

Historic Preservation Board

Wednesday, April 5, 2023 at 5:00 PM Via
Zoom



MEMBERS

Robert O'Brien, Chair
Julia Tate, Vice Chair
Hilary Bassett
Brad Miller
John