes five years as a software and network management engineer, serving as project manager and lead developer.

Rebecca earned a BS in Computer and Information Science from University of Maryland and an MBA from University of California Los Angeles, Anderson School of Management. She is a Certified Compliance Professional (C3P) for Low Income Housing Tax Credits. She currently serves as the board vice chair and loan committee chair for Genesis Community Loan Fund, and as a board member of Maine Real Estate Development Association (MEREDA).

Todd Rothstein CHPC, Director of Construction Services

Todd Rothstein started at Avesta Housing in 2013. As the director of construction services, he is responsible for managing the construction design standards and processes for new and major-rehabilitation projects. He plays a major role in most pre-construction design and construction planning of new projects and works with the real estate development staff as an owner's representative during select construction projects. Todd also works with our Property Management division to improve energy efficiencies, purchasing and contract mechanisms, contractor warranty work, and the overall physical integrity of our properties.

Prior to joining Avesta, Todd worked for a construction management company as project manager and business development manager. Todd also worked for a commercial millwork manufacturing company, managing all facets of design, store layout, installation, and business development activities.

Todd earned a B.S. in Education from S.U.N.Y. Cortland and ROTC Certificate at Norwich University Military Academy in Northfield, VT. Todd is a Certified Passive House Consultant, and has completed OSHA training and Lead Smart Renovator training. He is a former board member of the Maine Association of Building

Contractors. He is a part-time adjunct faculty member at Southern Maine Community College, teaching a portion of the Facilities Management Certification training. Todd is also a member of Efficiency Maine's Low-Income Advisory Group.

Catherine Elliott, Development Officer

Catherine Elliott came to Avesta Housing in 2016 as a Development Associate and was promoted to her current role in 2017. Catherine has managed all stages of renovation and development of multifamily rental housing, from land leads and municipal approvals to applications, contract negotiation, construction management, and closeout. She has experience with both 4% and 9% LIHTC deals and has developed properties in both Maine and New Hampshire. Catherine has over a decade of experience working with people with low incomes across a variety of issue areas, including healthcare, literacy, housing stability, lead poisoning, domestic violence, and financial stability.

Catherine earned a Bachelor of Arts in Politics and in Studio Art from Bates College.

Patrick Hess, Director of Real Estate Development

Patrick Hess started at Avesta Housing in 2017. Prior to Avesta, Patrick worked in a range of real estate, community, and economic development capacities for the City of New York, most recently as Chief of Staff for Development at the New York City Department of Housing Preservation and Development. He also worked on the construction of affordable housing with Habitat for Humanity – New York City as an AmeriCorps volunteer and site supervisor.

Patrick earned a Bachelor of Arts in History from Boston College and a Masters of Urban Planning from New York University, Wagner Graduate School of Public Service. He was formerly certified with the American Institute of Certified Planners (AICP).

Nate Howes, Development Officer

Nate Howes joined Avesta in 2019 as a development officer. Prior to Avesta, Nate worked as a multifamily underwriter and tax credit administrator for MaineHousing. At MaineHousing he oversaw projects from application to completion ensuring their financial solvency and regulatory compliance.

Nate earned a Bachelor of Arts in History from George Washington University and a Master of Science degree in International Affairs: Conflict Studies from the London School of Economics and Political Science. He is also a certified tax credit underwriter under the National Development Council's Rental Housing Development Financial Professional (RHDFP) program.

FIRM RESUME

HOUSING INDUSTRY QUALIFICATIONS

The Firm has been involved in the assisted housing industry (including public housing authorities) since its inception in 1974. Partners and staff attend most State housing conferences throughout the year, in addition to a number of housing and tax credit seminars. Well over 750 government assisted and tax credit projects (RD, HUD, MSHA, VHFA, NHHFA) currently use our services.

We are well versed with the federal low income housing tax credit program and its numerous complexities. We assist our current clientele in structuring tax credit deals, in addition to providing tax returns and timely information to syndicators and the accounting firms that they work with.

Our engagement team has housing industry expertise and will provide continuity of personnel from one year to the next. Unlike some firms, who may have relatively inexperienced staff performing the day-to-day audit work, our partners, managers and seniors perform a major part of the field work. Our entire staff has extensive experience with housing projects and the LIHTC program. Our tax partner, Thomas Gioia (CPA, MST), has worked extensively with real estate tax issues, including ongoing compliance with the low income tax credit regulations throughout his career.

AUDIT QUALIFICATIONS

As indicated above, we currently serve more than 750 government assisted projects pursuant to HUD, MSHA, NHHFA, VHFA and Rural Development guidelines.

In addition, we serve approximately 100 other clients in the housing industry.

Our firm and each of the key professional staff assigned to the engagement team has received a minimum of one-hundred-twenty (120) hours of continuing professional education during the past three (3) years, as required by the American Institute of Certified Public Accountants and our firm. In addition, each member of the staff has met or exceeded the CPE requirements outlined in "Government Auditing Standards" (the "Yellow Book").

TAX COMPLIANCE QUALIFICATIONS

We currently provide tax services for approximately 600 limited partnerships and 150 nonprofit organizations. Our tax staff has vast experience in syndicated real estate partnership taxation ranging from development structuring issues to annual compliance matters.

Project Attorney: Curtis Thaxter

Maurice A. Selinger, III, Attorney

Cito Selinger practices in real estate, commercial and corporate law, with emphasis on affordable housing and community redevelopment. In his affordable housing and community redevelopment practice, Cito represents developers, lenders and investors, and is lead counsel on multimillion dollar projects using financing vehicles such as the low income housing tax credit, historic tax credit (federal and state) and New Markets tax credit.



Prior to joining the firm, Cito worked at another large firm in Portland and served as law clerk to former Chief Justice Daniel E. Wathen and the late Justice David A. Nichols of the Maine Supreme Judicial Court.

Cito's community activities generally relate to housing and social services. He is a member and past President of the Board of Directors of Preble Street, and received that organization's "Board Member of the Year" award in 2007. Cito served for many years on the Board of Directors of the Maine Affordable Housing Coalition, was President and Secretary-Treasurer and remains active in that organization. Cito has received numerous Preservation Honor Awards from Maine Preservation and Greater Portland Landmarks for his role as counsel in landmark redevelopment projects throughout Maine. In 2003, Cito received the Hope Award from Shalom House, in recognition of his community service in affordable housing for mental health consumers. Cito also served for nine years as a Trustee of the Freeport Historical Society.

Cito was named the Best Lawyers' 2015 Real Estate Law "Lawyer of the Year" in Portland, ME and was recently selected by his peers for inclusion in *The Best Lawyers In America* 2019 in the fields of Real Estate and Project Finance Law.

Contact Info

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- [Email](#)
- [Print bio »](#)

Education

- J.D.,—Georgetown University Law Center—1985
- B.A., English—Bowdoin College—1981

Practice Areas

- Real Estate
- General Business, Corporate and Finance

Bar Admissions and Memberships

- Maine
- Maine State Bar Association



Amanda Gilliam

Director of Property Management

Amanda Gilliam joined Avesta Housing in 2014 as a property manager. Since that time she has served in a number of roles on the property management team and has worked with our LIHTC, Rural Development and HUD properties across Southern Maine and New Hampshire. In her current role Amanda oversees Avesta's property management, maintenance, leasing and resident services staff, as well as our reception and administrative support team.

Amanda's interest in affordable housing began in college when she interned for a nonprofit builder serving families in need in the Pittsburgh area. She subsequently worked in construction sales, property management, and real estate development before spending seven years in international education with a Portland based nonprofit organization. Amanda holds a Certified Occupancy Specialist, Certified Credit Compliance Professional and an RD 515 STAR, among a number of additional affordable housing certifications. She earned an MBA from the University of Southern Maine and a BS in International Business from Grove City College.

Manuel Urgiles

Regional Property Manager

Manuel Urgiles has worked at Avesta Housing since 2014. Manuel started as Property Manager Trainee and was quickly promoted to Property Manager. In 2018, Manuel was promoted to Senior Property Manager. Manny is Certified Occupancy Specialist (COS) and Low-Income Housing Tax Credit Compliance specialist (TaCCs). Before joining Avesta, he previously worked at Boys & Girls Club. In his spare time, he plays guitar in a band and has taught music to at risk kids. Manuel received his Bachelors in Music Business from Berklee College of Music in Boston. He currently resides in Portland with his wife.

Nicholas Kjeldgaard

Resident Service Manager

Nick Kjeldgaard joined Avesta Housing in 2014 as a resident service coordinator after working for several years in the field of international aide. At Avesta, Nick has worked as a resident service coordinator, property manager and Avesta's 504 Coordinator, and he currently serves as the Resident Service Manager. Nick's primary responsibilities include providing leadership to the resident service coordinators, building partnerships with other community nonprofits, and gathering and analyzing data on residents to provide meaningful and measurable programmatic outputs.

Nick is a Certified Occupancy Specialist (COS), a Fair Housing Specialist, and holds a certificate in Conflict Transformation. Nick received his Bachelor of Arts degree in Geography from Bucknell University in 2004, and his Master of Arts degree in Sustainable Development from the School for International Training in 2008.

PROJECT NAME: Winchester Woods
 LOCATION: Portland, ME
 Constr. Type: New Construction

Date: 12/16/22

DEVELOPMENT ASSUMPTIONS						
Total Units		48	Inflation Adjustments	Yr 1-5	Yr. 6-15	Yr. 16-30
# @ 30% AMI	0.0%	0	Rent	2.00%	2.50%	3.00%
# @ 50% AMI	20.8%	10	Operating Expense	3.00%	3.00%	3.00%
# @ 60% AMI	0.0%	0	Other Income	2.00%	2.50%	3.00%
# @ 80% AMI	79.2%	38	Debt Coverage Ratio	1.20		
# @ Market	0.0%	0	Vacancy	3%		
Appraised Market Value		10,313,143	Market Value/Unit	\$214,857		

PRO FORMA DEVELOPMENT BUDGET				
	Residential	Per Unit	Commercial	TDC
Site Improvements	0	0	0	0
New Construction	0	0	0	0
Historic Construction	0	0	0	0
General Requirements	0	0	0	0
Builder Profit	0	0	0	0
Bond Premium	0	0	0	0
Solar	0	0	0	0
Construction Contingency	#DIV/0!	0	0	0
Subtotal Construction Costs	0	0	0	0
Building Permits and Fees	0	0	0	0
Survey & Engineering	0	0	0	0
Architectural & Design	0	0	0	0
Legal	60,000	1,250	0	60,000
Title & Recording	0	0	0	0
Accounting	0	0	0	0
Construction Period Tax	0	0	0	0
Construction Period Insurance	0	0	0	0
Other	0	0	0	0
Subtotal Soft Costs	60,000	1,250	0	60,000
Construction Loan Origination Fees	0	0	0	0
Construction Loan Interest	0	0	0	0
Equity Bridge Loan Interest	0	0	0	0
MH Permanent Loan Fees	166,571	3,470	0	166,571
Other Permanent Loan Fees	0	0	0	0
Other	0	0	0	0
Subtotal Finance Costs	166,571	3,470	0	166,571
Market Survey	0	0	0	0
Appraisal	6,500	135	0	6,500
Environmental Study	0	0	0	0
LIHTC Fees & Prepaid Monitoring	0	0	0	0
Relocation Costs	0	0	0	0
FF&E	42,000	875	0	42,000
Other:	0	0	0	0
Subtotal Miscellaneous	48,500	1,010	0	48,500
Acquisition: Buildings	15,600,000	325,000	0	15,600,000
Acquisition: Land	0	0	0	0
Acquisition: Existing Reserves	0	0	0	0
Acquisition: Legal	0	0	0	0
Acquisition: other	0	0	0	0
Subtotal Acquisition	15,600,000	325,000	0	15,600,000
Operating Deficit Escrow	0	0	0	0
Pre-funded Replacements	21,600	450	0	21,600
Tax & Insurance Escrow	33,250	693	0	33,250
Working Capital	0	0	0	0
Total Syndication Expenses	0	0	0	0
Transfer Tax	35,000	729	0	35,000
Developer Overhead	0	0	0	0
Developer Profit	0	0	0	0
Other	26,000	542	0	26,000
Subtotal Fee and Reserves	115,850	2,414	0	115,850
Total Project Costs	15,990,921	333,144	0	15,990,921

Max LIHTC Available	0
LIHTC Alloc.	0
Equity yield	0.87
Synd. %	99.99%
Equity Raise	0

Historic Credit FED	0
Equity yield	0.90
Synd. %	99.99%
Equity Raise	0

Historic Credit STATE	0
Equity yield Equivalent	0.00
Synd. %	100.00%
Equity Raise	0

Solar	0
Equity Yield	1.00
Synd.	99.99%
Equity Raise:	0

Total Equity:	0
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Gross Square Footage	43,591
Construction Cost/Sq ft.	0

Notes:

Maximum Gross Developer Fee (10%/15%)	1,613,388
Maximum Net Developer Fee (per unit max)	750,000
Actual Proposed Gross Fee	35,000
% of maximum Gross Fee	2.2%
Proposed Net Fee Collected	35,000
% of Maximum Net Fee	4.7%

Minimum Deferred Fee: 0

FLOW OF FUNDS									
During Construction									
Date Estimate:	3/1/2022						1st Equity	Final	
Sources	CLC	25%	50%	75%	100%	PLC	Occupancy Milestone	Capital Payment	Total
Beginning Cash	0	0	0	0	0	0	0	0	0
Capital Contribution	0	0	0	0	0	0	0	0	0
Equity Bridge Loan	0	0	0	0	0	0			
Construction Loan	12,957,381	0	0	0	0				12,957,381
GP Bridge Loan									0
MH: MaineHousing Subsidy	452,690	0	0	0	0	452,690			905,380
MaineHousing Debt	0	0	0	0	0	0			0
Cumberland County	2,500,000	0	0	0	0	0			2,500,000
City of Portland	0	0	0	0	0	4,257,004			4,257,004
State Historic Bridge:	0	0	0	0	0	0			0
MaineHousing IO Debt	0	0	0	0	0	8,328,537			8,328,537
South Portland	0	0	0	0	0	0			0
	0	0	0	0	0	0			0
HUD CDBG	0	0	0	0	0	0			0
Existing Reserves	0	0	0	0	0	0			0
Seller's Note	0	0	0	0	0	0			0
Cash Flow Note	0	0	0	0	0	0			0
TOTAL SOURCES	15,910,071	0	0	0	0	13,038,231	0	0	28,948,301
Uses									
Acquisition	15,600,000								15,600,000
Construction		0	0	0	0				0
Soft Costs	60,000								60,000
Financing Costs	201,571								201,571
Miscellaneous	48,500					26,000			74,500
Dev Fee	0					0	0	0	0
Reserves	0				0	54,850			54,850
TOTAL DEV. COSTS	15,910,071	0	0	0	0	80,850	0	0	15,990,921
Repay GP Bridge Loan						0			0
Repay Construction Loan						12,957,381			12,957,381
Other Syndication Costs	0								0
SUBTOTAL OTHER ITEMS	0	0	0	0	0	12,957,381	0	0	12,957,381
TOTAL USES OF FUNDS	15,910,071	0	0	0	0	13,038,231	0	0	28,948,301
Ending Cash	0	0	0	0	0	0	0	0	0

PROJECT FINANCING										
Source		Amount	Rate	Term	Amort.	Lien	Yr. 1-5	Yr. 6-15	Annual D/S	Yr. 21-30
Source 1:	MaineHousing	\$18,862	Subsidy/Unit		905,380	0.00%	30			
Source 2:	MaineHousing Debt				0	4.68%	30	45		
Source 3	Cumberland County	2,500,000	0.00%	30		2nd	0	0	0	0
Source 4	City of Portland	4,257,004	0.00%	30		2nd	0	0	0	0
Source 5	MaineHousing IO Debt	8,328,537	5.50%	30		1st	458,070	458,070	458,070	458,070
Source 6	South Portland	0	0.00%	30		2nd	0	0	0	0
Source 7		0	5.50%	15		2nd	0	0	0	0
Source 8	HUD CDBG	0	5.50%	15		3rd	0	0	0	0
Source 9	Seller's Note	0	0.00%	30		1st	0	0	0	0
Source 10	Cash Flow Note	0	0.00%				CF	CF	CF	CF
Source 11	State Historic Bridge:	0								
Source 12	Existing Reserves	0								
Source 13	Net Syndication	0								
	Capitalization Gap	\$0								
Total		15,990,921								

COLLATERAL COVERAGE		
	Total	Per Unit
Projected Mortgage	8,328,537	173,511
Appraised Market Value	10,313,143	214,857
Loan to Value Ratio	81%	
Market Rent Differential	172,776	300
Subsidy per Unit		18,862
Subsidy per Low Income Unit		90,538

MaineHousing Subsidy Limits:	
Per Project Max:	5,000,000
Per LI Unit Max:	160,000
Actual Request:	905,380
Request per LI Unit:	90,538

PROPOSED RENT SCHEDULE			Maximum Gross LIHTC/HOME Rents	Utility Allow.	Maximum Net Tenant Rent	Rents from Applicant	Market Rent	Total Rent
Type	AMI	# Units						
Efficiency	30% AMI	0	0	0	0	0		0
	50% AMI	0	0	0	0	0		0
	60% AMI	0	1,173	0	1,173	1,173	\$1,200	0
	80% AMI	0	0	0	0	0		0
	Market	0	0	0	0	0		0
0								
1BR	30% AMI	0	0	0	0	0		0
	50% AMI	5	1,048	0	1,048	1,048	\$1,257	62,880
	60% AMI	0	1,257	0	1,257	1,257	\$1,257	0
	80% AMI	19	1,676	0	1,676	1,676	\$1,676	382,128
	Market	0	1,800	0	1,800	1,800	\$1,800	0
24								
2BR	30% AMI	0	0	0	0	0		0
	50% AMI	5	1,258	0	1,258	1,258	\$1,509	75,480
	60% AMI	0	1,509	0	1,509	1,509	\$1,509	0
	80% AMI	19	2,012	0	2,012	2,012	\$2,012	458,736
	Market	0	2,200	0	2,200	2,200	\$2,200	0
24								
3BR	30% AMI	0	0	0	0	0	\$0	0
	50% AMI	0	0	0	0	0	\$0	0
	60% AMI	0	0	0	0	0	\$0	0
	80% AMI	0	0	0	0	0	\$0	0
	Market	0	0	0	0	0	\$0	0
0								
4BR	30% AMI	0	0	0	0	0	\$0	0
	50% AMI	0	0	0	0	0	\$0	0
	60% AMI	0	0	0	0	0	\$0	0
	80% AMI	0	0	0	0	0	\$0	0
	Market	0	0	0	0	0	\$0	0
0								
Subtotals			48					979,224
Bedrooms			72					
				Other Income:	HAP Differential	0		0
				Other Income:	RSC	0		25,000
				Vacancy Rate	3.00%			(30,127)
				Other Income:	Laundry	0		0
				Other Income:	TIF (trends at 3%)	0		0
				Effective Gross Income				974,097

AFFORDABLE AMORTIZING MORTGAGE CALCULATION			
Effective Gross Income (w/TIF)			974,097
Annual Operating Expense			458,607
Stabilized NOI			515,490
DSC	1.20		85,915
\$ Avail for D/S			429,575
Other DS			0
Balance			429,575
Affordable Fully Amortizing Mortgage		0.00%	12,887,260
Affordable Interest Only Mortgage		0.00%	#DIV/0!

BREAKEVEN ANALYSIS:		RENT SENSITIVITY	OCCUPANCY
		Total	Annual
Operating Expense		458,607	Gross Revenues 1,004,224
Debt Service		458,070	
Breakeven Rent		1,591	Breakeven Occupancy 91%

1013450.81

OPERATING EXPENSES			
Expense	Annual	Annual Per Unit	Monthly Per Unit
Administrative Expenses:			
Management Fees	60,253	1,255	105
Management Charges	60,253	1,255	105
Marketing Expenses	500	10	1
Legal Expenses	1,500	31	3
Auditing Expenses	5,500	115	10
Other Administrative Expenses	4,000	83	7
Administrative Expenses	132,007	2,750	229
Operating Expenses:			
Janitorial Payroll	0	0	0
Janitorial Supplies and Equipment	0	0	0
Janitorial Contractual Services	0	0	0
Fuel and Gas	0	0	0
Electricity	145,000	3,021	252
Water and Sewer	35,300	735	61
Garbage and Trash Removal	10,000	208	17
Vehicle and Equipment Expenses	0	0	0
Other Operating Expenses	0	0	0
Operating Expenses	190,300	3,965	330
Maintenance Expenses:			
Grounds Maintenance Payroll	0	0	0
Grounds Tools and Supplies	0	0	0
Grounds Contractual Services	25,000	521	43
Miscellaneous Ground Maintenance	0	0	0
		0	0
Building Maintenance Payroll	40,000	833	69
Building Tools and Supplies	8,000	167	14
Building Contractual Services	5,000	104	9
Building Systems Maintenance	6,000	125	10
Miscellaneous Building Maintenance	2,200	46	4
		0	0
Maintenance Expenses	86,200	1,796	150
General Expenses:			
Property Taxes	0	0	0
Property and Liability Insurance	28,500	594	49
Tenant Service Expenses	0	0	0
Other General Expenses	0	0	0
General Expenses	28,500	594	49
		0	0
Replacement Reserve Funding	21,600	450	38
		0	0
Commercial Expenses (if applicable)	0	0	0
		0	0
Total	458,607	9,554	796

Management Costs Analysis

Management Fees	60,253	
Management Charges	60,253	
Other Administrative Expenses	4,000	124,507

Effective Gross Rental Income 974,097

Cost Percentage for use in Management Agreement 13%

10800

PROFORMA OPERATING INCOME AND EXPENSE STATEMENT													
YEAR		1	2	3	4	5	6	7	8	9	10	11	
	Lease Up	Stabilized											
	Mos:	10	3/2/2023	3/1/2024	3/1/2025	3/1/2026	3/2/2027	3/1/2028	3/1/2029	3/1/2030	3/2/2031	3/1/2032	3/1/2033
Effective Rental Income		811,748	974,097	993,579	1,013,451	1,033,720	1,054,394	1,080,754	1,107,773	1,135,467	1,163,854	1,192,950	1,222,774
TIF Reimbursement			0	0	0	0	0	0	0	0	0	0	0
Less Operating Expense		382,172	458,607	472,365	486,536	501,132	516,166	531,651	547,601	564,029	580,949	598,378	616,329
Net Operating Income		429,575	515,490	521,214	526,915	532,588	538,228	549,103	560,172	571,439	582,904	594,572	606,445
Less RLP Repay		0	0	0	0	0	0	0	0	0	0	0	0
Less Other Repay		381,725	458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070
Cash Flow		47,851	57,421	63,145	68,845	74,518	80,159	91,033	102,103	113,369	124,835	136,503	148,375
Cash Flow per Unit		997	1,196	1,316	1,434	1,552	1,670	1,897	2,127	2,362	2,601	2,844	3,091
Debt Coverage Ratio		1.13	1.13	1.14	1.15	1.16	1.17	1.20	1.22	1.25	1.27	1.30	1.32
Principal Balance (1-4)		7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384
Principal Balance (5-10)		8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537
Operating Reserve Balance		0	0	0	0	0	0	0	0	0	0	0	0
Per Unit Annual Deficit		\$	1,914	\$ 2,105	\$ 2,295	\$ 2,484	\$ 2,672	\$ 3,034	\$ 3,403	\$ 3,779	\$ 4,161	\$ 4,550	\$ 4,946
Per Unit Per Month Deficit		\$	160	\$ 175	\$ 191	\$ 207	\$ 223	\$ 253	\$ 284	\$ 315	\$ 347	\$ 379	\$ 412
PROFORMA OPERATING INCOME AND EXPENSE STATEMENT, continued													
YEAR		12	13	14	15	16	17	18	19	20	21	22	
		3/1/2034	3/2/2035	3/1/2036	3/1/2037	3/1/2038	3/2/2039	3/1/2040	3/1/2041	3/1/2042	3/2/2043	3/1/2044	
Effective Rental Income		1,253,343	1,284,677	1,316,794	1,349,714	1,383,457	1,424,960	1,467,709	1,511,740	1,557,093	1,603,805	1,651,920	
TIF Reimbursement		0	0	0	0	0	0	0	0	0	0	0	
Less Operating Expense		634,819	653,864	673,480	693,684	714,495	735,929	758,007	780,748	804,170	828,295	853,144	
Net Operating Income		618,524	630,813	643,314	656,030	668,962	689,031	709,702	730,993	752,923	775,510	798,776	
Less RLP Repay		0	0	0	0	0	0	0	0	0	0	0	
Less Other Repay		458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070	
Cash Flow		160,455	172,744	185,245	197,960	210,893	230,961	251,632	272,923	294,853	317,441	340,706	
Cash Flow per Unit		3,343	3,599	3,859	4,124	4,394	4,812	5,242	5,686	6,143	6,613	7,098	
Debt Coverage Ratio		1.35	1.38	1.40	1.43	1.46	1.50	1.55	1.60	1.64	1.69	1.74	
Principal Balance (1-4)		7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	
Principal Balance (5-10)		8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	
Operating Reserve Balance		0	0	0	0	0	0	0	0	0	0	0	
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
PROFORMA OPERATING INCOME AND EXPENSE STATEMENT, continued													
YEAR		23	24	25	26	27	28	29	30				
		3/1/2045	3/1/2046	3/2/2047	3/1/2048	3/1/2049	3/1/2050	3/2/2051	3/1/2052				
Effective Rental Income		1,701,477	1,752,521	1,805,097	1,859,250	1,915,027	1,972,478	2,031,653	2,092,602				
TIF Reimbursement		0	0	0	0	0	0	0	0				
Less Operating Expense		878,738	905,100	932,253	960,221	989,028	1,018,698	1,049,259	1,080,737				
Net Operating Income		822,739	847,421	872,844	899,029	926,000	953,780	982,393	1,011,865				
Less MaineHousing RLP Repay		0	0	0	0	0	0	0	0				
Less Other Repay		458,070	458,070	458,070	458,070	458,070	458,070	458,070	458,070				
Cash Flow		364,669	389,352	414,774	440,959	467,930	495,710	524,324	553,796				
Cash Flow per Unit		7,597	8,111	8,641	9,187	9,749	10,327	10,923	11,537				
Debt Coverage Ratio		1.80	1.85	1.91	1.96	2.02	2.08	2.14	2.21				
Principal Balance (1-4)		7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384	7,662,384				
Principal Balance (5-10)		8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537	8,328,537				
Operating Reserve Balance		0	0	0	0	0	0	0	0				

First Year End:

12/31/2023

Total Cash Flow
Projected over 12 Years

1,393,504

1,824,560

City of Portland | Housing & Economic Development Department

Mary P. Davis, *Interim Director*



To: Mayor Kate Snyder and Members of the Portland City Council

From: Mary Davis, Interim Director,
Housing & Economic Development Department

Date: December 16, 2022

Re: Avesta Housing Development Corporation
Winchester Woods – Funding Proposal

This memo is intended to provide information on the grant request made by Avesta Housing Development Corporation (AHDC), as well as inform the Council of concerns staff has related to contract negotiations. In light of the desperate need for affordable housing, staff wants to be able to recommend this important project for Council approval, but cannot in good conscience do so at this time given an absence of documentation related to the project, and which normally accompanies requests for the subsidization of affordable housing development.

Specifically, we need an appraisal of the property to be provided by the applicant and evaluated by staff prior to a recommendation to the Council. When this item was first rescheduled from the November 21st Council meeting to the December 19th meeting, AHDC was aware that these missing documents were needed and that various other issues needed to be resolved before we could make a recommendation in support of AHDC's funding request. We were very hopeful that we would be there by now, and share the applicant's disappointment that we are not.

As you know, AHDC requested a grant of \$5,000,000 for the purchase of a 48-unit rental housing development that is currently under construction. Utilizing \$3,257,004 from the Jill C. Dusen Housing Trust Fund (JCD HTF) along with \$1,000,000 from the first tranche of ARPA funding, the City has \$4,257,004 available for this project. The funding represents a capital subsidy of \$88,688 per residential unit.

It is our understanding that the housing provided by AHDC will serve asylum seeking individuals and families for the first two years. The State of Maine/Maine Housing (MH) has indicated they will cover the rent during this 2-year period. After the first two years, the housing will serve a mix of income levels with 10 units affordable to households at 50% AMI, and 28 units affordable at 80% AMI and 10 units at market rates. The project in total will contain 24 1-bedroom units and 24 two-bedroom units.

Sources and Uses

Maine Housing IO Debt:	\$8,328,537	Acquisition:	\$15,600,000
City of Portland:	\$4,257,004	Hard Construction:	\$0
Cumberland County ¹ :	\$2,500,000	Soft & Misc Costs:	\$169,500
South Portland ² :	\$0	Financing Costs:	\$166,571
Maine Housing Subsidy:	\$905,380	Pre Funded Reserves:	\$54,850
		Developer Fee:	\$0
Total Sources:	\$15,990,921	Total Uses:	\$15,990,921

At this time, the City has not received written funding commitments for any of the sources noted above. Portland's Housing and Community Development (HCD) staff has been in contact with both MH and Cumberland County regarding their potential financing. To date, both lenders indicate they are reviewing the application and have not made a final funding decision. Following is a brief review of the December 16, 2022 financial proforma submitted by AHDC.

Acquisition: AHDC has an agreement to purchase the Winchester Woods project for \$15,600,000. In mid-November, Both AHDC and MH had indicated that an appraisal is in process and is expected to be completed within four to six weeks of that date. On November 2nd, a consultant for the City's Tax Assessor's Office, provided an estimate of value to be between \$9,000,000 to \$10,000,000. This estimate is based on information provided in the AHDC proposal submitted to the HCD Office and through the ARPA application process. The appraisal may contain additional information such as affordability restrictions that could impact this estimate. The City's estimate of value is subject only to the information received to date.

Project Income: AHDC indicates that they will not be completing a market study as the demand for affordable units and specifically affordable units for asylum seekers is well known within the community. While we have not received a written letter of interest, intent or commitment, as we indicated above, MH has stated their intent to provide rental assistance for the project for the first two years.

Rents proposed for the 50% AMI and 80% AMI units appear to be in line with industry standards for the Low-Income Housing Tax Credit program. The rents proposed for the market rate units are within the allowable range for the City's Inclusionary Zoning program.

¹ Cumberland County has scheduled consideration of this funding request for a January 2023 Commissioners' meeting.

² On November 16, the South Portland City Council voted against allocating \$500,000 in ARPA funding toward this project.

Proposed Rent Schedule:

1 Bedroom Units (24)	50% AMI	\$1,048
	80% AMI	\$1,676
2 Bedroom Units (24)	50% AMI	\$1,258
	80% AMI	\$2,012

Operating Expense: AHDC's December 16, 2022 proforma includes project operating expenses of \$9,554/unit annually. Administrative expenses, including management fees and charges are higher than the last three AHDC projects financed by the Cumberland County HOME Consortium (Valley Street \$7,431; West End Phase II \$7,880; and Village Commons \$8,028). These costs can be explained, in part, by a higher level of supportive services to be provided for this project.

30 Year Cashflow & Debt Service Coverage Ratio (DSCR): Debt Service Coverage Ratio compares a project expected available cash, or net operating income, to pay the debt service or loan repayment costs. A DSCR of 2.0 is considered strong and many lenders set a minimum DSCR between 1.2 and 1.25. The December 16, 2022 proforma shows a 1.13 DSCR in year one, rising to 1.30 in year 10, 1.64 in year 20 and 2.21 in year 30. There are two factors contributing to these numbers. One, AHDC has requested that the property be tax exempt for purposes of real estate taxes. Second is that in the current financing structure, only MH's debt will be repaid. AHDC's financial proforma does not include repayment of any of the other financing sources. Please refer to the section below entitled Items for Council Consideration/ Direction to Staff for more information on these topics.

Affordability Restrictions/Affordable Housing Agreement: The JCD HTF Ordinance (Section 18.3 of the City's Code of Ordinances) requires affordability restrictions secured by a declaration of covenants and restrictions recorded in the Cumberland County Registry of Deeds. Units must remain affordable for the life of the housing unit, which is presumed to be a minimum of 30 years.

AHDC is proposing to purchase the project, once construction is complete, from the current owner, Winchester Woods LLC. The current owner originally intended to develop a market rate rental housing development and as such, the Planning Board approved the project with an Inclusionary Zoning (IZ) requirement that 25% of the units (12 units) must be affordable to households earning 80% of the area median income. The IZ Ordinance requires that the developer enter into a Workforce Housing Agreement (WHA) with the City. The WHA ensures that the developer complies with the IZ requirements and is recorded in the Cumberland County Registry of Deeds.

AHDC has agreed to assume the current owner's requirements under the City's IZ ordinance listed above, and has agreed to a City restriction on an additional 16 units.

Maine Housing Restrictions: 10 units at 50% area median income for 30 years
City Restrictions: 28 units at 80% area median income for 90 years
No restriction: 10 units

Other Items for Council Consideration:

1. **Portland Preference:** The City has had several conversations with AHDC, MH, and the Governor's Office regarding an assurance that asylum seekers currently being supported by the City would have priority for the units at Winchester Woods. City staff has repeatedly been told that a local preference will not be allowed. There have been positive discussions, however, about a preference for 10 pregnant mothers currently staying in local shelters and hotels.
2. **Real Estate Taxes:** The City has a long-standing policy that projects receiving financial assistance from the City must pay real estate taxes. The City's loan documents incorporate a clause which requires that if the property should become exempt, an amount equal to the assessed tax amount would still be payable. This policy was reviewed in 2021 by the Housing and Economic Development Committee (HEDC) as a result of a request received from the IRIS Network. The HEDC did not support the request.

On November 2nd a consultant for the City's Tax Assessor's Office provided an estimate of value of \$9,000,000 to \$10,000,000 and annual taxes between \$122,000 to \$136,000 (utilizing current tax rate of .01361).

Staff is concerned that this may set a precedent that will have an impact on our current affordable housing portfolio, as well as future projects funded through the City's Affordable Housing Development Program. Aside from the initial cost of almost \$5 million, this project would carry an additional cost of up to an estimated \$136,000 in property tax revenue annually.

3. The primary source of City funding is the JCD Housing Trust Fund. The 2022 JCD HTF Annual Plan approved by the City Council outlines the terms in which these funds will be used. The Plan specifies the following:

Maximum Award Amount: The average City investment per unit, excluding TIF financing, is approximately \$10,000 per unit. The City contribution per unit will not exceed \$18,000. This amount may be adjusted at the discretion of the City Council, only for unusual circumstances where a larger amount is the only way a project that meets other City goals can move forward. In those cases, the higher cost per unit ratio must be tied into the goals outlined in the City's Comprehensive Plan.

The current proposal would see a subsidy of \$88,688 per unit. As required by the 2022 JCD HTF Annual Plan, the Council needs to approve this larger contribution per unit for this project.

4. **Financing Terms:** Staff is requesting that the Council grant it flexibility to negotiate financing terms based on the final proforma, when available. This project is not typical of the developments financed by the City. While the State of Maine has indicated a willingness to cover rent for the first two years, there is uncertainty regarding the project's operating income beginning in year three when the state funding is no longer available.

As stated above, financing terms as noted in the City's Affordable Housing Development Program Application use debt service coverage ratio as an important tool in the financial analysis of a project. Typically, projects with a DSCR 1.15 are considered for a deferred cash flow loan. At this time, staff is requesting the ability to negotiate loan terms once a final proforma has been approved by Maine Housing.

Therefore, if the Council were to ultimately approve financing for this project without final financial documents in-hand, staff recommends the approval be conditioned upon receipt of an appraisal, final review and confirmation of loan terms by the City's underwriting contractor, and written confirmation that the project will provide housing for asylum seekers with the State of Maine covering rent for the first two years. Additionally, staff requests explicit guidance on ADHC's request for property-tax-exempt status.



Mary Davis <mpd@portlandmaine.gov>

Winchester Woods update

1 message

Rebecca Hatfield <[REDACTED]> Mon, Jan 30, 2023 at 10:09 AM To: Greg Payne <[REDACTED]>, Kate Snyder <[REDACTED]>, Danielle West <[REDACTED]>, Adam Krea <[REDACTED]>, Sandra Warren <[REDACTED]> Cc: Patrick Hess <[REDACTED]>

All,

As we have discussed, there were numerous factors that needed to align to make the Winchester Woods deal work. Avesta has worked tirelessly to determine a path forward and we have explored all possible structures and options while assessing the many moving parts.

Avesta sought to create an amenable solution for all stakeholders that addressed the considerations and conditions of funding partners as well as the factors relating to the buildings. We were also trying to balance the urgency of the situation and timeline, which has been challenged by increasing delays in construction. Avesta offered terms to address and/or mitigate these factors, but ultimately the seller declined our offers. As a result, Avesta is withdrawing our request for City of Portland funding for this project.

We appreciate that all the funding partners came together to work to find a solution over the last month. Avesta remains steadfast in our commitment to identifying solutions and collaborating with others to create safe, quality, affordable permanent housing for asylum seekers experiencing homelessness, as well as the many others who desperately need housing. We look forward to working with the City on other efforts to address this urgent need.

Sincerely,

Rebecca

Rebecca Hatfield (she, her)
President & CEO
Avesta Housing

p: [REDACTED]

www.AvestaHousing.org

MEMORANDUM
City Council Agenda Item

FROM:

DATE: January 17, 2023

SUBJECT: Order 125-22/23 Amendment to Portland City Code Chapter 14 re: Roux Institute Overlay Zone - Sponsored by Portland Planning Board, Maggie Stanley, Chair

SPONSOR: Maggie Stanley, Chair, Portland Planning Board

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 1/18/2023

Final

Action 2/6/2023

Can action be taken at a later date: Yes If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: no

PRESENTATION: Maggie Stanley, Chair Planning Board; Christine Grimando, Director – Planning & Urban Development; Kevin Kraft, Deputy Director – Planning & Urban Development (5 minutes)

I. SUMMARY

Zoning Text Amendments related to eligibility of The Roux Institute at Northeastern University submitting an Institutional Overlay Zone (IOZ) application and the proposed regulatory framework for the proposed Roux IOZ.

II. AGENDA DESCRIPTION

On November 22, 2022, the Planning Board voted unanimously (6-0; Barker absent) to recommend to the City Council adoption of a zoning text amendment to Article 8 of the Land Use Code to add the Roux Institute at Northeastern University (Roux Institute) as an eligible institution and voted (5-1; Silk opposed; Barker absent) to recommend to the City Council adoption of the proposed Roux Institute regulatory framework that identifies the zoning requirements that apply to the proposed Roux IOZ. The proposed zoning text amendment application was submitted by the Initiative for Digital Engineering and Life Sciences (IDEALS). This application, in conjunction with a zoning map amendment application to rezone 1 Bean Pot Circle and nearby parcels from I-M Industrial Moderate Impact and R-3 Residential to a B-5 Urban Commercial zone, and a zoning map amendment application to map the Roux Institute IOZ over an area encompassed by 1 Bean Pot Circle, 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 spaces 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.

Over the course of the extensive review process, the proposal has been revised in response to public, staff, and Planning Board comments. The IOZ application involves the development of a long-range plan for the institution, known as an Institutional Development Plan (IDP), that informs the eligible institutions Regulatory Framework, which codifies supplemental zoning regulations to the base zoning district related to uses, dimensional standards, design, transportation and parking, environment, neighborhood integration and engagement, mitigation of future impacts, and on-going monitoring.

This item must be read on two separate days. It received its first reading on January 18, 2023. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Initiative for Digital Engineering and Life Sciences (IDEALS) seek zoning map and text amendments to implement the objectives of the Roux Institute at Northeastern University Institutional Development Plan and the long-term vision to redevelop 1 Bean Pot Circle as a new mixed-use campus for The Roux Institute at Northeastern University. The proposed phased development over the next 20 to 30 years would spur economic and job growth by creating new campus facilities, incubator and office spaces for partner organizations, associated commercial uses including a hotel and ancillary retail and restaurant uses. In addition to the creation of residential housing units, and the creation of enhanced trails and bike connections and vibrant, publicly accessible open spaces and resilient waterfront.

The proposed text amendments would add The Roux Institute at Northeastern University (Roux Institute) as an eligible institute to create an IOZ and adopt the regulatory framework for the campus, which would serve as a supplemental zoning document that provides additional use allowances and dimensional regulations applicable to the eligible institution to better reflect the proposed development for the site. The Roux Institute at Northeastern University would become the fifth eligible institution in the city if it is adopted, in addition to Maine Medical Center, Northern Light Mercy, University of Southern Maine, and University of New England.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intent of the proposed zoning text amendments is to facilitate development at 1 Bean Pot Circle including the relocation and expansion of The Roux Institute at Northeastern University from 100 Fore Street to the subject property, associated residential and commercial development, and establishing public access to the waterfront of the site through shared use pathways and construction of a new pier.

The IOZ process and the proposed amendments reflect a collaborative approach to zoning that allows for longer-term planning and community input that furthers the shared goal expressed in *Portland's Plan 2030* of planning for institutional growth by promoting the orderly expansion of institutional uses, such as educational, cultural, and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies.

Moreover, the comprehensive plan emphasizes ensuring that the growth of Portland's educational, medical, and cultural institutions is integrated into Portland's urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning. The site is also identified in *Portland's Plan 2030* as a priority area to be evaluated for future change and growth specified in the Future Land Use chapter, Priority Nodes & Corridors map).

The intended result of amending the city zoning text would further additional goals expressed in *Portland's Plan 2030* including, but not limited to:

- Supporting sustainable growth in our educational, medical, and cultural institutions;
- Creating economic prosperity by growing Portland's tax and employment base;
- Valuing innovation and creativity as cornerstones of the local economy and as central to Portland's uniqueness and diversity;
- Reinforcing the waterfront as a key component of Portland's economic health, balancing traditional and emerging industries with tourism and recreation;
- Investing in, attracting, and retaining human capital to support a growing economy;
- Investing in educational institutions and training as a means of attracting, developing, and retaining an educated workforce;

- Targeting areas for job growth by modifying ordinances and making strategic investments to better promote business development and job creation in priority areas;
- Planning for institutional growth
- Prepare our current and future residents to compete in an increasingly knowledge-based economy;
- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents;
- Pursue policies to enable people who work in Portland to have the option to live in Portland;
- Encourage quality, sustainable design in new housing development;
- Sustain and build our system of parks, trails, and open spaces to enhance our quality of life, protect our environment, and promote economic well-being;
- Strengthen connections between open spaces;
- Provide high-quality, well-designed, well-maintained, safe, and integrated parks, trails, public open spaces, and recreational opportunities accessible to all residents;
- Integrating resiliency by pursuing opportunities for optimizing green infrastructure and enhancing the existing stormwater management and flood storage functions of open space where appropriate and practical;
- Expand waterfront access for the public where possible and appropriate.

V. FINANCIAL IMPACT

The proposed text amendments will have no financial impact to the City.

VI. STAFF ANALYSIS AND BACKGROUND

A City Council Report is included as part of the City Council packet.

VII. RECOMMENDATION

At the public hearing on November 22, 2022, the Planning Board made favorable recommendations to:

- Amend the text of the Land Use Code to list The Roux Institute at Northeastern University as an eligible institution (Vote: 6-0)(Barker Absent), and
- Amend the text of the Land Use Code to adopt the proposed regulatory framework for the IOZ into the Land Use Code (Vote: 5-1)(Silk opposed) (Barker absent).

Based on the application materials submitted to the Board and testimony from the Planning Board workshops and hearings for this application, the Planning Board has determined that the proposed actions are consistent with the Comprehensive Plan for the City of Portland and recommend to the City Council adoption of the proposed zoning text amendments in connection with the proposed development of The Roux Institute at Northeastern University at 1 Bean Pot Circle.

VIII. LIST ATTACHMENTS

1. Ch. 14 Roux Institute Added as an Overlay Zone 1.18.2023
2. Memo re Zoning Roux from Corp Counsel Michael Goldman 020323
3. Bean Pot Circle - 1 CC Report 2023-01-06
4. Attachment A - November 22, 2022 Planning Board Staff Report
5. Attachment B - Proposed IOZ & B-5 Map Amendments
6. Attachment C - Institutional Development Plan
7. Attachment D - Proposed Text Amendment - IOZ Eligibility
8. Attachment E - Regulatory Framework
9. Attachment F - Summary of Required Neighborhood Meetings
10. Attachment G - Summary of Roux Roundtable Meetings

11. Public Comment Order 125-22.23 v2

Prepared by:

Date: 01/17/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**AMENDMENT TO PORTLAND CITY CODE CHAPTER 14
RE: ROUX INSTITUTE OVERLAY ZONE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That Chapter 14, Section 8 is hereby amended to read as
follows, on the following pages:*

8.5 INSTITUTIONAL OVERLAY (IOZ)

8.5.1 Purpose

The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city's ~~four~~five major medical and higher education campuses where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

- A. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and in order to sustain that role, these institutions need flexibility to change and grow.
- B. Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level.
- C. Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions.
- D. Support the formation and continuation of mutually beneficial public-private cooperation.
- E. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods.
- F. Reflect Comprehensive Plan and other policy objectives.
- G. Provide a consistent regulatory approach to all major institutions which allows unique regulatory requirements that balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

8.5.2 Location and applicability

The city's ~~four~~five ~~primary~~major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The eligible institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the ~~two~~three major academic institutions of University of Southern Maine, ~~and~~ University of New England, and The Roux Institute at Northeastern University, their successors and assigns. Designation as an IOZ is the preferred mechanism where the eligible institution's proposed development is inconsistent with the existing zoning.

8.5.7 The Roux Institute at Northeastern University Overlay Zone Regulatory Framework

A. Applicability: All development proposed by The Roux Institute at Northeastern University ("Roux Institute) within the boundary of the Roux Institutional Overlay Zone (IOZ) shall be consistent with the approved Institutional Development Plan (IDP), consistent with the Comprehensive Plan, and meet applicable standards of the Land Use Code, unless such standards are superseded by the following regulatory framework. This regulatory framework shall govern future development by the Roux Institute within the IOZ unless amended by the Portland City Council upon formal application of the Roux Institute. The Roux Institutional Overlay Zone shall have the boundaries depicted below and shall include the approximately thirteen-acre property located at 1 Bean Pot Circle and identified as parcels 447-A001 and A002 in the City's assessing records.

Figure 8-E: Roux Institutional Overlay Zone Boundary



B. Phasing and monitoring.

1. The Roux Institute Campus will be developed in phases, as set forth in the IDP. The IDP will be updated on a regular basis to ensure that the data is current and that the document remains accurate. Accordingly, monitoring reports will be filed every three years and shall include a summary of progress on IDP implementation and of acquisitions and divestment since the date of IDP approval. At the time of the submission of the monitoring report, any updates to the IDP shall be identified which may result from updated master planning, changes in baseline information, or changes in the adjacent neighborhood which affect the campus, to allow the IDP to remain current. Updates and minor amendments not described below shall be reviewed administratively by the Planning Authority.
2. At completion of each phase, the Roux Institute Campus shall have the appearance of a complete and comprehensive design. Permanent and meaningful public space shall be established in the first phase, to ensure public benefit. Interim conditions shall be designed for a pleasant pedestrian experience through planting, lighting, wayfinding, graphics, artwork, or ornamental fencing to provide screening, buffers, and enhancement. Interim areas of the site which are not actively used for parking or construction staging will be appropriately landscaped or accommodate gathering on lawns or other aesthetically hardened spaces.
3. Minor amendments that change the approach to parking, transportation, neighborhood engagement or design shall be reviewed by the Planning Board for consistency with the objectives of the IDP. This review may occur simultaneously with the site plan review of a proposed project.
4. Major amendments shall be reviewed by the Planning Board and are required under the following circumstances:
 - a. A change to the regulatory framework is required.
 - b. The IDP is no longer representative of the institutional mission or approach to community as a result of redevelopment in the area or City upgrades to neighborhood planning (such as roadway changes, infrastructure upgrades, community design, lighting).
 - c. A change in approach to parking, transportation, neighborhood engagement or design is inconsistent with the objectives of the IDP, resulting in a modification to the applicable objectives.

Review of major amendments may occur simultaneously with the site plan review of the proposed project.

C. Uses. The Roux Institute Campus will encompass a variety of uses to support the mission of the Roux Institute to spur innovation, build talent, and drive economic growth. Partnerships with industry, academia, and government are essential components of the Institute's success. Campus uses will include classrooms and laboratories, housing, faculty offices, dining areas, convening spaces, fitness centers, retail facilities, entrepreneurial spaces, light manufacturing, incubator space, research and design facilities, hotel, and office space. The uses on the campus will support collaboration with private industry, other institutions, and community organizations, which is essential to the Roux Institute's approach to learning through integrated research, student work opportunities, and entrepreneurial endeavors. Hotel rooms will cater to prospective students, faculty and staff, visiting lecturers, specialists, and business partner guests, providing multiple opportunities for informal and unplanned interactions and collaboration that would otherwise not be available if staying in a hotel miles away from campus. A range of rental housing options will foster community and provide on-site opportunities for students, faculty, staff, and their families. These units will ease some of the housing pressure and traffic that might otherwise result from new residents attracted to

Portland by the Institute. Housing units not occupied by residents affiliated with the Roux Institute may be made available to the public to further assist in easing the housing pressure.

Recognizing the community value of a larger waterfront parcel in close proximity to a primary bike and pedestrian trail system, the Roux Institute Campus will be designed to include those uses that will welcome the neighbors to the campus, including publicly available open space, waterfront access, recreational opportunities, restaurant, dining, small neighborhood grocery, and/or other limited retail options. These uses will provide a means for serving the residents and other users of the campus, as well as welcoming the neighborhood to foster connectivity and community engagement, activating the public realm, and reducing dependence on automobiles.

1. In addition to the uses permitted in the underlying zone, the uses in Table 8-E shall also be permitted as a matter of right in all buildings that are located within the IOZ and on land owned or leased by the Roux Institute. In recognition that the Roux Institute is a graduate-level educational and research institution with a number of corporate partners, and in recognition of its location outside of the downtown, the following uses and many that are permitted in the underlying zone, such as multi-family housing, hotels, offices and retail, are ancillary to and support the vision and mission of the Institution. In addition, ground floor retail, restaurant, or comparable community-oriented uses that provide services to local residents, students, faculty and staff shall be provided. Such uses are expressly permitted whether ancillary to or supporting the educational institution, and shall be open and welcoming to the general public in addition to students, faculty, staff, or visitors of the Roux Institute.

TABLE 8-E: PERMITTED USES

- | |
|--|
| • <u>Laboratory and Research Facilities</u> |
| • <u>Low-impact Industrial (>10,000 SF)</u> |
| • <u>High-tech Manufacturing</u> |

2. Within the boundary of the IOZ hotels shall be limited as follows:

- a. No more than one hotel shall be located in the IOZ.
- b. The hotel shall contain no more than 130 rooms.
- c. The hotel shall be no more than eight stories in height, not including structured parking. There shall be no more than two levels of above grade structured parking beneath the first floor of the hotel. Nothing herein is intended to preclude the co-location of hotel use and structured parking on one or more levels of the hotel.

D. Dimensional requirements.

1. Applicability

All principal buildings and structures located within the IOZ and located on land owned or leased by the Roux Institute shall be subject to the dimensional requirements of the underlying zone, except where modified by the provisions of this Section.

TABLE 8-F: DIMENSIONAL REQUIREMENTS

<u>Building Height (max.)</u>	<u>Maximum building heights for new principal buildings in the IOZ shall be governed by the Roux IOZ Height Map (Figure 8-F)</u>
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2. Rules of Measurement

Publicly accessible corridor: A corridor accessible to the general public that is open to the sky or enclosed with a minimum width of 20 feet. Enclosed portions of publicly accessible corridors shall have a minimum height of 30 feet.

Street wall: Within the Roux IOZ the term “street wall” shall mean a wall or portion of a wall that includes the principal entry to a building facing a street, public right-of-way, major pedestrian access routes, or open spaces. Orientation of the principal entry to a building shall be determined by the applicant.

3. Minimum and maximum street wall heights

New principal buildings in the IOZ shall rise to a minimum street wall height of forty-five feet (45’), and may rise to a maximum street wall height of one hundred and five feet (105’).

4. Stepback requirements

At a height not lower than the minimum street wall height or higher than the maximum street wall height, a stepback with a minimum depth of at least 10 feet shall be provided. Required stepbacks shall only apply to a building’s street wall.

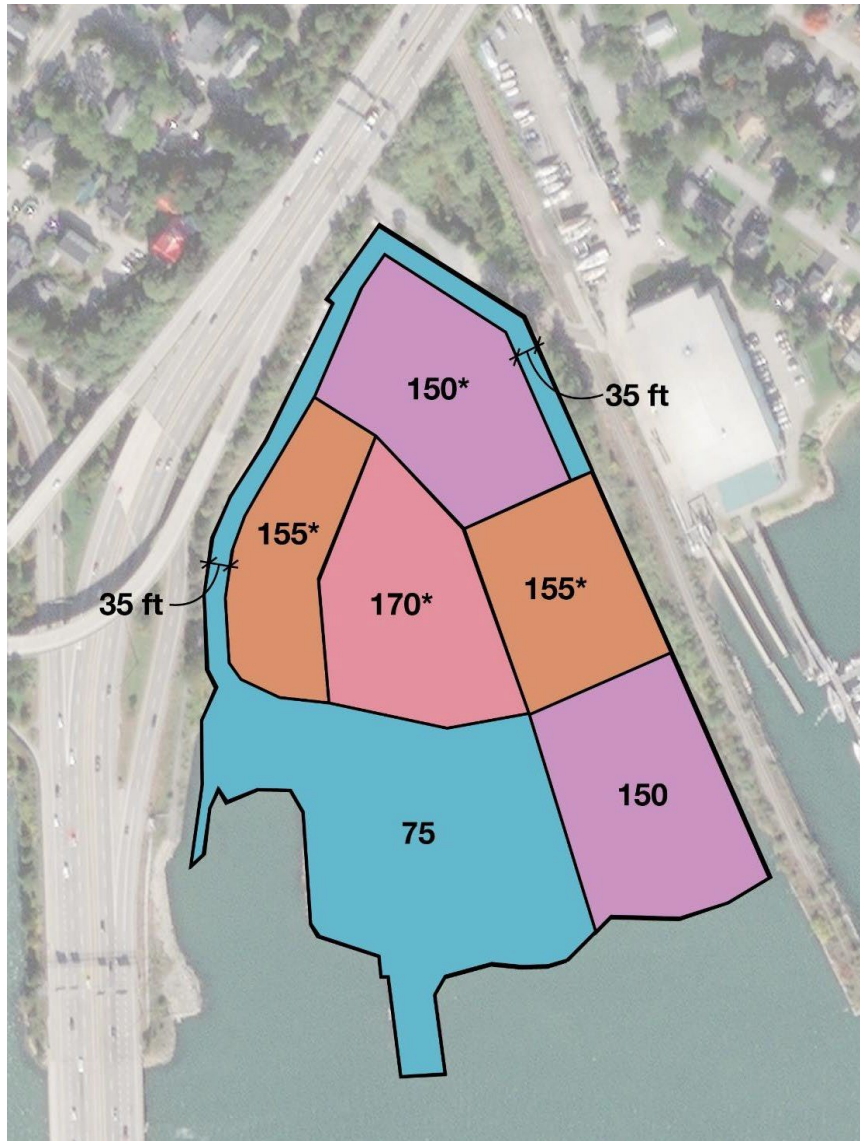
5. Building length requirements

- a. For buildings with a length greater than 250 feet, a continuous, publicly accessible corridor that connects two street, public right-of-way, major pedestrian access routes, or open spaces shall be provided, with the precise location to be identified, defined, and reviewed under site plan review. Building length shall be measured at grade in a straight line between the outer corners of the designated street wall.
- b. Publicly accessible corridors need not be linear and may have necessary grade changes.
- c. Any building wall situated along a publicly accessible corridor shall be designed to provide sufficient architectural and graphic amenities to provide visual interest, transparency between interior activities and pedestrian activity, or active uses and relate the building, and its use to passersby.
- d. Publicly accessible corridors shall:
 - 1. Include pedestrian amenities such as benches and other seating;
 - 2. Be illuminated to levels that are adequate but not excessive for the safety, comfort, and conveniences of occupants and users of the site, and
 - 3. Provide access to the public during regular operating hours of the Institute.
- e. The Roux Institute may close off public access to a publicly accessible corridor during special events or when determined necessary by the Institute for security or public safety purposes.

6. Transitions and Buffers

- a. The campus is surrounded by existing buffers, with I-295 to the west, state-owned vacant parcels to the north, the rail corridor and marine business to the east, and Casco Bay to the south. In addition to the existing buffers, development shall further ease the transition to and from the campus through the following design methods in areas shown on Figure 8-G.
- b. Public open space will ease transition from the smaller scale of Sherwood Street. A transition onto the campus will also be accomplished through thoughtful façade design at the pedestrian level. Potential nuisance features like dumpsters, air handlers, and parking will be appropriately screened. Buildings will avoid blank walls to respect the adjacent neighborhood and facilitate a sense of permeability and welcome.
- c. The shoreline transition area between the buildings and the water will serve as meaningful public open space. Building facades facing the water will be considered public-facing, with views designed for interest from the water and Eastern Promenade Trail.
- d. The transition area between the campus and I-295 contains a height limitation of 75 feet along the edge and between the highway and the B&M Cannery Building, preserving the historic view of the building from the highway and easing the transition to the greater allowable building heights in the center of campus.
- e. The transition area along the edge of the campus adjacent to the rail corridor also contains a height limitation of 75 feet along the edge of the property closest to the residential neighborhood, further easing the transition to the greater allowable building heights at the center of campus, mitigating shadow impacts to adjacent properties.

Figure 8-F: Height Overlay Map



NOTES:

1. Applies to zones shown with an asterisk (*): above height of 75 feet, no building floorplate shall exceed 35,000 square feet.
2. Above height of 50 feet, no two buildings shall be closer than 40 feet apart.
3. Building heights for buildings that span two or more height zones shall be measured by calculating the highest point (as defined in the Land Use Code) of that portion of the building within a particular height zone. If the roof is sloped, height is measured at the midpoint of that portion of the slope located within the particular height zone.

Figure 8-G: Transition Areas and Buffers



E. Transportation.

1. Transportation Demand Management (TDM)

- a. At the time of the first site plan review following IDP approval, the developer shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the

- approved IDP. The TDM Plan may be phased into short-, mid-, and long term actions to allow for progressive implementation over time.
- b. The TDM Plan shall be designed to provide transportation choice with the goal of reducing parking demand and single-occupancy vehicle trips to and from the Roux Institute Campus by students, faculty, staff, institutional partners, and visitors.
 - c. The TDM Plan shall establish parking, mode share, and trip reduction targets associated with each phase of development, as well as a data collection plan.
 - d. Annual monitoring reports will be submitted for the TDM Plan. TDM monitoring reports shall include a summary of progress towards targets established in the TDM Plan. If deficiencies are identified, they will be resolved in accordance with the Site Plan approval.

2. Traffic Movement Permit (TMP)

- a. Any development that will generate over 100 passenger car equivalents will trigger TMP review which will determine applicable mitigation for that development program. There are contributions anticipated to areawide elements to support trip reduction targets, such as contribution to the development of shared use path infrastructure and support for additional transit service to the campus. The TMP review may consider an individual site plan or may cover more than one site plan. Each of the TMP submissions and review will continue to contemplate capacity for multimodal connections to continue to reduce automobile trips.
- b. Mode shares and trip reduction targets have been identified in the IDP and will be updated and modified with each TMP submission as necessary.

3. Bicycle and Pedestrian Access and Safety

- a. A Transportation, Access, and Circulation Plan has been provided in the IDP. At the time of the first site plan review, the developer shall submit an updated Plan. Where possible, the bicycle and pedestrian access routes shall connect to established bicycle and/or pedestrian facilities. The developer shall look to establish new bicycle and pedestrian bicycle and/or pedestrian facilities where feasible.
- b. The site and building design shall not prohibit the enhancement of transit service to and from the site.
- c. Bicycle, pedestrian, transit, and motorized vehicular facilities proposed to and from the site shall provide sufficient capacity and allow for safe connections for modes of transportation.
- d. Sherwood Street shall be improved to accommodate bicycles and pedestrians within the existing right-of-way. Separate sidewalks and bicycle lanes shall be provided where feasible.

4. Parking

Parking requirements in the IOZ, including but not limited to parking ratios, shall be established at the time of site plan review for each phase of development based on a parking study that includes a campus-wide analysis of demand and supply. Parking studies shall integrate parking and trip reduction achievements and data contained in the TDM Plan. Parking requirements shall be determined in accordance with the requirements in the Land Use Code in effect at the time of site plan review.

5. Circulation

- a. The campus shall contain a bike and pedestrian circulation network which includes a perimeter access loop, an internal system of pathways and a major campus “promenade” which will link campus developments, the upland, and the waterfront.
- b. The perimeter access path for bicycle and pedestrians will serve to connect the campus to primary site entry points from the community and provide a continuous recreational loop. Where appropriate, the perimeter access path will be enhanced by wayfinding, lighting, landscaping, and safe crossings at vehicular intersections. Where possible, building facades will respond to the perimeter access path for views into the building and periodic activation to building entrances.
- c. Internal campus circulation pathways will connect major open spaces, buildings entrances, and outdoor plazas to create a network of multiple pathways including the perimeter access path. Pathways will be located along or oriented toward facades that have active programs, architectural articulation, appropriately scaled entrances, and windows. Pathways will avoid traveling along stretches of undifferentiated or blank facades back doors or service areas. Pathways will be generally lower-velocity systems than the access loop. Where appropriate, the internal campus circulation pathways will be enhanced by wayfinding, lighting, landscaping, and safe crossings at vehicular intersections.
- d. The campus promenade will serve as a major organizing feature connecting the upland and the water and providing access to open spaces, allowing views of principal campus of buildings, and connecting to the internal campus circulation pathways and perimeter access path. The promenade will be enhanced by lighting, wayfinding, landscape buffers, and open spaces. Viewsheds and topography along the promenade will emphasize the Roux Institute and Burnham & Morrill (B&M) Cannery building, pier and other principal buildings and spaces.

F. Environment.

- 1. The IOZ shall contain a minimum of three acres of public open space designed to enhance waterfront access and provide bicycle/pedestrian network connectivity. This open space requirement shall be met at the completion of construction of the first site plan approval and shall be maintained at all phases of development. The three acres need not be contiguous and may be provided in new and/or different locations following completion of development phases. The public open space shall be meaningful space, functioning as recreation areas, social gathering spaces, or natural buffers. The method of assuring public access to the public open space shall be determined at site plan review.
- 2. A Sustainability and Resilience Charter will be created by the Roux Institute for the campus. The Charter shall contain sustainability goals related to development categories such as energy, water, transportation, equity, and resilience and may be revised over time in response to evolving technology and industry standards. The Charter will require all development on the campus to utilize critical components of industry standard benchmarking systems such as LEED, SITES, WELL, ILFI, and Passive House. The Charter will be submitted to the Planning Authority prior to submission of the first site plan application. Proposed site plans shall be consistent with the goals outlined in the Charter.
- 3. Development shall utilize lighting designs required for safety and comfort and that minimize impact to the night sky in accordance with light pollution reduction standards in ANSI/ASHRAE/IESNA 90.1-2007 or its most current edition.

4. Development shall be carried out in such a way as to minimize the impacts of sea level rise, protecting infrastructure and site features by designing to a minimum of 2-feet above the Base Flood Elevation (BFE) as shown on the most current FEMA Flood Insurance Rate Map.
5. The shoreline edge and immediate adjacent upland shall be protected through shoreline armoring and vegetation to prevent erosion and enhance natural resource protection. Work in coastal wetlands and significant wildlife habitats (as defined by the Maine Department of Environmental Protection) will be minimized to the maximum extent practicable and shall comply with all applicable local, state and federal permitting requirements in effect at the time.
6. Design of exterior building envelopes will be developed in conjunction with the American Bird Conservancy and Cornell Ornithology Lab standards to mitigate bird strikes to the extent practicable.

G. Mitigation measures.

1. Site plan impacts to off-premise infrastructure shall be mitigated in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of the development. Mitigation construction shall be determined based on the City's standard procedure in effect at the time of site plan review.
2. Impacts to natural resources shall be mitigated in accordance with local, state and federal permitting standards in effect at the time.

H. Design.

1. Introduction and intent.

New development in the IOZ shall adhere to the following design guidelines and the site plan standards of the City of Portland. All new development shall be designed to create a visual connection with the goal of achieving a cohesive campus appearance with a strong identity and sense of place. New development may be contemporary and forward looking in architectural style, but shall be informed by or responsive to the iconic B&M Cannery building as an example of Portland's unique legacy of innovation, adaptation and durability. Reference to the building specifically and in general to the early 20th century industrial factory building type may inform the architectural principles of highly functional yet articulated human-centered facades and details, a combination of local and innovative materials, use of natural daylighting, high degree of flexibility and scalability and capacity for long service life. New development shall be characterized by excellence in architectural design, craftsmanship, materials, streetscape, resilience, sustainability and landscape improvements, signage, and lighting appropriate for a campus development on a coastal site.

These principles and standards are intended to regulate the future build out of the Roux Institute Campus while ensuring that new development is sensitive to adjacent residential neighborhoods and commercial areas and successfully integrates the existing site into the public realm while establishing a global beacon for thought leadership in artificial intelligence, computer and data sciences, digital engineering, and advanced life sciences.

2. Standards

a. Waterfront

1. The waterfront will be publicly accessible to provide a variety of open spaces throughout all phases of development that foster social interaction.
2. New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space, if provided, may be closed to the public during special events, outside normal operation hours, and when necessary for security or public safety purposes.

b. Cohesive campus

1. The overall composition and experience of the campus will be considered for cohesive identity from approaches along I-295 and views from the East Deering neighborhood.

c. Historic preservation

1. Buildings, site development, circulation, and open space will respect the B&M Cannery Building, a designated historic landmark.

d. Connectivity

1. Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service and emergency vehicles at each development phase.
2. Surface parking lots shall be located to the maximum extent practicable toward the rear or side of a building not occupied by a principal entry to a building facing a street, public right-of-way, major pedestrian access routes, open space, and/or the waterfront.

e. Open space

1. Open space will be publicly accessible to provide multiple functions for recreation, social gathering and buffers that integrate within the overall composition and experience of the campus at each development phase.

f. Sustainable practice

1. Buildings and site development will incorporate sustainable technologies in building design, orientation, energy production and sensitivity to natural resources at each development phase.

g. Resilience

1. Buildings and site development will incorporate resilience strategies to account for flooding, severe weather events and integration of publicly accessible spaces at each development phase.

h. Building design

1. Building façade materials will be of high quality, durable to the marine climate and contribute to an attractive public realm. The first 35 feet of building height shall complement the pedestrian character in materiality, transparency, and detailing.
2. Rooftop appurtenances will be incorporated, screened and set back from roof edges to reduce visual impact from the surrounding neighborhood.

i. Building entrances

1. Building entrances will include prominent facades and be oriented toward, located adjacent to, or accessible from rights-of-way, major pedestrian access routes, or open spaces.

j. Mitigation of impacts

1. Buildings and site development will endeavor to minimize potential negative impacts related to shadows, wind, noise, heat, glare, lighting, contaminants, and the environment.

I. Neighborhood Integration.

1. Neighborhood Engagement

- a. For the purpose of keeping surrounding residential areas apprised of its future development plans, and to address any neighborhood issues related to the operations of the Roux Institute Campus, the Roux Institute shall adhere to the ongoing neighborhood engagement principles identified in the IDP.
- b. Ongoing community engagement shall be conducted, including the continuation of neighborhood forums and maintenance of the Roux Institute Campus website.
- c. A Community Advisory Group shall be created for the purpose of sharing information on project development, planning, and seeking input. To the extent practicable, the group shall be comprised of representatives of interested groups such as the East Deering Neighborhood, recreation, parks and trails, sustainability, rail, bicycle/pedestrian, public transit, Portland Harbor, Portland Public Schools, higher education, and the business community.
- d. A designated community contact shall be engaged to be the point of contact for providing information to the neighborhood and receiving feedback.

2. Construction Management

At the time of site plan review, Northeastern University shall submit a Construction Management Plan substantially in accordance with the construction management principles identified in the Institutional Development Plan for review and approval by the Planning Authority.

J. Historic Preservation

1. Historic Preservation Review

The B&M Cannery Building has been designated as a local historic landmark. The area of designation includes the B&M Cannery Building, as well as the area of the former cod fish building and pier. The Historic Preservation Board's review of activity within the site of the former codfish building and pier is limited to review of any activity that would require a Certificate of Appropriateness that is proposed on a newly constructed pier. A Certificate of Appropriateness will not be required for the demolition of the codfish building or construction of a new pier and related infrastructure, including future alterations to the pier structure.

2. Required Interpretive Elements

Northeastern University shall include interpretive element(s) on top of or within the surface of the new pier that convey the history and significance of the codfish building. Prior to construction of said elements, the University shall submit the proposal to the Historic Preservation Board for its review and approval. The interpretive elements shall be designed in a manner that does not interfere with the use and functionality of the pier as a marine passenger facility and for water access by the Roux Institute and the public.

3. 100-foot Review Exemption

The B&M Cannery building is exempt from Section 14.6.4.E.2. for review of development within 100 feet of a landmark.

8.6.1 Purpose

The purpose of the Island Transfer Station Overlay Zone is to establish a location for a transfer station for municipal solid waste and municipal public works activities. This zone shall be established through a conditional rezoning process in order to ensure the imposition of appropriate conditions for the protection of neighboring properties.

Office of Corporation Counsel

Michael Goldman, *Acting Corporation Counsel*

Amy McNally, *Associate Corporation Counsel*

Nicole Albert, *Associate Corporation Counsel*

Rachel Millette, *Associate Corporation Counsel*



MEMORANDUM

To: Mayor Snyder and Members of the City Council

From: Michael Goldman, Acting Corporation Counsel

Date: February 3, 2023

Subject: Overview of Legal Framework for Zoning and Zoning Amendments

In anticipation of the City Council's consideration of Orders 125, 126, and 127, which propose changes to the City's zoning ordinance, this memorandum contains an overview of the legal framework that will govern the Council's action on these items. The framework outlined below is contained in State law and is, therefore, generally applicable to all zoning enactments. It is intended to serve as general guidance for the Council and as information for the public.

For guidance on the application of the legal framework to this particular proposal, please see the Planning Board's Report and Recommendation. Additionally, I am prepared to offer guidance to the Council on the application of this legal framework to Orders 125-127 should questions arise.

I. Overview of the Process of Zoning

Broadly speaking, the act of "zoning" land in Maine is done through the adoption of a "zoning ordinance." Under Maine law, a "zoning ordinance" is "a type of land use ordinance that divides a municipality into districts and that prescribes and reasonably applies different regulations in each district." 30-A M.R.S.A. § 4301(15-A). Common examples of district/zone-specific regulations include: use restrictions, setback requirements, lot size requirements, etc.

Additionally, because the City of Portland has created a Planning Board and authorized that Board to serve as its reviewing authority for matters relating to land use and development, in order for a zoning ordinance to be valid, it must first be developed by the Planning Board at a public hearing. After the Planning Board has worked to develop a zoning ordinance, it is presented to the Council for its consideration.

Ultimately, zoning ordinances must be adopted by the Council. When adopting or amending zoning ordinances, the Council is acting in its legislative capacity. Because of the legislative nature of zoning enactments, both the Planning Board (in making its recommendations) and the Council have relatively broad discretion when making their decisions. There are, however, some important requirements outlined in state statute to help guide the Board and the Council when undertaking zoning. Specifically, under state law, any municipal “zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body....” 30-A M.R.S. § 4352(2)(emphasis added).

II. The “Consistency” Standard

The Maine Law Court has interpreted the term *consistent* to mean that the proposed zoning regulation must be “in basic harmony with . . .” the City’s comprehensive plan. *Consistency* does not mean, however, that a project has to be the “best possible use” for a site/location. See *Vella v. Town of Camden*, 677 A.2d 1051, 1053 (Me. 1996) (citing *LaBonta, et al. v. City of Waterville*, 528 A.2d 1262, 1265); see also *City of Old Town v. Dimoulas*, 2002 ME 133, ¶ 20, 803 A.2d 1018, 1024.

Comprehensive Plans are understood to be “a compilation of policy directives and goals” for the development of the City. Among other things, the policies outlined in the City’s Comprehensive Plan address the City’s infrastructure, commercial/business development, transportation resources, industry, and commerce and residential housing. See <https://www.portlandmaine.gov/484/Portlands-Plan-2030>. Since these goals and policies can sometimes compete and/or conflict with one another, it is the Planning Board’s/City Council’s task to balance and accommodate the many goals and policies contained in the Plan in a way that advances the City’s overall best interests. See *Adelman v. Town of Baldwin et al.*, 2000 ME 91, ¶ 24, 750 A.2d 577, 585-586 (citations omitted); see also *LaBonta*, 528 A.2d at 1265.

The Law Court further clarified the consistency analysis in *Remmel v. City of Portland*, 2014 ME 114, ¶¶ 13-14, 102 A.3d 1168, 1172 and the Council’s

broad discretion to determine when a proposed rezoning is consistent with the Comprehensive Plan. According to the Court in *Remmel*, it is not necessary that a proposed zoning amendment comply strictly with every portion of the Plan. As the Court explained:

A zoning or rezoning action need not perfectly fulfill the goals of a comprehensive plan; it may be in basic harmony with the plan so long as it “strikes a reasonable balance among the municipality’s various zoning goals” or “overlap[s] considerably” with the plan.

Importantly, “a municipality may conclude that a rezoning action is consistent with the comprehensive plan when it is in harmony with some provisions of the plan, even if the action appears inconsistent with other provisions of the plan.” *Id.*

III. Decision Making

Again, whether to adopt zoning regulations is a legislative decision, the details of which are to be developed by the Planning Board and enacted by the City Council. Therefore, whenever a zoning proposal comes before the Council for its consideration, it will be important for the Council to:

1. carefully consider whether and how the proposed zoning satisfies the broad policy objective(s) contained in the Comprehensive Plan; and
2. in its deliberations, specifically outline the ways in which the proposal is or is not consistent with the Plan.

The recommendations provided by the Planning Board are intended to assist the Council in that effort by outlining in detail the Board’s assessment of “consistency” based on its in-depth and comprehensive experience with the Plan, land use development throughout the City, the City’s land use ordinances, etc. The Council is not, however, bound by the Planning Board’s recommendations or assessment and is free to make its own determination as to whether a particular zoning proposal is or is not consistent with the Comprehensive Plan.

In taking action on a proposal, the Council can:

- adopt the proposal (with or without minor amendments) as substantially presented (after concluding that it is consistent with the Comprehensive Plan);

- it can decline to adopt the proposal (after concluding that it is not consistent with the Comprehensive Plan); or
- if the Council determines that substantial amendments to the proposal are necessary and would bring it more in line with the Comprehensive Plan and the Council's objectives, it can request that the Planning Board develop those amendments and provide a revised recommendation on that amended proposal.

PLANNING BOARD REPORT TO CITY COUNCIL PORTLAND, MAINE



1 Bean Pot Circle
ZN-001934-2022

Applicants: The Roux Institute at Northeastern University (Roux Institute) and the Initiative for Digital Engineering and Life Sciences (IDEALS)

Submitted to:	Mayor Snyder & the City Council	From:	Portland Planning Board
Council Hearing Date:	Jan. 18, 2023 (first read), Feb. 6, 2023 (public hearing)	Date:	January 6, 2023

I. INTRODUCTION

Below is a summary of proposed zoning map and text amendments for 1 Bean Pot Circle (the site of the former B&M cannery), the review process, and the Planning Board's recommendations for adoption for each component of the proposed changes. The attached staff report to the Planning Board (Attachment A)



Figure 1: Artist rendering of Campus. View from I-295 NB.

contains additional detail and analysis of the application that informed the Planning Board's review. The amendments were initiated in an application by the Initiative for Digital Engineering and Life Sciences (IDEALS) on behalf of The Roux Institute at Northeastern University, to amend Article 8 of the Land Use Code, adopt a new IOZ for the property, and change the underlying zoning of the site from I-M and R-3 to B-5. The requested actions would facilitate the future development of a mixed-use campus for The Roux Institute, including academic buildings, office, lab, and incubator space, retail, hotel, and housing as well as publicly accessible open space.

Following an in-depth review that began in June of last year and included four workshops, the Planning Board voted on November 22 to favorably recommend to the City Council adoption of the following:

- Amending the text of Article 8 of the Land Use Code to add The Roux Institute at Northeastern University to the list of eligible institutions (**Vote: 6-o, Barker absent**)
- Amending the zoning map to add the Roux Institute at Northeastern University Institutional Overlay Zone (IOZ) to an area encompassed by 1 Bean Pot Circle (**Vote: 6-o, Barker absent**)
- Amending the text of Article 8 of the Land Use Code to establish a Regulatory Framework that identifies zoning requirements that apply to future development by the Roux Institute at Northeastern University within the IOZ boundaries (**Vote: 5-1, Silk opposed, Barker absent**)
- Amending the zoning map to rezone the parcels identified in Attachment B from I-M Industrial Moderate Impact and R-3 Residential to B-5 Urban Commercial (**Vote: 6-o, Barker absent**)

The applicant also prepared the required Institutional Development Plan, which was unanimously approved (**Vote: 6-o, Barker absent**) by the Planning Board at the hearing on November 22, 2022 (Attachment C), which does not require Council approval, but is an informative piece of the regulatory framework for the project.

PLANNING BOARD DELIBERATION

The Planning Board held four workshops and one public hearing to review the proposed application. In its review of the application, the Planning Board found the proposed zoning map and text amendments to be consistent with the City's Comprehensive Plan, [Portland's Plan 2030](#), and to recommend to the City Council adoption of the zoning map and text amendments. Over the course of the review, the Board deliberated on a number of topics, eventually concluding that utilizing the IOZ for the Roux Institute's long term development plans was an appropriate, proactive tool to ensure a consistent, predictable, and clear growth management process for the Roux Institute at 1 Bean Pot Circle that would require on-going community engagement, outreach and participation to ensure a clear and transparent planning process for the years to come. The Board acknowledged that without the IOZ, future development would occur in a piecemeal manner without the benefit of a comprehensive well-considered, long-range plan that encourages a resilient, mixed-use campus, ongoing community engagement, and identifying potential impacts and mitigation measures to be considered under future proposals.

Traffic and transportation was one of the most discussed aspects of the amendments, and the Board generally welcomed the thoroughness of the IDP and Regulatory Framework, including the Roux Institute's responsiveness to community and Board concerns. However, Board Member Silk expressed that the traffic analysis and mitigation measures outlined were not entirely adequate and did not provide enough details to assess potential traffic impacts. Ultimately, Board Member Silk expressed support for the IOZ and the proposed amendments but voted not to recommend the Regulatory Framework due to his remaining traffic concerns. The five other present members of the Board expressed support for the Regulatory Framework. The Board broadly considered that the Regulatory Framework presented a balanced and well planned approach on key issues, taken together with the commitments and potential mitigation measures outlined in the Institutional Development Plan and the requirement for future Transportation Demand Management Plan (TDM) and Traffic Movement Permits (TMP) requirements at the time of future site plan application reviews.

Building and site design, including dimensional standards, was another central topic of deliberation. Based on feedback over the course of the review, the applicant included dimensional requirements informed by the long term program envisioned for the site, but also by a number of other goals and site considerations. These include transition zones to ensure that site layout, building form and scale are mindful of the project's surrounding context. The height overlay map focuses taller buildings toward the interior of the site while providing buffers along the waterfront and the I-295 corridor.

In response to concerns raised over the course of the review, the applicant, in coordination with Planning staff, modified their final Regulatory Framework to include specific provisions to sculpt the massing of future buildings by including minimum and maximum street wall heights; stepback requirements; length requirements to require buildings with a length of greater than 250 feet to include a continuous publicly accessible corridor; maximum floorplate requirements for portions of buildings above 75 feet; and building separation provisions for portions of buildings above 50 feet. The Regulatory Framework also includes reference to a series of design standards. The dimensional standards and design standards would apply to all buildings associated with the Roux Institute within the IOZ. With the added provisions around building

dimensional standards and design standards, coupled with the applicant's commitment to provide a publicly accessible open space on the site, the Board welcomed the detailed approach while acknowledging that the height and design of each building will require further consideration at the site plan review stage when building designs are more detailed.

In regard to uses, there were concerns raised between the neighborhood and IDEALS regarding the use and scale of a potential hotel. In response, the applicant included a restriction within the Regulatory Framework that would restrict hotel development to no more than one hotel, with no more than 130 rooms, and no taller than eight stories within the IOZ boundary.

The Planning Board noted that opportunities for new job-generating mix of uses, housing development, and open space will greatly benefit from updated zoning regulations that implement appropriate use, bulk and height limits for new buildings within this area. Redevelopment of the site under the updated zoning regulations will spur environmental and ecological improvements, the creation of significant amounts of waterfront open space, and establish connections to the existing Back Cove trail, providing a critical link to the city's multi-modal network. Moreover, rezoning the site from I-M and R-3 to B-5 will create opportunities for substantial new residential development, where residential is not currently permitted, which further supports goals identified in *Portland's Plan 2030* (and further discussed in Section V below), including the principle of complete neighborhoods, where all residents regardless of age, ability, or income have access to the basic necessities of daily life - housing, jobs, open space, other amenities and services within a walkable, bikeable distance. The site is also identified in *Portland's Plan 2030*, as a priority area to be evaluated for future change and growth in the Future Land Use chapter.

II. INSTITUTIONAL OVERLAY ZONE BACKGROUND

Recommended by the Planning Board and adopted by the City Council (Order 221-16/17) in 2017, the Institutional Overlay Zone (IOZ) is a mechanism available to larger medical and educational institutions to develop zoning regulations that "facilitate a consistent, predictable, and clear growth management process."

The IOZ review process includes the development of an IOZ boundary, an Institutional Development Plan (Institutional Master Plan) and a Regulatory Framework (Supplemental Zoning Regulations). The Institutional Development Plan (IDP) and Regulatory Framework cover a wide range of topics in the short-, medium-, and long-term, including:

- Institutional Context
- Anticipated Growth
- Transportation and Access
- Environment
- Infrastructure
- Design
- Neighborhood Engagement.

In addition to the IOZ requiring considerable preliminary analysis of impacts and potential mitigation and outlining use and dimensional standards, it requires forums for public feedback beyond that required for standard zone changes and site plan applications. Increased public engagement is essential for this planning process, given that it encompasses 10+ years of potential development. Both the Institutional Development

Plan and the Regulatory Framework are required to include a summary of public comments received throughout the process and identify how those comments have shaped the development of these documents (further discussed in Section VI of this report).

At the time the IOZ mechanism was adopted, four institutions were identified as eligible for submitting an IOZ (Maine Medical Center, Mercy Hospital, The University of Southern Maine, and The University of New England), with Maine Medical Center being the first and sole IOZ adopted by the City Council on November 10, 2017 (Orders 112-115-17/18).



Figure 2: Photo of the Cannery Building from the Institutional Development Plan.

III. EXISTING CONDITIONS AND SURROUNDING AREA

The site was previously the location of the Burnham & Morrill factory that produced the iconic B&M baked beans and is improved by a number of interconnected structures, surface parking, and a pier. Parallel to the IOZ review process, the five-story 1912 Cannery Building was designated as a local landmark by the City Council on October 17, 2022 under Order 86-22/23. The Cannery Building has been incorporated into the site design of the proposed IOZ and any future exterior alterations to the building or within the boundaries shown in Figure 3 will need to be reviewed by the Historic Preservation Board. All other existing buildings on the site are proposed to be demolished.

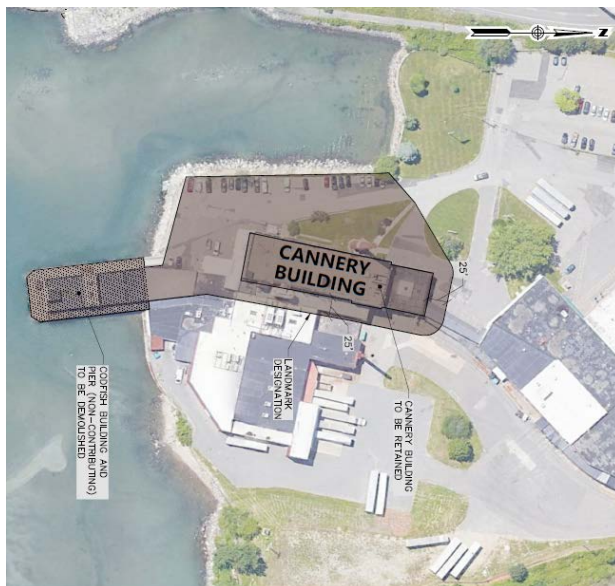


Figure 3: Designation boundaries for the Cannery Building and area immediately surrounding the Building.

The property is bounded to the west and north by Maine DOT right-of-ways and to the south and east by Casco Bay and is primarily located in an I-M (Moderate Impact Industrial) zoning district, with a small portion zoned R-3 (Residential) (Figure 6). The two current zoning designations are reflective of adjacent industrial, waterfront, and residential uses in the East Deering Neighborhood.

Automobile, bicycle, and pedestrian access to the site is provided by Sherwood Street via Veranda Street. Two METRO routes, Routes 9A/B and Route 7, have existing stops within the vicinity of the project, and an additional ten local and express routes are accessible via one transfer. The site is also close to shared use facilities on the Back Cove Trail and the western portion of Tukey's Bridge, which provides connections to the Eastern Promenade and Bayside Trails.

IV. PROPOSED AMENDMENTS

Text Amendment – IOZ Eligibility

The first proposed text amendment to Sections 8.5.1 and 8.5.2 of the Land Use Code would add The Roux Institute at Northeastern University as an eligible institution and update the referred number of institutions eligible from four to five. The amendments (Attachment D) read as follows:

8.5.1 Purpose

“The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city’s ~~four~~ five major medical and higher education campuses...”

And;

8.5.2 Location and Applicability

The city’s ~~four~~ five ~~primary~~ major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The eligible institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the ~~two~~ three major academic institutions of University of Southern Maine, ~~and~~ University of New England, and The Roux Institute at Northeastern University, their successors and assigns. Designation as an IOZ is the preferred mechanism where the eligible institution’s proposed development is inconsistent with the existing zoning.

Map Amendment – IOZ Rezoning

The first proposed map amendment would establish an Institutional Overlay Zone (IOZ) that is coterminous with the boundaries of 1 Bean Pot Circle. Figure 4 shows the proposed boundaries for the IOZ (shown in purple with white dashed line).



Figure 4: Proposed IOZ boundary coterminous with 1 Bean Pot Circle.

As part of the IOZ process, institutions identify all parcels to be included within the IOZ. In the submitted Institutional Development Plan (Attachment C), the Applicant has stated that all operations of The Roux Institute will transition from 100 Fore Street (where the Institute is currently based) to 1 Bean Pot Circle. If adopted, the IOZ would supersede the underlying zoning for property within the IOZ to which the Roux Institute holds right, title, and interest. For properties not subject to Roux Institute’s right, title, and interest, the underlying zoning would continue to control.

Together with the proposed B-5 zone and IOZ Height Overlay, the Roux Institute would be able to concentrate institutional development along with supporting uses on the 1 Bean Pot Circle property. The proposed height and density would allow Roux to expand vertically on the site as opposed to horizontally into the surrounding neighborhoods.

Text Amendment – IOZ Regulatory Framework

The second proposed text amendment creates Section 8.5.7 of the Land Use Code and would serve as the location for the Regulatory Framework (Attachment E) for the Roux Institute IOZ. The Regulatory Framework

is a zoning document incorporated into the Land Use Code that implements the vision and goals of the eligible institution's Institutional Development Plan through use and dimensional requirements, identifying points for future review, when amendments to the IDP and Regulatory Framework will be required, design guidelines, and campus/transportation demand management (TDM) plan monitoring. The Regulatory Framework will constitute a key element in review of future site plan or related development applications for the site. The use and dimensional standards of the base zone apply to the entire site except where the Regulatory Framework indicates otherwise.

Contents of the Regulatory Framework include:

- Three additional use allowances (*Laboratory and Research Facilities, Low-impact Industrial (>10,000 SF), and High-tech Manufacturing*)
- A Height Map (Figure 5) that assigns differing maximum permitted heights to principal structures based on the location of the site
- Limitation on height (8 stories of hotel rooms in a structure that could be up to 10 stories) and number of rooms (130) for the proposed hotel
- Design guidelines that break up larger horizontal massing in buildings, makes buildings more pedestrian friendly through maximum street wall heights, requires building setbacks to promote more architecturally interesting building tops, and restricts building floor plate sizes for portions of buildings above 75 feet
- Requirements to ensure smooth building and site design transitions between certain uses/areas of the site
- A framework for a Sustainability and Resiliency Charter that will be finalized prior to the first site plan submission that will include goals and requirements for more sustainable and resilient development practices for the eligible institution
- Review requirements related to the TDM plan, Traffic Movement Permits (TMPs), Parking, Mitigation, site plans, and Historic Preservation
- Strategies for neighborhood engagement including the establishment of a Community Advisory Group, identifying a designated community contact, continuation of neighborhood forums and maintenance of the Roux Institute Campus website
- Review thresholds for major and minor amendments to the IDP and Regulatory Framework, and which land use entities will review each type of amendment

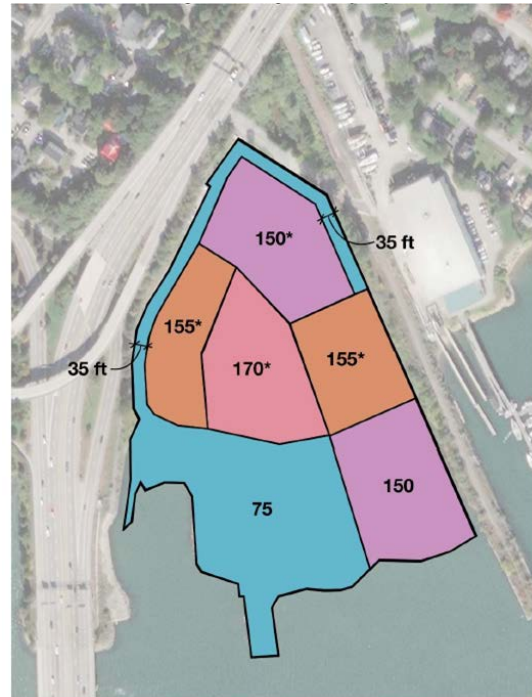


Figure 5: Height Overlay Map from the Regulatory Framework.

Map Amendment – I-M and R-3 to B-5

The second proposed map amendment would amend the zoning from I-M Industrial Moderate Impact and R-3 Residential to B-5 Urban Commercial in the areas shown in Figure 6. The purpose of this rezoning is to better align the base zoning for the site with the proposed uses, bulk, and massing of the proposed IOZ and operate as the intended function of a zoning supplement.

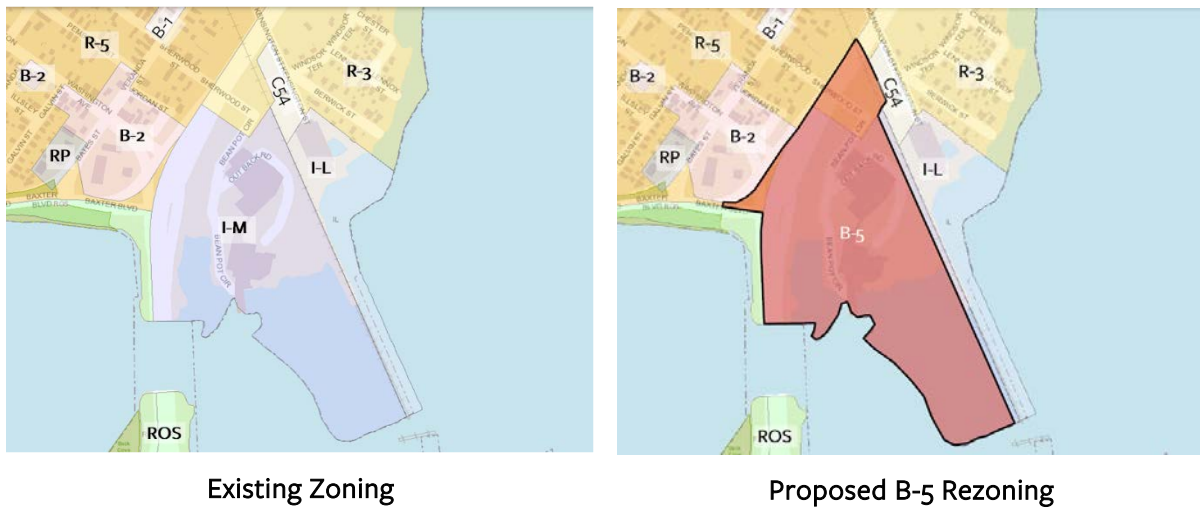


Figure 6: Maps of existing and the area of the proposed B-5 rezoning.

The purpose of the B-5 zone is:

“To provide for areas of the peninsula near the downtown where a mixture of uses, including marine, industrial, commercial, and residential uses are encouraged. The B-5 and B-5b is typically characterized by larger underdeveloped lots with potential for denser, clustered, urban mixed-use development and more efficient use of existing land and building. It is anticipated that the dense, mixed-uses of the B-5 will rely on a shared infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways”

The Roux Campus as proposed is consistent with this purpose statement by:

- The B-5 zone being applied to various peninsula and near-peninsula areas of the city with industrial pasts that are transitioning to mixed-use.
- Being proximate to Downtown Portland, located a little over a mile from the B-3 zone
- Proposing a mixture of marine, industrial, commercial, and residential uses
- Being a larger underutilized former industrial lot that is proposed to be redeveloped for denser clustered, urban mixed-use development, and
- Reconfiguring the site to provide shared parking facilities & utilities, proposing to increase the building square footage, and diversifying the number of uses on-site from the previous operator

When comparing the B-5 with the I-M zone, the most notable distinctions include use provisions and dimensional standards. The I-M zone is geared toward traditional low to moderate impact industrial uses, which frequently rely upon convenient automobile & truck access to regional transportation infrastructure, benefit from regulations which account for the need to store materials and equipment outdoors dealt with through appropriate performance measures, and necessitate buffers between residential and/or other sensitive uses.

Conversely, the B-5 zone is among the more permissive mixed-use zones, anticipating scenarios such as that of the proposed development, in which large, underutilized properties are redeveloped to support both job generating uses and residential uses. As might be expected, this zone broadly permits residential, office, retail, restaurant, low-impact industrial uses <10,000 square feet, and other service-based uses. In addition, the zone permits a range of institutional uses, as well as some light industrial and transportation related uses, reflective of the types of redevelopment envisioned and alluded to within the zone's purpose statement.

Similar to use standards, both zones differ in their regulation of dimensional requirements, as seen below in Table 1:

Table 1: Dimensional Standards by Zone		
Dimensional Standard	I-M	B-5
Street Frontage	60 Ft.	
Front Setback	1 Ft. for each Ft. of building height	
Rear Setback	1 ft. for each ft. of building height up to 25 ft., except 35 ft. when abutting residential zone	
Side Setback	1 ft. for each ft. of building height up to 25 ft., except 35 ft. when abutting residential zone	
Structure Height	75 Ft	65 Ft
Impervious Surface Ratio	75%	
Pavement Setback	10 Ft.	

Both zones are fairly permissive in terms of dimensional standards, however the I-M zone exhibits restrictions intended to buffer industrial uses from abutters, while also requiring minimum frontage, and limiting the amount of impervious surface. The B-5 anticipates a dense urban form, and aside from limits on building heights, does not generally restrict uses or development dimensionally. In this instance, the I-M does permit taller buildings, up to 75 feet, while the base B-5 permits max building heights up to 65 feet, and up to 90 feet with affordable housing density bonuses. Through the IOZ Regulatory Framework, the eligible institution would be permitted taller heights for this property as shown on the height overlay map (Figure 5).

Upon review of this proposed B-5 zoning map amendment application, additional areas were identified by the Planning Board to also be rezoned to B-5. The properties or portions of properties are owned either by the City of Portland (Part of Sherwood Street) or by the State of Maine for automobile and rail right-of-ways. Inclusion of these additional areas allows for a cleanup of the zoning map and removes use restrictions for the area around the existing rail right-of-way to have future use as a multi-modal transportation facility with ancillary uses, such as retail or restaurants.

The site's zoning has remained unchanged since Portland's industrial businesses relied on rail service and shipping. In 2015, rail service was stopped and in 2021 B&G Foods seized operations in Portland and shifted production to the Midwest. The I-M zoning currently only allows industrial and some commercial and institutional uses. Given the restriction on uses, opportunities for new development are hampered and so there is little incentive to reduce impervious areas, provide public access to the waterfront, and create coherent, well connected open spaces and trail networks; the change to the base zone, in conjunction with the IOZ, are intended to help facilitate the next incarnation of the site.

V. COMPREHENSIVE PLAN CONSISTENCY

Amendments to zoning require a determination of consistency with its current comprehensive plan, [Portland's Plan 2030](#). In the case of this application, there are many elements of the proposed zone changes that align with goals of *Portland's Plan*. Highlights of applicable sections that the Planning Board considered when making their decision are included below. As part of their application, the applicant also highlighted a variety of elements from *Portland's Plan 2030*, in the Institutional Development Plan (Attachment C) on how the proposed zoning amendments will facilitate achievement of *Portland's Plan* through future development.

A number of objectives outlined in *Portland's Plan 2030* support the requested amendments. Those sections include the Plan's stated desire to expand access to the waterfront, developing opportunities to retain and prepare residents to compete in a knowledge-based economy, supporting smart growth of institutions in the community, supporting a reduction in impervious surfaces, and expanding the use of Transportation Demand Management (TDM) strategies to improve usage and access to public transit and non-motorized transportation modes (e.g., walking, biking).



Figure 7: Portland's Plan 2030 Vision Statement

The area for the proposed zoning amendments is located near an identified Priority Node (Washington Avenue & Veranda Street) to evaluate for future growth and higher densities, as well as the priority corridor of Washington Avenue & Tukey's Bridge for future evaluation of strengthening connections between northern portions of the City with the peninsula and providing a sufficient multi-modal capacity to meet the needs of commuters. This node also anticipated that this is an area where it was anticipated that the site may not have been in long-term industrial use due to its geographic context.

The proposed amendments would facilitate the development of the site as a pedestrian-centric campus with neighborhood services, housing, and supports the development of STEM-based skills for graduate students and professional learners is consistent with the goals and intent of City's Vision Statement and Portland's Plan 2030. A selection of comprehensive plan goals relevant to the zoning amendments are identified below, with the long term buildout of the site, and the preservation of portions of the site holding the potential to meet even more of the objectives of the plan:

Environment

"Encourage commercial entities to reduce fossil fuel use through expanded benchmarking, incentives."

"Coordinate future land use policy changes with long-range regional transportation planning, including planning for transit, pedestrian, and bicycle improvements, to reduce local regional vehicle miles traveled."

"Continue to develop land use policies which support complete neighborhoods."

“Encourage landowners and developers to incorporate sustainable design, materials, and practices in rehabilitation of historic resources and new construction.”

Waterfront

“Expand waterfront access for the public where possible and appropriate.”

Economy

“Prepare our current and future residents to compete in an increasingly knowledge-based economy.”

“Invest in educational institutions and training as a means of attracting, developing, and retaining an educated workforce.”

“Evaluate zoning and the condition of existing infrastructure in priority areas – downtown, in identified neighborhood nodes and along transit corridors – to ensure that employment and housing growth can be supported.”

“Promote the orderly expansion of institutional uses, such as educational, cultural, and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies.”

“Ensure that the growth of Portland’s educational, medical, and cultural institutions is integrated into Portland’s urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning.”

“Sustain and strengthen relationships between local organizations and our anchor institutions to capitalize on their unique value to the well-being and future success of Portland and the region.”

Housing

“Evaluate whether current zoning allows for new development consistent with historic patterns of form, density, and/or use, as well as whether it allows for priority growth areas.”



Figure 8: Long-Term Development Plan detailing proposed site layout, internal circulation patterns, and potential transportation improvements.

“Encourage energy efficiency in new construction and rehabilitation of our housing stock.”

“Encourage housing that is resilient in the face of climate change, severe weather events, and storm surges, especially in vulnerable low-lying areas.”

“Pursue new opportunities for increased energy efficiency, increased densities, mixed incomes, and greater connectivity to surrounding neighborhoods.”

Recreation & Open Space

“Encourage physical and visual access to Portland’s waterfront – Casco Bay, Back Cove, and the Stroudwater, Presumpscot, and Fore Rivers – as a “blueway” network and an extension of public space for local and regional recreation and transportation needs.”

“Prioritize open space acquisition and programming toward creating linkages where there are gaps in the network, particularly between Stroudwater and the Fore River, Evergreen Cemetery and the Presumpscot River, Portland Transportation Center and Bayside, Martin’s Point and the Back Cove, and the Western Waterfront and the Fore River.”



Figure 9: Artist interpretation of the waterfront depicting a shared-use pathway and connections between The Roux Institute building and waterfront activities.

Transportation

“Expand Transportation Demand Management (TDM) initiatives for large development sites and institutions, building upon the recent implementation of TDM plans for individual employers and sites.”

“Enhance regional trail connections.”

VI. NEIGHBORHOOD MEETINGS & PUBLIC INPUT

Two neighborhood meetings are required for IOZ applications, with the first meeting taking place prior to application submission on November 18, 2021, and the second meeting taking place after application submission on April 6, 2022. Summaries of these meetings can be found in Attachment F.

The Applicant also held an additional four meetings, known as Roux Roundtable meetings, to conduct additional community outreach in the development of the IOZ. Summaries of these meetings can be found in Attachment G.

A total of 96 written public comments were submitted to the Planning Board between June and November of 2022. 63 pieces of public testimony were provided at the June 14, August 9, October 11, and October 25 Planning Board workshops, and November 22 Hearing. Copies of these public comments can be found in PC1-PC5.

The majority of comments expressed support for the work of the Roux Institute and the location of the Institute at 1 Bean Pot Circle. Support was also shown for the preservation of the Cannery Building and opportunities for additional open space opportunities and transportation connections that connected the site to the rest of the City and completed segments of existing and proposed networks. Concerns were raised related to the scale of the proposed development, whether the inclusion of some non-institutional uses truly served an ancillary function to the Institute, and the significance of potential transportation impacts even with mitigation measures.



Figure 10: Photo from September 6, 2022 Open House on the Roux Campus.

The Applicant incorporated elements of many of these comments through the reduction of the height and scale of the proposed campus, setting limitations for the proposed hotel, submitting a comprehensive transportation memorandum for the purposes of the IOZ that identified potential impacts and mitigation strategies, and included additional opportunities for future multi-modal connections to meet the proposed reductions in single-occupancy vehicle trips to and from the site. Feedback from members of the public was incorporated by:

- Placing limitations on the scale and height of the proposed hotel,
- Identifying when and how meaningful public open space will be provided on-site,
- Setting goals and implementing strategies that will promote a higher percentage of non-motorized trips (i.e., pedestrian, bicycle) to, from, and on the site to reduce negative transportation impacts, and
- Reducing the scale and height of the proposed development and shifting the taller permitted heights towards the center of the site to reduce visual/shadow impacts.

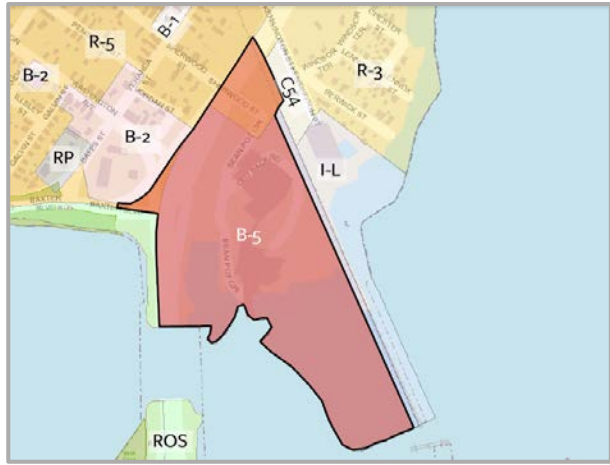
If the IOZ is approved for the site, the Applicant will be required to continue to provide neighborhood engagement through:

- Quarterly neighborhood forums to discuss neighborhood concerns and upcoming development plans
- Quarterly Community Advisory Group meetings with community leaders to guide future development and serve as a mechanism to disseminate information
- A community liaison and social media platforms to address community concerns and provide campus updates.

Through the IOZ process and the proposed strategies for future development, the Applicant has identified a significant number of tools and mechanisms to have community engagement inform the development of this IOZ and integrate community engagement through the expansion of the Roux Institute, which aligns with the purpose of the IOZ and aligns with the goals of the Comprehensive Plan.

VII. PLANNING BOARD RECOMMENDATION

The Planning Board considered the proposed four zoning amendments at a hearing on November 22, 2022. After deliberation, and on the basis of staff reports, public testimony, and review of applicable policies, the Planning Board voted to find that the following zoning map and text amendments are consistent with the Comprehensive Plan and recommended adoption to the City Council:

1. The proposed zoning text amendment to identify The Roux Institute at Northeastern University as an eligible institution to submit an IOZ application as shown in Attachment D.
2. The proposed zoning text amendment to create a new regulatory framework as included in Attachment E.
3. The proposed zoning map amendment to include the Roux Institute IOZ boundary for the area of land identified as 1 Bean Pot Circle as shown to the right:
 
4. The proposed B-5 zoning map amendment for the area of land as shown to the right:
 

VIII. ATTACHMENTS

Attachments

- A. November 22, 2022 Planning Board Staff Report
- B. Proposed IOZ & B-5 Map Amendments
- C. Institutional Development Plan (Approved by Planning Board on November 22, 2022)
- D. Proposed Text Amendment – IOZ Eligibility

- E. Regulatory Framework
- F. Summary of Required Neighborhood Meetings
- G. Summary of Roux Roundtable Meetings

Public Comment

- PC 1 – June 14, 2022 Public Workshop Comments
- PC 2 – August 9, 2022 Public Workshop Comments
- PC 3 – October 11, 2022 Public Workshop Comments
- PC 4 – October 25, 2022 Public Workshop Comments
- PC 5 – November 22, 2022 Public Workshop Comments

To: Chair Stanley and Members of the Portland Planning Board
From: Zach Powell, Senior Planner
Date: November 18, 2022
Re: Institutional Overlay Zone, Zoning Map and Text Amendment: Roux Institute/IDEALS
Applicant: IDEALS/Roux Institute
Project ID: ZN-001934-2022
Meeting Date: November 22, 2022

I. INTRODUCTION

The Initiative for Digital Engineering and Life Sciences (IDEALS) has submitted a zoning map and text amendment application on behalf of The Roux Institute at Northeastern University to amend the existing Institutional Overlay Zone (IOZ) regulations to permit The Roux Institute at Northeastern University to pursue an IOZ as an



Figure 1: Artist rendering of Campus. View from I-295 NB

identified major City institution, change the underlying zoning of the site from I-M to B-5, and adopt a new IOZ for this property. The requested actions would facilitate the future development of a mixed-use campus for The Roux Institute, including academic buildings, office, lab, and incubator space, retail, hotel, and housing as well as publicly accessible open space.

The process for designation of an IOZ requires the institution to prepare an Institutional Development Plan (IDP), which is a proactive planning document for identifying and addressing anticipated change and growth by an institution. The IDP is reviewed and approved by the Planning Board and informs the institutions Regulatory Framework.

The IOZ also requires that a Regulatory Framework be submitted, to be included in the Land Use Code, which identifies the land area to be included on the zoning map as the Institutional Overlay Zone along with associated use, dimensional and design requirements. The Planning Board reviews and recommends to City Council the Regulatory Framework and IOZ boundary. An overview of this process is included on Page 2.

Review of the IOZ has spanned across four Planning Board Workshops, serving as an opportunity to provide a comprehensive [overview of the project](#) (June 14, 2022), and discussions on [phasing, design, and height](#) (August 9, 2022), [transportation](#) (October 11, 2022), and [infrastructure and community engagement](#) (October 25, 2022).

The Planning and Urban Development Department mailed 153 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the November 11, 2022 edition of the *Portland Press Herald*.

Institutional Overlay Zone (IOZ) Review Process

An IOZ includes three components:

IOZ Map Amendment

The map amendment for the IOZ boundary.

Institutional Development Plan

An IDP (Institutional Development Plan) serves as a master plan for an institution in the short-, mid-, and long-term documenting current and anticipated conditions.

Regulatory Framework

To implement the vision of the IDP, the Regulatory Framework supplements the existing base zoning through dimensional and design requirements, as well as specify the process for monitoring reports & amendments to the IDP & Regulatory Framework.

IOZ applications are reviewed by the Planning Board, then the City Council.

IOZ & Regulatory Framework **R***

IDP **D**

Planning Board

Spring 2022 - Fall 2022

Workshop #1: June 14, 2022

Workshop #2: August 9, 2022

Workshop #3: October 11, 2022

Workshop #4: October 25, 2022

Hearing: November 22, 2022

R

Recommendation

D

Decision

IOZ & Regulatory Framework **D**

City Council

Winter 2023

*Related reviews include a text amendment identifying The Roux Institute at Northeastern University as an eligible institution to submit an IOZ application, as well as the proposed map amendment to rezone the base zoning to B-5 (Urban Commercial)

II. UPDATES FROM OCTOBER 25, 2022 WORKSHOP

Building from the discussion at the October 25, 2022 workshop, City Staff sent the Applicant an assessment (Attachment 1) of the completeness of the IDP and Regulatory Framework based on the required content listed in Sec. 8.5.4.C. and Sec. 8.5.5.D. of the City's Land Use Code. The Applicant revised both of these documents to address remaining content deficiencies and submitted updated versions of the IDP (Attachment A) and Regulatory Framework (Attachment B).



Figure 2: Artist interpretation from the IDP of the proposed waterfront shared-use path and potential uses.

From the takeaways at the October 25, 2022 meeting, the Applicant will be presenting on:

- The projected sustainability impact of the project;
- A rationale/methodology for the proposed heights in relationship to the site constraints and institutional needs;
- Framework for review and approval of open space provisions, including access to open space, and
- Integrating materials from the Transportation Memorandum (Attachment C) into the IDP and Regulatory Framework to respond to comments from the Planning Board, members of the public, and City Staff.

The following sections of this report review the compliance of the zoning map and text amendments for compliance with the City's Land Use Code and Comprehensive Plan. The structure of the report is as follows:

- [Section 3: Review of Institutional Development Plan](#)
- [Section 4: Review of Regulatory Framework & IOZ Map Amendment](#)
- [Section 5: Review of Zoning Text Amendment](#)
- [Section 6: Review of B-5 Map Amendment](#)
- [Section 7: Comprehensive Plan Consistency](#)
- [Section 8: Neighborhood Meetings & Public Comment](#)
- [Section 9: Requisite Council Action](#)
- [Section 10: Proposed Motions](#)
- [Section 11: Attachments](#)

III. REVIEW OF INSTITUTIONAL DEVELOPMENT PLAN

Table 1 provides a summary view of the IDP content review, with the 'Requirements' column, simplified and consolidated to include one or more sub-requirements of the IOZ ordinance. For a complete list of IOZ content requirements, please see Section 8.5.4.C in the Land Use Code.

Table 1: Required Content of the IDP (8.5.4.C)		
Requirements	Provided	Notes
Mission Statement	Yes	The IDP clearly identifies the mission statement and vision of the University, and how future development furthers these aims.
Baseline Institutional Data	Yes	Baseline Institutional Data related to current programming, enrollment, and facilities has been provided.
Institutional Characteristics	Yes	Baseline data related to the subject property and the surrounding neighborhood, as well as a list of relevant municipal plans, projects, and studies have been provided.
Summary of Public Involvement	Yes	The Applicant has provided the meeting minutes for the two required neighborhood meetings, as well as the meeting minutes for the supplemental public engagement through the Roux Roundtable Meetings.
Identify Institutional Needs	Yes	The Applicant has identified the projected physical improvements and facilities needed to support the objectives and projected campus growth in the short-, mid-, and long-term.
Transportation & Access	Yes	A detailed transportation memorandum has been developed to support the Transportation & Access section of the IDP. The document outlines the proposed shift to increasing non-motorized trips to the site, identify potential mitigation strategies throughout all phases, and develop a schedule for these potential improvements. Parking ratios align with current Land Use Code requirements for the site, which will be informed through the review of parking studies and development of a TDM plan. Projected mode shares will inform campus development to limit the amount of parking on site to respond to access constraints of the site and align with the campus goals of providing a greener, more walkable and bikeable campus.
Environmental Impacts	Yes	A framework for the campus charter has been provided and will continue to be developed to meet the goals of the campus and the institution for sustainability and resiliency. An analysis of existing conditions have found that no existing habitats exist in close proximity to the site and appropriate measures for mitigation to meet State and National standards have been included in the IDP and Regulatory Framework.
Infrastructure	Yes	The previous energy usage and current capacity have been provided for the site. Phasing plans have identified potential on-site safety and utility improvements that will meet future public safety needs.

Design	Yes	The building and site design has evolved to mitigate negative visual and shadow impacts on the surrounding East Deering Neighborhood, enforce smooth transitions to and from the site, and thoughtfully incorporate existing site elements into the campus design.
Neighborhood Engagement	Yes	A framework has been included to ensure consistent communication between residents and local stakeholders on future development and construction management.

A. Institutional Development Plan Review Standards

The IDP is subject to 13 separate review standards, each of which are intended to ensure first that the IDP contains sufficient information to provide a reasonable, well-calculated depiction of what campus growth will look like in the subsequent 20-year period, providing a strong foundation and basis for the Regulatory Framework. The second principal element of the IDP is to accurately project impacts before development occurs, so as to facilitate timely and strategic improvements to minimize or mitigate those impacts.

1. *Address all content requirements, unless explicitly modified by the planning authority or planning board.*

Staff Comment: As demonstrated in Table 1 and Attachment 1, the Application has addressed all content requirements.

2. *Reflect the issues/topics identified in the required public process.*

Staff Comment: In the two required neighborhood meetings, a significant number of comments were submitted on the following topics, which reflected the majority of written comment and testimony at Planning Board workshops:

- Traffic Impacts;
- Hotel & Campus Programming;
- Building & Site Design;
- Campus Integration, and
- Property Management & Acquisition.

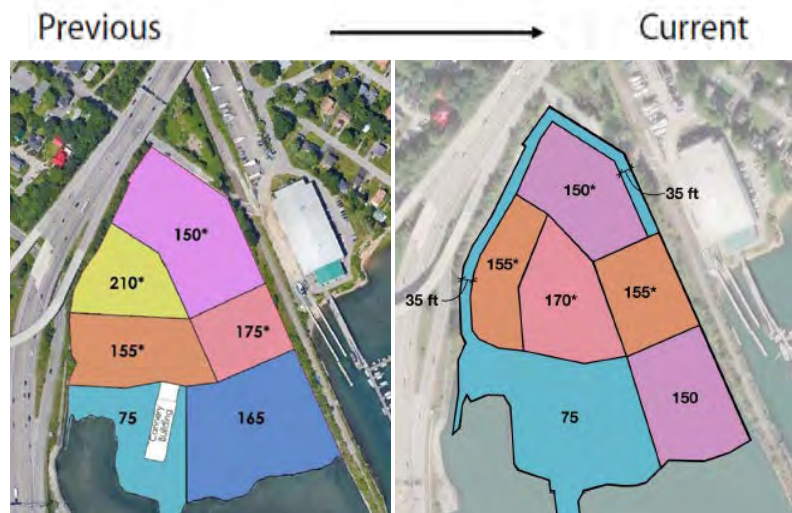


Figure 3: Image showing the original and currently proposed height maps for the IOZ.

The Applicant has reflected these topic areas in the development of the application through:

- **Traffic Impacts:** The submission of a transportation memorandum with a robust analysis for the IOZ review that assesses the potential impacts of the project throughout all proposed phases, developed site and building design standards to promote a walkable campus, and support the development of a residential parking program to mitigate negative transportation impacts on the surrounding neighborhood. The memorandum will serve as a starting point to inform more location-specific analyses in the future development of the TDM plan, site plan reviews, and TMP reviews.
- **Hotel & Campus Programming:** In response to concerns about the scale of non-institutional uses on the campus, the Applicant reduced the overall square footage dedicated to these uses, developed dimensional restrictions on the scale of the proposed hotel, and has thoughtfully combined supportive uses for the campus to support the development of a complete neighborhood campus that reduces single occupancy vehicle trips to and from the site.
- **Building & Site Design:** Comments on the scale and location of the proposed buildings led the Applicant to decrease the maximum permitted heights and shift the taller buildings to the center of the site, which reduced the shadow and visual impacts on the surrounding neighborhood and respect existing features such as the Cannery Building and the waterfront. Additional dimensional requirements such as setbacks building length, and floor plate provisions were also added to ensure the massing of buildings is broken down.



Figure 4: Map showing multiple modes and forms of access to and from the site.

- **Campus Integration:** While the site is separated from the East Deering Neighborhood by Maine DOT right-of-ways and the waterfront, the proposed use led to some concerns about how the site will integrate with the neighborhood and with the identity of the City of Portland. To respond to these concerns, design standards have been included to more thoughtfully address transitions on- and off-site, reinforcement of the accessibility of the Waterfront with multi-modal access that is open to the public, and continuing to maintain open dialogue throughout all phases of

development by establishing connections with community advocacy groups and developing a community advisory group/forums.

- **Property Management & Acquisition:** Comments arose relating to the involvement of IDEALS as part of the IOZ process, as well as if The Roux Institute at Northeastern University anticipated expanding the campus to any off-site locations. Supporting documentation (e.g., Articles of Incorporation, Memorandum of Understanding) and updates to the Regulatory Framework & IDP have more clearly delineated IDEALS' role in facilitation of the development and ultimate transfer of the land to The Roux Institute. Questions regarding off-site locations have been addressed in the IDP by clarifying that all operations will relocate to 1 Bean Pot Circle from the current leased space at 100 Fore Street. The applicant has stated that there is no intention to expand the campus to any off-site locations. Any expansion outside of the proposed IOZ boundary would require the applicant to seek an amendment to the IDP.

3. *Demonstrate consistency with the city's comprehensive plan and the purpose of this ordinance.*

Staff Comment: Section 7 of this memorandum identifies the consistency for all proposed map and text amendments with the Comprehensive Plan goals. As demonstrated in that list of applicable strategies, the submitted IDP supports and furthers a significant number of the goals of *Portland's Plan 2030*.

The proposed base rezoning and IOZ content meet the purpose of the ordinance by proactively planning for the future of the site and supporting the development of a mixed-use, multi-modal site.



Figure 5: Graphic visualizing the structure of Portland's Plan 2030.

4. *Demonstrate how the property ownership, proposed growth, and requested regulatory framework relate to the institution's mission.*

Staff Comment: 1 Bean Pot Circle is currently owned by IDEALS, which is the non-profit tasked with supporting the development of The Roux Institute at the site. Ownership of the site by IDEALS has enabled The Roux Institute to transition to a larger site that will fulfill the anticipated growth in the short-, mid-, and long-term by providing opportunities for connection with STEM businesses, housing for students, faculty, and guests, and larger academic/incubator spaces for the facility as compared to the current leased campus space at 100 Fore Street.

The regulatory framework also allows The Roux Institute to achieve the visions for the site by:

- Expanding the B-5 permitted uses to better align with the proposed uses of the Institute and partner facilities,

- Allowing increased heights/densities, which has facilitated improved buffers, additional publicly accessible open space, and reduced visual shadow impacts as well as taking into consideration future sea level rise and flood zones,
- Enforcing the sustainability and resiliency goals of the campus through the development of a sustainability charter, and
- Proactively plan for a more multi-modal campus by planning shared-use paths networks, identify potential mitigation measures to improve non-motorized mode share, and promote iterative growth in the future reviews of TMPs, the TDM plan, parking studies, and site plan applications.

5. *Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands.*

Staff Comment: The Applicant has provided additional information on how trip generation and mode share for the site is calculated, mode splits by use, and anticipated mitigation measures for anticipated declines in LOS. Identification of potential shared-use path connections has also been included as a starting point in identifying solutions to meet lower-motorized mode share for future site plan and Traffic Movement Permit (TMP) reviews.

The phasing of the project allows for the fine-tuning of analyses and multimodal mitigation measures over time to meet the mode share targets via monitoring.

Thresholds for multi-modal improvements will align with TMP and TDM review requirements. Parking ratios for the site aim to utilize existing exemptions in the Land Use Code that require parking studies and the development of a TDM plan, which will help support the vision for a more walkable, bikeable campus and iterative development.



Figure 6: Mid-Term Development Plan from the IDP showing points of access and circulation patterns.

6. *Outline an approach to open space, natural, and historic resources that supports preservation and enhancement*

Staff Comment: The IDP includes design guidelines that stress the importance of wayfinding, shared use paths connections to the Bean Building and Waterfront, and ensuring barrier free access to all members of the public. Overall, the inclusion of these principles will lead to more successful outcomes for open space & enjoyment of natural & historic resources. The Cannery Building was designated as a local historic landmark on October 17, 2022 under Order 86-22/23.

7. *Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated.*

Staff Comment: The IDP has confirmed that there are no environmentally sensitive areas on the site or habitats for endangered species. The Applicant will be developing a sustainability charter which will guide future development patterns and materials to promote a more resilient and sustainable campus. Additionally, the ethos for the campus being a more walkable and bikeable, complete neighborhood is anticipated to reduce overall single-occupancy vehicle (SOV) trips to the site, decrease the impervious surface area on the site, and restore the existing shoreline, which will lead to positive environmental impacts. Thresholds for future improvements will align with State and Federal standards and mitigation will correspondingly be required to meet those standards.

8. *Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated.*

Staff Comment: The Applicant has stated that the current utility connections provide a sufficient starting capacity for the short-term development of the site and that development in the mid- and long-term will include routine service improvements that will mitigate negative impacts to the site and the surrounding area.

9. *Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric.*

Staff Comment: Language related to circulation and building design have also taken steps to improve connections between buildings and the public realm, recognized differing needs for pedestrian-oriented design based on the proximity to automobile access on the perimeter of the site, and how functions of the site will differ based on the anticipated site users (e.g., public vs. semi-public, waterfront vs. Roux Institute facilities). Recognized public access and invitation to the waterfront have assisted in strengthening connections to the rest of the City.

10. *Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local amenities.*

Staff Comment: With the separation from adjacent neighborhoods by DOT right-of-ways and the waterfront, the site has unique considerations in providing compatible uses. As compared to other IOZs, there is physical separation that reduces the impact of the more institutional uses being located near

residential zones. The proposed project is compatible with existing and future uses in adjacent neighborhoods. To the west, beyond Interstate 295 is a B-2 Community Business zone, which allows a mix of uses including residential, commercial uses such as retail, offices, hotels, bars, restaurants, and low-impact industrial. To the north is an I-L Industrial Low-Impact zone, which immediately abuts an R-3 Residential zone. I-L zones allow commercial and service uses such as recreation and amusement centers and repair services, institutional uses such as places of assembly, and industrial uses including low-impact industrial, office, manufacturing facilities, warehousing, and lumber yards.

IDEALS has indicated that they'd like to foster a close relationship with the neighborhood and are strengthening physical connections with the surrounding neighborhoods, through extension of the Back Cove Trail, potential improvements to Sherwood Street, and the availability for connections for rail or rail trail along the existing rail right-of-way. The site will be open to the public and will feature new public open space, including areas along the waterfront. Additionally, a Stakeholder Advisory Group will be established that features a number of transportation advocacy stakeholders to inform future development.



Figure 7: Diagram depicting connections between proposed campus uses.

The proposed development does not eliminate any existing housing and includes the construction of up to 650 units at the completion of the long-term phase. With an expected enrollment of $\pm 4,500$ students, the site is expected to include amenities and services (restaurants, small grocery retail, and improved connections to the waterfront and trails) that are anticipated to reduce the number of trips off-site and can connect to existing trail networks.

11. Anticipate future off-site improvements that would support the integration of the institution into the community and citywide infrastructure.

Staff Comment: The Applicant has submitted a transportation memorandum on potential multi-modal

mitigation measures that will be required to support the integration of the institution at each phase of development. Assessment of the visual and site design transitions throughout the site have thoughtfully considered how future residents will access the site and how members of the public will be welcomed in to utilize the public open space, shared use paths, and ground-floor commercial spaces. The infrastructure section has confirmed that the site has the utility capacity to meet needs for the short-term phase, with routine improvements into the mid- and long-term phases. Finally, the Applicant has proposed the establishment of a community advisory group and regular neighborhood forums, which can help guide the decision-making process for future off-site improvements to meet the needs of the neighborhood and greater City.

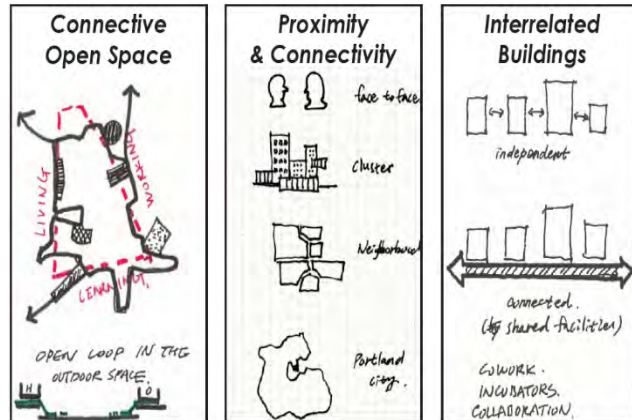


Figure 8: Concept sketches used to inform the building and site design.

12. *Conform with the standards of Article 17 for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. When proposed adjacent to or within 100 feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity.*

Staff Comment: The Cannery Building was designated as a local historic landmark on October 17, 2022 under Order 86-22/23. Future phases of development will be subject to HP review within the designation area shown in Figure 9, in the case of work proposed on the Cannery Building itself. The local landmark designation includes language that limits Historic Preservation review to only the portions of the site designated as a local landmark, without 100 foot advisory review from historic preservation staff. The IDP identifies that the Cannery Building will be prominently featured on the site, with other development set back and limited in height within close proximity of the Cannery Building. Any new improvements within the designation boundaries shown in Figure 9 will need to comply with Article 17 of the Land Use Code.



Figure 9: Designation boundaries for the Cannery Building and area immediately surrounding the Building.

13. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

Staff Comment: IDEALS has developed a variety of strategies to engage members of the community in on-going planning work. This included semi-regularly scheduled ‘Roux Campus Roundtable’ meetings, throughout the project development cycle. In addition, IDEALS maintains a website, www.rouxcampusportland.org, where relevant project information is regularly updated, with opportunities to take surveys, provide feedback, or contact a representative to ask questions. Additionally, IDEALS has designated a community contact who serves as direct liaison between IDEALS and members of the public. As mentioned and going forward, the Stakeholder Advisory Group will assist in providing additional opportunities for communication and transparency in future development.

IV. REVIEW OF REGULATORY FRAMEWORK & IOZ MAP AMENDMENT

Table 2 includes a summary of the required content for the regulatory framework, along with the current compliance with those submittal standards:

Table 2: Required Content of the Regulatory Framework (8.5.5.D.)		
Requirements	Provided	Notes
Zoning boundary of the IOZ	Yes	The zoning boundary is clearly defined in a map on the first page.
Phasing and schedules	Yes	Details relating to amendment thresholds and specific improvements at proposed phases has been provided.
Uses	Yes	Expansion of permitted uses have been provided and takes into consideration the institutional purpose and viability of the site.
Dimensional requirements	Yes	A Height Map and height standards for the proposed hotel have been provided.
Transportation	Yes	The Transportation section has been expanded to include considerations related to the design for proposed bicycle and pedestrian networks, which will help promote pedestrian-scale design. Thresholds for access improvements have also been included to help inform phasing and mitigation. Parking ratios will be informed through the review of the future TDM plan, TMP, site plans, and parking studies.
Environment	Yes	The Regulatory Framework provides clarification on how and when open space will be provided during the first phase of construction. The references to the Sustainability Charter cement connections to the Institute’s goals for sustainable and resilient development. While no environmentally-sensitive areas currently exist on the site, protections/procedures for any future environmentally-sensitive areas have been included.
Mitigation measures	Yes	The Regulatory Framework includes a broad approach on identifying mitigation measures. Goals for preserving access to the waterfront and the Cannery Building as a local landmark have been provided. Thresholds to address deficiencies related to transportation have also been included.

Design	Yes	The submitted design section provides design guidelines that more clearly translate the design principles into enforceable standards. Design requirements clarify the future envelope of buildings and connections between vehicular and non-vehicular pathways ensures that the placement promotes the walkable intent of the campus. Integration of the existing views, waterfront, and Cannery Building have also been provided to ensure a campus identity that is cohesive and respectful of the existing industrial, waterfront character. Transitions between different areas of the site have thoughtfully considered the range of uses and users of the site.
Neighborhood integration	Yes	The Regulatory Framework provides a number of strategies to ensure more transparent and open dialogue through the creation of a Stakeholder Advisory Group consisting of community stakeholders, as well as a community liaison. Additionally, the phasing section of the Regulatory Framework states that pedestrian linkages and safety will be addressed during the first site plan review, and includes requirements for a pleasant pedestrian experience during construction phases. Construction updates will be provided on a dedicated webpage and a number of forms of communication have been provided for residents to ask questions and provide feedback.
Monitoring	Yes	The Regulatory Framework has identified a schedule for monitoring and report submittal timeframe.

B. Regulatory Framework Review Standards

The Regulatory Framework is subject to 4 separate review standards, each of which are intended to ensure, consistent, and measureable zoning implementation that aligns with the goals of the Comprehensive Plan. These standards of the Regulatory Framework are anticipated to include parameters that guide the growth and change of the institution, as well as broad strategies to address potential impacts, with plans and details to be developed under site plan review.

1. *Be consistent with the Comprehensive Plan and the Institutional Development Plan*

Staff Comment: The submitted Regulatory Framework is consistent with the Comprehensive Plan and the assessment of how the suite of zoning text and map amendments align with the Comprehensive Plan can be found in Section 7 of this memorandum. Overall, the connections between the elements in the IDP and the guidelines in the Regulatory Framework are strong. City Staff have worked with the Applicant to improve connections between the Design Principles of the IDP and Guidelines of the Regulatory Framework, which is demonstrated in Attachment 2.

2. *Provide a clear zoning framework, using graphics and tables as appropriate, to apply to future site plan reviews.*

Staff Comment: Guidance from the Planning Board and City Staff have helped to evolve the Regulatory Framework into a more functional document that more clearly regulates and anticipates the unique elements and needs of the site and the surrounding area. Updates have included the addition of more graphics, revisions to align the language of the Regulatory Framework with the remainder of the Land

Use Code, and the removal of unclear/redundant language. As submitted, the Regulatory Framework will ensure clear implementation of the vision of the IDP in future site plan reviews.

3. *Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement.*

Staff Comment: Based on comments received during the Roux Roundtable discussion and Planning Board public comments, both written and verbal, the Applicant has included the provision for a Stakeholder Advisory Group, allowance for snow ban parking on the site for neighboring residents, and developed design elements that will promote more thoughtful transitions in and around the site. Updates have been made by the Applicant to provide additional information on the proposed height of the hotel and associated structured parking to address concerns relating to the height and scale of the building.

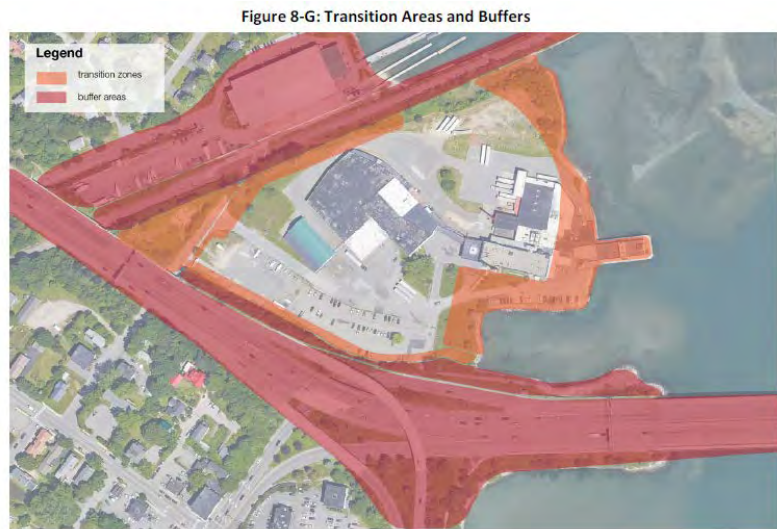


Figure 10: Map from the Regulatory Framework identifying transition areas and buffers in and around the site.

4. *Outline measurable goals and thresholds for improvements or other actions identified in the IDP to be advanced in subsequent site plan applications.*

Staff Comment: The submitted regulatory framework has identified the goals for mode share and how future transportation topics will be addressed through future site plan, TMP, and TDM Plan reviews. Future achievement of sustainability goals for the campus will come from the development of a Sustainability and Resiliency Charter prior to the submission of the first site plan application.

V. REVIEW OF PROPOSED TEXT AMENDMENT

The City of Portland currently limits the Institutional Overlay Zone (IOZ) as a regulatory tool to four of the city's major medical and higher education institutions; those being Maine Medical Center, Northern Light Mercy Hospital, the University of Southern Maine, and the University of New England (UNE). The City's work to develop an IOZ tool began in 2016 with preliminary discussions with four of the City's major institutions. At least three of which were considering major changes to their core campuses, and, for some, the existing zoning presented challenges. For example, Maine Medical Center's contract zone, developed in 2005, did not support their long-term vision, and UNE's existing zoning, consisting of five disparate zones, presented challenges for their future planning as well. Moreover, the City recognized

that the growth and change contemplated by institutions is integral to their long-term health, and given their central economic, academic, and health care roles, also critically important to the health of the city, region, and state. The City also recognized that institutional growth and change can place pressure on surrounding neighborhoods and the city more broadly, and that proactive, long-term planning would allow the city to better anticipate municipal needs and would foster additional dialogue and relationships with surrounding neighbors. Therefore, the city developed the concept of the IOZ. At the time of adopting the IOZ, in 2017, as a new zoning tool for institutions, the City clarified that it was anticipated that the IOZ process would be extended to other institutions as needed.

In order to pursue an IOZ, a text amendment application in conjunction with the Zoning Map Amendment applications, to amend Article 8.5 of the Land Use Code. The amendment reads as follows:

8.5.1 Purpose

“The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city’s ~~four~~ five major medical and higher education campuses...”

And;

8.5.2 Location and Applicability

The city’s ~~four~~ five ~~primary~~ major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The eligible institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the ~~two~~ three major academic institutions of University of Southern Maine, ~~and~~ University of New England, and The Roux Institute at Northeastern University, their successors and assigns. Designation as an IOZ is the preferred mechanism where the eligible institution’s proposed development is inconsistent with the existing zoning.

The proposal to have The Roux Institute at Northeastern University added to the list of institutions eligible to pursue an IOZ is a different model for inclusion of a major institution as compared to the existing four institutions. The existing institutions are already established in their respective campuses, and may apply for an IOZ/IDP to support their future physical and programmatic expansion, whereas Roux is still in the early stages of its evolution through a leased space at 100 Fore Street. Additionally, the development of the institution involves a partnership between The Roux Institute at Northeastern University and IDEALS, the non-profit tasked with developing the Roux Campus, with the Roux Institute as primary occupant and institutional anchor of the site.

While this is a somewhat different approach, the inclusion of The Roux Institute does align with the IOZ purpose statements, as shown below in Table 3, by leveraging public-private partnerships to facilitate the proactive growth of a major educational institution that meets the goals of the Comprehensive Plan and provides more transparent, open dialogue with community members throughout the planning process.

Table 3: IOZ Purpose Statements (8.5.1.)	
IOZ Purpose Statement	Notes
A. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and in order to sustain that role, these institutions need flexibility to change and grow.	The Applicant has identified in the IDP the impact that the Roux Institute has in Portland and the establishment of an IOZ provides a flexible structure that will facilitate the growth of the institution in the short-, mid-, and long-term phases of development.
B. Encourage proactive planning for institutional change and growth which identified and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level.	While the other institutions currently eligible to submit an IOZ have a context and existing issues that influence future development phases, the proposed allowance for The Roux Institute to apply for an IOZ has provided an expanded opportunity for additional planning and thought in the development of a newer institution, that can build from the experiences of existing IOZs while chartering a more iterative course into the long-term future.
C. Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions.	While the site is bounded on all sides by right-of-way or the waterfront, the development of the IDP and Regulatory Framework has been able to examine and carefully identify how the site is going to fit into the East Deering Neighborhood, the identity of the City of Portland, and how to develop feasible transitions/transportation plans given the limited number of potential access points to the site.
D. Support the formation and continuation of mutually beneficial public-private cooperation.	The development and execution of IOZs inherently support cooperation between the City, residents, and Applicants. The proposed IOZ has also been made possible due to the partnership of IDEALS and The Roux Institute. As a continuing theme throughout all of these purpose statements, building these relationships earlier on in the development of an institution will only enhance this cooperation throughout all phases of development.
E. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods.	Including an institution like The Roux Institute in to the available IOZ process provides an even greater amount of time for public dialogue & engagement about their institutional growth. Through the IOZ structure, this helps establish a structure for communication at an earlier time and can help to lead to more proactive, responsive development in the future.
F. Reflect Comprehensive Plan and other policy objectives.	The Applicant has identified connections to the Comprehensive Plan, One Climate Future, and other

	relevant transportation plans in the surrounding area. The text amendment, along with other text and map amendments will facilitate the achievement of Comprehensive Goals that are more specifically identified in Section 7 of this memorandum.
G. Provide a consistent regulatory approach to all major institutions which allows unique regulatory requirements that balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.	While at a different stage of development as compared to other IOZ eligible institutions, the Applicant has used previous regulatory frameworks as a template for future development. Modifications from previous regulatory frameworks have been made to address comments related to transitions, height, and the scale of the proposed hotel on the campus.

VI. REVIEW OF B-5 MAP AMENDMENT

In addition to the development of the IDP & Regulatory Framework for the IOZ, the applicant has requested that the subject property be rezoned from Moderate Impact Industrial (I-M) and Residential (R-3) to Urban Commercial (B-5) mixed-use zone. The approval on an IOZ allows modifications to the base zoning related to uses and dimensional requirements, while also addressing any campus-specific considerations, such as mitigation measures.

While the Application could have been submitted without the requested change to the base zoning, the requested rezoning to B-5 is beneficial and aligns with the Land Use Code by:

- Selecting a base zoning classification that provides a strong foundation for the campus and minimizes the deviation of the IOZ from the base zone, which reinforces its use as a zoning supplement (Overlay) as opposed to a base zone, and
- Provides better alignment in the event that only a portion of the proposed IOZ development program is constructed and future development cannot utilize IOZ allowances and must comply with all B-5 requirements.

The following sections walk through the purpose of the B-5 zone and how it compares to the primary existing zoning for the site (I-M). Alignment with the goals of the Comprehensive Plan is discussed in Section 7 of this memorandum.

A. B-5 PURPOSE STATEMENT

The purpose of the B-5 zone is:

“To provide for areas of the peninsula near the downtown where a mixture of uses, including marine, industrial, commercial, and residential uses are encouraged. The B-5 and B-5b is typically characterized by larger underdeveloped lots with potential for denser, clustered, urban mixed-use development and more efficient use of existing land and building. It is anticipated that the dense, mixed-uses of the B-5 will rely on a shared infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways”

The Roux Campus as proposed is consistent with this purpose statement by:

- The B-5 zones is applied to various peninsula and near-peninsula areas of the city with industrial pasts that are transitioning to mixed-use.
- Proximate to Downtown Portland being located a little over a mile from the B-3 zone;
- Proposes a mixture of marine, industrial, commercial, and residential uses;
- Is a larger underutilized former industrial lot that is proposed to be redeveloped for denser, clustered, urban mixed-use development, and
- Reconfigures the site to provide shared parking facilities & utilities, proposes to increase the building square footage, and diversifies the number of uses on-site from the previous operator.

B. COMPARISON OF I-M & B-5 ZONES

When comparing the B-5 with the I-M zone, the most notable distinctions include use provisions and dimensional standards. Key differences are provided in the tables below.

Table 4: List of Permitted and Conditional Uses		
Uses	I-M	B-5
Single-Family Residential		P
Two-Family Dwellings		P
Multi-Family Dwellings		P
Handicapped Family Units		P
Combined Living and Working Spaces		P
Lodging Houses		P
Clinics		P
Cultural Facilities		P
Schools		P
Emergency Shelters	C	C
Government Uses		P
Places of Assembly (All)		P
Pre-School Facilities	P	P
Post-Secondary Schools		P
Intermediate Care Facilities	P	
Auto Service Stations		P
Bars		P
Exhibition, Meeting, Convention Hall		P
General Offices (All)	P	P
General Services (All)		P
Hostels		P
Hotels		P
Recreation and Amusement Centers	P	P
Restaurants		P
Retail (All)		P
Theaters and Performance Halls		P
Communication Studios		P
Intermodal Transportation Facilities	P	P
Low Impact Industrial (<10,000 SF)	P	P

Low Impact Industrial (>10,000 SF)	P	C
Laboratory & Research Facilities	P	
Lumberyard	P	
Marijuana Cultivation (<7,000 SF)	P	
Marijuana Manufacturing Facility	P	
Marijuana Testing Facility	P	
Printing & Publishing	P	P
Recycling and Solid Waste Disposal	P	
Repair Services	P	P
Construction & Engineering Services	P	
Dairies	P	
Food and Seafood Processing, Packaging and Distribution	P	
Studios for Artists & Crafts People	P	P
Warehousing, Storage & Distribution	P	P
Telecommunications Tower	P	
Tow Lots	P	
Correctional Pre-Release Facilities	P	
Marine Uses		P
Off-Street Parking		P
Parks & Open Spaces		P
Solar Energy Systems (Minor)	P	P
Solar Energy Systems (Major)	P	
Utility Substations	P	P
Wind Energy System (Minor)	P	C
Wind Energy System (Major)	P	

As can clearly be seen in the use table above, the two zones have different purposes with use provisions reflective of their stated purpose. The I-M zone is geared toward traditional low to moderate impact industrial uses, which frequently rely upon convenient automobile & truck access to regional transportation infrastructure, benefit from regulations which account for the need to store materials and equipment outdoors dealt with through appropriate performance measures, and necessitate buffers between residential and/or other sensitive uses.

Conversely, the B-5 zone, as can be seen in the uses listed above, is among the more permissive mixed-use zones, anticipating scenarios such as that of the proposed development, in which large, underutilized properties are redeveloped to support both job generating uses and residential uses. As might be expected, this zone broadly permits residential, office, retail, restaurant, low-impact industrial uses <10,000 square feet, and other service-based uses. In addition, the zone permits a range of institutional uses, as well as some light industrial and transportation related uses, reflective of the types of redevelopment envisioned and alluded to within the zone's purpose statement.

Similar to use standards, both zones differ in their regulation of dimensional requirements, as seen below:

Table 5: Dimensional Standards by Zone		
Dimensional Standard	I-M	B-5
Street Frontage	60 Ft.	
Front Setback	1 Ft. for each Ft. of building height	
Rear Setback	1 ft. for each ft. of building height up to 25 ft., except 35 ft. when abutting residential zone	
Side Setback	1 ft. for each ft. of building height up to 25 ft., except 35 ft. when abutting residential zone	
Structure Height	75 Ft	65 Ft
Impervious Surface Ratio	75%	
Pavement Setback	10 Ft.	

Both zones are fairly permissive in terms of dimensional standards, however the I-M zone exhibits restrictions intended to buffer industrial uses from abutters, while also requiring minimum frontage, and limiting the amount of impervious surface. The B-5 anticipates a truly high-density urban form, and aside from limits on building heights, does not generally restrict uses or development dimensionally. In this instance, the I-M does permit taller buildings, up to 75 feet, while the base B-5 permits max building heights up to 65 feet, or up to 90 feet with affordable housing density bonuses. However through the established Regulatory Framework, the eligible institution would be permitted taller heights for this property as shown on the height overlay map (Figure 11). It should be noted that affordable housing density provisions would not be applied to heights shown on the IOZ overlay map.

Staff agree that the proposed program of uses for the Roux Institute appear to better align with the purpose of the B-5 zone as compared with the I-M zone.

Building Height:

The maximum permitted height in the B-5 zone is 65 feet and up to 120 feet on Thompson's Point. In addition to the base B-5 height, the applicant proposes a height overlay map as part of the Regulatory Framework. The proposed height overlay map is geographically limited to the Roux Institute site and is tied to development by the Roux Institute.

The subject parcel is bounded by ±106-foot-wide Interstate 295 to the west, the St. Lawrence and Atlantic Railway and Maine Yacht Center to the north and Casco Bay to the east and south. The surrounding area includes an I-L (Industrial Low-Impact) zone and Contract Zone 54 for the Maine Yacht Center, which is currently improved with a 35-foot tall, 35,000 square foot building for boat storage, workshop space, offices, and accessory uses and operates as a full-service marina and boatyard facility and is permitted to have open air/outdoor storage of boats up to 90 feet in height.

Beyond the St. Lawrence and Atlantic Railway and Maine Yacht Center is a residential neighborhood zoned R-3 (Residential), characterized by single-family homes. To the west, beyond Interstate 295 is zoned B-2 (Community Business) and is characterized by a mix of commercial retail and offices as well as residential uses. The B-2 zone permits building heights up to 45 feet, except 50 feet if the first floor is in commercial use. B-2 zones are eligible for affordable housing density bonuses ranging between 10 and 25 feet and therefore allow buildings up to a maximum height of 75 feet.

As part of the regulatory framework, the Applicant proposes a height overlay map which includes heights ranging from 75 feet, 150 feet, 155 feet, and 170 feet for portions of the site (Figure 11). The applicant's approach is to create transitions from the surrounding context by creating a 75-foot maximum height buffer along the site's edges and stepping up and directing taller buildings to appropriate locations within the interior of the site and towards

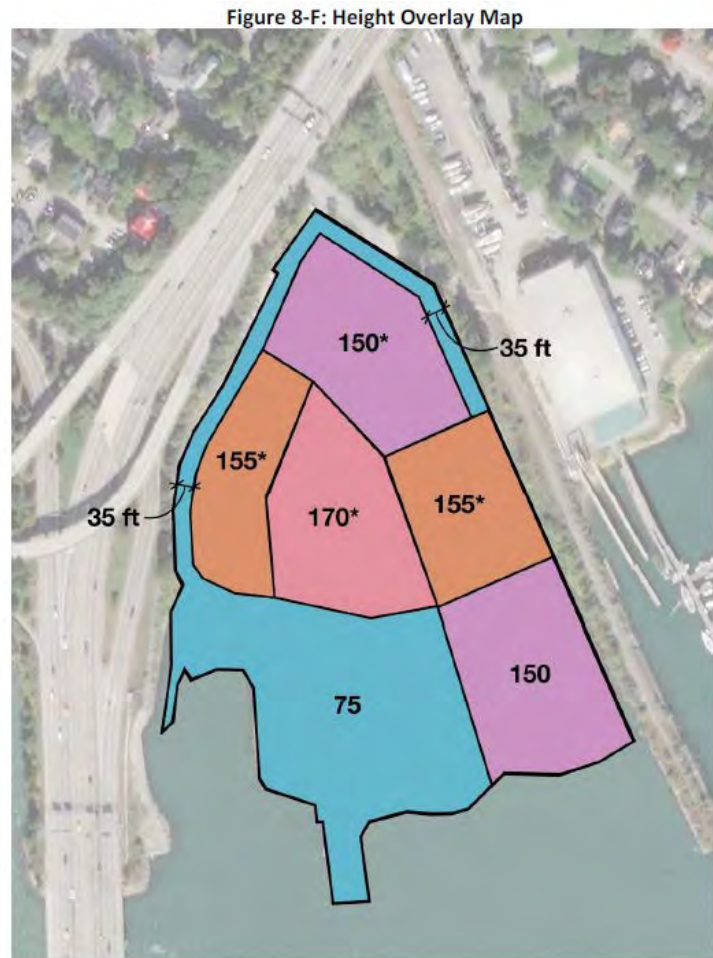


Figure 11: Height Overlay Map from the Regulatory Framework.

Interstate 295 and Casco Bay. Furthermore, the applicant proposes restricting floorplate sizes in specific locations to a max of 35,000 square feet for portions of buildings above 75 feet, and to include stepback requirements above minimum and maximum street wall heights, which will shape the bulk and scale of larger buildings.

The allowance for greater heights on the parcel has raised some concerns for compatibility with the East Deering contexts and has received support from others. Currently, height maximums are highly variable within Portland's higher density urban zones mapped across the city. While the B-3, B-6, and B-7 zones as well as USM Overlay and Maine Med IOZ utilize building height overlay maps, the B-1, B-2, and B-5 zones have maximum building heights in addition to each having geographically or use specific modifications to increase buildings heights. Furthermore, B-1/B-1b, B-2/B-2b/B-2c, B-3/B-3b/B-3c, B-5, R-7, and R-P zones are eligible for affordable housing height bonuses ranging between 10 and 25 feet.

Planning staff believes that the proposed heights as shown on the submitted height overlay map is appropriate. The proposed site is uniquely situated, with Casco Bay bordering the site to the south and east, ±106-foot-wide Interstate 295 bordering the site to the west and the St. Lawrence and Atlantic Railway and Maine Yacht Center to the north. The Roux site relates strongly to the Interstate 295

corridor, is isolated from surrounding neighborhoods, and has a history of dense, intensive industrial development and use.



Figure 12: Potential Site Section from the IDP depicting the proposed building heights in relationship to the existing Cannery Building, I-295, and East Deering Neighborhood.

The site is accessible to public transit and offers opportunities for multi-modal access and walkability with connections to various trail networks including Back Cove Trail, Eastern Promenade Trail, and Bayside Trail. The site is within an approximately 15-minute bicycle ride of City Hall via Back Cove Trail and Bayside Trail and an approximately 40-minute walk.

Planning Staff believes that the proposed overlay map is responsive to the surrounding context by arranging and distributing heights that will shape future buildings bulk and scale in manner that accommodates the proposed density. The proposed heights are designed to adjust to the context. At the site's northern most point, nearest to the Maine Yacht Center and the St. Lawrence and Atlantic Railway beyond which is a lower-scale residential neighborhood and along the site's western most point adjacent to Interstate 295, the Applicant proposes maintaining a maximum height of 75 feet to a depth of 35 feet, preserving the current maximum height allowed on the site. In addition, a 75 foot maximum height is mapped for the majority of the sites waterfront, preserving key views into the site from Tukey's Bridge/Interstate 295 and maintaining a similar scale to the B&M building, a locally designated historic landmark, to ensure compatibility with future designs. Beyond the 75 foot maximum height buffer,

building heights transition and increase ranging between 150 and 155 feet before establishing a maximum building height of 170 feet located at the center of the site. Planning Staff believes that the manner in which the building form will come together will effectively establish a transition to the medium-rise contextual neighborhoods of East Deering to the north and west and the waterfront to the south and east.

Past practice has demonstrated the wisdom of applying building heights that reflect the geography and development context of particular sites. Policies promoting urban scaled density can be implemented while neighboring properties can be best protected when topography, view corridors, street hierarchy, and other context specific issues are reflected in the zoning. Akin to these past practices, Portland has precedent for high-density buildings adjacent to a low- to medium-density context. The Maine Medical Center IOZ regulates building heights via a height overlay map and utilized a similar approach by focusing taller heights, ranging from 125 feet to 200 feet, towards the interior of the site and transitioning down in scale, ranging between 70 feet and 85 feet, to the surrounding neighborhood context, which includes smaller scale single, two-family, and multi-family buildings. A similar condition also exists where both the B-3 and B-7 zones abut low-to-mid density neighborhoods.

Planning Staff believes that the proposed development as contemplated would fulfill multiple public policy objectives, including: the future construction of a higher education institution, research, lab, and office space, retail, housing, and publicly accessible open space, which further supports goals identified in *Portland's Plan 2030*, including: supporting sustainable growth in our educational, medical, and cultural institutions; valuing innovation and creativity as cornerstones of the local economy and as central to Portland's uniqueness and diversity; investing in, attracting, and retaining human capital to support a growing economy; respecting that our unique quality of place is key to our future economic success as well as valuing and nurturing Portland-based businesses; and reinforcing the waterfront as a key component of Portland's economic health, balancing traditional and emerging industries with tourism and recreation.

Furthermore, the contemplated heights would allow for a proposed development that supports the City's housing and recreation and open space policies, including: encouraging additional contextually appropriate housing density to support complete neighborhoods and pursuing policies to enable people who work in Portland to have the option to live in Portland as well as encouraging quality, sustainable design in new housing development. Moreover, permitting additional height on the site creates opportunities for additional open space supporting the state goals such as promoting and protecting the availability of outdoor recreation opportunities for all Maine citizens, including access to surface water, and local goals, including sustaining our system of parks, trails, and open spaces; strengthening connections between open spaces and providing high-quality, well-designed, well-maintained, safe, and integrated parks, trails, public open spaces and recreational opportunities accessible to all residents. In addition, the site is encumbered by FEMA flood zones and permitting concentrated height away from the water's edge will ensure the site is able to accommodate future climate related events and provide additional previous and open spaces.

The proposed development at the contemplated heights would create a dense concentration of uses, adjacent to existing and future multi-modal transit options, including railroad corridors, promotes walkability, and aligns with the goals to create complete neighborhoods. Situating this type of density

adjacent to an array of transit options and creating a mix of uses on site is emblematic of sustainable land use planning and has the opportunity to support future trail connections and public transit such as buses and/or passenger train service.

VII. COMPREHENSIVE PLAN CONSISTENCY

Maine law requires that zoning enactments and amendments, to be valid, must be “pursuant to and consistent with [the municipal] comprehensive plan.” 30-A M.R.S. 4352. Zoning is “consistent” with a comprehensive plan when it is “in basic harmony” with some (though not necessarily all) portions of it.

The majority of strategies in *Portland’s Plan 2030* are tied to development, infrastructure, and policy implementation. The following list includes the major categories of the Comprehensive Plan, along with each of the strategies being met through the combination of proposed map and text amendments that facilitate development in future site plan applications:

Environment

- **Minimize impacts to the City’s waterways** by reducing combined sewer overflows and implementing stormwater best practices.
- Incorporate additional Low Impact Development (LID) standards into City codes.
- **Support reduction in impervious surfaces and implementation of green infrastructure** through local codes and incentives, and in infrastructure investments where appropriate.
- **Reduce city-wide nonrenewable energy consumption through policies that support public and private investments in alternative energy sources.**
- **Encourage commercial entities to reduce fossil fuel use through expanded benchmarking,** incentives for improved lighting and heating efficiencies and purchase of electric vehicles.
- **Encourage fossil-free transport** through support for electric vehicles, electric public transit, dedicated bicycle lanes, and vehicle exclusion zones.
- **Ensure that all municipal decisions take into account the necessity of essentially eliminating carbon dioxide emissions within 30 years.**

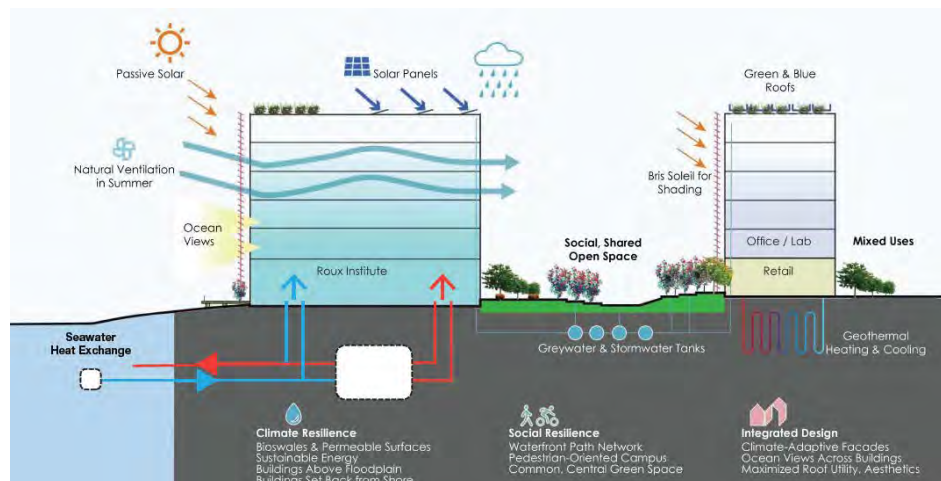


Figure 13: Diagram from the IDP illustrating potential alternative energy and sustainable building practices for the campus.

- **Coordinate future land use policy changes with long-range regional transportation planning, including planning for transit, pedestrian, and bicycle improvements, to reduce local regional vehicle miles traveled.**
- **Continue to develop land use policies which support complete neighborhoods.**
- **Encourage landowners and developers to incorporate sustainable design, materials, and practices in rehabilitation of historic resources and new construction.**

Historic Resources

- **Document and designate resources of historic, architectural, and/or cultural significance, based on survey findings and input from applicable stakeholders, to encourage thoughtful building rehabilitation, deter demolition, and support neighborhood revitalization.**
- **Expand interpretative signage programs for historic parks and selected sites.**
- **Accommodate multiple objectives, such as improved accessibility, improved energy efficiency, or climate change adaptation, in alterations to historic structures while adhering to preservation objectives.**
- **Ensure an appropriate balance of continuity and change as Portland grows and evolves.**



Figure 14: Photo of the site c. 1900. Source: Maine Memory Network

Waterfront

- **Expand waterfront access for the public where possible and appropriate.**
- **Integrate best practices for adaptive waterfront strategies, including adaptive construction techniques, stormwater infrastructure and utilities, site protection, floodproofing, and risk avoidance into the City's technical standards and land use code.**

Economy

- **Prepare** our current and future **residents to compete in an increasingly knowledge-based economy.**
- **Invest in educational institutions and training as a means of attracting, developing, and retaining an educated workforce.**
- **Evaluate zoning** and the condition of existing infrastructure in priority areas – downtown, in identified neighborhood nodes and **along transit corridors – to ensure that employment and housing growth can be supported.**
- **Modify ordinances** and make strategic investments **to better promote business development and job creation in priority areas.**
- **Promote the orderly expansion of institutional uses, such as educational, cultural, and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies.**
- **Ensure that the growth of Portland's educational, medical, and cultural institutions is integrated into Portland's urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning.**
- **Sustain and strengthen relationships between local organizations and our anchor institutions** to capitalize on their unique value to the well-being and future success of Portland and the region.
- **Support policies that foster innovation, entrepreneurship, and the creative economy,**
- **Capitalize on emerging open data trends to encourage transparency, test ideas, and develop solutions for urban issues.**
- **Recognize the role of the transportation system in the current and future economic health of the City.**



Figure 15: Long-Term Campus Concept Plan from IDP.

Housing

- **Evaluate whether current zoning allows** for new development consistent with historic patterns of form, density, and/or use, as well as whether it allows **for priority growth areas.**
- **Encourage energy efficiency in new construction** and rehabilitation of our housing stock.
- **Encourage housing that is resilient in the face of climate change,** severe weather events, and storm surges, **especially in vulnerable low-lying areas.**
- **Pursue new opportunities for increased energy efficiency, increased densities, mixed incomes, and greater connectivity to surrounding neighborhoods.**

Recreation & Open Space

- Expand safe, well-lit walking and cycling routes to open spaces, including crosswalks, sidewalks, and bike lanes.
- Improve the utility of existing spaces by developing and programming parks and open spaces for diverse, simultaneous, complementary uses.
- Pursue opportunities for **optimizing green infrastructure** and **enhancing the existing stormwater management and flood storage functions of the City's open spaces** where appropriate and practicable.
- **Encourage physical and visual access to Portland's waterfront – Casco Bay, Back Cove, and the Stroudwater, Presumpscot, and Fore Rivers – as a “blueway” network and an extension of public space for local and regional recreation and transportation needs.**
- **Prioritize open space acquisition and programming toward creating linkages where there are gaps in the network, particularly between Stroudwater and the Fore River, Evergreen Cemetery and the Presumpscot River, Portland Transportation Center and Bayside, Martin's Point and the Back Cove, and the Western Waterfront and the Fore River.**



Figure 16: Map of Proximate Open Spaces from IDP.

Facilities & Services

- **Leverage State, local, and private funding** to allow a **comprehensive approach to sustain excellence in the school system.**
- Continue to **provide** continuing education and **job training for adults and new residents.**
- Pursue public/private partnerships to fund needed projects and services

Transportation

- **Monitor** indicators such as **mode share, multi-modal levels of service, and levels of active transportation, particularly on key transportation corridors.**
- **Benchmark existing conditions and set targets for specific future years.**
- Make **improvements to the transportation system** to improve **equity, sustainability, and accessibility** for all ages and abilities.
- **Address existing High Crash Locations, improve ADA accessibility, and ensure pedestrian access to transit stops and along Safe Routes to School Routes.**
- **Support the vision of large, transformative projects** such as the redesign of Franklin Street, the transformation of Forest Avenue, and others, as well as future studies through strategic, cost effective, and incremental actions.
- **Minimize the impact of highway infrastructure, such as ramps and overpasses, on City streets and neighborhoods.**



Figure 17: Map of Potential improvements over all phases of development.

- Identify and plan for parking needs, particularly downtown, on the waterfront, and in conjunction with larger institutions.
- Develop robust, integrated parking management strategies to reduce parking demand.
- Invest in a walkable city through sidewalk maintenance, **accessibility improvements, trail and path connections, snow clearance, lighting, landscaping, traffic calming, enhanced street crossing, strong urban design, artistic elements, and wayfinding.**

- **Complete** and maintain the City's system of shared use pathways, neighborhood byways, and protected/enhanced bike lanes in a legible and continuous network, and develop the complementary infrastructure, such as bicycle parking and wayfinding, to support it.
- Explore potential locations for separated bike infrastructure.
- Expand Transportation Demand Management (TDM) initiatives for large development sites and institutions, building upon the recent implementation of TDM plans for individual employers and sites.
- Support initiatives to strategically increase the frequency and span of service, on-time reliability, and geographic scope of transit service.
- Develop transit centers, enhance bus stops, and improve transit stop and transit corridor operations and accessibility.
- Plan for multi-modal trip connections through bike storage, timetable coordination, or other measures that facilitate ease of transitions between modes of travel.
- Support the waterfront as a signature transportation resource.
- Enhance regional trail connections.

The combined proposed building and site design, IDP & Regulatory Framework, associated text amendments, and future TMP & site plan reviews facilitate the achievement of a significant number of Comprehensive Plan goals.

VIII. NEIGHBORHOOD MEETINGS & PUBLIC COMMENT

Two neighborhood meetings are required for IOZ applications, with the first meeting taking place prior to application submission on November 18, 2021, and the second meeting taking place after application submission on April 6, 2022. Summaries of these meetings can be found in Attachment E.

A total of 73 written public comments were submitted to the Planning Board between June and November of 2022. 49 pieces of public testimony were provided at the June 14, August 9, October 11, and October 25 Planning Board workshops.

On November 16th, comments were submitted to the Planning Board with suggested changes to the Regulatory Framework (PC 8) to address concerns and comments from the East Deering Neighborhood. Comments primarily focused on the use of consistent terminology for references to The Roux Institute at Northeastern University, clarification of procedures for submittal of application documents and eligibility for amendments, and references to



Figure 18: Photo from September 6, 2022 Open House on the Roux Campus.

strategies to mitigate transportation impacts on the surrounding neighborhood. As part of the updates made to the IDP and Regulatory Framework, the Applicant has worked with City Staff to address these topic areas to improve the functionality of the document and structural consistency with the existing IOZ for Maine Medical Center and other regulations outlined in the City's Land Use Code.

Links to the written public comments and recordings for each of these workshops can be found on the first page of this memorandum.

IX. REQUISITE COUNCIL ACTION

Any proposed rezoning, regardless of whether it is favorably or negatively recommended by the Planning Board, must be approved by City Council vote in order to take effect.

X. PROPOSED MOTIONS

1. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on November 22, 2022 for the application ZN-001934-2022, and/or other findings, the Planning Board finds that the proposed zoning text amendment to identify The Roux Institute at Northeastern University as an eligible institution to submit an IOZ application **[is/is not]** consistent with the Comprehensive Plan for the City of Portland; and therefore, the Planning Board **[recommends/does not recommend]** to the City Council adoption of the zoning text amendment as shown in Attachment F.

2. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on November 22, 2022 for the application ZN-001934-2022, and/or other findings, the Planning Board finds that the proposed B-5 zoning map amendment **[is/is not]** consistent with the Comprehensive Plan for the City of Portland; and therefore, the Planning Board **[recommends/does not recommend]** to the City Council adoption of the zoning map amendment for the area of land as shown in Attachment 3.
3. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on November 22, 2022 for the application ZN-001934-2022, and/or other findings, the Planning Board finds that the proposed IOZ zoning map amendment **[is/is not]** consistent with the Comprehensive Plan for the City of Portland; and therefore, the Planning Board **[recommends/does not recommend]** to the City Council adoption of the zoning map amendment for the area of land identified as 1 Bean Pot Circle (447 A001001) as shown in Attachment 4.
4. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on November 22, 2022 for the application ZN-001934-2022, and/or other findings, the Planning Board finds that the proposed regulatory framework **[is/is not]** consistent with the standards of Sec. 8.5.5. of the Land Use Code; and therefore, the Planning Board **[recommends/does not recommend]** to the City Council adoption of the regulatory framework as included in Attachment B.
5. On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland's Comprehensive Plan, public comment, and the information provided in the public hearing on November 22, 2022 for the application ZN-001934-2022, and/or other findings, the Planning Board **[finds/does not find]** that the proposed Institutional Development Plan (IDP) is consistent with the Institutional Development Plan standards of Sec. 8.5.4. of the Land Use Code.

XI. ATTACHMENTS

Staff Attachments

1. Review of Required IDP and Regulatory Framework Content
2. Connection between Design Principles and Regulatory Framework
3. Description of B-5 Map Amendment Boundaries
4. Map of IOZ Boundary
5. November 16, 2022 Memorandum from METRO Regarding Service to Roux Institute Campus
6. City Corporation Counsel Determination on Right, Title, and Interest

Applicants Submittal

- A. November 18 Institutional Development Plan

- B. November 17 Regulatory Framework
- C. Roux Roundtable Meeting Summaries
- D. Proposed Text Amendment
- E. Neighborhood Meeting Summaries
- F. Floodplain Technical Memorandum
- G. Sustainability Charter Executive Summary

Public Comment

- a. PC1: Tom Payne
- b. PC2: Reginal Parson
- c. PC3: Desi Avn Til
- d. PC4: Julia Brady
- e. PC5: Anna Marie Klein-Christie
- f. PC6: John Baldacci
- g. PC7: Lucas St. Clair
- h. PC8: Cheryl Leeman
- i. PC9: Randy Marmet
- j. PC10: Melissa Smith
- k. PC11: Emma Bond
- l. PC12: Sarah Maloney
- m. PC13: Tamas Peredy
- n. PC14: Barbara Vestal

Category	Sub-Category	Requirements	Sub-requirements	Provided? (If so, Page of Content)	City Staff Notes	Response to City	City Follow-Up	Response to City	City Follow-Up
1. Context information	a. The institution's adopted mission, vision, or purpose statement	1. A neighborhood context plan		Provided on Page 5	Consideration may want to be made in the transportation section on adding a map demonstrating how the 15-minute walk & bike shed would expand with non-motorized connections under & across Tukey's bridge, as well as Howe's sidewalk.	This content was added to the Transportation Section, page 27	Update color for 15 Minute Bike Shed Zone to provide more distinction between Zone and the base map. Once completed, no further action needed.	The reference figure has been updated accordingly.	Complete. No further action needed.
		2. An inventory of current employees and services		Provided on Page 4			Complete. No further action needed.	—	—
		3. A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums (over time)		Provided on Page 4			Complete. No further action needed.	—	—
		4. An inventory and/or plan of all existing property holding within the main campus and within the City of Portland, including an indication of function, land use links between off-campus properties and the main campus (e.g., remote parking)		Provided on Page 6	References to the transportation section on what public transit options are being considered may make sense here.		Additional content describing service frequency and quality provided on Page 28. No further action needed.	—	—
	b. A summary of relevant baseline data on the institution, including:	5. An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities		Partially Provided on Pages 4 & 6	Content on the existing facilities for the Rouse Institution have been provided. Additional information on the size of the existing buildings at 1 Bean Pot Circle and three previous use would complete the content requirements.	This content was added to Site Context Section, page 6	Staff recommended the addition of the previous uses for the building under the applicable land use Code classification of Food & Seafood Processing, Packing, and Distribution in Site. With this addition, no further action is needed.	This content was added to the title of the table on page 6.	Complete. No further action needed.
		6. A summary of existing resources, such as historic, open space, and natural resources.		Provided on Pages 6-8			Complete. No further action needed.	—	—
		7. A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle and parking supply, demand, and utilization		Partially Provided on Page 13	A map showing the current transportation system has been included on Page 19. Elements relating to the current vehicular, pedestrian, transit, and bicycle demand and utilization has not been provided nor the existing parking supply at the site. Additionally, information on the current mode split from the Campus Survey should be included.	A description of existing parking was added to the Site Context Section, page 6. Information on current bike, post and transit demand has been added to the Transportation Section, pages 27 and 28. Current campus mode split information added to Mode Split Section, page 26.	Provide source of data for Tukey's Bridge usage. Once provided, no further action needed.	This content was added to page 27.	Complete. No further action needed.
		c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:		Partially Provided on Page 29	Staff recommends: 1. Relocating this page to Section 1 of the IDP, where other data on existing conditions, and; 2. Providing confirmation that there is not any capacity issues currently for any of the listed types of infrastructure (Water, Wastewater, Stormwater, Electricity, Telephony & Data, Natural Gas)	Utility Section was moved to page 7 and information regarding utility capacity and historic demand was added.	Formatting/corrections identified on Page 7. Sentence should be added confirming that there are no issues to future expansion at the site based on projected demand.	This content was added on page 7.	Complete. No further action needed.
	d. A summary of public involvement in the development of the IDP, including major areas of public concern.	8. Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.		Partially Provided on Pages 9-10	Information on connections to the Comprehensive Plan & One Climate Future have been provided. An additional page referencing relevant transportation plans, projects, and studies in and around the site should be included as well.	Information on 295 Corridor Update, I-295/Naranda Project, and Martin's Point Study have all been added to the Municipal Plan Content on page 11	Complete. No further action needed.	—	—
				Provided on Page 11			Complete. No further action needed.	—	—
2. Assessment of future institutional growth and change	a. A description of institutional needs and areas of future institutional growth and change, with:	1. A projected census of users (e.g., enrollment/employment/patients)/visitor figures and anticipated variations over time)		Partially Provided on Pages 13 and 24	Information on the projected number of students and square footage dedicated to users has been provided for the Near, Medium, and Long Term. Information from the transportation memorandum should be integrated to include the anticipated number of visitors to the site and this may want to correspond with the number of anticipated residents across each of the phases to address internal trip capture.	Detailed trip information by mode is provided in the Transportation Appendix	Estimated number of visitors only provided for full buildout. Estimates do not need to be broken out by mode/user type for each phase.	This content was revised Appendix A (see Tables 2-4).	Complete. No further action needed.
		2. Institutional objectives for property both within and outside the IOZ boundary (e.g., acquisition and/or disposition), including an indication of any functional and use connection for sites outside the IOZ boundary to the main campus		Provided on Page 4	The sentence stating that all operations would be at the subject property may want to be placed in a more prominent location.		No action needed.	—	—
		3. A development plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.		Partially Provided throughout IDP	Elements of this are provided throughout the document, but should be shown in one plan/map that includes: • The IOZ boundary • Proposed buildings and on-site improvements in the Near, Medium, and Long Term • Potential connections for motorized and non-motorized modes of transportation on- and off-site • Potential roadway improvements in and around the site	Development Plans for Near, Mid and Long Term have been added as page 15, and additional narrative has been included on page 14. Please refer to the Table on Street Use for descriptions of anticipated uses for each phase.	Labels should be provided for off-ramp in legend. Potential corridor opportunities referenced on Page 27 and in Appendix C for Shared Use Path Connection should be shown in the same manner as potential connection points. Once provided, no further action needed.	The figures on Page 15 and legend have been updated accordingly.	Complete. No further action needed.
		4. A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanism and potential strategies to meet transportation objectives, including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.		Partially Provided on Pages 15, 25-27	Descriptions of anticipated and/or potential needs and physical improvements should be included with this map. This page or set of pages may be a useful location to articulate how the programmatic needs of the site are going to correspond with the phasing (i.e., in the near-term phase, we will need X1, and 2 uses for the site to be successful; in the Medium term phase, we will also need X1 and 2 uses).				
	b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the regulatory framework, including:	1. Transportation and access, with:		Partially Provided on Page 25	Some of this information was included as part of the transportation memorandum and content on this can be easily translated into this document. Content on anticipated supply should be clarified and included in the IDP.	Addressed in Parking Demand and Capacity Section, page 28. Detailed parking calculations are provided in the Transportation Appendix	Discussion of projected impacts to on-street parking should be discussed. Given previous discussions at meetings, a sentence stating that there is actively pursuing strategies with the City to deter on-street parking by campus visitors should be included. Once provided, no further action needed.	This content was added to Appendix C Parking Demand Section.	Complete. No further action needed.
		2. Environment, with:		Partially provided on Pages 26-27	Content on projected changes to motorized vehicular facilities, capacity, and safety were included as part of the transportation memorandum and content on this can be easily translated into the IDP graphically. Some information relating to anticipated improvements to access and facilities for pedestrian, transit, and bicycles was also included. Information on the capacity and safety of these pedestrian, transit, and bicycle routes should be included in the IDP.	Addressed in Parking Demand and Capacity Section, page 28.	Complete. No further action needed.	—	—
		3. Infrastructure, with:		Partially Provided on Pages 15, 25-27	Potential strategies to address negative impacts can be found on Pages 26-27. Guidelines or thresholds to address deficiencies will need to be established and can look towards other application processes (e.g., TMP) to guide when revision is necessary. Building from the existing map on page 27, additional high-level annotations for the suite of facility improvements should be included to more easily translate the primarily narrative content in this section. Finally, identification of the role of phasing and TMP examinations should be included to address this content requirement and as mentioned before, may benefit through connection with guidelines & monitoring activities.	Map on page 30 has been updated to include additional improvement measures. Information regarding TMP monitoring and mitigation is included on page 27.	Small updates required to map on Page 30. Once complete, no further action is needed.	The figure on Page 30 has been updated accordingly.	Complete. No further action needed.
		4. Design, with:		Partially provided on Pages 8, 12, 14, 30, 37-40, and 42	As previously discussed, compiling this information into a centralized location that walks through the elements that informed the design of the site will make it a significant part of this requirement. Some additional language confirming that the concept campus plans as now do or not present water or lighting impacts would also help finish the thought for this section.				
3. Infrastructure, with:	a. An analysis of proposed public utility demand and the capacity of associated infrastructure.	1. An analysis of potential cumulative impacts on natural resources and open spaces.		Not provided	References have been included for the provision of new open space at the site. However, an assessment of impacts to the existing natural habitats and sensitive areas of the site should be provided or demonstrate how removal of existing trees & the pier will not negatively impact those resources or mitigate the impact to these resources.	This content has been added to the Coastal & Natural Resources Section, page 8.	Complete. No further action needed.	—	—
		2. An analysis of projected energy consumption, hazardous materials, generation, noise generation, and similar issues as relevant.		Partially Provided on Page 30	The majority of these issues have been addressed on Page 30. However, additional information relating the anticipated energy consumption and that will relate to the proposed Sustainability Compact and One Climate Future will satisfy the submission requirements.	This content has been added to page 32, Safety & Environment	Small edit suggestion on Page 32. Once resolved, no further action needed.	The suggested edit was incorporated on Page 32.	Complete. No further action needed.
		3. An environmental plan, representing the synthesis of the analysis, and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation.		Partially provided on Page 30	Points where updates/mitigation will need to be provided should be included and could be informed by monitoring reports. Given that this action discusses open space as well, this would also serve as an ideal location to repeat or reference the proposed content for the Regulatory Framework related to open space intent and provision.	This content has been added to the Coastal & Natural Resources Section, page 8 and the Safety & Environment page 32	Complete. No further action needed.	—	—
		4. An analysis of proposed impacts to neighboring properties and public spaces, including potential erosion, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.		Partially provided on Pages 8, 12, 14, 30, 37-40, and 42	As previously discussed, compiling this information into a centralized location that walks through the elements that informed the design of the site will make it a significant part of this requirement. Some additional language confirming that the concept campus plans as now do or not present water or lighting impacts would also help finish the thought for this section.				
	b. An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.	5. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.		Partially Provided on Page 28	Identification of Potential or Anticipated CPTEd issues should be included, along with notations for any anticipated changes based on phasing.	Narratives relating to phasing and CPTEd has been added to page 33, Transitions.	Complete. No further action needed.	—	—
		6. A conceptual built environment plan, representing the synthesis of the analysis, and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.		Partially provided on Pages 15-15 and 28	Integration of the content of the Access and Circulation Map and the Potential Open Space Breaks and Buffer Map will help address this issue. Multi-modal connections off-site should also be mentioned as how they support compatible transitions to and from the site (e.g. Mitigation on Naranda Street with light rail & pedestrian facilities will facilitate smooth transitions).	Development Plans for Near, Mid and Long Term have been added as page 15, and include notations regarding site circulation an multi-modal connections.	Minor comment added about alignments being added for shared use path improvement referenced in Mid-Term phase in Appendix C. Once provided, no further action needed.	The alignments have been added to the figure on Page 15.	Complete. No further action needed.
		7. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.		Partially Provided on Page 28	Identification of Potential or Anticipated CPTEd issues should be included, along with notations for any anticipated changes based on phasing.	Narratives relating to phasing and CPTEd has been added to page 33, Transitions.	Complete. No further action needed.	—	—
		8. A conceptual built environment plan, representing the synthesis of the analysis, and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.		Partially provided on Pages 15-15 and 28	Integration of the content of the Access and Circulation Map and the Potential Open Space Breaks and Buffer Map will help address this issue. Multi-modal connections off-site should also be mentioned as how they support compatible transitions to and from the site (e.g. Mitigation on Naranda Street with light rail & pedestrian facilities will facilitate smooth transitions).	Development Plans for Near, Mid and Long Term have been added as page 15, and include notations regarding site circulation an multi-modal connections.	Minor comment added about alignments being added for shared use path improvement referenced in Mid-Term phase in Appendix C. Once provided, no further action needed.	The alignments have been added to the figure on Page 15.	Complete. No further action needed.
4. Design, with:	a. An analysis of proposed impacts to neighboring properties and public spaces, including potential erosion, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources.	9. An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.		Provided on Page 28			No action needed.	—	—
		10. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.		Partially Provided on Page 28	Identification of Potential or Anticipated CPTEd issues should be included, along with notations for any anticipated changes based on phasing.	Narratives relating to phasing and CPTEd has been added to page 33, Transitions.	Complete. No further action needed.	—	—
		11. A conceptual built environment plan, representing the synthesis of the analysis, and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.		Partially provided on Pages 15-15 and 28	Integration of the content of the Access and Circulation Map and the Potential Open Space Breaks and Buffer Map will help address this issue. Multi-modal connections off-site should also be mentioned as how they support compatible transitions to and from the site (e.g. Mitigation on Naranda Street with light rail & pedestrian facilities will facilitate smooth transitions).	Development Plans for Near, Mid and Long Term have been added as page 15, and include notations regarding site circulation an multi-modal connections.	Minor comment added about alignments being added for shared use path improvement referenced in Mid-Term phase in Appendix C. Once provided, no further action needed.	The alignments have been added to the figure on Page 15.	Complete. No further action needed.
		12. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.		Partially Provided on Page 28	Identification of Potential or Anticipated CPTEd issues should be included, along with notations for any anticipated changes based on phasing.	Narratives relating to phasing and CPTEd has been added to page 33, Transitions.	Complete. No further action needed.	—	—
	b. An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context.	13. A conceptual built environment plan, representing the synthesis of the analysis, and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.		Partially provided on Pages 15-15 and 28	Integration of the content of the Access and Circulation Map and the Potential Open Space Breaks and Buffer Map will help address this issue. Multi-modal connections off-site should also be mentioned as how they support compatible transitions to and from the site (e.g. Mitigation on Naranda Street with light rail & pedestrian facilities will facilitate smooth transitions).	Development Plans for Near, Mid and Long Term have been added as page 15, and include notations regarding site circulation an multi-modal connections.	Minor comment added about alignments being added for shared use path improvement referenced in Mid-Term phase in Appendix C. Once provided, no further action needed.	The alignments have been added to the figure on Page 15.	Complete. No further action needed.
		14. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.		Partially Provided on Page 28	Identification of Potential or Anticipated CPTEd issues should be included, along with notations for any anticipated changes based on phasing.	Narratives relating to phasing and CPTEd has been added to page 33, Transitions.	Complete. No further action needed.	—	—
		15. A conceptual built environment plan, representing the synthesis of the analysis, and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.		Partially provided on Pages 15-15 and 28	Integration of the content of the Access and Circulation Map and the Potential Open Space Breaks and Buffer Map will help address this issue. Multi-modal connections off-site should also be mentioned as how they support compatible transitions to and from the site (e.g. Mitigation on Naranda Street with light rail & pedestrian facilities will facilitate smooth transitions).	Development Plans for Near, Mid and Long Term have been added as page 15, and include notations regarding site circulation an multi-modal connections.	Minor comment added about alignments being added for shared use path improvement referenced in Mid-Term phase in Appendix C. Once provided, no further action needed.	The alignments have been added to the figure on Page 15.	Complete. No further action needed.
		16. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.		Partially Provided on Page 28	Identification of Potential or Anticipated CPTEd issues should be included, along with notations for any anticipated changes based on phasing.	Narratives relating to phasing and CPTEd has been added to page 33, Transitions.	Complete. No further action needed.	—	—
	c. A conceptual built environment plan, representing the synthesis of the analysis, and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.	17. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development.		Partially Provided on Page 28	Identification of Potential or Anticipated CPTEd issues should be included, along with notations for any anticipated changes based on phasing.	Narratives relating to phasing and CPTEd has been added to page 33, Transitions.	Complete. No further action needed.	—	—
		18. A conceptual built environment plan, representing the synthesis of the analysis, and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.		Partially provided on Pages 15-15 and 28	Integration of the content of the Access and Circulation Map and the Potential Open Space Breaks and Buffer Map will help address this issue. Multi-modal connections off-site should also be mentioned as how they support compatible transitions to and from the site (e.g. Mitigation on Naranda Street with light rail & pedestrian facilities will facilitate smooth transitions).	Development Plans for Near, Mid and Long Term have been added as page 15, and include notations regarding site circulation an multi-modal connections.	Minor comment added about alignments being added for shared use path improvement referenced in Mid-Term phase in Appendix C. Once provided, no further action needed.	The alignments have been added to the figure on Page 15.	Complete. No further action needed.

Category	Requirements	Provided? (If so, Page of Content)	City Staff Notes	Applicant Response	City Follow-Up	
1. Zoning Boundary of the IOZ	The area to which the regulations apply, as shown on the zoning map, subject to other provisions of this ordinance (i.e. the map amendment to the City's zoning map)	Provided on Page 1	Staff has recommended updates to this section for consistency in the naming of the eligible institution.		No action needed.	
2. Phasing and schedules	Requirements that relate to particular proposed phases	Not provided	Including a schedule of applicable reviews and decision points for multiple items would be useful (e.g., TDM plan adopted during first site plan review, review and approval of open space approach in first site plan review, TMP and site plan reviews throughout).	New TMP section added under transportation.	Complete. No further action needed.	
	A chart showing the schedule or thresholds for submitting an amended IDP (or elements of an IDP, such as a Transportation Demand Management (TDM) plan)	Provided on Page 2	- Minor amendments are reviewed when there is a change in approach. This should be distinguished from a major amendment, since a change in approach could be considered the same as an inconsistency with a master facility plan, transportation plan intent, design plan intent, or environment and infrastructure plan intent. - On a separate note, it is stated that minor amendments can be reviewed simultaneously with site plan reviews. It would make sense to address the schedule for how the review of a major amendment would occur with a corresponding site plan review (e.g., Does the Planning Board determine whether this can occur simultaneously? Does the Planning Board need to approve a major amendment prior to the site plan application being reviewed?)	Modifications made to this section to clarify.	No action needed.	
3. Uses	Clarification, as necessary, on permitted uses	Provided on Pages 2-3	City Staff recommend the removal of structured parking as a use type since off-street parking (Structured or Surface) is already permitted in the B-S zone.	Done	No action needed.	
4. Dimensional Requirements	Graphics, sketches, or standards, including details for transition zones within the IOZ boundary	Partially provided on Pages 4-5	City Staff have provided recommendations on additional information to be provided in this section. Maps should also identify transition zones and corresponding details between areas of the height map, as well as transitions to and from the site.	Map added that contains transitions zones and buffers. New section on transitions added under Dimensional Standards.	IOZ Boundary should be added to map. Once provided, no further action needed.	Complete. No further action needed.
5. Transportation	Elements such as Transportation Demand Management Plan (TDM) trip reduction targets or contribution to area-wide TDM measures	Not provided	References to development of a TDM trip reduction targets at first site plan are included, as well as generic language on mitigation that is proportionate to impacts. Projected targets have been referenced in the transportation memorandum and should be relocated here. Area-wide TDM measures could also be discussed in terms of potential paving improvements to Tuley's Bridge or how improvements are being made in concert with METRO.	Included in new TMP section. Monitoring section moved under TDM transportation section.	Complete. No further action needed.	
	Broad parameters for ensuring pedestrian, vehicular, bicycle and transit access and safety	Not provided	Falling under the existing access and safety section, general statements such as the following could be included to satisfy the Content requirement: - The site and building design shall not prohibit the enhancement of transit service to and from the site - Bicycle, pedestrian, transit, and motorized vehicular facilities proposed to and from the site shall provide sufficient capacity and allow for safe connections for all modes of transportation.	Language added as suggested.	Complete. No further action needed.	
	Parking ratios and management strategies	Not provided	Management strategies have been referenced in the IDP and some or all of this content will need to be located in the Regulatory Framework. Parking ratios should be determined for the site at this time. Consideration by the Applicant to existing parking ratios and exemptions (e.g., 1/4 mile from fixed-route transit) could serve to address this content requirement.	The term "parking ratios" added to parking section, as well as mention of compliance with requirements in effect at the time.	Complete. No further action needed.	
	Thresholds for access improvements	Not provided	Connections should be considered with triggers for TMPs, monitoring, mode share and TDM targets, and other applicable municipal/regional plans/projects	Included in new TMP section.	Complete. No further action needed.	
6. Environment	The approach to the inclusion of open space and preservation of environmentally-sensitive areas	Partially provided on Page 7	- The current environmental section provides a significant number of standards to address the content requirements. Additional information on identifying and protecting environmentally sensitive areas should be included, with considerations for changing sensitivity across phases (e.g., habitat that is identified in between phases). - As the framework for the charter will become public, updates to standard 2 should occur to provide more specificity/ensure alignment.	Reference to wetlands and significant wildlife habitat added. Charter section redrafted.	Complete. No further action needed.	
7. Mitigation Measures	The broad approach to identified mitigation measures, which would be addressed in greater detail in the site plan review process	Provided on Page 7			No action needed.	
	Thresholds for addressing deficiencies	Not provided	Connections should be considered with triggers for TMPs, monitoring, mode share and TDM targets, and other applicable municipal/regional plans/projects	Included in new TMP section.	Complete. No further action needed.	
	Goals for preservation/protection	Partially provided on Page 10	Preservation of the Bean Building and corresponding interpretation on a new pier is discussed. Additional information should be provided on how other environmental issues in and around the site should similarly have corresponding preservation/protection goals.	Reference to wetlands and significant wildlife habitat added.	Complete. No further action needed.	
8. Design	Graphics and standards to clarify building placement and envelope	Partially provided	Staff recommendations for requirements on setbacks, minimum and maximum street wall heights, and building lengths, along with the subarea map and height map will address these content requirements.	Adopted with revisions.	Complete. No further action needed.	
	Guidelines for integration of site features	Provided on Pages 6 and 10	It could be beneficial to identify how the change in topography of the site is being integrated into the design.		No action needed.	
	Required treatments for all edges (both within and abutting the IOZ boundary)	Partially provided on Page 6	The Applicant has done an excellent job in describing how the circulation will relate to treatments on the edge of the site. Including information on treatments off-site that are proposed (i.e., Sherwood Street west of I-295) will satisfy this content requirement.	Language added in bike/ped section.	Complete. No further action needed.	
9. Neighborhood Integration	Guidelines for establishing campus identity	Partially provided on Pages 8-9	City Staff have proposed recommendations to the Design Guidelines to ensure connections with the Design Principles and promote feasible implementation of the requirements. The adoption of these recommendations will satisfy these content requirements.	Guidelines adopted with some revisions. Guideline added at 2.a.2 to address portal in academic building.	Complete. No further action needed.	
	Thresholds and strategies for neighborhood engagement	Provided on Pages 9-10			No action needed.	
	Mitigation of impacts on neighboring properties, including construction impacts	Provided on Page 10	Reference to design standards that are helping to address visual and shadow impacts on neighboring properties would help to easily demonstrate all mitigation together in one section.		No action needed.	
	Buffering requirements	Not provided	Based on the existing conditions and the proposed design of the site, ground-level separation of buildings from the edge of the site could turn into a Regulatory Framework requirement that easily demonstrates how the intent of the content requirement is being met.	Buffering map and transition section added.	IOZ Boundary should be added to map. Once provided, no further action needed.	Complete. No further action needed.
	Objectives for pedestrian linkages and safety	Not provided	Falling under the existing access and safety section, general statements such as the following could be included to satisfy the Content requirement: - The site and building design shall provide meaningful connections to bicycle and pedestrian facilities on- and off-site - Bicycle and pedestrian facilities proposed to and from the site shall provide sufficient capacity and allow for safe connections for all modes of transportation. Updates should align with updates to the Broad parameters for ensuring pedestrian, vehicular, bicycle and transit access and safety content requirement under Transportation as well.	Language added in bike/ped section.	Complete. No further action needed.	
10. Monitoring	Other requirements that address community concerns	Provided on Page 10	Reference to snow ban parking and provision of parking for nearby residents which is a consideration in the review of a residential parking permit program. The Applicant should consider inclusion of standards that address/mitigate any other issues raised in public comments.		No action needed.	
	A schedule for regular monitoring reports on IDP implementation in accordance with the IDP	Provided on Page 2	There may be a benefit to putting the frequency of monitoring reports into a table for ease of viewing for the IDP and TDM Plan.		No action needed.	

Review of Connection between Design Principles & Regulatory Framework	
Applicant IDP Design Principle	Regulatory Framework Guidelines
Connected to the Waterfront, Portland & the World	
Engage the Waterfront	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.a.ii.: New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space, if provided, may be closed to the public during special events, outside normal operation hours, and when necessary for security of public safety purposes. Sec. 8.5.7.H.2.d.ii.: Surface parking lots shall be located to the maximum extent practicable toward the rear or side of a building not occupied by a principal entry to a building facing a street, public right-of-way, major pedestrian access routes, open spaces, and/or the waterfront.
Promote visual and physical connectivity	Sec. 8.5.7.H.2.a.ii.: New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space, if provided, may be closed to the public during special events, outside normal operation hours, and when necessary for security of public safety purposes. Sec. 8.5.7.H.2.d.i.: Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service and emergency vehicles at each development phase. Sec. 8.5.7.H.2.d.ii.: Surface parking lots shall be located to the maximum extent practicable toward the rear or side of a building not occupied by a principal entry to a building facing a street, public right-of-way, major pedestrian access routes, open spaces, and/or the waterfront.
Encourage connections to the waterfront through diverse spaces	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.a.ii.: New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space, if provided, may be closed to the public during special events, outside normal operation hours, and when necessary for security of public safety purposes.

	Sec. 8.5.7.H.2.e.i.: Open space will be publicly accessible to provide multiple functions for recreation, social gathering and buffers that integrate within the overall composition and experience of the campus at each development phase.
Create a holistically built environment	Sec. 8.5.7.H.2.b.i.: The overall composition and experience of the campus will be considered for cohesive identity from approaches along I-295 and views from the East Deering Neighborhood. Sec. 8.5.7.H.2.c.i.: Buildings, site development, circulation, and open space will respect the B&M Cannery Building, a designated historic landmark. Sec. 8.5.7.H.2.e.i.: Public open space will contribute to the overall composition and character of the campus that are integrated into each development phase to function as recreational, ecological restoration and/or public gathering spaces.
Restore, repurpose, and revitalize the Bean Building	Sec. 8.5.7.H.2.c.i.: Buildings, site development, circulation, and open space will respect the B&M Cannery Building, a designated historic landmark.
Create an iconic architectural expression	Sec. 8.5.7.H.2.b.i.: The overall composition and experience of the campus will be considered for cohesive identity from approaches along I-295 and views from the East Deering Neighborhood. Sec. 8.5.7.H.2.h.i.: Building façade materials will be of high quality, durable to the marine climate and contribute to an attractive public realm. The first 35 feet of building height shall complement the pedestrian character in materiality, transparency, and detailing.
Places to Gather	
Welcome the surrounding neighborhood	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.a.ii.: New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space, if provided, may be closed to the public during special events, outside normal operation hours, and when necessary for security of public safety purposes. Sec. 8.5.7.H.2.d.i.: Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service and emergency vehicles at each development phase.

	Sec. 8.5.7.H.2.i.i.: Building entrances will include prominent facades and be oriented toward, located adjacent to, or accessible from rights-of-way, major pedestrian access routes, or open spaces.
Foster community with shared spaces and interaction	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.a.ii.: New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space, if provided, may be closed to the public during special events, outside normal operation hours, and when necessary for security of public safety purposes. Sec. 8.5.7.H.2.d.i.: Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service and emergency vehicles at each development phase. Sec. 8.5.7.H.2.e.i.: Public open space will contribute to the overall composition and character of the campus that are integrated into each development phase to function as recreational, ecological restoration and/or public gathering spaces. Sec. 8.5.7.H.2.h.i.: Building façade materials will be of high quality, durable to the marine climate and contribute to an attractive public realm. The first 35 feet of building height shall complement the pedestrian character in materiality, transparency, and detailing. Sec. 8.5.7.H.2.i.i.: Building entrances will include prominent facades and be oriented toward, located adjacent to, or accessible from rights-of-way, major pedestrian access routes, or open spaces.
Build a strong association with the City of Portland	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.b.i.: The overall composition and experience of the campus will be considered for cohesive identity from approaches along I-295 and views from the East Deering Neighborhood. Sec. 8.5.7.H.2.d.i.: Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service and emergency vehicles at each development phase.
Develop purpose-driven spaces that yield regular connections	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction.

	Sec. 8.5.7.H.2.a.ii.: New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space, if provided, may be closed to the public during special events, outside normal operation hours, and when necessary for security of public safety purposes. Sec. 8.5.7.H.2.c.i.: Buildings, site development, circulation, and open space will respect the B&M Cannery Building, a designated historic landmark. Sec. 8.5.7.H.2.e.i.: Public open space will contribute to the overall composition and character of the campus that are integrated into each development phase to function as recreational, ecological restoration and/or public gathering spaces. Sec. 8.5.7.H.2.h.i.: Building façade materials will be of high quality, durable to the marine climate and contribute to an attractive public realm. The first 35 feet of building height shall complement the pedestrian character in materiality, transparency, and detailing. Sec. 8.5.7.H.2.i.i.: Building entrances will include prominent facades and be oriented toward, located adjacent to, or accessible from rights-of-way, major pedestrian access routes, or open spaces.
Provide public open space	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.e.i.: Public open space will contribute to the overall composition and character of the campus that are integrated into each development phase to function as recreational, ecological restoration and/or public gathering spaces.
Provide spaces where neighbors can work and read while enjoying the campus's environment	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.a.ii.: New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an

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A Sustainable & Resilient Campus	
Employ sustainability benchmarking for environmental stewardship	Sec. 8.5.7.H.2.f.i.: Buildings and site development will incorporate sustainable technologies in building design, orientation, energy production and sensitivity to natural resources at each development phase. Sec. 8.5.7.H.2.g.i.: Buildings and site development will incorporate resilience strategies to account for flooding, severe weather events and integration of publicly accessible spaces at each development phase. Sec. 8.5.7.H.2.j.i.: Buildings and side development will endeavor to minimize potential negative impacts related to shadows, wind, noise, heat, glare, lighting, contaminants, and the environment.
Incorporate state-of-the-art features, systems, and techniques	Sec. 8.5.7.F.2.: A Sustainability and Resilience Charter will be created by the Roux Institute for the campus. The Charter shall contain sustainability goals related to development categories such as energy, water, transportation, equity, and resilience and may be revised over time in response to evolving technology and industry standards. The Charter will require all development on the campus to utilize critical components of industry standard benchmarking systems such as LEED, SITES, WELL , ILFI, and Passive House. The Charter will be submitted to the Planning Authority prior to submission of the first site plan application. Proposed site plans shall be consistent with the goals outlined in the Charter.
Minimize energy consumption campus-wide	Sec. 8.5.7.H.2.d.i.: Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service and emergency vehicles at each development phase. Sec. 8.5.7.H.2.f.i.: Buildings and site development will incorporate sustainable technologies in building design, orientation, energy production and sensitivity to natural resources at each development phase.
Build for resilience; prepare for extreme weather and climate change	Sec. 8.5.7.H.2.g.i.: Buildings and site development will incorporate resilience strategies to account for flooding, severe weather events and integration of publicly accessible spaces at each development phase.

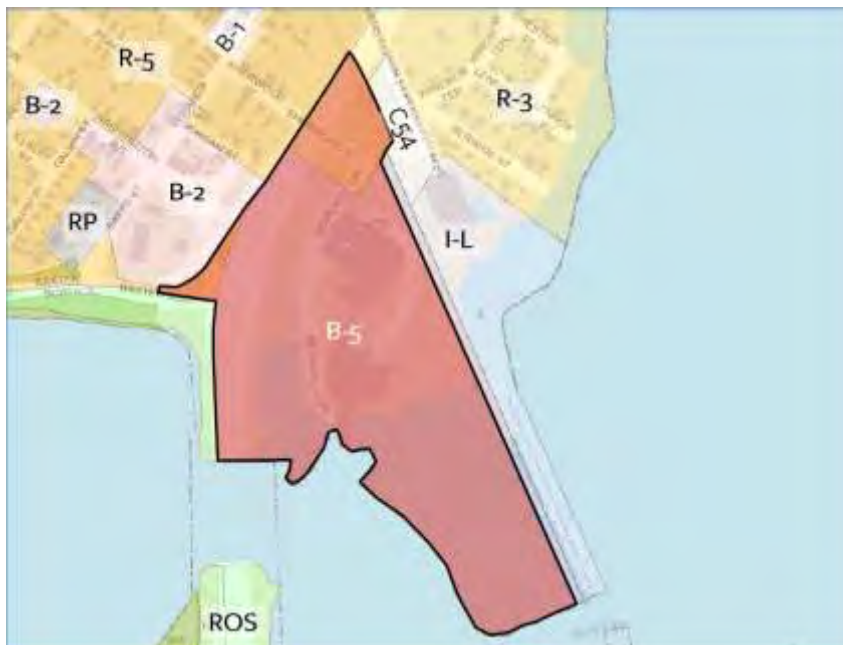
Maximize green space through appropriate building height	Sec. 8.5.7.H.2.e.i.: Public open space will contribute to the overall composition and character of the campus that are integrated into each development phase to function as recreational, ecological restoration and/or public gathering spaces. Sec. 8.5.7.H.2.h.i.: Building façade materials will be of high quality, durable to the marine climate and contribute to an attractive public realm. The first 35 feet of building height shall complement the pedestrian character in materiality, transparency, and detailing.
Integrated Landscape	
Enhance access through TDM and multi-modal support	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.d.i.: Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service and emergency vehicles at each development phase. Sec. 8.5.7.H.2.d.ii.: Surface parking lots shall be located to the maximum extent practicable toward the rear or side of a building not occupied by a principal entry to a building facing a street, public right-of-way, major pedestrian access routes, open spaces, and/or the waterfront. Sec. 8.5.7.H.2.i.i.: Building entrances will include prominent facades and be oriented toward, located adjacent to, or accessible from rights-of-way, major pedestrian access routes, or open spaces.
Contribute to Portland's open space network	Sec. 8.5.7.H.2.a.i.: The waterfront will be accessible to the public and provide a variety of open spaces throughout all phases of development that foster social interaction. Sec. 8.5.7.H.2.e.i.: Public open space will contribute to the overall composition and character of the campus that are integrated into each development phase to function as recreational, ecological restoration and/or public gathering spaces.

Proposed Area for B-5 Rezoning

Current Zoning



Proposed Zoning



Parcel Descriptions

1 Bean Pot Circle (447 A001001)

43 Sherwood Street (429 E001001)

Portion of City Right of Way for Sherwood Street

BEGINNING at the northwestern boundary of the right-of-way at $43^{\circ}40'50.2146''$, $-70^{\circ}15'17.3577''$ heading 50.9 feet South to the southeastern boundary of the right-of-way at $43^{\circ}40'49.757''$, $-70^{\circ}15'17.642''$

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THENCE, heading 50 feet North to the northeasterly portion of the right-of-way at $43^{\circ}40'48.9732''$, $-70^{\circ}15'14.8842''$

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THENCE, heading 62.61 feet Northwest along the eastern boundary of the property to 43°40'44.2897", -70°15'21.6299" -

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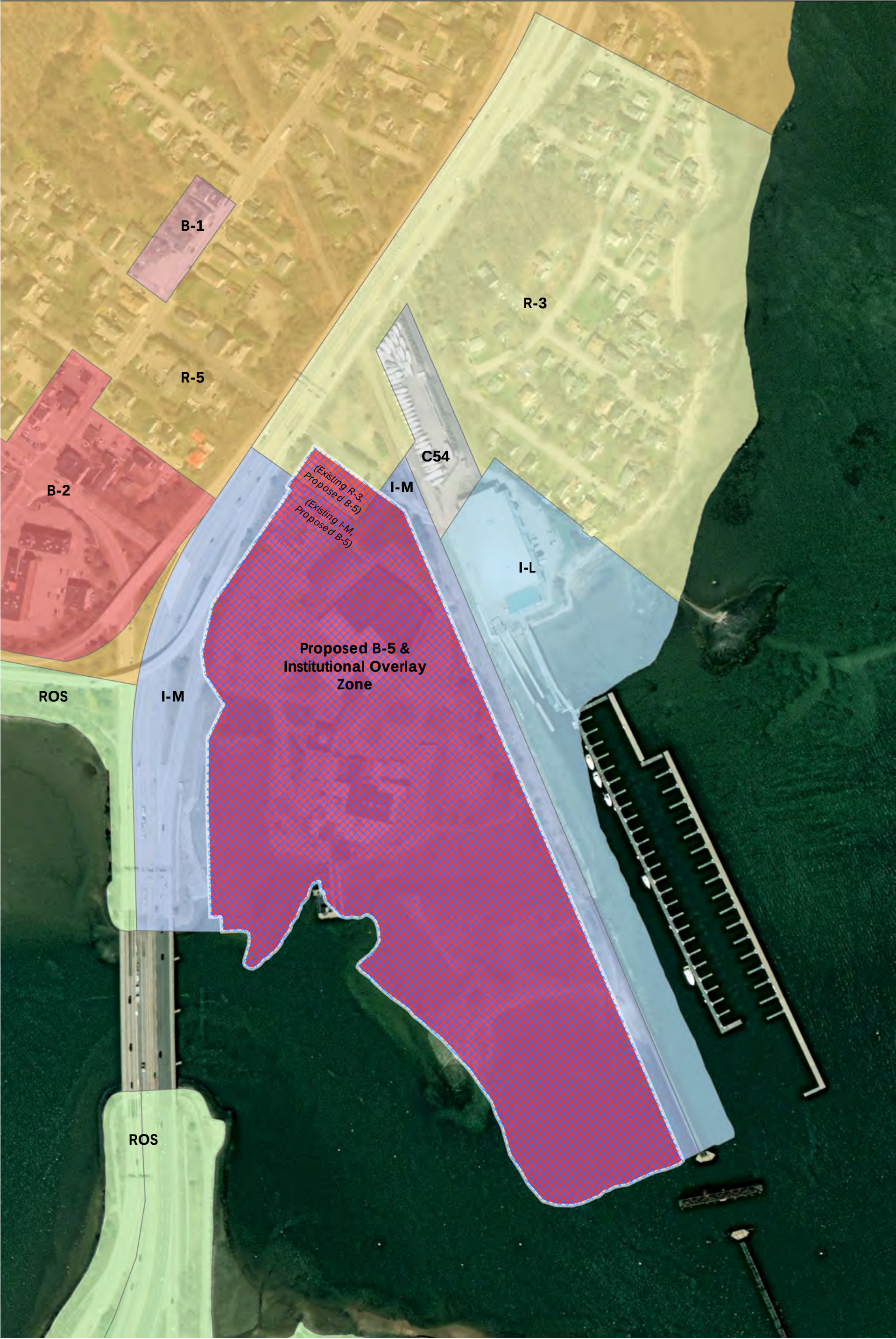
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To: Maggie Stanley, Chair, Portland Planning Board

From: Mike Tremblay, Director of Transit Development, Greater Portland METRO

Date: November 16, 2022

Subject: METRO Service to Roux Institute Campus

Dear Ms. Stanley,

Over the better part of 2022, METRO has been meeting with representatives of the Roux Institute, including Sam Reiche from IDEALS and Jenn Conley from VHB, who is coordinating their transportation plan. METRO has also participated in multiagency transportation planning meetings including MaineDOT and City of Portland staff. The Roux team has shown immense interest in accommodating METRO on their new campus site.

At METRO, we see ourselves as a potential partner to the Roux Institute and a significant part of the transportation solution for this site. METRO is eager to continue working with the Roux team to determine a workable outcome for providing the site with frequent and reliable public transit.

To date, METRO and the Roux team have primarily discussed two potential outcomes for serving the site:

The first, and easiest to implement, involves using the Route 7 bus to serve the site, including deviations into the site for some or all trips. The Route 7 service runs between downtown Portland and Falmouth Village via Veranda Street. Currently, Route 7 stops at the intersection of Veranda and Sherwood streets; these stops could be used, and potentially improved, to serve Roux students and faculty. Deviating into the Roux site with the Route 7 is less desirable for METRO, and may require additional operational support in order to maintain desired headways, but is also a very realistic possibility.

The second option, as suggested by the Roux team, would be to serve the Roux site with a dedicated route, which terminates on campus, and provides direct access between the Roux campus and downtown. METRO does not have the capacity to add a new route without significant tradeoffs elsewhere in the system. The Roux team has expressed interest in entering into a contract to provide funding for such a route, though we are still working through what that contract would look like. METRO is meeting with the Roux team in the near future, where this topic will be discussed further.



As you are aware, METRO is not a City agency; we are a transit district comprising of Portland and five other municipalities, governed by a Board of Directors on which four Portland representatives sit. While we are always eager to work with our member municipalities and development teams to determine how we can best serve a new location, this is not always immediately possible within our budgetary means. As any public agency with a constrained budget, we must take care to approach growth in a careful, calculated manner that is sustainable in both the short- and long-term. For this reason, any new service providing access to the Roux site must be accompanied by new funding.

In addition to evaluating options for service to the site, METRO and Northeastern University are setting up a pass program that would allow for students and faculty to board any bus in the METRO, South Portland, and Biddeford Saco Old Orchard Beach network at no charge. This would be a significant incentive to use transit instead of driving. Pass programs have been very successful where they are already in place for Portland Public School students, USM students and faculty, Maine Medical Center staff, and others.

Finally, the Roux team has indicated a willingness to provide amenities to METRO passengers and bus operators should bus service be provided onsite. These amenities may include seating and shelters, real-time arrival information, restrooms for bus operators, etc. The details of these accommodations will be determined during the site plan process and as the plan to serve this site with bus service becomes clearer.

We are looking forward to further advancing our discussions with the Roux team in the coming weeks and months.

Please feel free to reach out to me if you have any questions. My email address is mtremblay@gpmetro.org.

Thank you,

Mike Tremblay, Director of Transit Development
Greater Portland METRO

CC:

Portland Planning Board

Kevin Kraft, Director of Planning & Urban Development, City of Portland





Kevin Kraft <kkraft@portlandmaine.gov>

IDEALS/Roux

1 message

Jen Thompson <jlt@portlandmaine.gov>
To: Kevin Kraft <kkraft@portlandmaine.gov>

Thu, Nov 17, 2022 at 3:03 PM

Hi Kevin - thank you for the question about the sufficiency of this applicant's proof of standing. After a review of application materials (in particular the MOU between IDEALS and Roux) I can offer these thoughts: The "right, title, and interest" (RTI) requirement relates to whether an applicant has sufficient standing to apply for the approval they seek. The general rule is that an applicant must be a person who can demonstrate that they have a "legally cognizable expectation" of having the power to use the property that is the subject of their application in the ways that would be authorized by the permit/approval they seek.

Here, and as you outline in your email, IDEALS has submitted an application for a zone change that would add Roux/Northeastern as an eligible institution for the purposes of establishing an IOZ. In general, ownership of property is, in and of itself, sufficient RTI to apply for a change in the zoning applicable to that property or for land use and development approvals. Here, in addition to demonstrating IDEALS' ownership of the property, IDEALS has provided an MOU with Roux in which Roux's planned operation of the property in a manner consistent with the IOZ zoning is documented as is its control of the property under a lease agreement with IDEALS. In my view IDEALS has submitted sufficient evidence of RTI to have standing to request the zone change.

Of course, if you or the Board have any questions or concerns about this, please do follow up with our office.

Best,
Jen
Jen Thompson
Acting Corporation Counsel
City of Portland, Maine
207.874.8480
jlt@portlandmaine.gov

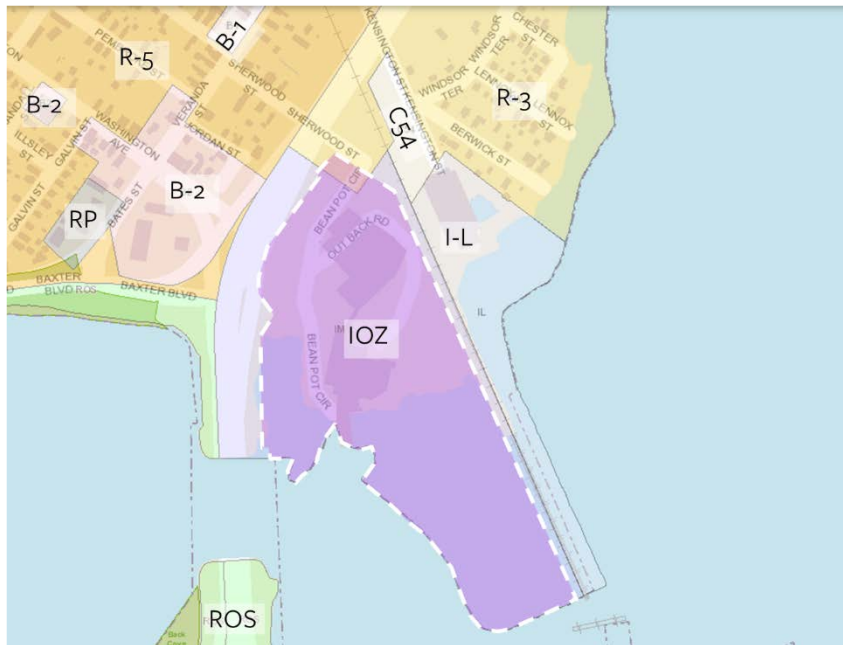


Proposed Area for IOZ Rezoning

Current Zoning



Proposed Zoning

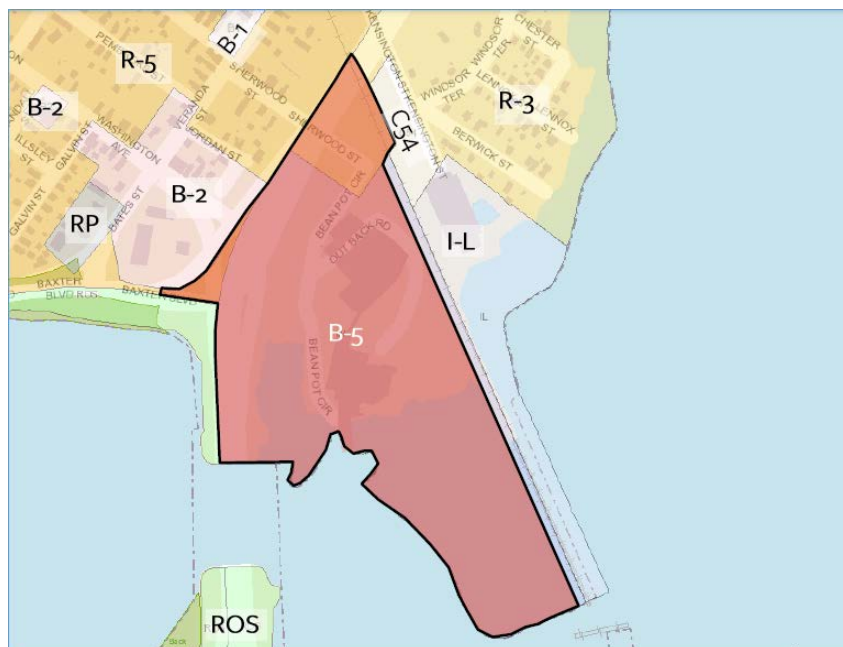


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Institutional Development Plan

Roux Institute Campus

November 2022



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APPENDIX A: Conceptual Massing Studies

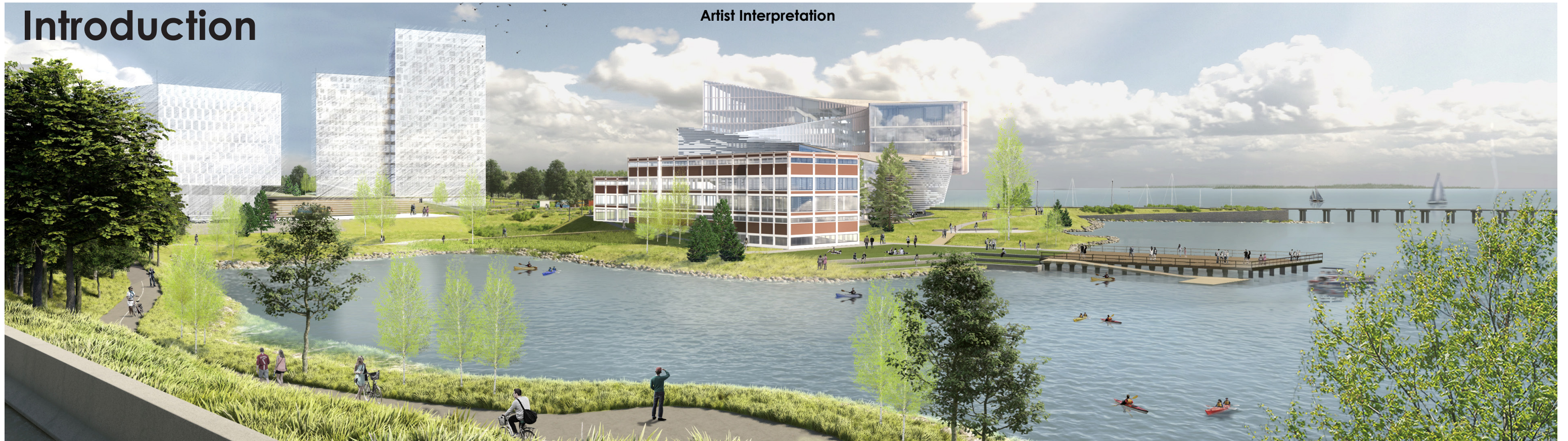
APPENDIX B: Conceptual Shadow Studies

APPENDIX C: Supplemental Transportation Information



Introduction

Artist Interpretation



Northeastern University's Roux Institute represents a bold new model for learning, research, and entrepreneurship, developed from day one in partnership with industry, government, and other colleges and universities. Through the strong partnership and jointly held vision of Northeastern University leaders, Barbara and David Roux, and the Harold Alfond Foundation, the Roux Institute is delivering on the university's mission to erase the boundaries between the real world and academia.

Northeastern University founded The Roux Institute to stimulate the regional economy through the cultivation of talent and cutting-edge technology capabilities within Maine and northern New England. It achieves this goal by customizing learning programs and research initiatives to meet the needs of employers, by integrating classroom learning with professional experience, and by supporting the launch of innovative startup companies. The Roux Institute's collaborations with its employer-partners keep the institute in step with the economy's—and society's—changing needs and opportunities. They also enable the Roux Institute to identify and begin to address the state's most consequential challenges.

The Initiative for Digital Engineering and Life Sciences (IDEALS) is a Maine non-profit organization tasked with and solely committed to locating and developing a campus for the Roux Institute. Northeastern University in Portland, Maine: a space for cutting-edge educational, research, and collaborative programs in areas including artificial intelligence, computer and data sciences, digital engineering, advanced life sciences, and medicine. IDEALS was formed in 2018 with support from David Roux, a technology entrepreneur and Lewiston native, and his wife Barbara. They sought to create a graduate institute providing opportunities for Maine people to fill talent gaps for growing digital and life sciences companies while ensuring the 21st century success of greater Portland and Maine's economies. IDEALS recruited Northeastern University to establish and run the program, and the Roux Institute at Northeastern University launched in 2020. The Roux Institute now offers post-graduate degrees and certifications, conducts research, assists start-up entities, and partners with private, public, and non-profit entities to develop 21st century workforce talent and spur innovation.

The Roux Institute is temporarily located in leased space in Portland. A permanent campus for the Roux Institute is essential to fulfill its educational and economic potential. The vision for that home - the Roux Institute Campus - is one that allows for continued growth of the education, research, entrepreneurial, and collaborative programs of the Roux Institute while providing space to support those programs and serve

the community. After completing an exhaustive four-year search both on and off the Portland peninsula and its surrounding area, IDEALS acquired land formerly occupied by the B&M Baked Beans facility along the Portland waterfront.

Recognizing the prominent role that major educational and healthcare institutions play in the health and well-being of the community, the City of Portland's Land Use Code allows for the creation of Institutional Overlay Zones (IOZ) to "provide a regulatory mechanism where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process." Consistent with that purpose, we seek designation of an IOZ for the Roux Institute Campus. We will simultaneously seek to change the underlying zone to B-5 Mixed-Use Business. The IOZ designation process requires two components: an Institutional Development Plan (IDP, this document) and a regulatory framework. The purpose of this IDP is to establish baseline institutional data for existing land uses and services while also communicating planned growth; it is the basis of the proposed regulatory framework, submitted under separate cover. The regulatory framework translates the IDP into a set of clear and specific zoning requirements, which will constitute the text and map amendment to the City's Land Use Code. Unlike other institutions for which the IDP process was established, the Roux Institute is in its early years and has not established a stand-alone campus. The IDP allows Northeastern University and IDEALS to memorialize the long-term strategic plan for the Roux Institute Campus in consultation with the Portland community at the very outset of development.

Creation of a new campus provides the opportunity to establish a people-oriented space right from the start. It will prioritize people over cars by creating a pedestrian-friendly landscape supported by multi-modal programs that provide incentives for alternative transportation options. The campus will improve site resilience and sustainability by replacing much of the existing pavement and rooftops with green space and incorporating sustainable building practices.

We intend to create a dynamic, mixed-use campus that contributes to the East Deering neighborhood without encroaching on it or burdening City resources. By providing ancillary uses on site (office and lab space for institutional partners, housing for students, faculty, and employees, a hotel for visitors to the Institute and its partners, retail, and personal services), the Roux Institute Campus will meet demand created by the Roux Institute at Northeastern University and its collaborating partners.

1. Establishing the Context



Our Roots

The Roux Institute at Northeastern University



The Roux Institute Campus will be the first of its kind in the Northeast. It will integrate graduate education in technology and science with groundbreaking research and a wide range of collaborations to spark innovation and economic development. The campus is being designed at a scale that will facilitate learning, collaboration, and research breakthroughs and innovations, encourage start-up businesses, and strengthen existing Maine businesses and institutions. Every component of the campus is directly linked to the mission of the Roux Institute, from the housing – keep students and faculty on campus to foster collaboration and reduce traffic, to the hotel – provide a convening space and accommodation for Institute guests from around the globe so that, together, they can spark new ideas. The iconic waterfront location, minutes from downtown Portland (by bike, bus, boat, car, or on foot) with striking architecture and a vibrant community, will attract talent from around the globe and spread economic advancement throughout Portland and beyond.

At the direction of Northeastern University, IDEALS will oversee the design and construction of a primary academic building housing the Roux Institute and will also seek partnerships from the private sector to construct and operate ancillary uses, such as housing, parking, a hotel, and commercial office and laboratory buildings that support the primary academic uses—all of which would be on a ground lease basis.

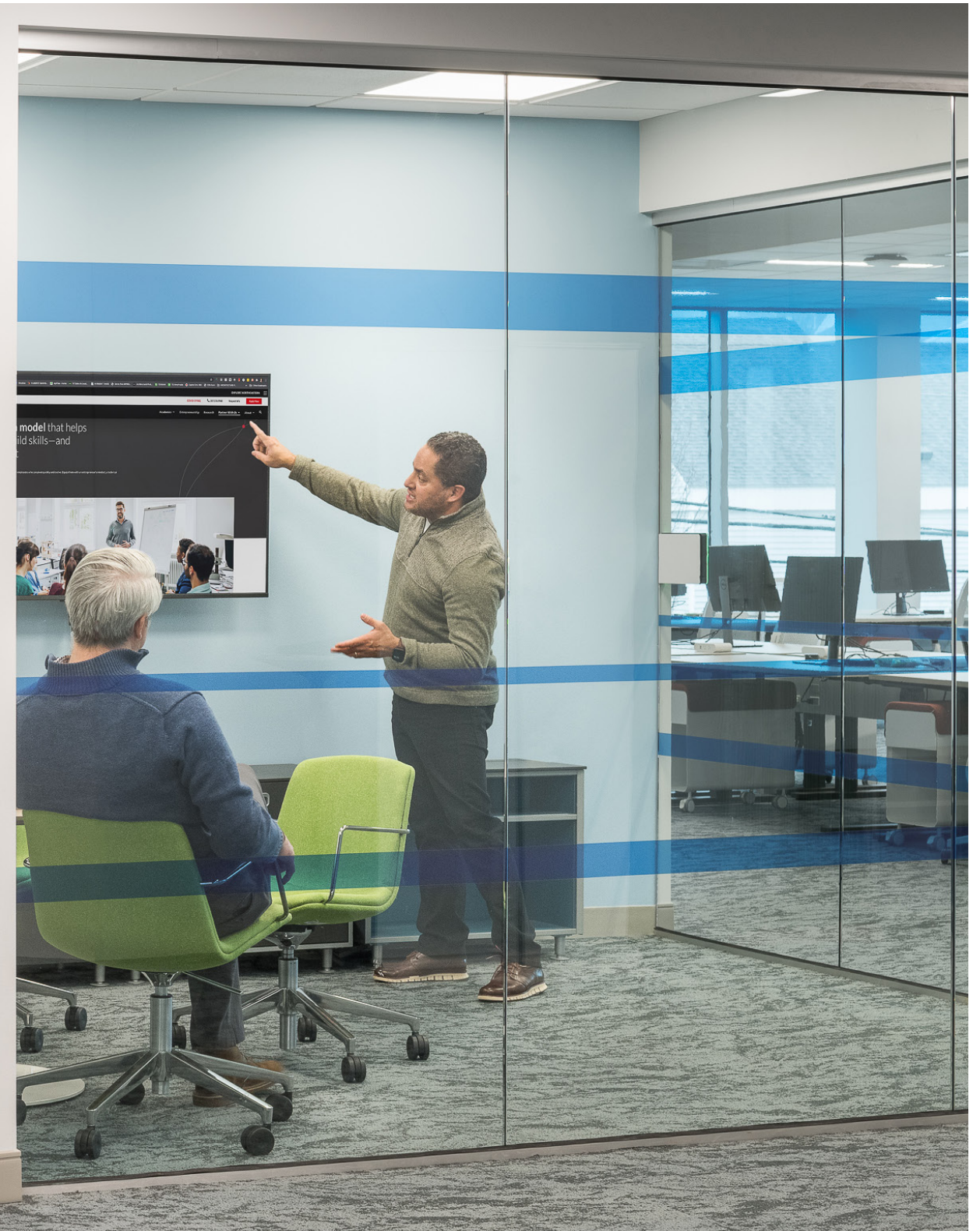


The Roux Institute at Northeastern University was established to develop talent, conduct research, and encourage innovation to support and attract businesses that will thrive in the 21st century economy.

Vision: The State of Maine will be home to a thriving, high-tech economy fueled by people and businesses leading in experiential artificial intelligence, machine learning, big data, life sciences and medicine, engineering, and data visualization. This new economy will attract people and businesses from around the world to the region and provide unprecedented opportunities for all Mainers in a manner that honors and enriches the Maine lifestyle and culture.

Mission: With a vision to enable the creation of a synergistic technology and life science-driven economy and workforce, the Roux Institute designs, curates, and integrates learning, research, and entrepreneurial solutions in collaboration with industry, academic institutions, and community organizations to catalyze talent development and economic impact throughout Maine.

Institutional Context



The Roux Institute at Northeastern University currently has 125 full-time, Maine-based employees, 55 of whom are faculty and post-doctoral staff. The Institute currently has 500 graduate students enrolled. Of Maine's 16 counties, 15 are represented in the student body. The Institute offers 17 graduate programs in computer and data science, analytics, cloud software, cybersecurity, life sciences, and project management.

These educational programs are bolstered by collaboration. The Institute's partnership ranks have grown tenfold as more than 110

Maine organizations now work with and benefit from the institute. Approximately 900 of these partners' employees have taken courses designed by the Roux Institute in concert with their employers. Additionally, 36 startup companies have worked in residence at the Roux Institute, creating 52 new Maine jobs and raising \$21M in investment capital to grow their businesses.

The Roux Institute at Northeastern University currently occupies 44,000 square feet of space leased at 100 Fore Street. This space enabled the Roux Institute to begin providing graduate education services

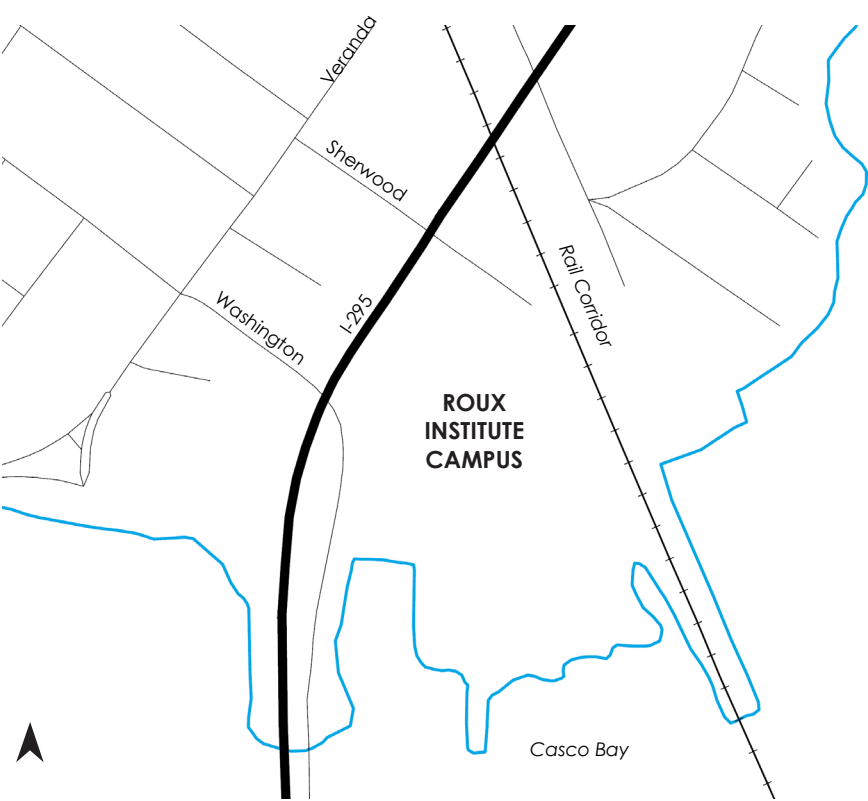
in Portland, but significantly more physical space is needed to meet its Mission & Vision. In the near term (0-5 years), the Roux Institute anticipates enrollment expanding to 1,750 learners; in the medium term (10-20 years), enrollment is anticipated to grow to 2,500; and in the long term (20+ years), enrollment is projected to grow to 5,100, including on-campus, virtual, and hybrid learning settings. The Roux Institute intends to transfer all operations from 100 Fore Street to the new Roux Institute Campus.

Neighborhood Context

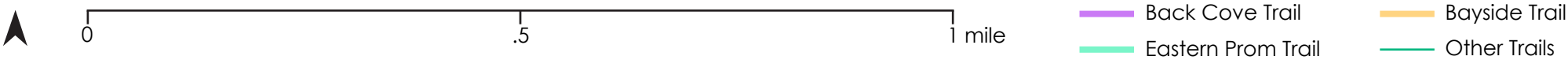
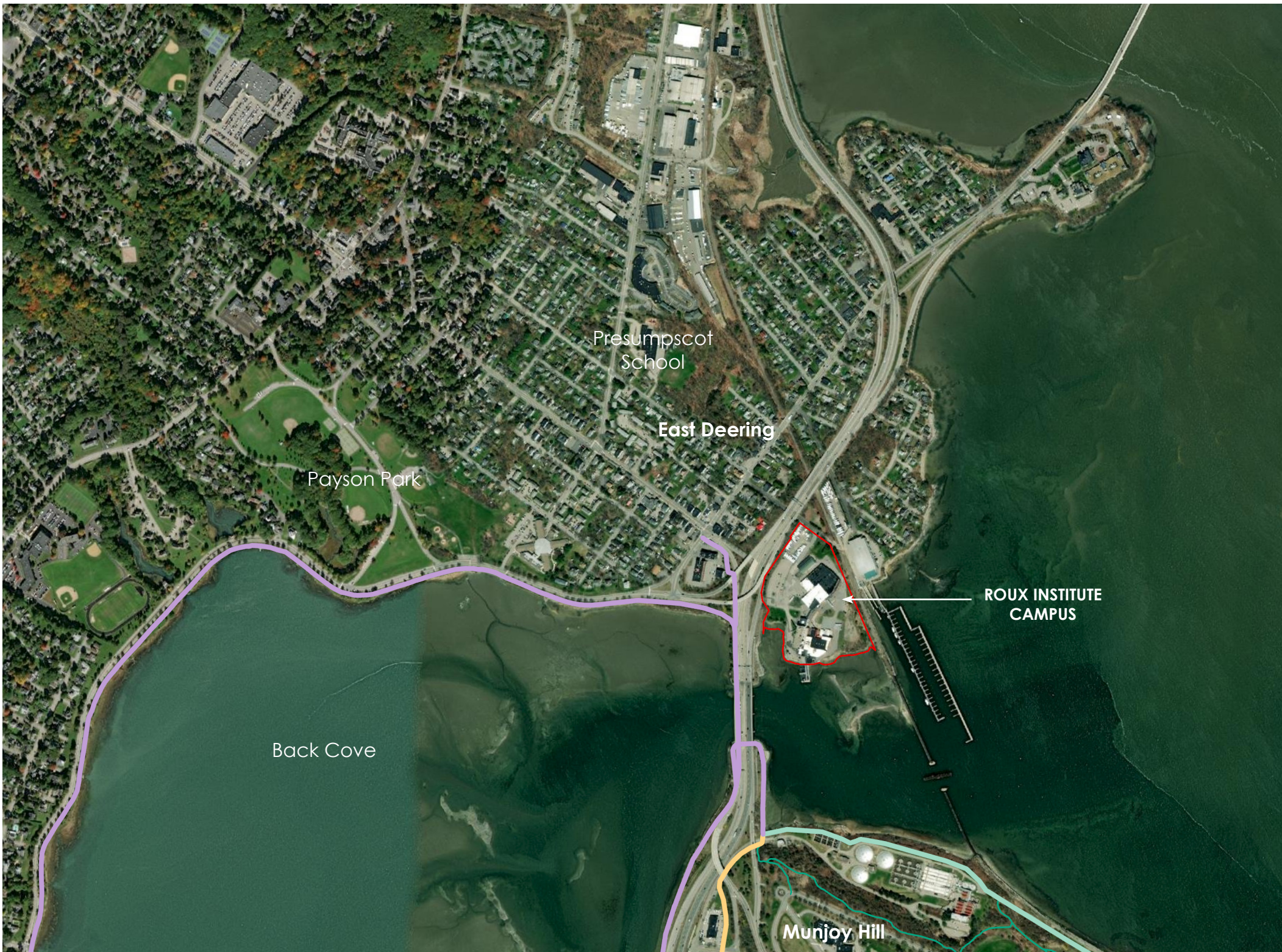
The proposed Roux Institute Campus is located within Portland's East Deering neighborhood, near a residential area of single and multi-family homes (three-story apartment buildings) and a commercial node featuring restaurants, bars, mechanics, and offices. While proximate to these areas, the site is remarkably buffered. I-295 to the west, state-owned vacant parcels to the north, a disused rail corridor and marine business to the east, and Casco Bay to the south collectively surround the property. Access to the site is via Sherwood Street at the intersection with Veranda Street, through a 40-foot-wide highway underpass.

This setting makes for a campus full of potential. Due to its relatively large 13+ acre size and existing buffers, the site lends itself to dense development. Taller buildings with smaller footprints will allow for additional public open space, a mix of landscaped and natural green space, and public waterfront access while helping to reduce impact on Portland's challenged housing stock. The Roux Institute Campus will connect to and enhance the surrounding East Deering neighborhood while simultaneously fostering its own identity.

Future development will acknowledge these advantages and constraints. The site must be planned responsibly to maximize community access while minimizing off-property impacts. The creation of compelling pedestrian, bicycle, water taxi, and public transit connections to the Roux Institute Campus and the waterfront will be particularly crucial. Additional information regarding mode splits, pedestrian, transit and bicycle infrastructure is included in Section 3 of this IDP.

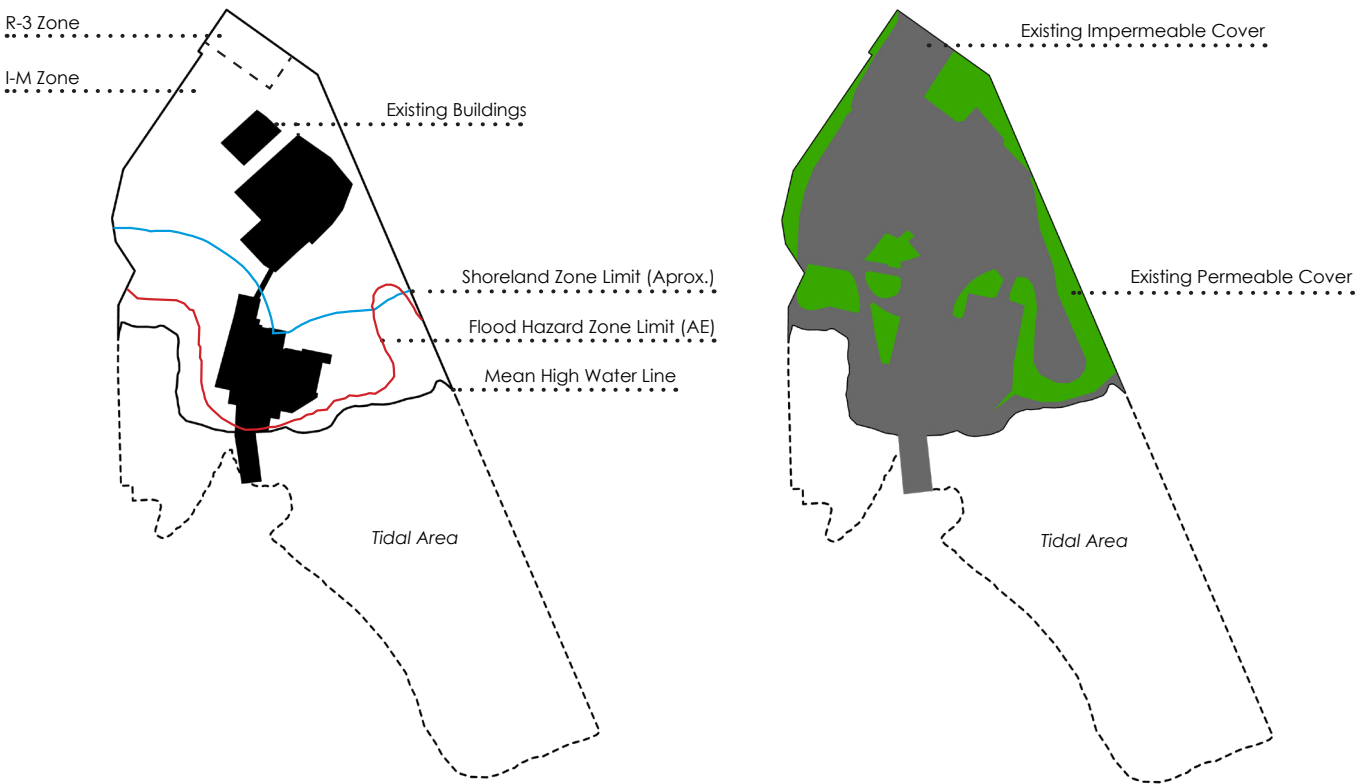


The site's current industrial use does not allow for public open space or amenities or access to considerable shoreline frontage.



The site is near several of Portland's most popular bike and pedestrian trails, including Back Cove Trail, Bayside Trail, and Eastern Prom Trail. Its redevelopment can facilitate better community access to Portland's waterfront, as public open space enhancement is a key design parameter for the Roux Institute at Northeastern University.

Site Context



Under current conditions, the site is inaccessible to the public.

Zoning

The majority of the site is currently zoned I-M (Moderate-Impact Industrial), with the area immediately adjacent to and across Sherwood Street zoned R-3 (Residential). Parcels adjacent to the site include I-L (Low-Impact Industrial) at the Maine Yacht Center to the east and R-3 (Residential) across the railroad tracks to the north. Parcels west of I-295 are generally zoned R-5 (Residential) and B-2 (Mixed-Use Business).

Existing Buildings & Parking

City property assessment records indicate existing buildings were previously used for manufacturing and warehousing. The site has 272 striped parking spaces and additional unstriped trailer parking areas. The reported general building use and total floor area is provided in the table below.

Size of Existing Buildings (Food & Seafood Processing, Packing, and Distribution Land Use Classification)	Total Floor Area (SF)
Main Production (Bean) Building	63,255
Warehouse, Annex and Fuel Storage Building	49,897
Maintenance (Fish House) Building	16,728
Storage, Labeling and Packing Building	80,180
Finished Product Warehouse Storage Building	9,572

Relationship to Water

The parcel includes approximately 13+ acres above mean high water line (the site) as well as an adjacent 11 acres of submerged lands. The site has 1,000 linear feet of waterfront, within associated Flood Hazard and Shoreland Zones.

The City of Portland designates a shoreland zone within 250 feet of tidal water bodies. Within the shoreland zone, a minimum setback of 25 feet from the normal high-water level is required for structures, roads, and driveways.

Portions of the site are delineated as Special Flood Hazard Areas according to FEMA's Flood Insurance Rate Map (FIRM). The current and effective FIRMs for Cumberland County, based upon FEMA's 1986 publication, indicate portions of the site are within the AE Zone, representing 1% annual chance of flooding. Base flood elevations range from 9 to 11 feet.

Impervious Areas

The majority of the site is developed land, with limited areas of natural vegetation. Approximately 10 acres of land above the mean high-water line are impervious (paved areas, building roofs, etc.). The remaining 2.5 acres of permeable area include lawn and approximately half an acre of vegetated, early successional non-lawn area adjacent to the rail corridor abutting the site to the east.

Not only is the site largely covered in pavement and building structures, it is also inaccessible to the public. Fencing prevents

access to the waterfront and the interior of the site. This security was necessary for industrial use. However, new development can "soften" site edges and provide improved access to the waterfront.

Geotechnical & Environmental Investigations

IDEALS conducted preliminary soil investigations of the site. The results of these investigations inform the design of structures. Beneath a surficial layer of pavement or topsoil, the test borings encountered a soil profile generally consisting of fill and uncontrolled fill, overlying glaciomarine clays or bay mud, overlying marine sands, overlying glacial till, and overlying refusal surfaces (probable bedrock).

IDEALS also conducted environmental site assessments, including review of available documentation (such as current permits, record drawings, historic photos, and maps) and site investigations involving soil and groundwater sampling, as well as survey for and sampling of building materials. The environmental site assessments indicated no evidence of oil or hazardous material releases that would require remediation. Environmental conditions including fill soil that may be encountered during earthwork or generated as excess material will be properly managed within the context of the construction project. IDEALS identified hazardous building materials including PCB-contaminated caulking and asbestos containing materials (ACM) consistent with what would reasonably be anticipated given building ages, which will be remediated during the demolition and development process.

Utilities

B&M's facilities required intensive utility and infrastructure development sized appropriately for industrial use. Fortunately, this historic use translates well to re-use in a denser development, as proposed. Based upon existing utility infrastructure age and historic and projected demand, we anticipate the need for targeted investment and renewal; however, there are no foreseen barriers to servicing the campus development.

Water

Domestic and fire protection services are provided by Portland Water District's (PWD) infrastructure at Sherwood Street. The public water mains nearest to the site are 8-inch and 12-inch, consisting of ductile iron and cast iron. The site is, and will continue to be, serviced by a combined domestic/fire protection loop.

Wastewater

Wastewater will continue to discharge to a gravity public sewer along the I-295 corridor. Downstream of the service connection, public sewer transitions from 15-inch to 48-inch reinforced concrete gravity line conveying combined storm and sanitary sewer from the East Deering neighborhood west of I-295. The 48-inch combined sewer transitions to a 3-barrel (two 18-inch and one 30-inch) siphon along Tukey's bridge and discharges through a pumping station prior to treatment at the Portland Water District's (PWD) East End Wastewater Treatment Facility.

Wastewater is conveyed across a portion of the site near Sherwood Street and I-295 from properties to the northeast (Lennox, Berwick, and Kensington Streets) via an easement benefiting PWD. This easement will remain in place unless otherwise approved by PWD.

Stormwater

Stormwater runoff from the site is managed through a combination of catch basins, buried infrastructure, and overland flow, discharging untreated runoff via outfalls to the bay. The Roux Institute Campus redevelopment allows for reduction of site impervious area and incorporation of low-impact development techniques; these will improve the water quality and reduce the quantity of runoff prior to its discharge into Casco Bay.

In addition to private stormwater outfalls, a public stormwater outfall is located at the site's southwest corner. This outfall will continue to convey drainage from the neighborhood west of I-295 through an easement located near the southwest corner of the site.

Electricity

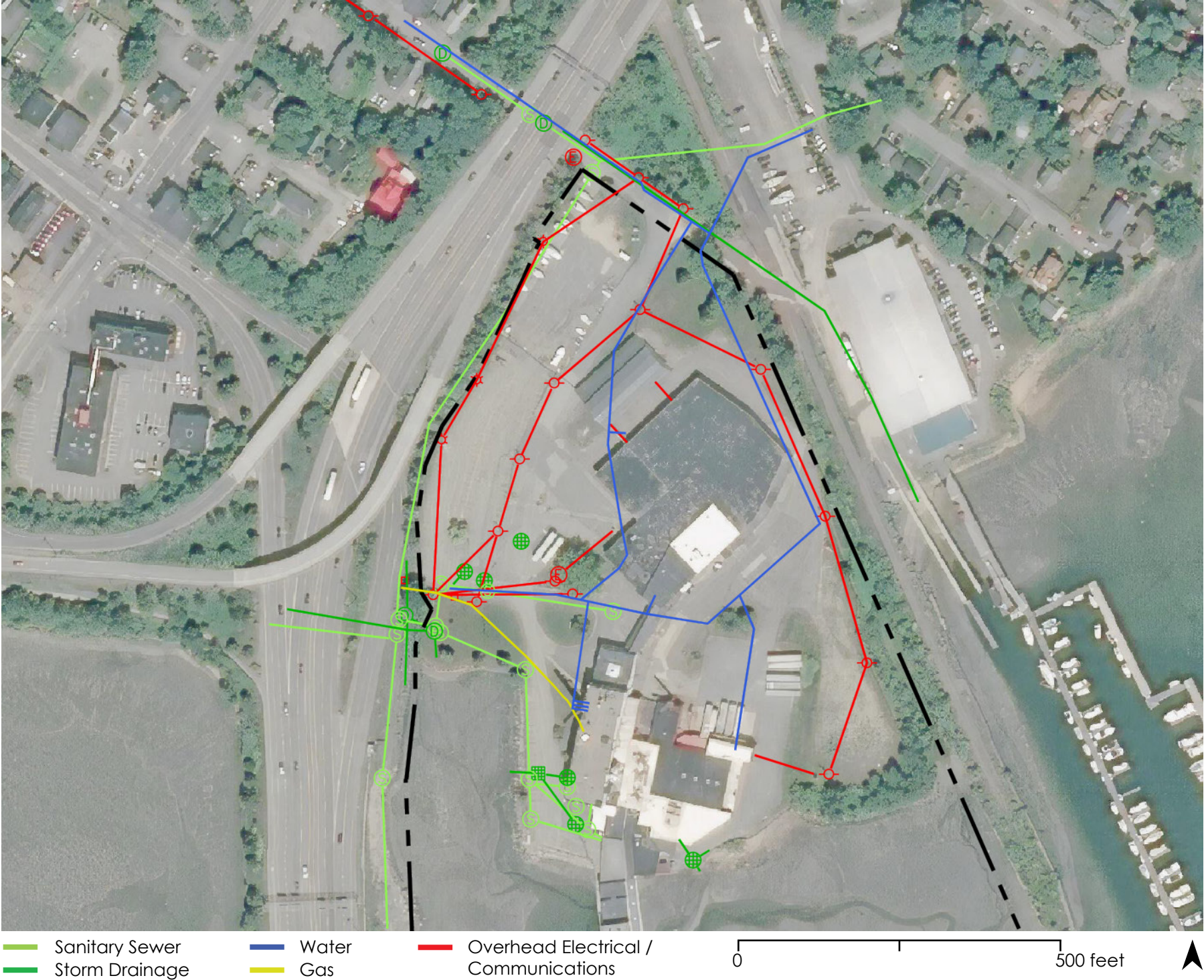
Central Maine Power provides electric power via an overhead 12.47kV 3-phase distribution system. The facility has two main secondary metered services. New utility corridors will include electrical infrastructure improvements. Energy-saving technologies and renewable energy sources will be incorporated into building and campus design to reduce electricity consumption and advance sustainability goals. Additional information regarding Energy Conservation Measures is included in Section 3 of this IDP.

Telephone & Data

Fiber-optic internet is located along Veranda Street and Sherwood Street.

Natural Gas

Unitil provides natural gas service to the site via a 6-inch diameter service. Natural gas infrastructure in the East Deering neighborhood is provided at intermediate pressure.



Utility	B&M Historic Demand Reference	Roux Institute Campus Projected Demand (Near-Term)	Roux Institute Campus Projected Demand (Long-Term)
Water	153,000 gallons per day	87,000 gallons per day	215,000 gallons per day
Wastewater	90,000 gallons per day	79,000 gallons per day	195,000 gallons per day
Electricity	0.5 megawatts	11 megawatts	28 megawatts
Telephone & Data	Unknown	Multiple service providers resulting in redundant services to the campus.	Potential service hub for cloud providers such as AWS, Microsoft, etc.
Natural Gas	72,000 average monthly therm	183,000 average monthly therm	408,000 average monthly therm

Coastal & Natural Resources

Immediately adjacent to this highly developed site are natural resource areas including: an estuarine inter-tidal emergent marsh located east of the site near the rail corridor; coastal wetlands for all areas below highest annual tide; tidal waterfowl and wading bird habitat, and blue mussel habitat. Portions of the site are delineated as Special Flood Hazard Areas according to FEMA's Flood Insurance Rate Map (FIRM).

The majority of the on-site work will occur adjacent to, but outside of, coastal wetlands and estuarine inter-tidal emergent marsh areas. Erosion and sediment control measures will be required during construction to protect adjacent natural resources. On-site work in coastal wetlands will be required for pier removal and replacement,

bank stabilization and stormwater outfall installation. The footprint of the proposed pier will not extend beyond the existing pier. Likewise, bank stabilization is not intended to extend beyond the toe of the existing riprap slope. Off-site improvements for the bike/pedestrian trail connection will likely require fill in coastal wetlands and will be coordinated through Maine DOT and permitted through Maine DEP and ACOE. Work in coastal wetlands will be minimized to the maximum extent and completed in accordance with Maine DEP wetland permitting requirements (NRPA).

Topography of the site slopes downward from the north to the south, toward the water. The highest elevations are near Sherwood Street, at elevation 28 +/- . The lowest grades are near the loading dock at

the B&M Bean Building, at elevation 8.5 +/- . These low areas are only 1-foot above Highest Astronomical Tide.

In recognition of existing vulnerabilities and future sea level rise, resiliency will be key to the Roux Institute Campus. The redevelopment will raise site grades and incorporate infrastructure improvements to create a flood resilient landscape. It will also rehabilitate this brownfield site, enhance natural resource areas, and reduce the impacts of current impervious, industrial conditions by creating habitats that foster ecological diversity and productivity at the water's edge.



The coastal wetland includes rockweed anchored to rocks in tidal mudflat.



Stormwater outfalls drain into the wetland where a scour channel cuts across the mudflat.



The tidal flat is home to tidal waterfowl and wading bird habitat.



Blue mussels are abundant under the pier, where soft-shell clams also grow.



The tidal mudflat portion of the site stretches far into the inlet, resulting in dramatic daily change.



Outfall pipes drain to wetlands in the ravine.



The ravine's slope is vegetated with native sumac and invasive Japanese knotweed.



The estuarine system extends up a ravine along the site's eastern boundary.

Historic Resources

The campus was occupied by residences and a lobster cannery prior to 1913, when Burnham & Morrill (B&M) relocated its operations to the site from Franklin Street. The address of the B&M facility at that time was Water Street, which granted access from the west prior to construction of I-295. By 1913, the five-story B&M Bean Building stood on site, as well as the cod-fish building located on the pier. In the 1920s, B&M began experimenting with brick-oven baked beans in an attempt to offset declines in other product lines (canned fish, meat, and vegetables), and in the 1920s and 1930s began selling brick-oven baked beans in cans. In 1965, B&M's address was designated as 1 Bean Pot Circle. With an appreciation for the B&M history at the site, IDEALS, as the landowner, nominated the B&M Bean Building for designation as a City Historic Landmark. Following a positive recommendation from the City's Historic Preservation Board, the Council approved the landmark designation of the Bean Building (Cannery) and area surrounding the building including the pier. A more extensive description of site history and the preservation of the Bean Building may be found in the Landmark Designation Report for the Burnham & Morrill Company Cannery by Heritage Consulting and Essex Preservation Consulting, dated June 2022.

Bean Building

The Bean Building (Cannery) was the cornerstone and flagship of the B&M food manufacturing facility. Constructed circa 1912 by Aberthaw Construction Co., Boston, MA, the building housed the baked bean manufacturing processes and the plant management offices. It is a robust five-story, reinforced-concrete building with a high live-load floor capacity. The concrete frame is exposed on the exterior of the building with brick and masonry infill walls and glass windows. The building is structurally sound with only minor structural modifications required. The main entry is on the 2nd floor level, which is at elevation 21.5', well above today's 100-year flood zone



The Bean Building as it stands today

elevation. This, along with the rugged structure and historic community value, make the building an ideal candidate for reuse. A permanent exhibit of artifacts and photographs is planned for the site.

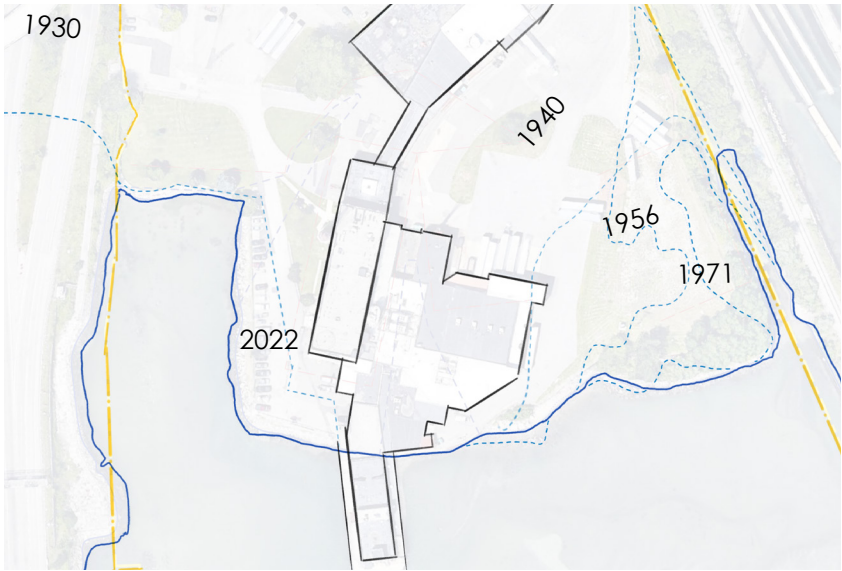
A Changing Shoreline

Buildings are not the only changes that occurred onsite over the last 100-plus years. As indicated in the diagram at right, the shoreline has significantly shifted in reach and shape across decades. Some of the shifts were caused by intentional human manipulation; others appear to have been natural changes where mud flats (with limited salt marshes) extended onto the site.

A New Perspective

The historic relationship of the East Deering neighborhood and B&M site was one of stark contrast between residential and industrial uses. Sudden transitions between residential and manufacturing zones, and from manufacturing to the sea, heightened the disparity. Construction of the Grand Trunk railroad line in the 1860s, and then of Interstate 295 in the 1960s, further isolated the campus' industrial identity. The Roux Institute Campus presents an opportunity for new connections, public access, and thoughtful transitions from the surrounding neighborhoods into a dynamic environment built around the B&M Bean Building.

Changes to shoreline from 1930 to 2022



Views of the B&M campus and related infrastructure earlier in Portland's development (all images from [Maine Memory Network](#))

Municipal Plan Context

The former B&M site is ripe for renewed use and redevelopment. The proposed campus includes adaptive re-use of the B&M Bean Building, facilitates public interaction with the waterfront, creates a new walkable core of diverse uses, and bolsters economic opportunity in East Deering, the City of Portland, and beyond.

Portland's Plan 2030 focuses primarily on eight aspects of Portland's identity and performance: environment, waterfront, transportation, housing, recreation and open spaces, facilities, historic resources, and economy. While the facilities section generally focuses on municipal operations and the waterfront section is focused on the working western, central, and eastern waterfront areas of the peninsula, the other six sections are directly relevant to the proposed plan. Excerpts from the plan relevant to the Roux Institute Campus are provided here.



Portland's Plan 2030, adopted in 2017, is the City's comprehensive plan.

Environment

"Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation."

"Plan for the mitigation and redevelopment of brownfields to support productive uses and a healthier environment for residents."

Transportation

"Promote multi-modal accessibility, enabling residents and visitors of all ages and abilities to participate fully in the social and economic life of the community."

Housing

"Encourage additional contextually appropriate housing density in and proximate to neighborhood centers..."

"Identify priority growth areas."

"Allow for a range of housing models in City codes, whether small units, co-housing, or others that may suit changing needs and demographics."

Recreation & Open Space

"Encourage physical and visual access to Portland's waterfront – Casco Bay, Back Cove, and the Stroudwater, Presumpscot, and Fore Rivers – as a "blueway" network and an extension of public space for local and regional recreation and transportation needs."

Historic Resources

"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."

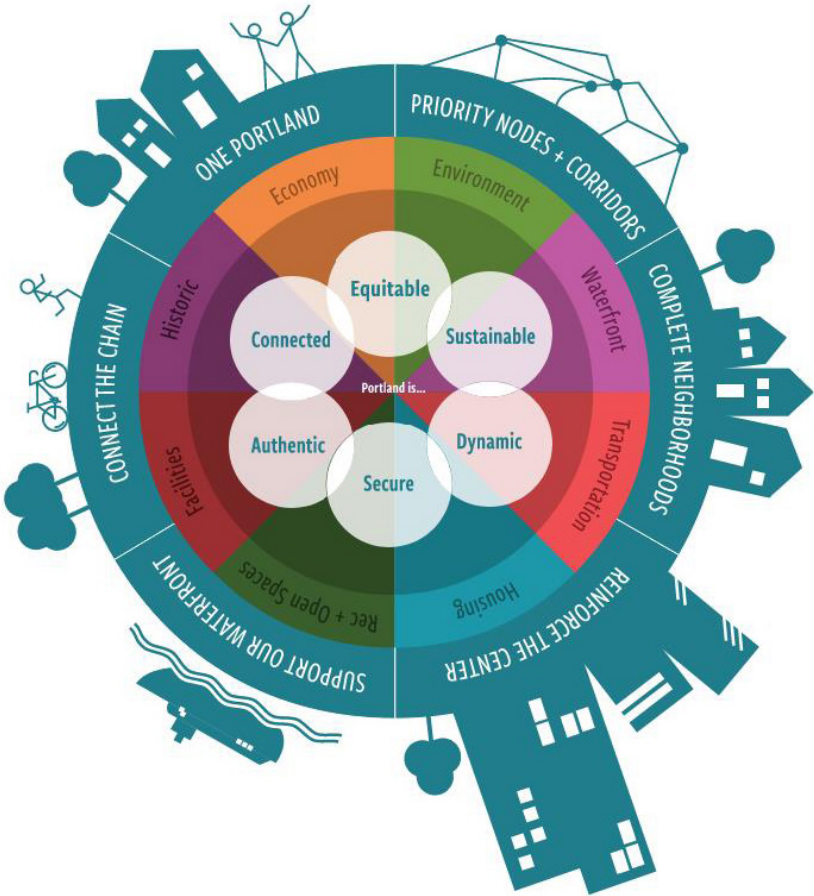
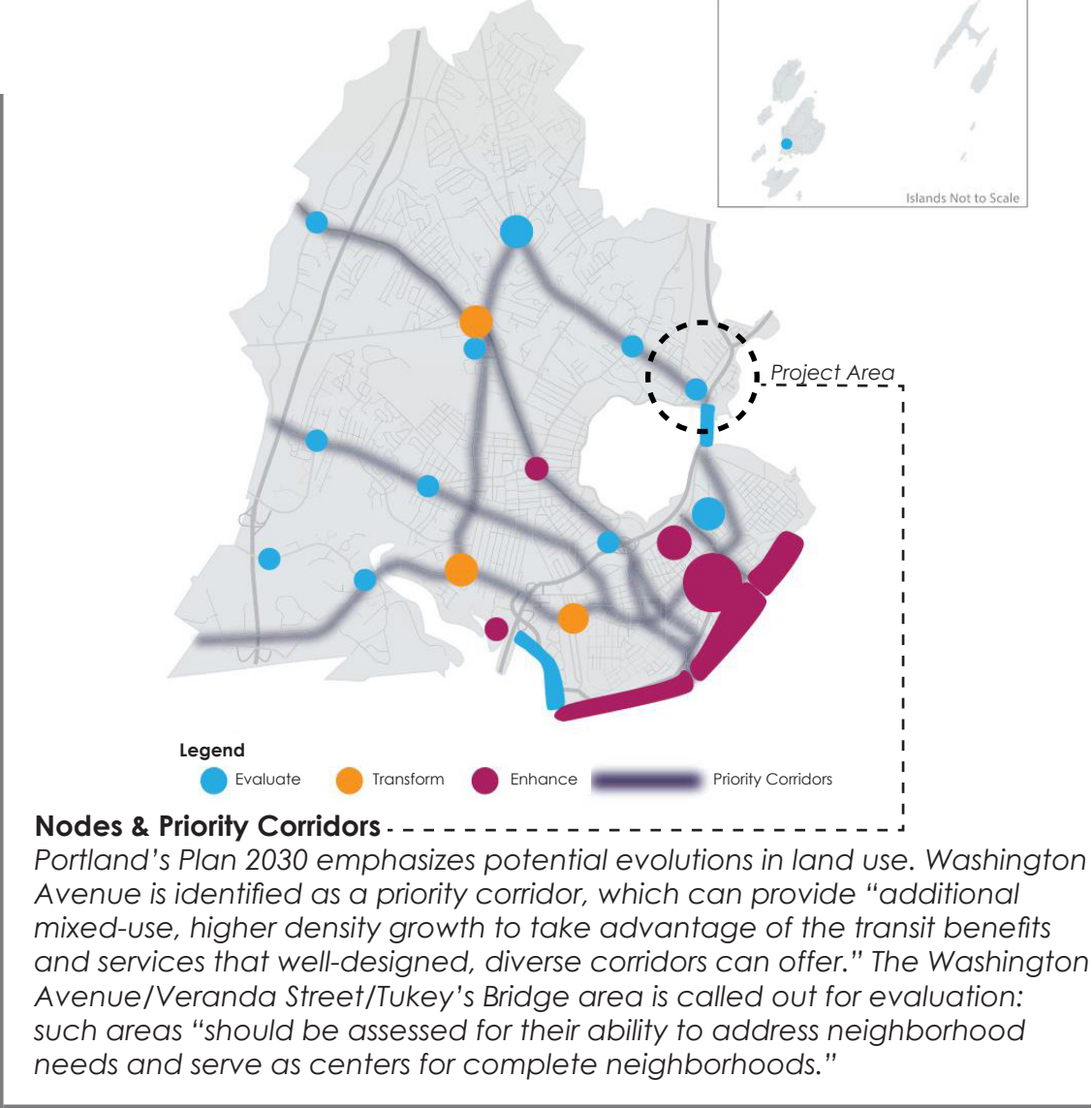
Economy

"Support job creation and business growth through public initiatives and private, institutional, and regional partnerships."

"Develop programs that support industries with high-growth/high-value potential such as life sciences, food production, information technology, and marine-related industries."

"Modify ordinances and make strategic investments to better promote business development and job creation in priority areas."

"Ensure that the growth of Portland's educational, medical, and cultural institutions is integrated into Portland's urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning."

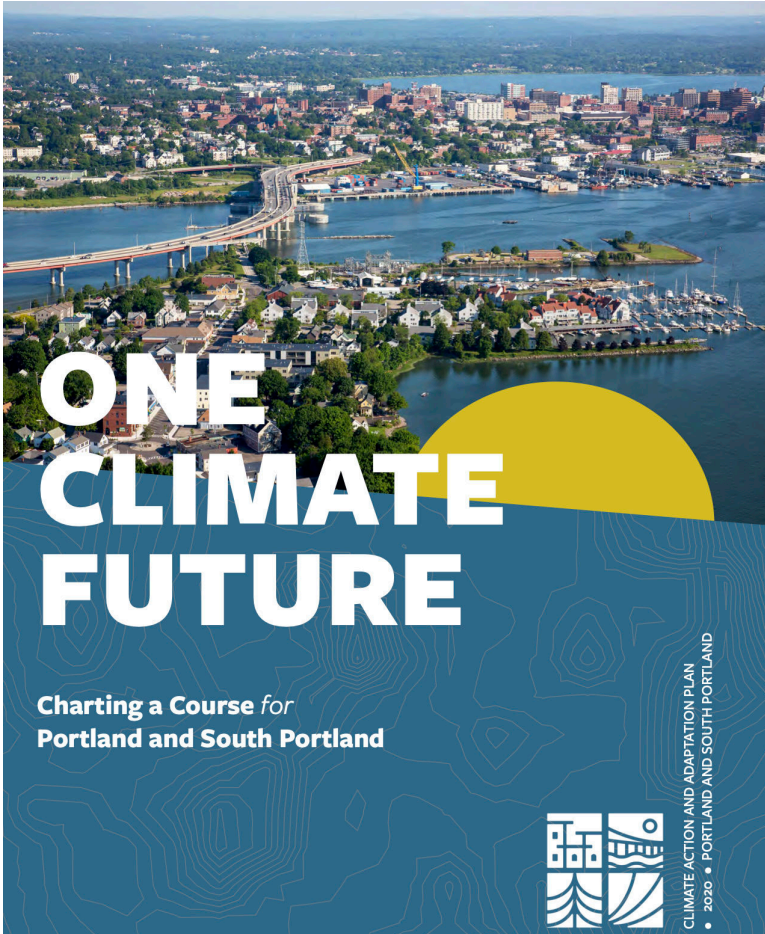


Municipal Plan Context (continued)

One Climate Future

The Roux Institute Campus is an opportunity to showcase sustainable buildings, fostering a resilient community across East Deering and the region of Portland. Its waterfront location demands proactive planning for extreme weather and storm surge events although it is not located within the FEMA Velocity Zone. Its location on a developed, industrial piece of land with a single point of access/egress, means that campus development must take advantage of existing infrastructure within the East Deering neighborhood, facilitating trips by active alternative, multi-modal, and mass-transit options.

In 2020, the Cities of Portland and South Portland both adopted a collaborative sustainability and resilience plan: One Climate Future. The plan addresses many challenges, priorities, and strategies for responsible climate stewardship and mitigation of climate-related public health threats. It includes great specificity and is summarized by six general action items. The following are One Climate Future's "six big moves" and discussion of their relevance to the Roux Institute Campus.



Portland and South Portland both adopted the One Climate Future plan in 2020.

1. Build better buildings.

A new campus of higher education, research, and development deserves thoughtful design; it represents an opportunity to implement best practices for energy efficiency, healthy communities, human comfort, and interaction with the surrounding environment. Aside from the iconic B&M Bean Building, existing on-site buildings are not suitable for adaptive reuse. Much of the site will be redeveloped with new construction. In order to attract and respect climate-conscious students and corporate partners, these new buildings will be created with sustainability and resilience top-of-mind. As described in the design guidelines within this plan, Northeastern University is committed to high-performance buildings while setting a standard for design through signature architecture.

2. Connect people to places, to opportunity.

Graduate education, research, and collaboration exist in order to provide opportunity. At their best, they do this in a collaborative and social setting. The Roux Institute at Northeastern University will achieve both. The campus presents this opportunity to the nearby community, where on-site resources become local community resources, as shown on the 15-minute walkshed map included on page 27. Finally, by establishing itself within and supporting existing public transportation networks, the Roux Institute Campus will be accessible to all Portlanders as well as those in the broader greater Portland region, and beyond.

3. Power everything* with clean renewable electricity.

Electrification allows for appliances, buildings, and systems to support the shift to renewable energy in our power grid, without cementing a need for fossil fuels moving forward. This entails moving away from carbon intensive heating and energy sources, as more energy is produced by clean energy renewable sources like solar and wind. IDEALS and Northeastern University will evaluate power purchase agreements for renewable energy sourcing, incorporate passive solar and photovoltaics, consider the use of geothermal and sea water exchange heating and cooling for buildings, and encourage EV usage through on-site charging capacity.

4. Grow a circular economy.

Fostering technology knowledge and life-science research in Portland will diversify its economy and help prepare for the future. Yet workers in these fields will still rely on other, existing aspects of the regional economy. Food producers and preparers, makers and artists, essential workers, and support staff, all make the City of Portland a compelling and delightful place to live. On a small scale, the Roux Institute Campus will facilitate a circular economy through mixed-use, neighborhood-scaled urbanism that creates a place to live, learn, work, and play. On a broader scale, it will strengthen the region through education, research, and collaboration with corporate and community partners; fueling progress through innovation.

5. Nourish ecosystems, which nourish us.

The Roux Institute Campus' tidal waterfront location will allow it to meaningfully contribute to ecological health by designing with nature in mind. While B&M has been a steward of their property, the campus development will result in a significant reduction in impervious surfaces and yield a healthier site that protects and enhances the local ecosystem, which has been diminished through the historically industrial development of the property.

6. Build collaborative capacity to create this future.

The Roux Institute at Northeastern University will develop technology and life science talent and position Mainers, new Mainers, and international students for financially stable and personally rewarding careers. The campus will connect budding talent with existing corporate and community partners, and thus create opportunity for fresh thinking and an innovative future. The Roux Institute Campus will catalyze tech talent and innovation in Portland.

Other Studies

A number of other studies have been conducted that are centered on or relevant to the project area, as outlined below:

I-295 Corridor Update – Scarborough to Brunswick. The I-295 Corridor Update included a study of 17 interchanges that provided access between I-295 and major highways/arterials extending from Scarborough to Brunswick. Improvements for this project were recommended into near-term, medium-term, and long-term. Despite acknowledgement of the heavy volumes and weave section in the vicinity of the Roux Institute project site, no specific improvements were included at the Exit 8 interchange. The long-term recommendations include future study of travel demands, capacity, and opportunities in the urban core of Portland.

Veranda Plan. The Veranda Plan started with an investigation of the rehabilitation and replacement alternatives for I-295 over Veranda Street and US Route 1 bridge. Ultimately, the bridge was replaced and the project construction continues. The project will realign Veranda Street to improve safety and operations by allowing all movements between Veranda Street and points south on I-295 via signalized intersections. The project will also improve bicycle and pedestrian travel along Veranda Street by upgrading it to a complete street.

Martin's Point Shared Use Path Study. The Martin's Point Shared Use Path Study recommended several projects to improve the connection from the Back Cove Trail to Martin's Point including crossing the Roux Institute Campus site. Unfortunately, the current design of the I-295/Veranda Street interchange did not include right of way for a shared use path connection as was envisioned in the Martin's Point Shared Use Path Study. However, the project will be providing a shared use path connection along the waterfront of the site and is interested in future connections that may be developed to reach Martin's Point and beyond.

2. Imagining the Future



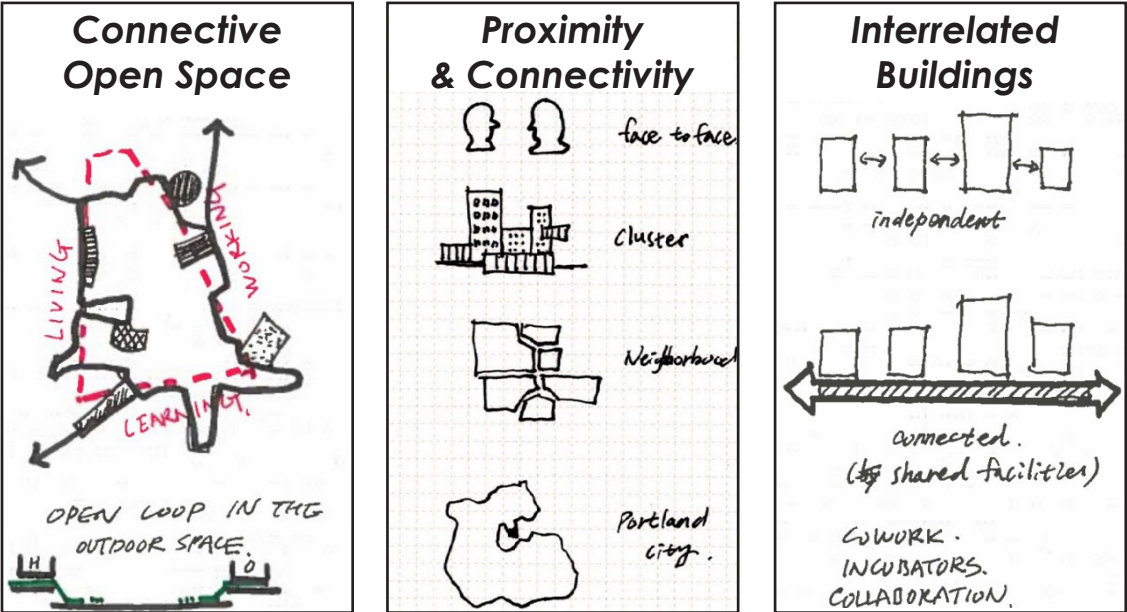
Campus Programming

The Roux Institute Campus will encompass mixed uses regularly associated with graduate education and research: classrooms and laboratories, faculty offices, an incubator, dining areas, convening spaces, fitness centers, neighborhood retail facilities, and housing. As an essential part of the Roux Institute's graduate education programming, the campus will support collaboration with private industry, other institutions, and community organizations. This collaboration is essential to the Roux Institute at Northeastern University's approach to learning through integrated research, student-work opportunities, and entrepreneurial endeavors. Light manufacturing, research and design facilities, and other industry-oriented spaces will allow start-up businesses and established companies to contribute employment opportunities, foot traffic, and dynamism to the area. Hotel rooms will cater to prospective students, start-ups, visiting lecturers, specialists, business partner guests, and families of students. Most importantly, the hotel will provide the opportunity for unplanned and informal interactions that are so essential to new ideas and innovation.

A range of rental housing options will foster community and provide on-site opportunities for students, faculty, staff, and their families. These units will ease some of the housing and traffic pressure that might otherwise result from new residents attracted to Portland by the Institute. Housing units not occupied by residents affiliated with the Roux Institute may be made available to the public to further assist in easing the housing pressure.

Public open space, including waterfront access and recreational uses, will foster a sense of community. Restaurant, neighborhood grocery, and/or other limited retail options will provide another means for welcoming the neighborhood while reducing dependence on automobiles. The Roux Institute will incentivize transportation options including buses, bikes, pedestrian access, car pooling, and water shuttle or taxi connections.

The long-term vision for the site is to maximize green space and public shoreline access. That vision includes a potential bike and pedestrian path under Tukey's Bridge and bicycle and pedestrian connections at Sherwood Street, Veranda Street, and beyond. These would link to the Back Cove, Eastern Promenade, Bayside, Martin's Point Bridge, and future trail systems.



Concept sketches by Tsoi Kobus Design display the intent to build dynamic, community-rooted space.



Phasing

Before shifts in transportation and distribution networks, the site offered a competitive location for food processing and manufacturing in the 20th century. Now, the site’s many compelling attributes enable the pursuit of science, education, and entrepreneurship for the 21st century and beyond. The Roux Institute Campus is envisioned as a hub for collaboration, innovation, and inspiration that contributes to the education of Roux Institute students, stimulates Maine’s economy, and enriches the lives of Portlanders through the resources it offers.

While the proposed vision represents an ambitious undertaking, the entire endeavor is based on simple tenets of placemaking: provide a mix of uses, allow for creativity and entrepreneurship, and encourage recreation. This vision takes time to grow and develop. Understanding that institutional uses have phased planning horizons, this IDP considers near, medium, and long-term growth plans. The resulting phasing of the development is represented in the figure to the right.

Fortunately, the nature of the Roux Institute at Northeastern University lends itself well to phasing strategies. Corporate partnerships are a core part of the institute’s educational strategy, meaning that office and laboratory partners will sit comfortably within the primary academic building during its first years, before extending outward in the longer term. As the site develops, more and more students, faculty, and employees will be drawn to live and work on site. Like any new campus, as the population of students, residents, and employees grow, so will demand for limited retail and restaurants. In addition, the expanding program needs of the campus may be supported by such uses as on site daycare, bike commuter facilities, maintenance facilities, and security offices.

The proposed vision offers a realistic framework for flexible growth. As the Roux Institute Campus evolves, and the world changes, new opportunities and needs may present themselves. Neighborhood feedback will also inform future growth. A core presence of educational, research, incubator, and partner space will provide the Roux Institute Campus with a strong start, around which additional community needs and services can thrive over time.

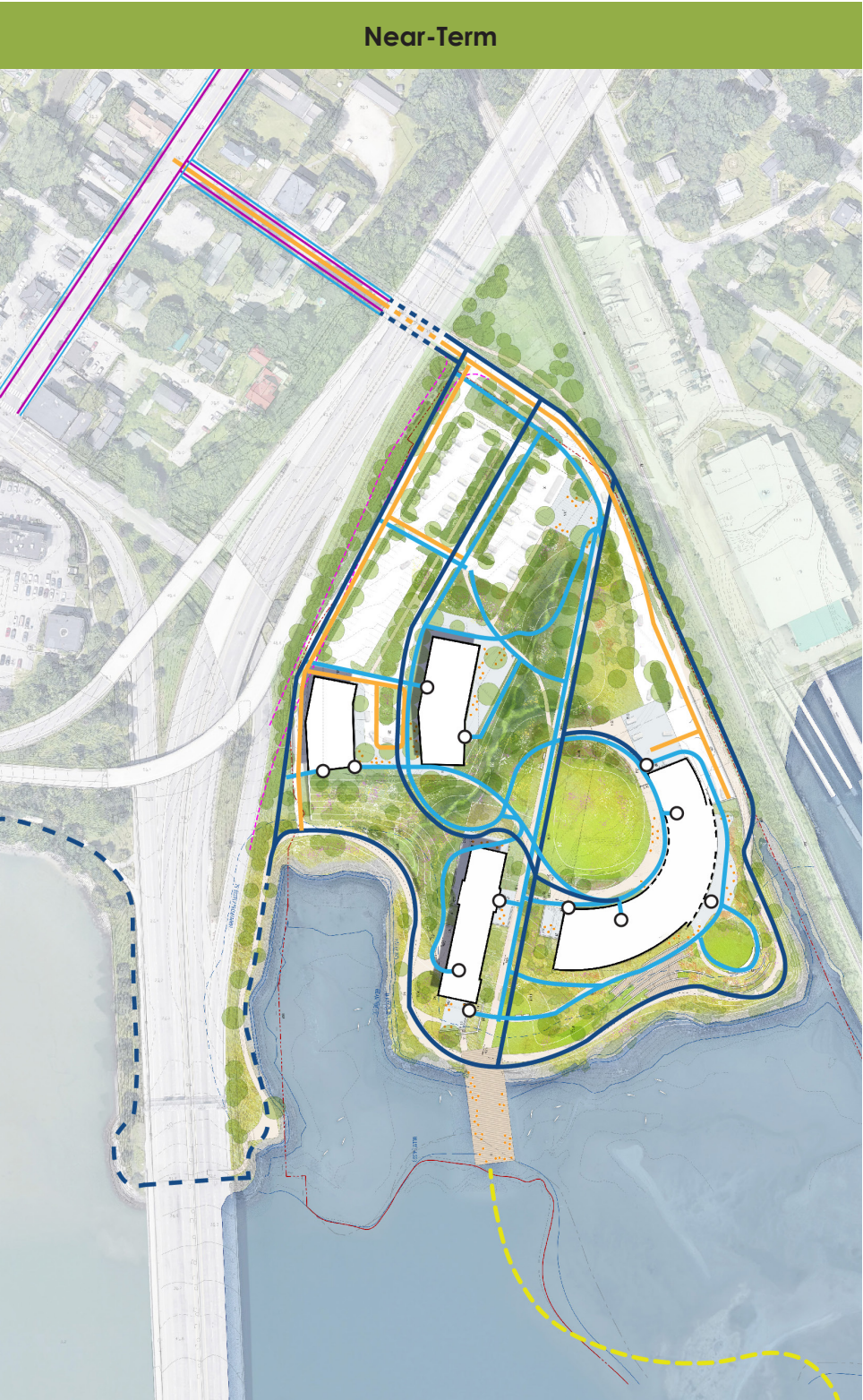
Anticipated Phasing (Cumulative Totals)

Building Program	Near-Term (0-5 Years)	Medium-Term (10 Years)	Long-Term (20 Years +)
Academic & Research	1,750 Students 222,000 sf.	2,500 Students 372,000 sf.	5,100 Students 372,000 sf.
Office/Lab Partners	Included in the Roux Institute	Included in the Roux Institute	200,000 sf.
Business Incubation	40,000 - 50,000 sf.	40,000 - 50,000 sf.	40,000 - 50,000 sf.
Residential	175 - 250 Units 150,000 - 200,000 sf.	350 - 425 Units 300,000 - 350,000 sf.	525 - 650 Units 450,000 - 550,000 sf.
Hotel	90,000 sf.	90,000 sf.	90,000 sf.
Retail (Restaurant, Cafe, Market, Kayak, etc.)	10,000 sf.	15,000 sf.	25,000 sf.
Totals	512,000 - 572,000 sf.	817,000 - 877,000 sf.	1.177 - 1.287 million sf.



At the completion of each phase, the Roux Institute Campus will be a model of comprehensive design. At least three acres of permanent, significant public space will be established early in the development of the campus to ensure public benefit. Interim features such as surface parking lots or construction staging areas will be designed to not detract from the pedestrian experience through planting, lighting, wayfinding, graphics, artwork, or fencing. Other interim areas of the site will be appropriately landscaped or accommodate gathering on lawns and hardscape spaces. Interim features such as parking lots may also be programmed with markets, festivals, or cultural events. Lighting and layout of these spaces will be considered to facilitate flexibility so that they can accommodate a variety of campus events.

Development Plan



- Pedestrian
- Bike/Pedestrian
- Water Taxi
- Potential Shared Use Path Connection
- Vehicular
- Primary Entrance
- Potential Off-Ramp

Development Plans are conceptual and intended to illustrate how design guidelines and principals could potentially be implemented at this site.

Design Principles

The Roux Institute Campus will be a paradigm for 21st-century education with urban, sustainable, and resilient design. All elements of the campus will be conceived holistically to support the educational program of the Roux Institute. Near and long-term planning supports a vibrant campus environment with views and connections to the waterfront, a variety of public spaces, and site access via bike paths, walkways, and the public pier. Key principles of the design approach include:

Connected to the Waterfront, Portland, & the World

- Engage the waterfront
- Promote visual and physical connectivity
- Encourage connections to the waterfront through diverse spaces
- Create a holistically built environment
- Restore, repurpose, and revitalize the Bean Building
- Create an iconic architectural expression

Places to Gather

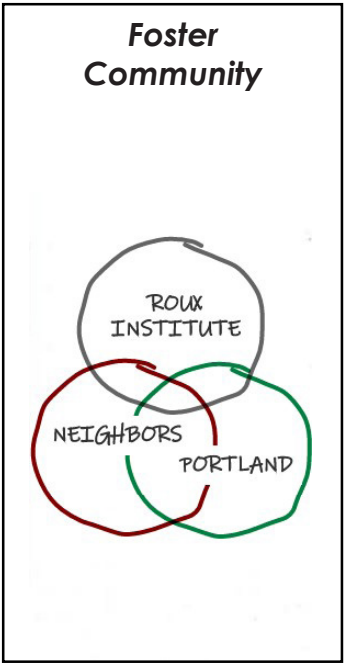
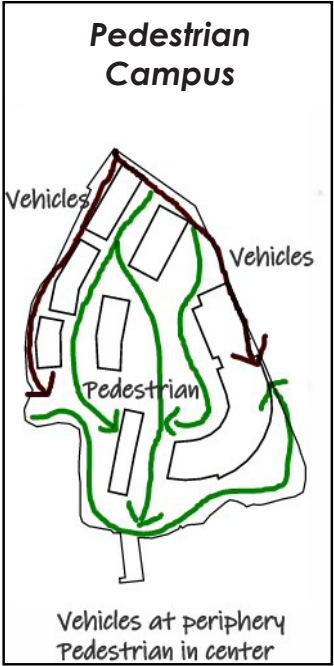
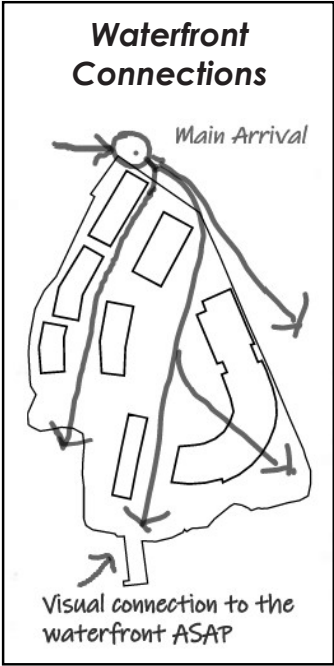
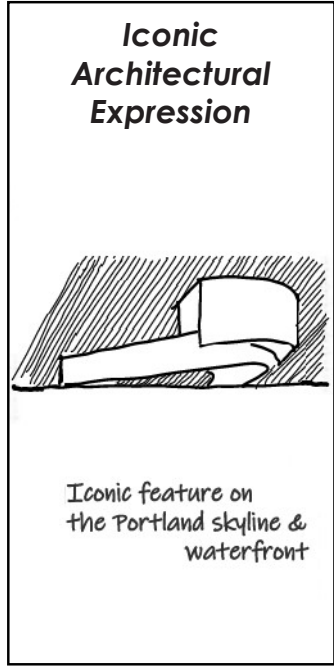
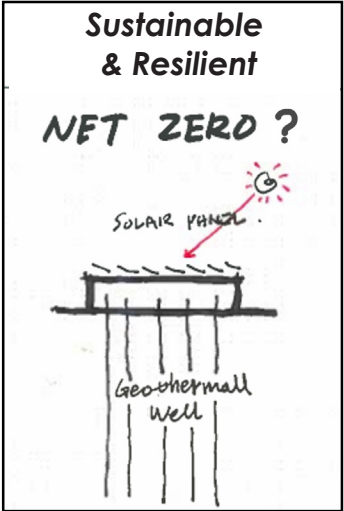
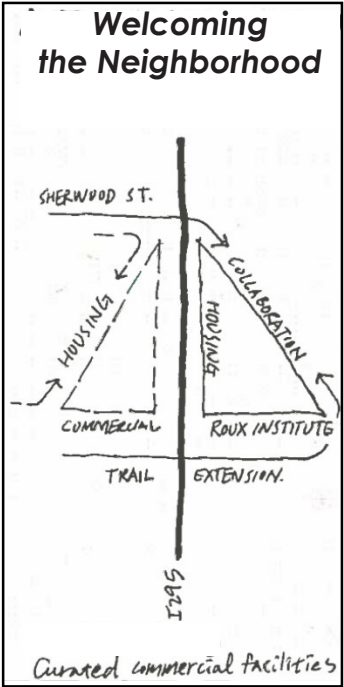
- Welcome the surrounding neighborhood
- Foster community with shared spaces and interaction
- Build a strong association with the City of Portland
- Develop purpose-driven spaces that yield regular connections
- Provide public open space
- Provide spaces where neighbors can work and read while enjoying the campus's environment

A Sustainable & Resilient Campus

- Employ sustainability benchmarking for environmental stewardship
- Incorporate state-of-the-art features, systems, and techniques
- Minimize energy consumption campus-wide
- Build for resilience; prepare for extreme weather and climate change
- Maximize green space through appropriate building height

Integrated Landscape

- Enhance access through TDM and multi-modal support
- Contribute to Portland's open space network



Above: Concept sketches by Cambridge Seven and Tsoi Kobus Design

Design Guidelines

Waterfront

- The waterfront will be publicly accessible to provide a variety of open spaces throughout all phases of development that foster social interaction.
- New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space (if provided) may be closed to the public during special events, outside normal operation hours, and when necessary for security or public safety purposes.

Cohesive campus

- The overall composition and experience of the campus will be considered for cohesive identity from approaches along I-295 and views from the East Deering neighborhood.

Historic preservation

- Buildings, site development, circulation, and open space will respect the B&M Cannery Building, a designated historic landmark.

Connectivity

- Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service, and emergency vehicles at each development phase.
- Surface parking lots shall be located to the maximum extent practicable toward the rear or side of a building not occupied by a principal entry to a building facing a street, public right-of-way, major pedestrian access routes, open spaces, and/or the waterfront.

Open space

- Open space will be publicly accessible to provide multiple functions for recreation, social gathering and buffers that integrate within the overall composition and experience of the campus at each development phase.

Sustainable practice

- Buildings and site development will incorporate sustainable technologies in building design, orientation, energy production and sensitivity to natural resources at each development phase.

Resilience

- Buildings and site development will incorporate resilience strategies to account for flooding, severe weather events and integration of publicly accessible spaces at each development phase.

Building design

- Building facade materials will be of high quality, durable to the marine climate and contribute to an attractive public realm. The first 35 feet of building height shall complement the pedestrian character in materiality, transparency, and detailing.
- Rooftop appurtenances will be incorporated, screened, and set back from roof edges to reduce visual impact from the surrounding neighborhood.

Building entrances

- Building entrances will include prominent facades and be oriented toward, located adjacent to, or accessible from rights-of-way, major pedestrian access routes, or open spaces.

Mitigation of impacts

- Buildings and site development will endeavor to minimize potential negative impacts related to shadows, wind, noise, heat, glare, lighting, contaminants, and the environment.

Visualizing the Guidelines: Potential Long-Term Layout & Circulation



Connected to the Waterfront, Portland, & the World

Artist Interpretation



Development of a new landmark campus, with focus toward the community and the waterfront, will enhance the East Deering neighborhood. New, forward-looking campus buildings adjacent to the restored and repurposed Bean Building will update and respect its legacy. The waterfront will integrate with the entire campus through ecologically focused design. Water views from the ground and buildings will emphasize the site's uniqueness and become an integral part of the campus identity. Pedestrian/bicycle trail connections and water shuttle or taxi service will let the waterfront serve as an entrance to the campus.

Places to Gather

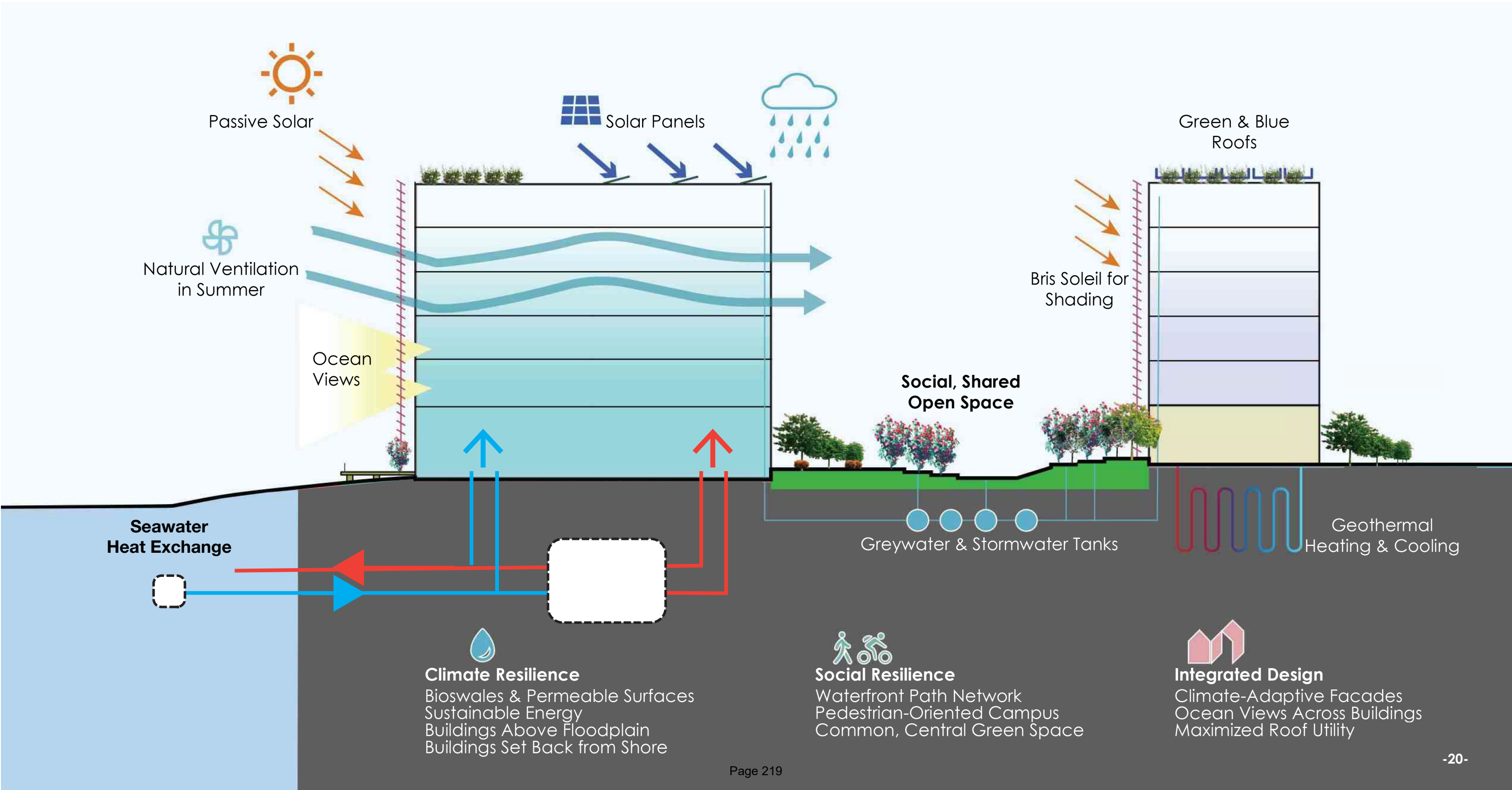
Artist Interpretation



All new buildings will connect through linking landscaped terraces with a central, pedestrian-oriented green space. The campus will maximize publicly accessible open space through building height and density. This plan will foster a mixed-use environment encouraging interaction and innovation. Internal connections are echoed by external circulation and access points (pedestrian, bicycle, public transit, potential water taxi, automobile) that further strengthen the connection with neighboring communities and the City of Portland.

A Sustainable & Resilient Campus

The Roux Institute Campus intends to incorporate state-of-the-art sustainable technologies. Examples of possible technologies (illustrated below) that will be thoroughly studied include geothermal heating and cooling, photovoltaic solar panels, high-performance building envelopes with triple glazing, green roofs, blue roofs, stormwater/greywater management, passive solar gain, sea water cooling, and natural summer ventilation. If necessary, purchase of renewable power produced off-site will supplement on-site sources. Resilience strategies like constructing buildings well above the 100-year flood zone will also be deployed to account for rising sea levels and severe weather events.



Enhance Access

The striking campus is visible from Interstate 295, as well as from its on- and off-ramps which are located nearby. US Route 1 and downtown Portland are both accessible within minutes. Via Sherwood Street, the Roux Institute Campus will connect to the East Deering and Back Cove neighborhoods. Bus routes within easy walking distance, and waterfront pedestrian and bicycle trails (including a potential new connection under Tukey's Bridge and improvements to Sherwood and Veranda Streets) will link the Roux Institute Campus to the neighborhood as well as to the Back Cove Trail, Bayside Trail, Eastern Promenade, and future trail networks. Within the site, ADA pathways and inclusive design principles will ensure the site benefits all users.

Adjacent to the Roux Institute Campus (but not on its property) is the former Grand Trunk Railway line, which could one day provide a new transportation route. Connections to Casco Bay ensure water access to the peninsula, islands, and the entire Maine coast.



- Vehicular Routes
- Pedestrian/Bicycle Routes
- Former Grand Trunk Railway
- METRO 7 bus
- METRO 9a/9b bus
- Water Shuttle
- Boating Locations

Contribute to Portland's Open Space Network

The Roux Institute Campus will add significantly to Portland's open space network via a modern waterfront with public amenities such as lawns, a pier, plazas, and extended green space. Enhanced sidewalks and bike lanes, a potential direct connection to the Back Cove, Eastern Promenade, and Bayside trails, along with a pier for a water shuttle and/or taxi, will help the public get to the Campus. Gardens, native meadows, trees, and natural areas will offer new, calming spaces and create a variety of healthy habitats.

The primary academic building of the Roux Institute at Northeastern University will anchor a cohesive campus of learning, research, and collaboration along with residential and retail facilities that support them; natural systems will integrate with everyday life. A network of inland pathways across various landscapes will thread uses together.

The Roux Institute Campus will transform an industrial site into an ecologically diverse, urban waterfront setting. Many existing impervious surfaces will give way to open spaces and green roofs inspired by natural landscapes from the Greater Portland area. Stormwater management strategies will further contribute to the environmental function of the site.



Open Recreational Space

Forested Area

3. Creating the Path Forward



Assessment of Growth

The City's Land Use Code establishes content requirements for Institutional Development Plans, including considerations of transportation, environment, infrastructure, design, and neighborhood engagement. The following pages apply these lenses to the Roux Institute Campus, how they interact, and the opportunities they create.

Transportation

With one vehicle entry point, the development must be properly planned to minimize impacts on the surrounding street network. Reductions in trip generation through complementary on site uses, alternative modes of transportation, and transportation demand management are crucial.

Infrastructure

Any development is limited by the capacity of nearby utilities infrastructure. Fortunately, the site's previous industrial demands dovetail nicely with the needs of a mixed-use development. High-performance buildings can help reduce further infrastructure demands.

Environment

One compelling aspect of the Roux Institute Campus is the waterfront location; yet decades of production and transportation-oriented industrial use diminished its ecological function. Thoughtful redevelopment will restore some of this function over time.

Design

While the Roux Institute at Northeastern University seeks to inspire aesthetically, the Roux Institute Campus will be designed with neighborhood context and nature in mind. It can serve as a proving ground for best practices in ecological and urban design.

Neighborhood Engagement

The Roux Institute at Northeastern University cannot thrive without the support and goodwill of its neighbors. By establishing and maintaining community engagement, the organization will incorporate fresh ideas and build trust.

The environment of the site influences its design. That design leads to higher or lesser demands on transportation networks and utility infrastructure, which in turn impact the environment. Underlying the entire process is neighborhood engagement, without which the Roux Institute at Northeastern University cannot succeed.

Boundary of Proposed B-5 & IOZ



The proposed Roux Institute Campus aligns well with the B-5 (Urban Commercial) purpose statement in the City of Portland's Land Use Code:

"To provide areas of the peninsula* near the downtown where a mixture of uses, including marine, industrial, commercial, and residential, is encouraged. The B-5 and B-5b zones are characterized by larger underdeveloped lots with great potential for denser, clustered, urban mixed-use development and more efficient reuse of existing land and buildings. It is anticipated that the dense, mixed-uses of the B-5 and B-5b zones will rely on a shared infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways."

**Per the City of Portland's Land-Use Code, "on-peninsula" is defined as all land south of I-295. The proposed Roux Institute Campus is south of I-295.*



Transportation

The Roux Institute Campus is well-situated to several major thoroughfares, including I-295, US Route 1, Washington Avenue, and Baxter Boulevard. The site has a single access point, located on Sherwood Street; that access will continue to provide vehicular access in and out of the site in the future. Access to Sherwood Street is provided via Veranda Street which connects to Washington Avenue, I-295, Baxter Boulevard, and US Route 1.



The intersection of Washington Avenue and Veranda Street is critical. Traffic from I-295, Baxter Boulevard, and Washington Avenue all travel through it to reach the site.

Washington Avenue accommodates all users, with traffic using two lanes in each direction south of Presumpscot Street, one lane in each direction north of that point, and buffered bike lanes north of Presumpscot. Bus routes run along Washington Avenue and pedestrian accommodations are present, including sidewalks. In addition, the traffic signal system along Washington Avenue is a traffic responsive system operating with high efficiency. Intersections of Washington Avenue at Veranda Street, at Presumpscot Street, and at Ocean Avenue are each signalized intersections with pedestrians processed concurrently to traffic.

Veranda Street accommodates vehicular traffic with a single lane in each direction. Sharrows (faded) indicate that bicycles share the travel lane. Sidewalks are provided on both sides of Veranda Street and transit stops are present. Sherwood Street is a two-way roadway that is not striped and allows parking. Sherwood Street intersects Veranda Street to form a slightly offset four-way intersection. Both Sherwood Street approaches are stop-controlled at Veranda Street as well as Presumpscot Street.

Bates Street extends from the intersection of Washington Avenue and Veranda Street toward Baxter Boulevard, and consists of a vehicular traffic lane in each direction and a bike lane from Washington Avenue to Baxter Boulevard. A sidewalk runs along the west side of the street, but narrows and is periodically blocked by utility poles. A single lane in each direction at the intersection of Bates Street and Baxter Boulevard provides access north on I-295. Access south on I-295 is via a two-lane connection in each direction at the intersection of Washington Avenue at Veranda Street and Bates Street. This widens at Washington Avenue for turn lanes.

Adjusted Traffic Volumes at Washington Avenue and Veranda Street (2021)

Approach	Movement	AM Peak Hour Volume	PM Peak Hour Volume
Veranda St. Southbound	Left	130	70
	Through	65	95
	Right	50	60
Washington Ave. Eastbound	Left	35	50
	Through Right	1195	995
Veranda St. Northbound	Left	65	65
	Through	45	95
	Right	160	155
1-295 Exit Ramp Westbound	Left	100	150
	Through	650	1090
	Right	80	190

Several high crash locations (segments or intersections with eight or more traffic crashes and a critical rate factor exceeding 1.00 over the most recent three-year period) are located near the campus:

Intersections (with Crash Totals)

- Washington Ave. at Randall St. (8)
- US-1 at Veranda and I-295 Ramps (14)

Segments (with Crash Totals)

- Washington Ave. I-295 NB Exit 8 to Veranda St. (12)
- Washington Ave. from Veranda St. to Galvin St. (11)

From 2019 to 2021, one fatal crash occurred within the study area at the HCL location of Veranda Street/US-1 with the I-295 SB On-Ramps. The crash was determined to be caused from a driver running a stop sign. Safety improvements are being made as a part of the Veranda Street Bridge Replacement project.

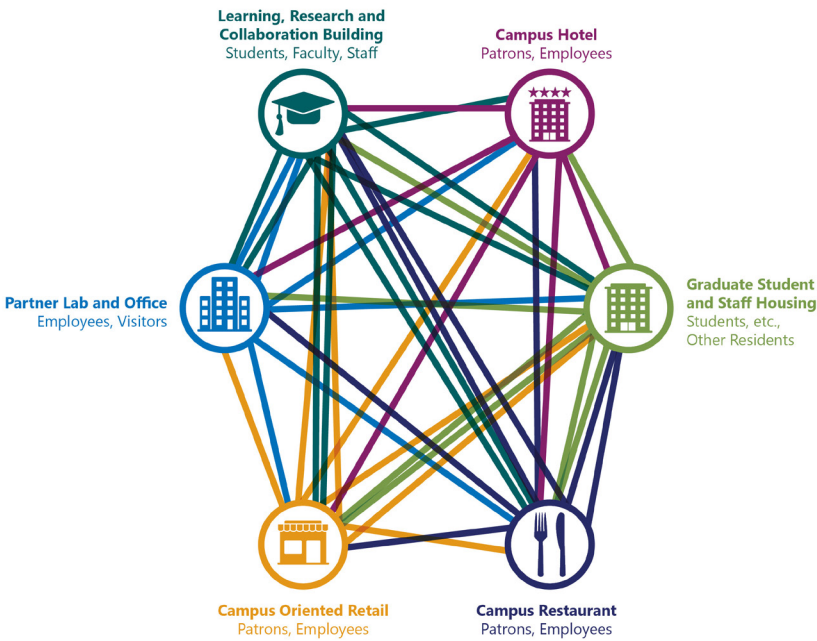
With adequate sight distance, the crashes along Washington Avenue, including at Randall Street, may be attributed to vehicles changing lanes or attempting to turn in or out of side streets where adequate gaps are not available due to congestion. There were no reported pedestrian crashes at the HCL locations. Three bicycle crashes occurred in the study area: one each at the intersections of Washington Avenue/Bates Street/ Veranda Street, Bates Street/Baxter Boulevard, and Washington Avenue/Churchill Street.

Trip Generation

The site is currently closed and therefore does not generate any existing vehicular, bicycle, pedestrian, or transit trips to and from the site. Future trip generation was evaluated using standard rates and Maine DOT guidance for the long-term development of the site. Trip generation rates were obtained from the Institute of Transportation Engineers Trip Generation Manual, 11th Edition, where available. Input was received from the City of Portland regarding appropriate land use codes, specifically for the restaurant component. In addition, because the land use code for university/college does not reflect the type of institution proposed here, VHB developed a trip generation methodology based on the anticipated populations at the site.

Relevant uses for the Roux Institute Campus include general office building (LUC 710), multi-family housing mid-rise (LUC 221), high-turnover sit-down restaurant (LUC 932), strip retail plaza (LUC 822), and hotel (LUC 310). As a mixed-use development, many trips will occur between destinations on the campus. Students, faculty, and staff will eat in on-site restaurants and shop at on-site retail stores. Some students and staff will live in the residential units or work in the office space. Partner employees may travel between offices, university buildings, restaurants, and stores.

Inclusion of ancillary uses on the campus, such as housing, hotel, office space and retail, will reduce the number of external trips to the site; internal trips will not generate external traffic or impact the adjacent road network. For traffic generation purposes, internal trips are separated from total trips estimated using engineering standards. The overall internal trip capture across the land uses for this development were estimated to be approximately 28% in the AM peak hour and 22% in the PM peak hour for the IDP full build program. Detailed trip tables are provided in the Transportation Appendix C.



Vehicle Trip Assignment

Vehicle trips were assigned to area roadways by estimating the proportion of trips arriving or leaving on each approach to the area. Estimates were based on data from several sources, including population density maps and US Census Journey to Work data. The process was repeated using catchment areas of various sizes, with minimal change in results. Trip distribution for people within a commuting distance of the site is shown in the adjacent top graphic.

Approximately 50% of trips are anticipated to travel from the south to reach the site and 15% are anticipated to approach from the north. (The thicknesses of arrows are scaled to indicate the share of trips that will use that route.)

Anticipated distribution of vehicular trips on neighborhood streets is shown in the adjacent bottom graphic. Almost 90% of trips are expected to travel through the intersection of Washington Avenue and Veranda Street. However, to access I-295 southbound, some drivers may choose instead to exit by taking a right and traveling up to the southbound on-ramp.

Additionally, approximately 20% of the site traffic is oriented to points west /southwest along local roadways or to and from the north on I-295; this will impact the intersection of Bates Street and Baxter Boulevard.

Mode Share

As indicated above, the existing site is not operational, so there are no regular trips visiting the site from any mode. The East Deering Neighborhood is served by multiple bus routes and, at many locations, features a pedestrian network and bicycle network. With improvements to these resources, the campus will be well suited for trips by modes other than single-occupant vehicles. The Roux Institute Campus is committed to working with Portland METRO to support increased transit opportunities to and from the campus area. These factors, in addition to a Transportation Demand Management (TDM) plan, will reduce auto mode share at the site.

The existing Roux Institute Campus population was surveyed in August 2022 to estimate existing campus mode shares. The survey revealed that 23% of the Roux population is currently using alternate modes of travel with 13% walking, 4% using transit and 6% bicycling. With a more aggressive TDM program, as envisioned at the site, as well as investment in pedestrian, bicycle and transit opportunities, much higher percentages of non-auto trips may be reached.

A transportation engineer developed target mode shares for each envisioned Roux Institute Campus land use, in consultation with City of Portland and Maine Department of Transportation officials. These shares were applied to external trips to determine the likely number of trips by each mode, yielding the estimates in the table at right.



Estimated Mode Split (%)

Land Use	Transit	Ped. & Bike	Vehicle	Carpool Rider
Office	10	10	75	5
Retail	10	50	40	0
Restaurant	10	50	40	0
University	10	20	65	5
Residential	10	20	65	5
Hotel	10	10	75	5

Transportation Improvement Opportunities

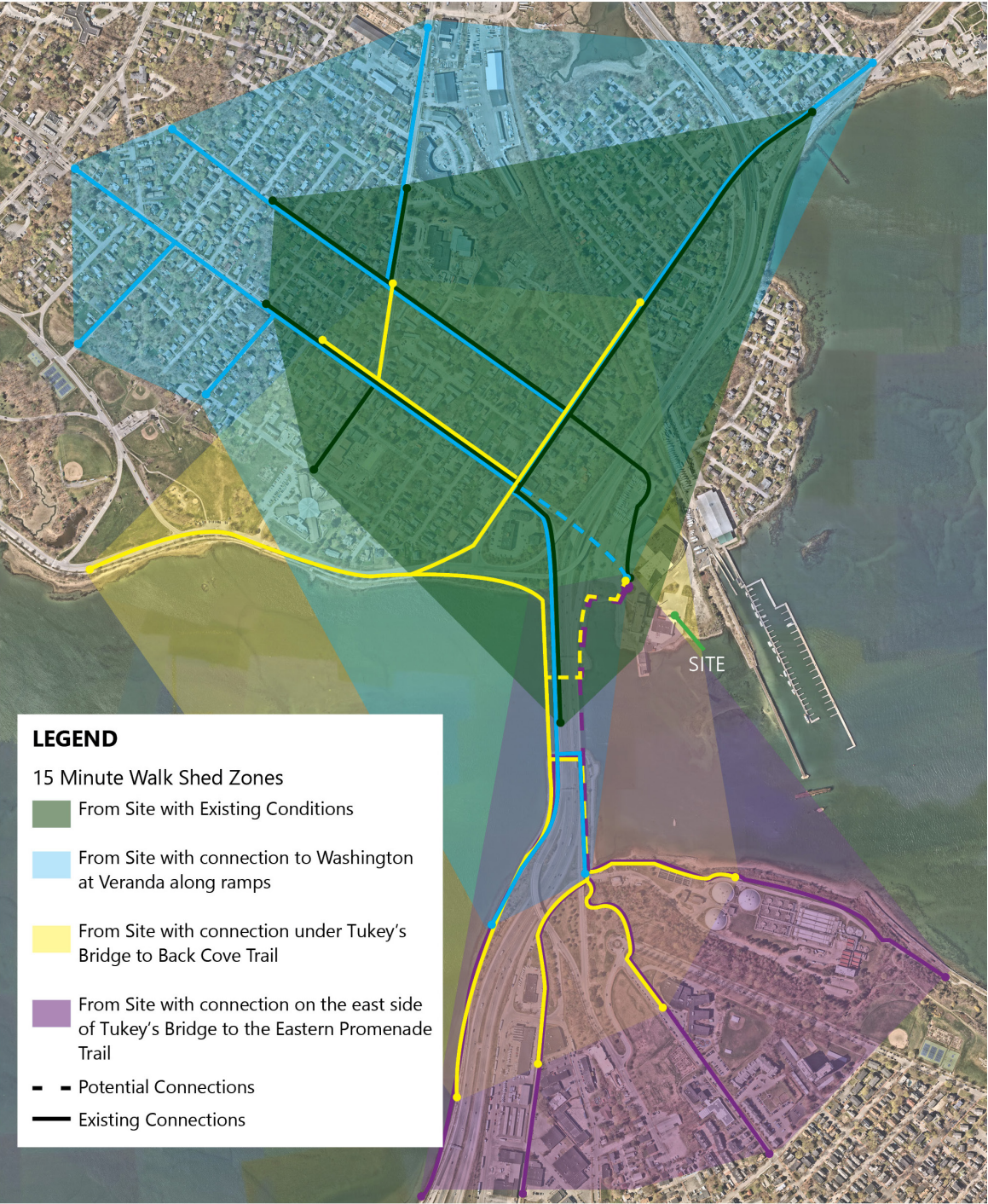
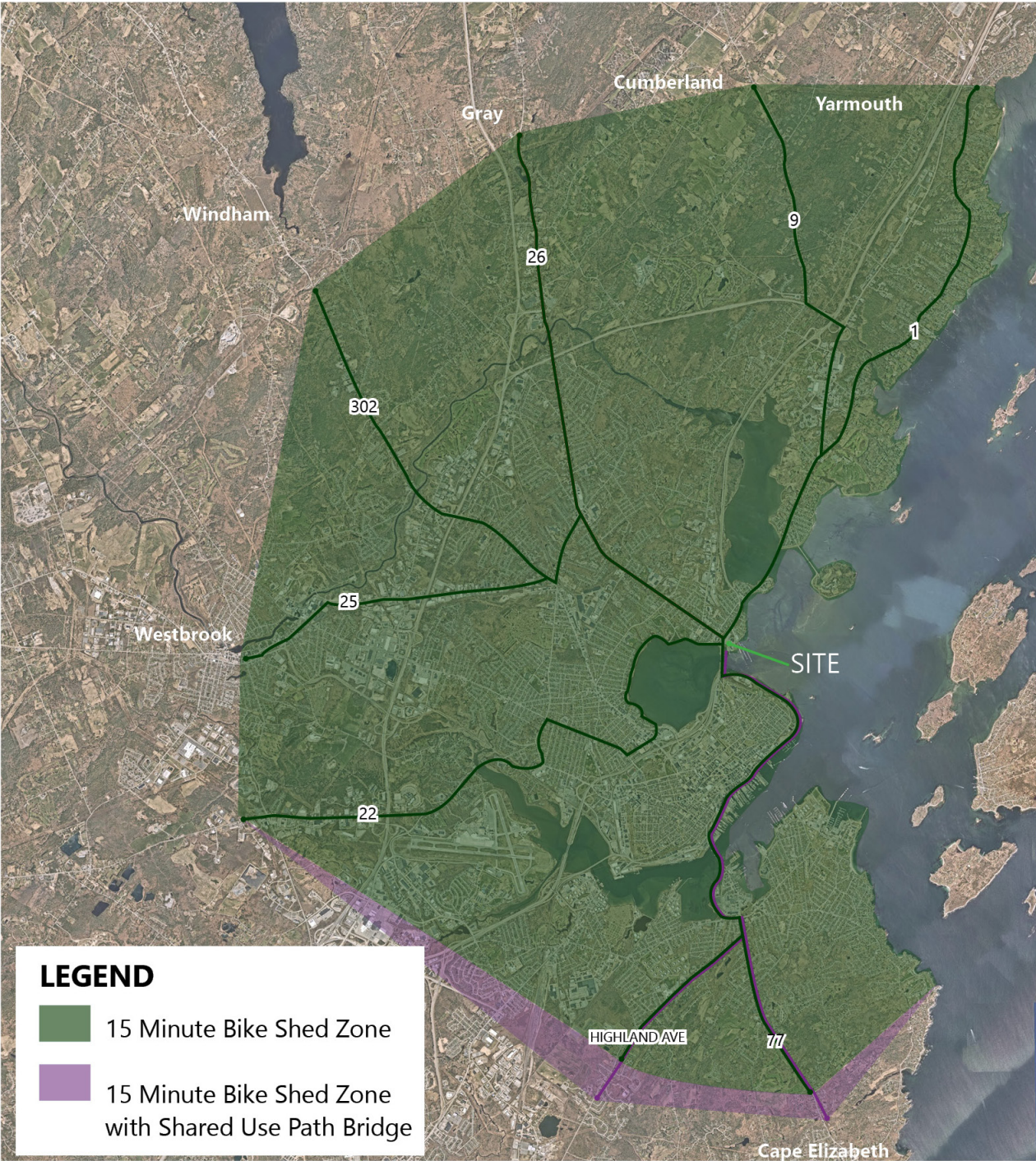
Bicycle and Pedestrian Connection Opportunities

The existing bicycle and pedestrian network includes known constraints along the existing bicycle and pedestrian route across Tukey's Bridge. The sidewalk connecting from the intersection of Washington/Veranda is narrow and adjacent to vehicular traffic on the ramp to I-295. Then this walkway meets the Back Cove Trail which adds bicycle and pedestrian demand to a narrow shared use path over Tukey's Bridge which according to Portland Trails data carries an average of 1300 to 1400 daily trips during the summer months. Current pedestrian and bicycle demand in the study area is low. During the PM peak hour for example, only 6 pedestrians and 6 bicyclists traveled along Veranda Street crossing either leg of Sherwood Street. Similarly, only a total of 20 pedestrian crossings were reported across all legs of the intersection of Washington Avenue and Veranda Street during the PM peak hour during turning movement counts collected by VHB in 2021.

Improvements to bicycle and pedestrian connections will increase those mode shares for the site and Infrastructure improvements can alleviate some neighborhood traffic impacts. Two opportunities stand out when considering bicycle and pedestrian improvements.

The first is an improved connection between the Back Cove Trail and Washington Avenue. At present, users of the Back Cove Trail face a 90-foot mid-block crossing to reach the northwest side of Bates Street. Converting the intersection of Bates Street and sweeping right-turn maneuver would create a shorter, safer crossing. The second improvement is a direct connection from the Roux Institute Campus to the existing trail network, either by extending the shared-use path below and alongside the north end of Tukey's Bridge or by a shared use path on a new bridge parallel to Tukey's, or both. The site walkshed and bikeshed distances, or typical distances that people are comfortable choosing alternate modes, increase to points south with these connections, increasing the opportunities for bicycle and pedestrian trips and improving the overall bicycle and pedestrian network.

The Roux is committed to working with the City and MaineDOT to provide additional bicycle and pedestrian capacity to accommodate future demand. A Traffic Movement Permit will be required for each phase of the project. At that time, actual mitigation will be tied to the impacts that are anticipated at that time.



Transportation Improvement Opportunities

(continued)

Parking Demand and Capacity

Parking will be built over time as part of the development program. All vehicular trips are intended to park on site. As demand increases during the phased development, parking will be introduced incrementally to avoid excess supply and inadvertent encouragement of driving to the site.

Base parking demand (calculated for each hour of the day using ITE Parking Generation Manual rates, 5th Edition, and the same land use codes as for trip generation) indicate that total parking demand across all uses on the site will peak at 4 PM. At completion of the near-term phase of development, parking demand is expected to be approximately 700 vehicles. Demand at full build-out could be as high as 1900 vehicles, inclusive of day users and residents with goal mode shares. All on-site parking is intended to be communal; availability in the closest lot to a destination will not be guaranteed. Additionally, uses with opposing peak parking demands will be able to share parking resources.

All on-site parking will be paid parking, and a parking office will be created to handle permitting and enforcement for the campus. Parking costs and regulations may vary between categories of users (students, staff, residents, office tenants, visitors, etc.). The Roux Institute Campus may include on-site car share, enabling travel to and from the site using other modes, with the comfort that vehicles are available if necessary.

The parking numbers are estimates based on target mode shares and the currently contemplated building program. As the site is developed, Site Plan Review and Traffic Movement Permits will be required that will involve monitoring and reporting on traffic and parking. Based on monitoring results and TDM measures included in these submittals, the parking demand and ultimately supply will be determined so that the site is properly parked for the context at that time. As stated in the Land Use Code, the Planning Board will establish the off-street parking requirement based on a parking study. The Roux Institute is actively pursuing strategies with the City of Portland to prevent on-street parking by campus visitors.

Public Transit

Two bus lines currently stop near the site: METRO Route 7 and METRO Routes 9A/9B. These routes provide direct connections to the peninsula, North Deering and Falmouth. With a transfer at any of the Downtown Transfer Centers, riders can reach the rest of Portland and Greater Portland Region.

Buses run continuously throughout the day, readily accommodating the varied schedules of students and other campus users. METRO BREEZ express bus service to Yarmouth, Freeport, and Brunswick and the Husky Line to Westbrook and Gorham establish a regional footprint for transit service. Ten local and express routes connect the campus to most of the Portland area with no more than one transfer.

The monthly ridership on the Metro Route 7 is one of the lowest in the Metro system. In 2021, on the average weekday, there were 2521 boardings on Route 7. Each bus has the capacity of approximately 30 people and the bus runs 13 times per weekday inbound and outbound or a monthly capacity of approximately 7800 boardings, which leaves plenty of capacity on Route 7 to accommodate site related traffic.

The Roux Institute Campus is working with METRO to improve the quality and frequency of transit connections to the Roux Institute Campus. Reduction of headways on Route 7, creation of a new route that ends at the Roux and travels through the Peninsula, and construction of a transit stop and turnaround for either service to travel into the site, furthering the convenience of transit as a mode of travel are all being considered.

In addition, the Roux Institute at Northeastern University will promote and incentivize transit use by subsidizing transit passes for students, staff and faculty.



Transportation Improvement Opportunities (continued)

The Roux Institute Campus is constrained on three sides by the Bay, I-295, and a rail line, with Sherwood Street as the access road. The campus's vehicle traffic will be highly concentrated on certain streets and intersections immediately surrounding the site. Targeted roadway improvements at these locations can increase capacity and prevent excessive congestion.

These improvements are not tied to specific years or development phases. They are held out as potential mitigation measures to be considered as future traffic warrants. As development continues, the Roux Institute will apply for traffic movement permits (TMP). Potential improvements will be evaluated during the TMP process in collaboration with the Maine Department of Transportation and City of Portland.

1. Vehicles exiting the campus via Sherwood Street may turn right or left on Veranda Street to access I-295 South. The left turn lane from southbound Veranda Street to Washington Avenue currently has a storage length of only 130 feet. At higher traffic volumes, the line of vehicles waiting to turn left may extend beyond this length, delaying through and right turning vehicles from reaching the intersection. If this type of congestion becomes frequent, it may be mitigated by extending the left turn lane further back. This will require widening Veranda Street between Washington Avenue and Sherwood Street within the existing right-of-way. Widening on Veranda Street would also allow bicycle lanes to be added. This impact will also be reduced through use of signs indicating that I-295 South can also be readily reached by turning right and using the Veranda Street on-ramp.
2. With 100% of campus traffic traveling through the intersection of Sherwood Street and Veranda Street, improvements may become necessary. The intersection is currently controlled with a stop sign on Sherwood Street. To improve traffic flow, Sherwood Street could be widened at the intersection within available city right-of-way to separate outbound traffic into left and right turn lanes. A bicycle lane could also be added within this space. This would substantially increase capacity on the Sherwood Street approach. If traffic volumes eventually exceed this new capacity, a traffic signal could be installed at the intersection.
3. Vehicles approaching the campus from I-295 southbound will exit at Baxter Boulevard and make a right onto Bates Street. There is a significant unused right of way on Bates Street between Baxter Boulevard and Veranda Street that could be repurposed to increase capacity. Another northbound turn lane could be added (isolating left, through, and right movements) at the intersection as well as adding a bike lane. A bike lane would also have the benefit of completing the trail connection from the Back Cove Trail. The intersection of Washington Avenue, Veranda Street, and Bates Street may eventually need other mitigating measures to increase capacity, such as reconfiguring lanes on the I-295 exit ramp approach.

A potential timeline has been developed and is provided in the Transportation Appendix for when the improvements described above may be implemented if development proceeds as currently anticipated and goal mode shares are met. As the site is developed, Site Plan Review and Traffic Movements Permits will be required that will involve monitoring and reporting on traffic and parking. Based on monitoring results and Transportation Demand Management (TDM) measures included in these submittals, the parking demand and ultimately supply for each phase will be determined so that the site is properly parked for the context at that time. As stated in the Land Use Code, the Planning Board will establish the off-street parking requirement based on a parking study.



Managing Transportation Demand

Active Transportation

In addition to the transit options in the study area, the Roux Institute Campus development will benefit from existing pedestrian and bicycle infrastructure. Sidewalks are in good condition and pedestrians are accommodated at signalized intersections with crosswalks and concurrent pedestrian signal phasing. Future visitors will benefit from upgraded pedestrian accommodation along Sherwood Street. Once on the site, pedestrian connections will link site uses and points along the waterfront.

The Roux Institute Campus can promote human-powered trips to the site through improved connections to this infrastructure. The area is densely populated, bicycle lanes are provided along Washington Avenue and other roadways, and the Back Cove Trail is nearby. In the future, cyclists will be accommodated on Veranda Street and into the site on Sherwood Street via dedicated bicycle lanes.

Transportation Demand Management (TDM)

TDM programs seek reductions in traffic impacts by subsidizing and marketing alternative commute options. Northeastern University plans aggressive targets of non-single occupant auto trips and intends to limit on-site parking - the goal is a 37 percent reduction in automobile trips from ITE Trip Generation predictions, and a minimum of 20 percent reduction in parking demand compared to anticipated ITE Parking Generation. As mixed uses are created during development, internal trip-making will increase, and these targets may be revised.

Transportation Coordinator: Northeastern University plans to follow industry best practice by appointing a campus-wide transportation coordinator. This person will collect data on the TDM program to ensure it evolves as the site develops. Once aspects of the site are operational, they will conduct a transportation survey to establish a baseline for future trip reduction goals. They will also collect and disseminate information (including non-automobile travel options) among the employers and facility managers on site to encourage TDM participation.

Public Transit Support: Northeastern University intends to partner with Portland METRO to subsidize shorter headway service to the Roux Institute Campus. Student subsidies will enable frequent and reliable service to and from the site.

To further support trips via public transit, the Roux Institute at Northeastern University intends to subsidize bus trips for students and employees (for employees, their purchase can also be included as a pre-tax benefit). Lease agreements will encourage transit pass subsidies by other on-site employers.

Carpools: Northeastern University will prioritize parking for carpools near building entrances. The transportation coordinator can facilitate carpools by maintaining a database of interested parties; commuters may be matched with others who live near them or can access a park-and-ride location along their route. The coordinator can also participate in the Maine DOT commuter resource program, which facilitates carpools across nearby sites and provides participants with rewards for carpooling.

Parking Fees: Paid parking is intended to be shared across uses on the Roux Institute Campus, not guaranteed in individual lots.

Bicycle Travel: Northeastern University will support active transportation by investing in complete streets and trail connections, bike storage, and shower facilities and lockers.

Water Travel: Northeastern University plans to build a modern pier over the footprint of the current pier, in order to accommodate water shuttles and taxis, and those accessing the site and commuting by boat.

Monitoring: Northeastern University will monitor transportation to the campus in order to ensure that mode share goals are being met and shall make adjustments as necessary to achieve such goals established in the applicable TDM or TMP.



Transportation, Access, and Circulation Plan

- Multi Use Path
- Shared Lanes
- Bike Lanes Two way
- Neighborhood Byways
- Bike Lanes One Way
- Paved Shoulders

Transitions

With I-295 to the west, state-owned vacant parcels to the north, the rail corridor and marine business to the east, and Casco Bay to the south, the Roux Institute Campus is surrounded by existing areas of transition from the campus to the surrounding neighborhoods. In addition to the existing buffers, development will further ease the transition to and from the campus through the following design methods.

Between Site Entrance & Campus

Public open space will ease transition from the smaller scale of Sherwood Street. Views to the water and the Bean Building, and clear wayfinding and circulation of pedestrian and bicycle pathways, will welcome site visitors further into the campus. A smooth transition will also be accomplished through thoughtful facade design at the pedestrian level. Potential nuisance features like dumpsters, air handlers, and parking will be appropriately screened. Buildings will avoid blank walls to respect the adjacent neighborhood and facilitate a sense of permeability and welcome.

Between Buildings & Campus

Building entrances will face major public spaces or circulation paths. Lower stories will be programmed for activation where they meet the pedestrian realm or feature visually interesting details and activities related to the building. Building articulation, massing, and materials will contribute to the sense of a well-textured, connected campus.

Between Campus & Water

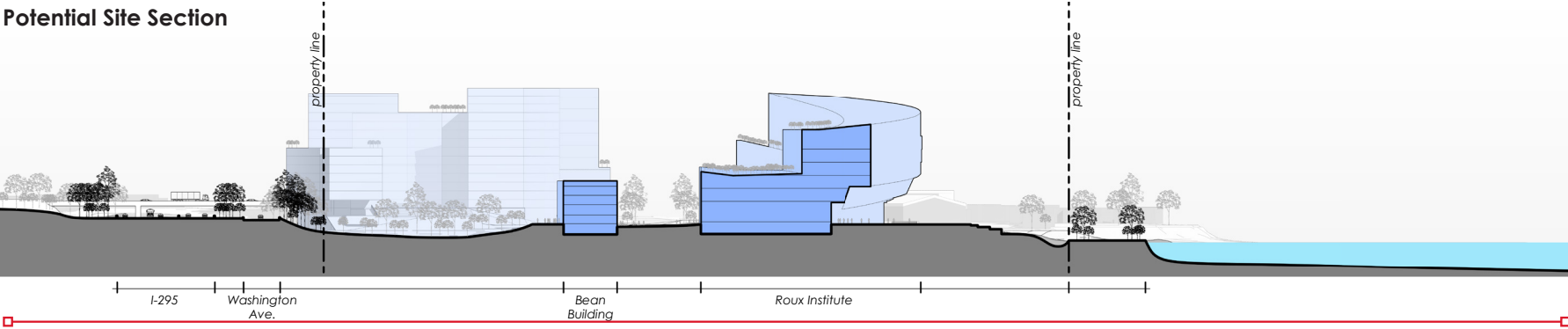
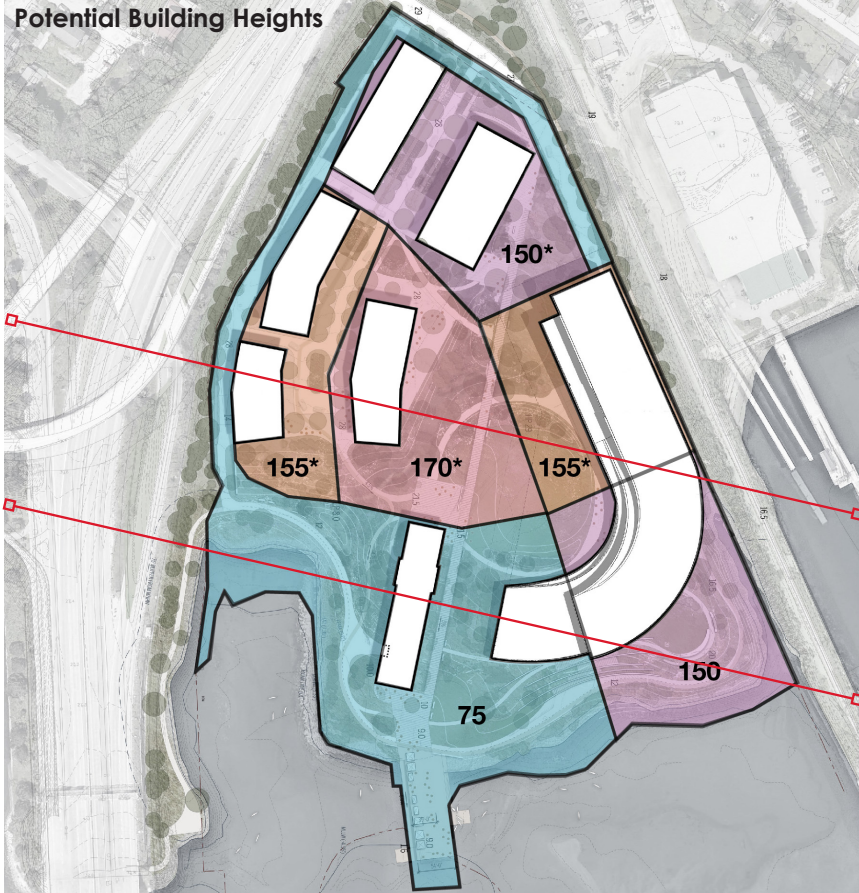
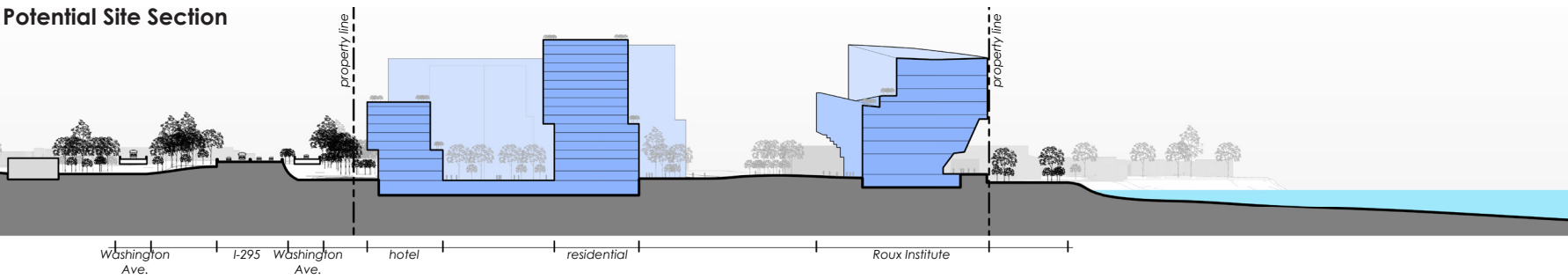
The shoreline area between the buildings and the water will serve as meaningful public open space. This open space will contain a combination of pedestrian and bike trails, passive and active gathering spaces, restored and ecologically improved landscape and shoreline to anchor the site's relationship with the water. Building facades facing the water will be considered public-facing, with views designed for interest from the water and Eastern Promenade Trail.

Crime Prevention Through Environmental Design (CPTED)

Key to these successful transitions is a sense of welcome, comfort, and safety. To ensure this, the campus will incorporate the following CPTED design strategies demonstrated to deter crime:

- Mixed use, multi-tenant 24-hour campus that generates "threshold capacity" for a diversity of places, people, and programs
- Ecologically restored, biophilic and publicly accessible campus connected to the wider community
- Highly durable, vandal-resistant materials in the public realm to communicate a well-maintained, clean campus
- Systematic, clear, and appropriately scaled wayfinding to guide and inform all transportation modes and user groups
- Matrix of pedestrian and bike paths connecting well-lit transit stops, bike storage areas, and parking areas to maintain clear sight lines
- Street-level building elevations designed for visibility, minimizing hidden corners and spaces
- Transparency and openness of buildings at ground levels and entrances to connect with the public realm and create pathways
- Controlled campus access points for special events or emergencies

As campus growth occurs, measures appropriate to each phase will be implemented and scaled to the Institute population and site usage. These measures may include such things as increased lighting, emergency phones, maintenance of clear sight lines, additional wayfinding and attention to spaces between buildings to ensure the governing CPTED principles are maintained.



Safety & Environment

Strengthening Resilience & Ecology

The site is roughly 75% impervious with approximately 10 acres of building roofs, parking areas, and loading dock space. Minimal shoreline buffer is present at the site, with pavement extending right up to the armored embankment along much of the shoreline. Existing site grades adjacent to the Bean Building are only 1-foot above highest astronomical tide. In recognition of these existing vulnerabilities and with a desire to improve ecological function for the site, the redevelopment will raise interior site grades and soften landscapes to reduce impervious area and increase flood resilience.

Energy Consumption

The development presents an opportunity to mitigate energy consumption through high performance building envelopes, particularly with the likely southern exposure of the Academic/Research building. Similarly, we intend to explore and hopefully incorporate renewable energy sources such as active and passive solar, sea water cooling, and/or geothermal. A sustainability charter will be developed for the campus prior to the first site plan submission to establish sustainability benchmarks and guidelines.

Energy Conservation Measures

The project design will include strategies to reduce the energy consumption of the building and associated utility demand and greenhouse gas emissions. The design will incorporate both passive and active energy conservation measures that will allow the project to realize significant reductions in energy demand. The project will incorporate high performance envelope features including triple glazed windows with low U-value, solar control systems and optimized solar heat gain coefficients to reduce heating gains in the summer but take advantage of them during the winter. High efficiency energy recovery systems will be installed to capture and reuse as much heat as possible to significantly reduce the energy required for conditioning outside air. Energy efficiency mechanical distribution systems are being targeted such as radiant heating and other Dedicated Outdoor Air Systems. The project is aiming to electrify as much of the campus energy use as possible and utilizing heat pump systems to maximize efficiency and minimize demand on the grid. Finally, solar generation is being explored as a way to reduce the energy consumption, energy cost and the building's CO2 footprint.

Noise Generation

The proposed mixed-use academic campus is compatible in uses with the surrounding East Deering neighborhood. The Roux Institute Campus is buffered by I-295, the abandoned Grand Trunk Railway, and adjacent marine uses. Development will adhere to City of Portland technical standards regarding noise, vibration, and other potential nuisances. Pre-development noise measurements will serve as the baseline of analysis, in order to assess noise impacts accurately and to allow improvements to baseline conditions where possible. Development will employ noise abatement techniques (screening, acoustical attenuation, landscape buffering, etc.) for the benefit of residents, students, and all users of the site.



Artist Interpretation

Hazardous Materials

Use of hazardous materials, if any, will be in academic and laboratory contexts, and managed in conformance with all local, state, and federal requirements.

Heat, Glare, and Radiation

Development studies will include analysis of heat, glare, and radiation impacts in order to understand and eliminate safety hazards and lessen impacts of new development. Development will comply with all City standards regarding heat, glare, and radiation.

Wind

Occupant comfort analysis will be performed during each phase of development when applicable site plans are reviewed, with design modifications as necessary to maintain acceptable conditions. The analysis will include comfort at and around buildings as well as major public spaces. Existing buffers of plantings at property lines will be maintained or replaced where appropriate.

Lighting

Exterior lighting will be full cut-off and dark-sky friendly. Fixture output will comply with all City lighting regulations to avoid light spill into neighboring areas from the site. Photometric analysis at each phase of development will be used to inform lighting design in accordance with Illuminating Engineering Society of North America (IESNA) Standards.

Height and Massing

The allowable building heights on the Roux Institute Campus are informed by the historic location and prominence of the Bean Building, the desire to create meaningful public open space while meeting all programmatic goals for the Roux Institute, resilient building design, and potential shadow and other impacts to neighboring properties. Building heights will stagger, with the greatest height at the center of campus and lower heights near the site's boundaries. Building heights around the Bean Building and within 35' of the western and northern edges of the campus will be no greater than 75'. Conceptual massing studies based on proposed building heights are attached as Appendix A.

Shadows

Height and massing will minimize shadow impacts to neighbors and avoid negative impacts to nearby existing public open spaces. The campus height map places the greatest heights to the middle of the site and progressively lower zones to the perimeter. Mechanical enclosures will be set back from roof edges to minimize impact. Conceptual shadow studies based on proposed building heights are attached as Appendix B.

Public Safety

Access to the campus is via Sherwood Street, through a 40-foot wide, 14' 10' high highway underpass. The underpass height exceeds the NFPA requirement of 13.5 feet of clearance. The East Deering Fire Station is located one mile away from the campus. In addition, fireboat access will be available at the campus pier.

Public safety needs for the campus will be similar to those on other higher education campuses. Northeastern will have a 24-hour security presence on the Roux Institute Campus. Security personnel will be trained in basic emergency medical services, such as CPR. Other security measures planned for the campus will consider most current proven technologies, including remote-monitored security cameras and emergency blue light telephone boxes.

Bird Safe

The development will incorporate proven technologies and materials with acknowledgment that bird-friendly buildings reduce threats to birds without sacrificing attractiveness, functionality, or natural lighting.

Open Space

The campus will include a minimum of three acres of public open space designed to enhance waterfront access and provide bicycle/pedestrian network connectivity. The public open space shall be meaningful space, functioning as recreational, natural habitat, and/or public gathering space.

Neighborhood Engagement

The Roux Institute Campus is intended to become an extension of the East Deering neighborhood, which is separated from the site by Interstate 295, the rail corridor, and Maine Yacht Services. The site will be a walkable addition to the neighborhood, with open spaces, waterfront, campus-oriented retail, and restaurant amenities, but it also represents a change. To ensure the campus is designed in a manner benefiting the neighborhood will require robust communication with interested stakeholders.

The Land Use Code requires two Neighborhood Meetings related to the Institutional Overlay Zone and Institutional Development Plan processes. The Roux Institute team has used those requirements as a starting point for ongoing dialogue. The first Neighborhood Meeting was held virtually on November 18, 2021, with 26 registered attendants and 11 attendees. The feedback was positive, and attendees expressed interest in construction job opportunities, sought additional information regarding traffic and associated transportation improvements, indicated a desire for bike/pedestrian connectivity, requested that lighting plans be considerate of adjacent neighborhoods, and asked about climate resilience and disturbance during construction. A second Neighborhood Meeting was held in person at the Ocean Avenue Elementary School on April 6, 2022. Although the City only requires that abutters within 500 feet of the campus be notified of the meeting, IDEALS and Northeastern expanded the list of invitees to include a much broader radius and mailed over 1700 meeting notices, 48 people attendance. Many attendees expressed concerns about the scale of the proposed development, building height, and traffic. As a result, IDEALS and Northeastern reduced the planned square footage of construction by 27% and the tallest proposed building heights by 19%.

In addition to Neighborhood Meetings required by the regulatory process, IDEALS and Northeastern have hosted periodic virtual forums called Roux Institute Campus Roundtables as a way to engage with the East Deering neighborhood and beyond on an on-going basis. The first such event occurred December 14, 2021. Additional meetings occurred on February 1, March 23, and June 2, 2022. An Open House was held at the site on September 6, 2022, with over 130 public participants.

To keep all potential stakeholders apprised of the development plans, IDEALS and Northeastern maintain a website, www.rouxcampusportland.org, to showcase up-to-date plans, present information about the Roux Institute at Northeastern University, and provide notice of upcoming events with links to meeting documents and recordings of prior forums. The site is an interactive platform with an email link for questions and a feedback section that probes for input on a wide variety of issues. This platform will also be a valuable communication tool during construction, providing a means to share information related to construction schedule, work hours, management plans, public safety, and site access.

Additionally, Northeastern University and IDEALS have a designated community contact for members of the public. This contact works closely with neighborhood and city stakeholders to solicit ideas and feedback and ensure that any concerns are dealt with promptly, whether reported in person or through the website.

Finally, members of the team are conducting regular outreach to interested stakeholders and potential partners to gain broad input into development plans. This will continue to facilitate assessment and calibration regarding how the Roux Institute Campus can fit into the Portland landscape and ways it can best live up to its potential as a model for education, economic development, recreation, and aesthetics.

Regular Neighborhood Forums

Northeastern University and IDEALS will continue to host neighborhood forums on a quarterly basis to discuss items such as phasing plans, project impacts, construction plans and schedule, and any neighbor concerns.

Northeastern University and IDEALS will provide an estimated construction schedule at the beginning of a project and provide regular updates throughout construction.



Community Advisory Group

Northeastern University and IDEALS will create a Community Advisory Group to maintain a dialog for the purpose of sharing information on project development, planning, and seeking input. To the extent practicable, the group shall be comprised of a representative from the following categories:

- | | |
|---------------------------------|---------------------------------|
| • East Deering Neighborhood | • Portland Harbor |
| • Recreation, parks, and trails | • Portland Public School System |
| • Bicycle/pedestrian | • Higher Education |
| • Rail | • Sustainability |
| • Public Transit | • Business Community |

The Community Advisory Group will meet quarterly and may meet more frequently as necessary. Input gathered and meeting documentation from Neighborhood Forums will be provided to the Community Advisory Group.

Construction Management Principles

A detailed Construction Management Plan will be submitted as part of the site plan review, based on the following principles:

- Open and transparent communication
- One-on-one conversations whenever possible
- Multiple channels to give and receive information
- Timely sharing of plans and considerations
- Receptivity and response to input
- Respect for affected parties

Northeastern University and IDEALS are committed to communicating early and often with neighbors and interested parties. Existing communication platforms – in-person meetings and calls; website; info@rouxcampusportland.org; and Neighborhood Forums will be supplemented with a dedicated construction webpage on the website, along with social media, texting, and a hotline to ensure the public has easy access to timely and accurate information.

Project Schedule

A Master Project Schedule will be prepared at the onset of each stage of construction, with distinct project schedules for buildings developed over the course of construction. Scheduling updates will be shared at the outset of each undertaking.

Public Safety Considerations

During construction of the initial phase, the site will be off-limits to the public. Thereafter, secured fencing and signage will be used to protect public spaces from construction areas and direct traffic flow. Pedestrian, bike, and vehicular access will be clearly marked throughout the campus. Appropriate lighting will ensure safe pedestrian routes. Where possible, buffers will be established between construction sites and vehicular and pedestrian ways. Following completion of initial phase, interim connections to bike and pedestrian ways will be provided when temporary construction impacts are necessary. All procedures will be OSHA compliant.



Construction Staging

Construction staging will occur inside the project's limit of work, as designated on the site plan submission or as approved by the Planning Board during the site plan review process.

Truck Routes

Truck routes and timing will be addressed in the projects' Construction Management Plan during site plan review and monitored throughout construction. In coordination with the city, wayfinding signage may be installed where specific locations are identified as no-travel zones for reasons of safety or traffic impacts. Every effort will be made to schedule construction traffic to avoid undue impacts when roadways are busy and/or queuing to gain access to the site. There will be no truck or construction-related parking within the city right-of-way.

Noise Impacts

Notwithstanding the existing buffers to the site, there will be noise impacts as a result of construction activities. For those noise events that are above the regular background level, advance notifications will be provided using the communications mechanisms described above. The City of Portland Noise Ordinance will be followed.

Air Quality Impacts

Construction Managers have a range of tools available to mitigate and manage dust and other agents effecting air quality. While the waterfront location and general westerly winds will partially alleviate these impacts, additional measures to be implemented as needed include covering loaded truck beds and soil stockpiles, use of wetting agents, and periodic cleaning of construction staging areas, roadways, and truck wheels.

Community Benefits

The Roux Institute at Northeastern University, through its programming and its publicly accessible waterfront campus, will provide numerous benefits to the residents of the City of Portland and beyond. At the core of the Roux Institute's mission is service to Portland and Maine's people by offering graduate programs in high-growth fields with generous scholarship support, launching startups and driving talent development, and supporting existing Maine businesses and institutions--all with the goal of bringing cutting edge technology capabilities to Maine through education, research, and entrepreneurship. The nearly billion-dollar investment in the Portland Campus will generate local jobs at all levels, both temporary and permanent. The very nature of an innovation hub like the Roux Institute is to create new opportunities.

Community Spaces

The Roux Institute's publicly accessible, waterfront campus will benefit the adjacent neighborhoods and greater Portland community. Some of those benefits include:

- At least three acres of open space will be built in the first phase of construction and maintained thereafter, available for use by all members of the public
- Safe public bicycle/pedestrian trails linking to the Back Cove and Eastern Promenade trails available for use by all members of the public
- Open space and a waterfront pedestrian walkway available for use by all members of the public
- Indoor spaces for use by members of the public, as available
- Convening space available for use by members of the public
- Snow ban parking for adjacent neighbors
- A pier available for public use with facilities for kayaking and paddleboarding

Workforce Development During Construction

Construction of the Roux Institute campus provides an opportunity to educate and develop our workforce for the future. The following are some examples of community benefit opportunities during the construction phase of the project:

Outreach to Local Schools - Portland Public Schools, Trade Schools and Community Colleges

- Host a Roux Institute Campus Construction Lab, where interested parties including future and current tradespeople will be invited to come learn from the project team about construction techniques, project management strategies, and trade work on this complex and technical project. This will gain exposure for a younger population to learn about the trades and construction industry and will contribute to the advancement of Maine's existing trade workforce
- Attend and participate in training programs within each of the established educational facilities interested in participating
- Involve field supervisory staff and craft workers in establishment of a curriculum for the core skillsets anticipated for the project
- Involve staff members as part time "adjunct professors" in the interested educational facilities and work to incorporate elements of the planning of the project in curricula via:
 - » ACE Mentoring and similar programs to engage with high school students
 - » Community College and Portland area Higher Education Institutions with the goal of incorporating project specific construction scheduling, estimating, and virtual design concepts into the curriculum

Apprentice Program Development

- Encourage and educate potential subcontractors on the incorporation of apprenticeship programs in their current business/recruiting and employee retention planning
- Incorporate the evaluation of trade contractors' apprenticeship programs in the selection of the subcontractors for the project
- Evaluate the current and past performance of the apprenticeship programs when evaluating potential subcontractors
- Establish goals for apprentice participation in construction workers on site and at off-site fabrication facilities



Local Worker Preference

- Hold local job fairs prior to the start of construction and throughout the construction phase of the project to ensure that the maximum number of local workforce participation is achieved
- Set goals and measure performance of each contractor for local resident worker participation including other measures of business level participation in the project, such as:
 - » Maine Based Business participation
 - » Women Owned Business
 - » Disadvantaged Business
 - » New Mainers

Community Benefits (continued)

Northeastern University's Roux Institute is delivering on its mission to erase the boundaries between the real world and academia. It achieves this goal by customizing learning programs and research initiatives to meet the needs of employers, by integrating classroom learning with professional experience, and by supporting the launch of innovative startup companies. The Roux Institute's collaborations with its employer-partners keep the institute in step with the economy's—and society's—changing needs and opportunities. They also enable the Roux Institute to identify and begin to address the state's urgent and most consequential challenges.

Together, the Roux Institute and its partners are:

- Co-designing educational programs that prepare workforce talent for today's innovation economy, focusing on STEM fields such as artificial intelligence and the computer, data, and advanced life sciences, and by integrating classroom learning with professional experiences afforded by employer-partners
- Conducting interdisciplinary research focused on solving challenges that affect Portland, the state of Maine, and communities globally. The explicit goal is to translate findings into knowledge and activities that make a significant, measurable impact on the world. Priorities include widening access to equitable and effective healthcare; providing broader and more reliable access to technology; and devising data- and technology-driven methods to mitigate dependence on unreliable supply chains
- Attracting, supporting, and launching new businesses throughout Maine, opening new doors to opportunity and prosperity for people across the state and region

Now in its third academic year, the Roux Institute is steadily laying the groundwork for transforming Maine's economy and is securely rooted in Maine and leading important, transformational impact throughout the state. From its launch through the start of the current academic term in September 2022:

- The institute's partnership ranks have grown tenfold as more than 110 Maine organizations now work with and benefit from the institute
- Five hundred graduate students are enrolled, and more than 900 employees of partner organizations have completed custom training programs
- Thirty-six startup companies have worked in residence at the Roux Institute, creating 52 new Maine jobs and raising \$21M in investment capital to grow their new businesses
- Five, robust research programs are established, led by globally recognized leaders who are pursuing substantial governmental and private funding to spur growth
- And more than 125 Mainers are employed by the institute, 25% of whom relocated to Maine to join the effort and support the institute's mission

Commitment to Diversity, Equity, and Inclusion

The COVID-19 pandemic, a heightened awareness of the devastating impact of racial and ethnic discrimination, and other global disruptions have starkly illustrated the need for a new higher education model that empowers people to navigate and solve complex problems across a multiplicity of contexts, whether geographic, political, intellectual, socioeconomic, or cultural.

To this end, Northeastern University recently unveiled *Academic Plan: Experience Unleashed*, a strategic vision that aligns learning, research, and entrepreneurship to solve urgent challenges in collaboration with partners around the world. Central to the plan is a commitment to human diversity. Throughout the university's global system, Northeastern teams are working with local partners and communities to build a diverse, equitable, and inclusive community of learners, faculty, entrepreneurs, staff, and partners. This work is based on the truth that humankind's toughest challenges are dynamic, interconnected, and affect people and communities in ways that depend upon context. To maximize our impact within diverse and rapidly evolving contexts, we must immerse learning, discovery, and innovation in real-world experience.



Enabling Access for all Mainers

Through the transformational Roux Institute's *Alfond Scholars Initiative*, the university will distribute \$67 million in scholarships to Maine residents who are studying at the institute, providing unprecedented support for Mainers to pursue academic and career advancement. More than \$11M in need-based scholarships have been awarded inception-to-date. The Roux Institute's *Alfond Scholars Initiative* also supports the recruitment and retention of diverse learners through its co-op and post-doctoral research programs.

Benefits to Employers and the Business Community

The Roux Institute was founded on collaboration with employer partners and higher education partners, which keep the Institute in step with the economy's—and society's—changing needs and opportunities. Twenty-three of the institute's industry partners are headquartered in Portland. Collectively, these organizations employ more than 40,000 people. Eleven Portland-based community and academic partners, who collectively employ 12,000 people, also work with the Roux Institute. These partnerships enable The Roux Institute to support Portland-based companies and the people they employ, while also identifying and beginning to address the city's most urgent and consequential challenges.

Benefits to Higher Education and Community Partners

Northeastern University, through its work at The Roux Institute, is committed to working with higher education and community partners throughout Maine to decrease the barriers of entry to high tech careers, and to bring our talent and expertise to benefit these vital organizations.

Community Benefits (continued)

The institute's work with Maine higher education partners focuses on building an ecosystem that creates clear pathways for learners to and through college and onto graduate learning, as well as building the critical R&D capacity across the city and the region. Through its fourteen higher education partnerships, the Roux Institute and its partners feature joint expertise to ensure that Maine-based learners get a robust education and can contribute effectively to workforce and research needs. For example, the institute has developed accelerated matriculation and completion pathways with five higher education partners, helping college graduates to maximize returns on both time and tuition investments, while remaining in Maine to complete master's degrees at The Roux Institute on an accelerated timeline.

The institute's various community partnerships focus on leveraging people, space, and networks to advance the work of Maine's mission-drive, community organizations. For example, Roux Institute faculty volunteer to lead computer science training for teachers in Portland schools; Casco Bay High School students complete internships at The Roux Institute; and the institute hosts Girls Who Code camps for middle and high school students from throughout Maine.

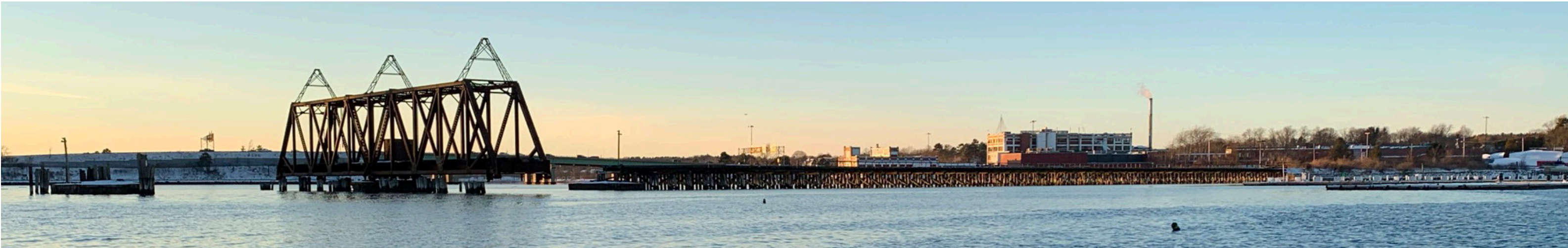
Similar, near-term events are planned as well – some of which are directly linked to the university's diversity, equity, and inclusion commitments. For example, The Third Place and The Roux Institute are partnering to host networking events to support BIPOC professionals as they connect, live, and work in Portland. The institute is committed to expanding and scaling these offerings. In the future, the institute's community engagement programs will support educators, students, and community groups that share our commitment to a diverse, equitable, and inclusive high-tech ecosystem that is a possibility for all – and benefits all.

Supporting the Growth of Local Entrepreneurs

A final community benefit is the robust entrepreneurship programming supporting people to learn about business creation and supporting entrepreneurs to launch their ventures. Already, the Institute has hosted two “Maine Start Summits,” which are three-day business creation hackathons and many other events for entrepreneurs, which create open and accessible on-ramps for anyone to bring an idea to life and begin to not only provide Portland with great products, but also generate more jobs and revenue at the same time.

Commitment to the City of Portland and our Region

Ultimately, the university's success will be inextricably linked to that of its faculty, graduates, and partners. Through the work of the Roux Institute and other organizations, Maine will be home to a thriving, tech-forward economy fueled by people and businesses leading innovations in realms from AI-driven healthcare to life sciences technology. This economy will attract new people and companies to the region. It will also provide unprecedented opportunities for all Mainers in a manner that honors and enriches their treasured lifestyle and culture.



Appendix A

Conceptual Massing Studies

Campus Concept | near-term



Campus Concept | near-term



Campus Concept | long-term



Campus Concept | long-term



Appendix B

Conceptual Shadow Studies

Shadow Study | December/June: 9am, 10:30am Noon, 1:30pm & 3pm, near-term & long-term



Appendix C

Supplemental Transportation Information

VHB’s Technical Transportation Appendix

Trip Generation

The person trip generation estimates for the currently contemplated full development were determined including both internal trips between uses on the site and external trips that have either origins or destinations off site that use all modes to travel to and from the site. The total trips generating and their associated ITE Land Use Codes are provided in Table 1. Information on Roux projected population and programming and the resulting trip profile are provided in Table 2 below. For more specific information for the trip generation of the Academic Building, the detailed trips by academic population are illustrated in Tables 2, 3 and 4 for the near-, mid-, and long-term.

Table 1: Person Trips for IDP Full Build Development Program (including internal and external)

Site Land Uses and Descriptions				AM Peak Hour			PM Peak Hour		
LUC	Land Use	Size	Unit	Total	Entering	Exiting	Total	Entering	Exiting
N/A	Academic Building	400	1,000	314	288	26	562	138	425
221	Multifamily Housing (Mid-Rise)	650	Units	274	63	211	254	155	99
710	General Office Building	200	1,000 SF	304	268	36	288	49	239
760	Research and Development Center	50	1,000 SF	52	42	9	49	8	41
310	Hotel	125	Rooms	58	32	25	74	38	36
822	Strip Retail Plaza (<40k)	10	1,000 SF	24	14	9	66	33	33
932	High-Turnover Sit-Down Rest.	15	1,000 SF	144	79	65	136	83	53
Total Trips				1169	786	382	1428	503	926

Table 2: Academic Building Trip Generation Components on a Typical Day (Near-Term)

		AM Peak Hour	PM Peak Hour
755 Enrolled Graduate Learners (hybrid)	in	14	22
	out	0	29
	total	14	51
1,000+ Corporate Learners (online and hybrid)	in	20	0
	out	0	40
	total	20	40
150 People at Special Events	in	15	50
	out	0	15
	total	15	65
30+ Embedded Startups (ITE LUC Office 70 emp)	in	30	10
	out	4	47
	total	34	57
65 Faculty & Staff (ITE LUC Office 65 emp)	in	28	9
	out	4	44
	total	32	53
10% more Visiting Faculty & Staff (ITE LUC Office 7 emp)	in	3	1
	out	0	4
	total	3	5
65 Researchers (ITE LUC R&D 65 emp)	in	33	4
	out	6	32
	total	39	36
Total Academic Building Population	in	143	95
	out	14	211
	total	157	307

Table 3: Academic Building Trip Generation Components on a Typical Day (Mid-Term)

		<i>AM Peak Hour</i>	<i>PM Peak Hour</i>
1,680 Enrolled Graduate Learners (hybrid)	in	32	48
	out	<u>0</u>	<u>64</u>
	total	32	112
2,500+ Corporate Learners (online and hybrid)	in	50	0
	out	<u>0</u>	<u>100</u>
	total	50	100
150 People at Special Events	in	15	50
	out	<u>0</u>	<u>15</u>
	total	15	65
50+ Embedded Startups (ITE LUC Office 100 emp)	in	43	13
	out	<u>6</u>	<u>61</u>
	total	49	74
120 Faculty & Staff (ITE LUC Office 120 emp)	in	52	14
	out	<u>7</u>	<u>70</u>
	total	59	84
10% more Visiting Faculty & Staff (ITE LUC Office 12 emp)	in	5	1
	out	<u>1</u>	<u>7</u>
	total	6	8
85 Researchers (ITE LUC R&D 85 emp)	in	42	6
	out	<u>7</u>	<u>40</u>
	total	49	46
Total Academic Building Population	in	239	132
	out	<u>21</u>	<u>357</u>
	total	260	489

Table 4: Academic Building Trip Generation Components on a Typical Day (Full Build out)

		<i>AM Peak Hour</i>	<i>PM Peak Hour</i>
1,680 Enrolled Graduate Learners (hybrid)	in	32	48
	out	<u>0</u>	<u>64</u>
	total	32	112
3,500+ Corporate Learners (online and hybrid)	in	70	0
	out	<u>0</u>	<u>140</u>
	total	70	140
150 People at Special Events	in	15	50
	out	<u>0</u>	<u>15</u>
	total	15	65
50+ Embedded Startups (ITE LUC Office 100 emp)	in	43	13
	out	<u>6</u>	<u>61</u>
	total	49	74
165 Faculty & Staff (ITE LUC Office 165 emp)	in	71	18
	out	<u>10</u>	<u>88</u>
	total	81	106
10% more Visiting Faculty & Staff (ITE LUC Office 16 emp)	in	7	2
	out	<u>1</u>	<u>9</u>
	total	8	11
105 Researchers (ITE LUC R&D 105 emp)	in	50	7
	out	<u>9</u>	<u>48</u>
	total	59	55
Total Academic Building Population	in	288	138
	out	<u>26</u>	<u>425</u>
	total	314	562

Target mode shares for each proposed Roux Campus land use were developed and discussed with City of Portland and Maine Department of Transportation officials at several meetings. These shares, as outlined in Table 5 below, were applied to external trips to determine the likely number of trips by each mode.

Table 5: Mode Share By Land Use

Land Use	% Transit	% Ped/Bike	% Vehicle	% Carpool
University	10%	20%	65%	5%
Residential	10%	20%	65%	5%
Office	10%	10%	75%	5%
Hotel	10%	10%	75%	5%
Retail	10%	50%	40%	0%
Restaurant	10%	50%	40%	0%
Overall Site Mode Shares	10%	18/19%	67/66%	5%

Applying each of these mode shares to the trip generation for the appropriate land use results in the trip generation by mode as shown in Table 6 below.

Table 6: External Trips by Land Use and Mode for Long-Term Build Out

Peak Hour	Vehicle			Transit			Walk/Bike/Other			Total Trips		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
AM	424	141	565	62	22	84	107	46	153	593	208	801
PM	217	520	737	34	77	111	77	133	211	329	730	1058

Parking Demand

Parking demand will be determined by phase as the existing parking demand and anticipate mode shares are determined. In each phase, the existing and future parking will be evaluated. Base parking demand was estimated for each hour of the day using ITE Parking Generation Manual, 5th Edition rates and the same land use codes as for trip generation with the exception of the Roux Institute which used the evaluation of population travel profiles as outlined above. The estimates indicate that total parking demand across all uses on the site will peak at 4 PM as driven by Roux Institute parking needs.

Table 7: Estimated Peak Parking Demand based on Current Long-Term Buildout Development Program¹

LUC	Land Use Group	Size	Unit	Peak Parking Demand (4:00 PM)
710	General Office Building	200	1000 Sq. Ft.	329
820	Convenience Retail	10	1000 Sq. Ft.	6
	High-Turnover (Sit Down)			
932	Restaurant	15	1000 Sq. Ft.	24
222	Multifamily Housing (High Rise)	650	Units	153
310	Hotel	125	# Rooms	55
550	Roux Institute	400	1000 Sq. Ft.	1002
760	Research and Development	50	1000 Sq. Ft.	62
Total:				1631

¹ Parking demand as calculated based on goal mode shares provided above

As indicated, the parking numbers are estimates based on target mode shares and the currently contemplated building program. As the site is developed, Site Plan Review and Traffic Movements Permits will be required that will involve monitoring and reporting on traffic and parking. Based on monitoring results and TDM measures included in these submittals, the parking demand and ultimately supply will be determined so that the site is properly parked for the context at that time. As stated in the Land Use Code, the Planning Board will establish the off-street parking requirement based on a parking study. The Roux Institute is actively pursuing strategies with the City of Portland to prevent on-street parking by campus visitors.

Transportation Improvements

Based on the evaluation of the IDP full build program and the anticipated impact on the transportation network, a series of potential projects have been identified that could mitigate these impacts, if they are found to occur in the future. Each project is listed with the anticipated phase of the program development at which the mitigation may be necessary based on operations. On page 29 and 30 in the main IDP document, please find maps showing the locations of the potential transportation improvements.

- › Sherwood Street (short-term)
 - Improve Sherwood Street to accommodate bicycles and pedestrians in separate facilities (i.e., bike lanes and sidewalk) where possible with potential shared accommodations through the limited cross section under the I-295 bridge. A separate left and right turn lane on Sherwood is not anticipated to be required until the mid-term and a traffic signal that is required in the long-term.
- › Shared Use Path Connection (mid-term)
 - A shared use path connection from the site to provide better connectivity to the Back Cove Trail, neighborhood, and/or Eastern Promenade Trail

- › Washington Avenue at Veranda Street (mid- to long-term)
 - Addition of an eastbound right turn lane (Bates approach) and northbound right-turn lane (I-295 Ramp). With these lanes, and timing changes, the overall LOS will improve to a C during the AM peak hour and LOS D during the PM peak hour (was LOS F without improvement). Alternatively, the ramp from the Washington Avenue off-ramp to Sherwood Street could be considered.
- › Veranda Street (mid-term)
 - Improve Veranda Street to accommodate bicycles in separate space.
- › Veranda Street at Sherwood Street (full IDP build program as currently contemplated)
 - Provide signalized control including a separate northbound left-turn lane. These changes would result in an overall LOS C/D during the AM/PM peak hours.
- › Bates Street at Baxter Boulevard (full IDP build program)
 - Provide an all-way stop controlled intersection. Under all-way stop control, the intersection would experience a slight increase in delay resulting in less than 19 seconds of delay for the westbound and eastbound approaches. However, it would improve the southbound left turn from LOS B during the AM and PM peak hours to a LOS A.
- › Washington Avenue at Presumpscot Street (full IDP build program as currently contemplated)
 - Per discussion with the City's Consultant, VHB also looked at the intersection of Washington Avenue at Presumpscot Street based on its likely effect on the operations of Washington Avenue at Veranda Street. For the full IDP build program, a northbound left turn prohibition would need to be considered, a second southbound thru lane added and the southbound left advance phase removed to address the poor operations during the AM peak hour. In addition, the pedestrian crossing the south leg of the intersection would need to be removed in order to improve overall operations.

8.5 INSTITUTIONAL OVERLAY (IOZ)

8.5.1 Purpose

The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city's ~~four~~five major medical and higher education campuses where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

- A. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and in order to sustain that role, these institutions need flexibility to change and grow.
- B. Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level.
- C. Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions.
- D. Support the formation and continuation of mutually beneficial public-private cooperation.
- E. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods.
- F. Reflect Comprehensive Plan and other policy objectives.
- G. Provide a consistent regulatory approach to all major institutions which allows unique regulatory requirements that balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

8.5.2 Location and applicability

The city's ~~four~~five ~~primary~~major medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The eligible institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the ~~two~~three major academic institutions of University of Southern Maine, ~~and~~ University of New England, and The Roux Institute at Northeastern University, their successors and assigns. Designation as an IOZ is the preferred mechanism where the eligible institution's proposed development is inconsistent with the existing zoning.

REGULATORY FRAMEWORK

8.5.7 The Roux Institute at Northeastern University Overlay Zone Regulatory Framework

A. Applicability: All development proposed by The Roux Institute at Northeastern University ("Roux Insitutie") within the boundary of the Roux Institutional Overlay Zone (IOZ) shall be consistent with the approved Institutional Development Plan (IDP), consistent with the Comprehensive Plan, and meet applicable standards of the Land Use Code, unless such standards are superseded by the following regulatory framework. This regulatory framework shall govern future development by the Roux Institute within the IOZ unless amended by the Portland City Council upon formal application of the Roux Institute. The Roux Institutional Overlay Zone shall have the boundaries depicted below and shall include the approximately thirteen-acre property located at 1 Bean Pot Circle and identified as parcels 447-A001 and A002 in the City's assessing records.

Figure 8-E: Roux Institutional Overlay Zone Boundary

Proposed B-5 & IOZ



B. Phasing and monitoring.

1. The Roux Institute Campus will be developed in phases, as set forth in the IDP. The IDP will be updated on a regular basis to ensure that the data is current and that the document remains accurate. Accordingly, monitoring reports will be filed every three years and shall include a summary of progress on IDP implementation and of acquisitions and divestment since the date of IDP approval. At the time of the submission of the monitoring report, any updates to the IDP shall be identified which may result from updated master planning, changes in baseline information, or changes in the adjacent neighborhood which affect the campus, to allow the IDP to remain current. Updates and minor amendments not described below shall be reviewed administratively by the Planning Authority.
2. At completion of each phase, the Roux Institute Campus shall have the appearance of a complete and comprehensive design. Permanent and meaningful public space shall be established in the first phase, to ensure public benefit. Interim conditions shall be designed for a pleasant pedestrian experience through planting, lighting, wayfinding, graphics, artwork, or ornamental fencing to provide screening, buffers, and enhancement. Interim areas of the site which are not actively used for parking or construction staging will be appropriately landscaped or accommodate gathering on lawns or other aesthetically hardened spaces.
3. Minor amendments that change the approach to parking, transportation, neighborhood engagement or design shall be reviewed by the Planning Board for consistency with the objectives of the IDP. This review may occur simultaneously with the site plan review of a proposed project.
4. Major amendments shall be reviewed by the Planning Board and are required under the following circumstances:
 - a. A change to the regulatory framework is required.
 - b. The IDP is no longer representative of the institutional mission or approach to community as a result of redevelopment in the area or City upgrades to neighborhood planning (such as roadway changes, infrastructure upgrades, community design, lighting).
 - c. A change in approach to parking, transportation, neighborhood engagement or design is inconsistent with the objectives of the IDP, resulting in a modification to the applicable objectives.

Review of major amendments may occur simultaneously with the site plan review of the proposed project.

C. Uses. The Roux Institute Campus will encompass a variety of uses to support the mission of the Roux Institute to spur innovation, build talent, and drive economic growth. Partnerships with industry, academia, and government are essential components of the Institute's success. Campus uses will include classrooms and laboratories, housing, faculty offices, dining areas, convening spaces, fitness centers, retail facilities, entrepreneurial spaces, light manufacturing, incubator space, research and design facilities, hotel, and office space. The uses on the campus will support collaboration with private industry, other institutions, and community organizations, which is essential to the Roux Institute's approach to learning through integrated research, student work opportunities, and entrepreneurial endeavors. Hotel rooms will cater to prospective students, faculty and staff, visiting lecturers, specialists, and business partner guests, providing multiple opportunities for informal and unplanned interactions and collaboration that would otherwise not be available if staying in a hotel miles away

from campus. A range of rental housing options will foster community and provide on-site opportunities for students, faculty, staff, and their families. These units will ease some of the housing pressure and traffic that might otherwise result from new residents attracted to Portland by the Institute. Housing units not occupied by residents affiliated with the Roux Institute may be made available to the public to further assist in easing the housing pressure.

Recognizing the community value of a large waterfront parcel in close proximity to a primary bike and pedestrian trail system, the Roux Institute Campus will be designed to include those uses that will welcome the neighbors to the campus, including publicly available open space, waterfront access, recreational opportunities, restaurant, dining, small neighborhood grocery, and/or other limited retail options. These uses will provide a means for serving the residents and other users of the campus, as well as welcoming the neighborhood to foster connectivity and community engagement, activating the public realm, and reducing dependence on automobiles.

1. In addition to the uses permitted in the underlying zone, the uses in Table 8-E shall also be permitted as a matter of right in all buildings that are located within the IOZ and on land owned or leased by the Roux Institute. In recognition that the Roux Institute is a graduate-level educational and research institution with a number of corporate partners, and in recognition of its location outside of the downtown, the following uses and many that are permitted in the underlying zone, such as multi-family housing, hotels, offices and retail, are ancillary to and support the vision and mission of the Institution. In addition, ground floor retail, restaurant, or comparable community-oriented uses that provide services to local residents, students, faculty and staff shall be provided. Such uses are expressly permitted whether ancillary to or supporting the educational institution, and shall be open and welcoming to the general public in addition to students, faculty, staff, or visitors of the Roux Institute.

Table 8-E: Permitted Uses
Laboratory and Research Facilities
Low-impact Industrial (>10,000 SF)
High-tech Manufacturing

2. Within the boundary of the IOZ hotels shall be limited as follows:

- a. No more than one hotel shall be located in the IOZ.
- b. The hotel shall contain no more than 130 rooms.
- c. The hotel shall be no more than eight stories in height, not including structured parking. There shall be no more than two levels of above grade structured parking beneath the first floor of the hotel. Nothing herein is intended to preclude the co-location of hotel use and structured parking on one or more levels of the hotel.

D. Dimensional requirements.

1. Applicability

All principal buildings and structures located within the IOZ and located on land owned or leased by the Roux Institute shall be subject to the dimensional requirements of the underlying zone, except where modified by the provisions of this Section.

Table 8-F: Dimensional Requirements	
Building Height (max.)	Maximum building heights for new principal buildings in the IOZ shall be governed by the Roux IOZ Height Map (Figure 8-F)

2. Rules of Measurement

Publicly accessible corridor: A corridor accessible to the general public that is open to the sky or enclosed with a minimum width of 20 feet. Enclosed portions of publicly accessible corridors shall have a minimum height of 30 feet.

Street wall: Within the Roux IOZ the term “street wall” shall mean a wall or portion of a wall that includes the principal entry to a building facing a street, public right-of-way, major pedestrian access routes, or open spaces. Orientation of the principal entry to a building shall be determined by the applicant.

3. Minimum and maximum street wall heights

New principal buildings in the IOZ shall rise to a minimum street wall height of forty-five feet (45’), and may rise to a maximum street wall height of one hundred and five feet (105’).

4. Stepback requirements

At a height not lower than the minimum street wall height or higher than the maximum street wall height, a stepback with a minimum depth of at least 10 feet shall be provided. Required stepbacks shall only apply to a building’s street wall.

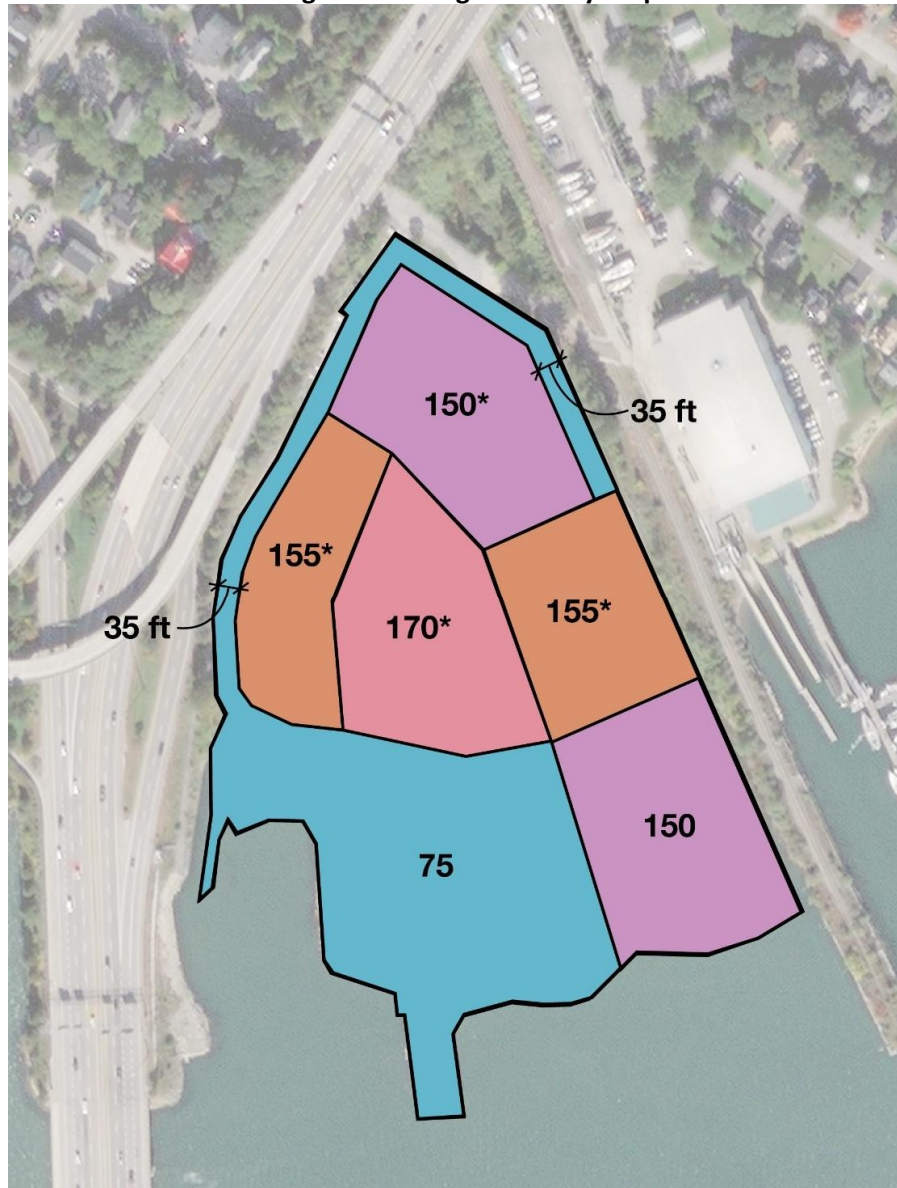
5. Building length requirements

- a. For buildings with a length greater than 250 feet, a continuous, publicly accessible corridor that connects two streets, public right-of-way, major pedestrian access routes, or open spaces shall be provided, with the precise location to be identified, defined, and reviewed under site plan review. Building length shall be measured at grade in a straight line between the outer corners of the designated street wall.
- b. Publicly accessible corridors need not be linear and may have necessary grade changes.
- c. Any building wall situated along a publicly accessible corridor shall be designed to provide sufficient architectural and graphic amenities to provide visual interest, transparency between interior activities and pedestrian activity, or active uses and relate the building, and its use to passersby.
- d. Publicly accessible corridors shall:
 1. Include pedestrian amenities such as benches and other seating;
 2. Be illuminated to levels that are adequate but not excessive for the safety, comfort, and conveniences of occupants and users of the site, and
 3. Provide access to the public during regular operating hours of the Institute.
- e. The Roux Institute may close off public access to a publicly accessible corridor during special events or when determined necessary by the Institute for security or public safety purposes.

6. Transitions and Buffers

- a. The campus is surrounded by existing buffers, with I-295 to the west, state-owned vacant parcels to the north, the rail corridor and marine business to the east, and Casco Bay to the south. In addition to the existing buffers, development shall further ease the transition to and from the campus through the following design methods in areas shown on Figure 8-G.
- b. Public open space will ease transition from the smaller scale of Sherwood Street. A transition onto the campus will also be accomplished through thoughtful facade design at the pedestrian level. Potential nuisance features like dumpsters, air handlers, and parking will be appropriately screened. Buildings will avoid blank walls to respect the adjacent neighborhood and facilitate a sense of permeability and welcome.
- c. The shoreline transition area between the buildings and the water will serve as meaningful public open space. Building facades facing the water will be considered public-facing, with views designed for interest from the water and Eastern Promenade Trail.
- d. The transition area between the campus and I-295 contains a height limitation of 75 feet along the edge and between the highway and the B&M Cannery Building, preserving the historic view of the building from the highway and easing the transition to the greater allowable building heights in the center of campus.
- e. The transition area along the edge of the campus adjacent to the rail corridor also contains a height limitation of 75 feet along the edge of the property closest to the residential neighborhood, further easing the transition to the greater allowable building heights at the center of campus, mitigating shadow impacts to adjacent properties.

Figure 8-F: Height Overlay Map



NOTES:

1. Applies to zones shown with an asterisk (*): above height of 75 feet, no building floorplate shall exceed 35,000 square feet.
2. Above height of 50 feet, no two buildings shall be closer than 40 feet apart.
3. Building heights for buildings that span two or more height zones shall be measured by calculating the highest point (as defined in the Land Use Code) of that portion of the building within a particular height zone. If the roof is sloped, height is measured at the midpoint of that portion of the slope located within the particular height zone.

Figure 8-G: Transition Areas and Buffers



E. Transportation.

1. Transportation Demand Management (TDM)

- a. At the time of the first site plan review following IDP approval, the developer shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved IDP. The TDM Plan may be phased into short-, mid-, and long term actions to allow for progressive implementation over time.
- b. The TDM Plan shall be designed to provide transportation choice with the goal of reducing parking demand and single-occupancy vehicle trips to and from the Roux Institute Campus by students, faculty, staff, institutional partners, and visitors.
- c. The TDM Plan shall establish parking, mode share, and trip reduction targets associated with each phase of development, as well as a data collection plan.
- d. Annual monitoring reports will be submitted for the TDM Plan. TDM monitoring reports shall include a summary of progress towards targets established in the TDM Plan. If deficiencies are identified, they will be resolved in accordance with the Site Plan approval.

2. Traffic Movement Permit (TMP)

- a. Any development that will generate over 100 passenger car equivalents will trigger TMP review which will determine applicable mitigation for that development program. There are

contributions anticipated to areawide elements to support trip reduction targets, such as contribution to the development of shared use path infrastructure and support for additional transit service to the campus. The TMP review may consider an individual site plan or may cover more than one site plan. Each of the TMP submissions and review will continue to contemplate capacity for multimodal connections to continue to reduce automobile trips.

- b. Mode shares and trip reduction targets have been identified in the IDP and will be updated and modified with each TMP submission as necessary.

3. Bicycle and Pedestrian Access and Safety.

- a. A Transportation, Access, and Circulation Plan has been provided in the IDP. At the time of the first site plan review, the developer shall submit an updated Plan. Where possible, the bicycle and pedestrian access routes shall connect to established bicycle and/or pedestrian facilities. The developer shall look to establish new bicycle and pedestrian bicycle and/or pedestrian facilities where feasible.
- b. The site and building design shall not prohibit the enhancement of transit service to and from the site.
- c. Bicycle, pedestrian, transit, and motorized vehicular facilities proposed to and from the site shall provide sufficient capacity and allow for safe connections for all modes of transportation.
- d. Sherwood Street shall be improved to accommodate bicycles and pedestrians within the existing right-of-way. Separate sidewalks and bicycle lanes shall be provided where feasible.

4. Parking.

Parking requirements in the IOZ, including but not limited to parking ratios, shall be established at the time of site plan review for each phase of development based on a parking study that includes a campus-wide analysis of demand and supply. Parking studies shall integrate parking and trip reduction achievements and data contained in the TDM Plan. Parking requirements shall be determined in accordance with the requirements in the Land Use Code in effect at the time of site plan review.

5. Circulation

- a. The campus shall contain a bike and pedestrian circulation network which includes a perimeter access loop, an internal system of pathways and a major campus “promenade” which will link campus developments, the upland, and the waterfront.
- b. The perimeter access path for bicycles and pedestrians will serve to connect the campus to primary site entry points from the community and provide a continuous recreational loop. Where appropriate, the perimeter access path will be enhanced by wayfinding, lighting, landscaping, and safe crossings at vehicular intersections. Where possible, building facades will respond to the perimeter access path for views into the building and periodic activation to building entrances.
- c. Internal campus circulation pathways will connect major open spaces, building entrances, and outdoor plazas to create a network of multiple pathways including the perimeter access path. Pathways will be located along or oriented toward facades that have active programs, architectural articulation, appropriately scaled entrances, and windows. Pathways will avoid traveling along stretches of undifferentiated or blank facades back doors or service areas. Pathways will be generally lower-velocity systems than the access loop. Where appropriate, the

internal campus circulation pathways will be enhanced by wayfinding, lighting, landscaping, and safe crossings at vehicular intersections.

- d. The campus promenade will serve as a major organizing feature connecting the upland and the water and providing access to open spaces, allowing views of principal campus of buildings, and connecting to the internal campus circulation pathways and perimeter access path. The promenade will be enhanced by lighting, wayfinding, landscape buffers, and open spaces. Viewsheds and topography along the promenade will emphasize the Roux Institute and Burnham & Morrill (B&M) Cannery building, pier and other principal buildings and spaces.

F. Environment.

1. The IOZ shall contain a minimum of three acres of public open space designed to enhance waterfront access and provide bicycle/pedestrian network connectivity. This open space requirement shall be met at the completion of construction of the first site plan approval and shall be maintained at all phases of development. The three acres need not be contiguous and may be provided in new and/or different locations following completion of development phases. The public open space shall be meaningful space, functioning as recreation areas, social gathering spaces, or natural buffers. The method of assuring public access to the public open space shall be determined at site plan review.
2. A Sustainability and Resilience Charter will be created by the Roux Institute for the campus. The Charter shall contain sustainability goals related to development categories such as energy, water, transportation, equity, and resilience and may be revised over time in response to evolving technology and industry standards. The Charter will require all development on the campus to utilize critical components of industry standard benchmarking systems such as LEED, SITES, WELL, ILFI, and Passive House. The Charter will be submitted to the Planning Authority prior to submission of the first site plan application. Proposed site plans shall be consistent with the goals outlined in the Charter.
3. Development shall utilize lighting designs required for safety and comfort and that minimize impact to the night sky in accordance with light pollution reduction standards in ANSI/ASHRAE/IESNA 90.1-2007 or its most current edition.
4. Development shall be carried out in such a way as to minimize the impacts of sea level rise, protecting infrastructure and site features by designing to a minimum of 2-feet above the Base Flood Elevation (BFE) as shown on the most current FEMA Flood Insurance Rate Map.
5. The shoreline edge and immediate adjacent upland shall be protected through shoreline armoring and vegetation to prevent erosion and enhance natural resource protection. Work in coastal wetlands and significant wildlife habitats (as defined by the Maine Department of Environmental Protection) will be minimized to the maximum extent practicable and shall comply with all applicable local, state and federal permitting requirements in effect at the time.
6. Design of exterior building envelopes will be developed in conjunction with the American Bird Conservancy and Cornell Ornithology Lab standards to mitigate bird strikes to the extent practicable.

G. Mitigation measures.

1. Site plan impacts to off-premise infrastructure shall be mitigated in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of the development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.
2. Impacts to natural resources shall be mitigated in accordance with local, state and federal

permitting standards in effect at the time.

H. Design.

1. Introduction and intent.

New development in the IOZ shall adhere to the following design guidelines and the site plan standards of the City of Portland. All new development shall be designed to create a visual connection with the goal of achieving a cohesive campus appearance with a strong identity and sense of place. New development may be contemporary and forward looking in architectural style, but shall be informed by or responsive to the iconic B&M Cannery Building as an example of Portland's unique legacy of innovation, adaptation and durability. Reference to the building specifically and in general to the early 20th century industrial factory building type may inform the architectural principles of highly functional yet articulated human- centered facades and details, a combination of local and innovative materials, use of natural daylighting, high degree of flexibility and scalability and capacity for long service life. New development shall be characterized by excellence in architectural design, craftsmanship, materials, streetscape, resilience, sustainability and landscape improvements, signage, and lighting appropriate for a campus development on a coastal site.

These principles and standards are intended to regulate the future build out of the Roux Institute Campus while ensuring that new development is sensitive to adjacent residential neighborhoods and commercial areas and successfully integrates the existing site into the public realm while establishing a global beacon for thought leadership in artificial intelligence, computer and data sciences, digital engineering, and advanced life sciences.

2. Standards

a. Waterfront

1. The waterfront will be publicly accessible to provide a variety of open spaces throughout all phases of development that foster social interaction.
2. New principal buildings on the waterfront shall include a publicly accessible entrance to interior public space (if provided) from the waterfront side and upland side of the building along an anticipated desire line. Said interior public space, if provided, may be closed to the public during special events, outside normal operation hours, and when necessary for security or public safety purposes.

b. Cohesive campus

1. The overall composition and experience of the campus will be considered for cohesive identity from approaches along I-295 and views from the East Deering neighborhood.

c. Historic preservation

1. Buildings, site development, circulation, and open space will respect the B&M Cannery Building, a designated historic landmark.

d. Connectivity

1. Prioritize the bicycle and pedestrian circulation network on campus while providing connectivity for auto, public transit, service and emergency vehicles at each development phase.
2. Surface parking lots shall be located to the maximum extent practicable toward the rear or side of a building not occupied by a principal entry to a building facing a street, public right-of-way, major pedestrian access routes, open spaces, and/or the waterfront.

e. Open space

1. Open space will be publicly accessible to provide multiple functions for recreation, social gathering and buffers that integrate within the overall composition and experience of the campus at each development phase.
- f. Sustainable practice
 1. Buildings and site development will incorporate sustainable technologies in building design, orientation, energy production and sensitivity to natural resources at each development phase.
- g. Resilience
 1. Buildings and site development will incorporate resilience strategies to account for flooding, severe weather events and integration of publicly accessible spaces at each development phase.
- h. Building design
 1. Building facade materials will be of high quality, durable to the marine climate and contribute to an attractive public realm. The first 35 feet of building height shall complement the pedestrian character in materiality, transparency and detailing.
 2. Rooftop appurtenances will be incorporated, screened and set back from roof edges to reduce visual impact from the surrounding neighborhood.
- i. Building entrances
 1. Building entrances will include prominent facades and be oriented toward, located adjacent to, or accessible from rights-of-way, major pedestrian access routes, or open spaces.
- j. Mitigation of impacts
 1. Buildings and site development will endeavor to minimize potential negative impacts related to shadows, wind, noise, heat, glare, lighting, contaminants, and the environment.

I. Neighborhood integration.

1. Neighborhood Engagement

- a. For the purpose of keeping surrounding residential areas apprised of its future development plans, and to address any neighborhood issues related to the operations of the Roux Institute Campus, the Roux Institute shall adhere to the ongoing neighborhood engagement principles identified in the IDP.
- b. Ongoing community engagement shall be conducted, including the continuation of neighborhood forums and maintenance of the Roux Institute Campus website.
- c. A Community Advisory Group shall be created for the purpose of sharing information on project development, planning, and seeking input. To the extent practicable, the group shall be comprised of representatives of interested groups such as the East Deering Neighborhood, recreation, parks and trails, sustainability, rail, bicycle/pedestrian, public transit, Portland Harbor, Portland Public Schools, higher education, and the business community.
- d. A designated community contact shall be engaged to be the point of contact for providing information to the neighborhood and receiving feedback.

2. Construction Management

At the time of site plan review, Northeastern University shall submit a Construction Management Plan substantially in accordance with the construction management principles identified in the Institutional Development Plan for review and approval by the Planning Authority.

J. Historic Preservation

1. Historic Preservation Review

The B&M Cannery Building has been designated as a local historic landmark. The area of designation includes the B&M Cannery Building, as well as the area of the former cod fish building and pier. The Historic Preservation Board's review of activity within the site of the former codfish building and pier is limited to review of any activity that would require a Certificate of Appropriateness that is proposed on a newly constructed pier. A Certificate of Appropriateness will not be required for the demolition of the codfish building or construction of a new pier and related infrastructure, including future alterations to the pier structure.

2. Required Interpretive Elements

Northeastern University shall include interpretive element(s) on top of or within the surface of the new pier that convey the history and significance of the codfish building. Prior to construction of said elements, the University shall submit the proposal to the Historic Preservation Board for its review and approval. The interpretive elements shall be designed in a manner that does not interfere with the use and functionality of the pier as a marine passenger facility and for water access by the Roux Institute and the public.

3. 100-foot Review Exemption

The B&M Cannery building is exempt from Section 14.6.4.E.2. for review of development within 100 feet of a landmark.

June 6, 2022

Zachary Powell, Planner
City of Portland
389 Congress St.
Portland, ME 04101

RE: The Initiative for Digital Engineering and Life Sciences
Neighborhood Meeting Information

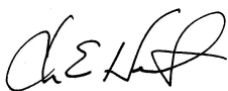
Dear Zach:

On behalf of The Initiative for Digital Engineering and Life Sciences (IDEALS), I have enclosed the required information pertaining to our two formal Neighborhood Meetings held prior to and following submission of our application in accordance with Section 8.5.3(B) of the Land Use Code. The meetings were held on November 18, 2021 (23 attendees) and April 6, 2022 (47 attendees). Although the Code only requires that abutters within 500 feet of the project be notified of the public meeting, we expanded that radius for the second meeting and mailed over 1700 meeting notices.

In addition to the required neighborhood meetings, we have also held informal meetings with the neighborhood that we have called "Roux Campus Round Tables." These meetings were each also noticed to over 1,000 property owners and tenants. To date, we have held four Round Table meetings, for a total of six public meetings regarding our application. We were able to hold the April 6th meeting in public, but the other meetings have been held via Zoom, due to public health concerns. The first Round Table was held on December 14, 2021 and we had 36 attendees from the public; the second was held on February 1, 2022 with 44 attendees from the public; the third was held on March 23, 2022 with 44 attendees; and the fourth was held on June 2, 2022 with 50 attendees.

Please let us know if you have any questions or need additional information.

Sincerely,



Charles E. Hewett, Ph.D.
Executive Director

**THE INITIATIVE FOR DIGITAL ENGINEERING AND LIFE SCIENCES
PROPOSED INSTITUTIONAL OVERLAY ZONE FOR THE ROUX INSTITUTE
PRE-APPLICATION SUBMISSION NEIGHBORHOOD MEETING
November 18, 2021**

The Neighborhood Meeting was held via Zoom Webinar, beginning at 6:30 pm and lasting approximately one hour. Twenty-three members of the public were in attendance, as well as eight representatives of the applicant, IDEALS.

The public comment and questions are summarized below. Major areas of focus included traffic, construction impacts and sustainability.

- I am with the Laborers International Union of North America. This is a big opportunity for construction in this town. I'd like to hear more about the employment opportunities for our union workforce, in terms of construction and environmental work.
- I am so excited that this institution has chosen our neighborhood. I live behind the Martins Point Bridge. We knew it would become something other than the Bean factory, and we are thrilled it's you. There is a big construction project on Veranda Street. Part of that is a multi-use pathway, from the Martins Point Bridge, possibly to connect to Back Cove. Have there been any discussions about connecting into that short span? MDOT had a plan to connect but it never came to fruition. It would be a big deal for those of us nearby.
- I was just wondering about the bridge at Kensington Street, and the rail and trails. It would be possible to have a walkway, but the trail takes a steep drop. That path is supposed to be done, but the MDOT has not completed it. As an alternative commuter, I want to know if you are invested in that? The connection to the rail/trail has not occurred.
- We own one of the two multi-families on the street from Veranda to Sherwood. We think it's wonderful to repurpose this facility. We have concerns about access on Sherwood Street, which is very narrow. And we are also concerned about the duration of construction for our tenants.
- I am a neighbor and a data scientist for one of your partner companies, and very excited about what the Roux Institute means for Portland. Veranda Street can back up a lot from Washington Ave traffic.
- I am really grateful to be a part of this conversation. I'd like to recognize that I'm most impressed that you are going above and beyond what is required for public engagement and planning the roundtables (Roux Campus Roundtables) to make sure people are heard and their input is requested. Being open and honest is very refreshing. There is a lot of excitement, about the Roux Institute potential for education and the city. Hopefully we can get as many residents and businesses as possible to participate.
- How are you going to build the physical infrastructure with respect to climate change. We all know the flood zone figures will be changing.
- What will the area lighting be? We already have the lights from Rt 295.

Neighborhood Meeting for the IDEALS Roux Campus Project

Thursday, November 18, 2021

Via Zoom

First Name	Last Name	Email	Address	City
Christopher	Bruni	chrisbruni111@gmail.com	32 Lennox street,	Portland
Nancy	Olmstead	nancy_olmstead@hotmail.com	14 Berwick St	Portland
SA	Scott	shaesby@gmail.com	100 Kensington St.	Portland
Cheryl	Leeman	cal4161@yahoo.com	37 Savoy Street	Portland
Brian.Harris		BRIAN@MAINEYACHT.COM	100 Kensington Street	PORTLAND
Denise	Kaserman	dkaserman@me.com	4 Country Lane	Falmouth
Julie	Carling	captainjulie225@gmail.com	81 Sherwood St	Portland
Jason	Shedlock	jshedlock@LNEROF.org	93 High Street #303	Portland
Jeraldine	Herrera	jeraldine.herrera@powereng.com	45 Harpswell Rd	Brunswick
Mike	McGuigan	mmcguigan@nasrcc.org	65 Rainmaker Dr	Portland
Michael	Flaherty	michaelflaherty58@yahoo.com	45 Berwick St.	Portland
John	Napolitano	johnlocal716@gmail.com	86 Walnut Hill Rd	N. Yarmouth
Justin	Desmond	jdesmond@iupatdc35.org	DC 35 Member Representative	DC 35 Member Representative
Patrick	Carroll	pcarroll@tcco.com	218 Eastern Promenade, Apt #4	Portland
Adam	Parys	aparys@tcco.com	177 Paradise Road	Bethel
Jaime	Parker	jaime@trails.org	305 Commercial St	Portland
Kathy	Spiegelman	K.Spiegelman@northeastern.edu	360 Huntington Avenue	Boston
Grant	Provost	gprovost@iwlocal7.org	131 spring streetSuite 2C	Portland
Aura	Russell-Bedder	arussellbedder@gmail.com	8 Arcadia St	Portland
Robert	Burr	r.burr@iuoelocal4.org		
cheri	juniewicz	cj@maine.rr.com	38 Bismark St	Portland
Andrew	Zarro	azarro@portlandmaine.gov	389 Congress St	Portland
Paul	Goodrich	paulgoodrich@yahoo.com		

**THE INITIATIVE FOR DIGITAL ENGINEERING AND LIFE SCIENCES
PROPOSED INSTITUTIONAL OVERLAY ZONE FOR THE ROUX INSTITUTE
POST-APPLICATION SUBMISSION NEIGHBORHOOD MEETING
APRIL 6, 2022**

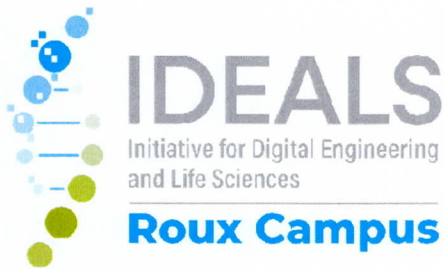
The Neighborhood Meeting was held at the Ocean Avenue School, beginning at 5:30 pm and lasting approximately two and a half hours. Forty-seven members of the public were in attendance, as well as eight representatives of the applicant, IDEALS.

The public comment and questions are summarized below. Major areas of focus included traffic, parking, proposed uses, and scale and height of buildings.

- When did you first become interested in buying this property?
- When do you plan to break ground?
- Will there be blasting?
- We haven't talked about the new construction on Dalton Street, a large apartment complex with 48 units, that will empty out onto Sherwood Street. And the school is also growing, both of which will increase pedestrian and vehicular traffic. I have concerns about all the additional traffic. It's pretty heavy as it is. I want all of it to be taken into consideration.
- How would the hotel add to traffic concerns? There's one way in and out. I drive on Sherwood Street twice a day. Is there secondary access? Are there any traffic predictions?
- Do you have data about the current use of cars at the Roux Institute?
- The height and scale of the buildings do not respect the neighborhood context.
- What will stop people from parking in the neighborhood?
- There is a lot of missing information – wind studies, shadow studies. These are missing from your IDP.
- What percent on campus will be using the hotel and what will be outsiders?
- I am conflicted on this project. While it seems like just what this city needs, no one wants an industrial site in their back yard. How will it change access to the water? I am also concerned about increased traffic.
- We are concerned about traffic as there is only one egress. We think what you say you will do about the traffic (turning lane, etc.) is unrealistic. I suspect you have a backup plan we do not know about. I don't believe the traffic will only be impacted by 10
- Your plans go far beyond what is needed for an educational technology center. You are a developer. You wouldn't be developing this area if there wasn't a profit.
- I don't trust that one hotel will be enough.
- I have friends and family who have had to move out of Portland, because working class people can't afford to live here anymore. We feel you are taking something symbolic of Portland and replacing it with something that has gutted other cities.

- Maine Med has a micro bus system that maybe you could partner with. And consider a satellite parking lot.
- Do you have an estimate of trips in and out of Sherwood Street? How many cars will be coming and going?
- At the last meeting you had a drawing of ideas for Veranda Street. Do you have one for Sherwood?
- This is a nice use of the space. You guys are being considerate. However, the large scale of your plans doesn't seem appropriate for that space.
- I'm excited about your vision but I am very concerned about the traffic and the scale of the project. We have a quiet neighborhood and what you are proposing is going to completely change it. I don't know who came up with the 10% traffic increase, but if the study was done from May-October, it would be much higher. The traffic just sits there.
- We are working on bringing battery electric train power, from Portland to Lewiston. This might alleviate the serious traffic impact on not only this neighborhood, but the climate. This is a solution that is environmentally friendly and economically feasible.
- We have a number of questions that you say are in process, undetermined, etc. It makes us a little nervous that you are pursuing maximum zoning flexibility before you figure those things out.
- As a result of the study, is there a bottom line where the City says "no" to Sherwood Street, that this is not going to work for IDEALS?
- What is the tax gain for a non-profit in this location?
- What is the current waterfront access for the neighborhood? How will that be impacted? How is the neighborhood using that waterfront right now?
- What was your impression of our neighborhood when you were there? Did you notice the noise? As our neighbor, we want to know that you care about our lives and our homes.
- Human behavior being what it is, people aren't going to use public transportation. Have you considered the symbolic impact of building on this property? It represents Maine, as people drive past on I-295. What gives you the right to put the Roux Institute there?
- I want to compliment Roux for meeting with me. I'm offering an alternative for public transportation – Micro Rail. Metro has a long history of keeping people waiting. Have you looked into possible pollutants inside and outside the B&M building?
- At times it sounds like it's going to be a conference center maybe being supported by an education facility. At what point are you able to scale back the project if you're not able to overcome some of the objections? Would you continue with the project if the only thing that was approved was the Roux Institute? Would Phase 1 just be for the Roux Institute, hotel, housing, etc.? And Phase 2 would be to expand all that?
- What advantages are you going to bring to the neighborhood?
- Will you want more space than what you have right now?

- The process I have seen you display in these round tables, has been more transparent than most development projects. You're doing a good job.
- Have you guys purchased other land or intend to?
- What is the % of domestic/international learners?



Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Developer and Consultant Team in Attendance:

Name:	Email:
Chuck Hewett IDEALS	
Sam Reiche IDEALS	
Elizabeth Swain IDEALS	
Jenn Conley VHB	
Mary Costigan Bernstein Shur	
Jamie Broder Bernstein Shur	
Barry Sheff Woodard & Curran	
Denise Cameron Woodard & Curran	

Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Members of the Public in Attendance:

Name:	Email:
Doug Cole	C64DTK@gmail.com
JOAN O'NEIL	101 Acadia St
Ashley Lepre	Ashley.Lepre@gmail.com
Todd Zukowski	tzukowski@hotmail.com
Kevin Freeman	kfreeman@landayfrench.com
JAY SETLIFF	JWKS@aol.com
Allison Brown	abrown125@gmail.com
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Katherine Caldwell	caldwk@hotmail.com
Rebecca Morton	rebecca.k.morton@gmail.com
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M. Zichella	zichella@yahoo.com
Justin Litchfield	
JAMES PRATT	jpratt@hotmail.com

Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Members of the Public in Attendance:

Name:	Email:
Phyllis Reames	phyllisreames@yahoo.com
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Tony Donovan	me likes RAIL @ GMAIL.COM
Hannah Von Vogt	Hannah von Vogt@gmail.com
Karen Gersen	Klik2zg@gmail.com
Callan Cassidy	callan@waypointbikers.com
Daniel Cassidy	dan@danielcassidy.com
Jer Witting	jwittingball@gmail.com



IDEALS

Initiative for Digital Engineering
and Life Sciences

Roux Campus

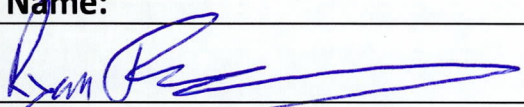
Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Members of the Public in Attendance:

Name:	Email:
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Tom CARTER	TomCARTERagent@gmail.com
Christopher Brown	chrisbrown11@gmail.com
JAMES TROTT	James.Trott58@gmail
Chris Briley	cbriley@briburn.com

Neighborhood Meeting Sign-In Sheet

Wednesday April 6, 2022

Ocean Avenue Elementary School - 150 Ocean Ave, Portland, ME 04103

IDEALS: Roux Campus 1 Bean Pot Circle, Portland, ME

Members of the Public in Attendance:

Name:	Email:
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Heather Doolittle	hdoolittle@gmail.com
STEVE BUEGEN	SBUEGEN1@gmail.com
Joshua Loring	Loringjoshua@gmail.com
Michael Flannery	Michael.Flannery50@yahoo.com
John Danling	jdanning2@Maine.nh.com
Didne Lawton	efinsterwald@gmail.com
Ben Chipman	Ben.Chipman@legislature.maine.gov
Sandy Constable	sandycnstod3@gmail.com
James Maxner	jimboats1@yahoo.com
Victoria Fisk	vickifiskshop@gmail.com

October 6, 2022

Zach Powell, AICP
Senior Planner
Planning & Urban Development Department
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Zach:

Six public forums have been held between December 2021 and June 2022. In addition to the two required Neighborhood Meetings, representatives from the Roux Institute at Northeastern University and IDEALS conducted four neighborhood engagement forums, entitled Roux Campus Roundtables. City staff requested submission of meeting notes from these roundtable meetings. Enclosed please find meeting notes for the four Roux Campus Roundtables held to date, including sessions on December 14, 2021, February 1, 2022, March 23, 2022, and June 2, 2022.

Notices for the Roundtable meetings were sent to over 1,700 households and included both owners and tenants. Emails were regularly sent to commenters offering a personal meeting or calls to follow up on the input or questions received. It was as a direct result from public feedback received at these sessions that the project was downsized by 27%, almost 500,000 square feet, and that heights were reduced by 19%.

In addition to the Roundtable meetings, extensive effort has been made to talk to and/or meet with a wide variety of interested individuals and groups. The outreach began in the fall of 2021 after announcing the selection of the B&M project site. Neighbors, both commercial and residential, were at the top of the list with a particular focus on those neighbors closest to the project site. Soon thereafter, meetings commenced and have continued to this day with neighbors, local businesses, numerous rail and trail organizations, bike and pedestrian advocacy groups, Greater Portland METRO, recreation and parks organizations, historic preservation interests, waterfront organizations, economic development interests, state representatives, climate and sustainability organizations, and neighborhood associations across the city. The Info@rouxcampusportland.org link on the project website has also generated requests for meetings, all of which have been fulfilled.

Most recently, the project team and the Roux Institute hosted a publicly advertised Open House, where the public was invited to explore the site and see renderings and site plans in their proposed surroundings. It also provided them the opportunity to speak candidly with various project team members, faculty and staff from the Roux Institute, Roux Institute students, and other neighbors.

Over 130 guests came to the Open House, and there were many great discussions that enabled us to understand their ideas, and hopefully also helped them understand the project vision.

All of this input, through dozens of meetings, site visits, and the public Open House has resulted in micro and macro level changes that make the project a greater reflection of the values of the Portland community and nearby neighborhoods. We have forged relationships with interested organizations, such as bike/ped, parks/recreation, and travel/transport, that will help guide elements of development going forward. We are grateful for the time and interest so many have invested in making this the best possible campus for the Roux Institute, the neighbors, and the City of Portland, and we look forward to ongoing communications and input.

Sincerely,



Charles E. Hewett, Ph.D.

Enclosures: RCR #1 Meeting Notes – December 14, 2021
RCR #2 Meeting Notes – February 1, 2022
RCR #3 Meeting Notes – March 23, 2022
RCR #4 Meeting Notes – June 2, 2022

**THE INITIATIVE FOR DIGITAL ENGINEERING AND LIFE SCIENCES
PROPOSED INSTITUTIONAL OVERLAY ZONE FOR THE ROUX INSTITUTE
POST-APPLICATION SUBMISSION**

Roux Campus Roundtable #1

December 14, 2021

The first Roux Campus Roundtable meeting was held on December 14, 2021, via Zoom. The meeting began at 5:30 PM with a welcome from Chuck Hewett and introductions of the IDEALS team, which numbered 10, and Chris Mallett from the Roux Institute. 36 participants were in attendance at the outset.

Following a PowerPoint presentation from IDEALS, questions and discussion began at 7:00 PM, focusing largely on the site, project scale (pro and con), traffic routes, and the institution applying for an IOZ.

- I live off Veranda Street. Some of my major concerns are road access. Will the project start after the Veranda Street changes are completed by MDOT? How will your project impact local internet service and traffic? Do you see local jobs created and will this impact the rail line? B&M pays a good deal in property tax. How will this non-profit refund the city going forward?
- I work for Bates so was wondering whether the internet access might be impacted in the neighborhood. I'm also interested in local jobs, are you expecting increases?
- I support any height you want. What is the tallest height you are going to look for?
- Are you looking at potential secondary access so there is not just one road?
- It could be more than a bike path, it's a multi-modal path for bike and pedestrians. I'm involved in the city's bike and pedestrian advisory committee and will be following this project. Your proposed trail would mirror what is on the opposite side of the bridge; has there been any contemplation of hanging a multi-modal path off the south side of the bridge so you could go from one side to the other? There would be significant support for that.
- What about the railroad bridge, what is your thinking about that?
- There is a path toward Falmouth but it's so disjointed and it ends as you get to the Veranda Street off ramp. We advocated to move that off-ramp to allow for continuation of the path into a new park site created by the Veranda Street project. I hope you advocate for that to be done so you have that access between the Roux Campus and Martins Point.
- I personally support your project and look forward to working with you. We encourage not building a parking garage, but it will be well received that you will make it expensive to park and encourage other means of transport. It's good Northeastern University will subsidize METRO ridership for students. They understand the value of public transportation because they are from an urban area (Boston).

- You say you had a public meeting on November 18. I live two blocks away and received no notice, who did you notify?
How many live within 500'?
- I can see your site from my second floor and would have appreciated notice.
- Thank you for the presentation. It looks very interesting. I realize you are in a conceptual phase. Your concept looks suburban. I have zero problem with tall buildings because you can fit more people in them, but towers in a park seems suburban. Will you have a mix of buildings, like tall buildings with shorter buildings like in the old port and other urban spaces?
- Brick is always a good way to go. Are you planning to eliminate any possibility for the rail later?
- I also support the trail across Tukey's Bridge. Many people in Portland see another trail as a necessity. Crossing Washington Ave is a challenge. On your side of Tukey's Bridge, there are still some elements of the sidewalk that could be created. The city often makes a developer contribute to traffic related improvements. Would you consider directing your financial contribution to be a bike-pedestrian trail on the other side of Tukey's bridge, the southeast or northwest side?
- I am also very happy to see the trail on the East Deering abutment of the bridge that you are planning. Your numbers of people who could arrive on foot or bike could be increased by a trail on the other side of Tukey's bridge.
- I think you have probably done a lot of viewing of the surrounding area because only inviting meeting attendees 500' from the site is a problem. This is good for Portland. I live in Windsor Heights. How do you plan on engaging neighbors in the design who are used to their quiet way of life?
- As a commercial real estate developer, I am excited about this project. I'm working on the rail project, and we want to know how you feel about the rail line. We have tried to reach out to you. I am surprised you are not considering use of the railroad to reduce car access. The rail line can help the climate – I haven't heard that word tonight. I wouldn't want to work in that neighborhood with the number of cars coming in. There is a solution and it's right on your property.
- I think the Roux Institute is doing great things. I took a class there last semester. I have a home on Veranda Street with a slight view of the water that will probably be blocked. I'm wondering how this will benefit us and our tenants?
- Change is a good thing but it's also difficult. For those who don't speak English what can you do?
- I read an article in the PPH that said East Deering should be careful because the peninsula had become so saturated and East Deering was the next popular area. I live on Randall Street so we are seeing more development, such as 18 row houses on city land. In the last three years you can't come off Randall and take a left on Washington Avenue easily. It's changed a lot. Will this be a traditional college or university campus with daytime traffic? Now I'm hearing information about bars and restaurants etc., so should this neighborhood be prepared for 24:7 type of activity? And if so, I agree with all the concerns about traffic. Light pollution will be a main concern with tall towers. I encourage you to remember that

we aren't moving the Old Port to this neighborhood and if that is the goal you can anticipate some opposition from those of us who now live here and have been paying taxes.

- I hope so too. My concern is what is in it for East Deering? I get that we are running out of space in Portland. We want to make sure we maintain that character.
- I raised my family in East Deering and was honored to serve Portland in the Legislature. I think this project is deeply out of scale with the neighborhood. It is very selfish to come in with high buildings that will impact neighbors. You should work closely with the neighbors to find something that is more appropriate. Nothing restricts you to communicating to only those within 500'. I would be very interested in understanding the financials. What is the education piece and what is not? It's odd to have faculty stay in a hotel, is that how you are paying for the hotel? Who do you work for? You say you don't work for Northeastern University. We have conflicting messages. There were criteria that led you here, so I'm feeling concern about how it's presented, like it's fully finished without adequate input.
- Are you authorized to speak on their behalf?
- It's an iconic site where people can have views and your plan will limit that, which is problematic.
- With global warming, the lower portion of the B&M factory was a concern. Is this a problem?
- Is the elevation 9' above MSL?
- Will there be any kind of tours or public access before demolition? I'm glad to see the B&M building preserved. Is that a requirement or a preference?
- As someone who was born in Portland and bought a house here, I think people will respond much more positively than what you have heard tonight. I would challenge people to think about what other use it could be, like luxury condos and we know how they are (not) concerned with public input.
- We live at the east end of Sherwood Street. I want to echo the comments that we would rather see an educational situation come here rather than luxury housing or industrial space. But I'm concerned that the Sherwood Street entrance is not a good idea. 40-80 employees use it now, but it could be over 2,000 people using it. We are only 15 – 20 car lengths from exit 8. I'm not convinced that it can handle it, despite what your consultant said. Those of us impacted on Sherwood and Veranda St would like to meet with you to map out what you are thinking. A turning lane will eliminate parallel parking that the residents depend on. This is a sleepy neighborhood; kids could play street hockey when it's not a commuting time. That is going to change. Our community is underserved by public transportation. The #7 bus goes from downtown where no one can afford to live to Falmouth, and back again. Most of your campus workers probably won't live downtown and will have to take their cars. A neighborhood meeting should be set up.
- I echo the statement about the traffic. I would love to meet and chat about this. Did you say it will be changed to a B-5 zone?

The meeting ended at 8:09 pm

**THE INITIATIVE FOR DIGITAL ENGINEERING AND LIFE SCIENCES
PROPOSED INSTITUTIONAL OVERLAY ZONE FOR THE ROUX INSTITUTE
POST-APPLICATION SUBMISSION**

Roux Campus Roundtable #2

February 1, 2022

The second Roux Campus Roundtable meeting was held on February 1, 2022, via Zoom. The meeting began at 5:30 PM with a welcome from Chuck Hewett and introductions of the IDEALS and Roux Institute team, which numbered about 15, including Chris Mallett and Margaret Angell from the Roux Institute. 44 participants were in attendance at the outset.

Following a PowerPoint presentation from IDEALS, questions and discussion began at 6:12 PM, focusing largely on project scale and traffic.

- We live on Veranda Street between Sherwood and Washington Avenue, so we will experience 100% of the traffic, including construction traffic. I'm an architect, so I understand where you are coming from. What is the gross traffic you anticipate, and how much might be shifted to alternative transportation? What requirements must you meet for your traffic and TDM report. Have you thought about an exit off Washington Avenue directly? I think you said earlier that you didn't think that would be safe, but it's the same distance to the Washington Avenue intersection.
- In terms of space for parking, there are a lot of under-utilized potential parking places, and perhaps you could consider restoring some of the rail for commuting from a satellite lot to the campus.
- It is a large site and I appreciate the need for green space and redevelopment. The ground is high on the site which will help with sea level rise. The 210' building area is a concern. The other areas are tall but reasonable. If you increase the height in the other areas, you could lower the 210'. Is the pier disappearing? I hope not. It could be a real draw for the people living there and visiting. I suggest having white roofs not black, to lower heat reflection. The railroad is not narrow gauge in that area. I had hoped for a restaurant on rail cars when I first moved here and saw the site. Overall, I am a proponent. What you are doing is wonderful, and I look forward to biking through there in the future.
- I live on Kendall Street beyond the Maine Yacht Center. I see this has great potential for East Deering, but I have concerns about the heights. Our neighborhood is zoned as R-3 "medium density development with single family homes, unless grandfathered, with structure height of 35'. Your buildings could be overwhelming and shadow our neighborhood.
- Could you give us more detailed information about the draft application? What is the zone change you are looking for and could you provide detail about the Industrial Overlay Zone? It's difficult to participate in a discussion and have to react on the spot. It would be helpful

to have that information on the website, so the neighborhood would have more transparency.

- MMC's regulatory framework is pretty specific with regard to dimensions in the IOZ. Will those types of specifics be in your application? In the code there are dimensional standards. There are not a lot of specifics in the B-5 zone. In asking for the height exception, how does that process work? I personally like the idea of developing this into an educational campus, and a home for the Roux Institute. But, I, along with neighbors have a lot of concerns about the massive scale and height of this development. There will have to be concessions to accommodate the height you want. This is not in keeping with what we have in the city on educational campuses. UNE and USM have kept their facilities in scale with the neighborhood. There must be a way to do what you want with a smaller version of your proposal. This will have a profound impact on our neighborhood. The proposed commercial uses like a hotel don't seem to fit the requirement of the IOZ, for being substantially auxiliary to the educational institution. It's hard to say a hotel is auxiliary to the Roux Institute. It's important that the information be uploaded prior to the meeting. We need more detailed information.
- I commute from Presumpscot to Veranda on out toward Falmouth. Does your project pay for improvements to the entire intersection there or are the taxpayers going to be responsible? Will you be filling in the submerged lands or building on them? Will there be any increased public hazard from the labs?
- I have a lot of questions and remain puzzled about the interplay between the Roux Institute and the entity that owns the property. What percentage of the property is dedicated to educational purposes? I remain concerned about the height and size of the buildings. Why is a waterfront property necessary for this institution? I don't get the decision to come in and propose such massive buildings in this iconic location. I am concerned about traffic. I like the idea of satellite lots. The Washington Ave exit is dangerous. Bringing in 2,000 – 4,500 students will add to that. How do you intend to work with the neighbors to design this facility?
- What percentage is dedicated to education?
- I live within the 15-minute walking distance. Will the city take into account all of the development going on in the area, from a traffic perspective? Within 1-5 years there will be a lot more pressure on Exit 8, what we locals call the luge. Also, what about dark sky impacts from the campus, and how much will it be lit at night? I fully support what you are looking to do, but have a concern about the height, and how much is pure institutional vs just developing. As a charter boat captain, I can tell you the buildings will have to be tall to be seen around the western point of the Eastern Prom.
- I have more questions, but how do we follow the rezoning process, and will Veranda Street be widened and what is the tax structure of the development?
- How will we know about the next meeting?

39 participants remained at the close of the meeting at 7:26 PM.

**THE INITIATIVE FOR DIGITAL ENGINEERING AND LIFE SCIENCES
PROPOSED INSTITUTIONAL OVERLAY ZONE FOR THE ROUX INSTITUTE
POST-APPLICATION SUBMISSION**

Roux Campus Roundtable #3

March 23, 2022

The third Roux Campus Roundtable meeting was held on March 23, 2022, via Zoom. The meeting began at 5:31 PM with a welcome from Chuck Hewett and introductions of the IDEALS and Roux Institute team. 43 members of the public were in attendance, as well as 8 representatives of the applicant, IDEALS, and 1 from the Roux Institute, in addition to those making a presentation described below.

Margaret Angell of the Roux Institute was joined by 2 students and 1 Roux Institute Partner, each of whom described their experiences at the Roux Institute.

Questions and discussion followed, focusing largely on transportation and traffic, train service, sustainability and the bean building.

- A passenger train stop could be located right where the circular drive is in front of the Roux Institute.
- Access on Washington and Sherwood are over capacity. The average daily traffic on Tukey's Bridge is the highest in the state. What plans do you have to mitigate the impact on traffic with the 2000+ students and visitors you expect on the Roux campus?
- I appreciate what you are saying, and like bike paths and pedestrian walkways. We've lived here nine years. There is no way to access Portland and points south without going on I-295. Portland has a miserable bus service.
- There is a great deal of concern over the height of the buildings. Can you explain the necessity of those building heights, what is the capacity of the parking garage and is a hotel really necessary?
- How many students are enrolled both online and in person?
- People in the neighborhood are happy you are coming but we want to be able to live together comfortably. I hope we can continue the conversation.
- I was going to ask about the Christmas tree. We've lived here for 30 years. I'm involved with the Portland Climate Action Team. We work closely with the Director of Sustainability in Portland and the Portland Sustainability and Transportation Committee. Our goal is the One Climate Future, which is a combined plan between Portland and South Portland to mitigate climate change by reducing greenhouse gasses. Can you confirm that the Roux campus will be generating its own energy?
- I understand that last 5% could be difficult but you can buy carbon credits.
- At a previous Roundtable it was mentioned there may be a water shuttle, is that still on the table.
- We are really excited you will be coming to our neighborhood, particularly given the access to trails and the water that you will provide. We are proponents of the Casco Bay Trail Alliance. The option to put bike trails on Veranda is great, but off-road options are critical. The Casco Bay Trail would provide that kind of trail access to the Roux Campus, without going on Sherwood. There is a process

at MDOT to move that forward. Have you given thought to how you would participate in that process and support the trail?

- We have reached out to Roux and will connect one of these days. We envision train service from Auburn to behind Eldridge Lumber. Would your developers be willing to meet with us to talk about a train center at the campus? Because our plans are quite advanced, we believe we have a solution to traffic, parking, congestion, climate change, and all the other problems which will certainly come from the 2,000+ parking spaces you are allocating for cars on your campus. I am an environmental warrior, and the automobile impacts from your development will be ungodly. I believe we can elevate that with the passenger train which will be electric or hybrid.
- Congratulations on being our neighbor! Regarding the previous comments, traffic is a primary concern. We live on Veranda at Ground Zero. Thank you for showing that diagram. You mentioned the 10% increase in traffic, which implies there is data being generated. Is there data you can share with us, we are hungry to see this. The scale of the traffic increase in this little neighborhood is huge! It's a mystery to us how you guys are going to be solving the traffic problem.
- You are asking for an IOZ that accommodates the full 20-year development.
- Maybe this has been answered, but do we go through this process with each phase? What about the hotel and the towers, what phase are they in? Has anything changed since your original presentation?
- Will the hotel be open to the public so I can reserve rooms for my family?
- I also want to reiterate what my neighbors said about traffic, especially to note that there are many other related projects going on in the city that will also generate new traffic.
- Regarding the history of the site, I live in west Bayside with a deck off the attic. I enjoyed seeing the smokestack, which is now gone, which the city knew about but didn't involve the public in letting it go. I hope the wharf building doesn't go. It's a critical part of why B&M chose this site, the wharf was an essential part of their operation. Some have said you can't save that wharf building. I don't like that, it feels wrong. You aren't planning on doing much on that wharf, so it doesn't need a lot to maintain the platform. The city has said they aren't going to have an independent analysis. We ask a lot of owners of historical properties, and sometimes their finances are strained. But sometimes those owners have resources, like you do. It would be a gesture of goodwill to preserve the history there, you should pull out all the stops.
- I hope everyone appreciates the irony that I had to upgrade my Zoom on a call about a graduate tech school! I was very much excited about this coming to Portland. As I read through your documents online, it doesn't sound like a plan for a graduate school campus, but like a plan for a small village, with a priority to invite the general public to come and recreate. I'm not sure why it's critical for the key players to be on site together. Other campuses function ok without a hotel. I don't see other campuses make kayak and paddleboard rentals either. Why do you need the general public so involved? Wouldn't lowering that priority solve a lot of problems. And thank you for taking my question.
- Sam just admitted that this property isn't accessible to the rest of Portland. We are in a bottleneck. What about getting Maine students into the Roux Campus. It sounds like you have at least 15 students from Maine (one from each county).

- That was a very satisfactory answer, about your work for good. There was no hiding of details, such as we are all frustrated about. I know there is survey work being done on Sherwood Street. (NOTE: IDEALS notified Ben and others in advance of the survey work.)
- I live on Berwick Street, which is the street next to the marina. I walk all over the neighborhood, including on the RR tracks. There is an osprey nest by the trestle. Do you plan on having any impact on that area?
- I contacted Audubon, and they said that development doesn't usually have much of an effect on ospreys. It would be great if that little area could stay as it is. Thank you for your answer.
- What are the options for Veranda Street? Would there be any "taking" of abutting properties, in your plan?
- Your plan didn't show the end of Sherwood.
- You're going to widen Sherwood Street, how would you do that without taking? I think you are in a bottleneck; we are looking for your projections. I want to see the problems addressed now.
- On your diagram, have you done a traffic study of increased traffic? If you need to add another lane on Veranda Street, you will take out the dining room of the Veranda Noodle Bar and the awning of Beal's Ice Cream. I wholly support what you are doing with the Roux Institute.
- Regarding scale and height – there has been a lot of talk about finding the right balance. UNE and USM fit into their neighborhoods in an appropriate way. Your rendering overwhelms the neighborhood, and even the Maine Yacht Center.
- We are happy to have you here but want you to be respectful of us neighbors.
- Thank you, Sam, Jenn, and Elizabeth for our meeting. I need to schedule my plowing around the B&M schedule now, it will be much more challenging with all the new traffic. When plowing and backing out into the traffic, I take my life in my hands.
- I am confused about Sherwood Street, is this just the side you will be on?
- Are you hoping to funnel a lot of traffic through Sherwood onto Morse to get out onto Washington Ave, to mitigate some of the traffic issues?
- Will you pay homage to the factory building? Are you going to keep Bean Pot Circle? I appreciate everyone's sensitivity to how we feel about B&M. I worked there, so did my father and uncles. There is a lot of connection. I am looking forward to the Roux. Thank you.

The meeting ended at 7:36 PM.

**THE INITIATIVE FOR DIGITAL ENGINEERING AND LIFE SCIENCES
PROPOSED INSTITUTIONAL OVERLAY ZONE FOR THE ROUX INSTITUTE
POST-APPLICATION SUBMISSION**

Roux Campus Roundtable #4

June 2, 2022

The fourth Roux Campus Roundtable meeting was held on June 2, 2022, via Zoom. The meeting began at 5:31 PM with a welcome from Chuck Hewett and introductions of the IDEALS and Roux Institute team. 41 members of the public were in attendance at the outset, as well as 12 representatives of the applicant, IDEALS, and 5 from the Roux Institute, in addition to those making a presentation described below.

Students and a faculty member from the Roux Institute shared some vignettes and personal stories for about ten minutes.

The IDEALS team presented 53 slides highlighting the changes proposed for the Roux Campus, in response to public input. Questions and discussion followed, focusing largely on transportation and traffic, sustainability measures, and visibility.

- A passenger train stop could be located at the site.
- I commend IDEALS for the changes, this is a real difference in the level and scale of the project, and I compliment the team on the details included in the presentation. Traffic will continue to be an issue. Signage encouraging people to turn in the opposite direction of where they want to go, confirms that this is anticipated to be problematic. It's encouraging to see IDEALS working on this problem and thanks to the team for sharing the traffic numbers.
- I would like to meet with the architects to discuss how to reduce carbon in the building design.
- I live in the East End. My priorities are carbon footprint, sustainability and bird-safe measures. The WEX building is one of the more lethal buildings for migratory birds and the Roux Building looks so attractive to birds.
- I encourage you to invite your community to an in-person meeting, and even better on the site. Put a tent up and show what you are planning. Some of your traffic numbers, that anticipate alternative transportation modes, are not accurate as to how people in Maine actually get places. Bicycles don't work in the winter. I think what you are doing here is amazing, I don't want to be negative, but I have massive concerns about you fitting into this neighborhood. You found other locations that didn't work out, so you ended up here. This state needs to take account of its working waterfront. The pressures will increase in downtown Portland and the B&M site could have been an alternative for the working

waterfront. This was a really nice presentation, though my Zoom was shut off during the traffic presentation. Please resend me those slides.

- There is a little inlet between the highway and the campus. Do you own that, can you put piers and ramps there? Are you going to remove the existing pier? I'm surprised you aren't building the RI over the water.
- It's great to see the vision. I live in North Deering and am concerned about the traffic. I'd love to be invited to an on-site meeting. Our neighbors in North Deering would like to be invited.
- What percent of current students and staff drive to the Roux Campus vs taking other modes of transportation? You said you would look into it. If you don't meet your goals at your existing campus, how will you meet them in the new one?
- What are the next steps to engage the public? There are so many neighbors who don't use Zoom. Could you offer a hybrid meeting?
- It's important to have the minutes of the meetings in the public record.
- I live at 45 Berwick Street, could you create a diagram looking from the end of Berwick west, to see what would be visible, protruding out from the Maine Yacht Street? You have done a good job addressing the neighbors' concerns, I think it will all work out.
- Thank you to everyone at IDEALS and the Roux Institute for being responsive. This is a massive project for the city and the impacts will extend beyond District 4 where it will live. I appreciate the neighbors working with me, and IDEALS for listening, and engaging with the community. It's been a challenging time to do that. I've been advocating for an in-person meeting on the site. It was very impactful for me when I went there. Tonight is just one step. The June 14 Planning Board meeting is important. There will be a public hearing when staff think they are ready for a vote. There will be many opportunities for all of us to connect. My role is to facilitate that connection for everyone. I am here for anyone and everyone listening. Thank you for this level of collaboration and putting your best foot forward. You don't see that often.
- Thank you, Councilor Zarro. This is an awkward format for such a meeting, and it gives you (IDEALS) an advantage, though you are a wonderful group of people. Covid has created a thing where we are so apart from each other. We need to be in a room. Don't hide behind a computer. You all are great people.
- Every commenter has traffic as an issue. Perhaps one of your traffic scenarios could do an impact analysis with the railroad coming through from Ocean Gate to Yarmouth. VHB did a study of the rail coming through to Portland from the Rock Row project. I'll be asking for that at the Planning Board.

The meeting ended at 6:52 PM.

1/20/2023

Portland City Council,

I am writing in support of the Roux Institutes campus plan at the former site of the B&M factory. I have lived in and around the City of Portland for most of my life. For the past four years I have been living on Munjoy Hill and running a small oyster farm on Casco Bay. Building a business that is both deeply involved in the marine economy and the hospitality industry gives me a somewhat unique perspective on the growth of our beautiful city. It is readily apparent that in recent years the interest in our city as a place to live and work, as well as a tourist destination, is increasing exponentially. I believe that the Roux Institute's involvement in our city's expansion will play a critical role in ensuring that, as we grow, we grow responsibly, while being conscious of spatial, economic, and cultural concerns.

As a resident of the East End and a young person that works and recreates on Casco Bay daily, I'm energized by the potential for increased public access to our waterfront that will be offered with the development of the Roux Institute. While Commercial Street is a historic and beautiful part of our city and its culture, increasing the public's ability to work and play at the waterfront is key.

The site of the old B&M factory is also the ideal location for such a development. It doesn't impose on existing residential areas and, in fact, will ease pressure on an increasingly struggling housing market in Portland with the construction of residences for students, staff, and faculty. Redevelopment of this site also will provide new and attractive places for the public and tourists to recreate in an area that is readily accessible to, but not on the peninsula.

Lastly, I am perhaps most excited that the driving force behind this development is higher education. Maine has a rapidly evolving economy, and providing education and skills to meet the needs of our unique and expanding industries is crucial, and it is even more crucial that young Mainers don't need to leave the state to find it.

I urge the City Council to strongly consider the countless benefits the Roux Institute will have for the young people in Maine who are eager to live and work in Portland and do so with the tools to innovate and build on the backs of our state's core industries.

Best,
Cameron Barner
Portland Resident
Co-Owner, Love Point Oysters



Dena Libner <dlibner@portlandmaine.gov>

The Roux Institute is a generational opportunity, let's make it the best it can be

1 message

Zack Barowitz <zbarowitz@gmail.com>
To: publiccomment@portlandmaine.gov
Cc: City Council <council@portlandmaine.gov>

Tue, Jan 31, 2023 at 7:28 AM

Honorable Mayor and Councilors:

I am writing in support of the support of the zoning application for the Roux Institute because the repurposing of the B&M facility into the Roux Institute campus is an extremely rare opportunity for any city, much less Portland which is restricted by its land mass abutting the shoreline. The educational, cultural, and economic potential can not be overstated. Yes it is true that the project isn't perfect, and there are some less than perfect aspects that will not be changed. But we owe it to future generations to make this project the best it can be, which is a transformative institution that can transition Portland into a model 21st century city. I see the project as very similar to Thompson's Point as both are repurposed industrial sites just outside of the city center. As with Thompson's Point, the RI would be a unique destination, in part for its walkability (as opposed to an office park like you might see off of 295 in Scarborough). One key element to success is to work with stakeholders and other community partners. The bicycle pedestrian committee has co-convened a working group with Roux to maximize the potential for multi-modal access to the site; and tools like Community Benefit Agreements can foster good will with neighbors while improving the project as a whole.

Please aim high on this project.

Cordially,

Zack Barowitz

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207-838-6120
917-696-5649
ZacharyBarowitz.com



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Bates

Office of the President

September 12, 2022

Dear Mayor, Councilors, and Planning Board Members,

We write in support of the proposed plans for the Roux Institute campus at the former B&M factory in Portland, ME. Bates College has been working with the Roux Institute as an academic partner since Northeastern University opened the institute in Portland in the fall of 2020. To date, 23 Bates students have, as part of their Bates education, taken a masters level course at the Roux Institute through the [Align Program](#), which provides bridge courses for students from any undergraduate major for graduate-level coursework working toward a Master of Science in Data Science. We are currently working to build on and formalize this pathway for Bates students who are interested in Computer Science (CS). In addition to enhancing Bates' course offerings, our partnership with the Roux Institute presents expanded opportunities for Bates College graduates to remain in Maine to work or study post-graduation, as they already will have obtained credits towards an MS at the Roux.

Bates has also developed a collaborative sabbatical program for faculty with the Roux Institute with one Bates faculty member already having taken part. The type of research opportunities offered by sabbatical programs like the one we are developing can serve as potential recruitment/retention opportunities for both Bates and the Roux Institute as they provide integral support for creative research and teaching opportunities.

The goals of the Roux Institute align with those of [Bates College](#) and its [Digital and Computational Studies Program](#), including bringing "[cutting-edge technology capabilities here to Maine and northern New England](#)" and providing "[inclusive opportunities for underrepresented groups such as women, and first-generation college attendees to lead the future of this industry.](#)"

We are proud of our partnership with the Roux Institute and the opportunities it brings for Bates students and for Maine. We look forward to expanding our engagement with the Institute in the new and exciting campus facilities that are planned.

We urge you to support this next step in the evolution of the Roux Institute and the possibilities it continues to open up for educational and workforce collaborations.

Sincerely,



A. Clayton Spencer
President



Malcolm Hill
Vice President for Academic Affairs
and Dean of Faculty



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Emma Bond <emma.e.bond@gmail.com>

Mon, Jan 30, 2023 at 6:45 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Portland City Council,

I am a resident of East Deering and write in support of the proposed rezoning for the Roux Institute at 1 Bean Pot Circle.

I strongly support the proposed redevelopment of the B&M factory into a new campus for the Roux Institute. On every issue to arise during the rezoning process so far, the IDEALS team and Roux have shown cooperation, transparency, and leadership on the issues that matter most to the East Deering neighborhood. The Roux Institute provides an incredible opportunity for development and innovation for the City of Portland, the surrounding region, and the state of Maine. I feel excited and privileged that the Roux Institute is seeking to become part of my neighborhood, and I encourage the City Council to support its rezoning application.

I'd like to start my comments by comparing Roux's proposal with the sort of development we could expect at the B&M site had it not been purchased by IDEALS. This is a large property with waterfront access, a large industrial footprint, proximity to the highway, and a large parking lot. Without needing to rezone the property, another developer could have introduced a project that would significantly add to traffic and congestion in the area. And it is unlikely that another developer would be as welcoming as Roux when it comes to waterfront access and investment in active transportation in the neighborhood.

In contrast, Roux offers an opportunity that would invite the neighborhood and the City of Portland into its waterfront space, would help to connect East Deering with the peninsula, and would invest in active transportation connecting the East Deering neighborhood to the rest of Portland.

On the topic of traffic, it is undeniable that, as Portland grows, traffic will grow with it. The benefit of having a neighbor like the Roux Institute is that they are thinking strategically about these issues, and can help support more bus routes, enhanced active transportation options, and other connections. Plus, the proposed density of the Roux Institute would help the traffic issues. For example, including housing on the site would reduce the number of trips (including car trips) to and from the site. Plus, including housing and the option for small shops or restaurants on site would help to make East Deering as a whole more walkable-- which would benefit the whole neighborhood.

IDEALS' community engagement thus far has been exemplary. They have been open and transparent with me and others in my community—inviting discussion, welcoming site visits, answering questions, and simply listening to neighborhood concerns.

Most importantly from my perspective, the developers have made significant commitments to expand access to open public spaces and to improve public transit and bike and pedestrian access in my neighborhood.

East Deering is only one mile away from the peninsula, yet most people traveling downtown would find it easier to get into a car than to travel by bike, bus, or foot. That is not sustainable. The developers have demonstrated a willingness to push up their sleeves and get to work on transportation issues by communicating and planning with Greater Portland Metro, coordinating with the Maine Department of Transportation, and meeting with bike and trail advocates. This is the sort of planning that we need to integrate the East Deering neighborhood into a functioning public and active transportation network for the City of Portland.

Through its public engagement, innovative thinking, and openness to feedback, Roux has demonstrated that it will be a good partner in the community. I urge you to support their rezoning application.

Thank you for your consideration,

Emma Bond

63 Arcadia Street

Portland, Maine 04103



PORTLAND PUBLIC SCHOOLS

prepared & empowered

Sept. 12, 2022

Dear Mayor Snyder and members of the City Council and Planning Board,

I am writing on behalf of the Portland Public Schools to express the district's strong support for the proposal for The Roux Institute campus at the former B&M factory. The Roux Institute has already proven itself to be a valuable partner of our school district and that partnership will only be enhanced if this exciting development is approved.

Let me give you a few examples of how our partnership with The Roux Institute has already benefited our students and staff.

The Roux Institute has supported our STEM (science, technology, engineering and math) programming through teacher training on coding and computer science. Our computer science vertical team leaders collaborated with The Roux Institute computer science professors to plan and to present to teachers who are early adopters of computer science integration at the elementary level at their campus.

Girls Who Code and Educate Maine organized a middle-school and a high-school camp hosted at The Roux Institute, which brought PPS students who identify as female for coding activities. They also heard from 'women in technology' as guest speakers, took a field trip to nearby Wex and participated in sisterhood activities.

In addition, our high school science teachers would like to build capacity around data science. The Roux Institute could help do that by offering courses for teachers on data science. Experiences that students could attend that would allow them to work with data sets and data communication would also help to expand our students' engagement with data science. Having The Roux Institute in such close proximity would amplify our students' and teachers' access to these rich learning opportunities.

The Roux Institute also has committed to innovative ways to help Portland Adult Education students validate their home country credentials. Many of our new Mainer students have higher education degrees and have been successful professionals in their home countries. Validating their credentials will help them fulfill their potential as part of Maine's workforce.

We also have been able to tap students and graduates of The Roux Institute for key roles.

Roux has given us access to and subsidies for their co-op students in the Project Management and Professional Studies programs. The Roux Institute's co-op program is an experiential learning program that allows students to alternate semesters of academic study with periods of full-time work. We've had two project management co-op students and three analyst co-op students as interns and our current Data Manager was one of those interns. Additionally, The Roux Institute also has invited us to provide projects/problems for their graduate students to tackle through their Experiential Network (XN) courses, which will help us look at thorny problems in new ways. We will take advantage of that offer during the fall semester.

We foresee the Portland Public Schools being able to continue to benefit from those kinds of opportunities and much more if the Roux Campus is approved. Roux has said its campus will bring together learning, research, collaboration, and entrepreneurship to shape cutting-edge opportunities – and our staff, students and families stand to gain from all of that.

I'll also note that The Roux Institute's values dovetail with ours, as Maine's largest and most diverse school district. Because of the \$67 million Alfond Scholars Initiative grant to the Roux Institute, and with the commitment of Northeastern University's Office of Diversity, Equity and Inclusion, The Roux Institute celebrates diversity in all its forms and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world.

In short, The Roux Institute has become a key partner for the Portland Public Schools in helping us achieve our educational goals. We look forward to collaborating even more with them for many years to come and urge you to approve the Roux Campus proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'X. Botana', with a long horizontal line extending to the right.

Xavier Botana, Portland Public Schools Superintendent

botanx@portlandschools.org

207-874-8111 (office)

207-747-8004 (cell)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'Andrew Butcher' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 6:53 AM

Reply-To: Andrew Butcher <abutcher@maineconnectivity.org>

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor, Councilors, and Planning Board Members,

This letter is to express our appreciation and support for the Roux Institute's plans to create a Portland-based, world-class, center of excellence for Maine's innovation economy, including education, R&D, and entrepreneurship training and development. We are writing to encourage the City of Portland to move ahead promptly with this essential project given its great potential benefits for Portland and the entire State of Maine. We commend the City of Portland for attracting this new, remarkable asset to Portland.

We are very grateful to the Roux Institute for offering prompt, effective support to the new Maine Connectivity Authority (MCA), established in 2021, as we established our operations and look to leverage world class technical expertise to advance our mission of universal affordable broadband for everyone. With their generous and pragmatic approach, they quickly devised a plan to support MCA to locate its headquarters in the heart of the Roux Institute's Portland facility, working side by side with other innovation economy companies. MCA's new home in this remarkable Roux Institute innovation center has greatly facilitated MCA's work to carry out our essential mission for the State of Maine to assure Maine citizens have universal access to affordable high-speed broadband in Maine.

As part of our work, MCA observes the ferocious competition among the US States and foreign governments to build advanced technology economies. The Roux Institute will provide Portland and the State of Maine an opportunity to remain competitive and excel in that competition. The Roux Institute vision of a dedicated campus, combining education of students (with essential housing) with support for establishing, growing, and financing Maine businesses, is essential to realize this vision. We need to work together to support this innovative growth.

MCA understands that the Roux Institute needs the City of Portland's support for this extraordinary vision to be realized. We strongly encourage the City of Portland Council and the Planning Commission to work with the Roux Institute to establish this vital new center. We understand that the Roux Institute is working closely with neighbors at the former B&M manufacturing site, as well as the City of Portland to assure best design that accommodates public use as well as Roux Institute activities with all appropriate permits.

MCA is an enthusiastic supporter of this vision. We recognize that it does require reconfiguration and change. But our daily work emphasizes the need for careful planning and construction of new technology-based infrastructure to support the New Maine Economy, and the future prosperity of the State.

We hope to be a part of this future Portland center of excellence and please do not hesitate to contact me directly with any questions

Sincerely Yours,
Andrew Butcher

--

Andrew Butcher (he/him/his)
President - Maine Connectivity Authority
(207) 209.3868
maineconnectivity.org
[LinkedIn](#) | [Twitter](#)

February 1, 2023

Portland City Council
389 Congress Street
Portland, Maine 04101

Dear Mayor Snyder and Members of the Council:

I encourage you to adopt the language and mapping changes as recommended by the Planning Board to allow for the future development of the former B&M Baked Bean factory site. The Planning Board developed these recommendations with due consideration of public comments received and in close alignment with the City's principles and standards for site development. Likewise, the developers incorporated changes in their proposal to address suggestions and concerns raised in the preliminary review process by the public and the Planning Board.

The IDEAL plan for the B&M property presents the city with a rare opportunity to advance the redevelopment of an obsolete waterfront industrial site without displacing true working waterfront uses. Moreover, the plan offers a textbook example of enlightened urban redevelopment with dense, multi-use buildings, including housing, commercial space, and recreational and open spaces. And setting the basic planning considerations aside, the prospect of bringing a new, visionary institution of research and learning to this state has no precedent. It warrants a reciprocal commitment on the City's part, including at the very least, approval of these zoning recommendations to give the applicants the full benefit of a complete site review process.

As a former member of the City's Planning Board, I took part in reviewing scores of projects over nine years of service. In almost every instance, new development creates positive and negative impacts on surrounding properties. For example, this redevelopment will almost surely spur further infill development in the neighborhood and raise the value of commercial and residential properties nearby. Inevitably, some people will view these impacts negatively, but from the City's perspective, these should be counted as benefits. In a similar respect, some opponents of the project have raised concerns about increased traffic and congestion. They are likely right, because increases in traffic and intermittent street congestion would accompany virtually any successful re-use of this property. In this instance however, increased traffic is a good problem, because it signals success. The location of the site at the intersection of numerous arterial streets, biking and walking paths, and even a rail corridor promises a rich range of potential transportation solutions. As with any development proposal, IDEAL will need to address this issue properly in the site plan review process or the project will fail to gain approval.

In closing, I believe timely and positive action by the City Council will send an important message to IDEALS, to the Roux Institute, and to the larger community. It will confirm that we

welcome investment in our city. We welcome new institutions. We welcome new business. And we welcome new residents to Portland.

Thank you,

John H. Carroll

40 Wiley Avenue

Peaks Island, Maine 04108

Phil Caruso
15 Brown St Unit 401
Portland, ME 04101

31 January 2023

Portland City Council
City Hall
389 Congress Street
Portland, ME 04101

Dear Members of the City Council:

I am writing to express my support for the IDEALS expansion of the Roux Institute's campus in East Deering. The redevelopment plan is an exciting step toward fostering a new generation of entrepreneurship and innovation in Maine, opening new opportunities to students and professionals, and creating thousands of jobs for our community.

I live in downtown Portland and am a partner at a global management consulting firm. Much of my work involves advising executive teams of companies across the US on how and where to expand their businesses – I have recently seen a growing interest in where talent can be found with in-demand skills like advanced analytics and technology development. The future of work will allow businesses to hire workers here in Portland in ways that were not possible a few years ago.

Opportunities to invest in the future of Portland's economy like the Roux expansion only come along so often, and the right decisions by city leaders will speak volumes to potential employers looking around the country for new sources of talent. I strongly urge the council to support the expansion plan and make it clear that Portland is committed to being a leader in creating good, new jobs for its citizens in the years to come.

Please feel free to contact me if you have any questions. I look forward to seeing the results of the upcoming meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Phil Caruso', with a stylized, sweeping flourish at the end.

Phil Caruso



Dena Libner <dlibner@portlandmaine.gov>

Support for Roux Institute Overlay Zone -- Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'James Cohen' via Public Comment <publiccomment@portlandmaine.gov>

Tue, Jan 31, 2023 at 4:42 PM

Reply-To: James Cohen <jcohen@verrill-law.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Mayor Snyder and Members of the Council:

I write to today to express strong support in my individual capacity for the Institutional Overlay Zone currently pending before the Council, which Zone was recently endorsed by the Portland Planning Board on a strong vote. Passage of this Zone is important to allowing the Roux Institute to establish a campus in Portland, which is critical for Portland's future. I sent a very similar set of comments to the Planning Board, and I wanted to make sure the City Council had the opportunity to hear my thoughts on this project and the rezoning.

Establishing this Zone is within the Council's discretion and obviously considers a range of high-level issues, from parking, to building height, to traffic, to public access, and to many other issues related to land use. Also of relevance is the benefit to the community of the proposed use. I will start there.

Having the Roux Institute in Portland is a rare opportunity. World class cities need world class institutions of higher education. Portland has UNE, MECA, and USM within its borders, and SMCC, St. Josephs, Bowdoin, and Bates in the region. The Roux Institute fills a niche in high-tech not otherwise met, and it fills this niche in part through an affiliation with Northeastern University, a national university based in Boston known for training and placing students in great jobs. Roux has been substantially capitalized through major grants from Maine-based philanthropists and is already succeeding. Roux also is building a national reputation – I can rarely turn on a national podcast without hearing their ads advertising Portland, Maine and cutting-edge high-tech education.

As the parent of two kids who went through the Portland Public Schools who both went to college out of state and found jobs out of state, I have first-hand experience in the relatively limited job and company pool in this area. Portland has a strong and growing economic base, yes. But for long-term, sustainable success, we need a pipeline of highly educated tech students to encourage businesses to locate and grow in this area. The more the high-tech sector becomes established in our region, the more likely it will be that our children to choose to locate in Portland in order to pursue the careers of their choice. Roux is already becoming part of that pipeline, and with a suitable campus in Portland, can grow to fully meet that mission.

Next, let's turn to the location itself. I have heard no one say that Roux is not a worthy endeavor, and for the reasons noted above, Roux is critical for Portland's future. If there are concerns, it relates to the proposed location and the potential impact on neighbors. That impact certainly exists, but it does not outweigh the benefits or warrant disapproval of the proposed Zone.

As it turns out, I grew up in the Payson Park area, and my mother (a former town planner) continues to live in the house where I grew up on Ocean Avenue. I currently live a few miles away in North Deering, and I regularly walk, bike, and drive past the proposed Veranda Street entrance to the campus. If there is traffic, I will be among the Portland residents directly impacted. And if there are new site amenities, it will benefit me directly. Here are my own observations about why this Zone can work, and why the Council should approve it:

- **Traffic** – I'll start with the hardest issue. As a former city councilor in District 5, I often said that the three most important issues in my district were traffic, traffic, and traffic. Without question, traffic is a big issue. But, I also frequently say that healthy cities are balanced cities, and as such, good planning requires balancing all of the aspects of the site and the proposed use. Here, there is no avoiding the fact that use of this site will add traffic. We have many other uses that generate traffic as well, including other local universities, businesses, government buildings, and retail centers. Yet, we would not trade those uses in order to reduce traffic. Traffic is a necessary consequence of land use, and as such, we need to accept a reasonable amount of traffic as part of growing our healthy city. From what I have read and reviewed, Roux has worked hard to mitigate traffic impacts by adjusting the size of the campus, the allowed uses, adding trails, and encouraging public transportation and bike access. Given how close the campus is to Inner Washington and downtown, I expect many students to walk and bike rather than drive, or they will take the bus, particularly given the cost of parking downtown. The separate site plan review process offers further opportunities for the Board and the Planning Department to institute controls to reduce the potential impact of traffic. The bottom line for this Zone is whether

we, as a community, are willing to absorb additional traffic in this Zone and outside the Zone as part of the overall project. On this, I would say the answer should be "yes."

- **Building Height** – Currently, this location is nearly invisible from the adjacent neighborhood. From Veranda Street, I can hardly tell there are structures there today. And I cannot see the water at all unless I am on Back Cove, and that view would not be impacted by new buildings on the proposed campus. If the campus is built, the buildings might be slightly visible from inland. But the impact on views from most locations will be limited, if at all. Additionally, Roux has further modified their proposed heights so that they are lower and staggered, which makes sense. I am also guided by my experience in the mid-2000s setting the building height limits for the Eastern Waterfront Zone. As part of that process, we looked at view corridors, balloons to get a sense of height, and vision drawings as part of setting building density and height limits. Some residents expressed concerns about building heights and view impacts. The end result is a relatively dense, new neighborhood with taller buildings. And it works, spectacularly. It can also work on the proposed Roux campus where the building heights and massing are far, far less.
- **Open space** – I have been a huge advocate for open space and pedestrian access over the past 30 years in Portland. I am a former president of Portland Trails, and I remain an advisory trustee. I grew up walking and running on the Boulevard. I continue to walk and run in the area. And in all of my years, the B&M campus has been off-limits, and inaccessible. It still is off limits. The Roux plan changes that and creates an amenity for the neighborhood and the City as a whole. Not only would the campus provide waterfront access for walkers, but it would also provide access for kayaks and paddleboards. This is not a small thing, and it is a major positive. To understand the value, it is worth a quick tour of recent Portland history. For many years, much of the Portland downtown and Eastern Prom was not directly accessible to the water, and it was not until the late 1990s that the Eastern Prom trail was built giving residents direct access to the waterfront – something that helped propel Portland's current success as a city. Likewise, it was not until the mid-1980s that a trail went all the way around Baxter Boulevard, and that important expansion in public access made a huge difference in the quality of life in Portland. So, to the extent Roux is looking to add more public access to the East Deering waterfront, we should view that as a tremendous positive.
- **Public transit** – I am also a huge advocate for public transit. I currently chair the board of the Northern New England Passenger Rail Authority, and I am a former trustee of the Greater Portland Transit District. As Portland grows, so has traffic. At the same time, our public transit offerings and services have grown. When I was growing up, there was the [Number 9 Veranda Street](#) bus that went along Ocean Avenue until it was discontinued in the 1980s. In recent years, bus service has grown in scope and frequency. That growth relies in part on housing density along arterials, and the Roux campus contributes to that density along the Washington Avenue corridor. So, not only will the Roux Campus benefit from accessible bus service, but the bus service itself will benefit from the Roux campus and more ridership. It is a virtuous cycle that will help expand bus frequency and expansion, for all of us.

As a final note, there is no question that change is hard. As a city councilor, I frequently dealt with the challenges of proposed developments in my district, and I listened intently to the input of constituents. This input often made projects better. As mayor in 2006, I helped move forward with an overlay zone for USM that helped establish the Abromson Center and new parking garage, developments that were concerning to neighbors who opposed the plan. That Zone passed on a narrow 5-4 vote of the City Council, but in hindsight, we can confidently state that approval of that zone was the right thing for Portland. Like the USM overlay zone, there are neighborhood impacts and community benefits that must be weighed. In this instance, that greater good lies with approving the overlay zone for the Roux campus.

For these reasons, I urge the Council to move forward with approval with the proposed zone as modified and approved by the Planning Board.

Thank you for your consideration and attention to this important matter for our City.

James I. Cohen

James I. Cohen

[62 Deepwood Dr.](#)

[Portland, Maine 04103](#)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nan Cumming <nan@portlandparksconservancy.org>
To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Mon, Jan 30, 2023 at 11:33 AM

Dear Mayor and Members of the City Council.

I am writing on behalf of the Portland Parks Conservancy regarding the Roux Institute campus at the former B&M factory, which I believe you will be discussing on February 6.

As a private nonprofit organization with a mission to support the City's public parks and recreational programs, we do not typically advocate for or against development projects in Portland. However, the Parks Conservancy Board of Trustees would like to express our support for the Roux Institute's plan to steward this unique property. Their intention to create at least 3 acres of new public green space, over 1,000 feet of waterfront access, and pedestrian and bicycle connections to the Back Cove and Eastern Promenade will greatly enhance livability in our city.

We look forward to working with the Roux Institute to find innovative ways to connect their campus to Portland's growing network of waterfront parks and public open spaces.

Yours sincerely,

Nan

Nan Cumming
Executive Director



PORTLAND PARKS
CONSERVANCY

[PortlandParksConservancy.org](https://portlandparksconservancy.org)
212 Canco Road, Suite A
Portland, Maine 04103
207 808-5455



OFFICE OF THE PRESIDENT
323 State Street, Augusta, ME 04330-7131
(207) 629-4000 | Fax (207) 629-4048 | mccs.me.edu

David Daigler
President

August 23, 2022

City Council and Planning Board Members
City of Portland
Care of Kate Snyder, Mayor
389 Congress St
Portland, ME 04101

RE: Roux Institute Proposed Plans

Dear Mayor, Councilors, and Planning Board Members,

I am writing to support the proposed plans for the Roux Institute campus at the former B&M factory in Portland. Higher education is undergoing tremendous transformation, and the Roux Institute presents exciting developments in the greater Portland area. The campus will enable its essential growth in the coming years and, I believe, will provide significant benefits to the region.

Because of the \$67 million Alfond Scholars Initiative grant to the Roux Institute and the commitment of Northeastern University's Office of Diversity, Equity, and Inclusion, the Roux Institute celebrates diversity in all of its forms and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world. The new campus will welcome all comers, with waterfront access, public open space, and complementary offerings attractive to neighbors and other Portland residents.

The Roux Campus will bring together learning, research, collaboration, and entrepreneurship to shape cutting-edge opportunities for Maine people and help shape our economy to compete globally.

Kind regards,

A handwritten signature in black ink, appearing to read "David Daigler". The signature is fluid and stylized, with a large loop at the end.

David Daigler
President



Dena Libner <dlibner@portlandmaine.gov>

Roux Zoning changes

1 message

Talya Davis <talyardavis@gmail.com>

Mon, Jan 30, 2023 at 9:23 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Jan. 30, 2023

Portland City Council
[389 Congress St.](#)
Portland, ME 04101

To the Portland City Council:

Maine needs the educational opportunities that the Roux Institute can provide to students and to our community.

I grew up in Maine, but when it came time to pursue my doctorate in molecular microbiology there were no viable options in my home state. Instead, I went to Boston and received my Ph.D. from Tufts University.

After working in Boston as a researcher and a high school teacher, I was able to return to Maine. I live in Portland with my wife and our two children. The partnerships that Roux has created in our city's school will help thousands of students, and the next generation of graduate students and postdoctoral scholars will have an opportunity to seek education and job opportunities in Maine instead of moving out of state.

I think it's important for students to explore the world, but I also believe that they should have quality educational opportunities close to home. The Roux Institute can provide that.

For Roux to be successful and maximize its potential for Portland and all of Maine, it needs to be located on a campus with the infrastructure to support new businesses, student housing and the amenities that professionals expect in a modern university setting.

I believe that the Roux team has done a good job of stakeholder engagement and has strengthened their proposal for the redevelopment of the former B&M baked bean factory. They envision an open and inviting campus with public space, an emphasis on non-car transportation and an environmentally sustainable design.

It is my hope that you will approve the zoning changes sought by the Roux Institute and demonstrate Portland's commitment to this exciting opportunity.

Thank you.
Talya Davis
Portland



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Andrew Dickey <andrew.dickey@wexinc.com>

Tue, Jan 31, 2023 at 11:48 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor & City Councilors,

My name is Andrew Dickey and I live in Cape Elizabeth. I've worked at WEX for a few years and I'm a born and raised Mainer. Upon reading about the Roux Institute campus project, it felt like a no brainer to me for the Planning Board and City Council to approve. This campus is going to provide so many economic and social benefits for the community: open green space, bike paths, a push for more active transit, a public pier, co-working space, and most importantly new jobs and housing. Personally, I'm really excited about the option to potentially rent kayaks from this site and explore Casco Bay. I'm also on the board for PROPEL which is a group of the Portland Chamber of Commerce, and our mission is to promote Portland in a way that supports new economic growth. A project like this is what brings professionals & jobs into Maine to strengthen our economic growth as a community, so I'm fully in support of it.

Regarding traffic and the uses of the site, campuses typically have options for dining and retail, so it is not surprising that this is included in the plans. Keeping amenities and services on campus helps to keep everyone there, not making unnecessary trips off campus. I also know the east Deering neighborhood well, so I understand this will create some strain on that local transportation system but I also understand that through these developments, upgrades can be accomplished that maybe wouldn't have otherwise. This is also a great opportunity to work with METRO and expand their service. Having lived in Boston for a few years, I know traffic is inevitable in any city but there's always ways to help reduce it. You can't grow a city without changing things, right?

Bottom line, this project is a step forward in the right direction for the city of Portland and the state of Maine in terms of community benefits, economic growth, and sustainability. I hope the Council will act on behalf of the city as a whole and approve the zoning changes.

Sincerely,

--

Andrew Dickey

Flume

Mobile: 617-817-5878

<https://flumepay.com/>



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Project at B&M Property (Orders: 125-22/23, 126-22/23, 127-22/23)

1 message

Matt Donovan <donovanmj15@gmail.com>

Fri, Feb 3, 2023 at 8:46 AM

To: council@portlandmaine.gov, publiccomment@portlandmaine.gov

Dear mayor and city councilors,

My name is Matt Donovan. I was born and raised in greater Portland, and at 30 years old, I'm still happily here. I'm a structural engineer at a small engineering firm in town. I'm writing to you in support of the Roux Institute development at the B&M bean factory.

There's a plethora of reasons that I never moved away from this area, but mainly it's because I simply love it here. When I travel for work and get asked where I'm from, I'm always proud to tell people that I live in Portland Maine. With that said, I believe that the city has improved immensely in my lifetime and continues to do so. I believe that this project will be yet another step in that direction, and will bring many benefits to several different sectors for generations to come.

Although Portland and the surrounding area has good colleges, I believe that there is room for growth when it comes to the educational system. This project will attract young, smart, motivated students, which I believe will positively affect the area in so many ways.

This development is great progress for the city. Having the opportunity to bring in an established, top-tier educational group at this capacity is an outstanding opportunity that should be welcomed.

Best regards,
Matt Donovan



Dena Libner <dlibner@portlandmaine.gov>

The Roux Institute: Order 125-22/23, Order 126-22/23, Order 127-22/23

1 message

Elyse Doyle <elysemdoyle@outlook.com>

Mon, Jan 23, 2023 at 1:52 PM

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

Cc: Michael Cochrane <michael.cochrane@ideals.org>

Dear Mayor and City Councilors,

I am writing to express my support for the Roux Institute's proposed plan to build a campus in Portland at the former B&M factory.

As a current part-time lecturer at the Roux Institute, I can speak to the positive impact the Roux is having on the Portland community and the state. This institute provides Maine individuals and businesses with a unique opportunity to develop competitive and sustainable jobs. The Roux fosters a collaborative and innovative platform for the community to invest in much needed economic and technology advancements. Students at the Roux have direct access to the largest and most successful Maine businesses, as well as expert instructors to help close the unemployment gap and build a more technologically sound and resilient workforce.

The applied programs offered through the Roux Institute are changing the lives of Mainers across the state. The Roux Institute is the only Northeastern campus that offers "Hybrid" courses, combining in-person lectures with an online attendance option, so individuals in rural areas can also take advantage of this excellent opportunity to change their careers and lives. I understand this new campus will impact Portland the greatest, both positively and perhaps negatively with increased traffic and local congestion, but from what I have seen, the pros resulting from the Roux Institute's growth will substantially outweigh these mitigatable "cons".

I have attended local public hearing meetings and read the project's Institutional Development Plan. I was pleased to see that the developers of this project are well aware of the Portland community's concerns including traffic, campus size and overall congestion. The plan notes that based on the B&M factory site location, the project can build taller buildings with a smaller footprint, enabling public open spaces and waterfront access for the community to enjoy. They are also working with the Portland METRO bus system to offer public transportation access to the new site. It is evident they are undertaking this project with thought and respect for the Portland community. Additionally, as a full-time project manager for an energy storage company, I appreciate the developers' initiatives for incorporating renewable energy generation and electric car charging on site. This is the type of forward-thinking Maine desperately needs. I have no doubt this project will make a lasting positive impact for Portland and for Maine. I know I will continue to teach students and support the Roux Institute for as long as it is here.

Sincerely,

Elyse Doyle

Lecturer - Project Management, The Roux Institute

Public Comment in Support for IDEALS/Roux Institute
2.1.2023

Attn: City Council, City of Portland, Maine

Re: Order 125-22/23; Order 126-22/23; Order 127-22/23

To whom it may concern,

I'm writing in support of the proposed Roux Institute plan for the former B&M Baked Bean site. As someone who is deeply connected to Portland's working waterfront, I support this proposal because of their commitment to creating public access and amenities as well as a commitment to sustainability and resiliency. I'm also impressed by their plans for extensive bike/ped infrastructure and programmatic incentives to encourage non-single occupancy vehicle use to and from the site.

Thanks for your time and please consider supporting these proposals.

Sincerely,

Paul Drinan
Westbrook, Maine



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

2 messages

Benjamin Dudley <bfdiii@maine.rr.com>

Tue, Jan 31, 2023 at 5:48 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor Snyder and members of the City Council:

I write to express my support for the development of a mixed-use campus for The Roux Institute, including academic buildings, office, lab, and incubator space, retail, hotel, and housing as well as publicly accessible open space.

As a former state legislator who represented this part of the city from 1998 to 2004, to my eyes the proposed development of this site precisely reflects the values and vision expressed in Portland's current and former comprehensive planning. This scale of investment in — and partnership with — the people of Portland by a leading New England institution of higher education is exciting beyond measure. It holds the promise of advanced learning opportunities in technology, science and medicine; economic development through new commercial space and spinoff activity; good jobs for a range of skill levels; hundreds of units of new housing; access to open space (including waterfront!) that connects to our existing trail network; all while using climate-friendly design.

There's no doubt that development at this scale has impacts that need to be considered and mitigated. I have great faith in impartial processes and the expertise of the city's professional staff to arrive at equitable solutions to such challenges.

Let's capture this fantastic opportunity, one that reflects so well the things that Portlanders have imagined for the city we love.

Sincerely,

Benjamin Dudley
9 Ponce Street
Portland, Maine 04101

Whitney Harvey <whitney@maine.rr.com>

Tue, Jan 31, 2023 at 9:26 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Cc: Whitney Harvey <whitney@maine.rr.com>

Dear Mayor Snyder and City Council members,

I would like to express my enthusiastic support for the Institutional Overlay Zone for the Roux Institute campus. I have lived and worked in Portland for many years and am truly excited about this proposal. The campus for the the Roux Institute will provide enormous benefits for the City of Portland. It is both an education institution which will support and complement our existing colleges and universities, as well as an entrepreneurial engine that will hatch and grow new businesses. High tech creates good jobs, including for people without a bachelor's degree. It is time we had a strong high-tech sector. The Roux Institute, on its own campus, will deliver just that.

I am also very pleased with the proposal for on-campus housing. As we are all aware, the local housing market is not only tight, but out of reach for many buyers. For those students, workers and faculty who want to live in Portland, having on site housing will reduce additional pressure on the existing housing market and reduce traffic as well.

By granting the zone change, you enable the project to move to the site plan phase where plans for traffic management and campus design can be addressed. This could be a collaborative process involving neighbors, the city and so many others who have an interest in seeing that this is done to the highest of standards. Let's not miss this extraordinary opportunity.

Respectfully Submitted,

Whitney Neville Harvey
511 Chandlers Wharf
Portland, ME 04101



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23.

1 message

David Eaton <david@david-eaton.com>

Wed, Feb 1, 2023 at 5:25 PM

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Dear Councilors,

I was a member of the Planning Board when the MMC IOZ was approved, and at that time, I said that MMC had set a high bar for future IOZ applicants. I believe that The Roux Campus has met that bar, and strongly urge you to approve the IOZ, for the following reasons:

They engaged the public early and often, and responded to their concerns by downsizing the project. (MMC moved their garage to address neighborhood concerns), I see that not everyone is satisfied with the response from Roux, but most are. You cannot say they did not engage and listen to the public, and has stated they will continue to do so. But as I'm sure you know, you cannot satisfy all of the people all of the time!

Activating the street frontage with mixed use space was a concern with MMC. Roux is also planning to create active retail space on its campus, along with dramatic and improved public open space. (Anytime we have a chance to create public open space that is not a public expense, especially along the waterfront, I believe we should seize the opportunity).

Also, it's clear to me that the office and hotel uses will enhance the Roux Institute as a destination, as it competes with other Tech campuses for the best minds and entrepreneurs from away. This will only help the regional economy.

As for traffic, we have always entrusted both the Traffic Movement Permit process and the Transportation Management Program to address the need for safety and accessibility improvements for all major projects as the rest of the permitting process proceeds. This is standard procedure, that allows the rest of the permitting to progress while ensuring that the transportation impacts are mitigated and assured before construction can begin.

Finally, I think we all need to look into the future on projects like these. When completed, the Roux Campus will be a gateway landmark at the eastern end of the city, complementing the long view of the MMC campus at the western end. In addition to the economic and community benefits of this project, this will be your legacy. Thank you.

David Eaton, [52 Neal Street](#)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Keenan Gillard <keenan.gillard@gmail.com>

Tue, Jan 31, 2023 at 2:47 PM

To: publiccomment@portlandmaine.gov

Dear Mayor and City Councilors,

I am writing to you today in support of the Roux Institute's development proposal. I am extremely excited about the prospect of the university and all that it can bring to both Portland and Maine. I work in the software development industry and cannot state how important this type of education is for the city and state. Our economy needs modernization and the Roux Institute offers a path towards this.

It is not simply big tech firms that need data scientists and machine learning expertise, every industry requires this from forestry to aquaculture to the public sector and the service industry. If Portland is to continue to thrive and Maine is to transform in the manner I know it can, it will be dependent on a strong workforce of highly educated folks the Roux Institute can produce.

Please join me in supporting the Roux Institute, in supporting Portland, in supporting the future of Maine.

Regards,
-Keenan Gillard



Testimony in Support of Portland City Council Orders 125-22/23, 126-22/23, & 127-22/23
January 31, 2023

Mayor Snyder and Members of the Portland City Council,

My name is Quincy Hentzel, and I am the President and CEO of the Portland Regional Chamber of Commerce. We represent 1,300 businesses in our region who employ over 65,000 Mainers. This includes many businesses, institutions, and non-profit members who have developed deep and meaningful partnerships with the Roux Institute since they were established in Portland. These partnerships empower them and their employees to tap into Roux's world-class graduate and continuing education programs, their incubator programs, and the clustering effects that can take off when academic institutions take seriously their commitment to research and building the next generation of entrepreneurs. We are submitting this written testimony today to express our organization's support for the Roux Institute's application for an Institutional Overlay Zone (IOZ) and associated B-5 Zoning Map Amendment that will be before you on February 6th.

Roux has demonstrated incredible potential for our region, bringing together large employers, cutting edge start-ups, other institutions of higher education, and of course incredibly talented students, staff and faculty to advance a transformational investment in our region. Thus, we submit these comments in support of the approach before you to give them a permanent home using land use tools that recognize their unique institutional nature which necessitates laying out their multi-phase long term development plans in the responsible and predictable manner of an IOZ and zoning map amendment.

Economic Benefits to our Region

We believe the economic benefit to our region facilitated by Roux's permanent campus cannot be overstated. It is rare that any individual seeks to invest hundreds of millions of dollars in a community of Portland's size, and rarer still that that investment represents such a large public benefit in terms of economic growth and the spillovers that can be extended to all sectors of our economy with an educational institution that has entrepreneurship in its' DNA. Look to any dynamic and growing innovation hub around the United States— from larger examples like Silicon Valley and Boston, to smaller ones like Rochester, Pittsburgh and Ann Arbor— and you can quickly see that the most innovative and dynamic regional economies all share one essential ingredient: a premier research and graduate institution that prepares workers for the 21st century economy, realizes the network and clustering effects of starting many industry specific entrepreneurial ventures in a confined geographic region, and raises real wages for all workers in a region through spillover impacts on the larger labor market. The Roux Institute is that ingredient for our region, and their campus is the means through which those benefits can be achieved.

It is a widely held belief among top urban economists and geographers like Edward Glaeser, Enrico Moretti, and Richard Florida, that creativity and human capital are the economic fuel that drives sustained growth in the innovation economy. While there now exists a global abundance of codified knowledge (knowledge that can be easily transported across long distances), access to codified knowledge is only one ingredient in innovation. In addition to access to codified knowledge, successful innovation relies crucially on the ability of economic actors to access and mobilize tacit knowledge. Tacit knowledge is an essential input to innovation, as it is this form of knowledge that enables, is produced by, and circulates through collaborative problem solving and innovation generation.



Because the generation and transmission of tacit knowledge is collaborative, tacit knowledge is stubbornly resistant to being transmitted over long distances. So, the transmission of tacit knowledge— and thereby, the successful generation of innovation— requires that knowledge exchange takes place face-to-face between individuals who have a diverse but complementary capacity to communicate and interact. Understanding the role and the scarcity of tacit knowledge is therefore key to understanding the drivers of the innovative process, as well the geographic importance of innovation clustering. It is this aspect of innovation that is most important for understanding the stickiness and therefore the importance of geography to innovation.

A series of potential impacts can accrue from the co-location of institutions and firms that are specialized in similar industries, and these impacts can generate important competitive outcomes for regional economies. The key factors that generate these benefits include the formation of a localized market of specialized labor that can be drawn on by firms within the region, the creation of highly efficient linkages between related institutions and firms, and the emergence of knowledge and technology spillovers between institutions and firms. This results in a cross-fertilization of knowledge which leads to communication between firms and institutions and knowledge spillovers that create knock-on effects within regional economies that will lead to broadly shared economic growth.

We can already observe this beneficial phenomenon in Portland on a more micro-scale. We have become national leaders in fields like veterinary sciences because we have nurtured an entrepreneurial ecosystem around businesses like IDEXX and Covetrus that have led to the creation of new firms in this field with high wages and increased access to start-up capital. Unfortunately, we have so far been limited in our ability to capitalize on those types of innovation clusters more broadly because we have lacked the institutional capacity necessary to produce the concentration of highly skilled workers that facilitate sustained and diverse streams of entrepreneurs and capital. The Roux Institute represents the opportunity to add in this key ingredient.

Neighborhood Benefits of an IOZ

There is no doubt that an IOZ designation affords the applicant certain allowances, but above all else it invites additional obligations onto them through proactive planning and engagement with the neighborhood and the community at large. Both before the promulgation of the IOZ provision in code, and since that time, we have witnessed institutions who did not or could not use this tool to the detriment of smart growth and neighborhood relationships. Absent the utilization of an IOZ, several institutions have been bedeviled by slow but steady creep into neighborhoods, unclear plans for future growth, and uncoordinated planning for future transportation, infrastructure, and open space needs. This tool addresses those problems head on, and in the case of the only IOZ to achieve some level of maturity (Maine Medical Center) we have seen more harmonious relationships with neighborhoods built through clear plans and trust.

We realize that you are dealing with a novel text amendment seeking to expand the institutions eligible for IOZs, but in reading the land use code two things are clear:

- There are no express prohibitions on this approach; and
- Roux meets the contemplated scale and use for the employment of this tool.

Looking at the plans for the future of the Roux Institute, it would be unwise for the city to discourage their voluntary desire to engage in the in-depth planning and engagement required for IOZ applicants. We would



note that once built out, Roux is planning to accommodate 4,500 students which will put them in line with the number of students at USM and UNE and the number of employees at MMC and Northern Light.

Absent the IOZ, the map amendment on its own would be very likely to succeed given its' compatibility with Portland's Comprehensive Plan. If we imagine a world in which the map amendment moves forward without the associated text amendment, the ability to cultivate neighborhood engagement, plan decades into the future, and secure iron clad commitments from Roux on the built environment and infrastructure requirements of their site and development program would be impossible.

Simply put—no other tool in the land use code codifies as much prospective neighborhood engagement, long-term planning, and intentional compatible design than does the IOZ provision. The staff memo notes that the IDP produced through this process is a “proactive planning document for identifying and addressing anticipated change and growth by an institution” and that is the responsible path to take for an institution that holds so much promise, investment, and change for our community.

This is just the beginning of a long process. Decades lay before us as a city in site plan approvals to iron out important details raised by concerned neighbors, but we are confident that as the project advances under the constraints of this detailed regulatory framework those concerns will be satisfied, and Roux will become just as an integral part of our built environment and regional economy as all the other institutions listed in the current IOZ section of the land use code. We know that there will continue to be discussions, modifications, and other concerns addressed through eventual site plans, but we have been impressed with the depth and breadth of Roux's engagement with the community to take feedback, provide additional data, and make changes where necessary, including a nearly 30% reduction in square footage based on neighborhood concerns.

Transportation Concerns

Transportation and traffic seem to be the biggest outstanding concerns related to this application. With public transportation being one of the Chamber's top three policy priorities, we share that concern and are consistently looking for opportunities to move workers, students, residents, and visitors around the region in the most efficient and sustainable manner. We are confident that while all questions surrounding traffic engineering cannot be answered at this stage of approval, Roux will address traffic concerns as they move forward with site plan approvals, as is the case with any other large traffic generating use moving through the planning process.

We also commit that through the Chamber's participation in the Portland Area Comprehensive Transportation System (PACTS) we will endeavor to drive the necessary federal, state, and local funds available in our region towards this neighborhood to ensure the concerns are addressed. Indeed PACTS has already recently approved two relevant initiatives in furtherance of this goal:

1. **Connect 2045:** Approved late last year, Connect 2045 is the region's new long-term transportation plan that lays out, in a fiscally constrained manner, all the transportation projects proposed to be undertaken in our region for the next 25 years. Because this plan is fiscally constrained, that means that the initiatives included reflect the federal, state, and local resources we can expect to be available to us in the decades to come. Included in the plan is a significant increase in funding to our region's transit agencies to improve the frequency of bus headways to 15-30 minutes, meeting the intense trip generation needs created by a project of this scale.



2. **ARPA Allocations:** More immediate is the implementation of several projects that will directly increase service in proximity to this site funded through the American Rescue Plan dollars our region received for public transportation. Importantly, the current METRO Route 7 from Portland to Falmouth runs at just 60-minute headways during the weekdays, but under this new funding allocation that will increase to 30 minutes. Additionally, a new micro transit project will be rolled out just up Route 1 in Falmouth, improving first and last mile connectivity to this route. Finally, Route 9, also in proximity to the site, will achieve increased frequency with longer hours of operation.

While this application is just the start of a long relationship between the residents of Portland and the Roux Institute, it is an incredibly important first step. Roux's commitment to populating their campus with housing, a grocery store, shops, restaurants, and open space, all while preserving the old and remaining the site with a commitment to sustainable design principles demonstrate their sincere commitment to integrating this campus seamlessly into our urban fabric. We thank you for your time and commitment to all Portlanders, and we ask for your expeditious approval of these three orders to facilitate the Roux Institute's permanent home right here in Portland.

Respectfully,

Quincy Hentzel, President & CEO



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Jason Judd <jason@educatemaine.org>

Thu, Feb 2, 2023 at 1:00 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor and Councilors,

As Executive Director of Educate Maine, an education nonprofit located in Portland, I am writing to voice my support for the proposed plans for the Roux Institute campus at the B&M factory in Portland. We have the pleasure of partnering with the Roux Institute on a variety of education and economic development projects. The development of the new Roux Institute campus will allow more Maine people to connect with educational pathways leading to high wage job opportunities to grow our state's economy.

Educate Maine is focused on championing career readiness initiatives to make sure Maine people have the education credentials to thrive in job opportunities in a variety of sectors. As the future of work changes both in Maine and across the globe, the Roux Institute is helping to prepare learners to meet the needs of our economy. As one of the leaders of the MaineSpark coalition focused on increasing education attainment for adults to 60% by 2025, the Roux Institute's new campus will help expand opportunities for students and workers across Maine and help Maine meet its state attainment goal. The expansion of the Roux Campus will allow our organization to better collaborate on meaningful partnerships between K-12 schools, employers, and faculty and staff at the Roux Institute. For example, in the summer of 2022, Educate Maine hosted two weeklong Girls Who Code camps and a Future Innovators camp at the current Roux Institute campus serving dozens of students from across Maine. With the expansion of the campus, more student opportunities like this will be available to connect young people with careers in technology and the life sciences.

The Roux Institute has already greatly impacted Maine students in a short time. Through the \$67 million Alford Scholars Initiative grant to the Roux Institute, the institution has embraced diversity, equity, and inclusion and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world. I have seen first-hand the tremendous impact this investment has had on students, and I encourage you to connect with current students to learn about their experiences.

Our excitement about the Roux Institute's new campus is only increased by their pledge to keep the campus open to all with plenty of open spaces for individuals and groups to gather to focus on education, innovation, and economic development. The waterfront location and inclusion of housing will not only welcome people from across Maine, but it will also attract visitors from across the globe. The campus will help Portland grow as an education and economic development hub. We are thrilled to see the growth of the Roux Institute and believe investment in the new campus will have significant benefits for our state for years to come.

I am more than happy to connect to individual members to talk more about the comments that we have offered in support of the new Roux Institute campus. I can be reached by phone at (207) 458-7824 or by email at Jason@educatemaine.org.

Sincerely,
Jason L. Judd
Executive Director

Jason Judd, Ed.D. | He, him, his

Educate Maine | Executive Director

482 Congress Street, Suite 303 | Portland, ME 04101

Jason@educatemaine.org | 207-458-7824 (cell)[Website](#) | [Facebook](#) | [LinkedIn](#) | [Twitter](#) | [Instagram](#)

EDUCATE MAINE

Educate Maine is a proud member of **MaineSpark | 60% by 2025**

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Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23. Roux Institute

1 message

Cheryl Juniewicz <juniewicz@westbrookschoools.org>
To: council@portlandmaine.gov, publiccomment@portlandmaine.gov
Cc: Cheri Juniewicz <cj@maine.rr.com>

Wed, Feb 1, 2023 at 6:46 AM

To: City Council Members
Ref: Order 125-22/23; Order 126-22/23; Order 127-22/23

From: Cheri Juniewicz

publiccomment@portlandmaine.gov 38 Bismark Street
Portland Maine 04103

Dear City Council Members

Respectfully I request that you support the development of the Roux Institute at the former bean factory site in East Deering. Having lived in East Deering since 1991 there have been many long awaited changes in the area that have vastly improved the quality of life for the residents. I feel that Roux Institute choosing the B & M site to locate their campus is a huge opportunity to bring more positive change and a dynamic demographic into our midst. The prospect of something that will provide diverse type of growth for this area and the surrounding neighborhoods makes me optimistic about the future of Portland. I happily welcome Roux, Please no more condos and brew pubs. (I love the brew pubs, but enough.)

Maine being the oldest state in the union needs to entice young forward thinkers into our state and to provide opportunities for our own youth to stay. Roux has plans to engage this population.

The area surrounding the site has LONG been ignored and is crying out to be connected to Back Cove and East End. The sidewalk situation and traffic at the intersection of Veranda , Bates, and Washington Ave. is already abysmal, (just look at the sidewalk in front of Howie's that's over grown, it dead ends and is caving in under the overpass). The opportunity for reconfiguring and restructuring the area to be safer traffic-wise, and more pedestrian and bike friendly has been being discussed for years. Roux has plans to meet some of these community needs. Myself, friends and family who live in the area are thrilled about the water access and the connection under the bridge to back cove that Roux has decided to provide. We have been asking for this for at least 15 years. It's almost a blessing that this area has been ignored by the city for so long as there is only now room for improvement

The plans for Roux locate is a brave one on their part and I encouraged you all to support their efforts. It's much appreciated that the Roux development team has reached out several times to the community for feedback and adjusted the plans.

This is not only a wonderful way to move East Deering forward but also a good addition for the city of Portland as a whole. Please, please support the redevelopment of this long neglected section of the city by casting your vote in favor of Roux. It would be incredibly disappointing if you neglect to support this opportunity.

Thank You, Cheri Juniewicz



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'Seric Kapp' via Public Comment <publiccomment@portlandmaine.gov>

Tue, Jan 31, 2023 at 4:30

Reply-To: Seric Kapp <kapp.seric@yahoo.com>

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

Dear Mayor and City Councilors

I want to take the time right in the beginning to thank you for taking a minute to read this email. I am what locals call a "transplant," Originally from PA area, but moved to this area from Boston 4 years ago with my now wife, who grew up in Liberty, Maine.

One of the many things we moved to Portland area for was the ability to walk everywhere you want to go or bike. These are activities we enjoyed all the time when we lived in Boston right next to Northeastern's Boston campus. This is an advantage to having a university that has been dedicated to providing a seamless campus/city connection. Roux campus would help grow access to the water front for everyone not just students. Future generations will be able to walk through this campus and see the history and beauty all in one place.

I know from utilizing the Payson park, traffic is always a concern in this area. Traffic in any area can cause issues at any given time. Adjusting and adopting to new development, education and growth will help this area grow with it. These issues are not something to be slowing this project down but to only speeding up the improvements to the city's public transportation system. I have faith in the Roux's attention to detail that they will be looking to partner with the city and not work against their future home.

The heart of this city comes from the hard work of the founders of this state. Today, we get the privilege to improve the once bustling factories into a place of education and community. This project will help grow the city but also protect the beauty of the history and waterfront of this city.

Roux Project is a value add in the eyes of many and brings along many new adventures and ideas to this great city. Do You See It??

Thanks Again!

Seric

Seric Kappe. Kapp.Seric@yahoo.com**Seric Kapp**e. Kapp.Seric@yahoo.com

c. 717.813.6595



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Noah Kerrigan <noahkerrigan@gmail.com>

Tue, Jan 31, 2023 at 11:41 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor and City Councilors,

My name is Noah Kerrigan. I live in Portland with my wife Tynette and our 4 year old daughter Harper. I'm writing to you to support the Roux Institute project on the site of the former B&M property.

We moved from California to Maine in Fall of 2015 looking for a better quality of life. We found it. We love the city, the culture, the nearby beaches, Acadia National Park, and the beautiful mountains, lakes, and rivers all over.

We support the Roux Institute project because we believe it will spur more stories like ours by bringing young professionals from all over the country to Southern Maine. These individuals will fall in love with the area and further vitalize the businesses, communities, and nearby cities. Additionally, the project is an opportunity to breathe life into a formerly thriving factory on a prized piece of property. Finally, the project will allow the community to experience the natural and architectural landscape of the site.

Thank you for your time.

Sincerely,

Noah H Kerrigan
Portland Elementary School Teacher



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Campus

1 message

kyle knodt <knodt.k@gmail.com>

Mon, Jan 30, 2023 at 9:36 PM

To: publiccomment@portlandmaine.gov

January 31, 2023

To: Mayor Snyder and Honorable members of the City Council:
Re: Order 125-22/23; Order 126-22/23; Order 127-22/23.

I am writing to express my support for the proposed Roux Campus on the old B&M property. As an employee of one of the first Roux Institute partner companies and the wife of a Northeastern University graduate, I fully appreciate what the Roux Institute and Northeastern will do for Portland. With nine campuses in three countries, Northeastern appreciates the importance of adding value to the communities in which it operates.

As a Portland resident I am excited about the new Roux Campus. I live off the peninsula, so the prospect of a water shuttle and the promise of new public open space and linked trails is just what Portland needs. In fact, one of my oldest friends runs a water taxi which I have used many times, but for me, it requires going all the way down to Commercial Street. A taxi/shuttle connecting the new Roux Campus to downtown Portland and even South Portland would relieve traffic, reduce carbon and be a huge new asset in Portland.

Adding housing to the campus and a few small retail places like a neighborhood grocery and restaurant will help make the campus more vibrant and reduce travel to downtown Portland. It will also be a nice feature for the neighborhood which will foster engagement with the community. I know traffic is a concern, but as someone who grew up in downtown Freeport, I can say that increased traffic is an inconvenience worth tolerating in exchange for the increase in prosperity for the community as a whole. Plus a lot more people walk, bike and bus to work in Portland than Freeport, so I believe the traffic will be mitigated and/or managed.

I have complete confidence that Northeastern will do right by Portland, and that the Roux Institute, in its future home, will be a source of pride for all of us in Portland. With a clean slate upon which to build a sustainable campus for high tech innovation, the possibilities are endless.

Thank you for considering my views.

Sincerely,

Kyle Knodt
51 Prospect Street
[Portland, Maine](#)



Dena Libner <dlibner@portlandmaine.gov>

RE: Order125-22/23, Order 126-22/23, Order127-22/23

1 message

'Mspicks' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 9:13 AM

Reply-To: Mspicks <mspicks@aol.com>

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

LETTER TO PORTLAND CITY COUNCIL

I am writing in support of the Roux Institute request for rezoning in the East Deering neighborhood.

I moved to Portland over 25 years ago and lived the first 20 years on Watson Street in East Deering so i am very familiar with the traffic pattern and the entire neighborhood.

I do believe the traffic situation is being addressed in a timely manner. The growth of educational opportunities and jobs is very much needed in Portland. Roux Institute is being transparent in sharing their plans for the East Deering neighborhood and has been flexible in adjusting to the needs and concerns of the neighborhood.

It is a much needed upgrade and will allow everyone to enjoy the waterfront area which is not the case presently.

Fortunately I still live in the East Deering neighborhood and look forward to the progress of this project.

Thank You.

Priscilla LaVallee



Dena Libner <dlibner@portlandmaine.gov>

Rezoning for the Roux Campus

1 message

Nick Littlefield <littlefield.n@gmail.com>

Tue, Jan 31, 2023 at 6:10 PM

To: publiccomment@portlandmaine.gov

To: Honorable Mayor Snyder and members of the City Council:
Re: Rezoning for the Roux Campus: Order 125-22/23; Order 126-22/23; Order 127-22/23.

I have followed this project since the beginning of 2020 and the kickoff at Ocean Gateway. I am a Northeastern University graduate, born and raised in Brunswick, Maine. I've enjoyed a 15-year career in tech, focused on data and analytics since graduating from Northeastern, and so I'm both highly interested in and supportive of plans for the Roux Institute to make a permanent home here in Portland. On the topic of transportation, and specifically alternative modes, I wanted to share some personal experience for your consideration. Before the pandemic, I commuted to my job at Covetrus downtown either by bike or on foot. Now, I work remotely for a different company based, commuting from my bedroom to my desk – a much shorter commute – and I think my experience speaks to an emerging trend: increasingly, cars (for those who even own them) stay parked for days at a time, while work or school is accessed either online or through alternative modes – my truck hasn't moved in weeks.

If showers are available at the new facility, and I would expect that to be part of any campus development plans, I think you'd be surprised by how many choose to jog or bike to work and bus or bike back. Speaking from my own prior experience working in Freeport at LL Bean, I would frequently commute by bike and use the locker room showers to freshen up for the day, and many of my former colleagues did the same. I suspect Portland's new bike share program will only help to further normalize this mode of transport for commuters. With appropriate infrastructure improvements, biking could be a year-round commuting option for students, faculty, and staff.

Lastly, I'd like to commend the selection of Northeastern for the Roux institute. Northeastern understands the value of coop and practical workplace experience like no other institution. Being able to work while pursuing an advanced degree makes this program so accessible to aspiring Maine students. Northeastern is innovative, flexible, and collaborative, and will make a wonderful addition to Maine's academic and entrepreneurial landscape. The Roux Institute is going to elevate the aspirations of Maine kids and create so much opportunity for a better future for them, and as a new father, this could not be more important to me. Thank you for your consideration, and your time.

Nick Littlefield
Prospect Street
Portland, ME

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Nick Littlefield
littlefield.n@gmail.com
(617) 877-5172



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute

1 message

Sarah Maloney <sarahmaloney01@gmail.com>

Tue, Jan 31, 2023 at 3:20 PM

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, publiccomment@portlandmaine.gov

Sarah Maloney, LCSW
55 Highland Street
Portland, Maine 04103-3042
207-233-0014
sarahmaloney01@gmail.com

February 1, 2023

To Mayor Snyder and Honorable Members of the City Council,
Regarding Order 125-22/23; Order 126-22/23; Order 127-22/23:

I am writing to you as a long-time resident of Portland to express my interest in the rezoning for the Roux campus at the old Burnham and Morrill site. Although Portland has a great reputation as a wonderful place to vacation and visit, I am thrilled about the opportunity the Roux Institute offers to make Portland a better place to earn a living wage and foster a strong local economy.

The Roux Institute is the best thing to happen to Portland in a generation, maybe a century. Just as it will transform a tired manufacturing site, it offers to replace diminishing traditional industry jobs with high tech jobs of the future. The education and training opportunities are world class, and a multi-purpose campus will employ people at all levels. This is also personal for me; I work at Falmouth High School and know how much young people crave the ability to stay and study and work in our great city. I also have two post college age children who would greatly benefit from all the Roux Institute has to offer.

I can't imagine a better spot for this purpose than the former Burnham & Morrill site. First, it's in Portland – I'm sure any other city in America would have jumped at this opportunity. Second, it's surrounded by water or infrastructure and buffered from neighborhoods. Third, the proposed urban development is in a city, where it belongs. Tall buildings belong in cities and make much better use of land than sprawling low-rise buildings. Fourth, it perfectly complements Portland's waterfront trail system. Imagine walking or biking from the proposed Portland Harbor Common, along the eastern Promenade trail, over Tukey's Bridge and then under it along the trail into the Roux Campus and all along the periphery, then north to Martin's Point Bridge or south along Back Cove. I am grateful for the public access built into the proposal and look forward to taking advantage of this amazing new resource.

The Institutional Overlay Zone is the right approach for this Roux Institute campus and a long-term plan with built-in public input is right for this location. I hope you will put your seal of approval on the rezoning so the project can move forward without delay.

Sincerely,
Sarah Maloney

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Sarah Maloney
207-233-0014



Janet T. Mills
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

January 18, 2023

Portland City Council
City Hall, 389 Congress St
Portland, ME 04101

Councilors:

I am writing to express support for the rezoning of the former B&M factory property to a mixed-use zone and for adding the Roux Institute as an eligible organization for Portland's Institutional Overlay Zone, specifically in reference to orders 125-22/23, 126-22/23, and 127-22/23.

While I rarely provide input on municipal matters, the Roux Institute project has far-reaching impacts for the entire state and is perhaps the largest investment in Maine's innovation economy in a generation. The Roux Institute's Portland campus will expand quality education for graduate students, attract business investment, boost research and development and provide an anchor for life and computer sciences in Maine, complementing the excellent graduate and undergraduate programs in the University of Maine System.

Redeveloping the former B&M property to reach the full potential of this new institution is in concert with this administration's priorities. As expressed in our Economic Development Strategy, talent and innovation are the drivers of increased prosperity in Maine in the years to come. The Roux Institute's campus furthers those ideals, while emphasizing environmental needs through sustainable structures and public open spaces.

Thank you for your consideration of this important project.

Sincerely,

Janet T. Mills
Governor



PRINTED ON RECYCLED PAPER



Dena Libner <dlibner@portlandmaine.gov>

Re City Council orders 125-20-23, 126 and 127

1 message

'Peter Monro' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 1:03 PM

Reply-To: Peter Monro <jpmonro@me.com>

To: council@portlandmaine.gov, publiccomment@portlandmaine.gov

Hello Victoria Pelletier and other councilors,

I am writing in full support of the Roux/IDEALS application for amending Article 8 of the Land Use Code, adopting a new IOZ on the B&M parcel, and changing the underlying zoning to B5.

I am a 35-year resident of downtown Portland. I am also a retired landscape architect and urban planner who has consistently advocated here for downtown density, mixed-use development to minimize driving, open space and trails to promote walking and cycling, and against undue building heights.

In my view, the mixed use campus and publicly accessible open space as envisioned by Roux/IDEALS is prohibitively the best use of the B&M site for its location and the future of the city of Portland.

I agree with the Planning Board, whose review through four workshops was thorough, that the regulatory framework being sought for this long-term development provides "an appropriate pro-active tool to ensure a consistent, predictable, and clear growth management."

I'm convinced that the community outreach has likewise been thorough and agree that the opportunities for future reviews is "clear and transparent for years to come."

I also believe that Roux having chosen our small city to plant a technology generator on the same scale that Mayor Bloomberg did in immense New York City is implausibly good fortune. That action in Manhattan a decade ago has already generated 80 startups drawing more than \$150 million in capital.

Please provide consistent, unstinting support to this unprecedented local effort.

Sincerely,

Peter Monro, [32 May St. 04102](#)

LEADERSHIP TEAM

Michael E. Dubyak
Co-Chair, FocusMaine
Former President, CEO, & Chairman
WEX, Inc.

Andrea Cianchette Maker
Co-Chair, FocusMaine
Former Partner
Pierce Atwood

Michael Bourque
President & CEO
MEMIC

Jay Dearborn
President, Corporate Payments
WEX, Inc.

Dr. John Fitzsimmons
President Emeritus
Maine Community College System

Charles E. Hewett, PhD
Executive Director
Institute for Engineering and Life
Sciences (IDEALS)

Chip Kelley
Maine Market President
KeyBank

Ed McKersie
Founder & President
ProSearch, Inc.

Dana O'Brien
President
FocusMaine

ADVISORY TEAM LEADS

Academic

Joan Ferrini-Mundy
Team Chair
President
University of Maine
UMS Vice Chancellor for
Research and Innovation

Business

Dana Connors
Team Chair
President
Maine State Chamber of Commerce

CONTACT

128 State Street #101
Augusta, ME 04330
(207) 200-3813

info@focusmaine.org

FocusMaine.org

October 7, 2022

City of Portland
389 Congress Street
Portland, ME 04101

RE: Support for Roux Institute Campus Plans in Portland

Dear Mayor, Councilors, and Planning Board Members,

I enthusiastically support the proposed plans for the Roux Institute campus at the former B&M factory in Portland. This project is an exciting illustration of the Roux Institute's investment in Maine people, in science that is essential to confronting climate change and improving health and quality of life, and in the long-term economic success of our state. We must collectively embrace this investment and advance the project to its full success.

FocusMaine is an important partner of the Roux Institute. Part of our organizational charge is to accelerate the growth of Maine's life science economy. We approach our work collaboratively, marshaling the best scientific, economic, and industry assets in the state to enrich strategies and ultimately deliver wins for the people of Maine – in the form of new jobs, businesses, and market opportunities.

We are motivated by the early progress of the Roux Institute, and the good work underway within the University of Maine System, at our valued community colleges and other higher education institutions, within Maine's top-notch scientific institutions, and in private industry. The opportunity to capitalize on this progress and grow a durable Maine life science ecosystem is now.

Accelerating life science innovation in the Portland region and throughout the state will position Maine as an emerging biotechnology and data science hub. Maine can lead the way in unlocking the solutions to society's most pressing challenges. Biotechnology is the key to confronting climate change, curing diseases, and enhancing nutrition – all issues that you and the people of Portland carry front of mind.

With Maine's proximity to the Boston-Cambridge biotechnology epicenter, we can capture the overflow of infrastructure and jobs reverberating out of Massachusetts. This means more on-ramps for people in Maine to be a part of this transformational industry and more connections across the region to strengthen innovation and economic opportunity. We hope the city will fully embrace biotechnology

companies wishing to build facilities in or relocate to Portland. We understand several companies are considering Maine and would appreciate staying in contact with you on those matters.

We welcome a conversation with you about FocusMaine's support for the Roux Institute's project and our work to accelerate the growth of Maine's highest potential industries.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Dana O'Brien', with a stylized, looping flourish at the end.

Dana O'Brien
President, FocusMaine



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23 "Roux Institute"

1 message

Jaime Parker <jaime@trails.org>
To: publiccomment@portlandmaine.gov

Wed, Feb 1, 2023 at 4:54 PM

Mayor Snyder and Honorable Councilors,

I am writing to express Portland Trails' support for efforts to improve and expand multi-modal transportation options in the vicinity of the proposed Roux Institute. While the requests before you do not propose any specific transportation system improvements, the public comments, policy discussions and recommendations from the Planning Board clearly point to the need for a strong focus on transportation moving forward. We trust that the zone change and the creation of an Institutional Overlay Zone will provide a solid footing for an analysis and implementation of systematic upgrades to the bicycle, pedestrian, and multi-modal network.

We see a tremendous need for safety and livability improvements in the area. The current multi-use trail over Tukey's Bridge is at capacity and severely deficient as a transportation facility, as one example. We also see a huge opportunity in a major project like the Roux Institute to truly invest in game-changing infrastructure, including direct northbound access from Washington Avenue over Tukey's Bridge for people walking or biking from the peninsula, stronger connections to the Veranda Street neighborhood and northbound to Martin's Point, links to transit, along with safety and quality of life improvements to the existing auto-centric road network in the immediate vicinity of the site.

Portland Trails staff have been in discussion with representatives from IDEALS and Roux since they reached out to us upon purchase of the site. We have taken site walks and presented our ideas and recommendations for projects that would help meet their appropriately ambitious goals for getting as many people as possible to and from the site using modes of transportation other than the single occupant vehicle. We applaud their acknowledgement of the need for a far more balanced modal split and the planning that has happened to date, and we await more specific design features and financial commitments, which we know are forthcoming.

Portland Trails looks forward to working closely with the project team, neighbors, and local and state officials as the site plan process moves forward. Any support the Council can provide for a comprehensive transportation planning process including real investments in infrastructure along the Washington Avenue corridor would be most welcome.

Respectfully,
Jaime Parker

Jaime Parker
Trails and Placemaking
Portland Trails
jaime@trails.org
329.6180

Non Sibi, Sed Omnibus



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Development

1 message

'Payne, Tony M' via Public Comment <publiccomment@portlandmaine.gov>

Mon, Jan 30, 2023 at 12:14 PM

Reply-To: "Payne, Tony M" <TPayne@memic.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Members of the Council: I'm writing to share my support for the Roux's exciting investment in Portland's future in a **signature location** for the city. Here are the points why this site is wonderfully appropriate:

1. The **East Deering location is a major city gateway** for both Maine people and for out-of-state visitors to see the dynamic contribution that higher education and research will make in our economy. Its visible presence will spur similar activity in terms of jobs, business development in the region and future technology **investments**.
2. You need only look to Bigelow Lab and Jackson Lab as campuses that create and **sustain good jobs without degrading quality of life** and, in fact, increasing property values and community pride.
3. Northeastern, once a low threshold college for admission, today has made strategic investments to make it **one of the premiere universities in the nation**. Again, housed at Portland's most visible gateway, it will signal we are a learning and investment hub.
4. Finally, the mix of housing and academic facilities with public access will make the site a more accessible neighborhood for local residents, students and faculty.

I've lived half my life in Portland having delivered papers in the morning while smelling the sweet aroma of B&M Baked Beans (and so much better than the odor from the S.D. Warren's old pulp mill). I built a business in Bayside over ten years' time and have actively participated in the city's renaissance. I also served for more than a decade and chaired the **USM Board of Visitors** and have seen first-hand the impact higher education makes in the community. In addition, I chair the **Advocacy Committee for the Portland Regional Chamber**. All that's to say that Portland's a very special place that has arrived **on the national stage because years of good decisions**, meaningful investments and quality of life have made it so.

In my view, this is precisely the kind of institutional neighbor that will benefit us all. I hope you will approve the plan and continue Portland's reputation as one of the best and most exciting cities in America. Thank you.

Tony Payne

10 Lupine Court

Yarmouth, ME

(207) 807-5331



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United Brotherhood of Carpenters and Joiners of America
Locals 349 & 352

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920 Candia Road
Manchester, NH 03109

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Maine New Hampshire Vermont

John M. Leavitt

Business Manager-Clean Energy Development

Portland City Council
389 Congress St
Portland, Maine 04101

February 2, 2023

Kate Snyder, Mayor

Pious Ali, At-Large

April Fournier, At-Large

Roberto Rodriguez, At-Large

Anna Trevorow, District 1

Victoria Pelletier, District 2

Regina Phillips, District 3

Andrew Zarro, District 4

Mark Dion, District 5

Roux Campus:

Oder 125-22/23

Order126-22/23

Order 127-22/23

Mayor Snyder and City Councilors,

I appreciate the work you and other City Departments have performed to define this project to the point we are at today. As the City of Portland develops it is exiting and encouraging to find like minded owners, developers, and contractors to partner on such an impressive project.

The due diligence from the city, owner and tenants should be the new process for all new developments in Portland. After the loss of B&M Beans which provided many good jobs and much needed tax revenue, The Roux Center has offered an amazing solution to update the property make it structurally sound and develop the land in a long-term hub of smart growth.

This project provides new construction jobs through responsible employers that will lead to long term careers for educators and professionals offering many opportunities for the people in southern maine for years to come.

We support this project and look forward to assisting this type of growth in the city whenever appropriate.

Sincerely,
John M Leavitt



Dena Libner <dlibner@portlandmaine.gov>

RE: Orders 125-22/23, 126-22/23 and 127-22/23 and the Roux Institute.

1 message

Willy Ritch/Salt Public Affairs <willy@saltpublicaffairs.com>

Mon, Jan 30, 2023 at 11:11 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov, Pious Ali <pali@portlandmaine.gov>

Dear members of the Portland City Council:

Portland is changing. That much is certain.

Some of the changes are difficult as we work to make housing more affordable and maintain our city's economic and cultural diversity.

I believe that the Roux Institute and their plans for the redevelopment of the former B&M factory create an incredible opportunity for our city.

The mix-use plans for the Roux campus includes new housing that can help to relieve pressure on the rest of the city's rental market. It also includes a smart mix of commercial development that can reduce the flow of traffic into and out of the campus, helping to address traffic concerns.

My home and business are both in Portland. The Roux Institute's campus plans are the type of infill development that we need to continue growth in a sustainable way. The project will create a new – and critical – higher education opportunity for Maine students, and the commercial development will contribute to the city's tax base and overall economic strength.

Roux will draw new business and new people to Portland and help to make our city a high-tech hub in Northern New England.

I appreciate your careful attention to Orders 125-22/23, 126-22/23 and 127-22/23, and hope that you will approve them.

Thank you for your work for the city of Portland.

Sincerely,
Willy Ritch
Portland

Willy Ritch
willy@saltpublic.com
207-841-8400





February 1, 2023

To Members of the Portland City Council,

Let me begin by thanking you for your public service to this City and its people. I am writing on behalf of Maine Medical Center to express our strong support for the proposed plans for the Roux Institute campus at the former B&M factory. The investment the Roux Institute wishes to make in the City of Portland is an exciting development that has the potential to strengthen Portland's economy and positively impact our City in the decades to come. The campus will enable the Roux Institute's growth while revitalizing an important and historic part of the city waterfront.

As a large employer, we are in a challenging time in which we should work collaboratively to promote and develop our state's workforce and attract new residents to Maine. At Maine Medical Center, we have already benefitted in numerous ways from the Roux Institute's presence in our community. For example, the MaineHealth Innovation Center has developed a strong relationship with the Roux Institute. Through our partnership, MaineHealth and the Roux Institute aim to align learning and research initiatives through talent development, healthcare innovation, and use-inspired research in the critical fields of computer and information sciences, artificial intelligence and advanced life sciences. The MaineHealth Innovation Center provides unique services and programs in collaboration with the Roux Institute and other Maine partners to create a diversity of ideas and expertise to get the right people in the right room together at the right time to develop innovative solutions to health care challenges. These relationships foster a culture of creativity, curiosity, and courageousness to help MaineHealth solve unmet care needs to achieve our vision of creating the healthiest communities in America.

The Institutional Overlay Zone, which Maine Medical Center (MMC) pioneered with the City of Portland in 2017, is an approach to the proposed Roux Campus which is a perfect fit. The IOZ establishes a framework which sets expectations for all parties while allowing for flexibility within the regulations. At MMC, this flexibility has been essential. The needs for hospital care at MMC have evolved rapidly since 2017 due to COVID-19 and the rapidly growing need for intensive care services. The flexibility granted by the IOZ enabled MMC to meet those needs, and we believe it would allow future Roux operations to succeed in a manner benefiting the community, as well.

IDEALS, the non-profit developer of the Roux Campus, has demonstrated its commitment to transparency and compromise, reducing the size of the campus significantly and working with neighbors to minimize resident impacts. MaineHealth has had ongoing discussions with the Roux Institute regarding our experience with community engagement through the NAC. We have every intention of continuing to work together in helping to advise in order to make their process successful and maximize the impact of the great work that they are putting in with the community. Lastly, housing, which is in extremely short-supply in Portland, is an important feature of the Roux Campus. Enabling students, faculty, and employees to live on campus is critical to creating a cohesive community where innovation can thrive.

Thank you for your time and the work you do on behalf of this City.

Jeffrey D. Sanders
President, Maine Medical Center



Dena Libner <dlibner@portlandmaine.gov>

Roux campus redevelopment project and orders 125-22/23, 126-22/23 and 127-22/23

1 message

'Rosa Scarcelli' via Public Comment <publiccomment@portlandmaine.gov>

Thu, Jan 26, 2023 at 9:46 AM

Reply-To: Rosa Scarcelli <rscarcelli@stanfordmanagement.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Portland City Council

[389 Congress St.](#)

[Portland, ME 04101](#)

Dear members of the Portland City Council:

I live and work in Portland. We have an amazing community that's a wonderful place to live, work and raise a family. I think that we are all called to do our part to make our communities stronger, healthier and more diverse.

I'm writing today because I believe that the Roux Institute plan to redevelopment the former B&M baked bean factory is the kind of project that will help our city to grow in the right way with an emphasis on innovation and education.

In my work, I know well the importance of smart zoning policy and the value of historic preservation. The Roux Institute project protects a historic building, while allowing for the potential of the larger parcel of land to realized.

Approving orders 125-22/23, 126-22/23 and 127-22/23 will help move this project to the next stages of consideration.

With any new project, there will be challenges. In particular, the impact of increased traffic on surrounding neighborhoods should not be ignored. Through the work of the planning board and the developers of the Roux campus, both working with stakeholders, there appears to be a reasonable mitigation plan in place. The development is smaller than originally proposed, and new traffic control strategies have been agreed to, including an emphasis on public transportation. That's hard, important work, and I'm glad that it has occurred.

The creation of the Roux Institute campus will reshape a former industrial site into a hub of innovation and education, attracting some of the best and brightest from around the world for work in artificial intelligence, life sciences and medicine.

The Roux Institute will be a beacon to students, including Maine students, who want to study these in-demand fields but currently have to leave home to find opportunities. I'm excited about this project and proud the David Roux and his team have picked Portland as the host community. They have engaged the community, made compromises and have demonstrated that they will be good partners for the city and the state.

The work to build and approve projects like Roux is complex and hinges on finding the right balance of sometimes competing priorities. I believe that with the Roux Institute that balance has been found and that the project's zoning request is worthy of approval.

Thank you for your public service and work on this important issue.

Rosa Scarcelli

Bowdoin Street, Portland



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Rosa Scarcelli

Owner & CEO

Phone: 207-772-3399 ext. 206

Email: rscarcelli@stanfordmanagement.com

PO BOX 3879

Portland, ME 04104

StanfordManagement.com



Dena Libner <dlibner@portlandmaine.gov>

Public Comment Order 125-22/23

1 message

'Carol Schiller' via City Manager <citymanager@portlandmaine.gov>

Wed, Jan 25, 2023 at 10:05 AM

Reply-To: schiller.carol@yahoo.com

To: publiccomment@portlandmaine.gov

Cc: Kate Snyder <ksnyder@portlandmaine.gov>, Danielle West <citymanager@portlandmaine.gov>, Sheba Brown <Sbrown@portlandmaine.gov>, Carol Schiller <schiller.carol@yahoo.com>

To: publiccomment@portlandmaine.gov

Re: Order 125-22/23; Order 126-22/23; Order 127-22/23

Hello, my name is Carol Schiller and for the past 34 years I've resided at [7 Longfellow Street](#) in Portland, ME. I support the development plans for the Roux Campus of the Roux Institute and encourage the Planning Board to approve the zone changes for the Institutional Overlay Zone, making it possible for Roux and the City to plan for the long-term, use the site most efficiently and for the greatest benefit of Portland.

I urge you to go forward and support this ground- breaking gift to our city and to Maine. The Roux vision is one that will surpass our lifetimes, I support this development knowing the neighborhood will not only survive but thrive with what the Roux Institute will bring. I speak from experience as a close neighbor of the University of Southern Maine Portland Campus and President of the University Neighborhood Organization. Change is a constant at USM, but as neighbors, we have chosen to embrace it and work with USM to make the area better for all.

The long-term planning built into the IOZ process is a major advantage for East Deering, and the site plan approvals required for each phase of the development ensure the public will have plenty of input.

Portland has great potential to bring together high tech, biomedical, and other future business development that will create substantial job opportunities and a sustainable, vibrant regional economy.

Wouldn't it be a magnificent vision for Portland to be an educational epicenter combined with other leading learning institutions like UNE Medical Complex , Maine College of Art, USM, MMC Tufts Medical School , etc. Embracing the gift of the Roux Institute and facilitating its success will be regarded decades from now as a wise and historical decision. It

deserves expeditious approval so the site planning process can get started.

Carol Schiller
Portland, Maine



Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Support, Orders 125 - 22/23, 126 - 22/23, 127 - 22/23

1 message

Kai Smith <kaismith55@gmail.com>

Wed, Feb 1, 2023 at 10:32 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Members of the City Council,

I write to share my enthusiastic support of the Roux Institute Campus and the proposed development of the former B+M Baked Beans site. While my favorite part of that B+M building will always be the Christmas tree on the top, the proposal for it to become a small business incubator drives my support of the campus and this letter.

As the co-founder of two small businesses in Portland, [Buoy Local](#) and [Maine Coasters and Bio-Boards](#), I have navigated the (sometimes) lonely road of entrepreneurship. Taking an idea and bringing it to market requires significant resolve and adaptability, but a truly successful start-up requires community. A community to nurture the idea, to access the capital, to unlock the right network, to help you pivot if necessary and, most importantly, to inspire you to keep going.

The Roux Institute Campus has the potential to become the permanent hub of entrepreneurship for the entire state of Maine. From the plans I have seen, this top-tier campus will drive innovation, cultivate small businesses, attract talent, provide excellent educational opportunities -- all while serving as a multiplier for increased economic growth. Portland should welcome this campus and begin recognizing the tremendous impact it is sure to have on our next generation of entrepreneurs.

Thank you for your consideration of this matter and for your service to the City of Portland.

Kai Smith

Falmouth, Maine



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute and Order 125-22/23, Order 126-22/23, Order 127-22/23

1 message

Lucas St.Clair <lucasstclair12@gmail.com>

Thu, Jan 26, 2023 at 8:49 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

To the members of the Portland City Council:

I'm writing today in support of the development of the Roux Institute campus at the site of the former B&M factory in Portland. I believe that this project will not only benefit Portland and its residents but will also be an asset to all of Maine.

As the founder of the Portland Parks Conservancy, I'm particularly impressed with the project team's efforts at public engagement and their commitment to creating and protecting public open spaces. The Roux team held a joint meeting with the Conservancy to brief our members on the project and to seek input. It's my understanding that they have had many similar meetings with other community organizations, neighborhood groups and interested individuals.

In addition to their commitment to open spaces, the Roux team has also demonstrated their willingness to work with the community to mitigate concerns, including their decision to significantly reduce the size of the campus and to work on ways to reduce traffic impacts.

The inclusion of housing – both short and long-term – commercial space and the Roux Institute itself is a good example of the kind of in-fill development that should be encouraged as a way to reduce sprawl and to encourage alternative transportation methods that don't rely on cars.

I also believe that the mixed-use redevelopment of a former industrial site is forward thinking and demonstrates the way communities can adapt over time. For example, the building where my office is located was once a single-family home on Congress Street. Today, it houses two for-profit businesses, a nonprofit and an apartment. Similarly, it once made sense to locate an industrial facility along the water in Portland, but smart redevelopment recognizes that changing times demand a change of use. The combination of a nonprofit, education hub along with incubator space, commercial opportunities and housing will create a new economic engine for Portland.

It's my hope that the members of city council will approve Order 125-22/23, Order 126-22/23 and Order 127-22/23 and move this project forward.

Thank you for your time and consideration.

Sincerely,

Lucas St. Clair
Founder, Portland Parks Conservancy
And President of Ellitsville Foundation
Portland

February 1, 2023

Mayor Snyder and Members of the City Council:

RE: Order 125-22/23; Order 126-22/23; Order 127-22/23

I am writing full support of the proposed zoning changes outlined in Order 125-22/23; Order 126-22/23; Order 127-22/23. I urge everyone to move this project forward without delay. I am a lifelong resident of Portland and I support the entirety of this project from two perspectives:

The first, as an historic preservation advocate who spent 10 years on a local historic preservation board, I support the historic preservation/adaptive reuse and public reactivation of this site. The applicants have been very forward thinking in reutilizing the existing historic buildings on-site that are feasible for redevelopment and incorporating that into a new dynamic project sufficient for today's development needs. The new structures would pair well with the historic structure and create an intriguing and inviting public area with a variety of uses on-site that will diversify those that use and access the site for a more energetic and active project. This project will honor the past and create the future landmarks for Portland.

The second, as a Partner and Designated Broker at The Boulos Company (commercial real estate firm) I support this project from an economic opportunity perspective and what this project will do to increase Portland's visibility as a start-up and tech friendly environment for new businesses and to retain the businesses that were started and grown in Portland. This will increase the young, entrepreneurial labor force in Portland making it more attractive for new companies and existing companies to prosper in Portland.

This industrial site has been closed off to the neighborhood and public for decades and this project will breathe new life into this area of Portland. It will bring the community into the site and allowing every citizen and visitor with access to additional trails, waterfront, and retail/food uses. With no zone change then the alternative is another industrial user that would be noisy, smelly, and uninviting.

The development team met numerous times with concerned neighbors, community leaders, decision makers, community partners, and have taken their comments into consideration through significant compromise. More than most developers that I have seen over the past 20 years. If we continue to use traffic and vehicles as a reason why a City shouldn't grow then there's more to the problem than one development and this particular team is being creative and thoughtful on their approach to easing traffic. I have seen many developers bring projects to the planning board and City Council for consideration and the usual pushback from neighbors involves a perceived increase in traffic problems which is typically blown out of proportion. At the end of the day, many of these projects moved forward and traffic wasn't and isn't an issue due to the developers working with the City to best manage an increase in visitors to a location. This project will be no different, especially given this developer and their determination to get this right.

This is major opportunity for the City of Portland to work with a seasoned, reputable, experienced, and well-intentioned development team that will continue working closely with the city and neighborhoods with an end use that will positively impact our City for generations. From my experience, we are lucky to have this development team, end user Roux Institute, and opportunity for consideration.

Thank you,

Nate Stevens
80 Best Street
Portland, ME

February 1, 2023

Mayor Snyder and Members of the City Council:

Founded in 1964, Greater Portland Landmarks is a non-profit advocacy organization that works toward the preservation and revitalization of greater Portland's built environment. Our goal is to save greater Portland's historic places through preservation and adaptive reuse while promoting creative new architecture that enhances historic neighborhoods. We appreciate the opportunity to comment on projects that impact the historic character of the city.

We are writing to encourage the City Council to grant IDEALS's application to amend the existing Institutional Overlay Zone (IOZ) regulations to permit The Roux Institute at Northeastern University to pursue an IOZ as an identified major City institution, change the underlying zoning of the site from I-M to B-5, and adopt a new IOZ for this property. Our reasons for supporting this application are twofold.

First, IDEALS has demonstrated a commitment to preserving important historic resources of this site. IDEALS itself initiated an application to have the signature cannery building and the landscape in its foreground designated a local landmark. The city's Historic Preservation Board approved of this application and submitted it to the City Council, who officially designated it in October 2022. The commitment on behalf of IDEALS demonstrates how they hope to integrate such an iconic piece of the city's historic fabric and a highly visual landmark into their plans for the future of the site. While it is regretful the landmark designation could not extend to the equally historic codfish building over the pier because of its severe structural issues and need for demolition, IDEALS nevertheless is choosing an approach to open space, natural, and historic resources that enhances the site and pays homage to Portland's industrial past while acting as a catalyst for the city's future potential.

Second, IDEALS has been very forthcoming with its plans and transparent in public forums. As a result, IDEALS has modified its plans to account for concerns from a variety of constituents—neighbors, city officials, local stakeholders—so that the site can benefit more than just the Roux Institute at Northeastern when it is complete. This includes efforts to make the site accessible to the public, activating waterfront space that is presently detached from the rest of the city. Relatedly, IDEALS has indicated a commitment to extensively documenting the codfish building and the other ancillary structures on site through photography and scanning, creating a record of what stood there, and to install public art that evokes the former codfish building. Other examples include the concept of a restaurant in the old cannery building that will be public and evoke the history of the site as well as other interpretative components of B&M's history. IDEALS has also engaged Landmarks about ways to document the history of the overall East Deering neighborhood so that the story they tell integrates into the larger community, rather than sets the campus apart.

Like the other current IOZ beneficiaries, the Roux Institute will be major non-profit entity in Portland that works toward its own goals but also benefits the city at large. Given the scale and complexity of their development plan and the fact that they are a non-profit, we feel that an IOZ designation is appropriate in this case. We hope you will approve this application. Thank you for the opportunity to comment.

Sincerely,



C. Ian Stevenson, PhD
Director of Advocacy



Dena Libner <dlibner@portlandmaine.gov>

Orders 125-22/23, 126-22/23 & 127-22/23

1 message

Jordi St. John <jordi9909@gmail.com>

Sun, Jan 22, 2023 at 10:08 PM

To: publiccomment@portlandmaine.gov

Hello City Council,

My name is Jordi St. John, I live on Johansen Street and work for the Maine Island Trail Association, whose office is above the Maine Yacht Center. I am writing in support of Roux's new proposed campus.

It is exciting to me that the Roux Campus will be a dynamic combination of academic and research endeavors applied to real-world settings with start-up companies and small manufacturing applications, all on a campus where housing, lodging, dining and retail essentials create a contained platform for creativity and innovation.

I like that the campus is modeled on similar campuses around the country, this concentration of essential assets amplifies engagement among students, entrepreneurs, visitors and professors, and seems essential to the success of the Roux Institute. From what I can tell the campus is being designed for the Roux Institute community and the community of Portland. Rather than develop a limited campus used only by those learning and working there, the campus will welcome all comers, with waterfront access, public open space, and complementary offerings, which is attractive to us neighbors and other Portland residents.

The old B&M lot is perfect for the campus being on a peninsula in the city, buffered by a highway on two sides and a marina, the site is well-suited to a high-density, architecturally distinctive development.

The non-profit developer of the Roux Campus has been a model of transparency and compromise, reducing the size of the campus by almost 500,000 square feet with attendant traffic reductions, lowering building heights and changing the design to minimize impacts to neighbors.

The Roux Campus will bring together learning, research, collaboration, and entrepreneurialism to shape cutting edge opportunities for Maine people and position the Maine economy as a 21st century global leader. People from all over Maine and around the globe will innovate to strengthen existing Maine businesses and institutions and spawn new ones.

I personally am thrilled that the campus will be energy efficient, climate resilient, sustainable, and environmentally friendly. Also, alternative forms of transportation are in use to access the Roux Institute in its current space, and much more is in the works for the new campus.

Thank you for your time.

Sincerely,
Jordi St. John



Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Support, Orders 125 - 22/23, 126 - 22/23, 127 - 22/23

1 message

Sean Sullivan <seanmainer@gmail.com>

Tue, Jan 31, 2023 at 8:51 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Members of the City Council,

I write to share my strong support of the Roux Institute Campus and the proposed development of the former B&M Baked Beans site. As a current student of the Roux in the Computer Science – Align program, set to earn my masters in computer science I'm confident that a new, professional campus will only drive further success and increase enrollment.

Last year, I made a major, life-changing decision when I decided to go back to school. I had a comfortable job that I enjoyed and a young family, but the opportunities that the Roux Institute offered were so compelling, I decided to jump in and haven't looked back.

What the Roux is trying to accomplish for the entire state of Maine was a key part of my decision to pursue my masters. I've never before seen such a well-organized effort to positively impact the state's economy than what the Roux has laid out. I urge you to support this vision for our state and community.

A new, multi-use campus makes perfect sense. Why would we only allow classrooms on the site, forcing students and all visitors to hop in a car to go to the grocery store, a restaurant, gym, or hotel? Far from trying to cram a giant campus into the Old Port, they've chosen a convenient corner of the biggest city in Maine that allows minimal impacts from traffic, parking, noise, or any other concerns. Look what has happened to East Bayside - an industrial corner has become a vibrant multicultural hub. Mixed-use development is smart development and should be encouraged. Transforming a former bean factory into a hub of innovation would be a unique success story and I urge you to make it a reality.

Thank you for your consideration of this matter and for your service to the City of Portland.

Sincerely,

Sean M. Sullivan
South Portland, Maine



Dena Libner <dlibner@portlandmaine.gov>

Email Regarding Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nedicus Maximus <nedswain1st@gmail.com>

Tue, Jan 31, 2023 at 10:38 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Hi! I live over in the neighborhood between Presumpscot and Ocean Ave and I'm really excited about the Roux Institute redevelopment of the old B&M baked beans factory. I think it's great that it will be put to good use after being abandoned for so long. I'm also glad it won't fall into the water and turn into a burden on taxpayers! Here's a letter I wrote in support of the project.

Ned Swain

As a long time Portlander and resident of North Deering I've been following the Roux institute's plans to redevelop the old B&M Baked Beans facility. Since moving to Portland in 2002 I've often wondered what would happen to the building. It was clear the building was slowly decaying and with the coming sea level rise I thought it might end up being abandoned and become an environmental and safety hazard. It certainly didn't seem like a great use of waterfront property in Portland. I was excited to hear that the Roux Institute had purchased the site; it seemed like a best case scenario. I think it's great that the property is going to be used by an institution of higher education focused on cutting edge disciplines that are what Maine needs to keep our economy strong and diverse. There's also the benefit to me personally that it will help revitalize that area and most likely increase property values. I understand that some residents are worried about increased traffic and a change to the view there. Traffic is a valid concern but with two highway access points right there and the already high traffic capacity of Washington Avenue it shouldn't be too hard to address that issue. As to the changing view: it is a change but I'll be happy to see a newer building that I know is full of people working and learning instead of an underutilized piece of Portland's past.

Portland's failure to add housing over the past 20 years has caused a housing shortage that has driven longtime residents out and made it difficult for young people to relocate here. For a long time Portland has benefitted from being a cultural capital of northern New England and drawn in young people from the surrounding region. Those young people staffed our local service economy and went on to start their own businesses. That influx of young people is one of the bedrock reasons the city has been so dynamic and economically successful. The housing shortage and accompanying high housing costs erode this dynamic and threaten the city's long term health. Therefore the inclusion of apartments and dorms on the Roux campus is a big benefit to the city and helps with a problem the city has been unable to address.

I'm excited to have the Roux Institute here in Portland contributing to and expanding our diverse community. Their redevelopment plans specifically help the city by bringing new high paying jobs, creating housing, and taking care of an old industrial building that could have become a burdensome environmental and safety hazard to the city. I feel lucky that the Institute decided to come here instead of Lewiston or Biddeford. I hope the city will balance the concerns of a minority of residents against the major benefits this project brings to the whole city. Portland should work with the Roux Institute to help them be as successful as possible.

--

Ned Swain
[Devenish Wines](#)
[Local Muscle](#)

*My candle burns at both ends;
 It will not last the night;
 But ah, my foes, and oh, my friends—
 It gives a lovely light!*



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23 - Roux Institute

1 message

Mike Tremblay <mtremblay@gpmetro.org>

Thu, Feb 2, 2023 at 9:53 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Greetings, Portland City Council,

I'm writing to inform you on the progress that Greater Portland METRO has made with IDEALS on serving the Roux Institute site at the former B&M site with transit service.

Over the better part of 2022, METRO has been meeting with representatives of the Roux Institute, including Sam Reiche from IDEALS and Jenn Conley from VHB, who is coordinating their transportation plan. METRO has also participated in multiagency transportation planning meetings including MaineDOT and City of Portland staff. The Roux team has shown immense interest in accommodating METRO on their new campus site.

At METRO, we see ourselves as a potential partner to the Roux Institute and a significant part of the transportation solution for this site. METRO is eager to continue working with the Roux team to determine a workable outcome for providing the site with frequent and reliable public transit.

As you are aware, METRO is not a City agency; we are a transit district comprising of Portland and five other municipalities, governed by a Board of Directors on which four Portland representatives (including two City Councilors) sit. While we are always eager to work with our member municipalities and development teams to determine how we can best serve a new location, this is not always immediately possible within our budgetary means. As any public agency with a constrained budget, we must take care to approach growth in a careful, calculated manner that is sustainable in both the short- and long-term. For this reason, any new service providing access to the Roux site must be accompanied by new funding.

METRO has presented IDEALS with cost estimates for extending our Route 5 service into the Roux site, terminating at the heart of the campus, as well as deviating our Route 7 service, with increased frequency, into the site (likely serving an exterior parking area rather than the heart of the campus). IDEALS is evaluating these options now. We are optimistic that we will arrive at an outcome that benefits the Roux Institute, Greater Portland METRO, the City of Portland, and the greater Portland region as a whole.

In addition to evaluating options for service to the site, METRO and Northeastern University are setting up a pass program that would allow for students and faculty to board any bus in the METRO, South Portland, and Biddeford Saco Old Orchard Beach network at no charge. This would be a significant incentive to use transit instead of driving. Pass programs have been very successful where they are already in place for Portland Public School students, USM students and faculty, Maine Medical Center staff, and others.

Finally, the Roux team has indicated a willingness to provide amenities to METRO passengers and bus operators should bus service be provided onsite. These amenities may include seating and shelters, real-time arrival information, restrooms for bus operators, etc. The details of these accommodations will be determined during the site plan process and as the plan to serve this site with bus service becomes clearer.

We are looking forward to further advancing our discussions with the Roux team in the coming weeks and months.

Please feel free to reach out to me if you have any questions. My email address is mtremblay@gpmetro.org.

Thank you,

Mike Tremblay, Director of Transit Development
Greater Portland METRO

--

Mike Tremblay, P.E. *(he, him, his)*

Director of Transit Development

Greater Portland Metro

114 Valley Street | Portland, ME 04102

Office: 207.517.3023 | Mobile: 508.451.0208

e-mail: mtremblay@gpmetro.org | website: www.gpmetro.org



image003.jpg
5K



Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Development

1 message

Liz Trice <liztrice@gmail.com>
To: publiccomment@portlandmaine.gov

Thu, Feb 2, 2023 at 12:57 PM

Mayor Snyder and Honorable Councilors,

I am writing to express support for a new Roux campus. I believe it will bring amazing educational and economic development opportunities to the whole state for generations to come. In order to make the campus a success, I encourage the city to encourage, assist with, and require transportation infrastructure that will ensure game-changing improvement to pedestrian, bike and bus infrastructure in the area. This will allow the density and integration with downtown and surrounding neighborhoods that will provide a net benefit to all, as well as make key connections through the region for the East Coast Greenway Trail.

Specifically, there needs to be excellent, easy year-round access from over Tukey's Bridge for people walking or biking to and from the peninsula, to both the campus, the Veranda Street neighborhood, back cove, and northbound to Martin's Point. There are many awkward and unsafe connections there, and this is a great opportunity to correct them. Providing transit service direct to the campus is also key.

Respectfully,

Liz Trice
Schedule a meeting with me [here](#).
 [profile](#)
207-776-0921

"Whatever you do, or dream you can, begin it. Boldness has genius and power and magic in it."

"Lo que usted puede hacer, o soñar que puedes, comenzar. La audacia tiene genio, poder y magia en ella."

- Johann Wolfgang von Goethe / William Hutchison Murray



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Project at B&M Property (Orders: 125-22/23, 126-22/23, 127-22/23)

1 message

'Gabe Wilson' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Jan 18, 2023 at 4:05 PM

Reply-To: Gabe Wilson <gwilson@wymans.com>

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov"

<publiccomment@portlandmaine.gov>

Dear Mayor and City Councilors,

My name is Gabe Wilson, a Portland young professional, landlord of condo on Deering St., and homeowner with my fiancé in the Lunts Corner neighborhood. I am writing you to share and explain my support of the Roux Institute project on the site of the former B&M property.

I moved to Portland over 4 years ago from Nashville, TN. Although Nashville is where I grew up, I have popped around many regions of the country (Los Angeles, Texas, Massachusetts and Vermont) until ultimately landing in Portland for a position at Wyman's (wild blueberries). I am thrilled to have landed in such a great city with immense culture, entertainment, and access to the great outdoors. I met my fiancé, a Mainer from Belfast area, right before the pandemic, and we've been tearing up the Portland Trails singletrack on bike and foot since. It's safe to say we will be in Portland area for quite some time now!

We support the Roux Institute project for numerous reasons.

1. We believe the project will spur more stories like mine by bringing **young talented professionals** from all over the country to Southern Maine. These individuals will fall in love with the area and further vitalize the businesses, communities, and nearby cities.
2. As a Food & Beverage manufacturing professional, I believe the project is an opportunity to breathe life into a formerly thriving food factory. Something that is **truly unique and historic** to the city of Portland and neighborhood.
3. As an employee and employer in a family-owned, Maine company over 100 years old, I believe this project will **positively impact** other Maine-based companies. The development will give companies like Wyman's more resources (STEC) to better our brand and business while partnering with other Maine industries and professionals, **keeping our network in-state and Maine proud**.
4. As a homeowner in the neighborhood, we believe this development will spur businesses, restaurants, and entertainment into this side of the peninsula. Something we look forward to tremendously to give us ample walkable options. We are excited for the **public green space** included in the design, which will allow Sunday strolls to the water much more enjoyable! Additionally, we are excited for additional **public transportation** like Metro or water taxi services to provide alternative travel means downtown or Old Port.
5. As an outdoor enthusiast and avid bicycle commuter I am excited for extensive **bicycle and pedestrian greenways** and infrastructure. Furthermore, I am thrilled that the developer IDEALS is collaborating with local organizations like PBPAC and Portland Trails.
6. As an eco-conscience individual, I look forward to the Roux Institute campus being a showcase for **sustainability** and **environmental resiliency** for Portland and the state of Maine.

I realize, like with any development, there will be an increased number of vehicles and people; however, I am confident the issues associated with traffic can and will be addressed during the Site Plan Review process. Additionally, I believe there is no better institute/business that will put every effort forward to streamline and incentivize carpooling and alternative commuting (bike share, etc.). We support this project, and hope that you are all and the local community see the opportunities and benefits as we do!

Thank you,

Gabe Wilson

Sr. Manager, Supplier & Product Development

+1 (903) 520-1837 | gwilson@wymans.com

Wyman's | Jasper Wyman & Son



Dena Libner <dlibner@portlandmaine.gov>

RE: Regarding the Roux Institute and your Feb. 6th meeting....order number Order 125-22/23

1 message

Dennis Paustenbach <Dennis@paustenbachandassociates.com>

Fri, Feb 3, 2023 at 5:30 PM

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

Cc: "dennis@paustenbach.org" <dennis@paustenbach.org>

Dear council members:

I have lived in Cape Elizabeth, for much of the year, since 1988. I started a business in Portland and my offices consumed two floors of the Stroudwater Crossing building. I believe I was one of the larger employers of highly educated white collar professionals in Portland (reaching about 30 or so persons; all with MS or PhD degrees). In short, Portland has been a special place for me for more than 30 years.

I have talked with the Roux's during much of that period about the need for Maine to become part of the tech boom. To be specific, Dave and I brainstormed for many, many years about how to give Maine the opportunity to be the next Silicon Valley, the Boston tech/medical hub, Austin, Boulder and Research Triangle Park. The Roux's wisely decided that this Institute was the best mechanism for making that happen. Indeed, the council is reminded that the tech sector has kept America competitive and economically viable for the past 30 years. Without it, imagine where America would stand economically in the global arena.

After all the years I have been in the Portland area, I know firsthand how difficult it is to attract highly educated young persons to Maine. Often one can attract one professional but, nearly always, they have a partner who also is seeking a high paying job with a strong future. We have generally been unable to satisfy that need in Maine for the past 50 years for many professionals.

The Roux Institute is, in my view, the "next big thing" that could alter the future of our state. It offers Portland a way to be part of the very vibrant and permanent industries associated with computer hardware and software, biotechnology, genetics, molecular based therapies, artificial intelligence, global communications (as Musk has shown us), and so much more.

It is a wonderful way to keep young men and women in our state (which has not been the case for our most talented graduates since the 1950s). Just think of the drain of intellectual talent to the University of Vermont and many of the New England schools over the past 50 years. Most never return to Maine. That loss has been a challenge for families who would prefer to have their sons and daughters live 1-2 hrs away and it has put a strain on our economy since all those tax dollars (which result from holding solid, well paying jobs) did not stay in the our state. They went to California, Texas, North Carolina and Colorado. And, accordingly, those dollars allowed those states to build the most formidable university systems that have been the envy of the world for decades.

The Roux Institute has already shown that it can permanently change the future of Portland, Maine and New England. For that reason, I just donated \$1M to support visiting professorships for the Institute. I pray that it will help attract the best talent from across the nation and the globe. Those persons, the permanent faculty and the students will permanently change the face of our city (and state).

I encourage the City Council to do whatever it can to welcome and support the Roux Institute. For dozens or hundreds of reasons, it is the right thing to do.

Respectfully,

Dennis J. Paustenbach, PhD.

Peggy Paustenbach

2/6/23, 9:52 AM

City of Portland Mail - RE: Regarding the Roux Institute and your Feb. 6th meeting....order number Order 125-22/23

[16 Running Tide](#)

[Cape Elizabeth, Maine](#)

Paul G Rudenberg DVM
February 2, 2023

Dear Hon. Mayor of Portland, and members of the Portland City Council,

A high tech graduate institute in artificial intelligence, life Sciences, computer and data sciences, and digital engineering, and mentoring for startups/innovators affiliated with Northeastern University will be a huge asset to Portland and the future of Maine tech companies and their employees. Similarly, a high tech innovation campus similar to the bustling Technology Square next to MIT, the Burlington Technology campus affiliated with Northeastern U, or Tech square, across the thruway from Georgia Tech, settings where corporate (and gov't) researchers, tech innovators, graduate students and faculty can collaborate, will likely spur economic growth in the region.

Thirdly, a thriving residential community offering 600+ mainly market-rate apartment units, a hundred hotel rooms, shops, and restaurants, all open to the public, will help take pressure off the housing crunch in Portland, create a walkable/sustainable community, and provide tax dollars and economic growth in the area. Each of these three initiatives is bold, timely, and very worthwhile for Portland.

However, attempting to call all three of these initiatives inseparable parts of an "educational institution", all worthy of a new Institutional Overlay Zone regulatory framework whether or not they are even legally part of the Institution, is not an appropriate use of this regulatory framework.. And secondly. proposing to cram all three, with a combined million square feet of building plus parking, and with industrial zoning in addition, on 14 acres of land next to the rising sea, with one entrance under Rte 295, seems to this observer to be folly.

Interestingly enough, Tech Square in Atlanta is about 14 acres, but it is across the thruway from Georgia Tech's classrooms and dorms. Burlington Innovation Campus is also 14 acres, and has bus service for Northeastern students and faculty from the downtown campus. Technology Square in Cambridge, which has changed hands numerous times, thrives next door to, and enriches MIT. These are thriving technology innovation parks adjacent, or accessible, to students and faculty.

I am not a Portland resident and I am not a neighbor of the Roux project. I am an educator that has worked in college administration, and as a veterinarian I depend on science tech. I wholeheartedly support the Roux Institute and thank the generous donors for applying their vision to the area.. But I also care deeply for Maine's future, for its coast and a sustainable natural environment, and for honesty and integrity in education.

Before the City Council votes to provide this promising project a new Institutional Overlay Zone combined with a zoning green light for both mixed use commercial development and

light/moderate industrial use, I suggest the following:

- 1) IDEALS shows evidence that the entire parcel to be included in the IOZ has been donated or sold to the Roux Institute. Thus the Roux Institute, the educational institution that seeks the IOZ, would actually own the entire property considered to be under this regulatory framework. and would not be having to rent or be permitted by another entity to use real estate on this property.
- 2) That there be a clear written commitment that approximately 80% of the 650 residential units will be designated (and offered at rental rates that are affordable) for students, faculty and affiliated Roux Institute staff, such that a public oriented hotel is not authorized within and benefitting from the IOZ.
- 3) That a written commitment be made that the hotel within the IOZ framework will focus the vast majority of its business on Roux Institute conferences, Institute short-term faculty and staff, Institute corporate and student family visitors.
- 4) That the huge impacts on local transportation and parking be more fully studied.
- 5) That the waterfront acreage that has been stated to be "restored to its natural state" be given a legally binding permanent conservation restriction.

Without these guarantees to the Portland City Council, to the surrounding neighborhood, and to the public, the "Roux Campus" should not gain such expansive and permissive zoning.

Thank you for your consideration.

Yours,

Dr. Paul Rudenberg
Falmouth, Maine



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Orders 125-22/23, 126-22/23 and 127-22/23

1 message

'Sarah Flink' via Public Comment <publiccomment@portlandmaine.gov>

Fri, Feb 3, 2023 at 7:23 PM

Reply-To: Sarah Flink <sarahflink@mac.com>

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

To the Portland City Council:

My name is Sarah Flink. I live in Portland and my business is based here. I'm writing today to support the zoning amendments proposed for the Roux Institute campus.

In my professional life, I do project management and coalition building, and I understand the imperative of listening to diverse stakeholders as part of the process to implement complex plans.

I believe that the Roux Institute has done a good job of listening to a broad range of stakeholders as they have developed their plans for the redevelopment of the B&M factory along Portland's waterfront.

They have talked extensively with neighbors, environmental groups, development experts, community leaders, city residents and other educational organizations in the Portland area and around the state. They have developed important partnerships that are already helping Portland students, are collaborating with other colleges and universities, and they are attracting new business and impressive scholars to the state.

There's no question that a development like this can create concerns, particularly for neighbors of the project. They are right to worry about traffic, and their neighborhood will change. Any meaningful project will always have some impacts on the surrounding area, but I believe the measures that Roux has taken will help to mitigate those concerns, and that the continued participation of the city and state will ensure that traffic doesn't overwhelm this area in the city. The benefits of this project to the entire Maine community are immense, and the Roux Institute has shown they are willing to be ongoing partners with the neighborhood and the city to address any impacts.

Thank you for considering my comment, and I hope that you will approve Orders 125-22/23, 126-22/23 and 127-22/23.

Thank you for your work for the city of Portland.

Sincerely,

Sarah Flink
Portland



Dena Libner <dlibner@portlandmaine.gov>

Public Comment: On Roux campus council agenda items: Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nathan Miller <nmlilleruw@msn.com>

Fri, Feb 3, 2023 at 7:55 PM

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

To the City of Portland Council Members,

I am a resident of the Oakdale neighborhood, 1 block away from the USM Portland Campus, so I've seen the benefits an institution can bring to a neighborhood. I would like to offer my support for the specific zoning requests made on behalf of the Roux Institute, being addressed in the February 6, 202 council meeting, but also more broadly for the city to embrace the transformational example this innovative and exciting project can provide.

As much as I love USM as a neighbor, decades of catering to and planning for an auto-centric campus has created a self-fulfilling prophecy of auto-dominance. The first thing that gets discussed regarding any new developments on campus is parking counts and traffic concerns rather than excitement over new opportunities and an enhanced university experience.

With the Roux Institute, we have chance to start from scratch and encourage a new kind of neighborhood. I love the idea of mixed-use development, and yes, for profit businesses mixed in with housing, education, and recreation. We know as a city that we NEED to mode shift away from single-occupant-vehicles towards active transportation and transit, but we won't ever experience that until we actually try a development that doesn't focus on the automobile. The Roux campus is an opportunity to make walking, biking, and transit the most attractive and low-friction methods of getting in and out of the area. Driving, of course, must be accommodated such as for those who cannot use other means of transportation, but it shouldn't be the path of least resistance or the "default".

As this project moves forward, the city, state, and private developers must focus on how the development connects to, enriches, and supplements the neighborhood, rather than on how can we most efficiently move cars in and out. Let's re-establish multiple paths and sidewalks that were cut off by the I-295 corridor. Let's feature beautiful and inviting transit stops in the prime-locations on campus. Let's allow people to live, work, and play in a dense and diverse setting with out having to take a trip anywhere.

Thank you for your consideration,
Nathan Miller
[79 Fessenden St](#)
Portland, ME



Dena Libner <dlibner@portlandmaine.gov>

Public Comment on Orders 125-22/23, 126-22/23, and 127-22/23

1 message

Curt Sachs <sachsarch@gmail.com>
To: publiccomment@portlandmaine.gov

Fri, Feb 3, 2023 at 3:34 PM

I fully support the Roux initiative. My only major concern is vehicular traffic. One lane in and one lane out is unacceptable. However, this project deserves the zoning approvals it is seeking. The value it brings in education, the economy of Portland, and contribution to a vibrant and growing cityscape warrant approvals. As a practicing licensed architect, I have found Roux to be innovative and sensitive in its design ethic. There are no significant deficits in their project.

M. Curt Sachs

Studio Curt Sachssachsarch@gmail.com

207.615.6628

Maine Licensed Architect

MEMORANDUM
City Council Agenda Item

FROM:

DATE: January 17, 2023

SUBJECT: Order 126-22/23 Amendment to the Zoning Map Re: B-5 Urban Commercial Zone for Roux Institute - Sponsored by Portland Planning Board, Maggie Stanley, Chair

SPONSOR: This item must be read on two separate days. This is its first reading.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 1/18/2023

Final

Action 2/6/2023

Can action be taken at a later date: Yes If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: No

PRESENTATION: Maggie Stanley, Chair Planning Board; Christine Grimando, Director – Planning & Urban Development; Kevin Kraft, Deputy Director – Planning & Urban Development (5 minutes)

I. SUMMARY

On November 22, 2022, the Planning Board voted unanimously (6-0; Barker absent) to recommend to the City Council adoption of a zoning map amendment for 1 Bean Pot Circle, 3 Sherwood Street, and portions of Maine DOT parcels (430 X002, 440 X001, 429 X001) and City Right-of-Way to Sherwood Street in the East Deering neighborhood from an I-M Industrial Moderate Impact zone and R-3 Residential zone to a B-5 Urban Commercial zone.

II. AGENDA DESCRIPTION

On November 22, 2022, the Planning Board voted unanimously (6-0; Barker absent) to recommend to the City Council adoption of a zoning map amendment for 1 Bean Pot Circle, 3 Sherwood Street, and portions of Maine DOT parcels (430 X002, 440 X001, 429 X001) and City Right-of-Way to Sherwood Street in the East Deering neighborhood from an I-M Industrial Moderate Impact zone and R-3 Residential zone to a B-5 Urban Commercial zone. The proposed zoning map amendment application was submitted by the Initiative for Digital Engineering and Life Sciences (IDEALS). This application, in conjunction with a zoning text amendment application to amend Article 8 of the Land Use Code to add the Roux Institute at Northeastern University (Roux Institute) as an eligible institution, as well as a “Regulatory Framework,” that identifies the zoning requirements that apply within the proposed Roux Institutional Overlay, and a zoning map amendment application to map the Roux Institute IOZ over an area encompassed by 1 Bean Pot Circle, 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 spaces 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.

This item must be read on two separate days. It received its first reading on January 18, 2023. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Initiative for Digital Engineering and Life Sciences (IDEALS) seek zoning map and text amendments to implement the objectives of the Roux Institute at Northeastern University Institutional Development Plan and the long-term vision to redevelop 1 Bean Pot Circle as a new mixed-use campus for The Roux Institute at Northeastern University. The proposed phased development over the next 20 to 30 years would spur economic and job growth by creating new campus facilities, incubator and office spaces for partner organizations, associated commercial uses including a hotel and ancillary retail and restaurant uses. In addition to the creation of residential housing units, and the creation of enhanced trails and bike connections and vibrant, publicly accessible open spaces and resilient waterfront.

The proposed map amendment would rezone the base zoning of 1 Bean Pot Circle to B-5 Urban Commercial. Upon review of the application by City Staff, additional properties were identified to be included as part of the rezoning to B-5. The properties, further described in Staff Attachment C, include a portion of the City right-of-way for Sherwood Street, and Maine DOT properties to B-5 Urban Commercial. A separate zoning map amendment submitted by IDEALS has been recommended to the Council to add the Roux Institute Institutional Overlay Zone to 1 Bean Pot Circle.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intent of the proposed zoning map amendment is to facilitate development at 1 Bean Pot Circle including the relocation and expansion of The Roux Institute at Northeastern University from 100 Fore Street to the subject property, associated residential and commercial development, and establishing public access to the waterfront of the site through shared use pathways and construction of a new pier.

The joint review of the IOZ process and the proposed B-5 map amendment reflect a collaborative approach to zoning that allows for longer-term planning and community input that furthers the shared goal expressed in *Portland's Plan 2030* of planning for institutional growth by promoting the orderly expansion of institutional uses, such as educational, cultural, and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies.

Moreover, the comprehensive plan emphasizes ensuring that the growth of Portland's educational, medical, and cultural institutions is integrated into Portland's urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning. The site is also identified in *Portland's Plan 2030* as a priority area to be evaluated for future change and growth, which is further specified in the Future Land Use chapter, Priority Nodes & Corridors map.

The intended result of amending the city zoning map from I-M Industrial Moderate Impact and R-3 Residential to B-5 Urban Commercial would allow uses and dimensional standards that better align with the proposed redevelopment of 1 Bean Pot Circle into a mixed-use campus. The existing I-M Industrial Moderate Impact zone's purpose is to support low- and moderate-impact industrial industries and transportation related uses. The I-M zone provides for larger industrial buildings which often require large volumes of imported materials and typically include large amounts of impervious surfaces. I-M allows for limited commercial development and does not permit retail, restaurant, residential, or academic uses. R-3 Residential, is a residential zone characterized by single-family homes on individual lots and Planned Residential Unit Developments on larger lots, three acres or greater in size. R-3 does not permit multi-family units, academic, or commercial uses. B-5 Urban Commercial is intended to support denser, clustered, urban mixed-use development and more efficient reuse of land and buildings on larger and underdeveloped lots near the peninsula/downtown. B-5 would allow residential, including multi-family residential, institutional uses, commercial uses, and industrial uses compatible with residential such as studios for artists/craftspeople and low-impact industrial uses. The proposed zone change to B-5 Urban Commercial would further additional goals expressed in *Portland's Plan 2030* including, but not limited to:

- Supporting sustainable growth in our educational, medical, and cultural institutions;
- Creating economic prosperity by growing Portland’s tax and employment base;
- Valuing innovation and creativity as cornerstones of the local economy and as central to Portland’s uniqueness and diversity;
- Reinforcing the waterfront as a key component of Portland’s economic health, balancing traditional and emerging industries with tourism and recreation;
- Investing in, attracting, and retaining human capital to support a growing economy;
- Investing in educational institutions and training as a means of attracting, developing, and retaining an educated workforce;
- Targeting areas for job growth by modifying ordinances and making strategic investments to better promote business development and job creation in priority areas;
- Planning for institutional growth
- Prepare our current and future residents to compete in an increasingly knowledge-based economy;
- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents;
- Pursue policies to enable people who work in Portland to have the option to live in Portland;
- Encourage quality, sustainable design in new housing development;
- Sustain and build our system of parks, trails, and open spaces to enhance our quality of life, protect our environment, and promote economic well-being;
- Strengthen connections between open spaces;
- Provide high-quality, well-designed, well-maintained, safe, and integrated parks, trails, public open spaces, and recreational opportunities accessible to all residents;
- Integrating resiliency by pursuing opportunities for optimizing green infrastructure and enhancing the existing stormwater management and flood storage functions of open space where appropriate and practical;
- Expand waterfront access for the public where possible and appropriate.

V. FINANCIAL IMPACT

The proposed zoning map amendment will have no financial impact to the City.

VI. STAFF ANALYSIS AND BACKGROUND

A City Council Report is included as part of the City Council packet.

VII. RECOMMENDATION

At the public hearing on November 22, 2022, the Planning Board made a unanimous recommendation to amend the zoning map to rezone the parcels identified in Staff Attachment C to B-5 (Urban Commercial) (Vote: 6-0; Barker absent).

Based on the application materials submitted to the Board and testimony from the Planning Board workshops and hearings for this application, the Planning Board has determined that the proposed action is consistent with the Comprehensive Plan for the City of Portland and recommend to the City Council adoption of the proposed zoning map amendment in connection with the proposed development of The Roux Institute at Northeastern University at 1 Bean Pot Circle.

VIII. LIST ATTACHMENTS

1. Amendment to Zoning Map Re B-5 Urban Commercial Zone for Roux Institute 1.18.2023
2. Memo re Zoning Roux 020323
3. Public Comment Order 126 22.23

Prepared by:

Date: 01/17/2023

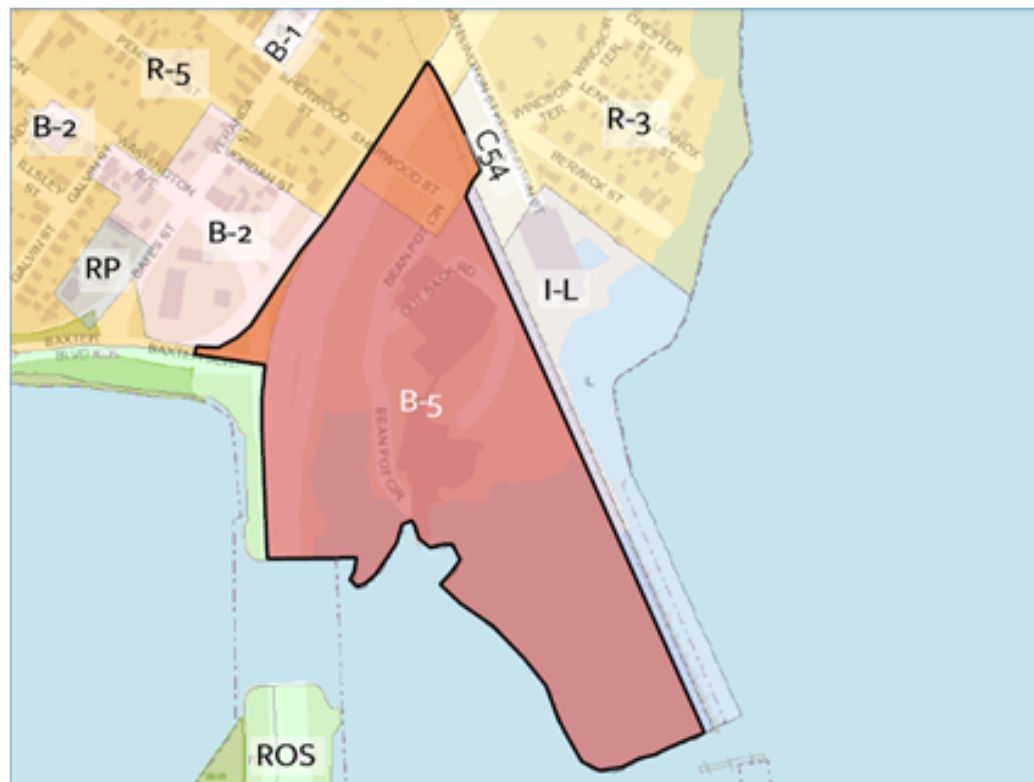
CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**AMENDMENT TO ZONING MAP
RE: B-5 URBAN COMMERCIAL ZONE FOR ROUX INSTITUTE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

That the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into Portland City Code Chapter 14, the Zoning Ordinance, by §1.2, be and hereby is amended pursuant to §1.10.1 by adopting the attached map amendment and specifically rezoning property to the B-5 Urban Commercial Zone at the site of the Roux Institute at Northeastern University, as depicted in the map below.



Office of Corporation Counsel

Michael Goldman, *Acting Corporation Counsel*

Amy McNally, *Associate Corporation Counsel*

Nicole Albert, *Associate Corporation Counsel*

Rachel Millette, *Associate Corporation Counsel*



MEMORANDUM

To: Mayor Snyder and Members of the City Council

From: Michael Goldman, Acting Corporation Counsel

Date: February 3, 2023

Subject: Overview of Legal Framework for Zoning and Zoning Amendments

In anticipation of the City Council's consideration of Orders 125, 126, and 127, which propose changes to the City's zoning ordinance, this memorandum contains an overview of the legal framework that will govern the Council's action on these items. The framework outlined below is contained in State law and is, therefore, generally applicable to all zoning enactments. It is intended to serve as general guidance for the Council and as information for the public.

For guidance on the application of the legal framework to this particular proposal, please see the Planning Board's Report and Recommendation. Additionally, I am prepared to offer guidance to the Council on the application of this legal framework to Orders 125-127 should questions arise.

I. Overview of the Process of Zoning

Broadly speaking, the act of "zoning" land in Maine is done through the adoption of a "zoning ordinance." Under Maine law, a "zoning ordinance" is "a type of land use ordinance that divides a municipality into districts and that prescribes and reasonably applies different regulations in each district." 30-A M.R.S.A. § 4301(15-A). Common examples of district/zone-specific regulations include: use restrictions, setback requirements, lot size requirements, etc.

Additionally, because the City of Portland has created a Planning Board and authorized that Board to serve as its reviewing authority for matters relating to land use and development, in order for a zoning ordinance to be valid, it must first be developed by the Planning Board at a public hearing. After the Planning Board has worked to develop a zoning ordinance, it is presented to the Council for its consideration.

Ultimately, zoning ordinances must be adopted by the Council. When adopting or amending zoning ordinances, the Council is acting in its legislative capacity. Because of the legislative nature of zoning enactments, both the Planning Board (in making its recommendations) and the Council have relatively broad discretion when making their decisions. There are, however, some important requirements outlined in state statute to help guide the Board and the Council when undertaking zoning. Specifically, under state law, any municipal “zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body....” 30-A M.R.S. § 4352(2)(emphasis added).

II. The “Consistency” Standard

The Maine Law Court has interpreted the term *consistent* to mean that the proposed zoning regulation must be “in basic harmony with . . .” the City’s comprehensive plan. *Consistency* does not mean, however, that a project has to be the “best possible use” for a site/location. See *Vella v. Town of Camden*, 677 A.2d 1051, 1053 (Me. 1996) (citing *LaBonta, et al. v. City of Waterville*, 528 A.2d 1262, 1265); see also *City of Old Town v. Dimoulas*, 2002 ME 133, ¶ 20, 803 A.2d 1018, 1024.

Comprehensive Plans are understood to be “a compilation of policy directives and goals” for the development of the City. Among other things, the policies outlined in the City’s Comprehensive Plan address the City’s infrastructure, commercial/business development, transportation resources, industry, and commerce and residential housing. See <https://www.portlandmaine.gov/484/Portlands-Plan-2030>. Since these goals and policies can sometimes compete and/or conflict with one another, it is the Planning Board’s/City Council’s task to balance and accommodate the many goals and policies contained in the Plan in a way that advances the City’s overall best interests. See *Adelman v. Town of Baldwin et al.*, 2000 ME 91, ¶ 24, 750 A.2d 577, 585-586 (citations omitted); see also *LaBonta*, 528 A.2d at 1265.

The Law Court further clarified the consistency analysis in *Remmel v. City of Portland*, 2014 ME 114, ¶¶ 13-14, 102 A.3d 1168, 1172 and the Council’s

broad discretion to determine when a proposed rezoning is consistent with the Comprehensive Plan. According to the Court in *Remmel*, it is not necessary that a proposed zoning amendment comply strictly with every portion of the Plan. As the Court explained:

A zoning or rezoning action need not perfectly fulfill the goals of a comprehensive plan; it may be in basic harmony with the plan so long as it “strikes a reasonable balance among the municipality’s various zoning goals” or “overlap[s] considerably” with the plan.

Importantly, “a municipality may conclude that a rezoning action is consistent with the comprehensive plan when it is in harmony with some provisions of the plan, even if the action appears inconsistent with other provisions of the plan.” *Id.*

III. Decision Making

Again, whether to adopt zoning regulations is a legislative decision, the details of which are to be developed by the Planning Board and enacted by the City Council. Therefore, whenever a zoning proposal comes before the Council for its consideration, it will be important for the Council to:

1. carefully consider whether and how the proposed zoning satisfies the broad policy objective(s) contained in the Comprehensive Plan; and
2. in its deliberations, specifically outline the ways in which the proposal is or is not consistent with the Plan.

The recommendations provided by the Planning Board are intended to assist the Council in that effort by outlining in detail the Board’s assessment of “consistency” based on its in-depth and comprehensive experience with the Plan, land use development throughout the City, the City’s land use ordinances, etc. The Council is not, however, bound by the Planning Board’s recommendations or assessment and is free to make its own determination as to whether a particular zoning proposal is or is not consistent with the Comprehensive Plan.

In taking action on a proposal, the Council can:

- adopt the proposal (with or without minor amendments) as substantially presented (after concluding that it is consistent with the Comprehensive Plan);

- it can decline to adopt the proposal (after concluding that it is not consistent with the Comprehensive Plan); or
- if the Council determines that substantial amendments to the proposal are necessary and would bring it more in line with the Comprehensive Plan and the Council's objectives, it can request that the Planning Board develop those amendments and provide a revised recommendation on that amended proposal.

1/20/2023

Portland City Council,

I am writing in support of the Roux Institutes campus plan at the former site of the B&M factory. I have lived in and around the City of Portland for most of my life. For the past four years I have been living on Munjoy Hill and running a small oyster farm on Casco Bay. Building a business that is both deeply involved in the marine economy and the hospitality industry gives me a somewhat unique perspective on the growth of our beautiful city. It is readily apparent that in recent years the interest in our city as a place to live and work, as well as a tourist destination, is increasing exponentially. I believe that the Roux Institute's involvement in our city's expansion will play a critical role in ensuring that, as we grow, we grow responsibly, while being conscious of spatial, economic, and cultural concerns.

As a resident of the East End and a young person that works and recreates on Casco Bay daily, I'm energized by the potential for increased public access to our waterfront that will be offered with the development of the Roux Institute. While Commercial Street is a historic and beautiful part of our city and its culture, increasing the public's ability to work and play at the waterfront is key.

The site of the old B&M factory is also the ideal location for such a development. It doesn't impose on existing residential areas and, in fact, will ease pressure on an increasingly struggling housing market in Portland with the construction of residences for students, staff, and faculty. Redevelopment of this site also will provide new and attractive places for the public and tourists to recreate in an area that is readily accessible to, but not on the peninsula.

Lastly, I am perhaps most excited that the driving force behind this development is higher education. Maine has a rapidly evolving economy, and providing education and skills to meet the needs of our unique and expanding industries is crucial, and it is even more crucial that young Mainers don't need to leave the state to find it.

I urge the City Council to strongly consider the countless benefits the Roux Institute will have for the young people in Maine who are eager to live and work in Portland and do so with the tools to innovate and build on the backs of our state's core industries.

Best,
Cameron Barner
Portland Resident
Co-Owner, Love Point Oysters



Dena Libner <dlibner@portlandmaine.gov>

The Roux Institute is a generational opportunity, let's make it the best it can be

1 message

Zack Barowitz <zbarowitz@gmail.com>
To: publiccomment@portlandmaine.gov
Cc: City Council <council@portlandmaine.gov>

Tue, Jan 31, 2023 at 7:28 AM

Honorable Mayor and Councilors:

I am writing in support of the support of the zoning application for the Roux Institute because the repurposing of the B&M facility into the Roux Institute campus is an extremely rare opportunity for any city, much less Portland which is restricted by its land mass abutting the shoreline. The educational, cultural, and economic potential can not be overstated. Yes it is true that the project isn't perfect, and there are some less than perfect aspects that will not be changed. But we owe it to future generations to make this project the best it can be, which is a transformative institution that can transition Portland into a model 21st century city. I see the project as very similar to Thompson's Point as both are repurposed industrial sites just outside of the city center. As with Thompson's Point, the RI would be a unique destination, in part for its walkability (as opposed to an office park like you might see off of 295 in Scarborough). One key element to success is to work with stakeholders and other community partners. The bicycle pedestrian committee has co-convened a working group with Roux to maximize the potential for multi-modal access to the site; and tools like Community Benefit Agreements can foster good will with neighbors while improving the project as a whole.

Please aim high on this project.

Cordially,

Zack Barowitz

--

207-838-6120

917-696-5649

ZacharyBarowitz.com



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207-838-6120

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Bates

Office of the President

September 12, 2022

Dear Mayor, Councilors, and Planning Board Members,

We write in support of the proposed plans for the Roux Institute campus at the former B&M factory in Portland, ME. Bates College has been working with the Roux Institute as an academic partner since Northeastern University opened the institute in Portland in the fall of 2020. To date, 23 Bates students have, as part of their Bates education, taken a masters level course at the Roux Institute through the [Align Program](#), which provides bridge courses for students from any undergraduate major for graduate-level coursework working toward a Master of Science in Data Science. We are currently working to build on and formalize this pathway for Bates students who are interested in Computer Science (CS). In addition to enhancing Bates' course offerings, our partnership with the Roux Institute presents expanded opportunities for Bates College graduates to remain in Maine to work or study post-graduation, as they already will have obtained credits towards an MS at the Roux.

Bates has also developed a collaborative sabbatical program for faculty with the Roux Institute with one Bates faculty member already having taken part. The type of research opportunities offered by sabbatical programs like the one we are developing can serve as potential recruitment/retention opportunities for both Bates and the Roux Institute as they provide integral support for creative research and teaching opportunities.

The goals of the Roux Institute align with those of [Bates College](#) and its [Digital and Computational Studies Program](#), including bringing "[cutting-edge technology capabilities here to Maine and northern New England](#)" and providing "[inclusive opportunities for underrepresented groups such as women, and first-generation college attendees to lead the future of this industry.](#)"

We are proud of our partnership with the Roux Institute and the opportunities it brings for Bates students and for Maine. We look forward to expanding our engagement with the Institute in the new and exciting campus facilities that are planned.

We urge you to support this next step in the evolution of the Roux Institute and the possibilities it continues to open up for educational and workforce collaborations.

Sincerely,



A. Clayton Spencer
President



Malcolm Hill
Vice President for Academic Affairs
and Dean of Faculty



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Emma Bond <emma.e.bond@gmail.com>

Mon, Jan 30, 2023 at 6:45 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Portland City Council,

I am a resident of East Deering and write in support of the proposed rezoning for the Roux Institute at 1 Bean Pot Circle.

I strongly support the proposed redevelopment of the B&M factory into a new campus for the Roux Institute. On every issue to arise during the rezoning process so far, the IDEALS team and Roux have shown cooperation, transparency, and leadership on the issues that matter most to the East Deering neighborhood. The Roux Institute provides an incredible opportunity for development and innovation for the City of Portland, the surrounding region, and the state of Maine. I feel excited and privileged that the Roux Institute is seeking to become part of my neighborhood, and I encourage the City Council to support its rezoning application.

I'd like to start my comments by comparing Roux's proposal with the sort of development we could expect at the B&M site had it not been purchased by IDEALS. This is a large property with waterfront access, a large industrial footprint, proximity to the highway, and a large parking lot. Without needing to rezone the property, another developer could have introduced a project that would significantly add to traffic and congestion in the area. And it is unlikely that another developer would be as welcoming as Roux when it comes to waterfront access and investment in active transportation in the neighborhood.

In contrast, Roux offers an opportunity that would invite the neighborhood and the City of Portland into its waterfront space, would help to connect East Deering with the peninsula, and would invest in active transportation connecting the East Deering neighborhood to the rest of Portland.

On the topic of traffic, it is undeniable that, as Portland grows, traffic will grow with it. The benefit of having a neighbor like the Roux Institute is that they are thinking strategically about these issues, and can help support more bus routes, enhanced active transportation options, and other connections. Plus, the proposed density of the Roux Institute would help the traffic issues. For example, including housing on the site would reduce the number of trips (including car trips) to and from the site. Plus, including housing and the option for small shops or restaurants on site would help to make East Deering as a whole more walkable-- which would benefit the whole neighborhood.

IDEALS' community engagement thus far has been exemplary. They have been open and transparent with me and others in my community—inviting discussion, welcoming site visits, answering questions, and simply listening to neighborhood concerns.

Most importantly from my perspective, the developers have made significant commitments to expand access to open public spaces and to improve public transit and bike and pedestrian access in my neighborhood.

East Deering is only one mile away from the peninsula, yet most people traveling downtown would find it easier to get into a car than to travel by bike, bus, or foot. That is not sustainable. The developers have demonstrated a willingness to push up their sleeves and get to work on transportation issues by communicating and planning with Greater Portland Metro, coordinating with the Maine Department of Transportation, and meeting with bike and trail advocates. This is the sort of planning that we need to integrate the East Deering neighborhood into a functioning public and active transportation network for the City of Portland.

Through its public engagement, innovative thinking, and openness to feedback, Roux has demonstrated that it will be a good partner in the community. I urge you to support their rezoning application.

Thank you for your consideration,

Emma Bond

63 Arcadia Street

Portland, Maine 04103



PORTLAND PUBLIC SCHOOLS

prepared & empowered

Sept. 12, 2022

Dear Mayor Snyder and members of the City Council and Planning Board,

I am writing on behalf of the Portland Public Schools to express the district's strong support for the proposal for The Roux Institute campus at the former B&M factory. The Roux Institute has already proven itself to be a valuable partner of our school district and that partnership will only be enhanced if this exciting development is approved.

Let me give you a few examples of how our partnership with The Roux Institute has already benefited our students and staff.

The Roux Institute has supported our STEM (science, technology, engineering and math) programming through teacher training on coding and computer science. Our computer science vertical team leaders collaborated with The Roux Institute computer science professors to plan and to present to teachers who are early adopters of computer science integration at the elementary level at their campus.

Girls Who Code and Educate Maine organized a middle-school and a high-school camp hosted at The Roux Institute, which brought PPS students who identify as female for coding activities. They also heard from 'women in technology' as guest speakers, took a field trip to nearby Wex and participated in sisterhood activities.

In addition, our high school science teachers would like to build capacity around data science. The Roux Institute could help do that by offering courses for teachers on data science. Experiences that students could attend that would allow them to work with data sets and data communication would also help to expand our students' engagement with data science. Having The Roux Institute in such close proximity would amplify our students' and teachers' access to these rich learning opportunities.

The Roux Institute also has committed to innovative ways to help Portland Adult Education students validate their home country credentials. Many of our new Mainer students have higher education degrees and have been successful professionals in their home countries. Validating their credentials will help them fulfill their potential as part of Maine's workforce.

We also have been able to tap students and graduates of The Roux Institute for key roles.

Roux has given us access to and subsidies for their co-op students in the Project Management and Professional Studies programs. The Roux Institute's co-op program is an experiential learning program that allows students to alternate semesters of academic study with periods of full-time work. We've had two project management co-op students and three analyst co-op students as interns and our current Data Manager was one of those interns. Additionally, The Roux Institute also has invited us to provide projects/problems for their graduate students to tackle through their Experiential Network (XN) courses, which will help us look at thorny problems in new ways. We will take advantage of that offer during the fall semester.

We foresee the Portland Public Schools being able to continue to benefit from those kinds of opportunities and much more if the Roux Campus is approved. Roux has said its campus will bring together learning, research, collaboration, and entrepreneurship to shape cutting-edge opportunities – and our staff, students and families stand to gain from all of that.

I'll also note that The Roux Institute's values dovetail with ours, as Maine's largest and most diverse school district. Because of the \$67 million Alfond Scholars Initiative grant to the Roux Institute, and with the commitment of Northeastern University's Office of Diversity, Equity and Inclusion, The Roux Institute celebrates diversity in all its forms and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world.

In short, The Roux Institute has become a key partner for the Portland Public Schools in helping us achieve our educational goals. We look forward to collaborating even more with them for many years to come and urge you to approve the Roux Campus proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'X. Botana', with a long horizontal line extending to the right.

Xavier Botana, Portland Public Schools Superintendent

botanx@portlandschools.org

207-874-8111 (office)

207-747-8004 (cell)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'Andrew Butcher' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 6:53 AM

Reply-To: Andrew Butcher <abutcher@maineconnectivity.org>

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor, Councilors, and Planning Board Members,

This letter is to express our appreciation and support for the Roux Institute's plans to create a Portland-based, world-class, center of excellence for Maine's innovation economy, including education, R&D, and entrepreneurship training and development. We are writing to encourage the City of Portland to move ahead promptly with this essential project given its great potential benefits for Portland and the entire State of Maine. We commend the City of Portland for attracting this new, remarkable asset to Portland.

We are very grateful to the Roux Institute for offering prompt, effective support to the new Maine Connectivity Authority (MCA), established in 2021, as we established our operations and look to leverage world class technical expertise to advance our mission of universal affordable broadband for everyone. With their generous and pragmatic approach, they quickly devised a plan to support MCA to locate its headquarters in the heart of the Roux Institute's Portland facility, working side by side with other innovation economy companies. MCA's new home in this remarkable Roux Institute innovation center has greatly facilitated MCA's work to carry out our essential mission for the State of Maine to assure Maine citizens have universal access to affordable high-speed broadband in Maine.

As part of our work, MCA observes the ferocious competition among the US States and foreign governments to build advanced technology economies. The Roux Institute will provide Portland and the State of Maine an opportunity to remain competitive and excel in that competition. The Roux Institute vision of a dedicated campus, combining education of students (with essential housing) with support for establishing, growing, and financing Maine businesses, is essential to realize this vision. We need to work together to support this innovative growth.

MCA understands that the Roux Institute needs the City of Portland's support for this extraordinary vision to be realized. We strongly encourage the City of Portland Council and the Planning Commission to work with the Roux Institute to establish this vital new center. We understand that the Roux Institute is working closely with neighbors at the former B&M manufacturing site, as well as the City of Portland to assure best design that accommodates public use as well as Roux Institute activities with all appropriate permits.

MCA is an enthusiastic supporter of this vision. We recognize that it does require reconfiguration and change. But our daily work emphasizes the need for careful planning and construction of new technology-based infrastructure to support the New Maine Economy, and the future prosperity of the State.

We hope to be a part of this future Portland center of excellence and please do not hesitate to contact me directly with any questions

Sincerely Yours,
Andrew Butcher

--

Andrew Butcher (he/him/his)
President - Maine Connectivity Authority
(207) 209.3868
maineconnectivity.org
[LinkedIn](#) | [Twitter](#)

February 1, 2023

Portland City Council
389 Congress Street
Portland, Maine 04101

Dear Mayor Snyder and Members of the Council:

I encourage you to adopt the language and mapping changes as recommended by the Planning Board to allow for the future development of the former B&M Baked Bean factory site. The Planning Board developed these recommendations with due consideration of public comments received and in close alignment with the City's principles and standards for site development. Likewise, the developers incorporated changes in their proposal to address suggestions and concerns raised in the preliminary review process by the public and the Planning Board.

The IDEAL plan for the B&M property presents the city with a rare opportunity to advance the redevelopment of an obsolete waterfront industrial site without displacing true working waterfront uses. Moreover, the plan offers a textbook example of enlightened urban redevelopment with dense, multi-use buildings, including housing, commercial space, and recreational and open spaces. And setting the basic planning considerations aside, the prospect of bringing a new, visionary institution of research and learning to this state has no precedent. It warrants a reciprocal commitment on the City's part, including at the very least, approval of these zoning recommendations to give the applicants the full benefit of a complete site review process.

As a former member of the City's Planning Board, I took part in reviewing scores of projects over nine years of service. In almost every instance, new development creates positive and negative impacts on surrounding properties. For example, this redevelopment will almost surely spur further infill development in the neighborhood and raise the value of commercial and residential properties nearby. Inevitably, some people will view these impacts negatively, but from the City's perspective, these should be counted as benefits. In a similar respect, some opponents of the project have raised concerns about increased traffic and congestion. They are likely right, because increases in traffic and intermittent street congestion would accompany virtually any successful re-use of this property. In this instance however, increased traffic is a good problem, because it signals success. The location of the site at the intersection of numerous arterial streets, biking and walking paths, and even a rail corridor promises a rich range of potential transportation solutions. As with any development proposal, IDEAL will need to address this issue properly in the site plan review process or the project will fail to gain approval.

In closing, I believe timely and positive action by the City Council will send an important message to IDEALS, to the Roux Institute, and to the larger community. It will confirm that we

welcome investment in our city. We welcome new institutions. We welcome new business. And we welcome new residents to Portland.

Thank you,

John H. Carroll

40 Wiley Avenue

Peaks Island, Maine 04108

Phil Caruso
15 Brown St Unit 401
Portland, ME 04101

31 January 2023

Portland City Council
City Hall
389 Congress Street
Portland, ME 04101

Dear Members of the City Council:

I am writing to express my support for the IDEALS expansion of the Roux Institute's campus in East Deering. The redevelopment plan is an exciting step toward fostering a new generation of entrepreneurship and innovation in Maine, opening new opportunities to students and professionals, and creating thousands of jobs for our community.

I live in downtown Portland and am a partner at a global management consulting firm. Much of my work involves advising executive teams of companies across the US on how and where to expand their businesses – I have recently seen a growing interest in where talent can be found with in-demand skills like advanced analytics and technology development. The future of work will allow businesses to hire workers here in Portland in ways that were not possible a few years ago.

Opportunities to invest in the future of Portland's economy like the Roux expansion only come along so often, and the right decisions by city leaders will speak volumes to potential employers looking around the country for new sources of talent. I strongly urge the council to support the expansion plan and make it clear that Portland is committed to being a leader in creating good, new jobs for its citizens in the years to come.

Please feel free to contact me if you have any questions. I look forward to seeing the results of the upcoming meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Phil Caruso', with a stylized flourish at the end.

Phil Caruso



Dena Libner <dlibner@portlandmaine.gov>

Support for Roux Institute Overlay Zone -- Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'James Cohen' via Public Comment <publiccomment@portlandmaine.gov>

Tue, Jan 31, 2023 at 4:42 PM

Reply-To: James Cohen <jcohen@verrill-law.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Mayor Snyder and Members of the Council:

I write to today to express strong support in my individual capacity for the Institutional Overlay Zone currently pending before the Council, which Zone was recently endorsed by the Portland Planning Board on a strong vote. Passage of this Zone is important to allowing the Roux Institute to establish a campus in Portland, which is critical for Portland's future. I sent a very similar set of comments to the Planning Board, and I wanted to make sure the City Council had the opportunity to hear my thoughts on this project and the rezoning.

Establishing this Zone is within the Council's discretion and obviously considers a range of high-level issues, from parking, to building height, to traffic, to public access, and to many other issues related to land use. Also of relevance is the benefit to the community of the proposed use. I will start there.

Having the Roux Institute in Portland is a rare opportunity. World class cities need world class institutions of higher education. Portland has UNE, MECA, and USM within its borders, and SMCC, St. Josephs, Bowdoin, and Bates in the region. The Roux Institute fills a niche in high-tech not otherwise met, and it fills this niche in part through an affiliation with Northeastern University, a national university based in Boston known for training and placing students in great jobs. Roux has been substantially capitalized through major grants from Maine-based philanthropists and is already succeeding. Roux also is building a national reputation – I can rarely turn on a national podcast without hearing their ads advertising Portland, Maine and cutting-edge high-tech education.

As the parent of two kids who went through the Portland Public Schools who both went to college out of state and found jobs out of state, I have first-hand experience in the relatively limited job and company pool in this area. Portland has a strong and growing economic base, yes. But for long-term, sustainable success, we need a pipeline of highly educated tech students to encourage businesses to locate and grow in this area. The more the high-tech sector becomes established in our region, the more likely it will be that our children to choose to locate in Portland in order to pursue the careers of their choice. Roux is already becoming part of that pipeline, and with a suitable campus in Portland, can grow to fully meet that mission.

Next, let's turn to the location itself. I have heard no one say that Roux is not a worthy endeavor, and for the reasons noted above, Roux is critical for Portland's future. If there are concerns, it relates to the proposed location and the potential impact on neighbors. That impact certainly exists, but it does not outweigh the benefits or warrant disapproval of the proposed Zone.

As it turns out, I grew up in the Payson Park area, and my mother (a former town planner) continues to live in the house where I grew up on Ocean Avenue. I currently live a few miles away in North Deering, and I regularly walk, bike, and drive past the proposed Veranda Street entrance to the campus. If there is traffic, I will be among the Portland residents directly impacted. And if there are new site amenities, it will benefit me directly. Here are my own observations about why this Zone can work, and why the Council should approve it:

- **Traffic** – I'll start with the hardest issue. As a former city councilor in District 5, I often said that the three most important issues in my district were traffic, traffic, and traffic. Without question, traffic is a big issue. But, I also frequently say that healthy cities are balanced cities, and as such, good planning requires balancing all of the aspects of the site and the proposed use. Here, there is no avoiding the fact that use of this site will add traffic. We have many other uses that generate traffic as well, including other local universities, businesses, government buildings, and retail centers. Yet, we would not trade those uses in order to reduce traffic. Traffic is a necessary consequence of land use, and as such, we need to accept a reasonable amount of traffic as part of growing our healthy city. From what I have read and reviewed, Roux has worked hard to mitigate traffic impacts by adjusting the size of the campus, the allowed uses, adding trails, and encouraging public transportation and bike access. Given how close the campus is to Inner Washington and downtown, I expect many students to walk and bike rather than drive, or they will take the bus, particularly given the cost of parking downtown. The separate site plan review process offers further opportunities for the Board and the Planning Department to institute controls to reduce the potential impact of traffic. The bottom line for this Zone is whether

we, as a community, are willing to absorb additional traffic in this Zone and outside the Zone as part of the overall project. On this, I would say the answer should be "yes."

- **Building Height** – Currently, this location is nearly invisible from the adjacent neighborhood. From Veranda Street, I can hardly tell there are structures there today. And I cannot see the water at all unless I am on Back Cove, and that view would not be impacted by new buildings on the proposed campus. If the campus is built, the buildings might be slightly visible from inland. But the impact on views from most locations will be limited, if at all. Additionally, Roux has further modified their proposed heights so that they are lower and staggered, which makes sense. I am also guided by my experience in the mid-2000s setting the building height limits for the Eastern Waterfront Zone. As part of that process, we looked at view corridors, balloons to get a sense of height, and vision drawings as part of setting building density and height limits. Some residents expressed concerns about building heights and view impacts. The end result is a relatively dense, new neighborhood with taller buildings. And it works, spectacularly. It can also work on the proposed Roux campus where the building heights and massing are far, far less.
- **Open space** – I have been a huge advocate for open space and pedestrian access over the past 30 years in Portland. I am a former president of Portland Trails, and I remain an advisory trustee. I grew up walking and running on the Boulevard. I continue to walk and run in the area. And in all of my years, the B&M campus has been off-limits, and inaccessible. It still is off limits. The Roux plan changes that and creates an amenity for the neighborhood and the City as a whole. Not only would the campus provide waterfront access for walkers, but it would also provide access for kayaks and paddleboards. This is not a small thing, and it is a major positive. To understand the value, it is worth a quick tour of recent Portland history. For many years, much of the Portland downtown and Eastern Prom was not directly accessible to the water, and it was not until the late 1990s that the Eastern Prom trail was built giving residents direct access to the waterfront – something that helped propel Portland's current success as a city. Likewise, it was not until the mid-1980s that a trail went all the way around Baxter Boulevard, and that important expansion in public access made a huge difference in the quality of life in Portland. So, to the extent Roux is looking to add more public access to the East Deering waterfront, we should view that as a tremendous positive.
- **Public transit** – I am also a huge advocate for public transit. I currently chair the board of the Northern New England Passenger Rail Authority, and I am a former trustee of the Greater Portland Transit District. As Portland grows, so has traffic. At the same time, our public transit offerings and services have grown. When I was growing up, there was the [Number 9 Veranda Street](#) bus that went along Ocean Avenue until it was discontinued in the 1980s. In recent years, bus service has grown in scope and frequency. That growth relies in part on housing density along arterials, and the Roux campus contributes to that density along the Washington Avenue corridor. So, not only will the Roux Campus benefit from accessible bus service, but the bus service itself will benefit from the Roux campus and more ridership. It is a virtuous cycle that will help expand bus frequency and expansion, for all of us.

As a final note, there is no question that change is hard. As a city councilor, I frequently dealt with the challenges of proposed developments in my district, and I listened intently to the input of constituents. This input often made projects better. As mayor in 2006, I helped move forward with an overlay zone for USM that helped establish the Abromson Center and new parking garage, developments that were concerning to neighbors who opposed the plan. That Zone passed on a narrow 5-4 vote of the City Council, but in hindsight, we can confidently state that approval of that zone was the right thing for Portland. Like the USM overlay zone, there are neighborhood impacts and community benefits that must be weighed. In this instance, that greater good lies with approving the overlay zone for the Roux campus.

For these reasons, I urge the Council to move forward with approval with the proposed zone as modified and approved by the Planning Board.

Thank you for your consideration and attention to this important matter for our City.

James I. Cohen

James I. Cohen

[62 Deepwood Dr.](#)

[Portland, Maine 04103](#)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nan Cumming <nan@portlandparksconservancy.org>
To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Mon, Jan 30, 2023 at 11:33 AM

Dear Mayor and Members of the City Council.

I am writing on behalf of the Portland Parks Conservancy regarding the Roux Institute campus at the former B&M factory, which I believe you will be discussing on February 6.

As a private nonprofit organization with a mission to support the City's public parks and recreational programs, we do not typically advocate for or against development projects in Portland. However, the Parks Conservancy Board of Trustees would like to express our support for the Roux Institute's plan to steward this unique property. Their intention to create at least 3 acres of new public green space, over 1,000 feet of waterfront access, and pedestrian and bicycle connections to the Back Cove and Eastern Promenade will greatly enhance livability in our city.

We look forward to working with the Roux Institute to find innovative ways to connect their campus to Portland's growing network of waterfront parks and public open spaces.

Yours sincerely,

Nan

Nan Cumming
Executive Director



PORTLAND PARKS
CONSERVANCY

[PortlandParksConservancy.org](https://portlandparksconservancy.org)
212 Canco Road, Suite A
Portland, Maine 04103
207 808-5455



Maine Community College System

OFFICE OF THE PRESIDENT

323 State Street, Augusta, ME 04330-7131
(207) 629-4000 | Fax (207) 629-4048 | mccs.me.edu

David Daigler
President

August 23, 2022

City Council and Planning Board Members
City of Portland
Care of Kate Snyder, Mayor
389 Congress St
Portland, ME 04101

RE: Roux Institute Proposed Plans

Dear Mayor, Councilors, and Planning Board Members,

I am writing to support the proposed plans for the Roux Institute campus at the former B&M factory in Portland. Higher education is undergoing tremendous transformation, and the Roux Institute presents exciting developments in the greater Portland area. The campus will enable its essential growth in the coming years and, I believe, will provide significant benefits to the region.

Because of the \$67 million Alfond Scholars Initiative grant to the Roux Institute and the commitment of Northeastern University's Office of Diversity, Equity, and Inclusion, the Roux Institute celebrates diversity in all of its forms and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world. The new campus will welcome all comers, with waterfront access, public open space, and complementary offerings attractive to neighbors and other Portland residents.

The Roux Campus will bring together learning, research, collaboration, and entrepreneurship to shape cutting-edge opportunities for Maine people and help shape our economy to compete globally.

Kind regards,

David Daigler
President



Dena Libner <dlibner@portlandmaine.gov>

Roux Zoning changes

1 message

Talya Davis <talyardavis@gmail.com>

Mon, Jan 30, 2023 at 9:23 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Jan. 30, 2023

Portland City Council
[389 Congress St.](#)
Portland, ME 04101

To the Portland City Council:

Maine needs the educational opportunities that the Roux Institute can provide to students and to our community.

I grew up in Maine, but when it came time to pursue my doctorate in molecular microbiology there were no viable options in my home state. Instead, I went to Boston and received my Ph.D. from Tufts University.

After working in Boston as a researcher and a high school teacher, I was able to return to Maine. I live in Portland with my wife and our two children. The partnerships that Roux has created in our city's school will help thousands of students, and the next generation of graduate students and postdoctoral scholars will have an opportunity to seek education and job opportunities in Maine instead of moving out of state.

I think it's important for students to explore the world, but I also believe that they should have quality educational opportunities close to home. The Roux Institute can provide that.

For Roux to be successful and maximize its potential for Portland and all of Maine, it needs to be located on a campus with the infrastructure to support new businesses, student housing and the amenities that professionals expect in a modern university setting.

I believe that the Roux team has done a good job of stakeholder engagement and has strengthened their proposal for the redevelopment of the former B&M baked bean factory. They envision an open and inviting campus with public space, an emphasis on non-car transportation and an environmentally sustainable design.

It is my hope that you will approve the zoning changes sought by the Roux Institute and demonstrate Portland's commitment to this exciting opportunity.

Thank you.
Talya Davis
Portland



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Andrew Dickey <andrew.dickey@wexinc.com>

Tue, Jan 31, 2023 at 11:48 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor & City Councilors,

My name is Andrew Dickey and I live in Cape Elizabeth. I've worked at WEX for a few years and I'm a born and raised Mainer. Upon reading about the Roux Institute campus project, it felt like a no brainer to me for the Planning Board and City Council to approve. This campus is going to provide so many economic and social benefits for the community: open green space, bike paths, a push for more active transit, a public pier, co-working space, and most importantly new jobs and housing. Personally, I'm really excited about the option to potentially rent kayaks from this site and explore Casco Bay. I'm also on the board for PROPEL which is a group of the Portland Chamber of Commerce, and our mission is to promote Portland in a way that supports new economic growth. A project like this is what brings professionals & jobs into Maine to strengthen our economic growth as a community, so I'm fully in support of it.

Regarding traffic and the uses of the site, campuses typically have options for dining and retail, so it is not surprising that this is included in the plans. Keeping amenities and services on campus helps to keep everyone there, not making unnecessary trips off campus. I also know the east Deering neighborhood well, so I understand this will create some strain on that local transportation system but I also understand that through these developments, upgrades can be accomplished that maybe wouldn't have otherwise. This is also a great opportunity to work with METRO and expand their service. Having lived in Boston for a few years, I know traffic is inevitable in any city but there's always ways to help reduce it. You can't grow a city without changing things, right?

Bottom line, this project is a step forward in the right direction for the city of Portland and the state of Maine in terms of community benefits, economic growth, and sustainability. I hope the Council will act on behalf of the city as a whole and approve the zoning changes.

Sincerely,

--

Andrew Dickey

Flume

Mobile: 617-817-5878

<https://flumepay.com/>



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Project at B&M Property (Orders: 125-22/23, 126-22/23, 127-22/23)

1 message

Matt Donovan <donovanmj15@gmail.com>

Fri, Feb 3, 2023 at 8:46 AM

To: council@portlandmaine.gov, publiccomment@portlandmaine.gov

Dear mayor and city councilors,

My name is Matt Donovan. I was born and raised in greater Portland, and at 30 years old, I'm still happily here. I'm a structural engineer at a small engineering firm in town. I'm writing to you in support of the Roux Institute development at the B&M bean factory.

There's a plethora of reasons that I never moved away from this area, but mainly it's because I simply love it here. When I travel for work and get asked where I'm from, I'm always proud to tell people that I live in Portland Maine. With that said, I believe that the city has improved immensely in my lifetime and continues to do so. I believe that this project will be yet another step in that direction, and will bring many benefits to several different sectors for generations to come.

Although Portland and the surrounding area has good colleges, I believe that there is room for growth when it comes to the educational system. This project will attract young, smart, motivated students, which I believe will positively affect the area in so many ways.

This development is great progress for the city. Having the opportunity to bring in an established, top-tier educational group at this capacity is an outstanding opportunity that should be welcomed.

Best regards,
Matt Donovan



Dena Libner <dlibner@portlandmaine.gov>

The Roux Institute: Order 125-22/23, Order 126-22/23, Order 127-22/23

1 message

Elyse Doyle <elysemdoyle@outlook.com>

Mon, Jan 23, 2023 at 1:52 PM

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

Cc: Michael Cochrane <michael.cochrane@ideals.org>

Dear Mayor and City Councilors,

I am writing to express my support for the Roux Institute's proposed plan to build a campus in Portland at the former B&M factory.

As a current part-time lecturer at the Roux Institute, I can speak to the positive impact the Roux is having on the Portland community and the state. This institute provides Maine individuals and businesses with a unique opportunity to develop competitive and sustainable jobs. The Roux fosters a collaborative and innovative platform for the community to invest in much needed economic and technology advancements. Students at the Roux have direct access to the largest and most successful Maine businesses, as well as expert instructors to help close the unemployment gap and build a more technologically sound and resilient workforce.

The applied programs offered through the Roux Institute are changing the lives of Mainers across the state. The Roux Institute is the only Northeastern campus that offers "Hybrid" courses, combining in-person lectures with an online attendance option, so individuals in rural areas can also take advantage of this excellent opportunity to change their careers and lives. I understand this new campus will impact Portland the greatest, both positively and perhaps negatively with increased traffic and local congestion, but from what I have seen, the pros resulting from the Roux Institute's growth will substantially outweigh these mitigatable "cons".

I have attended local public hearing meetings and read the project's Institutional Development Plan. I was pleased to see that the developers of this project are well aware of the Portland community's concerns including traffic, campus size and overall congestion. The plan notes that based on the B&M factory site location, the project can build taller buildings with a smaller footprint, enabling public open spaces and waterfront access for the community to enjoy. They are also working with the Portland METRO bus system to offer public transportation access to the new site. It is evident they are undertaking this project with thought and respect for the Portland community. Additionally, as a full-time project manager for an energy storage company, I appreciate the developers' initiatives for incorporating renewable energy generation and electric car charging on site. This is the type of forward-thinking Maine desperately needs. I have no doubt this project will make a lasting positive impact for Portland and for Maine. I know I will continue to teach students and support the Roux Institute for as long as it is here.

Sincerely,

Elyse Doyle

Lecturer - Project Management, The Roux Institute

Public Comment in Support for IDEALS/Roux Institute
2.1.2023

Attn: City Council, City of Portland, Maine

Re: Order 125-22/23; Order 126-22/23; Order 127-22/23

To whom it may concern,

I'm writing in support of the proposed Roux Institute plan for the former B&M Baked Bean site. As someone who is deeply connected to Portland's working waterfront, I support this proposal because of their commitment to creating public access and amenities as well as a commitment to sustainability and resiliency. I'm also impressed by their plans for extensive bike/ped infrastructure and programmatic incentives to encourage non-single occupancy vehicle use to and from the site.

Thanks for your time and please consider supporting these proposals.

Sincerely,

Paul Drinan
Westbrook, Maine



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

2 messages

Benjamin Dudley <bfdiii@maine.rr.com>

Tue, Jan 31, 2023 at 5:48 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor Snyder and members of the City Council:

I write to express my support for the development of a mixed-use campus for The Roux Institute, including academic buildings, office, lab, and incubator space, retail, hotel, and housing as well as publicly accessible open space.

As a former state legislator who represented this part of the city from 1998 to 2004, to my eyes the proposed development of this site precisely reflects the values and vision expressed in Portland's current and former comprehensive planning. This scale of investment in — and partnership with — the people of Portland by a leading New England institution of higher education is exciting beyond measure. It holds the promise of advanced learning opportunities in technology, science and medicine; economic development through new commercial space and spinoff activity; good jobs for a range of skill levels; hundreds of units of new housing; access to open space (including waterfront!) that connects to our existing trail network; all while using climate-friendly design.

There's no doubt that development at this scale has impacts that need to be considered and mitigated. I have great faith in impartial processes and the expertise of the city's professional staff to arrive at equitable solutions to such challenges.

Let's capture this fantastic opportunity, one that reflects so well the things that Portlanders have imagined for the city we love.

Sincerely,

Benjamin Dudley
9 Ponce Street
Portland, Maine 04101

Whitney Harvey <whitney@maine.rr.com>

Tue, Jan 31, 2023 at 9:26 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Cc: Whitney Harvey <whitney@maine.rr.com>

Dear Mayor Snyder and City Council members,

I would like to express my enthusiastic support for the Institutional Overlay Zone for the Roux Institute campus. I have lived and worked in Portland for many years and am truly excited about this proposal. The campus for the the Roux Institute will provide enormous benefits for the City of Portland. It is both an education institution which will support and complement our existing colleges and universities, as well as an entrepreneurial engine that will hatch and grow new businesses. High tech creates good jobs, including for people without a bachelor's degree. It is time we had a strong high-tech sector. The Roux Institute, on its own campus, will deliver just that.

I am also very pleased with the proposal for on-campus housing. As we are all aware, the local housing market is not only tight, but out of reach for many buyers. For those students, workers and faculty who want to live in Portland, having on site housing will reduce additional pressure on the existing housing market and reduce traffic as well.

By granting the zone change, you enable the project to move to the site plan phase where plans for traffic management and campus design can be addressed. This could be a collaborative process involving neighbors, the city and so many others who have an interest in seeing that this is done to the highest of standards. Let's not miss this extraordinary opportunity.

Respectfully Submitted,

Whitney Neville Harvey
511 Chandlers Wharf
Portland, ME 04101



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23.

1 message

David Eaton <david@david-eaton.com>

Wed, Feb 1, 2023 at 5:25 PM

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Dear Councilors,

I was a member of the Planning Board when the MMC IOZ was approved, and at that time, I said that MMC had set a high bar for future IOZ applicants. I believe that The Roux Campus has met that bar, and strongly urge you to approve the IOZ, for the following reasons:

They engaged the public early and often, and responded to their concerns by downsizing the project. (MMC moved their garage to address neighborhood concerns), I see that not everyone is satisfied with the response from Roux, but most are. You cannot say they did not engage and listen to the public, and has stated they will continue to do so. But as I'm sure you know, you cannot satisfy all of the people all of the time!

Activating the street frontage with mixed use space was a concern with MMC. Roux is also planning to create active retail space on its campus, along with dramatic and improved public open space. (Anytime we have a chance to create public open space that is not a public expense, especially along the waterfront, I believe we should seize the opportunity).

Also, it's clear to me that the office and hotel uses will enhance the Roux Institute as a destination, as it competes with other Tech campuses for the best minds and entrepreneurs from away. This will only help the regional economy.

As for traffic, we have always entrusted both the Traffic Movement Permit process and the Transportation Management Program to address the need for safety and accessibility improvements for all major projects as the rest of the permitting process proceeds. This is standard procedure, that allows the rest of the permitting to progress while ensuring that the transportation impacts are mitigated and assured before construction can begin.

Finally, I think we all need to look into the future on projects like these. When completed, the Roux Campus will be a gateway landmark at the eastern end of the city, complementing the long view of the MMC campus at the western end. In addition to the economic and community benefits of this project, this will be your legacy. Thank you.

David Eaton, [52 Neal Street](#)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Keenan Gillard <keenan.gillard@gmail.com>

Tue, Jan 31, 2023 at 2:47 PM

To: publiccomment@portlandmaine.gov

Dear Mayor and City Councilors,

I am writing to you today in support of the Roux Institute's development proposal. I am extremely excited about the prospect of the university and all that it can bring to both Portland and Maine. I work in the software development industry and cannot state how important this type of education is for the city and state. Our economy needs modernization and the Roux Institute offers a path towards this.

It is not simply big tech firms that need data scientists and machine learning expertise, every industry requires this from forestry to aquaculture to the public sector and the service industry. If Portland is to continue to thrive and Maine is to transform in the manner I know it can, it will be dependent on a strong workforce of highly educated folks the Roux Institute can produce.

Please join me in supporting the Roux Institute, in supporting Portland, in supporting the future of Maine.

Regards,
-Keenan Gillard



Testimony in Support of Portland City Council Orders 125-22/23, 126-22/23, & 127-22/23
January 31, 2023

Mayor Snyder and Members of the Portland City Council,

My name is Quincy Hentzel, and I am the President and CEO of the Portland Regional Chamber of Commerce. We represent 1,300 businesses in our region who employ over 65,000 Mainers. This includes many businesses, institutions, and non-profit members who have developed deep and meaningful partnerships with the Roux Institute since they were established in Portland. These partnerships empower them and their employees to tap into Roux's world-class graduate and continuing education programs, their incubator programs, and the clustering effects that can take off when academic institutions take seriously their commitment to research and building the next generation of entrepreneurs. We are submitting this written testimony today to express our organization's support for the Roux Institute's application for an Institutional Overlay Zone (IOZ) and associated B-5 Zoning Map Amendment that will be before you on February 6th.

Roux has demonstrated incredible potential for our region, bringing together large employers, cutting edge start-ups, other institutions of higher education, and of course incredibly talented students, staff and faculty to advance a transformational investment in our region. Thus, we submit these comments in support of the approach before you to give them a permanent home using land use tools that recognize their unique institutional nature which necessitates laying out their multi-phase long term development plans in the responsible and predictable manner of an IOZ and zoning map amendment.

Economic Benefits to our Region

We believe the economic benefit to our region facilitated by Roux's permanent campus cannot be overstated. It is rare that any individual seeks to invest hundreds of millions of dollars in a community of Portland's size, and rarer still that that investment represents such a large public benefit in terms of economic growth and the spillovers that can be extended to all sectors of our economy with an educational institution that has entrepreneurship in its' DNA. Look to any dynamic and growing innovation hub around the United States— from larger examples like Silicon Valley and Boston, to smaller ones like Rochester, Pittsburgh and Ann Arbor— and you can quickly see that the most innovative and dynamic regional economies all share one essential ingredient: a premier research and graduate institution that prepares workers for the 21st century economy, realizes the network and clustering effects of starting many industry specific entrepreneurial ventures in a confined geographic region, and raises real wages for all workers in a region through spillover impacts on the larger labor market. The Roux Institute is that ingredient for our region, and their campus is the means through which those benefits can be achieved.

It is a widely held belief among top urban economists and geographers like Edward Glaeser, Enrico Moretti, and Richard Florida, that creativity and human capital are the economic fuel that drives sustained growth in the innovation economy. While there now exists a global abundance of codified knowledge (knowledge that can be easily transported across long distances), access to codified knowledge is only one ingredient in innovation. In addition to access to codified knowledge, successful innovation relies crucially on the ability of economic actors to access and mobilize tacit knowledge. Tacit knowledge is an essential input to innovation, as it is this form of knowledge that enables, is produced by, and circulates through collaborative problem solving and innovation generation.



Because the generation and transmission of tacit knowledge is collaborative, tacit knowledge is stubbornly resistant to being transmitted over long distances. So, the transmission of tacit knowledge— and thereby, the successful generation of innovation— requires that knowledge exchange takes place face-to-face between individuals who have a diverse but complementary capacity to communicate and interact. Understanding the role and the scarcity of tacit knowledge is therefore key to understanding the drivers of the innovative process, as well the geographic importance of innovation clustering. It is this aspect of innovation that is most important for understanding the stickiness and therefore the importance of geography to innovation.

A series of potential impacts can accrue from the co-location of institutions and firms that are specialized in similar industries, and these impacts can generate important competitive outcomes for regional economies. The key factors that generate these benefits include the formation of a localized market of specialized labor that can be drawn on by firms within the region, the creation of highly efficient linkages between related institutions and firms, and the emergence of knowledge and technology spillovers between institutions and firms. This results in a cross-fertilization of knowledge which leads to communication between firms and institutions and knowledge spillovers that create knock-on effects within regional economies that will lead to broadly shared economic growth.

We can already observe this beneficial phenomenon in Portland on a more micro-scale. We have become national leaders in fields like veterinary sciences because we have nurtured an entrepreneurial ecosystem around businesses like IDEXX and Covetrus that have led to the creation of new firms in this field with high wages and increased access to start-up capital. Unfortunately, we have so far been limited in our ability to capitalize on those types of innovation clusters more broadly because we have lacked the institutional capacity necessary to produce the concentration of highly skilled workers that facilitate sustained and diverse streams of entrepreneurs and capital. The Roux Institute represents the opportunity to add in this key ingredient.

Neighborhood Benefits of an IOZ

There is no doubt that an IOZ designation affords the applicant certain allowances, but above all else it invites additional obligations onto them through proactive planning and engagement with the neighborhood and the community at large. Both before the promulgation of the IOZ provision in code, and since that time, we have witnessed institutions who did not or could not use this tool to the detriment of smart growth and neighborhood relationships. Absent the utilization of an IOZ, several institutions have been bedeviled by slow but steady creep into neighborhoods, unclear plans for future growth, and uncoordinated planning for future transportation, infrastructure, and open space needs. This tool addresses those problems head on, and in the case of the only IOZ to achieve some level of maturity (Maine Medical Center) we have seen more harmonious relationships with neighborhoods built through clear plans and trust.

We realize that you are dealing with a novel text amendment seeking to expand the institutions eligible for IOZs, but in reading the land use code two things are clear:

- There are no express prohibitions on this approach; and
- Roux meets the contemplated scale and use for the employment of this tool.

Looking at the plans for the future of the Roux Institute, it would be unwise for the city to discourage their voluntary desire to engage in the in-depth planning and engagement required for IOZ applicants. We would



note that once built out, Roux is planning to accommodate 4,500 students which will put them in line with the number of students at USM and UNE and the number of employees at MMC and Northern Light.

Absent the IOZ, the map amendment on its own would be very likely to succeed given its' compatibility with Portland's Comprehensive Plan. If we imagine a world in which the map amendment moves forward without the associated text amendment, the ability to cultivate neighborhood engagement, plan decades into the future, and secure iron clad commitments from Roux on the built environment and infrastructure requirements of their site and development program would be impossible.

Simply put—no other tool in the land use code codifies as much prospective neighborhood engagement, long-term planning, and intentional compatible design than does the IOZ provision. The staff memo notes that the IDP produced through this process is a “proactive planning document for identifying and addressing anticipated change and growth by an institution” and that is the responsible path to take for an institution that holds so much promise, investment, and change for our community.

This is just the beginning of a long process. Decades lay before us as a city in site plan approvals to iron out important details raised by concerned neighbors, but we are confident that as the project advances under the constraints of this detailed regulatory framework those concerns will be satisfied, and Roux will become just as an integral part of our built environment and regional economy as all the other institutions listed in the current IOZ section of the land use code. We know that there will continue to be discussions, modifications, and other concerns addressed through eventual site plans, but we have been impressed with the depth and breadth of Roux's engagement with the community to take feedback, provide additional data, and make changes where necessary, including a nearly 30% reduction in square footage based on neighborhood concerns.

Transportation Concerns

Transportation and traffic seem to be the biggest outstanding concerns related to this application. With public transportation being one of the Chamber's top three policy priorities, we share that concern and are consistently looking for opportunities to move workers, students, residents, and visitors around the region in the most efficient and sustainable manner. We are confident that while all questions surrounding traffic engineering cannot be answered at this stage of approval, Roux will address traffic concerns as they move forward with site plan approvals, as is the case with any other large traffic generating use moving through the planning process.

We also commit that through the Chamber's participation in the Portland Area Comprehensive Transportation System (PACTS) we will endeavor to drive the necessary federal, state, and local funds available in our region towards this neighborhood to ensure the concerns are addressed. Indeed PACTS has already recently approved two relevant initiatives in furtherance of this goal:

1. **Connect 2045:** Approved late last year, Connect 2045 is the region's new long-term transportation plan that lays out, in a fiscally constrained manner, all the transportation projects proposed to be undertaken in our region for the next 25 years. Because this plan is fiscally constrained, that means that the initiatives included reflect the federal, state, and local resources we can expect to be available to us in the decades to come. Included in the plan is a significant increase in funding to our region's transit agencies to improve the frequency of bus headways to 15-30 minutes, meeting the intense trip generation needs created by a project of this scale.



2. **ARPA Allocations:** More immediate is the implementation of several projects that will directly increase service in proximity to this site funded through the American Rescue Plan dollars our region received for public transportation. Importantly, the current METRO Route 7 from Portland to Falmouth runs at just 60-minute headways during the weekdays, but under this new funding allocation that will increase to 30 minutes. Additionally, a new micro transit project will be rolled out just up Route 1 in Falmouth, improving first and last mile connectivity to this route. Finally, Route 9, also in proximity to the site, will achieve increased frequency with longer hours of operation.

While this application is just the start of a long relationship between the residents of Portland and the Roux Institute, it is an incredibly important first step. Roux's commitment to populating their campus with housing, a grocery store, shops, restaurants, and open space, all while preserving the old and remaining the site with a commitment to sustainable design principles demonstrate their sincere commitment to integrating this campus seamlessly into our urban fabric. We thank you for your time and commitment to all Portlanders, and we ask for your expeditious approval of these three orders to facilitate the Roux Institute's permanent home right here in Portland.

Respectfully,

Quincy Hentzel, President & CEO



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Jason Judd <jason@educatemaine.org>

Thu, Feb 2, 2023 at 1:00 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor and Councilors,

As Executive Director of Educate Maine, an education nonprofit located in Portland, I am writing to voice my support for the proposed plans for the Roux Institute campus at the B&M factory in Portland. We have the pleasure of partnering with the Roux Institute on a variety of education and economic development projects. The development of the new Roux Institute campus will allow more Maine people to connect with educational pathways leading to high wage job opportunities to grow our state's economy.

Educate Maine is focused on championing career readiness initiatives to make sure Maine people have the education credentials to thrive in job opportunities in a variety of sectors. As the future of work changes both in Maine and across the globe, the Roux Institute is helping to prepare learners to meet the needs of our economy. As one of the leaders of the MaineSpark coalition focused on increasing education attainment for adults to 60% by 2025, the Roux Institute's new campus will help expand opportunities for students and workers across Maine and help Maine meet its state attainment goal. The expansion of the Roux Campus will allow our organization to better collaborate on meaningful partnerships between K-12 schools, employers, and faculty and staff at the Roux Institute. For example, in the summer of 2022, Educate Maine hosted two weeklong Girls Who Code camps and a Future Innovators camp at the current Roux Institute campus serving dozens of students from across Maine. With the expansion of the campus, more student opportunities like this will be available to connect young people with careers in technology and the life sciences.

The Roux Institute has already greatly impacted Maine students in a short time. Through the \$67 million Alford Scholars Initiative grant to the Roux Institute, the institution has embraced diversity, equity, and inclusion and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world. I have seen first-hand the tremendous impact this investment has had on students, and I encourage you to connect with current students to learn about their experiences.

Our excitement about the Roux Institute's new campus is only increased by their pledge to keep the campus open to all with plenty of open spaces for individuals and groups to gather to focus on education, innovation, and economic development. The waterfront location and inclusion of housing will not only welcome people from across Maine, but it will also attract visitors from across the globe. The campus will help Portland grow as an education and economic development hub. We are thrilled to see the growth of the Roux Institute and believe investment in the new campus will have significant benefits for our state for years to come.

I am more than happy to connect to individual members to talk more about the comments that we have offered in support of the new Roux Institute campus. I can be reached by phone at (207) 458-7824 or by email at Jason@educatemaine.org.

Sincerely,
Jason L. Judd
Executive Director

Jason Judd, Ed.D. | He, him, his

Educate Maine | Executive Director

482 Congress Street, Suite 303 | Portland, ME 04101

Jason@educatemaine.org | 207-458-7824 (cell)

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Twitter](#) | [Instagram](#)

EDUCATE MAINE



Educate Maine is a proud member of **MaineSpark | 60% by 2025**

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Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23. Roux Institute

1 message

Cheryl Juniewicz <juniewicz@westbrookschoools.org>
To: council@portlandmaine.gov, publiccomment@portlandmaine.gov
Cc: Cheri Juniewicz <cj@maine.rr.com>

Wed, Feb 1, 2023 at 6:46 AM

To: City Council Members
Ref:Order 125-22/23; Order 126-22/23; Order 127-22/23

From: Cheri Juniewicz

publiccomment@portlandmaine.gov38 Bismark Street
Portland Maine 04103

Dear City Council Members

Respectfully I request that you support the development of the Roux Institute at the former bean factory site in East Deering. Having lived in East Deering since 1991 there have been many long awaited changes in the area that have vastly improved the quality of life for the residents. I feel that Roux Institute choosing the B & M site to locate their campus is a huge opportunity to bring more positive change and a dynamic demographic into our midst. The prospect of something that will provide diverse type of growth for this area and the surrounding neighborhoods makes me optimistic about the future of Portland. I happily welcome Roux, Please no more condos and brew pubs. (I love the brew pubs, but enough.)

Maine being the oldest state in the union needs to entice young forward thinkers into our state and to provide opportunities for our own youth to stay. Roux has plans to engage this population.

The area surrounding the site has LONG been ignored and is crying out to be connected to Back Cove and East End. The sidewalk situation and traffic at the intersection of Veranda , Bates, and Washington Ave. is already abysmal, (just look at the sidewalk in front of Howie's that's over grown, it dead ends and is caving in under the overpass). The opportunity for reconfiguring and restructuring the area to be safer traffic-wise, and more pedestrian and bike friendly has been being discussed for years. Roux has plans to meet some of these community needs. Myself, friends and family who live in the area are thrilled about the water access and the connection under the bridge to back cove that Roux has decided to provide. We have been asking for this for at least 15 years. It's almost a blessing that this area has been ignored by the city for so long as there is only now room for improvement

The plans for Roux locate is a brave one on their part and I encouraged you all to support their efforts. It's much appreciated that the Roux development team has reached out several times to the community for feedback and adjusted the plans.

This is not only a wonderful way to move East Deering forward but also a good addition for the city of Portland as a whole. Please, please support the redevelopment of this long neglected section of the city by casting your vote in favor of Roux. It would be incredibly disappointing if you neglect to support this opportunity.

Thank You, Cheri Juniewicz



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'Seric Kapp' via Public Comment <publiccomment@portlandmaine.gov>

Tue, Jan 31, 2023 at 4:30

Reply-To: Seric Kapp <kapp.seric@yahoo.com>

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

Dear Mayor and City Councilors

I want to take the time right in the beginning to thank you for taking a minute to read this email. I am what locals call a "transplant," Originally from PA area, but moved to this area from Boston 4 years ago with my now wife, who grew up in Liberty, Maine.

One of the many things we moved to Portland area for was the ability to walk everywhere you want to go or bike. These are activities we enjoyed all the time when we lived in Boston right next to Northeastern's Boston campus. This is an advantage to having a university that has been dedicated to providing a seamless campus/city connection. Roux campus would help grow access to the water front for everyone not just students. Future generations will be able to walk through this campus and see the history and beauty all in one place.

I know from utilizing the Payson park, traffic is always a concern in this area. Traffic in any area can cause issues at any given time. Adjusting and adopting to new development, education and growth will help this area grow with it. These issues are not something to be slowing this project down but to only speeding up the improvements to the city's public transportation system. I have faith in the Roux's attention to detail that they will be looking to partner with the city and not work against their future home.

The heart of this city comes from the hard work of the founders of this state. Today, we get the privilege to improve the once bustling factories into a place of education and community. This project will help grow the city but also protect the beauty of the history and waterfront of this city.

Roux Project is a value add in the eyes of many and brings along many new adventures and ideas to this great city. Do You See It??

Thanks Again!

Seric

Seric Kappe. [Kapp.Seric@yahoo.com](mailto:kapp.seric@yahoo.com)**Seric Kapp**e. [Kapp.Seric@yahoo.com](mailto:kapp.seric@yahoo.com)

c. 717.813.6595



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Noah Kerrigan <noahkerrigan@gmail.com>

Tue, Jan 31, 2023 at 11:41 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor and City Councilors,

My name is Noah Kerrigan. I live in Portland with my wife Tynette and our 4 year old daughter Harper. I'm writing to you to support the Roux Institute project on the site of the former B&M property.

We moved from California to Maine in Fall of 2015 looking for a better quality of life. We found it. We love the city, the culture, the nearby beaches, Acadia National Park, and the beautiful mountains, lakes, and rivers all over.

We support the Roux Institute project because we believe it will spur more stories like ours by bringing young professionals from all over the country to Southern Maine. These individuals will fall in love with the area and further vitalize the businesses, communities, and nearby cities. Additionally, the project is an opportunity to breathe life into a formerly thriving factory on a prized piece of property. Finally, the project will allow the community to experience the natural and architectural landscape of the site.

Thank you for your time.

Sincerely,

Noah H Kerrigan
Portland Elementary School Teacher



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Campus

1 message

kyle knodt <knodt.k@gmail.com>

Mon, Jan 30, 2023 at 9:36 PM

To: publiccomment@portlandmaine.gov

January 31, 2023

To: Mayor Snyder and Honorable members of the City Council:
Re: Order 125-22/23; Order 126-22/23; Order 127-22/23.

I am writing to express my support for the proposed Roux Campus on the old B&M property. As an employee of one of the first Roux Institute partner companies and the wife of a Northeastern University graduate, I fully appreciate what the Roux Institute and Northeastern will do for Portland. With nine campuses in three countries, Northeastern appreciates the importance of adding value to the communities in which it operates.

As a Portland resident I am excited about the new Roux Campus. I live off the peninsula, so the prospect of a water shuttle and the promise of new public open space and linked trails is just what Portland needs. In fact, one of my oldest friends runs a water taxi which I have used many times, but for me, it requires going all the way down to Commercial Street. A taxi/shuttle connecting the new Roux Campus to downtown Portland and even South Portland would relieve traffic, reduce carbon and be a huge new asset in Portland.

Adding housing to the campus and a few small retail places like a neighborhood grocery and restaurant will help make the campus more vibrant and reduce travel to downtown Portland. It will also be a nice feature for the neighborhood which will foster engagement with the community. I know traffic is a concern, but as someone who grew up in downtown Freeport, I can say that increased traffic is an inconvenience worth tolerating in exchange for the increase in prosperity for the community as a whole. Plus a lot more people walk, bike and bus to work in Portland than Freeport, so I believe the traffic will be mitigated and/or managed.

I have complete confidence that Northeastern will do right by Portland, and that the Roux Institute, in its future home, will be a source of pride for all of us in Portland. With a clean slate upon which to build a sustainable campus for high tech innovation, the possibilities are endless.

Thank you for considering my views.

Sincerely,

Kyle Knodt
51 Prospect Street
[Portland, Maine](#)



Dena Libner <dlibner@portlandmaine.gov>

RE: Order125-22/23, Order 126-22/23, Order127-22/23

1 message

'Mspicks' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 9:13 AM

Reply-To: Mspicks <mspicks@aol.com>

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

LETTER TO PORTLAND CITY COUNCIL

I am writing in support of the Roux Institute request for rezoning in the East Deering neighborhood.

I moved to Portland over 25 years ago and lived the first 20 years on Watson Street in East Deering so i am very familiar with the traffic pattern and the entire neighborhood.

I do believe the traffic situation is being addressed in a timely manner. The growth of educational opportunities and jobs is very much needed in Portland. Roux Institute is being transparent in sharing their plans for the East Deering neighborhood and has been flexible in adjusting to the needs and concerns of the neighborhood.

It is a much needed upgrade and will allow everyone to enjoy the waterfront area which is not the case presently.

Fortunately I still live in the East Deering neighborhood and look forward to the progress of this project.

Thank You.

Priscilla LaVallee



Dena Libner <dlibner@portlandmaine.gov>

Rezoning for the Roux Campus

1 message

Nick Littlefield <littlefield.n@gmail.com>

Tue, Jan 31, 2023 at 6:10 PM

To: publiccomment@portlandmaine.gov

To: Honorable Mayor Snyder and members of the City Council:
Re: Rezoning for the Roux Campus: Order 125-22/23; Order 126-22/23; Order 127-22/23.

I have followed this project since the beginning of 2020 and the kickoff at Ocean Gateway. I am a Northeastern University graduate, born and raised in Brunswick, Maine. I've enjoyed a 15-year career in tech, focused on data and analytics since graduating from Northeastern, and so I'm both highly interested in and supportive of plans for the Roux Institute to make a permanent home here in Portland. On the topic of transportation, and specifically alternative modes, I wanted to share some personal experience for your consideration. Before the pandemic, I commuted to my job at Covetrus downtown either by bike or on foot. Now, I work remotely for a different company based, commuting from my bedroom to my desk – a much shorter commute – and I think my experience speaks to an emerging trend: increasingly, cars (for those who even own them) stay parked for days at a time, while work or school is accessed either online or through alternative modes – my truck hasn't moved in weeks.

If showers are available at the new facility, and I would expect that to be part of any campus development plans, I think you'd be surprised by how many choose to jog or bike to work and bus or bike back. Speaking from my own prior experience working in Freeport at LL Bean, I would frequently commute by bike and use the locker room showers to freshen up for the day, and many of my former colleagues did the same. I suspect Portland's new bike share program will only help to further normalize this mode of transport for commuters. With appropriate infrastructure improvements, biking could be a year-round commuting option for students, faculty, and staff.

Lastly, I'd like to commend the selection of Northeastern for the Roux institute. Northeastern understands the value of coop and practical workplace experience like no other institution. Being able to work while pursuing an advanced degree makes this program so accessible to aspiring Maine students. Northeastern is innovative, flexible, and collaborative, and will make a wonderful addition to Maine's academic and entrepreneurial landscape. The Roux Institute is going to elevate the aspirations of Maine kids and create so much opportunity for a better future for them, and as a new father, this could not be more important to me. Thank you for your consideration, and your time.

Nick Littlefield
Prospect Street
Portland, ME

--

Nick Littlefield
littlefield.n@gmail.com
(617) 877-5172



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute

1 message

Sarah Maloney <sarahmaloney01@gmail.com>

Tue, Jan 31, 2023 at 3:20 PM

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, publiccomment@portlandmaine.gov

Sarah Maloney, LCSW
55 Highland Street
Portland, Maine 04103-3042
207-233-0014
sarahmaloney01@gmail.com

February 1, 2023

To Mayor Snyder and Honorable Members of the City Council,
Regarding Order 125-22/23; Order 126-22/23; Order 127-22/23:

I am writing to you as a long-time resident of Portland to express my interest in the rezoning for the Roux campus at the old Burnham and Morrill site. Although Portland has a great reputation as a wonderful place to vacation and visit, I am thrilled about the opportunity the Roux Institute offers to make Portland a better place to earn a living wage and foster a strong local economy.

The Roux Institute is the best thing to happen to Portland in a generation, maybe a century. Just as it will transform a tired manufacturing site, it offers to replace diminishing traditional industry jobs with high tech jobs of the future. The education and training opportunities are world class, and a multi-purpose campus will employ people at all levels. This is also personal for me; I work at Falmouth High School and know how much young people crave the ability to stay and study and work in our great city. I also have two post college age children who would greatly benefit from all the Roux Institute has to offer.

I can't imagine a better spot for this purpose than the former Burnham & Morrill site. First, it's in Portland – I'm sure any other city in America would have jumped at this opportunity. Second, it's surrounded by water or infrastructure and buffered from neighborhoods. Third, the proposed urban development is in a city, where it belongs. Tall buildings belong in cities and make much better use of land than sprawling low-rise buildings. Fourth, it perfectly complements Portland's waterfront trail system. Imagine walking or biking from the proposed Portland Harbor Common, along the eastern Promenade trail, over Tukey's Bridge and then under it along the trail into the Roux Campus and all along the periphery, then north to Martin's Point Bridge or south along Back Cove. I am grateful for the public access built into the proposal and look forward to taking advantage of this amazing new resource.

The Institutional Overlay Zone is the right approach for this Roux Institute campus and a long-term plan with built-in public input is right for this location. I hope you will put your seal of approval on the rezoning so the project can move forward without delay.

Sincerely,
Sarah Maloney

--

Sarah Maloney
207-233-0014



Janet T. Mills
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

January 18, 2023

Portland City Council
City Hall, 389 Congress St
Portland, ME 04101

Councilors:

I am writing to express support for the rezoning of the former B&M factory property to a mixed-use zone and for adding the Roux Institute as an eligible organization for Portland's Institutional Overlay Zone, specifically in reference to orders 125-22/23, 126-22/23, and 127-22/23.

While I rarely provide input on municipal matters, the Roux Institute project has far-reaching impacts for the entire state and is perhaps the largest investment in Maine's innovation economy in a generation. The Roux Institute's Portland campus will expand quality education for graduate students, attract business investment, boost research and development and provide an anchor for life and computer sciences in Maine, complementing the excellent graduate and undergraduate programs in the University of Maine System.

Redeveloping the former B&M property to reach the full potential of this new institution is in concert with this administration's priorities. As expressed in our Economic Development Strategy, talent and innovation are the drivers of increased prosperity in Maine in the years to come. The Roux Institute's campus furthers those ideals, while emphasizing environmental needs through sustainable structures and public open spaces.

Thank you for your consideration of this important project.

Sincerely,

Janet T. Mills
Governor



PRINTED ON RECYCLED PAPER



Dena Libner <dlibner@portlandmaine.gov>

Re City Council orders 125-20-23, 126 and 127

1 message

'Peter Monro' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 1:03 PM

Reply-To: Peter Monro <jpmonro@me.com>

To: council@portlandmaine.gov, publiccomment@portlandmaine.gov

Hello Victoria Pelletier and other councilors,

I am writing in full support of the Roux/IDEALS application for amending Article 8 of the Land Use Code, adopting a new IOZ on the B&M parcel, and changing the underlying zoning to B5.

I am a 35-year resident of downtown Portland. I am also a retired landscape architect and urban planner who has consistently advocated here for downtown density, mixed-use development to minimize driving, open space and trails to promote walking and cycling, and against undue building heights.

In my view, the mixed use campus and publicly accessible open space as envisioned by Roux/IDEALS is prohibitively the best use of the B&M site for its location and the future of the city of Portland.

I agree with the Planning Board, whose review through four workshops was thorough, that the regulatory framework being sought for this long-term development provides "an appropriate pro-active tool to ensure a consistent, predictable, and clear growth management."

I'm convinced that the community outreach has likewise been thorough and agree that the opportunities for future reviews is "clear and transparent for years to come."

I also believe that Roux having chosen our small city to plant a technology generator on the same scale that Mayor Bloomberg did in immense New York City is implausibly good fortune. That action in Manhattan a decade ago has already generated 80 startups drawing more than \$150 million in capital.

Please provide consistent, unstinting support to this unprecedented local effort.

Sincerely,

Peter Monro, [32 May St. 04102](#)

LEADERSHIP TEAM

Michael E. Dubyak
Co-Chair, FocusMaine
Former President, CEO, & Chairman
WEX, Inc.

Andrea Cianchette Maker
Co-Chair, FocusMaine
Former Partner
Pierce Atwood

Michael Bourque
President & CEO
MEMIC

Jay Dearborn
President, Corporate Payments
WEX, Inc.

Dr. John Fitzsimmons
President Emeritus
Maine Community College System

Charles E. Hewett, PhD
Executive Director
Institute for Engineering and Life
Sciences (IDEALS)

Chip Kelley
Maine Market President
KeyBank

Ed McKersie
Founder & President
ProSearch, Inc.

Dana O'Brien
President
FocusMaine

ADVISORY TEAM LEADS

Academic

Joan Ferrini-Mundy
Team Chair
President
University of Maine
UMS Vice Chancellor for
Research and Innovation

Business

Dana Connors
Team Chair
President
Maine State Chamber of Commerce

CONTACT

128 State Street #101
Augusta, ME 04330
(207) 200-3813

info@focusmaine.org

FocusMaine.org

October 7, 2022

City of Portland
389 Congress Street
Portland, ME 04101

RE: Support for Roux Institute Campus Plans in Portland

Dear Mayor, Councilors, and Planning Board Members,

I enthusiastically support the proposed plans for the Roux Institute campus at the former B&M factory in Portland. This project is an exciting illustration of the Roux Institute's investment in Maine people, in science that is essential to confronting climate change and improving health and quality of life, and in the long-term economic success of our state. We must collectively embrace this investment and advance the project to its full success.

FocusMaine is an important partner of the Roux Institute. Part of our organizational charge is to accelerate the growth of Maine's life science economy. We approach our work collaboratively, marshaling the best scientific, economic, and industry assets in the state to enrich strategies and ultimately deliver wins for the people of Maine – in the form of new jobs, businesses, and market opportunities.

We are motivated by the early progress of the Roux Institute, and the good work underway within the University of Maine System, at our valued community colleges and other higher education institutions, within Maine's top-notch scientific institutions, and in private industry. The opportunity to capitalize on this progress and grow a durable Maine life science ecosystem is now.

Accelerating life science innovation in the Portland region and throughout the state will position Maine as an emerging biotechnology and data science hub. Maine can lead the way in unlocking the solutions to society's most pressing challenges. Biotechnology is the key to confronting climate change, curing diseases, and enhancing nutrition – all issues that you and the people of Portland carry front of mind.

With Maine's proximity to the Boston-Cambridge biotechnology epicenter, we can capture the overflow of infrastructure and jobs reverberating out of Massachusetts. This means more on-ramps for people in Maine to be a part of this transformational industry and more connections across the region to strengthen innovation and economic opportunity. We hope the city will fully embrace biotechnology

companies wishing to build facilities in or relocate to Portland. We understand several companies are considering Maine and would appreciate staying in contact with you on those matters.

We welcome a conversation with you about FocusMaine's support for the Roux Institute's project and our work to accelerate the growth of Maine's highest potential industries.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Dana O'Brien', with a stylized, looping flourish.

Dana O'Brien
President, FocusMaine



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23 "Roux Institute"

1 message

Jaime Parker <jaime@trails.org>

Wed, Feb 1, 2023 at 4:54 PM

To: publiccomment@portlandmaine.gov

Mayor Snyder and Honorable Councilors,

I am writing to express Portland Trails' support for efforts to improve and expand multi-modal transportation options in the vicinity of the proposed Roux Institute. While the requests before you do not propose any specific transportation system improvements, the public comments, policy discussions and recommendations from the Planning Board clearly point to the need for a strong focus on transportation moving forward. We trust that the zone change and the creation of an Institutional Overlay Zone will provide a solid footing for an analysis and implementation of systematic upgrades to the bicycle, pedestrian, and multi-modal network.

We see a tremendous need for safety and livability improvements in the area. The current multi-use trail over Tukey's Bridge is at capacity and severely deficient as a transportation facility, as one example. We also see a huge opportunity in a major project like the Roux Institute to truly invest in game-changing infrastructure, including direct northbound access from Washington Avenue over Tukey's Bridge for people walking or biking from the peninsula, stronger connections to the Veranda Street neighborhood and northbound to Martin's Point, links to transit, along with safety and quality of life improvements to the existing auto-centric road network in the immediate vicinity of the site.

Portland Trails staff have been in discussion with representatives from IDEALS and Roux since they reached out to us upon purchase of the site. We have taken site walks and presented our ideas and recommendations for projects that would help meet their appropriately ambitious goals for getting as many people as possible to and from the site using modes of transportation other than the single occupant vehicle. We applaud their acknowledgement of the need for a far more balanced modal split and the planning that has happened to date, and we await more specific design features and financial commitments, which we know are forthcoming.

Portland Trails looks forward to working closely with the project team, neighbors, and local and state officials as the site plan process moves forward. Any support the Council can provide for a comprehensive transportation planning process including real investments in infrastructure along the Washington Avenue corridor would be most welcome.

Respectfully,
Jaime Parker

Jaime Parker
Trails and Placemaking
Portland Trails
jaime@trails.org
329.6180

Non Sibi, Sed Omnibus



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Development

1 message

'Payne, Tony M' via Public Comment <publiccomment@portlandmaine.gov>

Mon, Jan 30, 2023 at 12:14 PM

Reply-To: "Payne, Tony M" <TPayne@memic.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Members of the Council: I'm writing to share my support for the Roux's exciting investment in Portland's future in a **signature location** for the city. Here are the points why this site is wonderfully appropriate:

1. The **East Deering location is a major city gateway** for both Maine people and for out-of-state visitors to see the dynamic contribution that higher education and research will make in our economy. Its visible presence will spur similar activity in terms of jobs, business development in the region and future technology **investments**.
2. You need only look to Bigelow Lab and Jackson Lab as campuses that create and **sustain good jobs without degrading quality of life** and, in fact, increasing property values and community pride.
3. Northeastern, once a low threshold college for admission, today has made strategic investments to make it **one of the premiere universities in the nation**. Again, housed at Portland's most visible gateway, it will signal we are a learning and investment hub.
4. Finally, the mix of housing and academic facilities with public access will make the site a more accessible neighborhood for local residents, students and faculty.

I've lived half my life in Portland having delivered papers in the morning while smelling the sweet aroma of B&M Baked Beans (and so much better than the odor from the S.D. Warren's old pulp mill). I built a business in Bayside over ten years' time and have actively participated in the city's renaissance. I also served for more than a decade and chaired the **USM Board of Visitors** and have seen first-hand the impact higher education makes in the community. In addition, I chair the **Advocacy Committee for the Portland Regional Chamber**. All that's to say that Portland's a very special place that has arrived **on the national stage because years of good decisions**, meaningful investments and quality of life have made it so.

In my view, this is precisely the kind of institutional neighbor that will benefit us all. I hope you will approve the plan and continue Portland's reputation as one of the best and most exciting cities in America. Thank you.

Tony Payne

10 Lupine Court

Yarmouth, ME

(207) 807-5331



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Maine New Hampshire Vermont

John M. Leavitt

Business Manager-Clean Energy Development

Portland City Council
389 Congress St
Portland, Maine 04101

February 2, 2023

Kate Snyder, Mayor

Pious Ali, At-Large

April Fournier, At-Large

Roberto Rodriguez, At-Large

Anna Trevorrow, District 1

Victoria Pelletier, District 2

Regina Phillips, District 3

Andrew Zarro, District 4

Mark Dion, District 5

Roux Campus:

Oder 125-22/23

Order126-22/23

Order 127-22/23

Mayor Snyder and City Councilors,

I appreciate the work you and other City Departments have performed to define this project to the point we are at today. As the City of Portland develops it is exiting and encouraging to find like minded owners, developers, and contractors to partner on such an impressive project.

The due diligence from the city, owner and tenants should be the new process for all new developments in Portland. After the loss of B&M Beans which provided many good jobs and much needed tax revenue, The Roux Center has offered an amazing solution to update the property make it structurally sound and develop the land in a long-term hub of smart growth.

This project provides new construction jobs through responsible employers that will lead to long term careers for educators and professionals offering many opportunities for the people in southern maine for years to come.

We support this project and look forward to assisting this type of growth in the city whenever appropriate.

Sincerely,
John M Leavitt



Dena Libner <dlibner@portlandmaine.gov>

RE: Orders 125-22/23, 126-22/23 and 127-22/23 and the Roux Institute.

1 message

Willy Ritch/Salt Public Affairs <willy@saltpublicaffairs.com>

Mon, Jan 30, 2023 at 11:11 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov, Pious Ali <pali@portlandmaine.gov>

Dear members of the Portland City Council:

Portland is changing. That much is certain.

Some of the changes are difficult as we work to make housing more affordable and maintain our city's economic and cultural diversity.

I believe that the Roux Institute and their plans for the redevelopment of the former B&M factory create an incredible opportunity for our city.

The mix-use plans for the Roux campus includes new housing that can help to relieve pressure on the rest of the city's rental market. It also includes a smart mix of commercial development that can reduce the flow of traffic into and out of the campus, helping to address traffic concerns.

My home and business are both in Portland. The Roux Institute's campus plans are the type of infill development that we need to continue growth in a sustainable way. The project will create a new – and critical – higher education opportunity for Maine students, and the commercial development will contribute to the city's tax base and overall economic strength.

Roux will draw new business and new people to Portland and help to make our city a high-tech hub in Northern New England.

I appreciate your careful attention to Orders 125-22/23, 126-22/23 and 127-22/23, and hope that you will approve them.

Thank you for your work for the city of Portland.

Sincerely,
Willy Ritch
Portland

Willy Ritch
willy@saltpublic.com
207-841-8400





February 1, 2023

To Members of the Portland City Council,

Let me begin by thanking you for your public service to this City and its people. I am writing on behalf of Maine Medical Center to express our strong support for the proposed plans for the Roux Institute campus at the former B&M factory. The investment the Roux Institute wishes to make in the City of Portland is an exciting development that has the potential to strengthen Portland's economy and positively impact our City in the decades to come. The campus will enable the Roux Institute's growth while revitalizing an important and historic part of the city waterfront.

As a large employer, we are in a challenging time in which we should work collaboratively to promote and develop our state's workforce and attract new residents to Maine. At Maine Medical Center, we have already benefitted in numerous ways from the Roux Institute's presence in our community. For example, the MaineHealth Innovation Center has developed a strong relationship with the Roux Institute. Through our partnership, MaineHealth and the Roux Institute aim to align learning and research initiatives through talent development, healthcare innovation, and use-inspired research in the critical fields of computer and information sciences, artificial intelligence and advanced life sciences. The MaineHealth Innovation Center provides unique services and programs in collaboration with the Roux Institute and other Maine partners to create a diversity of ideas and expertise to get the right people in the right room together at the right time to develop innovative solutions to health care challenges. These relationships foster a culture of creativity, curiosity, and courageousness to help MaineHealth solve unmet care needs to achieve our vision of creating the healthiest communities in America.

The Institutional Overlay Zone, which Maine Medical Center (MMC) pioneered with the City of Portland in 2017, is an approach to the proposed Roux Campus which is a perfect fit. The IOZ establishes a framework which sets expectations for all parties while allowing for flexibility within the regulations. At MMC, this flexibility has been essential. The needs for hospital care at MMC have evolved rapidly since 2017 due to COVID-19 and the rapidly growing need for intensive care services. The flexibility granted by the IOZ enabled MMC to meet those needs, and we believe it would allow future Roux operations to succeed in a manner benefiting the community, as well.

IDEALS, the non-profit developer of the Roux Campus, has demonstrated its commitment to transparency and compromise, reducing the size of the campus significantly and working with neighbors to minimize resident impacts. MaineHealth has had ongoing discussions with the Roux Institute regarding our experience with community engagement through the NAC. We have every intention of continuing to work together in helping to advise in order to make their process successful and maximize the impact of the great work that they are putting in with the community. Lastly, housing, which is in extremely short-supply in Portland, is an important feature of the Roux Campus. Enabling students, faculty, and employees to live on campus is critical to creating a cohesive community where innovation can thrive.

Thank you for your time and the work you do on behalf of this City.

Jeffrey D. Sanders
President, Maine Medical Center



Dena Libner <dlibner@portlandmaine.gov>

Roux campus redevelopment project and orders 125-22/23, 126-22/23 and 127-22/231 message

'Rosa Scarcelli' via Public Comment <publiccomment@portlandmaine.gov>

Thu, Jan 26, 2023 at 9:46 AM

Reply-To: Rosa Scarcelli <rscarcelli@stanfordmanagement.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Portland City Council

[389 Congress St.](#)[Portland, ME 04101](#)

Dear members of the Portland City Council:

I live and work in Portland. We have an amazing community that's a wonderful place to live, work and raise a family. I think that we are all called to do our part to make our communities stronger, healthier and more diverse.

I'm writing today because I believe that the Roux Institute plan to redevelopment the former B&M baked bean factory is the kind of project that will help our city to grow in the right way with an emphasis on innovation and education.

In my work, I know well the importance of smart zoning policy and the value of historic preservation. The Roux Institute project protects a historic building, while allowing for the potential of the larger parcel of land to realized.

Approving orders 125-22/23, 126-22/23 and 127-22/23 will help move this project to the next stages of consideration.

With any new project, there will be challenges. In particular, the impact of increased traffic on surrounding neighborhoods should not be ignored. Through the work of the planning board and the developers of the Roux campus, both working with stakeholders, there appears to be a reasonable mitigation plan in place. The development is smaller than originally proposed, and new traffic control strategies have been agreed to, including an emphasis on public transportation. That's hard, important work, and I'm glad that it has occurred.

The creation of the Roux Institute campus will reshape a former industrial site into a hub of innovation and education, attracting some of the best and brightest from around the world for work in artificial intelligence, life sciences and medicine.

The Roux Institute will be a beacon to students, including Maine students, who want to study these in-demand fields but currently have to leave home to find opportunities. I'm excited about this project and proud the David Roux and his team have picked Portland as the host community. They have engaged the community, made compromises and have demonstrated that they will be good partners for the city and the state.

The work to build and approve projects like Roux is complex and hinges on finding the right balance of sometimes competing priorities. I believe that with the Roux Institute that balance has been found and that the project's zoning request is worthy of approval.

Thank you for your public service and work on this important issue.

Rosa Scarcelli

Bowdoin Street, Portland



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Rosa Scarcelli

Owner & CEO

Phone: 207-772-3399 ext. 206

Email: rscarcelli@stanfordmanagement.com

PO BOX 3879

Portland, ME 04104

StanfordManagement.com



Dena Libner <dlibner@portlandmaine.gov>

Public Comment Order 125-22/23

1 message

'Carol Schiller' via City Manager <citymanager@portlandmaine.gov>

Wed, Jan 25, 2023 at 10:05 AM

Reply-To: schiller.carol@yahoo.com

To: publiccomment@portlandmaine.gov

Cc: Kate Snyder <ksnyder@portlandmaine.gov>, Danielle West <citymanager@portlandmaine.gov>, Sheba Brown <Sbrown@portlandmaine.gov>, Carol Schiller <schiller.carol@yahoo.com>

To: publiccomment@portlandmaine.gov

Re: Order 125-22/23; Order 126-22/23; Order 127-22/23

Hello, my name is Carol Schiller and for the past 34 years I've resided at [7 Longfellow Street](#) in Portland, ME. I support the development plans for the Roux Campus of the Roux Institute and encourage the Planning Board to approve the zone changes for the Institutional Overlay Zone, making it possible for Roux and the City to plan for the long-term, use the site most efficiently and for the greatest benefit of Portland.

I urge you to go forward and support this ground- breaking gift to our city and to Maine. The Roux vision is one that will surpass our lifetimes, I support this development knowing the neighborhood will not only survive but thrive with what the Roux Institute will bring. I speak from experience as a close neighbor of the University of Southern Maine Portland Campus and President of the University Neighborhood Organization. Change is a constant at USM, but as neighbors, we have chosen to embrace it and work with USM to make the area better for all.

The long-term planning built into the IOZ process is a major advantage for East Deering, and the site plan approvals required for each phase of the development ensure the public will have plenty of input.

Portland has great potential to bring together high tech, biomedical, and other future business development that will create substantial job opportunities and a sustainable, vibrant regional economy.

Wouldn't it be a magnificent vision for Portland to be an educational epicenter combined with other leading learning institutions like UNE Medical Complex , Maine College of Art, USM, MMC Tufts Medical School , etc. Embracing the gift of the Roux Institute and facilitating its success will be regarded decades from now as a wise and historical decision. It

deserves expeditious approval so the site planning process can get started.

Carol Schiller
Portland, Maine



Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Support, Orders 125 - 22/23, 126 - 22/23, 127 - 22/23

1 message

Kai Smith <kaismith55@gmail.com>

Wed, Feb 1, 2023 at 10:32 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Members of the City Council,

I write to share my enthusiastic support of the Roux Institute Campus and the proposed development of the former B+M Baked Beans site. While my favorite part of that B+M building will always be the Christmas tree on the top, the proposal for it to become a small business incubator drives my support of the campus and this letter.

As the co-founder of two small businesses in Portland, [Buoy Local](#) and [Maine Coasters and Bio-Boards](#), I have navigated the (sometimes) lonely road of entrepreneurship. Taking an idea and bringing it to market requires significant resolve and adaptability, but a truly successful start-up requires community. A community to nurture the idea, to access the capital, to unlock the right network, to help you pivot if necessary and, most importantly, to inspire you to keep going.

The Roux Institute Campus has the potential to become the permanent hub of entrepreneurship for the entire state of Maine. From the plans I have seen, this top-tier campus will drive innovation, cultivate small businesses, attract talent, provide excellent educational opportunities -- all while serving as a multiplier for increased economic growth. Portland should welcome this campus and begin recognizing the tremendous impact it is sure to have on our next generation of entrepreneurs.

Thank you for your consideration of this matter and for your service to the City of Portland.

Kai Smith

Falmouth, Maine



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute and Order 125-22/23, Order 126-22/23, Order 127-22/23

1 message

Lucas St.Clair <lucasstclair12@gmail.com>

Thu, Jan 26, 2023 at 8:49 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

To the members of the Portland City Council:

I'm writing today in support of the development of the Roux Institute campus at the site of the former B&M factory in Portland. I believe that this project will not only benefit Portland and its residents but will also be an asset to all of Maine.

As the founder of the Portland Parks Conservancy, I'm particularly impressed with the project team's efforts at public engagement and their commitment to creating and protecting public open spaces. The Roux team held a joint meeting with the Conservancy to brief our members on the project and to seek input. It's my understanding that they have had many similar meetings with other community organizations, neighborhood groups and interested individuals.

In addition to their commitment to open spaces, the Roux team has also demonstrated their willingness to work with the community to mitigate concerns, including their decision to significantly reduce the size of the campus and to work on ways to reduce traffic impacts.

The inclusion of housing – both short and long-term – commercial space and the Roux Institute itself is a good example of the kind of in-fill development that should be encouraged as a way to reduce sprawl and to encourage alternative transportation methods that don't rely on cars.

I also believe that the mixed-use redevelopment of a former industrial site is forward thinking and demonstrates the way communities can adapt over time. For example, the building where my office is located was once a single-family home on Congress Street. Today, it houses two for-profit businesses, a nonprofit and an apartment. Similarly, it once made sense to locate an industrial facility along the water in Portland, but smart redevelopment recognizes that changing times demand a change of use. The combination of a nonprofit, education hub along with incubator space, commercial opportunities and housing will create a new economic engine for Portland.

It's my hope that the members of city council will approve Order 125-22/23, Order 126-22/23 and Order 127-22/23 and move this project forward.

Thank you for your time and consideration.

Sincerely,

Lucas St. Clair
Founder, Portland Parks Conservancy
And President of Ellitsville Foundation
Portland

February 1, 2023

Mayor Snyder and Members of the City Council:

RE: Order 125-22/23; Order 126-22/23; Order 127-22/23

I am writing full support of the proposed zoning changes outlined in Order 125-22/23; Order 126-22/23; Order 127-22/23. I urge everyone to move this project forward without delay. I am a lifelong resident of Portland and I support the entirety of this project from two perspectives:

The first, as an historic preservation advocate who spent 10 years on a local historic preservation board, I support the historic preservation/adaptive reuse and public reactivation of this site. The applicants have been very forward thinking in reutilizing the existing historic buildings on-site that are feasible for redevelopment and incorporating that into a new dynamic project sufficient for today's development needs. The new structures would pair well with the historic structure and create an intriguing and inviting public area with a variety of uses on-site that will diversify those that use and access the site for a more energetic and active project. This project will honor the past and create the future landmarks for Portland.

The second, as a Partner and Designated Broker at The Boulos Company (commercial real estate firm) I support this project from an economic opportunity perspective and what this project will do to increase Portland's visibility as a start-up and tech friendly environment for new businesses and to retain the businesses that were started and grown in Portland. This will increase the young, entrepreneurial labor force in Portland making it more attractive for new companies and existing companies to prosper in Portland.

This industrial site has been closed off to the neighborhood and public for decades and this project will breathe new life into this area of Portland. It will bring the community into the site and allowing every citizen and visitor with access to additional trails, waterfront, and retail/food uses. With no zone change then the alternative is another industrial user that would be noisy, smelly, and uninviting.

The development team met numerous times with concerned neighbors, community leaders, decision makers, community partners, and have taken their comments into consideration through significant compromise. More than most developers that I have seen over the past 20 years. If we continue to use traffic and vehicles as a reason why a City shouldn't grow then there's more to the problem than one development and this particular team is being creative and thoughtful on their approach to easing traffic. I have seen many developers bring projects to the planning board and City Council for consideration and the usual pushback from neighbors involves a perceived increase in traffic problems which is typically blown out of proportion. At the end of the day, many of these projects moved forward and traffic wasn't and isn't an issue due to the developers working with the City to best manage an increase in visitors to a location. This project will be no different, especially given this developer and their determination to get this right.

This is major opportunity for the City of Portland to work with a seasoned, reputable, experienced, and well-intentioned development team that will continue working closely with the city and neighborhoods with an end use that will positively impact our City for generations. From my experience, we are lucky to have this development team, end user Roux Institute, and opportunity for consideration.

Thank you,

Nate Stevens
80 Best Street
Portland, ME

February 1, 2023

Mayor Snyder and Members of the City Council:

Founded in 1964, Greater Portland Landmarks is a non-profit advocacy organization that works toward the preservation and revitalization of greater Portland's built environment. Our goal is to save greater Portland's historic places through preservation and adaptive reuse while promoting creative new architecture that enhances historic neighborhoods. We appreciate the opportunity to comment on projects that impact the historic character of the city.

We are writing to encourage the City Council to grant IDEALS's application to amend the existing Institutional Overlay Zone (IOZ) regulations to permit The Roux Institute at Northeastern University to pursue an IOZ as an identified major City institution, change the underlying zoning of the site from I-M to B-5, and adopt a new IOZ for this property. Our reasons for supporting this application are twofold.

First, IDEALS has demonstrated a commitment to preserving important historic resources of this site. IDEALS itself initiated an application to have the signature cannery building and the landscape in its foreground designated a local landmark. The city's Historic Preservation Board approved of this application and submitted it to the City Council, who officially designated it in October 2022. The commitment on behalf of IDEALS demonstrates how they hope to integrate such an iconic piece of the city's historic fabric and a highly visual landmark into their plans for the future of the site. While it is regretful the landmark designation could not extend to the equally historic codfish building over the pier because of its severe structural issues and need for demolition, IDEALS nevertheless is choosing an approach to open space, natural, and historic resources that enhances the site and pays homage to Portland's industrial past while acting as a catalyst for the city's future potential.

Second, IDEALS has been very forthcoming with its plans and transparent in public forums. As a result, IDEALS has modified its plans to account for concerns from a variety of constituents—neighbors, city officials, local stakeholders—so that the site can benefit more than just the Roux Institute at Northeastern when it is complete. This includes efforts to make the site accessible to the public, activating waterfront space that is presently detached from the rest of the city. Relatedly, IDEALS has indicated a commitment to extensively documenting the codfish building and the other ancillary structures on site through photography and scanning, creating a record of what stood there, and to install public art that evokes the former codfish building. Other examples include the concept of a restaurant in the old cannery building that will be public and evoke the history of the site as well as other interpretative components of B&M's history. IDEALS has also engaged Landmarks about ways to document the history of the overall East Deering neighborhood so that the story they tell integrates into the larger community, rather than sets the campus apart.

Like the other current IOZ beneficiaries, the Roux Institute will be major non-profit entity in Portland that works toward its own goals but also benefits the city at large. Given the scale and complexity of their development plan and the fact that they are a non-profit, we feel that an IOZ designation is appropriate in this case. We hope you will approve this application. Thank you for the opportunity to comment.

Sincerely,



C. Ian Stevenson, PhD
Director of Advocacy



Dena Libner <dlibner@portlandmaine.gov>

Orders 125-22/23, 126-22/23 & 127-22/23

1 message

Jordi St. John <jordi9909@gmail.com>

Sun, Jan 22, 2023 at 10:08 PM

To: publiccomment@portlandmaine.gov

Hello City Council,

My name is Jordi St. John, I live on Johansen Street and work for the Maine Island Trail Association, whose office is above the Maine Yacht Center. I am writing in support of Roux's new proposed campus.

It is exciting to me that the Roux Campus will be a dynamic combination of academic and research endeavors applied to real-world settings with start-up companies and small manufacturing applications, all on a campus where housing, lodging, dining and retail essentials create a contained platform for creativity and innovation.

I like that the campus is modeled on similar campuses around the country, this concentration of essential assets amplifies engagement among students, entrepreneurs, visitors and professors, and seems essential to the success of the Roux Institute. From what I can tell the campus is being designed for the Roux Institute community and the community of Portland. Rather than develop a limited campus used only by those learning and working there, the campus will welcome all comers, with waterfront access, public open space, and complementary offerings, which is attractive to us neighbors and other Portland residents.

The old B&M lot is perfect for the campus being on a peninsula in the city, buffered by a highway on two sides and a marina, the site is well-suited to a high-density, architecturally distinctive development.

The non-profit developer of the Roux Campus has been a model of transparency and compromise, reducing the size of the campus by almost 500,000 square feet with attendant traffic reductions, lowering building heights and changing the design to minimize impacts to neighbors.

The Roux Campus will bring together learning, research, collaboration, and entrepreneurialism to shape cutting edge opportunities for Maine people and position the Maine economy as a 21st century global leader. People from all over Maine and around the globe will innovate to strengthen existing Maine businesses and institutions and spawn new ones.

I personally am thrilled that the campus will be energy efficient, climate resilient, sustainable, and environmentally friendly. Also, alternative forms of transportation are in use to access the Roux Institute in its current space, and much more is in the works for the new campus.

Thank you for your time.

Sincerely,
Jordi St. John



Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Support, Orders 125 - 22/23, 126 - 22/23, 127 - 22/23

1 message

Sean Sullivan <seanmainer@gmail.com>

Tue, Jan 31, 2023 at 8:51 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Members of the City Council,

I write to share my strong support of the Roux Institute Campus and the proposed development of the former B&M Baked Beans site. As a current student of the Roux in the Computer Science – Align program, set to earn my masters in computer science I'm confident that a new, professional campus will only drive further success and increase enrollment.

Last year, I made a major, life-changing decision when I decided to go back to school. I had a comfortable job that I enjoyed and a young family, but the opportunities that the Roux Institute offered were so compelling, I decided to jump in and haven't looked back.

What the Roux is trying to accomplish for the entire state of Maine was a key part of my decision to pursue my masters. I've never before seen such a well-organized effort to positively impact the state's economy than what the Roux has laid out. I urge you to support this vision for our state and community.

A new, multi-use campus makes perfect sense. Why would we only allow classrooms on the site, forcing students and all visitors to hop in a car to go to the grocery store, a restaurant, gym, or hotel? Far from trying to cram a giant campus into the Old Port, they've chosen a convenient corner of the biggest city in Maine that allows minimal impacts from traffic, parking, noise, or any other concerns. Look what has happened to East Bayside - an industrial corner has become a vibrant multicultural hub. Mixed-use development is smart development and should be encouraged. Transforming a former bean factory into a hub of innovation would be a unique success story and I urge you to make it a reality.

Thank you for your consideration of this matter and for your service to the City of Portland.

Sincerely,

Sean M. Sullivan
South Portland, Maine



Dena Libner <dlibner@portlandmaine.gov>

Email Regarding Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nedicus Maximus <nedswain1st@gmail.com>

Tue, Jan 31, 2023 at 10:38 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Hi! I live over in the neighborhood between Presumpscot and Ocean Ave and I'm really excited about the Roux Institute redevelopment of the old B&M baked beans factory. I think it's great that it will be put to good use after being abandoned for so long. I'm also glad it won't fall into the water and turn into a burden on taxpayers! Here's a letter I wrote in support of the project.

Ned Swain

As a long time Portlander and resident of North Deering I've been following the Roux institute's plans to redevelop the old B&M Baked Beans facility. Since moving to Portland in 2002 I've often wondered what would happen to the building. It was clear the building was slowly decaying and with the coming sea level rise I thought it might end up being abandoned and become an environmental and safety hazard. It certainly didn't seem like a great use of waterfront property in Portland. I was excited to hear that the Roux Institute had purchased the site; it seemed like a best case scenario. I think it's great that the property is going to be used by an institution of higher education focused on cutting edge disciplines that are what Maine needs to keep our economy strong and diverse. There's also the benefit to me personally that it will help revitalize that area and most likely increase property values. I understand that some residents are worried about increased traffic and a change to the view there. Traffic is a valid concern but with two highway access points right there and the already high traffic capacity of Washington Avenue it shouldn't be too hard to address that issue. As to the changing view: it is a change but I'll be happy to see a newer building that I know is full of people working and learning instead of an underutilized piece of Portland's past.

Portland's failure to add housing over the past 20 years has caused a housing shortage that has driven longtime residents out and made it difficult for young people to relocate here. For a long time Portland has benefitted from being a cultural capital of northern New England and drawn in young people from the surrounding region. Those young people staffed our local service economy and went on to start their own businesses. That influx of young people is one of the bedrock reasons the city has been so dynamic and economically successful. The housing shortage and accompanying high housing costs erode this dynamic and threaten the city's long term health. Therefore the inclusion of apartments and dorms on the Roux campus is a big benefit to the city and helps with a problem the city has been unable to address.

I'm excited to have the Roux Institute here in Portland contributing to and expanding our diverse community. Their redevelopment plans specifically help the city by bringing new high paying jobs, creating housing, and taking care of an old industrial building that could have become a burdensome environmental and safety hazard to the city. I feel lucky that the Institute decided to come here instead of Lewiston or Biddeford. I hope the city will balance the concerns of a minority of residents against the major benefits this project brings to the whole city. Portland should work with the Roux Institute to help them be as successful as possible.

--

Ned Swain
[Devenish Wines](#)
[Local Muscle](#)

*My candle burns at both ends;
 It will not last the night;
 But ah, my foes, and oh, my friends—
 It gives a lovely light!*



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23 - Roux Institute

1 message

Mike Tremblay <mtremblay@gpmetro.org>

Thu, Feb 2, 2023 at 9:53 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Greetings, Portland City Council,

I'm writing to inform you on the progress that Greater Portland METRO has made with IDEALS on serving the Roux Institute site at the former B&M site with transit service.

Over the better part of 2022, METRO has been meeting with representatives of the Roux Institute, including Sam Reiche from IDEALS and Jenn Conley from VHB, who is coordinating their transportation plan. METRO has also participated in multiagency transportation planning meetings including MaineDOT and City of Portland staff. The Roux team has shown immense interest in accommodating METRO on their new campus site.

At METRO, we see ourselves as a potential partner to the Roux Institute and a significant part of the transportation solution for this site. METRO is eager to continue working with the Roux team to determine a workable outcome for providing the site with frequent and reliable public transit.

As you are aware, METRO is not a City agency; we are a transit district comprising of Portland and five other municipalities, governed by a Board of Directors on which four Portland representatives (including two City Councilors) sit. While we are always eager to work with our member municipalities and development teams to determine how we can best serve a new location, this is not always immediately possible within our budgetary means. As any public agency with a constrained budget, we must take care to approach growth in a careful, calculated manner that is sustainable in both the short- and long-term. For this reason, any new service providing access to the Roux site must be accompanied by new funding.

METRO has presented IDEALS with cost estimates for extending our Route 5 service into the Roux site, terminating at the heart of the campus, as well as deviating our Route 7 service, with increased frequency, into the site (likely serving an exterior parking area rather than the heart of the campus). IDEALS is evaluating these options now. We are optimistic that we will arrive at an outcome that benefits the Roux Institute, Greater Portland METRO, the City of Portland, and the greater Portland region as a whole.

In addition to evaluating options for service to the site, METRO and Northeastern University are setting up a pass program that would allow for students and faculty to board any bus in the METRO, South Portland, and Biddeford Saco Old Orchard Beach network at no charge. This would be a significant incentive to use transit instead of driving. Pass programs have been very successful where they are already in place for Portland Public School students, USM students and faculty, Maine Medical Center staff, and others.

Finally, the Roux team has indicated a willingness to provide amenities to METRO passengers and bus operators should bus service be provided onsite. These amenities may include seating and shelters, real-time arrival information, restrooms for bus operators, etc. The details of these accommodations will be determined during the site plan process and as the plan to serve this site with bus service becomes clearer.

We are looking forward to further advancing our discussions with the Roux team in the coming weeks and months.

Please feel free to reach out to me if you have any questions. My email address is mtremblay@gpmetro.org.

Thank you,

Mike Tremblay, Director of Transit Development
Greater Portland METRO

--

Mike Tremblay, P.E. *(he, him, his)*

Director of Transit Development

Greater Portland Metro

114 Valley Street | Portland, ME 04102

Office: 207.517.3023 | Mobile: 508.451.0208

e-mail: mtremblay@gpmetro.org | website: www.gpmetro.org



image003.jpg
5K



Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Development

1 message

Liz Trice <liztrice@gmail.com>
To: publiccomment@portlandmaine.gov

Thu, Feb 2, 2023 at 12:57 PM

Mayor Snyder and Honorable Councilors,

I am writing to express support for a new Roux campus. I believe it will bring amazing educational and economic development opportunities to the whole state for generations to come. In order to make the campus a success, I encourage the city to encourage, assist with, and require transportation infrastructure that will ensure game-changing improvement to pedestrian, bike and bus infrastructure in the area. This will allow the density and integration with downtown and surrounding neighborhoods that will provide a net benefit to all, as well as make key connections through the region for the East Coast Greenway Trail.

Specifically, there needs to be excellent, easy year-round access from over Tukey's Bridge for people walking or biking to and from the peninsula, to both the campus, the Veranda Street neighborhood, back cove, and northbound to Martin's Point. There are many awkward and unsafe connections there, and this is a great opportunity to correct them. Providing transit service direct to the campus is also key.

Respectfully,

Liz Trice
Schedule a meeting with me [here](#).
 [LinkedIn profile](#)
207-776-0921

"Whatever you do, or dream you can, begin it. Boldness has genius and power and magic in it."

"Lo que usted puede hacer, o soñar que puedes, comenzar. La audacia tiene genio, poder y magia en ella."

- Johann Wolfgang von Goethe / William Hutchison Murray



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Project at B&M Property (Orders: 125-22/23, 126-22/23, 127-22/23)

1 message

'Gabe Wilson' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Jan 18, 2023 at 4:05 PM

Reply-To: Gabe Wilson <gwilson@wymans.com>

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

Dear Mayor and City Councilors,

My name is Gabe Wilson, a Portland young professional, landlord of condo on Deering St., and homeowner with my fiancé in the Lunts Corner neighborhood. I am writing you to share and explain my support of the Roux Institute project on the site of the former B&M property.

I moved to Portland over 4 years ago from Nashville, TN. Although Nashville is where I grew up, I have popped around many regions of the country (Los Angeles, Texas, Massachusetts and Vermont) until ultimately landing in Portland for a position at Wyman's (wild blueberries). I am thrilled to have landed in such a great city with immense culture, entertainment, and access to the great outdoors. I met my fiancé, a Mainer from Belfast area, right before the pandemic, and we've been tearing up the Portland Trails singletrack on bike and foot since. It's safe to say we will be in Portland area for quite some time now!

We support the Roux Institute project for numerous reasons.

1. We believe the project will spur more stories like mine by bringing **young talented professionals** from all over the country to Southern Maine. These individuals will fall in love with the area and further vitalize the businesses, communities, and nearby cities.
2. As a Food & Beverage manufacturing professional, I believe the project is an opportunity to breathe life into a formerly thriving food factory. Something that is **truly unique and historic** to the city of Portland and neighborhood.
3. As an employee and employer in a family-owned, Maine company over 100 years old, I believe this project will **positively impact** other Maine-based companies. The development will give companies like Wyman's more resources (STEC) to better our brand and business while partnering with other Maine industries and professionals, **keeping our network in-state and Maine proud**.
4. As a homeowner in the neighborhood, we believe this development will spur businesses, restaurants, and entertainment into this side of the peninsula. Something we look forward to tremendously to give us ample walkable options. We are excited for the **public green space** included in the design, which will allow Sunday strolls to the water much more enjoyable! Additionally, we are excited for additional **public transportation** like Metro or water taxi services to provide alternative travel means downtown or Old Port.
5. As an outdoor enthusiast and avid bicycle commuter I am excited for extensive **bicycle and pedestrian greenways** and infrastructure. Furthermore, I am thrilled that the developer IDEALS is collaborating with local organizations like PBPAC and Portland Trails.
6. As an eco-conscious individual, I look forward to the Roux Institute campus being a showcase for **sustainability** and **environmental resiliency** for Portland and the state of Maine.

I realize, like with any development, there will be an increased number of vehicles and people; however, I am confident the issues associated with traffic can and will be addressed during the Site Plan Review process. Additionally, I believe there is no better institute/business that will put every effort forward to streamline and incentivize carpooling and alternative commuting (bike share, etc.). We support this project, and hope that you are all and the local community see the opportunities and benefits as we do!

Thank you,

Gabe Wilson

Sr. Manager, Supplier & Product Development

+1 (903) 520-1837 | gwilson@wymans.com

Wyman's | Jasper Wyman & Son



Dena Libner <dlibner@portlandmaine.gov>

Opposition to the Roux Institute Development Proposals for the B&M site

1 message

Jenny Potter Scheu <jpscheu@gwi.net>

Mon, Jan 16, 2023 at 3:04 PM

To: publiccomment@portlandmaine.gov

re: Orders 126-22/23 and 127-22/23, January 18th City Council review of the proposed zoning changes for the Roux Institute

Greetings City Council Members,

I am writing in opposition to the proposed zoning changes for the Roux Institute development plan for the B&M site.

Access to and from this proposed site for the Roux Institute expansion is already very challenging at best. The proposed new development would bring many more people to that site, creating an even bigger access problem.

If the Roux Institute's mission is to bring technological innovation to Maine, it must be required to show Portland citizens that they will solve the site transportation challenges they are saddling our Portland community with.

The City of Portland must exact a commitment from the Institute that they will design and locate funding for innovative transportation and site access solutions, such as a light rail connection to the peninsula,

and an ample network of a pedestrian and alternative transportation routes, well before the site zoning is changed.

Planning 101 suggests that such a proposed dense development- a wall of tall buildings- should be at the high point of land and adjacent to areas of dense development, and not be a wall at the edge.

As proposed, the Roux Institute expansion at the B&M factory site would be a new wall between an established low density residential neighborhood and Casco Bay.

Instead of being dazzled by the flash of the Roux Institute's proposals and financing, the City should be working harder to support two important existing Portland institutions of higher learning, USM and MECA&D.

These two institutions have both been working successfully and steadily for decades to make our community's reputation for innovation, inclusivity and creativity stronger and widely known.

It is not too late for Portland insist that the Roux Institute be expanded adjacent to, collaborate with and strengthen these important existing institutions, working in tandem to enhance the uniqueness of our City.

Thanks to each of you for your work on our behalf.

Sincerely,
Jenny Scheu

Work: Redhouse Architects + Studio
[61 Pleasant Street, Portland ME 04101](#)

Home: [29 Waterville Street, #3, Portland ME 04101](#)



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Orders 125-22/23, 126-22/23 and 127-22/23

1 message

'Sarah Flink' via Public Comment <publiccomment@portlandmaine.gov>

Fri, Feb 3, 2023 at 7:23 PM

Reply-To: Sarah Flink <sarahflink@mac.com>

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

To the Portland City Council:

My name is Sarah Flink. I live in Portland and my business is based here. I'm writing today to support the zoning amendments proposed for the Roux Institute campus.

In my professional life, I do project management and coalition building, and I understand the imperative of listening to diverse stakeholders as part of the process to implement complex plans.

I believe that the Roux Institute has done a good job of listening to a broad range of stakeholders as they have developed their plans for the redevelopment of the B&M factory along Portland's waterfront.

They have talked extensively with neighbors, environmental groups, development experts, community leaders, city residents and other educational organizations in the Portland area and around the state. They have developed important partnerships that are already helping Portland students, are collaborating with other colleges and universities, and they are attracting new business and impressive scholars to the state.

There's no question that a development like this can create concerns, particularly for neighbors of the project. They are right to worry about traffic, and their neighborhood will change. Any meaningful project will always have some impacts on the surrounding area, but I believe the measures that Roux has taken will help to mitigate those concerns, and that the continued participation of the city and state will ensure that traffic doesn't overwhelm this area in the city. The benefits of this project to the entire Maine community are immense, and the Roux Institute has shown they are willing to be ongoing partners with the neighborhood and the city to address any impacts.

Thank you for considering my comment, and I hope that you will approve Orders 125-22/23, 126-22/23 and 127-22/23.

Thank you for your work for the city of Portland.

Sincerely,

Sarah Flink
Portland



Dena Libner <dlibner@portlandmaine.gov>

Public Comment: On Roux campus council agenda items: Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nathan Miller <nmlilleruw@msn.com>

Fri, Feb 3, 2023 at 7:55 PM

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

To the City of Portland Council Members,

I am a resident of the Oakdale neighborhood, 1 block away from the USM Portland Campus, so I've seen the benefits an institution can bring to a neighborhood. I would like to offer my support for the specific zoning requests made on behalf of the Roux Institute, being addressed in the February 6, 202 council meeting, but also more broadly for the city to embrace the transformational example this innovative and exciting project can provide.

As much as I love USM as a neighbor, decades of catering to and planning for an auto-centric campus has created a self-fulfilling prophecy of auto-dominance. The first thing that gets discussed regarding any new developments on campus is parking counts and traffic concerns rather than excitement over new opportunities and an enhanced university experience.

With the Roux Institute, we have chance to start from scratch and encourage a new kind of neighborhood. I love the idea of mixed-use development, and yes, for profit businesses mixed in with housing, education, and recreation. We know as a city that we NEED to mode shift away from single-occupant-vehicles towards active transportation and transit, but we won't ever experience that until we actually try a development that doesn't focus on the automobile. The Roux campus is an opportunity to make walking, biking, and transit the most attractive and low-friction methods of getting in and out of the area. Driving, of course, must be accommodated such as for those who cannot use other means of transportation, but it shouldn't be the path of least resistance or the "default".

As this project moves forward, the city, state, and private developers must focus on how the development connects to, enriches, and supplements the neighborhood, rather than on how can we most efficiently move cars in and out. Let's re-establish multiple paths and sidewalks that were cut off by the I-295 corridor. Let's feature beautiful and inviting transit stops in the prime-locations on campus. Let's allow people to live, work, and play in a dense and diverse setting with out having to take a trip anywhere.

Thank you for your consideration,
Nathan Miller
[79 Fessenden St](#)
Portland, ME



Dena Libner <dlibner@portlandmaine.gov>

Public Comment on Orders 125-22/23, 126-22/23, and 127-22/23

1 message

Curt Sachs <sachsarch@gmail.com>
To: publiccomment@portlandmaine.gov

Fri, Feb 3, 2023 at 3:34 PM

I fully support the Roux initiative. My only major concern is vehicular traffic. One lane in and one lane out is unacceptable. However, this project deserves the zoning approvals it is seeking. The value it brings in education, the economy of Portland, and contribution to a vibrant and growing cityscape warrant approvals. As a practicing licensed architect, I have found Roux to be innovative and sensitive in its design ethic. There are no significant deficits in their project.

M. Curt Sachs

Studio Curt Sachssachsarch@gmail.com

207.615.6628

Maine Licensed Architect

MEMORANDUM
City Council Agenda Item

FROM:

DATE: January 17, 2023

SUBJECT: Order 127-22/23 Amendment to the Zoning Map Re: Institutional Overlay Zone for Roux Institute - Sponsored by Portland Planning Board, Maggie Stanley, Chair

SPONSOR: Maggie Stanley, Chair, Portland Planning Board

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 1/18/2023

Final

Action 2/6/2023

Can action be taken at a later date: Yes If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: no

PRESENTATION: Maggie Stanley, Chair Planning Board; Christine Grimando, Director – Planning & Urban Development; Kevin Kraft, Deputy Director – Planning & Urban Development (5 minutes)

I. SUMMARY

Zoning Map Amendment to add the Roux Institute Institutional Overlay Zone (IOZ) over property at 1 Bean Pot Circle.

II. AGENDA DESCRIPTION

This is the second of two related Zoning Map changes related to Roux Institute.

On November 22, 2022, the Planning Board voted unanimously (6-0; Barker absent) to recommend to the City Council adoption of a zoning map amendment to include the Roux Institute Institutional Overlay Zone (IOZ) at 1 Bean Pot Circle. The proposed zoning map amendment was submitted by the Initiative for Digital Engineering and Life Sciences (IDEALS). This application, in conjunction with a zoning map amendment application to rezone 1 Bean Pot Circle and nearby parcels from I-M Industrial Moderate Impact and R-3 Residential to a B-5 Urban Commercial zone and a zoning text amendment application to amend Article 8 of the Land Use Code to add the Roux Institute at Northeastern University (Roux Institute) as an eligible institution, as well as a “Regulatory Framework,” that identifies the zoning requirements that apply within the proposed Roux Institutional Overlay at 1 Bean Pot Circle, 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 spaces 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.

This item must be read on two separate days. It received its first reading on January 18, 2023. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Roux Institute at Northeastern University and the Initiative for Digital Engineering and Life Sciences (IDEALS) seek zoning map and text amendments to implement the objectives of the Institutional Development Plan and the long-term vision of the Roux Institute at Northeastern University to redevelop 1 Bean Pot Circle as

a new mixed-use campus for The Roux Institute at Northeastern University. The proposed phased development over the next 20 to 30 years would spur economic and job growth by creating new campus facilities, incubator and office spaces for partner organizations, associated commercial uses including a hotel and ancillary retail and restaurant uses. In addition to the creation of residential housing units, and the creation of enhanced trails and bike connections and vibrant, publicly accessible open spaces and resilient waterfront.

The proposed map amendment would place a coterminous boundary for the IOZ with the property boundaries for 1 Bean Pot Circle. The Roux Institute at Northeastern University would become the second IOZ in the City of Portland. Within the IOZ boundaries, supplemental zoning regulations that have been informed by the long-range planning of the IOZ application would apply to any development submitted by The Roux Institute at Northeastern University at 1 Bean Pot Circle. Any modifications to the IOZ boundaries would require review by the City Council and any development at 1 Bean Pot Circle that does not include The Roux Institute at Northeastern University as an applicant, would be required to comply with the base zoning.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intent of the zoning map amendment is to facilitate development at 1 Bean Pot Circle including the relocation and expansion of The Roux Institute at Northeastern University from 100 Fore Street to the subject property, associated residential and commercial development, and establishing public access to the waterfront of the site through shared use pathways and construction of a new pier.

The IOZ process reflects a collaborative approach to zoning that allows for longer-term planning and community input that furthers the shared goal expressed in *Portland's Plan 2030* of planning for institutional growth by promoting the orderly expansion of institutional uses, such as educational, cultural, and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies.

Moreover, the comprehensive plan emphasizes ensuring that the growth of Portland's educational, medical, and cultural institutions is integrated into Portland's urban fabric through the use of high-quality design, management of impacts, community partnerships, and innovative planning. The site is also identified in *Portland's Plan 2030* as a priority area to be evaluated for future change and growth specified in the Future Land Use chapter, Priority Nodes & Corridors map).

The intended result of amending the city zoning map would further additional goals expressed in *Portland's Plan 2030* including, but not limited to:

- Supporting sustainable growth in our educational, medical, and cultural institutions;
- Creating economic prosperity by growing Portland's tax and employment base;
- Valuing innovation and creativity as cornerstones of the local economy and as central to Portland's uniqueness and diversity;
- Reinforcing the waterfront as a key component of Portland's economic health, balancing traditional and emerging industries with tourism and recreation;
- Investing in, attracting, and retaining human capital to support a growing economy;
- Investing in educational institutions and training as a means of attracting, developing, and retaining an educated workforce;
- Targeting areas for job growth by modifying ordinances and making strategic investments to better promote business development and job creation in priority areas;
- Planning for institutional growth
- Prepare our current and future residents to compete in an increasingly knowledge-based economy;

- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents;
- Pursue policies to enable people who work in Portland to have the option to live in Portland;
- Encourage quality, sustainable design in new housing development;
- Sustain and build our system of parks, trails, and open spaces to enhance our quality of life, protect our environment, and promote economic well-being;
- Strengthen connections between open spaces;
- Provide high-quality, well-designed, well-maintained, safe, and integrated parks, trails, public open spaces, and recreational opportunities accessible to all residents;
- Integrating resiliency by pursuing opportunities for optimizing green infrastructure and enhancing the existing stormwater management and flood storage functions of open space where appropriate and practical;
- Expand waterfront access for the public where possible and appropriate.

V. FINANCIAL IMPACT

The proposed code amendments will have no financial impact to the City.

VI. STAFF ANALYSIS AND BACKGROUND

A City Council Report is included as part of the City Council packet.

VII. RECOMMENDATION

At the public hearing on November 22, 2022, the Planning Board unanimously made a favorable recommendation to amend the zoning map to include an Institutional Overlay Zone at 1 Bean Pot Circle (Vote: 6-0)(Barker Absent).

Based on the application materials submitted to the Board and testimony from the Planning Board workshops and hearings for this application, the Planning Board has determined that the proposed action is consistent with the Comprehensive Plan for the City of Portland and recommend to the City Council adoption of the proposed zoning map amendment in connection with the proposed development of The Roux Institute at Northeastern University at 1 Bean Pot Circle.

VIII. LIST ATTACHMENTS

1. Amendment to Zoning Map Re Institutional Overlay Zone for Roux Institute 1.18.2023
2. Memo re Zoning Roux 020323
3. Public Comment Order 127 22.23

Prepared by:

Date: 01/17/2023

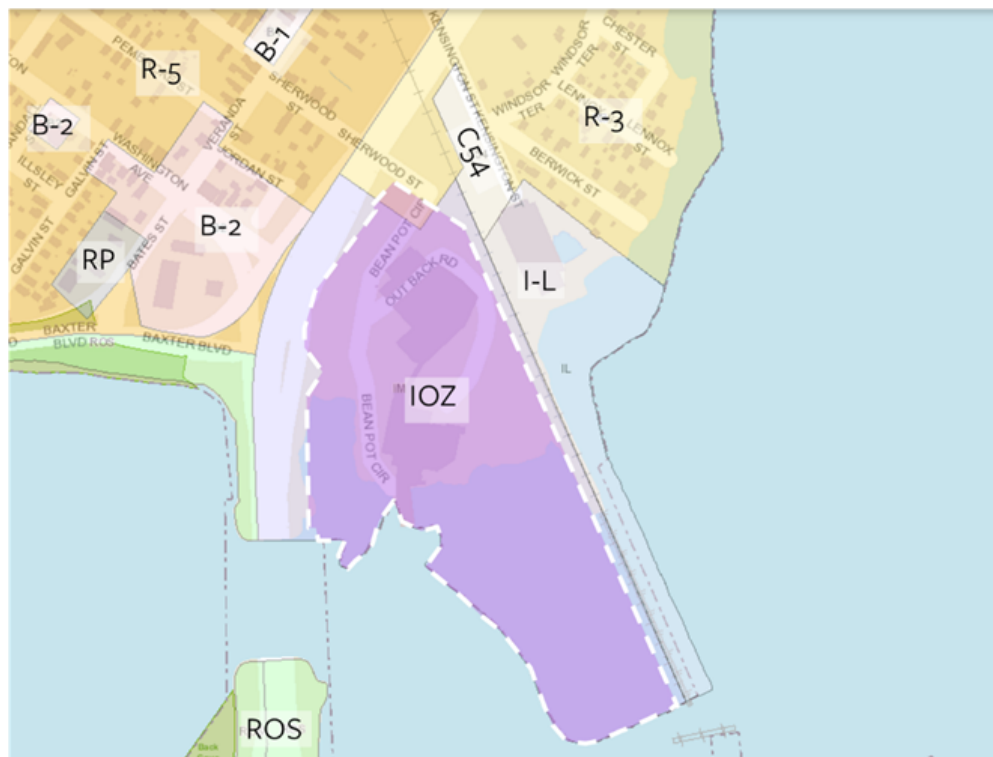
CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**AMENDMENT TO ZONING MAP
RE: INSTITUTIONAL OVERLAY ZONE FOR ROUX INSTITUTE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

That the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into Portland City Code Chapter 14, the Zoning Ordinance, by §1.2, be and hereby is amended pursuant to §1.10.1 by adopting the attached map amendment and specifically creating an Institutional Overlay Zone at the site of the Roux Institute at Northeastern University, as depicted in the map below.



Office of Corporation Counsel

Michael Goldman, *Acting Corporation Counsel*

Amy McNally, *Associate Corporation Counsel*

Nicole Albert, *Associate Corporation Counsel*

Rachel Millette, *Associate Corporation Counsel*



MEMORANDUM

To: Mayor Snyder and Members of the City Council

From: Michael Goldman, Acting Corporation Counsel

Date: February 3, 2023

Subject: Overview of Legal Framework for Zoning and Zoning Amendments

In anticipation of the City Council's consideration of Orders 125, 126, and 127, which propose changes to the City's zoning ordinance, this memorandum contains an overview of the legal framework that will govern the Council's action on these items. The framework outlined below is contained in State law and is, therefore, generally applicable to all zoning enactments. It is intended to serve as general guidance for the Council and as information for the public.

For guidance on the application of the legal framework to this particular proposal, please see the Planning Board's Report and Recommendation. Additionally, I am prepared to offer guidance to the Council on the application of this legal framework to Orders 125-127 should questions arise.

I. Overview of the Process of Zoning

Broadly speaking, the act of "zoning" land in Maine is done through the adoption of a "zoning ordinance." Under Maine law, a "zoning ordinance" is "a type of land use ordinance that divides a municipality into districts and that prescribes and reasonably applies different regulations in each district." 30-A M.R.S.A. § 4301(15-A). Common examples of district/zone-specific regulations include: use restrictions, setback requirements, lot size requirements, etc.

Additionally, because the City of Portland has created a Planning Board and authorized that Board to serve as its reviewing authority for matters relating to land use and development, in order for a zoning ordinance to be valid, it must first be developed by the Planning Board at a public hearing. After the Planning Board has worked to develop a zoning ordinance, it is presented to the Council for its consideration.

Ultimately, zoning ordinances must be adopted by the Council. When adopting or amending zoning ordinances, the Council is acting in its legislative capacity. Because of the legislative nature of zoning enactments, both the Planning Board (in making its recommendations) and the Council have relatively broad discretion when making their decisions. There are, however, some important requirements outlined in state statute to help guide the Board and the Council when undertaking zoning. Specifically, under state law, any municipal “zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body....” 30-A M.R.S. § 4352(2)(emphasis added).

II. The “Consistency” Standard

The Maine Law Court has interpreted the term *consistent* to mean that the proposed zoning regulation must be “in basic harmony with . . .” the City’s comprehensive plan. *Consistency* does not mean, however, that a project has to be the “best possible use” for a site/location. See *Vella v. Town of Camden*, 677 A.2d 1051, 1053 (Me. 1996) (citing *LaBonta, et al. v. City of Waterville*, 528 A.2d 1262, 1265); see also *City of Old Town v. Dimoulas*, 2002 ME 133, ¶ 20, 803 A.2d 1018, 1024.

Comprehensive Plans are understood to be “a compilation of policy directives and goals” for the development of the City. Among other things, the policies outlined in the City’s Comprehensive Plan address the City’s infrastructure, commercial/business development, transportation resources, industry, and commerce and residential housing. See <https://www.portlandmaine.gov/484/Portlands-Plan-2030>. Since these goals and policies can sometimes compete and/or conflict with one another, it is the Planning Board’s/City Council’s task to balance and accommodate the many goals and policies contained in the Plan in a way that advances the City’s overall best interests. See *Adelman v. Town of Baldwin et al.*, 2000 ME 91, ¶ 24, 750 A.2d 577, 585-586 (citations omitted); see also *LaBonta*, 528 A.2d at 1265.

The Law Court further clarified the consistency analysis in *Remmel v. City of Portland*, 2014 ME 114, ¶¶ 13-14, 102 A.3d 1168, 1172 and the Council’s

broad discretion to determine when a proposed rezoning is consistent with the Comprehensive Plan. According to the Court in *Remmel*, it is not necessary that a proposed zoning amendment comply strictly with every portion of the Plan. As the Court explained:

A zoning or rezoning action need not perfectly fulfill the goals of a comprehensive plan; it may be in basic harmony with the plan so long as it “strikes a reasonable balance among the municipality’s various zoning goals” or “overlap[s] considerably” with the plan.

Importantly, “a municipality may conclude that a rezoning action is consistent with the comprehensive plan when it is in harmony with some provisions of the plan, even if the action appears inconsistent with other provisions of the plan.” *Id.*

III. Decision Making

Again, whether to adopt zoning regulations is a legislative decision, the details of which are to be developed by the Planning Board and enacted by the City Council. Therefore, whenever a zoning proposal comes before the Council for its consideration, it will be important for the Council to:

1. carefully consider whether and how the proposed zoning satisfies the broad policy objective(s) contained in the Comprehensive Plan; and
2. in its deliberations, specifically outline the ways in which the proposal is or is not consistent with the Plan.

The recommendations provided by the Planning Board are intended to assist the Council in that effort by outlining in detail the Board’s assessment of “consistency” based on its in-depth and comprehensive experience with the Plan, land use development throughout the City, the City’s land use ordinances, etc. The Council is not, however, bound by the Planning Board’s recommendations or assessment and is free to make its own determination as to whether a particular zoning proposal is or is not consistent with the Comprehensive Plan.

In taking action on a proposal, the Council can:

- adopt the proposal (with or without minor amendments) as substantially presented (after concluding that it is consistent with the Comprehensive Plan);

- it can decline to adopt the proposal (after concluding that it is not consistent with the Comprehensive Plan); or
- if the Council determines that substantial amendments to the proposal are necessary and would bring it more in line with the Comprehensive Plan and the Council's objectives, it can request that the Planning Board develop those amendments and provide a revised recommendation on that amended proposal.

1/20/2023

Portland City Council,

I am writing in support of the Roux Institutes campus plan at the former site of the B&M factory. I have lived in and around the City of Portland for most of my life. For the past four years I have been living on Munjoy Hill and running a small oyster farm on Casco Bay. Building a business that is both deeply involved in the marine economy and the hospitality industry gives me a somewhat unique perspective on the growth of our beautiful city. It is readily apparent that in recent years the interest in our city as a place to live and work, as well as a tourist destination, is increasing exponentially. I believe that the Roux Institute's involvement in our city's expansion will play a critical role in ensuring that, as we grow, we grow responsibly, while being conscious of spatial, economic, and cultural concerns.

As a resident of the East End and a young person that works and recreates on Casco Bay daily, I'm energized by the potential for increased public access to our waterfront that will be offered with the development of the Roux Institute. While Commercial Street is a historic and beautiful part of our city and its culture, increasing the public's ability to work and play at the waterfront is key.

The site of the old B&M factory is also the ideal location for such a development. It doesn't impose on existing residential areas and, in fact, will ease pressure on an increasingly struggling housing market in Portland with the construction of residences for students, staff, and faculty. Redevelopment of this site also will provide new and attractive places for the public and tourists to recreate in an area that is readily accessible to, but not on the peninsula.

Lastly, I am perhaps most excited that the driving force behind this development is higher education. Maine has a rapidly evolving economy, and providing education and skills to meet the needs of our unique and expanding industries is crucial, and it is even more crucial that young Mainers don't need to leave the state to find it.

I urge the City Council to strongly consider the countless benefits the Roux Institute will have for the young people in Maine who are eager to live and work in Portland and do so with the tools to innovate and build on the backs of our state's core industries.

Best,
Cameron Barner
Portland Resident
Co-Owner, Love Point Oysters



Dena Libner <dlibner@portlandmaine.gov>

The Roux Institute is a generational opportunity, let's make it the best it can be

1 message

Zack Barowitz <zbarowitz@gmail.com>
To: publiccomment@portlandmaine.gov
Cc: City Council <council@portlandmaine.gov>

Tue, Jan 31, 2023 at 7:28 AM

Honorable Mayor and Councilors:

I am writing in support of the zoning application for the Roux Institute because the repurposing of the B&M facility into the Roux Institute campus is an extremely rare opportunity for any city, much less Portland which is restricted by its land mass abutting the shoreline. The educational, cultural, and economic potential can not be overstated. Yes it is true that the project isn't perfect, and there are some less than perfect aspects that will not be changed. But we owe it to future generations to make this project the best it can be, which is a transformative institution that can transition Portland into a model 21st century city. I see the project as very similar to Thompson's Point as both are repurposed industrial sites just outside of the city center. As with Thompson's Point, the RI would be a unique destination, in part for its walkability (as opposed to an office park like you might see off of 295 in Scarborough). One key element to success is to work with stakeholders and other community partners. The bicycle pedestrian committee has co-convened a working group with Roux to maximize the potential for multi-modal access to the site; and tools like Community Benefit Agreements can foster good will with neighbors while improving the project as a whole.

Please aim high on this project.

Cordially,

Zack Barowitz

--

207-838-6120

917-696-5649

ZacharyBarowitz.com



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Bates

Office of the President

September 12, 2022

Dear Mayor, Councilors, and Planning Board Members,

We write in support of the proposed plans for the Roux Institute campus at the former B&M factory in Portland, ME. Bates College has been working with the Roux Institute as an academic partner since Northeastern University opened the institute in Portland in the fall of 2020. To date, 23 Bates students have, as part of their Bates education, taken a masters level course at the Roux Institute through the [Align Program](#), which provides bridge courses for students from any undergraduate major for graduate-level coursework working toward a Master of Science in Data Science. We are currently working to build on and formalize this pathway for Bates students who are interested in Computer Science (CS). In addition to enhancing Bates' course offerings, our partnership with the Roux Institute presents expanded opportunities for Bates College graduates to remain in Maine to work or study post-graduation, as they already will have obtained credits towards an MS at the Roux.

Bates has also developed a collaborative sabbatical program for faculty with the Roux Institute with one Bates faculty member already having taken part. The type of research opportunities offered by sabbatical programs like the one we are developing can serve as potential recruitment/retention opportunities for both Bates and the Roux Institute as they provide integral support for creative research and teaching opportunities.

The goals of the Roux Institute align with those of [Bates College](#) and its [Digital and Computational Studies Program](#), including bringing "[cutting-edge technology capabilities here to Maine and northern New England](#)" and providing "[inclusive opportunities for underrepresented groups such as women, and first-generation college attendees to lead the future of this industry.](#)"

We are proud of our partnership with the Roux Institute and the opportunities it brings for Bates students and for Maine. We look forward to expanding our engagement with the Institute in the new and exciting campus facilities that are planned.

We urge you to support this next step in the evolution of the Roux Institute and the possibilities it continues to open up for educational and workforce collaborations.

Sincerely,



A. Clayton Spencer
President



Malcolm Hill
Vice President for Academic Affairs
and Dean of Faculty



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Emma Bond <emma.e.bond@gmail.com>

Mon, Jan 30, 2023 at 6:45 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Portland City Council,

I am a resident of East Deering and write in support of the proposed rezoning for the Roux Institute at 1 Bean Pot Circle.

I strongly support the proposed redevelopment of the B&M factory into a new campus for the Roux Institute. On every issue to arise during the rezoning process so far, the IDEALS team and Roux have shown cooperation, transparency, and leadership on the issues that matter most to the East Deering neighborhood. The Roux Institute provides an incredible opportunity for development and innovation for the City of Portland, the surrounding region, and the state of Maine. I feel excited and privileged that the Roux Institute is seeking to become part of my neighborhood, and I encourage the City Council to support its rezoning application.

I'd like to start my comments by comparing Roux's proposal with the sort of development we could expect at the B&M site had it not been purchased by IDEALS. This is a large property with waterfront access, a large industrial footprint, proximity to the highway, and a large parking lot. Without needing to rezone the property, another developer could have introduced a project that would significantly add to traffic and congestion in the area. And it is unlikely that another developer would be as welcoming as Roux when it comes to waterfront access and investment in active transportation in the neighborhood.

In contrast, Roux offers an opportunity that would invite the neighborhood and the City of Portland into its waterfront space, would help to connect East Deering with the peninsula, and would invest in active transportation connecting the East Deering neighborhood to the rest of Portland.

On the topic of traffic, it is undeniable that, as Portland grows, traffic will grow with it. The benefit of having a neighbor like the Roux Institute is that they are thinking strategically about these issues, and can help support more bus routes, enhanced active transportation options, and other connections. Plus, the proposed density of the Roux Institute would help the traffic issues. For example, including housing on the site would reduce the number of trips (including car trips) to and from the site. Plus, including housing and the option for small shops or restaurants on site would help to make East Deering as a whole more walkable-- which would benefit the whole neighborhood.

IDEALS' community engagement thus far has been exemplary. They have been open and transparent with me and others in my community—inviting discussion, welcoming site visits, answering questions, and simply listening to neighborhood concerns.

Most importantly from my perspective, the developers have made significant commitments to expand access to open public spaces and to improve public transit and bike and pedestrian access in my neighborhood.

East Deering is only one mile away from the peninsula, yet most people traveling downtown would find it easier to get into a car than to travel by bike, bus, or foot. That is not sustainable. The developers have demonstrated a willingness to push up their sleeves and get to work on transportation issues by communicating and planning with Greater Portland Metro, coordinating with the Maine Department of Transportation, and meeting with bike and trail advocates. This is the sort of planning that we need to integrate the East Deering neighborhood into a functioning public and active transportation network for the City of Portland.

Through its public engagement, innovative thinking, and openness to feedback, Roux has demonstrated that it will be a good partner in the community. I urge you to support their rezoning application.

Thank you for your consideration,

Emma Bond

63 Arcadia Street

Portland, Maine 04103



PORTLAND PUBLIC SCHOOLS

prepared & empowered

Sept. 12, 2022

Dear Mayor Snyder and members of the City Council and Planning Board,

I am writing on behalf of the Portland Public Schools to express the district's strong support for the proposal for The Roux Institute campus at the former B&M factory. The Roux Institute has already proven itself to be a valuable partner of our school district and that partnership will only be enhanced if this exciting development is approved.

Let me give you a few examples of how our partnership with The Roux Institute has already benefited our students and staff.

The Roux Institute has supported our STEM (science, technology, engineering and math) programming through teacher training on coding and computer science. Our computer science vertical team leaders collaborated with The Roux Institute computer science professors to plan and to present to teachers who are early adopters of computer science integration at the elementary level at their campus.

Girls Who Code and Educate Maine organized a middle-school and a high-school camp hosted at The Roux Institute, which brought PPS students who identify as female for coding activities. They also heard from 'women in technology' as guest speakers, took a field trip to nearby Wex and participated in sisterhood activities.

In addition, our high school science teachers would like to build capacity around data science. The Roux Institute could help do that by offering courses for teachers on data science. Experiences that students could attend that would allow them to work with data sets and data communication would also help to expand our students' engagement with data science. Having The Roux Institute in such close proximity would amplify our students' and teachers' access to these rich learning opportunities.

The Roux Institute also has committed to innovative ways to help Portland Adult Education students validate their home country credentials. Many of our new Mainer students have higher education degrees and have been successful professionals in their home countries. Validating their credentials will help them fulfill their potential as part of Maine's workforce.

We also have been able to tap students and graduates of The Roux Institute for key roles.

Roux has given us access to and subsidies for their co-op students in the Project Management and Professional Studies programs. The Roux Institute's co-op program is an experiential learning program that allows students to alternate semesters of academic study with periods of full-time work. We've had two project management co-op students and three analyst co-op students as interns and our current Data Manager was one of those interns. Additionally, The Roux Institute also has invited us to provide projects/problems for their graduate students to tackle through their Experiential Network (XN) courses, which will help us look at thorny problems in new ways. We will take advantage of that offer during the fall semester.

We foresee the Portland Public Schools being able to continue to benefit from those kinds of opportunities and much more if the Roux Campus is approved. Roux has said its campus will bring together learning, research, collaboration, and entrepreneurship to shape cutting-edge opportunities – and our staff, students and families stand to gain from all of that.

I'll also note that The Roux Institute's values dovetail with ours, as Maine's largest and most diverse school district. Because of the \$67 million Alfond Scholars Initiative grant to the Roux Institute, and with the commitment of Northeastern University's Office of Diversity, Equity and Inclusion, The Roux Institute celebrates diversity in all its forms and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world.

In short, The Roux Institute has become a key partner for the Portland Public Schools in helping us achieve our educational goals. We look forward to collaborating even more with them for many years to come and urge you to approve the Roux Campus proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'X. Botana', with a long horizontal line extending to the right.

Xavier Botana, Portland Public Schools Superintendent

botanx@portlandschools.org

207-874-8111 (office)

207-747-8004 (cell)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'Andrew Butcher' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 6:53 AM

Reply-To: Andrew Butcher <abutcher@maineconnectivity.org>

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor, Councilors, and Planning Board Members,

This letter is to express our appreciation and support for the Roux Institute's plans to create a Portland-based, world-class, center of excellence for Maine's innovation economy, including education, R&D, and entrepreneurship training and development. We are writing to encourage the City of Portland to move ahead promptly with this essential project given its great potential benefits for Portland and the entire State of Maine. We commend the City of Portland for attracting this new, remarkable asset to Portland.

We are very grateful to the Roux Institute for offering prompt, effective support to the new Maine Connectivity Authority (MCA), established in 2021, as we established our operations and look to leverage world class technical expertise to advance our mission of universal affordable broadband for everyone. With their generous and pragmatic approach, they quickly devised a plan to support MCA to locate its headquarters in the heart of the Roux Institute's Portland facility, working side by side with other innovation economy companies. MCA's new home in this remarkable Roux Institute innovation center has greatly facilitated MCA's work to carry out our essential mission for the State of Maine to assure Maine citizens have universal access to affordable high-speed broadband in Maine.

As part of our work, MCA observes the ferocious competition among the US States and foreign governments to build advanced technology economies. The Roux Institute will provide Portland and the State of Maine an opportunity to remain competitive and excel in that competition. The Roux Institute vision of a dedicated campus, combining education of students (with essential housing) with support for establishing, growing, and financing Maine businesses, is essential to realize this vision. We need to work together to support this innovative growth.

MCA understands that the Roux Institute needs the City of Portland's support for this extraordinary vision to be realized. We strongly encourage the City of Portland Council and the Planning Commission to work with the Roux Institute to establish this vital new center. We understand that the Roux Institute is working closely with neighbors at the former B&M manufacturing site, as well as the City of Portland to assure best design that accommodates public use as well as Roux Institute activities with all appropriate permits.

MCA is an enthusiastic supporter of this vision. We recognize that it does require reconfiguration and change. But our daily work emphasizes the need for careful planning and construction of new technology-based infrastructure to support the New Maine Economy, and the future prosperity of the State.

We hope to be a part of this future Portland center of excellence and please do not hesitate to contact me directly with any questions

Sincerely Yours,
Andrew Butcher

--

Andrew Butcher (he/him/his)
President - Maine Connectivity Authority
(207) 209.3868
maineconnectivity.org
[LinkedIn](#) | [Twitter](#)

February 1, 2023

Portland City Council
389 Congress Street
Portland, Maine 04101

Dear Mayor Snyder and Members of the Council:

I encourage you to adopt the language and mapping changes as recommended by the Planning Board to allow for the future development of the former B&M Baked Bean factory site. The Planning Board developed these recommendations with due consideration of public comments received and in close alignment with the City's principles and standards for site development. Likewise, the developers incorporated changes in their proposal to address suggestions and concerns raised in the preliminary review process by the public and the Planning Board.

The IDEAL plan for the B&M property presents the city with a rare opportunity to advance the redevelopment of an obsolete waterfront industrial site without displacing true working waterfront uses. Moreover, the plan offers a textbook example of enlightened urban redevelopment with dense, multi-use buildings, including housing, commercial space, and recreational and open spaces. And setting the basic planning considerations aside, the prospect of bringing a new, visionary institution of research and learning to this state has no precedent. It warrants a reciprocal commitment on the City's part, including at the very least, approval of these zoning recommendations to give the applicants the full benefit of a complete site review process.

As a former member of the City's Planning Board, I took part in reviewing scores of projects over nine years of service. In almost every instance, new development creates positive and negative impacts on surrounding properties. For example, this redevelopment will almost surely spur further infill development in the neighborhood and raise the value of commercial and residential properties nearby. Inevitably, some people will view these impacts negatively, but from the City's perspective, these should be counted as benefits. In a similar respect, some opponents of the project have raised concerns about increased traffic and congestion. They are likely right, because increases in traffic and intermittent street congestion would accompany virtually any successful re-use of this property. In this instance however, increased traffic is a good problem, because it signals success. The location of the site at the intersection of numerous arterial streets, biking and walking paths, and even a rail corridor promises a rich range of potential transportation solutions. As with any development proposal, IDEAL will need to address this issue properly in the site plan review process or the project will fail to gain approval.

In closing, I believe timely and positive action by the City Council will send an important message to IDEALS, to the Roux Institute, and to the larger community. It will confirm that we

welcome investment in our city. We welcome new institutions. We welcome new business. And we welcome new residents to Portland.

Thank you,

John H. Carroll

40 Wiley Avenue

Peaks Island, Maine 04108

Phil Caruso
15 Brown St Unit 401
Portland, ME 04101

31 January 2023

Portland City Council
City Hall
389 Congress Street
Portland, ME 04101

Dear Members of the City Council:

I am writing to express my support for the IDEALS expansion of the Roux Institute's campus in East Deering. The redevelopment plan is an exciting step toward fostering a new generation of entrepreneurship and innovation in Maine, opening new opportunities to students and professionals, and creating thousands of jobs for our community.

I live in downtown Portland and am a partner at a global management consulting firm. Much of my work involves advising executive teams of companies across the US on how and where to expand their businesses – I have recently seen a growing interest in where talent can be found with in-demand skills like advanced analytics and technology development. The future of work will allow businesses to hire workers here in Portland in ways that were not possible a few years ago.

Opportunities to invest in the future of Portland's economy like the Roux expansion only come along so often, and the right decisions by city leaders will speak volumes to potential employers looking around the country for new sources of talent. I strongly urge the council to support the expansion plan and make it clear that Portland is committed to being a leader in creating good, new jobs for its citizens in the years to come.

Please feel free to contact me if you have any questions. I look forward to seeing the results of the upcoming meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Phil Caruso', with a stylized flourish at the end.

Phil Caruso



Dena Libner <dlibner@portlandmaine.gov>

Support for Roux Institute Overlay Zone -- Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'James Cohen' via Public Comment <publiccomment@portlandmaine.gov>

Tue, Jan 31, 2023 at 4:42 PM

Reply-To: James Cohen <jcohen@verrill-law.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Mayor Snyder and Members of the Council:

I write to today to express strong support in my individual capacity for the Institutional Overlay Zone currently pending before the Council, which Zone was recently endorsed by the Portland Planning Board on a strong vote. Passage of this Zone is important to allowing the Roux Institute to establish a campus in Portland, which is critical for Portland's future. I sent a very similar set of comments to the Planning Board, and I wanted to make sure the City Council had the opportunity to hear my thoughts on this project and the rezoning.

Establishing this Zone is within the Council's discretion and obviously considers a range of high-level issues, from parking, to building height, to traffic, to public access, and to many other issues related to land use. Also of relevance is the benefit to the community of the proposed use. I will start there.

Having the Roux Institute in Portland is a rare opportunity. World class cities need world class institutions of higher education. Portland has UNE, MECA, and USM within its borders, and SMCC, St. Josephs, Bowdoin, and Bates in the region. The Roux Institute fills a niche in high-tech not otherwise met, and it fills this niche in part through an affiliation with Northeastern University, a national university based in Boston known for training and placing students in great jobs. Roux has been substantially capitalized through major grants from Maine-based philanthropists and is already succeeding. Roux also is building a national reputation – I can rarely turn on a national podcast without hearing their ads advertising Portland, Maine and cutting-edge high-tech education.

As the parent of two kids who went through the Portland Public Schools who both went to college out of state and found jobs out of state, I have first-hand experience in the relatively limited job and company pool in this area. Portland has a strong and growing economic base, yes. But for long-term, sustainable success, we need a pipeline of highly educated tech students to encourage businesses to locate and grow in this area. The more the high-tech sector becomes established in our region, the more likely it will be that our children to choose to locate in Portland in order to pursue the careers of their choice. Roux is already becoming part of that pipeline, and with a suitable campus in Portland, can grow to fully meet that mission.

Next, let's turn to the location itself. I have heard no one say that Roux is not a worthy endeavor, and for the reasons noted above, Roux is critical for Portland's future. If there are concerns, it relates to the proposed location and the potential impact on neighbors. That impact certainly exists, but it does not outweigh the benefits or warrant disapproval of the proposed Zone.

As it turns out, I grew up in the Payson Park area, and my mother (a former town planner) continues to live in the house where I grew up on Ocean Avenue. I currently live a few miles away in North Deering, and I regularly walk, bike, and drive past the proposed Veranda Street entrance to the campus. If there is traffic, I will be among the Portland residents directly impacted. And if there are new site amenities, it will benefit me directly. Here are my own observations about why this Zone can work, and why the Council should approve it:

- **Traffic** – I'll start with the hardest issue. As a former city councilor in District 5, I often said that the three most important issues in my district were traffic, traffic, and traffic. Without question, traffic is a big issue. But, I also frequently say that healthy cities are balanced cities, and as such, good planning requires balancing all of the aspects of the site and the proposed use. Here, there is no avoiding the fact that use of this site will add traffic. We have many other uses that generate traffic as well, including other local universities, businesses, government buildings, and retail centers. Yet, we would not trade those uses in order to reduce traffic. Traffic is a necessary consequence of land use, and as such, we need to accept a reasonable amount of traffic as part of growing our healthy city. From what I have read and reviewed, Roux has worked hard to mitigate traffic impacts by adjusting the size of the campus, the allowed uses, adding trails, and encouraging public transportation and bike access. Given how close the campus is to Inner Washington and downtown, I expect many students to walk and bike rather than drive, or they will take the bus, particularly given the cost of parking downtown. The separate site plan review process offers further opportunities for the Board and the Planning Department to institute controls to reduce the potential impact of traffic. The bottom line for this Zone is whether

we, as a community, are willing to absorb additional traffic in this Zone and outside the Zone as part of the overall project. On this, I would say the answer should be "yes."

- **Building Height** – Currently, this location is nearly invisible from the adjacent neighborhood. From Veranda Street, I can hardly tell there are structures there today. And I cannot see the water at all unless I am on Back Cove, and that view would not be impacted by new buildings on the proposed campus. If the campus is built, the buildings might be slightly visible from inland. But the impact on views from most locations will be limited, if at all. Additionally, Roux has further modified their proposed heights so that they are lower and staggered, which makes sense. I am also guided by my experience in the mid-2000s setting the building height limits for the Eastern Waterfront Zone. As part of that process, we looked at view corridors, balloons to get a sense of height, and vision drawings as part of setting building density and height limits. Some residents expressed concerns about building heights and view impacts. The end result is a relatively dense, new neighborhood with taller buildings. And it works, spectacularly. It can also work on the proposed Roux campus where the building heights and massing are far, far less.
- **Open space** – I have been a huge advocate for open space and pedestrian access over the past 30 years in Portland. I am a former president of Portland Trails, and I remain an advisory trustee. I grew up walking and running on the Boulevard. I continue to walk and run in the area. And in all of my years, the B&M campus has been off-limits, and inaccessible. It still is off limits. The Roux plan changes that and creates an amenity for the neighborhood and the City as a whole. Not only would the campus provide waterfront access for walkers, but it would also provide access for kayaks and paddleboards. This is not a small thing, and it is a major positive. To understand the value, it is worth a quick tour of recent Portland history. For many years, much of the Portland downtown and Eastern Prom was not directly accessible to the water, and it was not until the late 1990s that the Eastern Prom trail was built giving residents direct access to the waterfront – something that helped propel Portland's current success as a city. Likewise, it was not until the mid-1980s that a trail went all the way around Baxter Boulevard, and that important expansion in public access made a huge difference in the quality of life in Portland. So, to the extent Roux is looking to add more public access to the East Deering waterfront, we should view that as a tremendous positive.
- **Public transit** – I am also a huge advocate for public transit. I currently chair the board of the Northern New England Passenger Rail Authority, and I am a former trustee of the Greater Portland Transit District. As Portland grows, so has traffic. At the same time, our public transit offerings and services have grown. When I was growing up, there was the [Number 9 Veranda Street](#) bus that went along Ocean Avenue until it was discontinued in the 1980s. In recent years, bus service has grown in scope and frequency. That growth relies in part on housing density along arterials, and the Roux campus contributes to that density along the Washington Avenue corridor. So, not only will the Roux Campus benefit from accessible bus service, but the bus service itself will benefit from the Roux campus and more ridership. It is a virtuous cycle that will help expand bus frequency and expansion, for all of us.

As a final note, there is no question that change is hard. As a city councilor, I frequently dealt with the challenges of proposed developments in my district, and I listened intently to the input of constituents. This input often made projects better. As mayor in 2006, I helped move forward with an overlay zone for USM that helped establish the Abromson Center and new parking garage, developments that were concerning to neighbors who opposed the plan. That Zone passed on a narrow 5-4 vote of the City Council, but in hindsight, we can confidently state that approval of that zone was the right thing for Portland. Like the USM overlay zone, there are neighborhood impacts and community benefits that must be weighed. In this instance, that greater good lies with approving the overlay zone for the Roux campus.

For these reasons, I urge the Council to move forward with approval with the proposed zone as modified and approved by the Planning Board.

Thank you for your consideration and attention to this important matter for our City.

James I. Cohen

James I. Cohen

[62 Deepwood Dr.](#)

[Portland, Maine 04103](#)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nan Cumming <nan@portlandparksconservancy.org>
To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Mon, Jan 30, 2023 at 11:33 AM

Dear Mayor and Members of the City Council.

I am writing on behalf of the Portland Parks Conservancy regarding the Roux Institute campus at the former B&M factory, which I believe you will be discussing on February 6.

As a private nonprofit organization with a mission to support the City's public parks and recreational programs, we do not typically advocate for or against development projects in Portland. However, the Parks Conservancy Board of Trustees would like to express our support for the Roux Institute's plan to steward this unique property. Their intention to create at least 3 acres of new public green space, over 1,000 feet of waterfront access, and pedestrian and bicycle connections to the Back Cove and Eastern Promenade will greatly enhance livability in our city.

We look forward to working with the Roux Institute to find innovative ways to connect their campus to Portland's growing network of waterfront parks and public open spaces.

Yours sincerely,

Nan

Nan Cumming
Executive Director



[PortlandParksConservancy.org](https://portlandparksconservancy.org)
212 Canco Road, Suite A
Portland, Maine 04103
207 808-5455



OFFICE OF THE PRESIDENT
323 State Street, Augusta, ME 04330-7131
(207) 629-4000 | Fax (207) 629-4048 | mccs.me.edu

David Daigler
President

August 23, 2022

City Council and Planning Board Members
City of Portland
Care of Kate Snyder, Mayor
389 Congress St
Portland, ME 04101

RE: Roux Institute Proposed Plans

Dear Mayor, Councilors, and Planning Board Members,

I am writing to support the proposed plans for the Roux Institute campus at the former B&M factory in Portland. Higher education is undergoing tremendous transformation, and the Roux Institute presents exciting developments in the greater Portland area. The campus will enable its essential growth in the coming years and, I believe, will provide significant benefits to the region.

Because of the \$67 million Alfond Scholars Initiative grant to the Roux Institute and the commitment of Northeastern University's Office of Diversity, Equity, and Inclusion, the Roux Institute celebrates diversity in all of its forms and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world. The new campus will welcome all comers, with waterfront access, public open space, and complementary offerings attractive to neighbors and other Portland residents.

The Roux Campus will bring together learning, research, collaboration, and entrepreneurship to shape cutting-edge opportunities for Maine people and help shape our economy to compete globally.

Kind regards,

A handwritten signature in black ink, appearing to read "David Daigler", is written over a large, stylized, looping flourish.

David Daigler
President



Dena Libner <dlibner@portlandmaine.gov>

Roux Zoning changes

1 message

Talya Davis <talyardavis@gmail.com>

Mon, Jan 30, 2023 at 9:23 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Jan. 30, 2023

Portland City Council
[389 Congress St.](#)
Portland, ME 04101

To the Portland City Council:

Maine needs the educational opportunities that the Roux Institute can provide to students and to our community.

I grew up in Maine, but when it came time to pursue my doctorate in molecular microbiology there were no viable options in my home state. Instead, I went to Boston and received my Ph.D. from Tufts University.

After working in Boston as a researcher and a high school teacher, I was able to return to Maine. I live in Portland with my wife and our two children. The partnerships that Roux has created in our city's school will help thousands of students, and the next generation of graduate students and postdoctoral scholars will have an opportunity to seek education and job opportunities in Maine instead of moving out of state.

I think it's important for students to explore the world, but I also believe that they should have quality educational opportunities close to home. The Roux Institute can provide that.

For Roux to be successful and maximize its potential for Portland and all of Maine, it needs to be located on a campus with the infrastructure to support new businesses, student housing and the amenities that professionals expect in a modern university setting.

I believe that the Roux team has done a good job of stakeholder engagement and has strengthened their proposal for the redevelopment of the former B&M baked bean factory. They envision an open and inviting campus with public space, an emphasis on non-car transportation and an environmentally sustainable design.

It is my hope that you will approve the zoning changes sought by the Roux Institute and demonstrate Portland's commitment to this exciting opportunity.

Thank you.
Talya Davis
Portland



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Andrew Dickey <andrew.dickey@wexinc.com>

Tue, Jan 31, 2023 at 11:48 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor & City Councilors,

My name is Andrew Dickey and I live in Cape Elizabeth. I've worked at WEX for a few years and I'm a born and raised Mainer. Upon reading about the Roux Institute campus project, it felt like a no brainer to me for the Planning Board and City Council to approve. This campus is going to provide so many economic and social benefits for the community: open green space, bike paths, a push for more active transit, a public pier, co-working space, and most importantly new jobs and housing. Personally, I'm really excited about the option to potentially rent kayaks from this site and explore Casco Bay. I'm also on the board for PROPEL which is a group of the Portland Chamber of Commerce, and our mission is to promote Portland in a way that supports new economic growth. A project like this is what brings professionals & jobs into Maine to strengthen our economic growth as a community, so I'm fully in support of it.

Regarding traffic and the uses of the site, campuses typically have options for dining and retail, so it is not surprising that this is included in the plans. Keeping amenities and services on campus helps to keep everyone there, not making unnecessary trips off campus. I also know the east Deering neighborhood well, so I understand this will create some strain on that local transportation system but I also understand that through these developments, upgrades can be accomplished that maybe wouldn't have otherwise. This is also a great opportunity to work with METRO and expand their service. Having lived in Boston for a few years, I know traffic is inevitable in any city but there's always ways to help reduce it. You can't grow a city without changing things, right?

Bottom line, this project is a step forward in the right direction for the city of Portland and the state of Maine in terms of community benefits, economic growth, and sustainability. I hope the Council will act on behalf of the city as a whole and approve the zoning changes.

Sincerely,

--

Andrew Dickey

Flume

Mobile: 617-817-5878

<https://flumepay.com/>



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Project at B&M Property (Orders: 125-22/23, 126-22/23, 127-22/23)

1 message

Matt Donovan <donovanmj15@gmail.com>

Fri, Feb 3, 2023 at 8:46 AM

To: council@portlandmaine.gov, publiccomment@portlandmaine.gov

Dear mayor and city councilors,

My name is Matt Donovan. I was born and raised in greater Portland, and at 30 years old, I'm still happily here. I'm a structural engineer at a small engineering firm in town. I'm writing to you in support of the Roux Institute development at the B&M bean factory.

There's a plethora of reasons that I never moved away from this area, but mainly it's because I simply love it here. When I travel for work and get asked where I'm from, I'm always proud to tell people that I live in Portland Maine. With that said, I believe that the city has improved immensely in my lifetime and continues to do so. I believe that this project will be yet another step in that direction, and will bring many benefits to several different sectors for generations to come.

Although Portland and the surrounding area has good colleges, I believe that there is room for growth when it comes to the educational system. This project will attract young, smart, motivated students, which I believe will positively affect the area in so many ways.

This development is great progress for the city. Having the opportunity to bring in an established, top-tier educational group at this capacity is an outstanding opportunity that should be welcomed.

Best regards,
Matt Donovan



Dena Libner <dlibner@portlandmaine.gov>

The Roux Institute: Order 125-22/23, Order 126-22/23, Order 127-22/23

1 message

Elyse Doyle <elysemdoyle@outlook.com>

Mon, Jan 23, 2023 at 1:52 PM

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

Cc: Michael Cochrane <michael.cochrane@ideals.org>

Dear Mayor and City Councilors,

I am writing to express my support for the Roux Institute's proposed plan to build a campus in Portland at the former B&M factory.

As a current part-time lecturer at the Roux Institute, I can speak to the positive impact the Roux is having on the Portland community and the state. This institute provides Maine individuals and businesses with a unique opportunity to develop competitive and sustainable jobs. The Roux fosters a collaborative and innovative platform for the community to invest in much needed economic and technology advancements. Students at the Roux have direct access to the largest and most successful Maine businesses, as well as expert instructors to help close the unemployment gap and build a more technologically sound and resilient workforce.

The applied programs offered through the Roux Institute are changing the lives of Mainers across the state. The Roux Institute is the only Northeastern campus that offers "Hybrid" courses, combining in-person lectures with an online attendance option, so individuals in rural areas can also take advantage of this excellent opportunity to change their careers and lives. I understand this new campus will impact Portland the greatest, both positively and perhaps negatively with increased traffic and local congestion, but from what I have seen, the pros resulting from the Roux Institute's growth will substantially outweigh these mitigatable "cons".

I have attended local public hearing meetings and read the project's Institutional Development Plan. I was pleased to see that the developers of this project are well aware of the Portland community's concerns including traffic, campus size and overall congestion. The plan notes that based on the B&M factory site location, the project can build taller buildings with a smaller footprint, enabling public open spaces and waterfront access for the community to enjoy. They are also working with the Portland METRO bus system to offer public transportation access to the new site. It is evident they are undertaking this project with thought and respect for the Portland community. Additionally, as a full-time project manager for an energy storage company, I appreciate the developers' initiatives for incorporating renewable energy generation and electric car charging on site. This is the type of forward-thinking Maine desperately needs. I have no doubt this project will make a lasting positive impact for Portland and for Maine. I know I will continue to teach students and support the Roux Institute for as long as it is here.

Sincerely,

Elyse Doyle

Lecturer - Project Management, The Roux Institute

Public Comment in Support for IDEALS/Roux Institute
2.1.2023

Attn: City Council, City of Portland, Maine

Re: Order 125-22/23; Order 126-22/23; Order 127-22/23

To whom it may concern,

I'm writing in support of the proposed Roux Institute plan for the former B&M Baked Bean site. As someone who is deeply connected to Portland's working waterfront, I support this proposal because of their commitment to creating public access and amenities as well as a commitment to sustainability and resiliency. I'm also impressed by their plans for extensive bike/ped infrastructure and programmatic incentives to encourage non-single occupancy vehicle use to and from the site.

Thanks for your time and please consider supporting these proposals.

Sincerely,

Paul Drinan
Westbrook, Maine



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

2 messages

Benjamin Dudley <bfdiii@maine.rr.com>

Tue, Jan 31, 2023 at 5:48 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor Snyder and members of the City Council:

I write to express my support for the development of a mixed-use campus for The Roux Institute, including academic buildings, office, lab, and incubator space, retail, hotel, and housing as well as publicly accessible open space.

As a former state legislator who represented this part of the city from 1998 to 2004, to my eyes the proposed development of this site precisely reflects the values and vision expressed in Portland's current and former comprehensive planning. This scale of investment in — and partnership with — the people of Portland by a leading New England institution of higher education is exciting beyond measure. It holds the promise of advanced learning opportunities in technology, science and medicine; economic development through new commercial space and spinoff activity; good jobs for a range of skill levels; hundreds of units of new housing; access to open space (including waterfront!) that connects to our existing trail network; all while using climate-friendly design.

There's no doubt that development at this scale has impacts that need to be considered and mitigated. I have great faith in impartial processes and the expertise of the city's professional staff to arrive at equitable solutions to such challenges.

Let's capture this fantastic opportunity, one that reflects so well the things that Portlanders have imagined for the city we love.

Sincerely,

Benjamin Dudley
9 Ponce Street
Portland, Maine 04101

Whitney Harvey <whitney@maine.rr.com>

Tue, Jan 31, 2023 at 9:26 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Cc: Whitney Harvey <whitney@maine.rr.com>

Dear Mayor Snyder and City Council members,

I would like to express my enthusiastic support for the Institutional Overlay Zone for the Roux Institute campus. I have lived and worked in Portland for many years and am truly excited about this proposal. The campus for the the Roux Institute will provide enormous benefits for the City of Portland. It is both an education institution which will support and complement our existing colleges and universities, as well as an entrepreneurial engine that will hatch and grow new businesses. High tech creates good jobs, including for people without a bachelor's degree. It is time we had a strong high-tech sector. The Roux Institute, on its own campus, will deliver just that.

I am also very pleased with the proposal for on-campus housing. As we are all aware, the local housing market is not only tight, but out of reach for many buyers. For those students, workers and faculty who want to live in Portland, having on site housing will reduce additional pressure on the existing housing market and reduce traffic as well.

By granting the zone change, you enable the project to move to the site plan phase where plans for traffic management and campus design can be addressed. This could be a collaborative process involving neighbors, the city and so many others who have an interest in seeing that this is done to the highest of standards. Let's not miss this extraordinary opportunity.

Respectfully Submitted,

Whitney Neville Harvey
[511 Chandlers Wharf](#)
[Portland, ME 04101](#)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23.

1 message

David Eaton <david@david-eaton.com>

Wed, Feb 1, 2023 at 5:25 PM

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Dear Councilors,

I was a member of the Planning Board when the MMC IOZ was approved, and at that time, I said that MMC had set a high bar for future IOZ applicants. I believe that The Roux Campus has met that bar, and strongly urge you to approve the IOZ, for the following reasons:

They engaged the public early and often, and responded to their concerns by downsizing the project. (MMC moved their garage to address neighborhood concerns), I see that not everyone is satisfied with the response from Roux, but most are. You cannot say they did not engage and listen to the public, and has stated they will continue to do so. But as I'm sure you know, you cannot satisfy all of the people all of the time!

Activating the street frontage with mixed use space was a concern with MMC. Roux is also planning to create active retail space on its campus, along with dramatic and improved public open space. (Anytime we have a chance to create public open space that is not a public expense, especially along the waterfront, I believe we should seize the opportunity).

Also, it's clear to me that the office and hotel uses will enhance the Roux Institute as a destination, as it competes with other Tech campuses for the best minds and entrepreneurs from away. This will only help the regional economy.

As for traffic, we have always entrusted both the Traffic Movement Permit process and the Transportation Management Program to address the need for safety and accessibility improvements for all major projects as the rest of the permitting process proceeds. This is standard procedure, that allows the rest of the permitting to progress while ensuring that the transportation impacts are mitigated and assured before construction can begin.

Finally, I think we all need to look into the future on projects like these. When completed, the Roux Campus will be a gateway landmark at the eastern end of the city, complementing the long view of the MMC campus at the western end. In addition to the economic and community benefits of this project, this will be your legacy. Thank you.

David Eaton, [52 Neal Street](#)



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Keenan Gillard <keenan.gillard@gmail.com>

Tue, Jan 31, 2023 at 2:47 PM

To: publiccomment@portlandmaine.gov

Dear Mayor and City Councilors,

I am writing to you today in support of the Roux Institute's development proposal. I am extremely excited about the prospect of the university and all that it can bring to both Portland and Maine. I work in the software development industry and cannot state how important this type of education is for the city and state. Our economy needs modernization and the Roux Institute offers a path towards this.

It is not simply big tech firms that need data scientists and machine learning expertise, every industry requires this from forestry to aquaculture to the public sector and the service industry. If Portland is to continue to thrive and Maine is to transform in the manner I know it can, it will be dependent on a strong workforce of highly educated folks the Roux Institute can produce.

Please join me in supporting the Roux Institute, in supporting Portland, in supporting the future of Maine.

Regards,
-Keenan Gillard



Testimony in Support of Portland City Council Orders 125-22/23, 126-22/23, & 127-22/23
January 31, 2023

Mayor Snyder and Members of the Portland City Council,

My name is Quincy Hentzel, and I am the President and CEO of the Portland Regional Chamber of Commerce. We represent 1,300 businesses in our region who employ over 65,000 Mainers. This includes many businesses, institutions, and non-profit members who have developed deep and meaningful partnerships with the Roux Institute since they were established in Portland. These partnerships empower them and their employees to tap into Roux's world-class graduate and continuing education programs, their incubator programs, and the clustering effects that can take off when academic institutions take seriously their commitment to research and building the next generation of entrepreneurs. We are submitting this written testimony today to express our organization's support for the Roux Institute's application for an Institutional Overlay Zone (IOZ) and associated B-5 Zoning Map Amendment that will be before you on February 6th.

Roux has demonstrated incredible potential for our region, bringing together large employers, cutting edge start-ups, other institutions of higher education, and of course incredibly talented students, staff and faculty to advance a transformational investment in our region. Thus, we submit these comments in support of the approach before you to give them a permanent home using land use tools that recognize their unique institutional nature which necessitates laying out their multi-phase long term development plans in the responsible and predictable manner of an IOZ and zoning map amendment.

Economic Benefits to our Region

We believe the economic benefit to our region facilitated by Roux's permanent campus cannot be overstated. It is rare that any individual seeks to invest hundreds of millions of dollars in a community of Portland's size, and rarer still that that investment represents such a large public benefit in terms of economic growth and the spillovers that can be extended to all sectors of our economy with an educational institution that has entrepreneurship in its' DNA. Look to any dynamic and growing innovation hub around the United States— from larger examples like Silicon Valley and Boston, to smaller ones like Rochester, Pittsburgh and Ann Arbor— and you can quickly see that the most innovative and dynamic regional economies all share one essential ingredient: a premier research and graduate institution that prepares workers for the 21st century economy, realizes the network and clustering effects of starting many industry specific entrepreneurial ventures in a confined geographic region, and raises real wages for all workers in a region through spillover impacts on the larger labor market. The Roux Institute is that ingredient for our region, and their campus is the means through which those benefits can be achieved.

It is a widely held belief among top urban economists and geographers like Edward Glaeser, Enrico Moretti, and Richard Florida, that creativity and human capital are the economic fuel that drives sustained growth in the innovation economy. While there now exists a global abundance of codified knowledge (knowledge that can be easily transported across long distances), access to codified knowledge is only one ingredient in innovation. In addition to access to codified knowledge, successful innovation relies crucially on the ability of economic actors to access and mobilize tacit knowledge. Tacit knowledge is an essential input to innovation, as it is this form of knowledge that enables, is produced by, and circulates through collaborative problem solving and innovation generation.



Because the generation and transmission of tacit knowledge is collaborative, tacit knowledge is stubbornly resistant to being transmitted over long distances. So, the transmission of tacit knowledge— and thereby, the successful generation of innovation— requires that knowledge exchange takes place face-to-face between individuals who have a diverse but complementary capacity to communicate and interact. Understanding the role and the scarcity of tacit knowledge is therefore key to understanding the drivers of the innovative process, as well the geographic importance of innovation clustering. It is this aspect of innovation that is most important for understanding the stickiness and therefore the importance of geography to innovation.

A series of potential impacts can accrue from the co-location of institutions and firms that are specialized in similar industries, and these impacts can generate important competitive outcomes for regional economies. The key factors that generate these benefits include the formation of a localized market of specialized labor that can be drawn on by firms within the region, the creation of highly efficient linkages between related institutions and firms, and the emergence of knowledge and technology spillovers between institutions and firms. This results in a cross-fertilization of knowledge which leads to communication between firms and institutions and knowledge spillovers that create knock-on effects within regional economies that will lead to broadly shared economic growth.

We can already observe this beneficial phenomenon in Portland on a more micro-scale. We have become national leaders in fields like veterinary sciences because we have nurtured an entrepreneurial ecosystem around businesses like IDEXX and Covetrus that have led to the creation of new firms in this field with high wages and increased access to start-up capital. Unfortunately, we have so far been limited in our ability to capitalize on those types of innovation clusters more broadly because we have lacked the institutional capacity necessary to produce the concentration of highly skilled workers that facilitate sustained and diverse streams of entrepreneurs and capital. The Roux Institute represents the opportunity to add in this key ingredient.

Neighborhood Benefits of an IOZ

There is no doubt that an IOZ designation affords the applicant certain allowances, but above all else it invites additional obligations onto them through proactive planning and engagement with the neighborhood and the community at large. Both before the promulgation of the IOZ provision in code, and since that time, we have witnessed institutions who did not or could not use this tool to the detriment of smart growth and neighborhood relationships. Absent the utilization of an IOZ, several institutions have been bedeviled by slow but steady creep into neighborhoods, unclear plans for future growth, and uncoordinated planning for future transportation, infrastructure, and open space needs. This tool addresses those problems head on, and in the case of the only IOZ to achieve some level of maturity (Maine Medical Center) we have seen more harmonious relationships with neighborhoods built through clear plans and trust.

We realize that you are dealing with a novel text amendment seeking to expand the institutions eligible for IOZs, but in reading the land use code two things are clear:

- There are no express prohibitions on this approach; and
- Roux meets the contemplated scale and use for the employment of this tool.

Looking at the plans for the future of the Roux Institute, it would be unwise for the city to discourage their voluntary desire to engage in the in-depth planning and engagement required for IOZ applicants. We would



note that once built out, Roux is planning to accommodate 4,500 students which will put them in line with the number of students at USM and UNE and the number of employees at MMC and Northern Light.

Absent the IOZ, the map amendment on its own would be very likely to succeed given its' compatibility with Portland's Comprehensive Plan. If we imagine a world in which the map amendment moves forward without the associated text amendment, the ability to cultivate neighborhood engagement, plan decades into the future, and secure iron clad commitments from Roux on the built environment and infrastructure requirements of their site and development program would be impossible.

Simply put—no other tool in the land use code codifies as much prospective neighborhood engagement, long-term planning, and intentional compatible design than does the IOZ provision. The staff memo notes that the IDP produced through this process is a “proactive planning document for identifying and addressing anticipated change and growth by an institution” and that is the responsible path to take for an institution that holds so much promise, investment, and change for our community.

This is just the beginning of a long process. Decades lay before us as a city in site plan approvals to iron out important details raised by concerned neighbors, but we are confident that as the project advances under the constraints of this detailed regulatory framework those concerns will be satisfied, and Roux will become just as an integral part of our built environment and regional economy as all the other institutions listed in the current IOZ section of the land use code. We know that there will continue to be discussions, modifications, and other concerns addressed through eventual site plans, but we have been impressed with the depth and breadth of Roux's engagement with the community to take feedback, provide additional data, and make changes where necessary, including a nearly 30% reduction in square footage based on neighborhood concerns.

Transportation Concerns

Transportation and traffic seem to be the biggest outstanding concerns related to this application. With public transportation being one of the Chamber's top three policy priorities, we share that concern and are consistently looking for opportunities to move workers, students, residents, and visitors around the region in the most efficient and sustainable manner. We are confident that while all questions surrounding traffic engineering cannot be answered at this stage of approval, Roux will address traffic concerns as they move forward with site plan approvals, as is the case with any other large traffic generating use moving through the planning process.

We also commit that through the Chamber's participation in the Portland Area Comprehensive Transportation System (PACTS) we will endeavor to drive the necessary federal, state, and local funds available in our region towards this neighborhood to ensure the concerns are addressed. Indeed PACTS has already recently approved two relevant initiatives in furtherance of this goal:

1. **Connect 2045:** Approved late last year, Connect 2045 is the region's new long-term transportation plan that lays out, in a fiscally constrained manner, all the transportation projects proposed to be undertaken in our region for the next 25 years. Because this plan is fiscally constrained, that means that the initiatives included reflect the federal, state, and local resources we can expect to be available to us in the decades to come. Included in the plan is a significant increase in funding to our region's transit agencies to improve the frequency of bus headways to 15-30 minutes, meeting the intense trip generation needs created by a project of this scale.



2. **ARPA Allocations:** More immediate is the implementation of several projects that will directly increase service in proximity to this site funded through the American Rescue Plan dollars our region received for public transportation. Importantly, the current METRO Route 7 from Portland to Falmouth runs at just 60-minute headways during the weekdays, but under this new funding allocation that will increase to 30 minutes. Additionally, a new micro transit project will be rolled out just up Route 1 in Falmouth, improving first and last mile connectivity to this route. Finally, Route 9, also in proximity to the site, will achieve increased frequency with longer hours of operation.

While this application is just the start of a long relationship between the residents of Portland and the Roux Institute, it is an incredibly important first step. Roux's commitment to populating their campus with housing, a grocery store, shops, restaurants, and open space, all while preserving the old and remaining the site with a commitment to sustainable design principles demonstrate their sincere commitment to integrating this campus seamlessly into our urban fabric. We thank you for your time and commitment to all Portlanders, and we ask for your expeditious approval of these three orders to facilitate the Roux Institute's permanent home right here in Portland.

Respectfully,

Quincy Hentzel, President & CEO



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Jason Judd <jason@educatemaine.org>

Thu, Feb 2, 2023 at 1:00 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor and Councilors,

As Executive Director of Educate Maine, an education nonprofit located in Portland, I am writing to voice my support for the proposed plans for the Roux Institute campus at the B&M factory in Portland. We have the pleasure of partnering with the Roux Institute on a variety of education and economic development projects. The development of the new Roux Institute campus will allow more Maine people to connect with educational pathways leading to high wage job opportunities to grow our state's economy.

Educate Maine is focused on championing career readiness initiatives to make sure Maine people have the education credentials to thrive in job opportunities in a variety of sectors. As the future of work changes both in Maine and across the globe, the Roux Institute is helping to prepare learners to meet the needs of our economy. As one of the leaders of the MaineSpark coalition focused on increasing education attainment for adults to 60% by 2025, the Roux Institute's new campus will help expand opportunities for students and workers across Maine and help Maine meet its state attainment goal. The expansion of the Roux Campus will allow our organization to better collaborate on meaningful partnerships between K-12 schools, employers, and faculty and staff at the Roux Institute. For example, in the summer of 2022, Educate Maine hosted two weeklong Girls Who Code camps and a Future Innovators camp at the current Roux Institute campus serving dozens of students from across Maine. With the expansion of the campus, more student opportunities like this will be available to connect young people with careers in technology and the life sciences.

The Roux Institute has already greatly impacted Maine students in a short time. Through the \$67 million Alford Scholars Initiative grant to the Roux Institute, the institution has embraced diversity, equity, and inclusion and strives to foster an inclusive, accessible culture represented by people from across Maine and around the world. I have seen first-hand the tremendous impact this investment has had on students, and I encourage you to connect with current students to learn about their experiences.

Our excitement about the Roux Institute's new campus is only increased by their pledge to keep the campus open to all with plenty of open spaces for individuals and groups to gather to focus on education, innovation, and economic development. The waterfront location and inclusion of housing will not only welcome people from across Maine, but it will also attract visitors from across the globe. The campus will help Portland grow as an education and economic development hub. We are thrilled to see the growth of the Roux Institute and believe investment in the new campus will have significant benefits for our state for years to come.

I am more than happy to connect to individual members to talk more about the comments that we have offered in support of the new Roux Institute campus. I can be reached by phone at (207) 458-7824 or by email at Jason@educatemaine.org.

Sincerely,
Jason L. Judd
Executive Director

Jason Judd, Ed.D. | He, him, his

Educate Maine | Executive Director

482 Congress Street, Suite 303 | Portland, ME 04101

Jason@educatemaine.org | 207-458-7824 (cell)

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Twitter](#) | [Instagram](#)

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Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23. Roux Institute

1 message

Cheryl Juniewicz <juniewicz@westbrookschoools.org>
To: council@portlandmaine.gov, publiccomment@portlandmaine.gov
Cc: Cheri Juniewicz <cj@maine.rr.com>

Wed, Feb 1, 2023 at 6:46 AM

To: City Council Members
Ref:Order 125-22/23; Order 126-22/23; Order 127-22/23

From: Cheri Juniewicz
publiccomment@portlandmaine.gov 38 Bismark Street
Portland Maine 04103

Dear City Council Members

Respectfully I request that you support the development of the Roux Institute at the former bean factory site in East Deering. Having lived in East Deering since 1991 there have been many long awaited changes in the area that have vastly improved the quality of life for the residents. I feel that Roux Institute choosing the B & M site to locate their campus is a huge opportunity to bring more positive change and a dynamic demographic into our midst. The prospect of something that will provide diverse type of growth for this area and the surrounding neighborhoods makes me optimistic about the future of Portland. I happily welcome Roux, Please no more condos and brew pubs. (I love the brew pubs, but enough.)

Maine being the oldest state in the union needs to entice young forward thinkers into our state and to provide opportunities for our own youth to stay. Roux has plans to engage this population.

The area surrounding the site has LONG been ignored and is crying out to be connected to Back Cove and East End. The sidewalk situation and traffic at the intersection of Veranda , Bates, and Washington Ave. is already abysmal, (just look at the sidewalk in front of Howie's that's over grown, it dead ends and is caving in under the overpass). The opportunity for reconfiguring and restructuring the area to be safer traffic-wise, and more pedestrian and bike friendly has been being discussed for years. Roux has plans to meet some of these community needs. Myself, friends and family who live in the area are thrilled about the water access and the connection under the bridge to back cove that Roux has decided to provide. We have been asking for this for at least 15 years. It's almost a blessing that this area has been ignored by the city for so long as there is only now room for improvement

The plans for Roux locate is a brave one on their part and I encouraged you all to support their efforts. It's much appreciated that the Roux development team has reached out several times to the community for feedback and adjusted the plans.

This is not only a wonderful way to move East Deering forward but also a good addition for the city of Portland as a whole. Please, please support the redevelopment of this long neglected section of the city by casting your vote in favor of Roux. It would be incredibly disappointing if you neglect to support this opportunity.

Thank You, Cheri Juniewicz



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

'Seric Kapp' via Public Comment <publiccomment@portlandmaine.gov>

Tue, Jan 31, 2023 at 4:30

Reply-To: Seric Kapp <kapp.seric@yahoo.com>

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

Dear Mayor and City Councilors

I want to take the time right in the beginning to thank you for taking a minute to read this email. I am what locals call a "transplant," Originally from PA area, but moved to this area from Boston 4 years ago with my now wife, who grew up in Liberty, Maine.

One of the many things we moved to Portland area for was the ability to walk everywhere you want to go or bike. These are activities we enjoyed all the time when we lived in Boston right next to Northeastern's Boston campus. This is an advantage to having a university that has been dedicated to providing a seamless campus/city connection. Roux campus would help grow access to the water front for everyone not just students. Future generations will be able to walk through this campus and see the history and beauty all in one place.

I know from utilizing the Payson park, traffic is always a concern in this area. Traffic in any area can cause issues at any given time. Adjusting and adopting to new development, education and growth will help this area grow with it. These issues are not something to be slowing this project down but to only speeding up the improvements to the city's public transportation system. I have faith in the Roux's attention to detail that they will be looking to partner with the city and not work against their future home.

The heart of this city comes from the hard work of the founders of this state. Today, we get the privilege to improve the once bustling factories into a place of education and community. This project will help grow the city but also protect the beauty of the history and waterfront of this city.

Roux Project is a value add in the eyes of many and brings along many new adventures and ideas to this great city. Do You See It??

Thanks Again!

Seric

Seric Kappe. Kapp.Seric@yahoo.com**Seric Kapp**e. Kapp.Seric@yahoo.com

c. 717.813.6595



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Noah Kerrigan <noahkerrigan@gmail.com>

Tue, Jan 31, 2023 at 11:41 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Dear Mayor and City Councilors,

My name is Noah Kerrigan. I live in Portland with my wife Tynette and our 4 year old daughter Harper. I'm writing to you to support the Roux Institute project on the site of the former B&M property.

We moved from California to Maine in Fall of 2015 looking for a better quality of life. We found it. We love the city, the culture, the nearby beaches, Acadia National Park, and the beautiful mountains, lakes, and rivers all over.

We support the Roux Institute project because we believe it will spur more stories like ours by bringing young professionals from all over the country to Southern Maine. These individuals will fall in love with the area and further vitalize the businesses, communities, and nearby cities. Additionally, the project is an opportunity to breathe life into a formerly thriving factory on a prized piece of property. Finally, the project will allow the community to experience the natural and architectural landscape of the site.

Thank you for your time.

Sincerely,

Noah H Kerrigan
Portland Elementary School Teacher



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Campus

1 message

kyle knodt <knodt.k@gmail.com>

Mon, Jan 30, 2023 at 9:36 PM

To: publiccomment@portlandmaine.gov

January 31, 2023

To: Mayor Snyder and Honorable members of the City Council:
Re: Order 125-22/23; Order 126-22/23; Order 127-22/23.

I am writing to express my support for the proposed Roux Campus on the old B&M property. As an employee of one of the first Roux Institute partner companies and the wife of a Northeastern University graduate, I fully appreciate what the Roux Institute and Northeastern will do for Portland. With nine campuses in three countries, Northeastern appreciates the importance of adding value to the communities in which it operates.

As a Portland resident I am excited about the new Roux Campus. I live off the peninsula, so the prospect of a water shuttle and the promise of new public open space and linked trails is just what Portland needs. In fact, one of my oldest friends runs a water taxi which I have used many times, but for me, it requires going all the way down to Commercial Street. A taxi/shuttle connecting the new Roux Campus to downtown Portland and even South Portland would relieve traffic, reduce carbon and be a huge new asset in Portland.

Adding housing to the campus and a few small retail places like a neighborhood grocery and restaurant will help make the campus more vibrant and reduce travel to downtown Portland. It will also be a nice feature for the neighborhood which will foster engagement with the community. I know traffic is a concern, but as someone who grew up in downtown Freeport, I can say that increased traffic is an inconvenience worth tolerating in exchange for the increase in prosperity for the community as a whole. Plus a lot more people walk, bike and bus to work in Portland than Freeport, so I believe the traffic will be mitigated and/or managed.

I have complete confidence that Northeastern will do right by Portland, and that the Roux Institute, in its future home, will be a source of pride for all of us in Portland. With a clean slate upon which to build a sustainable campus for high tech innovation, the possibilities are endless.

Thank you for considering my views.

Sincerely,

Kyle Knodt
51 Prospect Street
[Portland, Maine](#)



Dena Libner <dlibner@portlandmaine.gov>

RE: Order125-22/23, Order 126-22/23, Order127-22/23

1 message

'Mspicks' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 9:13 AM

Reply-To: Mspicks <mspicks@aol.com>

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

LETTER TO PORTLAND CITY COUNCIL

I am writing in support of the Roux Institute request for rezoning in the East Deering neighborhood.

I moved to Portland over 25 years ago and lived the first 20 years on Watson Street in East Deering so i am very familiar with the traffic pattern and the entire neighborhood.

I do believe the traffic situation is being addressed in a timely manner. The growth of educational opportunities and jobs is very much needed in Portland. Roux Institute is being transparent in sharing their plans for the East Deering neighborhood and has been flexible in adjusting to the needs and concerns of the neighborhood.

It is a much needed upgrade and will allow everyone to enjoy the waterfront area which is not the case presently.

Fortunately I still live in the East Deering neighborhood and look forward to the progress of this project.

Thank You.

Priscilla LaVallee



Dena Libner <dlibner@portlandmaine.gov>

Rezoning for the Roux Campus

1 message

Nick Littlefield <littlefield.n@gmail.com>

Tue, Jan 31, 2023 at 6:10 PM

To: publiccomment@portlandmaine.gov

To: Honorable Mayor Snyder and members of the City Council:
Re: Rezoning for the Roux Campus: Order 125-22/23; Order 126-22/23; Order 127-22/23.

I have followed this project since the beginning of 2020 and the kickoff at Ocean Gateway. I am a Northeastern University graduate, born and raised in Brunswick, Maine. I've enjoyed a 15-year career in tech, focused on data and analytics since graduating from Northeastern, and so I'm both highly interested in and supportive of plans for the Roux Institute to make a permanent home here in Portland. On the topic of transportation, and specifically alternative modes, I wanted to share some personal experience for your consideration. Before the pandemic, I commuted to my job at Covetrus downtown either by bike or on foot. Now, I work remotely for a different company based, commuting from my bedroom to my desk – a much shorter commute – and I think my experience speaks to an emerging trend: increasingly, cars (for those who even own them) stay parked for days at a time, while work or school is accessed either online or through alternative modes – my truck hasn't moved in weeks.

If showers are available at the new facility, and I would expect that to be part of any campus development plans, I think you'd be surprised by how many choose to jog or bike to work and bus or bike back. Speaking from my own prior experience working in Freeport at LL Bean, I would frequently commute by bike and use the locker room showers to freshen up for the day, and many of my former colleagues did the same. I suspect Portland's new bike share program will only help to further normalize this mode of transport for commuters. With appropriate infrastructure improvements, biking could be a year-round commuting option for students, faculty, and staff.

Lastly, I'd like to commend the selection of Northeastern for the Roux institute. Northeastern understands the value of coop and practical workplace experience like no other institution. Being able to work while pursuing an advanced degree makes this program so accessible to aspiring Maine students. Northeastern is innovative, flexible, and collaborative, and will make a wonderful addition to Maine's academic and entrepreneurial landscape. The Roux Institute is going to elevate the aspirations of Maine kids and create so much opportunity for a better future for them, and as a new father, this could not be more important to me. Thank you for your consideration, and your time.

Nick Littlefield
Prospect Street
Portland, ME

--

Nick Littlefield
littlefield.n@gmail.com
(617) 877-5172



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute

1 message

Sarah Maloney <sarahmaloney01@gmail.com>

Tue, Jan 31, 2023 at 3:20 PM

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, publiccomment@portlandmaine.gov

Sarah Maloney, LCSW
55 Highland Street
Portland, Maine 04103-3042
207-233-0014
sarahmaloney01@gmail.com

February 1, 2023

To Mayor Snyder and Honorable Members of the City Council,
Regarding Order 125-22/23; Order 126-22/23; Order 127-22/23:

I am writing to you as a long-time resident of Portland to express my interest in the rezoning for the Roux campus at the old Burnham and Morrill site. Although Portland has a great reputation as a wonderful place to vacation and visit, I am thrilled about the opportunity the Roux Institute offers to make Portland a better place to earn a living wage and foster a strong local economy.

The Roux Institute is the best thing to happen to Portland in a generation, maybe a century. Just as it will transform a tired manufacturing site, it offers to replace diminishing traditional industry jobs with high tech jobs of the future. The education and training opportunities are world class, and a multi-purpose campus will employ people at all levels. This is also personal for me; I work at Falmouth High School and know how much young people crave the ability to stay and study and work in our great city. I also have two post college age children who would greatly benefit from all the Roux Institute has to offer.

I can't imagine a better spot for this purpose than the former Burnham & Morrill site. First, it's in Portland – I'm sure any other city in America would have jumped at this opportunity. Second, it's surrounded by water or infrastructure and buffered from neighborhoods. Third, the proposed urban development is in a city, where it belongs. Tall buildings belong in cities and make much better use of land than sprawling low-rise buildings. Fourth, it perfectly complements Portland's waterfront trail system. Imagine walking or biking from the proposed Portland Harbor Common, along the eastern Promenade trail, over Tukey's Bridge and then under it along the trail into the Roux Campus and all along the periphery, then north to Martin's Point Bridge or south along Back Cove. I am grateful for the public access built into the proposal and look forward to taking advantage of this amazing new resource.

The Institutional Overlay Zone is the right approach for this Roux Institute campus and a long-term plan with built-in public input is right for this location. I hope you will put your seal of approval on the rezoning so the project can move forward without delay.

Sincerely,
Sarah Maloney

--

Sarah Maloney
207-233-0014



Janet T. Mills
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

January 18, 2023

Portland City Council
City Hall, 389 Congress St
Portland, ME 04101

Councilors:

I am writing to express support for the rezoning of the former B&M factory property to a mixed-use zone and for adding the Roux Institute as an eligible organization for Portland's Institutional Overlay Zone, specifically in reference to orders 125-22/23, 126-22/23, and 127-22/23.

While I rarely provide input on municipal matters, the Roux Institute project has far-reaching impacts for the entire state and is perhaps the largest investment in Maine's innovation economy in a generation. The Roux Institute's Portland campus will expand quality education for graduate students, attract business investment, boost research and development and provide an anchor for life and computer sciences in Maine, complementing the excellent graduate and undergraduate programs in the University of Maine System.

Redeveloping the former B&M property to reach the full potential of this new institution is in concert with this administration's priorities. As expressed in our Economic Development Strategy, talent and innovation are the drivers of increased prosperity in Maine in the years to come. The Roux Institute's campus furthers those ideals, while emphasizing environmental needs through sustainable structures and public open spaces.

Thank you for your consideration of this important project.

Sincerely,

Janet T. Mills
Governor



PRINTED ON RECYCLED PAPER



Dena Libner <dlibner@portlandmaine.gov>

Re City Council orders 125-20-23, 126 and 127

1 message

'Peter Monro' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Feb 1, 2023 at 1:03 PM

Reply-To: Peter Monro <jpmonro@me.com>

To: council@portlandmaine.gov, publiccomment@portlandmaine.gov

Hello Victoria Pelletier and other councilors,

I am writing in full support of the Roux/IDEALS application for amending Article 8 of the Land Use Code, adopting a new IOZ on the B&M parcel, and changing the underlying zoning to B5.

I am a 35-year resident of downtown Portland. I am also a retired landscape architect and urban planner who has consistently advocated here for downtown density, mixed-use development to minimize driving, open space and trails to promote walking and cycling, and against undue building heights.

In my view, the mixed use campus and publicly accessible open space as envisioned by Roux/IDEALS is prohibitively the best use of the B&M site for its location and the future of the city of Portland.

I agree with the Planning Board, whose review through four workshops was thorough, that the regulatory framework being sought for this long-term development provides "an appropriate pro-active tool to ensure a consistent, predictable, and clear growth management."

I'm convinced that the community outreach has likewise been thorough and agree that the opportunities for future reviews is "clear and transparent for years to come."

I also believe that Roux having chosen our small city to plant a technology generator on the same scale that Mayor Bloomberg did in immense New York City is implausibly good fortune. That action in Manhattan a decade ago has already generated 80 startups drawing more than \$150 million in capital.

Please provide consistent, unstinting support to this unprecedented local effort.

Sincerely,

Peter Monro, [32 May St. 04102](#)

LEADERSHIP TEAM

Michael E. Dubyak
Co-Chair, FocusMaine
Former President, CEO, & Chairman
WEX, Inc.

Andrea Cianchette Maker
Co-Chair, FocusMaine
Former Partner
Pierce Atwood

Michael Bourque
President & CEO
MEMIC

Jay Dearborn
President, Corporate Payments
WEX, Inc.

Dr. John Fitzsimmons
President Emeritus
Maine Community College System

Charles E. Hewett, PhD
Executive Director
Institute for Engineering and Life
Sciences (IDEALS)

Chip Kelley
Maine Market President
KeyBank

Ed McKersie
Founder & President
ProSearch, Inc.

Dana O'Brien
President
FocusMaine

ADVISORY TEAM LEADS

Academic

Joan Ferrini-Mundy
Team Chair
President
University of Maine
UMS Vice Chancellor for
Research and Innovation

Business

Dana Connors
Team Chair
President
Maine State Chamber of Commerce

CONTACT

128 State Street #101
Augusta, ME 04330
(207) 200-3813

info@focusmaine.org

FocusMaine.org

October 7, 2022

City of Portland
389 Congress Street
Portland, ME 04101

RE: Support for Roux Institute Campus Plans in Portland

Dear Mayor, Councilors, and Planning Board Members,

I enthusiastically support the proposed plans for the Roux Institute campus at the former B&M factory in Portland. This project is an exciting illustration of the Roux Institute's investment in Maine people, in science that is essential to confronting climate change and improving health and quality of life, and in the long-term economic success of our state. We must collectively embrace this investment and advance the project to its full success.

FocusMaine is an important partner of the Roux Institute. Part of our organizational charge is to accelerate the growth of Maine's life science economy. We approach our work collaboratively, marshaling the best scientific, economic, and industry assets in the state to enrich strategies and ultimately deliver wins for the people of Maine – in the form of new jobs, businesses, and market opportunities.

We are motivated by the early progress of the Roux Institute, and the good work underway within the University of Maine System, at our valued community colleges and other higher education institutions, within Maine's top-notch scientific institutions, and in private industry. The opportunity to capitalize on this progress and grow a durable Maine life science ecosystem is now.

Accelerating life science innovation in the Portland region and throughout the state will position Maine as an emerging biotechnology and data science hub. Maine can lead the way in unlocking the solutions to society's most pressing challenges. Biotechnology is the key to confronting climate change, curing diseases, and enhancing nutrition – all issues that you and the people of Portland carry front of mind.

With Maine's proximity to the Boston-Cambridge biotechnology epicenter, we can capture the overflow of infrastructure and jobs reverberating out of Massachusetts. This means more on-ramps for people in Maine to be a part of this transformational industry and more connections across the region to strengthen innovation and economic opportunity. We hope the city will fully embrace biotechnology

companies wishing to build facilities in or relocate to Portland. We understand several companies are considering Maine and would appreciate staying in contact with you on those matters.

We welcome a conversation with you about FocusMaine's support for the Roux Institute's project and our work to accelerate the growth of Maine's highest potential industries.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Dana O'Brien', with a stylized, looping flourish.

Dana O'Brien
President, FocusMaine



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23 "Roux Institute"

1 message

Jaime Parker <jaime@trails.org>
To: publiccomment@portlandmaine.gov

Wed, Feb 1, 2023 at 4:54 PM

Mayor Snyder and Honorable Councilors,

I am writing to express Portland Trails' support for efforts to improve and expand multi-modal transportation options in the vicinity of the proposed Roux Institute. While the requests before you do not propose any specific transportation system improvements, the public comments, policy discussions and recommendations from the Planning Board clearly point to the need for a strong focus on transportation moving forward. We trust that the zone change and the creation of an Institutional Overlay Zone will provide a solid footing for an analysis and implementation of systematic upgrades to the bicycle, pedestrian, and multi-modal network.

We see a tremendous need for safety and livability improvements in the area. The current multi-use trail over Tukey's Bridge is at capacity and severely deficient as a transportation facility, as one example. We also see a huge opportunity in a major project like the Roux Institute to truly invest in game-changing infrastructure, including direct northbound access from Washington Avenue over Tukey's Bridge for people walking or biking from the peninsula, stronger connections to the Veranda Street neighborhood and northbound to Martin's Point, links to transit, along with safety and quality of life improvements to the existing auto-centric road network in the immediate vicinity of the site.

Portland Trails staff have been in discussion with representatives from IDEALS and Roux since they reached out to us upon purchase of the site. We have taken site walks and presented our ideas and recommendations for projects that would help meet their appropriately ambitious goals for getting as many people as possible to and from the site using modes of transportation other than the single occupant vehicle. We applaud their acknowledgement of the need for a far more balanced modal split and the planning that has happened to date, and we await more specific design features and financial commitments, which we know are forthcoming.

Portland Trails looks forward to working closely with the project team, neighbors, and local and state officials as the site plan process moves forward. Any support the Council can provide for a comprehensive transportation planning process including real investments in infrastructure along the Washington Avenue corridor would be most welcome.

Respectfully,
Jaime Parker

Jaime Parker
Trails and Placemaking
Portland Trails
jaime@trails.org
329.6180

Non Sibi, Sed Omnibus



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Development

1 message

'Payne, Tony M' via Public Comment <publiccomment@portlandmaine.gov>

Mon, Jan 30, 2023 at 12:14 PM

Reply-To: "Payne, Tony M" <TPayne@memic.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Members of the Council: I'm writing to share my support for the Roux's exciting investment in Portland's future in a **signature location** for the city. Here are the points why this site is wonderfully appropriate:

1. The **East Deering location is a major city gateway** for both Maine people and for out-of-state visitors to see the dynamic contribution that higher education and research will make in our economy. Its visible presence will spur similar activity in terms of jobs, business development in the region and future technology **investments**.
2. You need only look to Bigelow Lab and Jackson Lab as campuses that create and **sustain good jobs without degrading quality of life** and, in fact, increasing property values and community pride.
3. Northeastern, once a low threshold college for admission, today has made strategic investments to make it **one of the premiere universities in the nation**. Again, housed at Portland's most visible gateway, it will signal we are a learning and investment hub.
4. Finally, the mix of housing and academic facilities with public access will make the site a more accessible neighborhood for local residents, students and faculty.

I've lived half my life in Portland having delivered papers in the morning while smelling the sweet aroma of B&M Baked Beans (and so much better than the odor from the S.D. Warren's old pulp mill). I built a business in Bayside over ten years' time and have actively participated in the city's renaissance. I also served for more than a decade and chaired the **USM Board of Visitors** and have seen first-hand the impact higher education makes in the community. In addition, I chair the **Advocacy Committee for the Portland Regional Chamber**. All that's to say that Portland's a very special place that has arrived **on the national stage because years of good decisions**, meaningful investments and quality of life have made it so.

In my view, this is precisely the kind of institutional neighbor that will benefit us all. I hope you will approve the plan and continue Portland's reputation as one of the best and most exciting cities in America. Thank you.

Tony Payne

10 Lupine Court

Yarmouth, ME

(207) 807-5331



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United Brotherhood of Carpenters and Joiners of America
Locals 349 & 352

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Manchester, NH 03109

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Fax: (207) 358-6675

Tel: (603)-222-3223
Fax: (603)-222-3224

Tel: (802)-391-8444
Fax: (802)-391-8845

Maine New Hampshire Vermont

John M. Leavitt

Business Manager-Clean Energy Development

Portland City Council
389 Congress St
Portland, Maine 04101

February 2, 2023

Kate Snyder, Mayor

Pious Ali, At-Large

April Fournier, At-Large

Roberto Rodriguez, At-Large

Anna Trevorow, District 1

Victoria Pelletier, District 2

Regina Phillips, District 3

Andrew Zarro, District 4

Mark Dion, District 5

Roux Campus:

Oder 125-22/23

Order126-22/23

Order 127-22/23

Mayor Snyder and City Councilors,

I appreciate the work you and other City Departments have performed to define this project to the point we are at today. As the City of Portland develops it is exiting and encouraging to find like minded owners, developers, and contractors to partner on such an impressive project.

The due diligence from the city, owner and tenants should be the new process for all new developments in Portland. After the loss of B&M Beans which provided many good jobs and much needed tax revenue, The Roux Center has offered an amazing solution to update the property make it structurally sound and develop the land in a long-term hub of smart growth.

This project provides new construction jobs through responsible employers that will lead to long term careers for educators and professionals offering many opportunities for the people in southern maine for years to come.

We support this project and look forward to assisting this type of growth in the city whenever appropriate.

Sincerely,
John M Leavitt



Dena Libner <dlibner@portlandmaine.gov>

RE: Orders 125-22/23, 126-22/23 and 127-22/23 and the Roux Institute.

1 message

Willy Ritch/Salt Public Affairs <willy@saltpublicaffairs.com>

Mon, Jan 30, 2023 at 11:11 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov, Pious Ali <pali@portlandmaine.gov>

Dear members of the Portland City Council:

Portland is changing. That much is certain.

Some of the changes are difficult as we work to make housing more affordable and maintain our city's economic and cultural diversity.

I believe that the Roux Institute and their plans for the redevelopment of the former B&M factory create an incredible opportunity for our city.

The mix-use plans for the Roux campus includes new housing that can help to relieve pressure on the rest of the city's rental market. It also includes a smart mix of commercial development that can reduce the flow of traffic into and out of the campus, helping to address traffic concerns.

My home and business are both in Portland. The Roux Institute's campus plans are the type of infill development that we need to continue growth in a sustainable way. The project will create a new – and critical – higher education opportunity for Maine students, and the commercial development will contribute to the city's tax base and overall economic strength.

Roux will draw new business and new people to Portland and help to make our city a high-tech hub in Northern New England.

I appreciate your careful attention to Orders 125-22/23, 126-22/23 and 127-22/23, and hope that you will approve them.

Thank you for your work for the city of Portland.

Sincerely,
Willy Ritch
Portland

Willy Ritch
willy@saltpublic.com
207-841-8400





February 1, 2023

To Members of the Portland City Council,

Let me begin by thanking you for your public service to this City and its people. I am writing on behalf of Maine Medical Center to express our strong support for the proposed plans for the Roux Institute campus at the former B&M factory. The investment the Roux Institute wishes to make in the City of Portland is an exciting development that has the potential to strengthen Portland's economy and positively impact our City in the decades to come. The campus will enable the Roux Institute's growth while revitalizing an important and historic part of the city waterfront.

As a large employer, we are in a challenging time in which we should work collaboratively to promote and develop our state's workforce and attract new residents to Maine. At Maine Medical Center, we have already benefitted in numerous ways from the Roux Institute's presence in our community. For example, the MaineHealth Innovation Center has developed a strong relationship with the Roux Institute. Through our partnership, MaineHealth and the Roux Institute aim to align learning and research initiatives through talent development, healthcare innovation, and use-inspired research in the critical fields of computer and information sciences, artificial intelligence and advanced life sciences. The MaineHealth Innovation Center provides unique services and programs in collaboration with the Roux Institute and other Maine partners to create a diversity of ideas and expertise to get the right people in the right room together at the right time to develop innovative solutions to health care challenges. These relationships foster a culture of creativity, curiosity, and courageousness to help MaineHealth solve unmet care needs to achieve our vision of creating the healthiest communities in America.

The Institutional Overlay Zone, which Maine Medical Center (MMC) pioneered with the City of Portland in 2017, is an approach to the proposed Roux Campus which is a perfect fit. The IOZ establishes a framework which sets expectations for all parties while allowing for flexibility within the regulations. At MMC, this flexibility has been essential. The needs for hospital care at MMC have evolved rapidly since 2017 due to COVID-19 and the rapidly growing need for intensive care services. The flexibility granted by the IOZ enabled MMC to meet those needs, and we believe it would allow future Roux operations to succeed in a manner benefiting the community, as well.

IDEALS, the non-profit developer of the Roux Campus, has demonstrated its commitment to transparency and compromise, reducing the size of the campus significantly and working with neighbors to minimize resident impacts. MaineHealth has had ongoing discussions with the Roux Institute regarding our experience with community engagement through the NAC. We have every intention of continuing to work together in helping to advise in order to make their process successful and maximize the impact of the great work that they are putting in with the community. Lastly, housing, which is in extremely short-supply in Portland, is an important feature of the Roux Campus. Enabling students, faculty, and employees to live on campus is critical to creating a cohesive community where innovation can thrive.

Thank you for your time and the work you do on behalf of this City.

Jeffrey D. Sanders
President, Maine Medical Center



Dena Libner <dlibner@portlandmaine.gov>

Roux campus redevelopment project and orders 125-22/23, 126-22/23 and 127-22/23

1 message

'Rosa Scarcelli' via Public Comment <publiccomment@portlandmaine.gov>

Thu, Jan 26, 2023 at 9:46 AM

Reply-To: Rosa Scarcelli <rscarcelli@stanfordmanagement.com>

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

Portland City Council

[389 Congress St.](#)

[Portland, ME 04101](#)

Dear members of the Portland City Council:

I live and work in Portland. We have an amazing community that's a wonderful place to live, work and raise a family. I think that we are all called to do our part to make our communities stronger, healthier and more diverse.

I'm writing today because I believe that the Roux Institute plan to redevelopment the former B&M baked bean factory is the kind of project that will help our city to grow in the right way with an emphasis on innovation and education.

In my work, I know well the importance of smart zoning policy and the value of historic preservation. The Roux Institute project protects a historic building, while allowing for the potential of the larger parcel of land to realized.

Approving orders 125-22/23, 126-22/23 and 127-22/23 will help move this project to the next stages of consideration.

With any new project, there will be challenges. In particular, the impact of increased traffic on surrounding neighborhoods should not be ignored. Through the work of the planning board and the developers of the Roux campus, both working with stakeholders, there appears to be a reasonable mitigation plan in place. The development is smaller than originally proposed, and new traffic control strategies have been agreed to, including an emphasis on public transportation. That's hard, important work, and I'm glad that it has occurred.

The creation of the Roux Institute campus will reshape a former industrial site into a hub of innovation and education, attracting some of the best and brightest from around the world for work in artificial intelligence, life sciences and medicine.

The Roux Institute will be a beacon to students, including Maine students, who want to study these in-demand fields but currently have to leave home to find opportunities. I'm excited about this project and proud the David Roux and his team have picked Portland as the host community. They have engaged the community, made compromises and have demonstrated that they will be good partners for the city and the state.

The work to build and approve projects like Roux is complex and hinges on finding the right balance of sometimes competing priorities. I believe that with the Roux Institute that balance has been found and that the project's zoning request is worthy of approval.

Thank you for your public service and work on this important issue.

Rosa Scarcelli

Bowdoin Street, Portland



**Beautiful,
Friendly, and
Family Oriented
Communities**

Rosa Scarcelli

Owner & CEO

Phone: 207-772-3399 ext. 206

Email: rscarcelli@stanfordmanagement.com

PO BOX 3879

Portland, ME 04104

StanfordManagement.com



Dena Libner <dlibner@portlandmaine.gov>

Public Comment Order 125-22/23

1 message

'Carol Schiller' via City Manager <citymanager@portlandmaine.gov>

Wed, Jan 25, 2023 at 10:05 AM

Reply-To: schiller.carol@yahoo.com

To: publiccomment@portlandmaine.gov

Cc: Kate Snyder <ksnyder@portlandmaine.gov>, Danielle West <citymanager@portlandmaine.gov>, Sheba Brown <Sbrown@portlandmaine.gov>, Carol Schiller <schiller.carol@yahoo.com>

To: publiccomment@portlandmaine.gov

Re: Order 125-22/23; Order 126-22/23; Order 127-22/23

Hello, my name is Carol Schiller and for the past 34 years I've resided at [7 Longfellow Street](#) in Portland, ME. I support the development plans for the Roux Campus of the Roux Institute and encourage the Planning Board to approve the zone changes for the Institutional Overlay Zone, making it possible for Roux and the City to plan for the long-term, use the site most efficiently and for the greatest benefit of Portland.

I urge you to go forward and support this ground- breaking gift to our city and to Maine. The Roux vision is one that will surpass our lifetimes, I support this development knowing the neighborhood will not only survive but thrive with what the Roux Institute will bring. I speak from experience as a close neighbor of the University of Southern Maine Portland Campus and President of the University Neighborhood Organization. Change is a constant at USM, but as neighbors, we have chosen to embrace it and work with USM to make the area better for all.

The long-term planning built into the IOZ process is a major advantage for East Deering, and the site plan approvals required for each phase of the development ensure the public will have plenty of input.

Portland has great potential to bring together high tech, biomedical, and other future business development that will create substantial job opportunities and a sustainable, vibrant regional economy.

Wouldn't it be a magnificent vision for Portland to be an educational epicenter combined with other leading learning institutions like UNE Medical Complex , Maine College of Art, USM, MMC Tufts Medical School , etc. Embracing the gift of the Roux Institute and facilitating its success will be regarded decades from now as a wise and historical decision. It

deserves expeditious approval so the site planning process can get started.

Carol Schiller
Portland, Maine



Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Support, Orders 125 - 22/23, 126 - 22/23, 127 - 22/23

1 message

Kai Smith <kaismith55@gmail.com>

Wed, Feb 1, 2023 at 10:32 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Members of the City Council,

I write to share my enthusiastic support of the Roux Institute Campus and the proposed development of the former B+M Baked Beans site. While my favorite part of that B+M building will always be the Christmas tree on the top, the proposal for it to become a small business incubator drives my support of the campus and this letter.

As the co-founder of two small businesses in Portland, [Buoy Local](#) and [Maine Coasters and Bio-Boards](#), I have navigated the (sometimes) lonely road of entrepreneurship. Taking an idea and bringing it to market requires significant resolve and adaptability, but a truly successful start-up requires community. A community to nurture the idea, to access the capital, to unlock the right network, to help you pivot if necessary and, most importantly, to inspire you to keep going.

The Roux Institute Campus has the potential to become the permanent hub of entrepreneurship for the entire state of Maine. From the plans I have seen, this top-tier campus will drive innovation, cultivate small businesses, attract talent, provide excellent educational opportunities -- all while serving as a multiplier for increased economic growth. Portland should welcome this campus and begin recognizing the tremendous impact it is sure to have on our next generation of entrepreneurs.

Thank you for your consideration of this matter and for your service to the City of Portland.

Kai Smith

Falmouth, Maine



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute and Order 125-22/23, Order 126-22/23, Order 127-22/23

1 message

Lucas St.Clair <lucasstclair12@gmail.com>

Thu, Jan 26, 2023 at 8:49 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

To the members of the Portland City Council:

I'm writing today in support of the development of the Roux Institute campus at the site of the former B&M factory in Portland. I believe that this project will not only benefit Portland and its residents but will also be an asset to all of Maine.

As the founder of the Portland Parks Conservancy, I'm particularly impressed with the project team's efforts at public engagement and their commitment to creating and protecting public open spaces. The Roux team held a joint meeting with the Conservancy to brief our members on the project and to seek input. It's my understanding that they have had many similar meetings with other community organizations, neighborhood groups and interested individuals.

In addition to their commitment to open spaces, the Roux team has also demonstrated their willingness to work with the community to mitigate concerns, including their decision to significantly reduce the size of the campus and to work on ways to reduce traffic impacts.

The inclusion of housing – both short and long-term – commercial space and the Roux Institute itself is a good example of the kind of in-fill development that should be encouraged as a way to reduce sprawl and to encourage alternative transportation methods that don't rely on cars.

I also believe that the mixed-use redevelopment of a former industrial site is forward thinking and demonstrates the way communities can adapt over time. For example, the building where my office is located was once a single-family home on Congress Street. Today, it houses two for-profit businesses, a nonprofit and an apartment. Similarly, it once made sense to locate an industrial facility along the water in Portland, but smart redevelopment recognizes that changing times demand a change of use. The combination of a nonprofit, education hub along with incubator space, commercial opportunities and housing will create a new economic engine for Portland.

It's my hope that the members of city council will approve Order 125-22/23, Order 126-22/23 and Order 127-22/23 and move this project forward.

Thank you for your time and consideration.

Sincerely,

Lucas St. Clair
Founder, Portland Parks Conservancy
And President of Elliottsville Foundation
Portland

February 1, 2023

Mayor Snyder and Members of the City Council:

RE: Order 125-22/23; Order 126-22/23; Order 127-22/23

I am writing full support of the proposed zoning changes outlined in Order 125-22/23; Order 126-22/23; Order 127-22/23. I urge everyone to move this project forward without delay. I am a lifelong resident of Portland and I support the entirety of this project from two perspectives:

The first, as an historic preservation advocate who spent 10 years on a local historic preservation board, I support the historic preservation/adaptive reuse and public reactivation of this site. The applicants have been very forward thinking in reutilizing the existing historic buildings on-site that are feasible for redevelopment and incorporating that into a new dynamic project sufficient for today's development needs. The new structures would pair well with the historic structure and create an intriguing and inviting public area with a variety of uses on-site that will diversify those that use and access the site for a more energetic and active project. This project will honor the past and create the future landmarks for Portland.

The second, as a Partner and Designated Broker at The Boulos Company (commercial real estate firm) I support this project from an economic opportunity perspective and what this project will do to increase Portland's visibility as a start-up and tech friendly environment for new businesses and to retain the businesses that were started and grown in Portland. This will increase the young, entrepreneurial labor force in Portland making it more attractive for new companies and existing companies to prosper in Portland.

This industrial site has been closed off to the neighborhood and public for decades and this project will breathe new life into this area of Portland. It will bring the community into the site and allowing every citizen and visitor with access to additional trails, waterfront, and retail/food uses. With no zone change then the alternative is another industrial user that would be noisy, smelly, and uninviting.

The development team met numerous times with concerned neighbors, community leaders, decision makers, community partners, and have taken their comments into consideration through significant compromise. More than most developers that I have seen over the past 20 years. If we continue to use traffic and vehicles as a reason why a City shouldn't grow then there's more to the problem than one development and this particular team is being creative and thoughtful on their approach to easing traffic. I have seen many developers bring projects to the planning board and City Council for consideration and the usual pushback from neighbors involves a perceived increase in traffic problems which is typically blown out of proportion. At the end of the day, many of these projects moved forward and traffic wasn't and isn't an issue due to the developers working with the City to best manage an increase in visitors to a location. This project will be no different, especially given this developer and their determination to get this right.

This is major opportunity for the City of Portland to work with a seasoned, reputable, experienced, and well-intentioned development team that will continue working closely with the city and neighborhoods with an end use that will positively impact our City for generations. From my experience, we are lucky to have this development team, end user Roux Institute, and opportunity for consideration.

Thank you,

Nate Stevens
80 Best Street
Portland, ME

February 1, 2023

Mayor Snyder and Members of the City Council:

Founded in 1964, Greater Portland Landmarks is a non-profit advocacy organization that works toward the preservation and revitalization of greater Portland's built environment. Our goal is to save greater Portland's historic places through preservation and adaptive reuse while promoting creative new architecture that enhances historic neighborhoods. We appreciate the opportunity to comment on projects that impact the historic character of the city.

We are writing to encourage the City Council to grant IDEALS's application to amend the existing Institutional Overlay Zone (IOZ) regulations to permit The Roux Institute at Northeastern University to pursue an IOZ as an identified major City institution, change the underlying zoning of the site from I-M to B-5, and adopt a new IOZ for this property. Our reasons for supporting this application are twofold.

First, IDEALS has demonstrated a commitment to preserving important historic resources of this site. IDEALS itself initiated an application to have the signature cannery building and the landscape in its foreground designated a local landmark. The city's Historic Preservation Board approved of this application and submitted it to the City Council, who officially designated it in October 2022. The commitment on behalf of IDEALS demonstrates how they hope to integrate such an iconic piece of the city's historic fabric and a highly visual landmark into their plans for the future of the site. While it is regretful the landmark designation could not extend to the equally historic codfish building over the pier because of its severe structural issues and need for demolition, IDEALS nevertheless is choosing an approach to open space, natural, and historic resources that enhances the site and pays homage to Portland's industrial past while acting as a catalyst for the city's future potential.

Second, IDEALS has been very forthcoming with its plans and transparent in public forums. As a result, IDEALS has modified its plans to account for concerns from a variety of constituents—neighbors, city officials, local stakeholders—so that the site can benefit more than just the Roux Institute at Northeastern when it is complete. This includes efforts to make the site accessible to the public, activating waterfront space that is presently detached from the rest of the city. Relatedly, IDEALS has indicated a commitment to extensively documenting the codfish building and the other ancillary structures on site through photography and scanning, creating a record of what stood there, and to install public art that evokes the former codfish building. Other examples include the concept of a restaurant in the old cannery building that will be public and evoke the history of the site as well as other interpretative components of B&M's history. IDEALS has also engaged Landmarks about ways to document the history of the overall East Deering neighborhood so that the story they tell integrates into the larger community, rather than sets the campus apart.

Like the other current IOZ beneficiaries, the Roux Institute will be major non-profit entity in Portland that works toward its own goals but also benefits the city at large. Given the scale and complexity of their development plan and the fact that they are a non-profit, we feel that an IOZ designation is appropriate in this case. We hope you will approve this application. Thank you for the opportunity to comment.

Sincerely,



C. Ian Stevenson, PhD
Director of Advocacy



Dena Libner <dlibner@portlandmaine.gov>

Orders 125-22/23, 126-22/23 & 127-22/23

1 message

Jordi St. John <jordi9909@gmail.com>

Sun, Jan 22, 2023 at 10:08 PM

To: publiccomment@portlandmaine.gov

Hello City Council,

My name is Jordi St. John, I live on Johansen Street and work for the Maine Island Trail Association, whose office is above the Maine Yacht Center. I am writing in support of Roux's new proposed campus.

It is exciting to me that the Roux Campus will be a dynamic combination of academic and research endeavors applied to real-world settings with start-up companies and small manufacturing applications, all on a campus where housing, lodging, dining and retail essentials create a contained platform for creativity and innovation.

I like that the campus is modeled on similar campuses around the country, this concentration of essential assets amplifies engagement among students, entrepreneurs, visitors and professors, and seems essential to the success of the Roux Institute. From what I can tell the campus is being designed for the Roux Institute community and the community of Portland. Rather than develop a limited campus used only by those learning and working there, the campus will welcome all comers, with waterfront access, public open space, and complementary offerings, which is attractive to us neighbors and other Portland residents.

The old B&M lot is perfect for the campus being on a peninsula in the city, buffered by a highway on two sides and a marina, the site is well-suited to a high-density, architecturally distinctive development.

The non-profit developer of the Roux Campus has been a model of transparency and compromise, reducing the size of the campus by almost 500,000 square feet with attendant traffic reductions, lowering building heights and changing the design to minimize impacts to neighbors.

The Roux Campus will bring together learning, research, collaboration, and entrepreneurialism to shape cutting edge opportunities for Maine people and position the Maine economy as a 21st century global leader. People from all over Maine and around the globe will innovate to strengthen existing Maine businesses and institutions and spawn new ones.

I personally am thrilled that the campus will be energy efficient, climate resilient, sustainable, and environmentally friendly. Also, alternative forms of transportation are in use to access the Roux Institute in its current space, and much more is in the works for the new campus.

Thank you for your time.

Sincerely,
Jordi St. John



Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Support, Orders 125 - 22/23, 126 - 22/23, 127 - 22/23

1 message

Sean Sullivan <seanmainer@gmail.com>

Tue, Jan 31, 2023 at 8:51 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Members of the City Council,

I write to share my strong support of the Roux Institute Campus and the proposed development of the former B&M Baked Beans site. As a current student of the Roux in the Computer Science – Align program, set to earn my masters in computer science I'm confident that a new, professional campus will only drive further success and increase enrollment.

Last year, I made a major, life-changing decision when I decided to go back to school. I had a comfortable job that I enjoyed and a young family, but the opportunities that the Roux Institute offered were so compelling, I decided to jump in and haven't looked back.

What the Roux is trying to accomplish for the entire state of Maine was a key part of my decision to pursue my masters. I've never before seen such a well-organized effort to positively impact the state's economy than what the Roux has laid out. I urge you to support this vision for our state and community.

A new, multi-use campus makes perfect sense. Why would we only allow classrooms on the site, forcing students and all visitors to hop in a car to go to the grocery store, a restaurant, gym, or hotel? Far from trying to cram a giant campus into the Old Port, they've chosen a convenient corner of the biggest city in Maine that allows minimal impacts from traffic, parking, noise, or any other concerns. Look what has happened to East Bayside - an industrial corner has become a vibrant multicultural hub. Mixed-use development is smart development and should be encouraged. Transforming a former bean factory into a hub of innovation would be a unique success story and I urge you to make it a reality.

Thank you for your consideration of this matter and for your service to the City of Portland.

Sincerely,

Sean M. Sullivan
South Portland, Maine



Dena Libner <dlibner@portlandmaine.gov>

Email Regarding Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nedicus Maximus <nedswain1st@gmail.com>

Tue, Jan 31, 2023 at 10:38 PM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Hi! I live over in the neighborhood between Presumpscot and Ocean Ave and I'm really excited about the Roux Institute redevelopment of the old B&M baked beans factory. I think it's great that it will be put to good use after being abandoned for so long. I'm also glad it won't fall into the water and turn into a burden on taxpayers! Here's a letter I wrote in support of the project.

Ned Swain

As a long time Portlander and resident of North Deering I've been following the Roux institute's plans to redevelop the old B&M Baked Beans facility. Since moving to Portland in 2002 I've often wondered what would happen to the building. It was clear the building was slowly decaying and with the coming sea level rise I thought it might end up being abandoned and become an environmental and safety hazard. It certainly didn't seem like a great use of waterfront property in Portland. I was excited to hear that the Roux Institute had purchased the site; it seemed like a best case scenario. I think it's great that the property is going to be used by an institution of higher education focused on cutting edge disciplines that are what Maine needs to keep our economy strong and diverse. There's also the benefit to me personally that it will help revitalize that area and most likely increase property values. I understand that some residents are worried about increased traffic and a change to the view there. Traffic is a valid concern but with two highway access points right there and the already high traffic capacity of Washington Avenue it shouldn't be too hard to address that issue. As to the changing view: it is a change but I'll be happy to see a newer building that I know is full of people working and learning instead of an underutilized piece of Portland's past.

Portland's failure to add housing over the past 20 years has caused a housing shortage that has driven longtime residents out and made it difficult for young people to relocate here. For a long time Portland has benefitted from being a cultural capital of northern New England and drawn in young people from the surrounding region. Those young people staffed our local service economy and went on to start their own businesses. That influx of young people is one of the bedrock reasons the city has been so dynamic and economically successful. The housing shortage and accompanying high housing costs erode this dynamic and threaten the city's long term health. Therefore the inclusion of apartments and dorms on the Roux campus is a big benefit to the city and helps with a problem the city has been unable to address.

I'm excited to have the Roux Institute here in Portland contributing to and expanding our diverse community. Their redevelopment plans specifically help the city by bringing new high paying jobs, creating housing, and taking care of an old industrial building that could have become a burdensome environmental and safety hazard to the city. I feel lucky that the Institute decided to come here instead of Lewiston or Biddeford. I hope the city will balance the concerns of a minority of residents against the major benefits this project brings to the whole city. Portland should work with the Roux Institute to help them be as successful as possible.

--

Ned Swain
[Devenish Wines](#)
[Local Muscle](#)

*My candle burns at both ends;
 It will not last the night;
 But ah, my foes, and oh, my friends—
 It gives a lovely light!*



Dena Libner <dlibner@portlandmaine.gov>

Order 125-22/23; Order 126-22/23; Order 127-22/23 - Roux Institute

1 message

Mike Tremblay <mtremblay@gpmetro.org>

Thu, Feb 2, 2023 at 9:53 AM

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

Greetings, Portland City Council,

I'm writing to inform you on the progress that Greater Portland METRO has made with IDEALS on serving the Roux Institute site at the former B&M site with transit service.

Over the better part of 2022, METRO has been meeting with representatives of the Roux Institute, including Sam Reiche from IDEALS and Jenn Conley from VHB, who is coordinating their transportation plan. METRO has also participated in multiagency transportation planning meetings including MaineDOT and City of Portland staff. The Roux team has shown immense interest in accommodating METRO on their new campus site.

At METRO, we see ourselves as a potential partner to the Roux Institute and a significant part of the transportation solution for this site. METRO is eager to continue working with the Roux team to determine a workable outcome for providing the site with frequent and reliable public transit.

As you are aware, METRO is not a City agency; we are a transit district comprising of Portland and five other municipalities, governed by a Board of Directors on which four Portland representatives (including two City Councilors) sit. While we are always eager to work with our member municipalities and development teams to determine how we can best serve a new location, this is not always immediately possible within our budgetary means. As any public agency with a constrained budget, we must take care to approach growth in a careful, calculated manner that is sustainable in both the short- and long-term. For this reason, any new service providing access to the Roux site must be accompanied by new funding.

METRO has presented IDEALS with cost estimates for extending our Route 5 service into the Roux site, terminating at the heart of the campus, as well as deviating our Route 7 service, with increased frequency, into the site (likely serving an exterior parking area rather than the heart of the campus). IDEALS is evaluating these options now. We are optimistic that we will arrive at an outcome that benefits the Roux Institute, Greater Portland METRO, the City of Portland, and the greater Portland region as a whole.

In addition to evaluating options for service to the site, METRO and Northeastern University are setting up a pass program that would allow for students and faculty to board any bus in the METRO, South Portland, and Biddeford Saco Old Orchard Beach network at no charge. This would be a significant incentive to use transit instead of driving. Pass programs have been very successful where they are already in place for Portland Public School students, USM students and faculty, Maine Medical Center staff, and others.

Finally, the Roux team has indicated a willingness to provide amenities to METRO passengers and bus operators should bus service be provided onsite. These amenities may include seating and shelters, real-time arrival information, restrooms for bus operators, etc. The details of these accommodations will be determined during the site plan process and as the plan to serve this site with bus service becomes clearer.

We are looking forward to further advancing our discussions with the Roux team in the coming weeks and months.

Please feel free to reach out to me if you have any questions. My email address is mtremblay@gpmetro.org.

Thank you,

Mike Tremblay, Director of Transit Development
Greater Portland METRO

--

Mike Tremblay, P.E. (he, him, his)

Director of Transit Development

Greater Portland Metro

114 Valley Street | Portland, ME 04102

Office: 207.517.3023 | Mobile: 508.451.0208

e-mail: mtremblay@gpmetro.org | website: www.gpmetro.org





Dena Libner <dlibner@portlandmaine.gov>

Roux Campus Development

1 message

Liz Trice <liztrice@gmail.com>
To: publiccomment@portlandmaine.gov

Thu, Feb 2, 2023 at 12:57 PM

Mayor Snyder and Honorable Councilors,

I am writing to express support for a new Roux campus. I believe it will bring amazing educational and economic development opportunities to the whole state for generations to come. In order to make the campus a success, I encourage the city to encourage, assist with, and require transportation infrastructure that will ensure game-changing improvement to pedestrian, bike and bus infrastructure in the area. This will allow the density and integration with downtown and surrounding neighborhoods that will provide a net benefit to all, as well as make key connections through the region for the East Coast Greenway Trail.

Specifically, there needs to be excellent, easy year-round access from over Tukey's Bridge for people walking or biking to and from the peninsula, to both the campus, the Veranda Street neighborhood, back cove, and northbound to Martin's Point. There are many awkward and unsafe connections there, and this is a great opportunity to correct them. Providing transit service direct to the campus is also key.

Respectfully,

Liz Trice
Schedule a meeting with me [here](#).
 [profile](#)
207-776-0921

"Whatever you do, or dream you can, begin it. Boldness has genius and power and magic in it."

"Lo que usted puede hacer, o soñar que puedes, comenzar. La audacia tiene genio, poder y magia en ella."

- Johann Wolfgang von Goethe / William Hutchison Murray



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Project at B&M Property (Orders: 125-22/23, 126-22/23, 127-22/23)

1 message

'Gabe Wilson' via Public Comment <publiccomment@portlandmaine.gov>

Wed, Jan 18, 2023 at 4:05 PM

Reply-To: Gabe Wilson <gwilson@wymans.com>

To: "council@portlandmaine.gov" <council@portlandmaine.gov>, "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>

Dear Mayor and City Councilors,

My name is Gabe Wilson, a Portland young professional, landlord of condo on Deering St., and homeowner with my fiancé in the Lunts Corner neighborhood. I am writing you to share and explain my support of the Roux Institute project on the site of the former B&M property.

I moved to Portland over 4 years ago from Nashville, TN. Although Nashville is where I grew up, I have popped around many regions of the country (Los Angeles, Texas, Massachusetts and Vermont) until ultimately landing in Portland for a position at Wyman's (wild blueberries). I am thrilled to have landed in such a great city with immense culture, entertainment, and access to the great outdoors. I met my fiancé, a Mainer from Belfast area, right before the pandemic, and we've been tearing up the Portland Trails singletrack on bike and foot since. It's safe to say we will be in Portland area for quite some time now!

We support the Roux Institute project for numerous reasons.

1. We believe the project will spur more stories like mine by bringing **young talented professionals** from all over the country to Southern Maine. These individuals will fall in love with the area and further vitalize the businesses, communities, and nearby cities.
2. As a Food & Beverage manufacturing professional, I believe the project is an opportunity to breathe life into a formerly thriving food factory. Something that is **truly unique and historic** to the city of Portland and neighborhood.
3. As an employee and employer in a family-owned, Maine company over 100 years old, I believe this project will **positively impact** other Maine-based companies. The development will give companies like Wyman's more resources (STEC) to better our brand and business while partnering with other Maine industries and professionals, **keeping our network in-state and Maine proud**.
4. As a homeowner in the neighborhood, we believe this development will spur businesses, restaurants, and entertainment into this side of the peninsula. Something we look forward to tremendously to give us ample walkable options. We are excited for the **public green space** included in the design, which will allow Sunday strolls to the water much more enjoyable! Additionally, we are excited for additional **public transportation** like Metro or water taxi services to provide alternative travel means downtown or Old Port.
5. As an outdoor enthusiast and avid bicycle commuter I am excited for extensive **bicycle and pedestrian greenways** and infrastructure. Furthermore, I am thrilled that the developer IDEALS is collaborating with local organizations like PBPAC and Portland Trails.
6. As an eco-conscious individual, I look forward to the Roux Institute campus being a showcase for **sustainability** and **environmental resiliency** for Portland and the state of Maine.

I realize, like with any development, there will be an increased number of vehicles and people; however, I am confident the issues associated with traffic can and will be addressed during the Site Plan Review process. Additionally, I believe there is no better institute/business that will put every effort forward to streamline and incentivize carpooling and alternative commuting (bike share, etc.). We support this project, and hope that you are all and the local community see the opportunities and benefits as we do!

Thank you,

Gabe Wilson

Sr. Manager, Supplier & Product Development

+1 (903) 520-1837 | gwilson@wymans.com

Wyman's | Jasper Wyman & Son



Dena Libner <dlibner@portlandmaine.gov>

Opposition to the Roux Institute Development Proposals for the B&M site

1 message

Jenny Potter Scheu <jpscheu@gwi.net>

Mon, Jan 16, 2023 at 3:04 PM

To: publiccomment@portlandmaine.gov

re: Orders 126-22/23 and 127-22/23, January 18th City Council review of the proposed zoning changes for the Roux Institute

Greetings City Council Members,

I am writing in opposition to the proposed zoning changes for the Roux Institute development plan for the B&M site.

Access to and from this proposed site for the Roux Institute expansion is already very challenging at best. The proposed new development would bring many more people to that site, creating an even bigger access problem.

If the Roux Institute's mission is to bring technological innovation to Maine, it must be required to show Portland citizens that they will solve the site transportation challenges they are saddling our Portland community with.

The City of Portland must exact a commitment from the Institute that they will design and locate funding for innovative transportation and site access solutions, such as a light rail connection to the peninsula, and an ample network of a pedestrian and alternative transportation routes, well before the site zoning is changed.

Planning 101 suggests that such a proposed dense development- a wall of tall buildings- should be at the high point of land and adjacent to areas of dense development, and not be a wall at the edge.

As proposed, the Roux Institute expansion at the B&M factory site would be a new wall between an established low density residential neighborhood and Casco Bay.

Instead of being dazzled by the flash of the Roux Institute's proposals and financing, the City should be working harder to support two important existing Portland institutions of higher learning, USM and MECA&D.

These two institutions have both been working successfully and steadily for decades to make our community's reputation for innovation, inclusivity and creativity stronger and widely known.

It is not too late for Portland insist that the Roux Institute be expanded adjacent to, collaborate with and strengthen these important existing institutions, working in tandem to enhance the uniqueness of our City.

Thanks to each of you for your work on our behalf.

Sincerely,
Jenny Scheu

Work: Redhouse Architects + Studio
[61 Pleasant Street, Portland ME 04101](#)

Home: [29 Waterville Street, #3, Portland ME 04101](#)



Dena Libner <dlibner@portlandmaine.gov>

Roux Institute Orders 125-22/23, 126-22/23 and 127-22/23

1 message

'Sarah Flink' via Public Comment <publiccomment@portlandmaine.gov>

Fri, Feb 3, 2023 at 7:23 PM

Reply-To: Sarah Flink <sarahflink@mac.com>

To: publiccomment@portlandmaine.gov, council@portlandmaine.gov

To the Portland City Council:

My name is Sarah Flink. I live in Portland and my business is based here. I'm writing today to support the zoning amendments proposed for the Roux Institute campus.

In my professional life, I do project management and coalition building, and I understand the imperative of listening to diverse stakeholders as part of the process to implement complex plans.

I believe that the Roux Institute has done a good job of listening to a broad range of stakeholders as they have developed their plans for the redevelopment of the B&M factory along Portland's waterfront.

They have talked extensively with neighbors, environmental groups, development experts, community leaders, city residents and other educational organizations in the Portland area and around the state. They have developed important partnerships that are already helping Portland students, are collaborating with other colleges and universities, and they are attracting new business and impressive scholars to the state.

There's no question that a development like this can create concerns, particularly for neighbors of the project. They are right to worry about traffic, and their neighborhood will change. Any meaningful project will always have some impacts on the surrounding area, but I believe the measures that Roux has taken will help to mitigate those concerns, and that the continued participation of the city and state will ensure that traffic doesn't overwhelm this area in the city. The benefits of this project to the entire Maine community are immense, and the Roux Institute has shown they are willing to be ongoing partners with the neighborhood and the city to address any impacts.

Thank you for considering my comment, and I hope that you will approve Orders 125-22/23, 126-22/23 and 127-22/23.

Thank you for your work for the city of Portland.

Sincerely,

Sarah Flink
Portland



Dena Libner <dlibner@portlandmaine.gov>

Public Comment: On Roux campus council agenda items: Order 125-22/23; Order 126-22/23; Order 127-22/23

1 message

Nathan Miller <nmlilleruw@msn.com>

Fri, Feb 3, 2023 at 7:55 PM

To: "publiccomment@portlandmaine.gov" <publiccomment@portlandmaine.gov>, "council@portlandmaine.gov" <council@portlandmaine.gov>

To the City of Portland Council Members,

I am a resident of the Oakdale neighborhood, 1 block away from the USM Portland Campus, so I've seen the benefits an institution can bring to a neighborhood. I would like to offer my support for the specific zoning requests made on behalf of the Roux Institute, being addressed in the February 6, 202 council meeting, but also more broadly for the city to embrace the transformational example this innovative and exciting project can provide.

As much as I love USM as a neighbor, decades of catering to and planning for an auto-centric campus has created a self-fulfilling prophecy of auto-dominance. The first thing that gets discussed regarding any new developments on campus is parking counts and traffic concerns rather than excitement over new opportunities and an enhanced university experience.

With the Roux Institute, we have chance to start from scratch and encourage a new kind of neighborhood. I love the idea of mixed-use development, and yes, for profit businesses mixed in with housing, education, and recreation. We know as a city that we NEED to mode shift away from single-occupant-vehicles towards active transportation and transit, but we won't ever experience that until we actually try a development that doesn't focus on the automobile. The Roux campus is an opportunity to make walking, biking, and transit the most attractive and low-friction methods of getting in and out of the area. Driving, of course, must be accommodated such as for those who cannot use other means of transportation, but it shouldn't be the path of least resistance or the "default".

As this project moves forward, the city, state, and private developers must focus on how the development connects to, enriches, and supplements the neighborhood, rather than on how can we most efficiently move cars in and out. Let's re-establish multiple paths and sidewalks that were cut off by the I-295 corridor. Let's feature beautiful and inviting transit stops in the prime-locations on campus. Let's allow people to live, work, and play in a dense and diverse setting with out having to take a trip anywhere.

Thank you for your consideration,
Nathan Miller
[79 Fessenden St](#)
Portland, ME

Paul G Rudenberg DVM
February 2, 2023

Dear Hon. Mayor of Portland, and members of the Portland City Council,

A high tech graduate institute in artificial intelligence, life Sciences, computer and data sciences, and digital engineering, and mentoring for startups/innovators affiliated with Northeastern University will be a huge asset to Portland and the future of Maine tech companies and their employees. Similarly, a high tech innovation campus similar to the bustling Technology Square next to MIT, the Burlington Technology campus affiliated with Northeastern U, or Tech square, across the thruway from Georgia Tech, settings where corporate (and gov't) researchers, tech innovators, graduate students and faculty can collaborate, will likely spur economic growth in the region.

Thirdly, a thriving residential community offering 600+ mainly market-rate apartment units, a hundred hotel rooms, shops, and restaurants, all open to the public, will help take pressure off the housing crunch in Portland, create a walkable/sustainable community, and provide tax dollars and economic growth in the area. Each of these three initiatives is bold, timely, and very worthwhile for Portland.

However, attempting to call all three of these initiatives inseparable parts of an "educational institution", all worthy of a new Institutional Overlay Zone regulatory framework whether or not they are even legally part of the Institution, is not an appropriate use of this regulatory framework.. And secondly. proposing to cram all three, with a combined million square feet of building plus parking, and with industrial zoning in addition, on 14 acres of land next to the rising sea, with one entrance under Rte 295, seems to this observer to be folly.

Interestingly enough, Tech Square in Atlanta is about 14 acres, but it is across the thruway from Georgia Tech's classrooms and dorms. Burlington Innovation Campus is also 14 acres, and has bus service for Northeastern students and faculty from the downtown campus. Technology Square in Cambridge, which has changed hands numerous times, thrives next door to, and enriches MIT. These are thriving technology innovation parks adjacent, or accessible, to students and faculty.

I am not a Portland resident and I am not a neighbor of the Roux project. I am an educator that has worked in college administration, and as a veterinarian I depend on science tech. I wholeheartedly support the Roux Institute and thank the generous donors for applying their vision to the area.. But I also care deeply for Maine's future, for its coast and a sustainable natural environment, and for honesty and integrity in education.

Before the City Council votes to provide this promising project a new Institutional Overlay Zone combined with a zoning green light for both mixed use commercial development and

light/moderate industrial use, I suggest the following:

- 1) IDEALS shows evidence that the entire parcel to be included in the IOZ has been donated or sold to the Roux Institute. Thus the Roux Institute, the educational institution that seeks the IOZ, would actually own the entire property considered to be under this regulatory framework. and would not be having to rent or be permitted by another entity to use real estate on this property.
- 2) That there be a clear written commitment that approximately 80% of the 650 residential units will be designated (and offered at rental rates that are affordable) for students, faculty and affiliated Roux Institute staff, such that a public oriented hotel is not authorized within and benefitting from the IOZ.
- 3) That a written commitment be made that the hotel within the IOZ framework will focus the vast majority of its business on Roux Institute conferences, Institute short-term faculty and staff, Institute corporate and student family visitors.
- 4) That the huge impacts on local transportation and parking be more fully studied.
- 5) That the waterfront acreage that has been stated to be "restored to its natural state" be given a legally binding permanent conservation restriction.

Without these guarantees to the Portland City Council, to the surrounding neighborhood, and to the public, the "Roux Campus" should not gain such expansive and permissive zoning.

Thank you for your consideration.

Yours,

Dr. Paul Rudenberg
Falmouth, Maine



Dena Libner <dlibner@portlandmaine.gov>

Public Comment on Orders 125-22/23, 126-22/23, and 127-22/23

1 message

Curt Sachs <sachsarch@gmail.com>
To: publiccomment@portlandmaine.gov

Fri, Feb 3, 2023 at 3:34 PM

I fully support the Roux initiative. My only major concern is vehicular traffic. One lane in and one lane out is unacceptable. However, this project deserves the zoning approvals it is seeking. The value it brings in education, the economy of Portland, and contribution to a vibrant and growing cityscape warrant approvals. As a practicing licensed architect, I have found Roux to be innovative and sensitive in its design ethic. There are no significant deficits in their project.

M. Curt Sachs

Studio Curt Sachssachsarch@gmail.com

207.615.6628

Maine Licensed Architect

MEMORANDUM
City Council Agenda Item

FROM: Melissa Graffam

DATE: January 24, 2023

SUBJECT: Order 131-22/23 Approving Modification 1 to an Agreement between the Maine Department of Transportation, the Portland Area Comprehensive Transportation System and Portland Re: Improvements to Cumberland Avenue - Sponsored by Danielle P. West, Interim City Manager

SPONSOR: The Mayor, City Manager, City Clerk, Corporation Counsel, the Planning Board, or up to three (3) members of the Council shall sponsor any orders or other items. If sponsored by a Council Committee, please include the date the committee met and the results of the vote.

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 2/6/2023

**Final
Action 2/6/2023**

Can action be taken at a later date: No This agreement must be approved by City Council and signed by the City Manager prior to the project going out to bid. Historically, with an earlier bid date, bid pricing will be improved.

Does this item involve a new contract with the City: No

PRESENTATION: N/A

I. SUMMARY

City Council is being asked to approve the attached Modification #1 to Portland Area Comprehensive Transportation System (PACTS) Municipal Partnership Agreement, which would allow the City to move ahead with its plans to improve and pave Cumberland Avenue between Washington Avenue and Franklin Street, approximately 0.22 miles. The agreement obligates the City and PACTS to split the project costs.

II. AGENDA DESCRIPTION

This order approves a modification to the City's agreement with the Maine Department of Transportation (MDOT) and the Portland Area Comprehensive Transportation System (PACTS) for the Cumberland Avenue project, which includes the paving of Cumberland Avenue from Washington Avenue to Franklin Street, upgrading ADA ramps, and new striping.

This modification adds \$33,000 more in PACTS funds toward the project. It does not include any additional funds on the part of the City.

The City's share is estimated to be \$401,600, which represents 68% of the estimated construction cost and was approved by the City Council as part of the FY23 Capital Improvement Plan (CIP).

This project is part of the Municipal Partnership Initiative (MPI) Program, through which the City administers the project and receives a percentage of funding from the state Municipal Partnership Organization (PACTS).

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Cumberland Avenue paving project is part of MaineDOT's 2022 work plan. The scope of the MPI project work includes a 2" mill and fill, curb work, sidewalk work, ADA ramp reconstruction, and re-striping after final paving. Portland Public Works staff are anticipating the project to go out to bid in early 2023 with construction following after. This project is classified as a pavement preservation project and is part of the MPI Program. The City will be responsible for 68% of the paving cost, or \$401,600 and 100% of any overages to the estimate.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The Cumberland Avenue Improvements project will improve the pavement surface and ride quality on a regionally important minor arterial. The project will improve sidewalk and ADA ramps for a better and safer pedestrian experience. PACTS will pay for a portion of the project costs.

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

This is a Minor Arterial in the City of Portland with a high AADT, is a major connector from downtown to the East End, and has a large pedestrian presence. Cumberland Avenue was ranked with a poor to fair PCI when it was last evaluated in 2022. Without this project, the road will continue to decline.

VII. RECOMMENDATION

The Department of Public Works recommends approving and signing the subject agreement to allow the City to improve Cumberland Avenue from Washington Avenue to Franklin Street in 2023.

VIII. LIST ATTACHMENTS

1. Order re Modification 1 of MDOT PACTS Cumberland Ave Improvements 2.6.2023
2. Modification #1 to 3-Party Agreement - Cumberland Avenue
3. Fully Signed 3-Party Agreement - Feb 2022
4. Fiscal Impact Note - Cumberland Ave - Franklin to Washington (2)
5. Cumberland - Wash to Franklin - Project Location Map (1)

Prepared by:

Melissa Graffam

Date: 01/24/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**ORDER APPROVING MODIFICATION 1 TO AN AGREEMENT BETWEEN THE
PORTLAND AREA COMPREHENSIVE TRANSPORTATION SYSTEM, THE MAINE
DEPARTMENT OF TRANSPORTATION AND PORTLAND
RE: IMPROVEMENTS TO CUMBERLAND AVENUE**

ORDERED, that Modification 1 to the three-party agreement between the Portland Area Comprehensive Transportation System, the Maine Department of Transportation, and the City of Portland to construct improvements to Cumberland Avenue with State Work Identification Number 025815.00 is hereby approved in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said documents and any other related documents necessary or convenient to carry out the intent of said documents and this Order.



Internal Use Only

TEDOCS#: _____

CSN#: 43607 Portland/ 43608 PACTS

**MAINE DEPARTMENT OF TRANSPORTATION
MODIFICATION # 1 TO MUNICIPAL PARTNERSHIP INITIATIVE (MPI) AGREEMENT**

Project Location: Portland
 State W.I.N. #: 025815.00
 Federal W.I.N. #: N/A
 PACTS ID#: PACTS
 Municipality ID#: VC1000073472

Original Estimated Project Amount: \$330,000.00
 Current Estimated Project Amount: \$330,000.00
 Modified Estimated Project Amount: \$586,300.00
 Current Agreement Expiration Date: 02/14/2027
 Modified Agreement Expiration Date: _____ ☒ N/A
 AMS Advantage#: 20220215000000000329

This Modification hereby amends a Three-Party Municipal Partnership Agreement that was executed by MaineDOT on 02/14/2022, with the Portland Area Comprehensive Transportation System (PACTS), and the Municipality of Portland (the "Municipality"), hereinafter the "**Parties**" for **Proposed Improvements to Cumberland Avenue** (**Project**) as follows:

- ☒ **Increased Estimated Project Amount.** The maximum amount of the Agreement shall be increased by: \$256,300.00 from \$330,000.00 to \$586,300.00. Reason: Due to withdrawn projects, additional PACTS MPI funds became available. The PACTS Executive Board decided to allocate those additional PACTS MPI funds to 2022 PACTS MPI projects, which includes WIN 025815.00. The additional funding granted to WIN 025815.00, by the Executive Board, was \$33,000 based on an updated estimate.

The following attachments are hereby incorporated into this Modification:

- ☒ **Appendix A - Replace Section 2a – Financial Obligations**
☐ **Appendix B – PACTS Letter to MaineDOT Outlining Scope and Cost of MPI Project**

All other terms and conditions of the original Agreement shall remain in effect. This Modification hereby becomes part of the Agreement. The Parties, by their duly authorized representatives, have executed this modification to said original Agreement, which shall become effective on the date last signed below.

**PORTLAND AREA COMPREHENSIVE
TRANSPORTATION SYSTEM**

MAINE DEPARTMENT OF TRANSPORTATION

By:  _____
DocuSigned by:
EF67A54B0DDE4EB

By: _____ *

Kristina Egan, Executive Director
 Portland Area Comprehensive Transportation System

Dale F. Doughty, Director
 Bureau of Planning

1/9/2023

 Date

 Date

MUNICIPALITY OF PORTLAND

By: _____
 Danielle P. West, Interim City Manager

 Date

*I certify that the foregoing signature is true and accurate, and if electronic, I further certify that it (a) is intended to have the same force as a manual signature, (b) is unique to myself, (c) is capable of verification, (d) is under the sole control of myself, and (e) is linked to data in such a manner that it is invalidated if the data are changed. 10 M.R.S.A. §9502, et seq.

APPENDIX A
(WIN# 025815.00)

Replace Section 2a on Pages 2 and 3:

1. Project Cost Sharing and Payment Schedule:

a. Financial Obligations:

i. Total Project Costs.

1. PACTS and the Municipality agree to share in all costs associated with all phases of the Project through construction (the “Total Project Costs”) in accordance with the allocations outlined below (the “Party Shares”) unless otherwise negotiated by mutual agreement of the Parties.
 - a. **PACTS Share** (provided through PACTS’ state allocation and disbursed by MaineDOT) - 50% of eligible Project costs, up to a maximum of \$184,700.00.
 - b. **Municipal Share** (provided through the Municipality’s obligation of funds) - 50% of eligible Project costs, plus 100% of any and all remaining Project Costs once the PACTS Share has been exhausted (the “Overage”).
2. The estimated Total Project Costs are \$586,300.00 (the “Estimated Total Project Costs”) and are allocated in the table below. If the Estimated Total Project Costs are adjusted to reflect updated costs, the Municipality will consult with PACTS before such adjustments are approved and implemented.

Total Project Costs	PACTS Share (State MPO Funds) 50 % (Max. \$184,700.00)	Municipality’s Share 50 % + Overage	Estimated Total Cost
Estimated Total Project Costs: <u>\$ 586,300.00</u>			
Estimated Allocated Shares	\$184,700.00	\$184,700.00 +\$216,900.00	\$586,300.00
Total Party Share of Estimated Total Project Costs	\$184,700.00	\$401,600.00	\$586,300.00

- C. MPI Projects are administered by the municipality in which the project is being constructed. PACTS' participation in an MPI Project is accomplished through its acceptance of the Project into the PACTS MPI Program, and the contribution of state funds allocated to PACTS and disbursed by MaineDOT to the administering municipality on PACTS' behalf (the "PACTS Share"). MPI Project costs not paid by the PACTS Share are paid by the administering municipality.
- D. The work that is the subject of this Agreement consists of a mill and fill on Cumberland Avenue, beginning at Smith Street and extending north 0.11 of a mile to Washington Avenue (the "Project"), and is generally outlined in **Appendix A**, made a part herewith.
- E. PACTS has selected the Project for inclusion in the 2022-2023-2024 MaineDOT Work Plan, using state capital improvement funding allocated by MaineDOT.
- F. The Municipality has approved the Project and supports the decision by MaineDOT and PACTS to program the Project, and is prepared to administer and fund the Project in accordance with the terms of this Agreement.
- G. The Parties have a mutual interest in ensuring that the Project is delivered on a reasonable schedule and within the programmed budget, using a process that maximizes communication and cooperation between the Parties.
- H. This Agreement is intended to cover the roles and responsibilities of the Parties through full Project development and construction, and to establish the financial obligations of each Party.

AGREEMENT

NOW, THEREFORE, in accordance with the foregoing, the Parties agree as follows:

1. Appendices:

The following appendices are hereby incorporated into this Agreement:

- ☒ Appendix A - PACTS Letter to MaineDOT Outlining Scope and Cost of MPI Project
- ☐ Check if no appendices attached

2. Project Cost Sharing and Payment Schedule:

a. Financial Obligations:

i. Total Project Costs.

- 1. PACTS and the Municipality agree to share in all costs associated with all phases of the Project through construction (the "Total Project Costs") in accordance with the allocations outlined below (the "Party Shares") unless otherwise negotiated by mutual agreement of the Parties.

- a. **PACTS Share** (provided through PACTS' state allocation and disbursed by MaineDOT) - 50% of eligible Project costs, up to a maximum of \$151,700.00.
 - b. **Municipal Share** (provided through the Municipality's obligation of funds) - 50% of eligible Project costs, plus 100% of any and all remaining Project Costs once the PACTS Share has been exhausted (the "Overage").
2. The estimated Total Project Costs are \$330,000.00 (the "Estimated Total Project Costs") and are allocated in the table below. If the Estimated Total Project Costs are adjusted to reflect updated costs, the Municipality will consult with PACTS before such adjustments are approved and implemented.

Total Project Costs	PACTS Share (State MPO Funds) 50% (Max. \$151,700.00)	Municipality's Share 50% + Overage	Estimated Total Cost
Estimated Total Project Costs: <u>\$ 330,000.00</u>			
Estimated Allocated Shares	\$151,700.00	\$151,700.00 +\$26,600.00	\$330,000.00
Total Party Share of Estimated Total Project Costs	\$151,700.00	\$178,300.00	\$330,000.00

- b. **Payment Schedule:** The Municipality shall be the sole administrator of the Project contract(s) and shall pay up front all Project costs, subject to cost sharing by the Municipality and PACTS as specified above.
- i. The Municipality may begin invoicing PACTS for the PACTS Share of eligible Project costs upon 1/3 Project completion. Invoices shall be submitted no more than monthly with a maximum number of invoice submittals not to exceed five (5) invoices for the total Project.
 - ii. The Municipality shall submit to PACTS for reimbursement detailed invoice(s) documenting actual amounts incurred for Project related costs, together with evidence of such invoices having been paid by the Municipality, and identifying PACTS' share of each invoice submitted.
 - iii. Each invoice shall include the Municipality's certification that all amounts claimed are correct, and not previously claimed.
 - iv. PACTS shall review each such invoice and, upon approval, shall forward each invoice to MaineDOT for payment to the Municipality out of PACTS'

allocated state MPO funds. MaineDOT shall reimburse the Municipality accordingly within thirty (30) days of its receipt of such approved invoice(s) in an aggregate amount not to exceed the total PACTS Share.

3. Project Milestones: The Municipality agrees to share information about the Project with PACTS and MaineDOT at the following milestones, as appropriate:

- Project kickoff/initial team meeting/formal public contact;
- Horizontal/Vertical Alignment Complete (HVAC);
- Preliminary public meeting;
- Preliminary Design Report (PDR) complete;
- Formal public meeting(s);
- Plan Impacts Complete (PIC);
- Peer reviews;
- Plans, Specifications and Estimate (PS&E) complete;
- Changes in the Project schedule or engineer's estimate of costs.

4. Project Design, Construction Plans and Specifications:

- a. The Municipality shall prepare, or cause to be prepared, all plans, specifications, engineer's estimates and contract documents for the Project within the scope of work identified above, using a standard project development process to ensure adherence to federal and state regulations (the "Preliminary Project Development Materials").
- b. The Municipality shall retain a Professional Engineer licensed in the State of Maine to oversee all Project activities (the "Project Engineer").
- c. The Project must be designed by a Professional Engineer licensed in the State of Maine (the "Design Engineer") and in compliance with MaineDOT's design standards (the "Design Standards").
 - i. The Design Engineer shall provide certification to the Parties that, in his/her professional opinion, the Project will provide a smooth ride and not reduce the safety, mobility or structural quality of the affected State and/or State Aid Highway.
 - ii. All design documents must be stamped and signed by the Design Engineer in accordance with the provisions of this Section.
- d. MaineDOT reserves the right to review and comment on all plans and specifications with the focus on ensuring that the Project will achieve the anticipated benefits and will not degrade safety.
- e. The Municipality, through its Project Engineer, shall obtain written approval from MaineDOT for any exceptions to the "Design Standards". Submitted documentation shall compare the proposed design to the existing conditions for each proposed exception. Any and all exceptions shall be listed on the cover sheet accompanying the Project plans and submitted to MaineDOT, accompanied by a request for acceptance

- of the Project's design exceptions. All such requests must include the signature and professional stamp of the Professional Engineer responsible for the design of the Project.
- f. In developing the Project, the Municipality shall ensure that the following elements are satisfied:
- i. The Project improvements must have a minimum useful life of ten (10) years;
 - ii. The safety of the corridor and the life of the resulting structural and design elements shall be equal to or better than the existing conditions and design;
 - iii. The structures, roadways and design features affected by the Project work shall, at a minimum, be of equal dimensions to the existing features or structures and shall be of improved quality in terms of materials and utility;
 - iv. The Project shall not introduce any unanticipated safety hazards to the traveling public;
 - v. The Project shall retain the same level or an improved level of mobility of travel within the corridor;
 - vi. The Project shall not in any manner decrease the life expectancy of the affected component(s) of Maine's transportation system;
 - vii. The Project shall meet the most recent Americans with Disabilities Act of 1990 (ADA) design requirements;
 - viii. Traffic control and the safety of pedestrians, bicyclists and the traveling public shall be provided for at all times.
- g. The Municipality shall coordinate with affected utilities to identify existing utility locations and/or any utility relocation impacts that may be created by the development of the Project.
- h. It is expected that the Project can be constructed within the existing right-of-way limits. If that is not the case, the Municipality must provide MaineDOT with a detailed explanation of the property rights required for the Project and shall acquire any such property rights in accordance with all applicable state and federal laws. The PACTS Share may only be applied to costs associated with the acquisition of property rights required for the implementation of the Project.
- i. The Municipality shall perform all necessary federal, state and local permitting activities required in connection with the Project.
- j. Project construction must commence within twelve (12) months and must be certified as complete within twenty-four (24) months of the date of execution of this Agreement. If this timeline is not met, and the Municipality cannot show that it has made a good faith effort to meet this timeline, PACTS retains the right to withdraw any unpaid

portion of the PACTS Share and reallocate its remaining funding to other eligible projects in its service area.

- k. Upon completion of Project construction, the Municipality shall provide certification to MaineDOT from the Project Engineer stating that the Project is complete and has been constructed in accordance with the plans and specifications.

5. Public Involvement:

The Municipality shall be responsible for implementing and leading any and all required public involvement processes and activities, including those required by Maine's Sensible Transportation Policy Act, and any necessary media coordination associated with the any phases of the Project covered by this Agreement.

6. Changes to Project Scope:

The Municipality will consult with MaineDOT and PACTS before implementing any adjustments to the Project scope.

7. Termination:

- a. In the event the Municipality decides to terminate the Project for any reason prior to the award of a contract to construct the Project and that termination under this clause is not directed by MaineDOT and PACTS, the Municipality shall be responsible for covering all Project costs incurred up to the time of termination.
- b. This Agreement may be terminated at any time by mutual written agreement of all Parties.
- c. In no event, shall any such action taken under this subsection be deemed a breach of contract, nor shall it represent any individual Party's waiver of claims for breach of contract or its right to any other remedy it may have pursuant to this Agreement, or at law or in equity.
- d. In the event of Project termination, all provisions of this Agreement shall become null and void except for the financial obligations set forth herein, as well as those provisions to this Agreement that by their very nature are intended to survive.

8. Miscellaneous Provisions:

- a. Quality of Work. PACTS reserves the right to require the Municipality to refund all reimbursements made and to repay PACTS fully for all Projects costs incurred if the work is found to be unsatisfactory.
- b. Reprogramming of Remaining PACTS Funds. Any state MPO funds allocated to the Project that remain unspent following payment of the final invoice and reconciliation of the Project shall be made available to PACTS for reprogramming once the Project is closed out.

- c. Indemnification. To the extent permitted by law, the Municipality and PACTS shall each individually indemnify, defend and hold harmless MaineDOT, its officers, agents and employees from all claims, suits or liabilities arising from the indemnifying Party's own negligent or wrongful acts, errors or omissions or by that Party's officials, employees, agents, consultants or contractors. Nothing herein shall waive any defense immunity or limitation of liability that may be available under the Maine Tort Claims Act (14 M.R.S. Section 8101 et seq.) or any other privileges or immunities provided by law. This provision shall survive the termination or expiration of the Project.
- d. Assumption of Responsibility. The Municipality hereby assumes responsibility for all damage to public or private property of any kind resulting from any act, omission, neglect or misconduct of the Municipality, its employees, agents or representatives, and shall ensure that its contractor(s) assume the same responsibility for all damage to public or private property of any kind resulting from any act, omission, neglect or misconduct of its own employees, agents or representatives. This assumption of responsibility shall also include damage to vehicles passing through the Project limits.
- e. Obligation of State Funds. Notwithstanding anything herein to the contrary, the Municipality and PACTS acknowledge and agree that, although the execution of this Agreement by MaineDOT manifests its intent to honor its terms and to seek funding to fulfill any obligations arising hereunder, by law any such obligations are subject to available budgetary appropriations by the Maine Legislature and, therefore, this Agreement does not create any obligation on behalf of MaineDOT in excess of such appropriations.
- f. Performance. The Parties will avoid hindering each other's performance; fulfill all obligations diligently; and cooperate in achievement of the intent of this Agreement.
- g. Obligation of Municipal Funds. The Municipality represents that it has received all necessary approvals or authorizations by its governing authorities to approve the Project and enter into this Agreement, and that it has obligated the necessary funds to satisfy its Municipal Share of the Project Costs set out herein.
- h. State of Maine's Rights of Set-Off. MaineDOT shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State of Maine's option to withhold for the purposes of set-off monies due the Municipality under a specific project contract up to any amounts due and owed to MaineDOT with regard to this Agreement, and any other agreement/contract with any State of Maine department or agency, including any agreement/contract for a term commencing prior to the term of this Agreement, plus any amounts due and owed to the State of Maine for any reason including without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. MaineDOT shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by MaineDOT, its representatives, or the State Controller.
- i. Assignment. No assignment of this agreement is contemplated, and in no event, shall any assignment be made without the express written permission of the Parties.

- j. Independent Capacity. The Municipality and PACTS, their respective employees, agents, representatives, consultants and contractors shall not act as officers, employees or agents of MaineDOT.
- k. Governing Law. This Agreement shall be construed under the laws of the State of Maine. Additionally, all activities under this Agreement shall be performed in accordance with applicable federal laws and regulations, including without limitation Title 23 in the U.S. Code (USC) for statutory law, Title 23 in the Code of Federal Regulations (CFR) for administrative law, and Title 2 CFR, Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."
- l. Binding Effect. The Parties shall be bound by the terms of this Agreement. This provision shall apply to the Agreement's executors, their successors, administrators and legal representatives.
- m. Notice. Any communications, requests or notices required or appropriate to be given under this Agreement shall be in writing and mailed via U.S. Mail, Certified or Registered, Return Receipt Requested or sent via a recognized commercial carrier such as, but not limited to Federal Express, that requires a return receipt delivered to the sending party. Alternatively, communication may be sent via email and shall satisfy the delivery requirements of this section through express acknowledgement of receipt by the receiving party. Said communications, requests or notices shall be sent to the other party as follows:

MaineDOT: Maine Department of Transportation
 16 State House Station
 Augusta, ME 04333-0016
 Attn.: Darryl Belz, PE, Statewide Planning Engineer
 Email: darryl.belz@maine.gov

Municipality: City of Portland
 250 Canco Road
 Portland, ME 04103
 Attn.: Lauren Anderson, PE, Senior Engineer
 Email: landersen@portlandmaine.gov

PACTS: Portland Area Comprehensive Transportation System
 970 Baxter Boulevard, Suite 201
 Portland, ME 04103
 Attn.: Elizabeth Roberts, PE, Transportation Engineer
 Email: eroberts@gpcog.org

Each Party agrees to promptly notify all other Parties of any changes to the above referenced contact information.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement effective on the day and date last signed.

DS
ER

DocuSigned by:

Kristina Egan

EF67A54B0DDE4EB...

Date 2/10/2022

Kristina Egan, Executive Director *
Greater Portland Council of Governments and
For Portland Area Comprehensive Transportation System
Duly authorized

DocuSigned by:

Danielle P. West

3EC4F60EB5E04A0...

Date 2/10/2022

Danielle P. West, Interim City Manager *
Municipality of Portland
Duly authorized

DocuSigned by:

Dale Doughty

8C72BDD1BBA04D4...

Date 2/14/2022

Dale Doughty, Acting Director, Bureau of Planning *
Maine Department of Transportation
Duly authorized

** I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to myself; (c) is capable of verification; and (d) is under the sole control of myself.*

PACTS

Portland Area Comprehensive Transportation System



Darryl Belz, P.E.
Safety/MPO Engineer
Bureau of Planning
Maine Department of Transportation
16 State House Station
Child Street
Augusta, Maine 04433-0016

June 17, 2021

PACTS 2022 Municipal Partnership Initiative Project: Portland, Cumberland Ave Mill and Fill

Darryl,

The following is a request to develop a Municipal Partnership Initiative (MPI) agreement for the above project for the 2022 PACTS MPI program.

On May 25th, 2021, the PACTS Policy Committee approved programming \$151,700 of PACTS' CY2022 state funding allocation for the following project:

Portland, Cumberland Ave Mill and Fill

ADA improvements, bike and parking lanes, and 2" mill and fill from Smith Street to Washington Ave.

The Route Log Miles start at 0.93 and end at 1.04 along Cumberland Ave for a total project length of 0.11 miles.

The scope consists of 2" surface overlay, new pavement markings for bicycle and parking lanes, minor sidewalk and curb improvements, and curb ramp improvements to meet ADA requirements. The total cost estimate is \$330,000.

Construction complete year is scheduled to be 2022.

The funding is 50% state/50% local with a cap of \$151,700 for the state share.

PACTS is requesting a WIN for the project and a three-party agreement to follow.

The municipal contact is Lauren Andersen. She is aware of contract documents needed such as, a scope of work, unit prices and complete specifications. These documents will be similar or the same as a MaineDOT "Book Project", including a set of plans as necessary to be outlined in the pending agreement.

Thank you for your attention to this matter. If you have any questions, please call.

The Metropolitan Planning Organization for the Portland Urbanized Area

970 Baxter Blvd • Portland, Maine 04103

Telephone: (207) 774-9891 • Fax: (207) 774-7149 • www.pactsplan.org

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Chop". The signature is fluid and cursive, with a large initial "C" and a stylized "H".

Chris Chop
PACTS

cc: Lauren Andersen, City of Portland
Chris Branch, City of Portland
Keith Gray, City of Portland
Harold Spetla, GPCOG

Formula for New Program Costing on Tax R

1) FY22 Valuation:	14,629,000,000	\$14,629,000
2) FY22 Tax Rate (Total City & School): <u>Levy / (Valuation/1000)</u>		\$12.99
(a) FY21 Tax Rate (City):		\$6.22
(b) FY21 Tax Rate (School):		\$6.77
3) FY22 Value of \$0.01 of Tax Rate (Total City & School):		\$146,290

FISCAL IMPACT NOTE	Year 1		Year 2		Year 3	
New Program Cost Data:	City Rate	City / Sch Combined Rate	City Rate	City / Sch Combined Rate	City Rate	City / Sch Combined Rate
Example:						
ADD: NEW ITEM ANNUAL EXPENDITURES		\$0		\$36,076		\$36,076
LESS: TOTAL NEW ITEM ANNUAL REVENUES		\$0		\$0		\$0
=NEW ITEM NET TAX RATE IMPACT PROJECTION	\$0	\$0	\$36,076	\$36,076	\$36,076	\$36,076
New Program Impact to the Tax Rate	\$0.0000	\$0.0000	\$0.0025	\$0.0025	\$0.0025	\$0.0025
New Program % Impact on Tax Rate	0.0000%	0.0000%	0.0396%	0.0190%	0.0396%	0.0190%
Tax Rate Including New Program	\$6.22	\$12.99	\$6.22	\$12.99	\$6.22	\$12.99

Notes: The CIP impact will actually begin in 2023 and remain for the 20 year life of the bond.



public
works

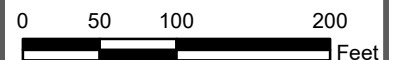
CITY OF PORTLAND, MAINE
DEPT. OF PUBLIC WORKS
212 CANCO RD, PORTLAND, MAINE 04103
PHONE (207) 874-8846 FAX (207) 874-8852

Cumberland Ave Paving

Original Scope: Washington Ave to Smith St
New Scope: Washington Ave to Franklin Art



Feb 2022



MEMORANDUM
City Council Agenda Item

FROM:

DATE: January 25, 2023

SUBJECT: Order 132-22/23 Approving Modification 3 of Agreement with Maine Department of Transportation Re: West Commercial Street Trail - Sponsored by Danielle P. West, Interim City Manager

SPONSOR: Danielle P. West, Interim City Manager

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 2/6/2023

**Final
Action 2/6/2023**

Can action be taken at a later date: No Need authorization to meet MaineDOT's construction bidding deadline.

Does this item involve a new contract with the City: No

PRESENTATION: Nell Donaldson, Director of Special Projects, 2-minute oral presentation if needed.

I. SUMMARY

II. AGENDA DESCRIPTION

This order would approve a modification to the City's agreement with the Maine Department of Transportation to fund the design and construction of a segment of the West Commercial Street Multi-use Path along the frontage of the Star Match building, resulting in an increase in cost to the City of \$18,556.

The current agreement obligates the state and the City to fund the project at an 80%-20% split. The modification before the Council increases the funding obligations from both parties to reflect final construction costs as recently bid. The City's 20% obligation as a result of the modification would increase from \$137,000 to \$155,556.

This increase in City share will be funded out of a Fiscal Year 2019 CIP account designated for the West Commercial Street Pathway.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

In 2017, the City entered into a Municipal-State Agreement with MaineDOT for the design and construction of a portion of the West Commercial Street Trail, a multi-use pathway connecting West Commercial Street with the Fore River Parkway Trail to the west. The segment is a critical missing link in the city's planned circumferential pathway network around the Portland peninsula. Over the intervening years, the construction costs for the project have grown, much like the majority of City construction projects. As a result of recent bids for the project, the Municipal-State Agreement must be amended to reflect the final construction cost.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

This project will expand the City's multi-modal facilities, specifically transportation infrastructure for pedestrians and bicyclists, on one of Portland's higher speed, higher volume roadways. In this, it will not only

improve safety and provide for better access to West Commercial Street, it will advance the city's climate goals.

V. FINANCIAL IMPACT

This modification increases the City's funding obligation by \$18,556 to a total of \$155,556. Original funding for the project was provided through CIP, with supplemental funding through infrastructure accounts associated with development in the area. This increase will be covered using a FY 19 CIP account designated for the purposes of the West Commercial Street Path.

VI. STAFF ANALYSIS AND BACKGROUND

n/a

VII. RECOMMENDATION

Staff recommends approval of this modification of the existing agreement between Maine DOT and the City of Portland and authorization of the City Manager's signature.

VIII. LIST ATTACHMENTS

1. Order re Modification 3 of MDOT West Commercial Street Trail 2.6.2023
2. MaineDOT Mod 3, Portland West Commercial Trail, WIN 18865.00

Prepared by:

Date: 01/25/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**ORDER APPROVING MODIFICATION 3 TO AN AGREEMENT BETWEEN THE
MAINE DEPARTMENT OF TRANSPORTATION AND PORTLAND
RE: WEST COMMERCIAL STREET TRAIL**

ORDERED, that Modification 3 to the agreement between the Maine Department of Transportation, and the City of Portland to construct the West Commercial Street Trail with State Work Identification Number 0218865.00 is hereby approved in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said documents and any other related documents necessary or convenient to carry out the intent of said documents and this Order.



MaineDOT use only
CSN: 37404
AMS ID: 20170504000000000609
PROGRAM: Multimodal

MAINE DEPARTMENT OF TRANSPORTATION
Modification 3 to a Locally Administered Project Agreement
With the
City of Portland
Regarding
West Commercial Street Trail

Locally Administered Project (Payable)	
Agreement Amount: \$777,780.00	MaineDOT WIN: 018865.00
Federal Share: \$622,224.00	Federal Project #: TAP-1886(500)
Local Share: \$155,556.00	Vendor ID: VC1000073476
Agreement Begin Date: 04/04/2017	SAM Unique Entity ID: LZKCFAJXBAC8
Agreement End Date: 12/31/2024	Federal Assistance Listing #: 20.205

Modification 3 amends an Agreement between MaineDOT and the City of Portland that took effect April 4, 2017. This modification adds federal and local funding to match the latest estimate for the Locally Administered Project referenced above, as follows:

- ☐ **Increased Agreement Amount.** The total Agreement amount shall be increased by \$92,780.00 – from \$685,000.00 to \$777,780.00.
- ☐ **Increased Payable Amount.** The maximum payable to the City at the rate of 80 percent of participating costs incurred shall be increased by \$74,224.00 – from \$548,000.00 to \$622,224.00.
- ☐ **Increased Local Share.** The City's 20 percent share of the Project shall be increased by \$18,556.00 – from \$137,000.00 to \$155,556.00. *Additionally, the City shall be fully responsible for all costs exceeding the total amount of this Agreement, unless MaineDOT approves otherwise in writing.*

IN WITNESS, WHEREOF, MaineDOT and the City of Portland, by their duly authorized representatives, have executed this modification to the original Agreement without a gap on the date last signed below.

City of Portland

Maine Department of Transportation

By: _____
Danielle P. West, Interim City Manager *

By: _____
Jeff Tweedie, Program Manager *
Multimodal Program

Date: _____

Date: _____

** I certify that the foregoing signature is true and accurate. I further certify – pursuant to 10 M.R.S.A. §9502, et seq. – that the signature, if electronic: (a) is intended to have the same force as a manual signature, (b) is unique to me, (c) is capable of verification, (d) is under my sole control, and (e) is linked to data in such a manner that it is invalidated if the data are changed.*

MEMORANDUM
City Council Agenda Item

FROM:

DATE: January 23, 2023

SUBJECT: Order 133-22/23 Approving the Revised Remote Participation Policy of the Portland City Council - Sponsored by Kate Snyder, Mayor

SPONSOR: Mayor Kate Snyder

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

Can action be taken at a later date: No If action cannot be taken at a later date, please explain why. Do NOT write yes or no; that will be automatically generated by the checkbox.

Does this item involve a new contract with the City: The revised remote meeting policy has been reviewed and approved by Corporation Council.

PRESENTATION: Please list the presenter(s), type, and length of presentation

I. SUMMARY

II. AGENDA DESCRIPTION

On July 19, 2021, by Order 18-21/22, the City Council adopted its current remote participation policy. Since then, the Legislature amended 1 M.R.S. § 403-B, the law allowing remote participation in public meetings, to allow remote participation under broadened circumstances. With the adoption of the revised remote participation policy included in the backup materials, meetings of the City Council and its committees may continue to be held with the option of remote participation in most circumstances. Notice of the hearing for this item on the agenda was done in accordance with 1 MRS § 406(2)(A), the City Charter, and Portland City Code.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

Please indicate whether or not there is a financial impact. Please note that per Council Rule 12, this form must have "a separate fiscal impact statement memo attached if the impact of the item is \$50,000 or more in a given fiscal year. This memo shall include details and information describing the fiscal impact including, but not limited to, projected costs, revenues or savings over a three (3) year period and/or any potential impacts on the City tax levy."

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order Adopting Revised Remote Participation Policy 2.6.2023

Prepared by:

Date: 01/23/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**ORDER ADOPTING THE REVISED REMOTE PARTICIPATION POLICY
OF THE PORTLAND CITY COUNCIL**

ORDERED, that the revised Remote Participation Policy of the City of Portland City Council is
hereby adopted as attached hereto.

REMOTE PARTICIPATION POLICY
OF THE
PORTLAND CITY COUNCIL

ADOPTED BY ORDER ____-22/23 on February 6, 2023

Pursuant to 1 M.R.S. § 403-B, and after public notice and a hearing, the Portland City Council hereby adopts the following policy to govern remote methods of participation in public proceedings or meetings (collectively, “meetings”) of the Portland City Council and all City Council Committees (hereinafter collectively referred to as “Council”).

In addition to conducting meetings with in-person participation, the Council conducts meetings with two other types of participation: remote and hybrid.

Remote meetings allow Council members and the public to participate only by telephonic or video technology allowing simultaneous reception of information but may include other means necessary to accommodate disabled persons (referred to herein as “remote methods of participation”). Remote meetings will not be by text-only means such as e-mail, text messages, or chat functions.

Hybrid meetings allow Council members and the public to participate in-person or by remote methods of participation. Members of the Council are encouraged to participate in-person for hybrid meetings.

Prior to each meeting, the Mayor, chair or other presiding officer, in consultation with other members of the Council if appropriate and possible, will determine whether participation at a meeting will be in-person, remote, or hybrid in as timely a manner as possible under the circumstances. Any Council member who is unable to attend a meeting in-person will notify the Mayor, chair or other presiding officer as far in advance as possible.

The public, City staff and applicants before the Council will be provided a meaningful opportunity to attend a meeting via remote methods of participation when any member of the Council participates via remote methods or when remote methods are available and operational at a given Council meeting. If public input via remote methods is allowed or required at a meeting, an effective means of communication between the Council and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent situation that requires the entire Council to meet only by remote methods.

Notice of all Council meetings will be provided in accordance with 1 M.R.S. § 406, and the City Charter, City Code or policy, if applicable. When the public may attend via remote methods, the notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. The notice will also identify the location where the public may attend the meeting in person. The Council will not restrict public attendance to remote methods except in

the case of an emergency or urgent issue that requires it to meet using remote methods of attendance.

The Council will make all documents and materials to be considered by it during a meeting available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred.

All votes taken during a Council meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the Council and the public. A member of the Council who participates remotely will be considered present for purposes of establishing a quorum and voting.

This policy will remain in force indefinitely unless amended by the Council.

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: January 19, 2023

SUBJECT: Order 134-22/23 Order Approving City Application, in a partnership with the Maine Department of Transportation, for Federal Funds to Dredge Public and Private Berthing and Vessel Support Resources and to Develop a Confined Aquatic Disposal Cell in Portland Harbor - Sponsored by Danielle P. West, Interim City Manager

SPONSOR: Danielle P. West, Interim City Manager

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 2/6/2023

**Final
Action 2/6/2023**

Can action be taken at a later date: No Action is requested at the February 6, 2023, Council meeting as the deadline to apply for this Federal RAISE Grant is February 28, 2023.

Does this item involve a new contract with the City: Not at this time.

PRESENTATION: Mary Davis/3 Minutes

I. SUMMARY

City staff, in a partnership with the Maine Department of Transportation (MDOT), seeks Council authorization to apply for up to \$10 Million in Federal funds through Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant program to implement planned public and private dredging projects in Portland Harbor.

II. AGENDA DESCRIPTION

This order would approve an application for up to \$10 Million in Federal funding through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Transportation Discretionary Grant program to implement planned public and private dredging projects in Portland Harbor, in partnership with the Maine Department of Transportation (MDOT).

Dredging vessel support areas will provide safe and full tide access to berthing, loading, and marine support services. Dredging will also remove and responsibly dispose of contaminated sediment impacted by historic industrial activities and non-point source pollution. These sediments will be sequestered in a Confined Aquatic Disposal (CAD) Cell to be constructed within Portland Harbor as a component of the project. The City of Portland and MDOT will be the lead applicants for RAISE project funds, with the City of South Portland and the Portland Harbor Commission (PHC) as co-applicants.

Five affirmative votes are required for passage after public comment..

III. BACKGROUND

Dredging the public and private vessel support areas of Portland Harbor has been a long-term priority for the City and the greater waterfront community for many years. These piers, wharfs, marinas, boat yards, and ramps are essential to the ongoing and future economic health and functional water access needs of marine industry, marine transport, recreational boating, fisheries, and island communities.

The City applied in 2020, 2021, and 2022 under the RAISE program but was not awarded funding. USDOT staff provided feedback on the 2022 application and recommended resubmitting.

Process:

The process resulting in the current request has been underway in earnest since the creation of the Waterfront Coordinator position in 2014. Led by the City of Portland, key project partners include the City of South Portland, the PHC, and MDOT. The process has been highly collaborative with formative participation by private waterfront property owners, the fishing community, State and Federal agencies, and environmental groups including the Friends of Casco Bay. The environmental and economic benefits of harbor dredging are specifically recommended by the Casco Bay Estuary Partnership in their Casco Bay Plan (2016) as approved by the Environmental Protection Agency (EPA).

Working with grants from the EPA Brownfields Program, the PHC has conducted extensive testing, outreach, design, and permitting for the proposed dredge areas on both sides of the Fore River. The project has benefitted from close partnership with significant funding from MDOT to the City of Portland for development of the CAD Cell plan. Additional funds have been provided by the Maine Technology Institute (MTI.)

Technical Support for the process has been led by Stantec Consulting.

In preparation for previous applications, workshops presenting the project have been held with the former Economic Development Committee, the Housing and Economic Development Committee, the Sustainability and Transportation Committee, and the full City Councils for both Portland and South Portland.

Community presentations have been made to the Portland Propeller Club and the Waterfront Alliance of Portland Harbor.

The project is fully permitted with the US Army Corps of Engineers and the Maine Department of Environmental Protection.

Project Summary:

In short, over 244,000 cubic yards of material needs to be removed from Portland Harbor to restore lost or degraded berthing areas. Given the environmental state of these sediments, disposal at sea is not an option and the project has identified and permitted a feasible site for a CAD Cell to responsibly contain and sequester contaminated materials. The CAD Cell site has been identified near the US Coast Station.

In aggregate, +/-108,000 cubic yards of material are estimated for dredging from the Portland side of the Fore River and +/-136,000 cubic yards of material anticipated from the South Portland waterfront. City owned public facilities in Portland alone (East End boat ramps, Ocean Gateway and the Amethyst lot, Maine State Pier, and the Portland Fish Pier) will contribute nearly 52,000 cubic yards of material. The South Portland "Portland Street Pier" is a minor contributor, estimated at +/-2,300 cubic yards. The balance of sediment will come from private piers, boat yards, and marinas throughout the harbor.

The project will benefit 30 private commercial properties, supporting dozens of businesses, hundreds of jobs, thousands of vessels, and millions of dollars in annual economic activity. A comprehensive economic assessment of the direct and indirect value of the project and of the impacted properties is was undertaken in 2020 to further refine the benefits of the project and the costs of inaction. The 2020 AECOM Economic Assessment of Portland Harbor identified over \$1,000,000,000 in annual revenue generated harbor wide by

marine industry with employment for over 2800 area residents. Waterfront access is the foundation of this economy.

Contaminated sediments are a barrier to reinvestment in the working waterfront and removing this barrier clears the pathway to future improvements including climate change adaptation.

Additional information and background on the project is found at: <https://portlandharbor.org/raise>

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Portland Harbor dredging and support for the working waterfront have been City Council priorities for many years. The Portland Harbor dredge and CAD Cell construction are specifically noted in Portland's Plan 2030, the City's Comprehensive Plan, and are included in the City's Economic Development Plan. Additionally, the partnerships, water tolerant uses, and collaboration seeking outside funding are supported by the Portland/South Portland Climate Action Plan, One Climate Future.

In the short term, dredging will significantly expand and improve berthing and loading access to the harbor for commercial and recreation activities. Long-term preservation and improvements to vessel support areas are consistent with City policies and are an existential necessity for Portland's working waterfront and the Island communities of Casco Bay.

V. FINANCIAL IMPACT

Please see Interim City Manager's Communication on this item as part of this Council Agenda.

VI. STAFF ANALYSIS AND BACKGROUND

See above.

VII. RECOMMENDATION

Staff is recommending the City Council authorize the City Manager, in partnership with MDOT, to apply for up to \$10 Million in Federal RAISE Grant funds to implement planned public and private dredging projects in Portland Harbor.

VIII. LIST ATTACHMENTS

1. Portland Harbor Dredging Application 2.6.2023

Prepared by:

Mary Davis, Division Director

Date: 01/19/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**ORDER APPROVING CITY APPLICATION FOR FEDERAL FUNDS TO DREDGE
PUBLIC AND PRIVATE BERTHING AND VESSEL SUPPORT SERVICES AND TO
DEVELOP A CONFINED AQUATIC DISPOSAL CELL IN PORTLAND HARBOR**

ORDERED, that the application for federal funding of up to \$25 million to dredge public and private berthing and vessel support services and to develop a confined aquatic disposal cell in Portland Harbor, named the Portland Harbor Working Waterfront Rehabilitation Project, is hereby approved; and

BE IT FURTHER ORDERED, the Interim City Manager or designee is authorized to execute the federal funding application and any and all documents necessary to apply for and accept this funding and otherwise carry out the intent of this order.

MEMORANDUM
City Council Agenda Item

FROM: Tom Nickerson, Senior Executive Assistant

DATE: January 3, 2023

SUBJECT: Order 135-22/23 Approving the Purchase and Sale Agreement with The Trust for Public Land for North Deering Park - Sponsored by Danielle P. West, Interim City Manager

SPONSOR: Danelle West, Interum City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st Reading 2/6/2023

Final
Action 2/27/2023

Can action be taken at a later date: No Property closing is scheduled for Spring 2023. This action will facilitate the closing occurring on time.

Does this item involve a new contract with the City: no

PRESENTATION: Ethan Hipple Director of Parks, Recreation & Facilities

I. SUMMARY

Council approval of the purchase and sale agreements for various parcels collectively known as “North Deering Park”

II. AGENDA DESCRIPTION

This item approves the Purchase and Sale Agreement between The Trust for Public Land (seller) and the City of Portland (buyer) to purchase approximately 24 acres of land in North Deering neighborhood for the purpose of creating a new park. The total purchase price is \$833,000 with funds provided through federal and state grants, philanthropic funds from The Trust for Public Land, and the Portland Land Bank. The Trust for Public Land holds the purchase contracts with the landowners (Julie and Dan Anderson and Haverty Park, LLC) of the 24 acres. These contracts allow The Trust for Public Land to direct the deed to the City of Portland at closing, with approval of the Purchase and Sale agreement. The City is being asked to provide \$644,123.00 as outlined in the back-up material.

This item must be read on two separate days. This is its first reading.

III. BACKGROUND

The Trust for Public Land works with communities across the country to identify areas that are in need of parks or trails through their “10 Minute Walk to a Park” Campaign. The Department of Parks, Recreation and Facilities is an active participant in that program, and Mayor Snyder has expressed support for the program, along with scores of other mayors of US cities. Currently 89% of Portland residents live within a 10 minute walk of a park or trail. Large sections of the North Deering neighborhood are currently listed as priority areas for park development because many of the residents live further than a 10 minute walk to a park or trail. This project would create a new park and walking trails in that neighborhood, and increase Portland’s proportion of residents who are within a 10-minute walk to a park, thereby addressing the fact that many lower income residents lack walking access to parks and trails.

A combination of approved Federal, State, Land Bank funds, and philanthropic funds from The Trust for Public

Land will cover acquisition costs to create a 24 acre park consisting of an existing multi-use ballfield, a pond, expansive wetlands, and an informal trail network. Both parcels of land are currently privately owned. The sellers have indicated they are primarily interested in selling the properties to be used as publicly accessible open space. Initial information shows that much of the open space property at 1819 Washington Ave is wetland and not suitable for significant housing. The Planning Department has provided additional analysis of that property. The Haverty property is currently used as a privately owned athletic field, primarily for youth baseball programs. Portland lacks adequate athletic field space and fields are often fully booked and over-utilized. The 2011 Athletic Fields Task Force Report led by City Councilor John Coyne recommended acquisition or development of additional fields to meet the great demand for youth and adult programming.

The Land Bank Commission (LBC), on September 8, 2021, voted unanimously (8/0) to recommend to the City Council the expenditure of \$80,000 towards the purchase of parcels related to the North Deering Park. Those City funds would be used as a match for federal and state grant funds which would pay for the majority of the project.

The City Council voted on August 23, 2021 to approve a federal grant application for this project through the Outdoor Recreation Legacy Program (ORLP) which is intended to fund open space projects in proximity to low-income urban areas in need of open space. That \$400,000 grant has been awarded. On September 1, 2022, the City Council voted unanimously 9-0 to accept a \$279,000 grant from the Land For Maine's Future Fund towards this project. On November 21, 2022, the Council voted 9-0 to allocate \$80,000 of Land Bank Funds towards this purchase, and to place the property into the Land Bank once the transaction was complete.

Total purchase price for the parcels is \$833,000. Funding detail:

\$400,000 Outdoor Recreation Legacy Program grant (administered through the National Park Service)

\$164,123 Land For Maine's Future (State of Maine, original award amount was \$279,000 but was reduced due to change in appraisals. TPL is covering the difference with additional philanthropic funds)

\$80,000 Portland Land Bank Commission funds

\$188,877 philanthropic funds from the Trust for Public Land

Trust for Public Land holds the purchase contracts with the landowners (Julie and Dan Anderson and Haverty Park, LLC). These contracts allow TPL to direct the deed to the City of Portland at closing.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Intended result is to approve the purchase and sale agreements related to this transaction.

V. FINANCIAL IMPACT

No impact for acquisition is foreseen as these funds would come from the Land Bank fund, pre-approved federal and state grants, or raised by private organizations. Future improvements and maintenance of the park would have a slight operating budget impact.

When these parcels are taken out of private ownership and acquired by the City, annual property taxes will no longer be owed. Annual property taxes for the parcels:

- Parcel 371 A047001: \$4,315
- Parcel 371 A048001: \$566
- Parcel 371 A004001: \$1,660

- Parcel 371 A020001: \$149

VI. STAFF ANALYSIS AND BACKGROUND

City staff recommend the City Council vote to approve the purchase and sale agreements to finalize the acquisition of these parcels to create a 24 acre park.

VII. RECOMMENDATION

City staff recommend the City Council vote to approve the purchase and sale agreements to finalize the acquisition of these parcels to create a 24 acre park.

VIII. LIST ATTACHMENTS

1. Trust for Public Land P&S North Deering Park 2.6.2023
2. Survey 2022-138 P-Washington Ave (1)
3. NorthDeering_ORLP_Aerial_Boundary_20220907
4. City of Portland TPL Agreement 1-18-23
5. North Deering Park Purchase and Sale Agreement Approval Memo
6. 2022-138 P-Washington Ave

Prepared by:

Tom Nickerson, Senior Executive Assistant

Date: 01/03/2023

KATE SNYDER (MAYOR)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
ROBERTO RODRÍGUEZ (A/L)

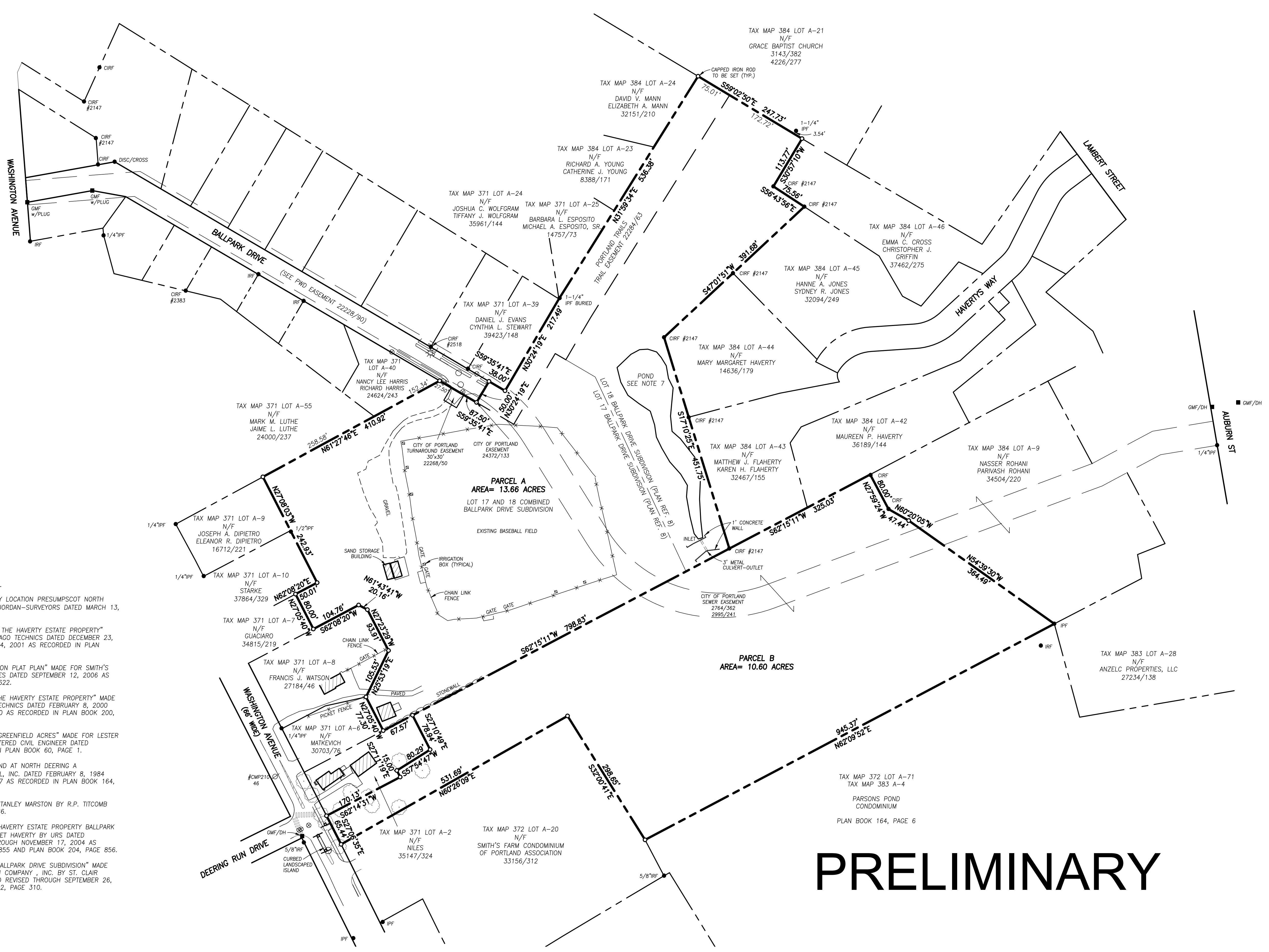
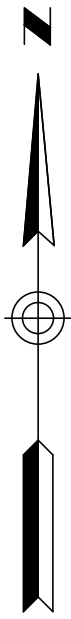
CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK DION (5)

**ORDER APPROVING THE PURCHASE AND SALE AGREEMENT WITH
THE TRUST FOR PUBLIC LAND
RE: NORTH DEERING PARK**

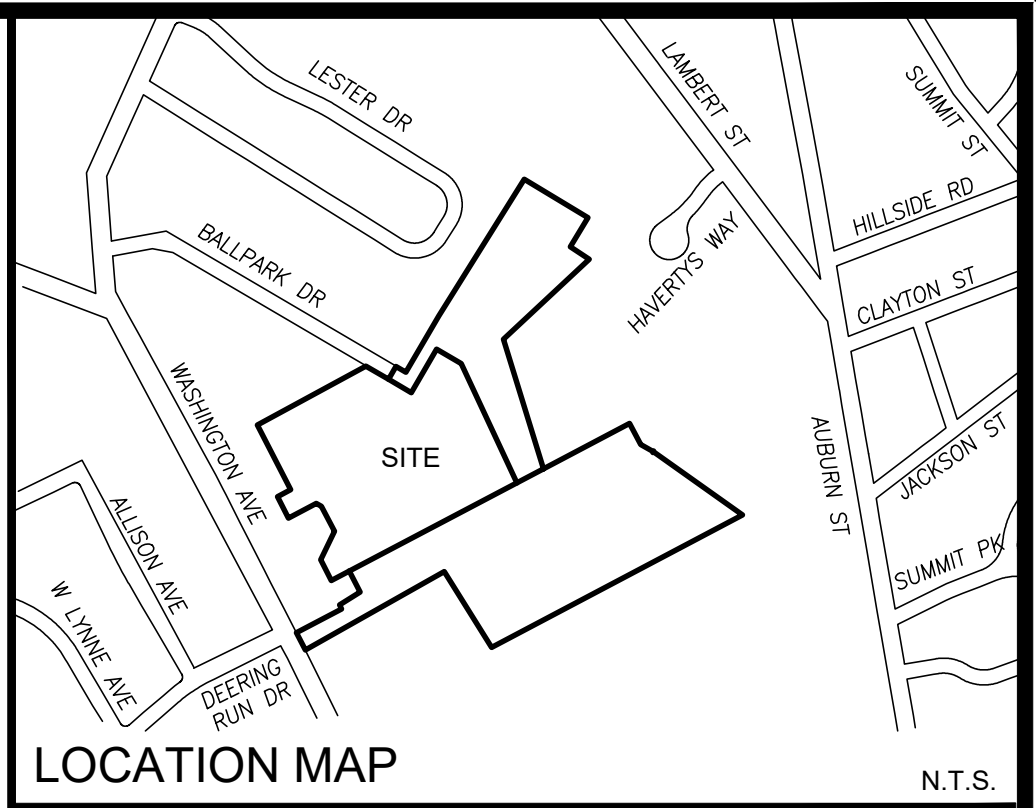
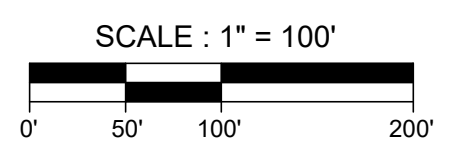
ORDERED, that the Purchase and Sale Agreement between Portland and The Trust for Public Land is hereby approved, substantially in the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said document and any other related documents necessary or convenient to carry out the intent of said document.



PLAN REFERENCES

1. "PLAN OF PROPERTY RIGHT OF WAY LOCATION PRESUMPCOT NORTH FORCE MAIN" MADE BY H. I. & E. C. JORDAN-SURVEYORS DATED MARCH 13, 1963.
2. "STANDARD BOUNDARY SURVEY OF THE HAVERTY ESTATE PROPERTY" MADE FOR MARGARET HAVERTY BY SEBAGO TECHNICS DATED DECEMBER 23, 1999, REVISED THROUGH SEPTEMBER 14, 2001 AS RECORDED IN PLAN BOOK 203, PAGE 558.
3. "SMITH'S FARM AMENDED SUBDIVISION PLAT PLAN" MADE FOR SMITH'S FARM, L.L.C. BY MITCHELL & ASSOCIATES DATED SEPTEMBER 12, 2006 AS RECORDED IN PLAN BOOK 206, PAGE 622.
4. "PLAN OF DIVISION OF LAND OF THE HAVERTY ESTATE PROPERTY" MADE FOR MARGARET HAVERTY BY SEBAGO TECHNICS DATED FEBRUARY 8, 2000 AND REVISED THROUGH APRIL 19, 2000 AS RECORDED IN PLAN BOOK 200, PAGE 187.
5. "PLAN OF PROPERTY LOCATED IN GREENFIELD ACRES" MADE FOR LESTER E. MARSTON BY CARL E. EMERY REGISTERED CIVIL ENGINEER DATED SEPTEMBER 22, 1961 AS RECORDED IN PLAN BOOK 60, PAGE 1.
6. "PLAN OF LAND FOR PARSONS POND AT NORTH DEERING A CONDOMINIUM" MADE BY OWEN HASKELL, INC. DATED FEBRUARY 8, 1984 AND REVISED THROUGH MARCH 6, 1987 AS RECORDED IN PLAN BOOK 164, PAGE 6.
7. "PLAN OF PROPERTY" MADE FOR STANLEY MARSTON BY R.P. TITCOMB ASSOCIATES, INC. DATED JUNE 30, 1986.
8. "PLAN OF DIVISION OF LAND THE HAVERTY ESTATE PROPERTY BALLPARK DRIVE SUBDIVISION" MADE FOR MARGARET HAVERTY BY URS DATED NOVEMBER 22, 2004 AND REVISED THROUGH NOVEMBER 17, 2004 AS RECORDED IN PLAN BOOK 204, PAGE 855 AND PLAN BOOK 204, PAGE 856.
9. "AMENDED SUBDIVISION PLAN OF BALLPARK DRIVE SUBDIVISION" MADE FOR RISBARA BROTHERS CONSTRUCTION COMPANY, INC. BY ST. CLAIR ASSOCIATES DATED JULY 31, 2012 AND REVISED THROUGH SEPTEMBER 26, 2012 AS RECORDED IN PLAN BOOK 212, PAGE 310.



LEGEND

●	IRON PIPE OR ROD FOUND	—X—X—	FENCE
■	MONUMENT FOUND	—O—O—	STONEWALL
○	CAPPED IRON ROD TO BE SET	—	CURB
○	UTILITY POLE	—	IRON PIPE/ROD FOUND
○	MANHOLE	—	NOW OR FORMERLY
⊗	ELECTRIC METER	000/000	DEED BOOK / PAGE
—	SIGN	GMF/DH	GRANITE MONUMENT FD.
⊠	IRRIGATION CONTROL BOX		W/DRILL HOLE
⊕	HYDRANT		
⊗	WATER VALVE OR SHUTOFF		
⊙	LIGHT POLE		

- GENERAL NOTES
1. OWNER OF RECORD: PARCEL A HAVERTY PARK, LLC 67 HAVERTYS WAY, PORTLAND, MAINE TAX MAP 371 LOTS A 47,48 C.C.R.D. BOOK 23549 PAGE 329 BOOK 31969 PAGE 320
PARCEL B DANIEL W. ANDERSON, JULIE A. ANDERSON 112 PARSONS ROAD, PORTLAND, MAINE TAX MAPS 371 LOTS A 4,20,21 372 A 1 383 A 10 384 A 10,23 C.C.R.D. BOOK 15762 PAGE 20
 2. BEARINGS ARE BASED ON MAINE STATE COORDINATE SYSTEM, WEST ZONE, NAD83 AS DERIVED FROM GPS OBSERVATIONS.
 3. LOT 18 BALLPARK DRIVE SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS SET FORTH IN BOOK 22268, PAGE 59 AND STANDARD EASEMENT DEED CONVEYED TO CENTRAL MAINE POWER COMPANY AND VERIZON NEW ENGLAND, INC. RECORDED IN BOOK 22384, PAGE 105.
 4. LOT 17 BALLPARK DRIVE SUBDIVISION BENEFITS FROM ACCESS AND UTILITY RIGHTS OVER BALLPARK DRIVE AS EXCEPTED AND RESERVED IN BOOK 22100, PAGE 73.
 5. LOT 17 BALLPARK DRIVE SUBDIVISION BENEFITS FROM A DECLARATION OF COVENANTS AND RESTRICTIONS SET FORTH IN BOOK 22268, PAGE 59.
 6. LOT 17 BALLPARK DRIVE SUBDIVISION BENEFITS FROM ACCESS RIGHTS OVER BALLPARK DRIVE AS SET FORTH IN BOOK 22278, PAGE 204 AS AMENDED IN BOOK 22380, PAGE 177.
 7. THE LOCATION OF THE POND IS APPROXIMATE TAKEN FROM GIS INFORMATION. SEE THE DECLARATION OF COVENANTS AND RESTRICTIONS SET FORTH IN BOOK 22268, PAGE 59, PER NOTE 3, CONCERNING THE POND AND RELATED DAM.

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.

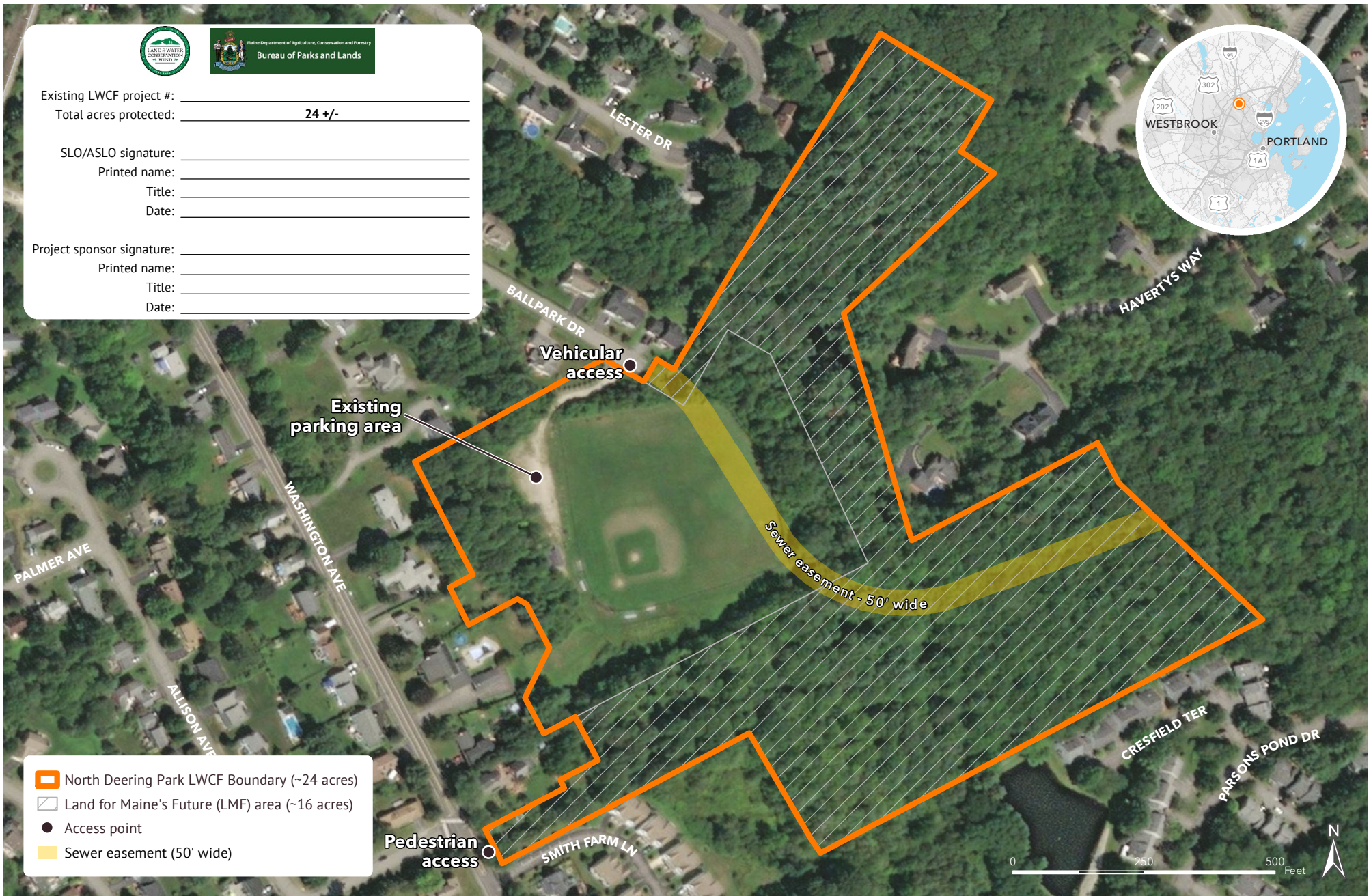
REX J. CROTEAU, PLS #2273

DATE

Boundary Survey
At
Washington Avenue, Portland, Maine
Made for
Trust for Public Land
30 Danforth St., Suite 106 Portland, Maine

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

DRAWN BY: RJC/JLW	DATE: AUGUST 19, 2022	JOB NO. 2022-138 P
CHECKED BY: RRL	SCALE: 1" = 100'	DRWG. NO. 1



North Deering Park

BOUNDARY MAP, NATIONAL PARK SERVICE OUTDOOR RECREATION LEGACY PROGRAM

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PURCHASE AND SALE AGREEMENT

This PURCHASE AND SALE AGREEMENT (the “Agreement”) is entered into as of _____, 2023 (the “Effective Date”), by and between THE TRUST FOR PUBLIC LAND, a California public benefit corporation (together with its successors and/or assigns, “Seller”) and the CITY OF PORTLAND, a Maine municipal corporation (“Buyer”).

RECITALS

A. The addresses, telephone numbers and facsimile numbers of the parties are as follows. Email addresses are provided for informational purposes only.

SELLER:

The Trust for Public Land
30 Danforth Street, Suite 106
Portland, ME 04101
Attn: Phillip Dube, Project Manager
Tel: (207) 772-7424
Email: phillip.dube@tpl.org

With a copy to:

The Trust for Public Land
30 Danforth Street, Suite 106
Portland, ME 04101
Attn: Denise K. Mullane, Legal Director
Tel: (802) 793-4242
Email: denise.mullane@tpl.org

BUYER:

City of Portland
City Hall
389 Congress Street
Portland, ME 04101
Attn: Ethan Hipple
Tel: (207) 874-8689
Email: ehipple@portlandmaine.gov

With a copy to:

City of Portland
City Hall
389 Congress Street
Portland, ME 04101
Attn: Michael I. Goldman, Corp Counsel
Tel: (207) 874-8428
Email: mig@portlandmaine.gov

With a copy to:

Jensen Baird
Ten Free Street, 4th Floor
Portland, Maine 04101
Attn: Nicholas J. Morrill, Esq.
Tel: (207) 775-7271 ext. 5919
Email: nmorrill@jensenbaird.com

A. Pursuant to that two certain option agreements, the first by and between Julie A. Anderson and Daniel W. Anderson (together with their heirs, successors and/or assigns, “Anderson”), as optionor, and Seller, as optionee, dated as of December 15, 2021 (as it may be amended from time to time, the “Anderson Acquisition Contract”); and the second by and between Haverty Park, LLC, a Maine limited liability company (together with its successors

and/or assigns, “Haverty,” and together with Anderson may hereafter collectively be referred to as “Current Owners”), as optionor, and Seller, as optionee, dated as of February 24, 2022 (as it may be amended from time to time, the “Haverty Acquisition Contract”, and together with the Anderson Acquisition Contract, may collectively be referred to as the “Acquisition Contracts”), Seller intends to acquire approximately 24 acres of land, together with any and all improvements thereon, located at 1819 Washington Avenue and 0 Ballpark Drive in Portland, Cumberland County, Maine, for a purchase price of Eight Hundred Thirty-three Thousand Dollars (\$833,000.00)(the “Acquisition Purchase Price”), which land is (i) designated as Tax Map 371, Lots A-47, A-48, A-4, A-20, and A-21, Tax Map 384, Lots A-10, A-11 and A-53, Tax Map 383, Lot A-10, Tax Map 372, Lot A-1 by the City of Portland Tax Assessor, (ii) and shown as “Parcel A Area = 13.66 Acres” and “Parcel B Area = 10.60 Acres” on that certain preliminary “Boundary Survey at Washington Avenue, Portland, Maine made for Trust For Public Land” prepared by Owen Haskell, Inc., dated August 19, 2022, Job No. 2022-138-P, a copy of which plan is attached hereto as **Exhibit A** and incorporated herein (the “Property Plan”), (iii) described in a deed to Anderson recorded in the Cumberland County Registry of Deeds in Book 15762, Page 20, excepting therefrom that certain property conveyed to Stephen M. Niles and Holly J. Sheehan by deed recorded in said Registry of Deeds in Book 35147, Page 324; and (iv) described in deeds to Haverty which are recorded in the Cumberland County Registry of Deeds in Book 23549, Page 329, and Book 31969, Page 320 (collectively, and together with any and all improvements located thereon, all rights, tenements, hereditaments, members, privileges, licenses, easements and appurtenances thereto, including, without limitation, all utility reservations, strips and gores of land, rights-of-way, fixtures located thereon, all timber, mineral interests, grazing rights, access rights, development rights, governmental licenses, permits and certificates applicable thereto, and all of Current Owners’ right, title, and interest in and to all public and private ways adjoining or serving the same, and all riparian rights and interests in waterbodies and the beds of waterbodies, on or adjacent to the described lands, the “Subject Property”).

B. Seller wishes to sell the Subject Property to Buyer on the terms and conditions set forth in this Agreement, and Buyer wishes to acquire the Subject Property from Seller on the terms and conditions set forth in this Agreement.

C. Seller is a conservation organization having among its purposes the acquisition on behalf of the public of open space, scenic and recreational lands. Seller is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and is included in the “Cumulative List of Organizations described in Section 170(c) of the Internal Revenue Code” published by the Internal Revenue Service. Seller is not a private foundation within the meaning of Section 509(a) of the Internal Revenue Code.

D. Seller has assisted the Buyer with a grant application to the Outdoor Recreation Legacy Partnership Program (“ORLP”), the Portland Land Bank Commission and Land for Maine’s Future, and further agrees to conduct a fundraising campaign to support the Buyer’s efforts to acquire the Subject Property pursuant to the terms of the Acquisition Contracts (the “Fundraising Campaign”), which Fundraising Campaign is intended to raise funds to cover the remaining acquisition costs and other project and program related costs.

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. **Purchase Terms.**

(a) **Purchase Price.** Seller shall sell to Buyer, and Buyer shall buy from Seller, the Subject Property for an amount equal to Six Hundred Forty-four Thousand One Hundred Twenty-three and 00/100's Dollars (\$644,123.00), plus any other grant or other funds received or flowing through the Buyer, in excess of \$644,123.00, solely as a result of the Fundraising Campaign (as such amount may be adjusted in accordance with the terms hereof, the "Purchase Price").

(b) **Method of Payment.** The Purchase Price shall be payable at Closing (as defined in Section 4 herein) by means of a wire transfer of immediately available funds. Buyer shall be required to deliver these funds at Closing, provided the grant funds have been awarded, but irrespective of whether the grant funds from the funders have been received by the Buyer.

2. **As-Is, Where-Is Condition.** Buyer has completed all of the inspections and investigations that it deemed appropriate in order to assess the title to and value and condition of the Subject Property and any improvements located thereon. In particular, and without limiting the generality of the preceding sentence, Buyer acknowledges its receipt from Seller of (i) those two certain title commitments relating to the Subject Property issued by Atlantic Coast Title Company, LLC as authorized agent for First American Title Insurance Company, such commitments having file numbers of 2022-565, and 2022-570, dated as of March 29, 2022 and March 30, 2022, respectively (the "Title Commitments") and copies of the vesting deeds referenced therein and the documents referenced on Schedule B, Part II therein, and (ii) that certain Phase I Environmental Assessment prepared by Haley Ward dated April 18, 2022. Unless this Agreement is earlier terminated, at Closing, Buyer hereby agrees to take title to the Subject Property in its "AS-IS," and "WHERE-IS" condition, reasonable wear and tear excepted, and to waive any and all claims it might otherwise have against Seller, now or in the future, relating to the title to and/or condition of the Subject Property; provided, however, that the provisions of this Section 2 shall not amend, modify or negate any representations and/or warranties made by Seller with respect to the title to the Subject Property contained in the Deed (as defined in Section 3 herein).

3. **Title; Buyer's Post-Closing Covenant.** At Closing, Seller shall convey title to the Subject Property to Buyer by means of a quitclaim deed with covenant (the "Deed"), free and clear of all encumbrances and encroachments except the following matters (collectively, the "Permitted Encumbrances"):

- (i) provisions of zoning laws and ordinances, building regulations, and similar matters;
- (ii) any ad valorem taxes for the current year not yet due and payable as of the

Closing Date (as defined in Section 4 herein); and

- (iii) all matters set forth in Schedule B, Part II of the Title Commitments.

If requested by Seller or Buyer, the Deed shall describe the Subject Property utilizing both the historic descriptions of the Subject Property, and a new metes and bounds description based upon the Property Plan. Buyer, at its sole expense, may elect to obtain an owner's policy of title insurance at Closing, and Seller agrees to cooperate with Buyer, its counsel, and Buyer's title insurer to facilitate the issuance of such policy, provided that such cooperation does not require Seller to incur any additional expenses and/or to accept any additional or increased liability.

4. **Closing.** Final settlement of the obligations of the parties hereto (collectively, whether in person or by means of an Escrow Closing (as defined below), the "Closing") anticipated to be on or before April 30, 2023 and no later than September 30, 2023, or on such other date as may be mutually agreed upon by the parties (as so extended or modified, the "Closing Date"). The Closing shall take place at the offices of Jensen Baird at 10 Free Street, 4th Floor, Portland, Maine, or at such other location by mutual agreement of the Parties, or, at Seller's sole election, the transaction contemplated hereunder may be closed by a mutually agreeable law firm, title insurance company or title company acting as escrow agent ("Escrow Holder") in accordance with escrow instructions provided by each of Seller and Buyer (or Buyer's counsel) (collectively, an "Escrow Closing"), and the cost of the escrow shall be borne solely by Seller. In the event that Seller so elects an Escrow Closing, Seller shall deposit with Escrow Holder all of the Seller's Deliveries (as defined in Section 5(a) herein) at least three (3) business days in advance of the Closing Date, and Buyer shall deposit with Escrow Holder all of the Buyer's Deliveries (as defined in Section 5(b) herein) at least three (3) business days in advance of the Closing Date. On the Closing Date, Escrow Holder shall record the Deed and any other necessary instruments, disburse the escrowed funds in strict accordance with a mutually agreed upon closing statement, file the Subject Property RETTD (as defined in Section 5(a) herein), and deliver to the appropriate parties copies of all closing documents. It is agreed that Escrow Holder shall have no liability to Seller or Buyer for the performance of its services herein except as a result of (a) any action or omission taken by Escrow Holder in bad faith, or not expressly authorized by the terms of Seller and Buyer's escrow letters, or (b) Escrow Holder's negligence or willful misconduct.

The parties further agree that Seller may (1) arrange a simultaneous closing with the Current Owners, whereby Seller purchases the Subject Property from the Current Owners pursuant to the terms of the Acquisition Contracts, and subsequently Seller sells the Subject Property to Buyer pursuant to the terms of this Agreement, or (2) arrange for the delivery of one or more deeds directly from the Current Owners to Buyer, whereby Buyer shall pay (a) the Acquisition Purchase Price directly to the Current Owners in accordance with the terms of the Acquisition Contracts, and (b) the Purchase Price *less* the Acquisition Purchase Price to Seller in accordance with the terms of this Agreement.

5. **Closing Deliveries.** At the Closing, Seller and Buyer shall deliver the documents and/or monies described below.

(a) Seller's Deliveries. Seller shall deliver to Buyer on the Closing Date the following items (collectively, "Seller's Deliveries"): (i) the Deed to the Haverty Property and the Deed to the Anderson Property, (ii) a counterpart to a Real Estate Transfer Tax Declaration relating to the Deed (the "Subject Property RETTD"), (iii) a counterpart to the closing statement, (iv) a Foreign Investment and Real Property Tax Act (FIRPTA) affidavit, (v) a Form REW-3, (vi) an owner's affidavit attesting to the absence of any parties in possession and/or pending mechanics' liens, (vii) a counterpart to an Underground Storage Tank Notice (38 M.R.S. §563(6)); (viii) a counterpart to a Nonresidential Real Property Road Disclosure Statement (33 M.R.S. § 193); (ix) such evidence of the power and authority of Seller to fully consummate the transactions described in this Agreement, and certificates from the relevant Secretary of State confirming that Seller has legal existence and is in good standing in the jurisdiction in which it exists, and (x) such other instruments and documents as Buyer, its counsel and/or its title insurer may reasonably request.

(b) Buyer's Deliveries. Buyer shall deliver to Seller on the Closing Date the following items (collectively, "Buyer's Deliveries"): (i) the Purchase Price (provided, that, if Buyer is acquiring the Subject Property directly from the Current Owners, then the Purchase Price shall be reduced by the Acquisition Purchase Price paid by Buyer to the Current Owners), (ii) a counterpart to the Subject Property RETTD, (iii) a counterpart to the closing statement, (iv) a Form REW-4, (v) a counterpart to an Underground Storage Tank Notice (38 M.R.S. §563(6)); (vi) a counterpart to a Nonresidential Real Property Road Disclosure Statement (33 M.R.S. § 193); (vii) such evidence of the power and authority of Buyer to fully consummate the transactions described in this Agreement, and certificates from the relevant Secretary of State confirming that Buyer has legal existence and is in good standing in the jurisdiction in which it exists, and (viii) such other instruments and documents as Seller may reasonably request.

6. Seller's Representations and Warranties. Seller hereby represents and warrants to Buyer that:

(a) Seller has full power and authority to enter into this Agreement (and the persons signing this Agreement for Seller if Seller is not an individual have full power and authority to sign for Seller and to bind it to this Agreement).

(b) Seller has not engaged or will engage in any dealings or transactions, directly or indirectly, (i) in contravention of any U.S., international or other anti-money laundering regulations or conventions, including without limitation the United States Bank Secrecy Act, the United States Money Laundering Control Act of 1986, the United States International Money Laundering Abatement and Anti-Terrorist Financing Act of 2001, Trading with the Enemy Act (50 U.S.C. §1 et seq., as amended), any foreign asset control regulations of the United States Treasury Department (31 CFR, Subtitle B, Chapter V, as amended) or any enabling legislation or executive order relating thereto, the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, Public Law 107-56 and the regulations promulgated thereunder (collectively, the "Patriot Act"), or any order issued with respect to anti-money laundering by the U.S. Department of the Treasury's Office of Foreign

Assets Control (“OFAC”), or (ii) in contravention of Executive Order No. 13224 issued by the President of the United States on September 24, 2001 (Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), as may be amended or supplemented from time to time (“Executive Order 13224”) or (iii) on behalf of terrorists or terrorist organizations, including those persons or entities that are included on any relevant lists maintained by the United Nations, North Atlantic Treaty Organization, Organization of Economic Cooperation and Development, OFAC, Financial Action Task Force, U.S. Securities & Exchange Commission, U.S. Federal Bureau of Investigation, U.S. Central Intelligence Agency, U.S. Internal Revenue Service, or any country or organization, all as may be amended from time to time.

(c) Seller is not nor will it be a person or entity (i) that is listed in the Annex to or is otherwise subject to the provisions of Executive Order 13224, (ii) whose name appears on OFAC’s most current list of “Specially Designated Nationals and Blocked Persons,” (which list may be published from time to time in various mediums including, but not limited to, the OFAC website, <http://www.treas.gov/ofac/t11sden.pdf>), (iii) who commits, threatens to commit or supports “terrorism”, as that term is defined in Executive Order 13224, or (iv) who has been associated with or is otherwise affiliated with any entity or person listed above.

(d) Seller is not a “foreign person” pursuant to Section 1445 of the Internal Revenue Code of 1986, as amended.

(e) Neither the execution and delivery of the Agreement nor Seller’s performance of its obligations hereunder will constitute a breach or default under any agreement to which Seller is bound.

(f) There are no suits, legal proceedings or investigations of any nature pending or, to Seller’s knowledge, threatened against Seller or affecting Seller that would impair Seller’s ability to perform its obligations under this Agreement.

In the event that any of the above representations and warranties cease to be true prior to Closing, Buyer shall have the right, but not the obligation, to terminate this Agreement upon written notice to Seller in which case the parties shall have no further obligations under this Agreement except for those obligations which expressly survive the termination of the Agreement.

7. **Seller’s Covenants.** Seller covenants that, from and after the date hereof until the Closing, to the extent that Seller’s consent is required pursuant to the terms of the Acquisition Contracts:

(a) Seller shall not consent to any request by Current Owners to make and/or extend any lease, contract, option or agreement affecting the Subject Property (other than the Acquisition Contracts) which would grant any third parties any rights to the Subject Property, except with the prior written consent of Buyer; and

(b) Seller shall not consent to any request by Current Owners to cause and/or permit any lien, encumbrance, mortgage, deed of trust, right, restriction or easement to be placed upon or created with respect to the Subject Property, except with the prior written consent of Buyer.

(c) Seller shall not consent to any request by Current Owners to remove any vegetation, soil or minerals from the Subject Property or disturb or suffer the disturbance of the existing contours and/or other natural features of the land and/or the reservoirs contained therein in any way whatsoever, except with the prior written consent of Buyer.

In the event that Seller breaches any of the above covenants prior to Closing, Buyer shall have the right, but not the obligation, to terminate this Agreement upon written notice to Seller in which case the parties shall have no further obligations under this Agreement except for those obligations which expressly survive the termination of the Agreement.

8. **Buyer's Representations and Warranties.** Buyer hereby represents and warrants to Seller that:

(a) Buyer has full power and authority to enter into this Agreement (and the persons signing this Agreement for Buyer has full power and authority to sign for Buyer and to bind it to this Agreement and to acquire all right, title and interest in and to the Subject Property).

(b) Buyer will not engage in any dealings or transactions, directly or indirectly, (i) in contravention of the Patriot Act, or any order issued with respect to anti-money laundering by OFAC, or (ii) in contravention of Executive Order No. 13224, or (iii) on behalf of terrorists or terrorist organizations, including those persons or entities that are included on any relevant lists maintained by the United Nations, North Atlantic Treaty Organization, Organization of Economic Cooperation and Development, OFAC, Financial Action Task Force, U.S. Securities & Exchange Commission, U.S. Federal Bureau of Investigation, U.S. Central Intelligence Agency, U.S. Internal Revenue Service, or any country or organization, all as may be amended from time to time.

(c) Buyer is not nor will it be a person or entity (i) that is listed in the Annex to or is otherwise subject to the provisions of Executive Order 13224, (ii) whose name appears on OFAC's most current list of "Specially Designated Nationals and Blocked Persons," (which list may be published from time to time in various mediums including, but not limited to, the OFAC website <http://www.treas.gov/ofac/t11sdn.pdf>), (iii) who commits, threatens to commit or supports "terrorism", as that term is defined in Executive Order 13224, or (iv) who has been associated with or is otherwise affiliated with any entity or person listed above.

(d) Neither the execution and delivery of the Agreement nor Buyer's performance of its obligations hereunder will constitute a breach or default under any agreement to which Buyer is bound.

(e) There are no suits, legal proceedings or investigations of any nature pending or, to Buyer's knowledge, threatened against Buyer or affecting Buyer that would impair Buyer's ability to perform its obligations under this Agreement.

In the event that any of the above representations and warranties cease to be true prior to Closing, Seller shall have the right, but not the obligation, to terminate this Agreement upon written notice to Buyer in which case the parties shall have no further obligations under this Agreement except for those obligations which expressly survive the termination of the Agreement.

9. **Remedies; Contingencies.**

(a) **Seller's Failure to Perform.** In the event of Seller's failure to perform any of Seller's obligations under this Agreement, Buyer shall have as its sole and exclusive remedies (i) the right to terminate this Agreement upon written notice to Seller in which case the parties shall have no further obligations under this Agreement except for those obligations which expressly survive the termination of the Agreement or (ii) the right of specific performance against Seller. Notwithstanding the foregoing, however, Seller's obligations under this Agreement are expressly contingent upon its acquisition of the Subject Property from Current Owners on or prior to the Closing Date, and, in the event that such acquisition fails to occur on or prior to the Closing Date for any reason, Seller's sole remedy shall be the right to terminate this Agreement upon written notice to Buyer in which case the parties shall have no further obligations under this Agreement except for those obligations which expressly survive the termination of the Agreement.

(b) **Buyer's Failure to Perform.** In the event of Buyer's failure to perform any of Buyer's obligations under this Agreement, Seller shall have the right to terminate this Agreement upon written notice to Buyer in which case the parties shall have no further obligations under this Agreement except for those obligations which expressly survive the termination of the Agreement.

10. **Prorations and Fees.** Current real property taxes on the Subject Property shall be prorated as of the date of Closing based upon the latest available tax bill. If Closing occurs before the tax rate is fixed for the then current year, subsequent to Closing, when the tax rate is fixed for the year in which Closing occurs, Seller and Buyer agree to adjust the proration of taxes and, if necessary, to refund or pay (as the case may be) such sums as shall be necessary to effect such adjustment. If the amounts of said taxes has not been determined at the time of Closing, they shall be apportioned on the basis of the taxes assessed for the preceding year, with a reapportionment as soon as the new tax rate and valuation can be ascertained; and, if the taxes which are to be apportioned shall thereafter be reduced by abatement, the amount of such abatement less the reasonable cost of obtaining same, shall be apportioned between the parties, provided that neither party shall be obligated to institute or prosecute proceedings for an abatement unless otherwise agreed. If such proceedings are commenced, the party commencing the same shall give the other party notice thereof and shall prosecute such proceeding and not discontinue the same without first giving the other notice of its intention to do so and reasonable opportunity to be substituted in such proceedings; and the other party agrees to cooperate in such proceedings without being obligated to incur any expense in connection therewith. It is

understood that the term "cooperate" as used in the last preceding sentence shall, in the case of Seller or Current Owners, as applicable, include the signing of any and all applications or petitions for such proceedings which are required to be brought in the name of Seller or Current Owner, as applicable.

Seller agrees to pay (or to cause Current Owner to pay) (i) any and all real property transfer taxes owed by the transferor in connection with the conveyance of the Subject Property to Buyer, if any are statutorily required, and (ii) the recording costs with respect to any mortgage(s), lien(s) or other monetary encumbrances affecting title to the Subject Property, if any. Buyer agrees to pay (i) any and all real property transfer taxes owed by the transferee in connection with the conveyance of the Subject Property to Buyer, if any are statutorily required, (ii) the recording costs with respect to the Deed(s), and (iii) any and all costs associated with Buyer's policy of title insurance, if any. Each party shall be responsible for its own legal fees.

Other fees and charges shall be allocated in accordance with the customary practice of the State in which the Subject Property is located.

11. **Notices.** All notices pertaining to this Agreement shall be in writing and addressed, as applicable, to the addresses set forth in the recitals to this Agreement. Any written notice permitted or required hereunder shall be deemed received on (i) the day on which it was personally delivered, (ii) the day on which it was transmitted by confirmed e-mail, (iii) the day on which it was sent by a nationally recognized overnight courier service, or (iv) the day on which it was received by the party to whom the written notice was addressed if sent by certified mail, return receipt requested.

12. **No Broker's Commission.** Each party represents to the other that it has not used a real estate broker in connection with this Agreement or the transaction contemplated by this Agreement. In the event any person asserts a claim for a broker's commission or finder's fee against one of the parties to this Agreement, the party on account of whose actions the claim is asserted will indemnify and hold the other party harmless from and against said claim and the provisions of this Section 12 shall survive Closing or any earlier termination of this Agreement. Notwithstanding the foregoing, the indemnity provided under this Section shall not be construed as a waiver of Buyer's right to assert any and all defenses in response to claims made against Buyer, its officers, agents, or employees pursuant to the Maine Tort Claims Act or any other privileges or immunities as may be provided by law.

13. **Effect of Holidays, Weekends on Times for Performance.** If any actions of Seller or Buyer under this Agreement are to take place on a Saturday, Sunday, national holiday, state holiday observed in the State of Maine, or bank holiday observed in the State of Maine, the date for performance will be on the next business day following such Saturday, Sunday, national holiday, state holiday or bank holiday.

14. **Binding on Successors.** This Agreement shall be binding upon the parties and also upon their heirs, personal representatives, assigns, and other successors in interest.

15. **Reserved.**

16. **Entire Agreement; Modification; Waiver.** This Agreement constitutes the entire agreement between Seller and Buyer pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations, and understandings. This Agreement shall be construed without regard to any presumption or other rule requiring construction against the party causing this Agreement to be drafted. No supplement, modification, waiver or amendment of this Agreement shall be binding unless specific and in writing executed by the party against whom such supplement, modification, waiver or amendment is sought to be enforced. No delay, forbearance or neglect in the enforcement of any of the conditions of this Agreement or any rights or remedies hereunder shall constitute or be construed as a waiver thereof. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver.

17. **Assignment.** The parties agree that neither party's rights and/or obligations under this Agreement may be assigned without the express written consent of the other party.

18. **Severability.** Each provision of this Agreement is severable from any and all other provisions of this Agreement. Should any provision(s) of this Agreement be for any reason unenforceable, the balance shall nonetheless be of full force and effect.

19. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Maine without regard for conflict of law principles.

20. **Possession.** Possession of the Subject Property shall be delivered at Closing free and clear of the rights or claims of any other party.

21. **No Merger.** The obligations contained in this Agreement, except for those specifically discharged at Closing (such as conveyance of title to the Subject Property), shall not merge with transfer of title but shall remain in effect until fulfilled.

22. **Headings.** The headings used in this Agreement are for convenience of reference only and shall not operate or be construed to alter or affect the meaning of any of the provisions hereof.

23. **Reserved.**

24. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original and which together shall constitute one and the same agreement. Execution and delivery of this Agreement by electronic signature or sent as a copy via email or an electronic signatures service (e.g. DocuSign or Adobe) shall be deemed as if original and sufficient for all purposes and shall be binding on any person who so executes.

[Remainder of page intentionally left blank.]

IN WITNESS of the foregoing provisions, the parties have executed and delivered this Agreement as of the date first set forth above:

SELLER:

BUYER:

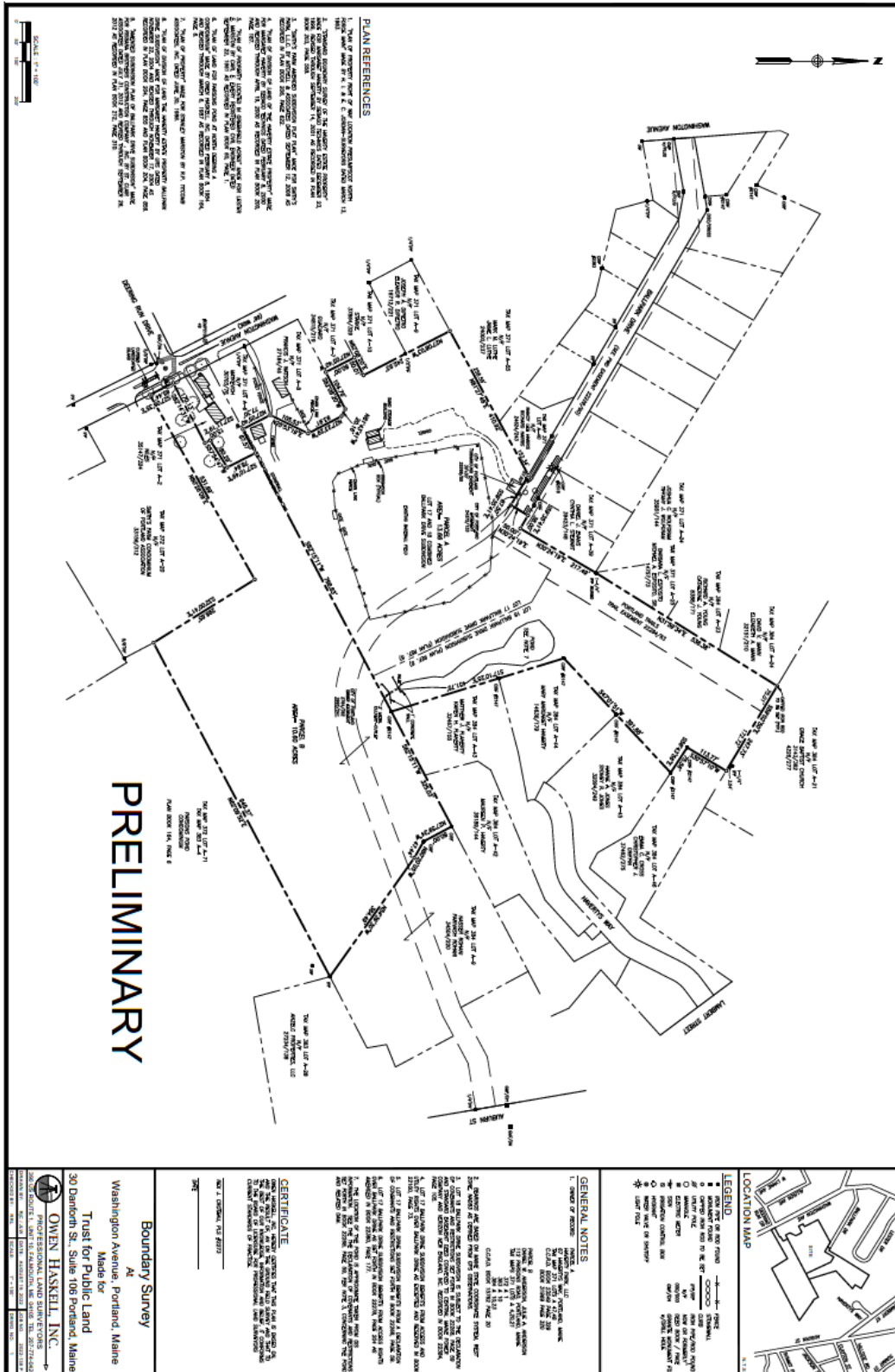
THE TRUST FOR PUBLIC LAND

CITY OF PORTLAND

By: _____
Shelby Semmes
V.P, New England Regional Director

By: _____
Danielle P. West
Interim City Manager

Exhibit A Property Plan



MEMORANDUM
City Council Agenda Item

FROM: Ethan Hipple, Director of Parks, Recreation and Facilities Department

DATE: 12/28/22

SUBJECT: Approval of Purchase and Sale Agreements for North Deering Park

SPONSOR: Danielle West

(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING

DATE ACTION IS REQUESTED:

1st Reading date: 2/6/23

Final Action date: 2/27/23

Can action be taken at a later date: Property closing is scheduled for Spring 2023. This action will facilitate the closing occurring on time.

PRESENTATION:

I. SUMMARY

Council approval of the purchase and sale agreements for various parcels collectively known as “North Deering Park”

II. AGENDA DESCRIPTION

Approve Purchase and Sale Agreement between The Trust for Public Land (seller) and City of Portland (buyer) to purchase approximately 24 acres of land in North Deering neighborhood for the purpose of creating a new park. Total purchase price is \$833,000 with funds provided through federal and state grants, philanthropic funds from The Trust for Public Land, and Portland Land Bank. The Trust for Public Land holds the purchase contracts with the landowners (Julie and Dan Anderson and Haverty Park, LLC) of the 24 acres. These contracts allow TPL to direct the deed to the City of Portland at closing. Entering into a Purchase and Sale agreement between The Trust for Public Land and the City of Portland will allow The Trust for Public Land to direct the deed to the City of Portland. The City is being asked to provide \$644,123.00 as outlined below.

III. BACKGROUND

The Trust for Public Land works with communities across the country to identify areas that are in need of parks or trails through their “10 Minute Walk to a Park” Campaign. The Department of Parks, Recreation and Facilities is an active participant in that program, and Mayor Snyder has expressed support for the program, along with scores of other mayors of US cities. Currently 89% of Portland residents live within a 10 minute walk of a park or trail. Large sections of the North Deering neighborhood are currently listed as priority areas for park development because many of the residents live further than a 10 minute walk to a park or trail. This project would create a new park and walking trails in that neighborhood, and increase Portland’s proportion of residents who are within a 10-minute walk to a park, thereby addressing the fact that many lower income residents lack walking access to parks and trails.

A combination of approved Federal, State, Land Bank funds, and philanthropic funds from The Trust for Public Land will cover acquisition costs to create a 24 acre park consisting of an existing multi-use ballfield, a pond, expansive wetlands, and an informal trail network. Both parcels of land are currently privately owned. The sellers have indicated they are primarily interested in selling the properties to be used as publicly accessible open space. Initial information shows that much of the open space property at 1819 Washington Ave is wetland and not suitable for significant housing. The Planning Department has provided additional analysis of that property. The Haverty property is currently used as a privately owned athletic field, primarily for youth baseball programs. Portland lacks adequate athletic field space and fields are often fully booked and over-utilized. The 2011 Athletic Fields Task Force Report led by City Councilor John Coyne recommended acquisition or development of additional fields to meet the great demand for youth and adult programming.

The Land Bank Commission (LBC), on September 8, 2021, voted unanimously (8/0) to recommend to the City Council the expenditure of \$80,000 towards the purchase of parcels related to the North Deering Park. Those City funds would be used as a match for federal and state grant funds which would pay for the majority of the project.

The City Council voted on August 23, 2021 to approve a federal grant application for this project through the Outdoor Recreation Legacy Program (ORLP) which is intended to fund open space projects in proximity to low-income urban areas in need of open space. That \$400,000 grant has been awarded. On September 1, 2022, the City Council voted unanimously 9-0 to accept a \$279,000 grant from the Land For Maine’s Future Fund towards this project. On November 21, 2022, the Council voted 9-0 to allocate \$80,000 of Land Bank Funds towards this purchase, and to place the property into the Land Bank once the transaction was complete.

Total purchase price for the parcels is \$833,000. Funding detail:

- \$400,000 Outdoor Recreation Legacy Program grant (administered through the National Park Service)
- \$164,123 Land For Maine’s Future (State of Maine, original award amount was \$279,000 but was reduced due to change in appraisals. TPL is covering the difference with additional philanthropic funds)
- \$80,000 Portland Land Bank Commission funds
- \$188,877 philanthropic funds from the Trust for Public Land

Trust for Public Land holds the purchase contracts with the landowners (Julie and Dan Anderson and Haverty Park, LLC). These contracts allow TPL to direct the deed to the City of Portland at closing.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Intended result is to approve the purchase and sale agreements related to this transaction.

V. FINANCIAL IMPACT

No impact for acquisition is foreseen as these funds would come from the Land Bank fund, pre-approved federal and state grants, or raised by private organizations. Future improvements and maintenance of the park would have a slight operating budget impact.

When these parcels are taken out of private ownership and acquired by the City, annual property taxes will no longer be owed. Annual property taxes for the parcels:

- Parcel 371 A047001: \$4,315
- Parcel 371 A048001: \$566
- Parcel 371 A004001: \$1,660
- Parcel 371 A020001: \$149

VI. STAFF ANALYSIS AND RECOMMENDATION

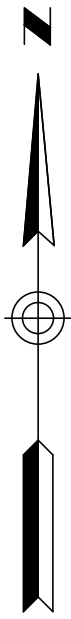
City staff recommend the City Council vote to approve the purchase and sale agreements to finalize the acquisition of these parcels to create a 24 acre park.

VII. LIST ATTACHMENTS

- Project Map

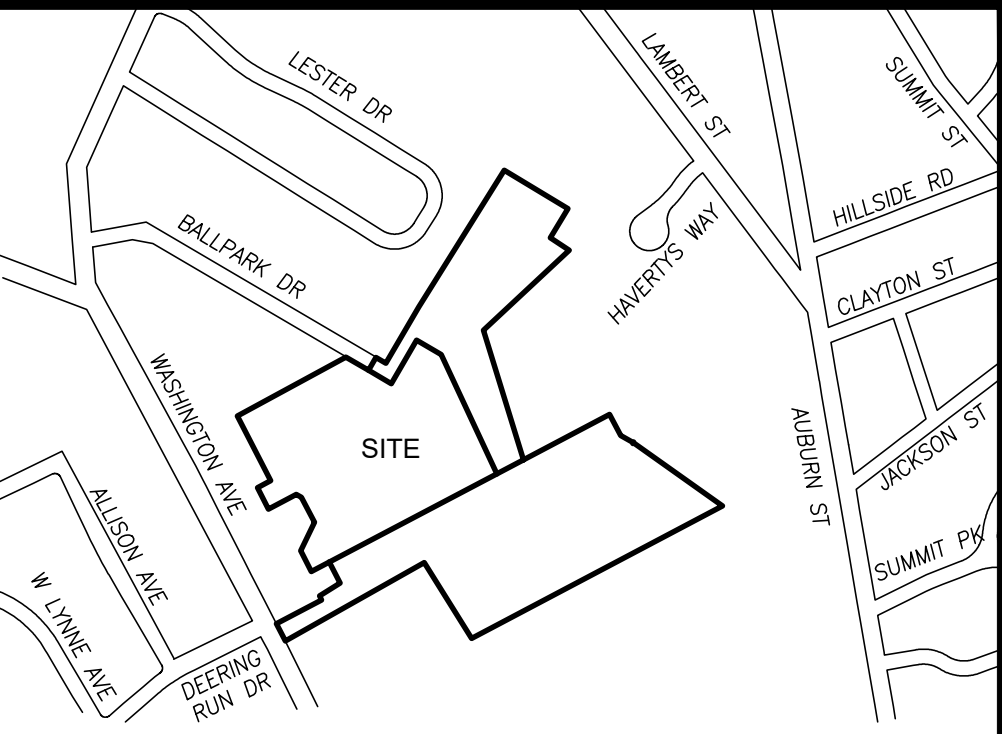
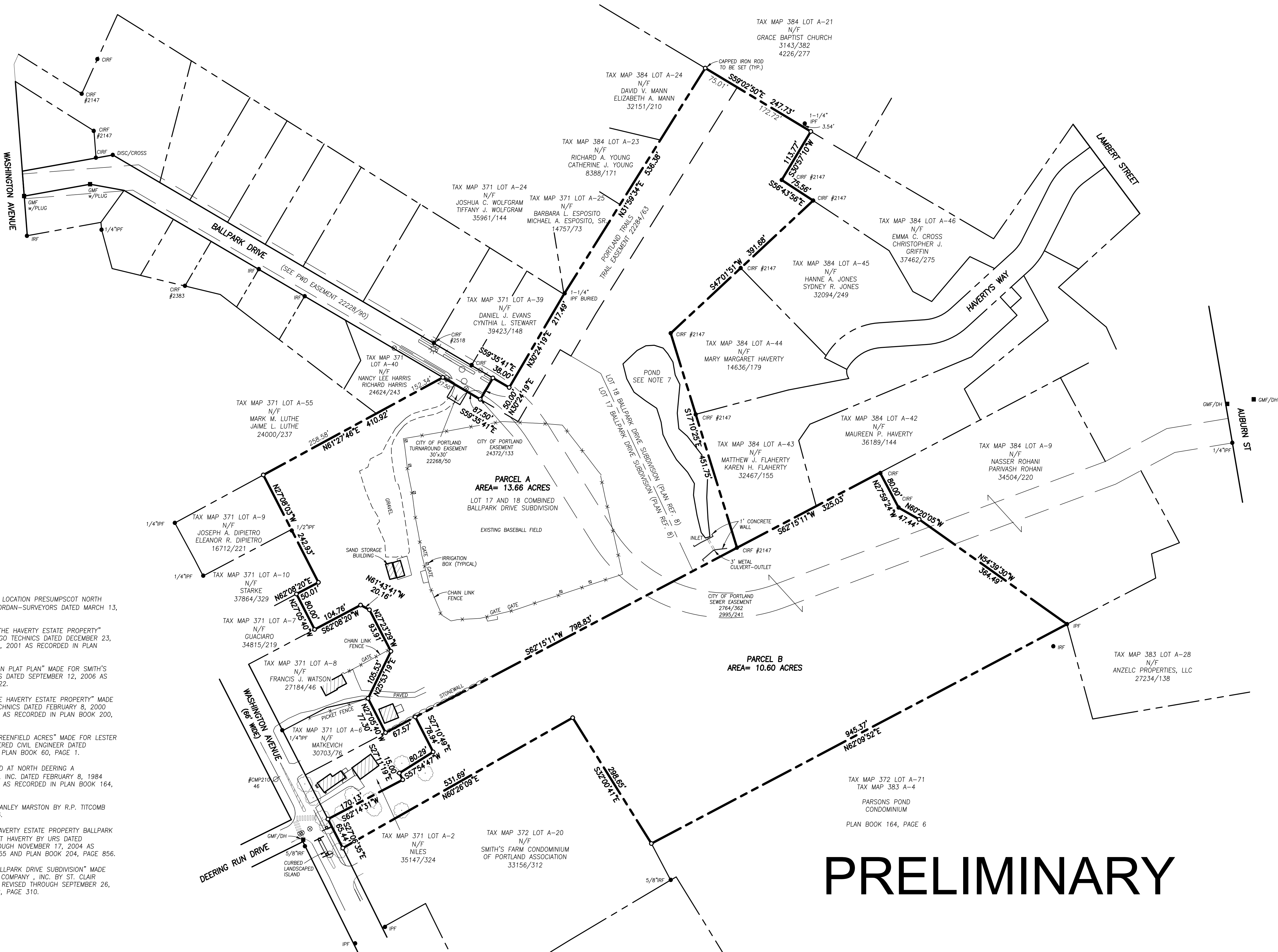
Prepared by: Ethan Hipple

Date: 12/28/22



PLAN REFERENCES

1. "PLAN OF PROPERTY RIGHT OF WAY LOCATION PRESUMPCOT NORTH FORCE MAIN" MADE BY H. I. & E. C. JORDAN-SURVEYORS DATED MARCH 13, 1963.
2. "STANDARD BOUNDARY SURVEY OF THE HAVERTY ESTATE PROPERTY" MADE FOR MARGARET HAVERTY BY SEBAGO TECHNICS DATED DECEMBER 23, 1999, REVISED THROUGH SEPTEMBER 14, 2001 AS RECORDED IN PLAN BOOK 203, PAGE 558.
3. "SMITH'S FARM AMENDED SUBDIVISION PLAT PLAN" MADE FOR SMITH'S FARM, L.L.C. BY MITCHELL & ASSOCIATES DATED SEPTEMBER 12, 2006 AS RECORDED IN PLAN BOOK 206, PAGE 622.
4. "PLAN OF DIVISION OF LAND OF THE HAVERTY ESTATE PROPERTY" MADE FOR MARGARET HAVERTY BY SEBAGO TECHNICS DATED FEBRUARY 8, 2000 AND REVISED THROUGH APRIL 19, 2000 AS RECORDED IN PLAN BOOK 200, PAGE 187.
5. "PLAN OF PROPERTY LOCATED IN GREENFIELD ACRES" MADE FOR LESTER E. MARSTON BY CARL E. EMERY REGISTERED CIVIL ENGINEER DATED SEPTEMBER 22, 1961 AS RECORDED IN PLAN BOOK 60, PAGE 1.
6. "PLAN OF LAND FOR PARSONS POND AT NORTH DEERING A CONDOMINIUM" MADE BY OWEN HASKELL, INC. DATED FEBRUARY 8, 1984 AND REVISED THROUGH MARCH 6, 1987 AS RECORDED IN PLAN BOOK 164, PAGE 6.
7. "PLAN OF PROPERTY" MADE FOR STANLEY MARSTON BY R.P. TITCOMB ASSOCIATES, INC. DATED JUNE 30, 1986.
8. "PLAN OF DIVISION OF LAND THE HAVERTY ESTATE PROPERTY BALLPARK DRIVE SUBDIVISION" MADE FOR MARGARET HAVERTY BY URS DATED NOVEMBER 22, 2004 AND REVISED THROUGH NOVEMBER 17, 2004 AS RECORDED IN PLAN BOOK 204, PAGE 855 AND PLAN BOOK 204, PAGE 856.
9. "AMENDED SUBDIVISION PLAN OF BALLPARK DRIVE SUBDIVISION" MADE FOR RISBARA BROTHERS CONSTRUCTION COMPANY, INC. BY ST. CLAIR ASSOCIATES DATED JULY 31, 2012 AND REVISED THROUGH SEPTEMBER 26, 2012 AS RECORDED IN PLAN BOOK 212, PAGE 310.



LEGEND			
●	IRON PIPE OR ROD FOUND	—X—X—	FENCE
■	MONUMENT FOUND	—O—O—	STONEWALL
○	CAPPED IRON ROD TO BE SET	—	CURB
○	UTILITY POLE	—/—/—	IRON PIPE/ROD FOUND
○	MANHOLE	N/F	NOW OR FORMERLY
⊗	ELECTRIC METER	000/000	DEED BOOK / PAGE
—	SIGN	GMF/DH	GRANITE MONUMENT FD.
⊠	IRRIGATION CONTROL BOX		W/DRILL HOLE
⊙	HYDRANT		
⊗	WATER VALVE OR SHUTOFF		
⊛	LIGHT POLE		

- GENERAL NOTES**
1. OWNER OF RECORD: PARCEL A HAVERTY PARK, LLC 67 HAVERTY'S WAY, PORTLAND, MAINE TAX MAP 371 LOTS A 47,48 C.C.R.D. BOOK 23549 PAGE 329 BOOK 31969 PAGE 320
PARCEL B DANIEL W. ANDERSON, JULIE A. ANDERSON 112 PARSONS ROAD, PORTLAND, MAINE TAX MAPS 371 LOTS A 4,20,21 372 A 1 383 A 10 384 A 10,23 C.C.R.D. BOOK 15762 PAGE 20
 2. BEARINGS ARE BASED ON MAINE STATE COORDINATE SYSTEM, WEST ZONE, NAD83 AS DERIVED FROM GPS OBSERVATIONS.
 3. LOT 18 BALLPARK DRIVE SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS SET FORTH IN BOOK 22268, PAGE 59 AND STANDARD EASEMENT DEED CONVEYED TO CENTRAL MAINE POWER COMPANY AND VERIZON NEW ENGLAND, INC. RECORDED IN BOOK 22384, PAGE 105.
 4. LOT 17 BALLPARK DRIVE SUBDIVISION BENEFITS FROM ACCESS AND UTILITY RIGHTS OVER BALLPARK DRIVE AS EXCEPTED AND RESERVED IN BOOK 22100, PAGE 73.
 5. LOT 17 BALLPARK DRIVE SUBDIVISION BENEFITS FROM A DECLARATION OF COVENANTS AND RESTRICTIONS SET FORTH IN BOOK 22268, PAGE 59.
 6. LOT 17 BALLPARK DRIVE SUBDIVISION BENEFITS FROM ACCESS RIGHTS OVER BALLPARK DRIVE AS SET FORTH IN BOOK 22278, PAGE 204 AS AMENDED IN BOOK 22380, PAGE 177.
 7. THE LOCATION OF THE POND IS APPROXIMATE TAKEN FROM GIS INFORMATION. SEE THE DECLARATION OF COVENANTS AND RESTRICTIONS SET FORTH IN BOOK 22268, PAGE 59, PER NOTE 3, CONCERNING THE POND AND RELATED DAM.

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.

REX J. CROTEAU, PLS #2273
DATE

Boundary Survey
At
Washington Avenue, Portland, Maine
Made for
Trust for Public Land
30 Danforth St., Suite 106 Portland, Maine

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

DRAWN BY: RJC/JLW
CHECKED BY: RRL

DATE: AUGUST 19, 2022
SCALE: 1" = 100'

JOB NO. 2022-138 P
DRAWG. NO. 1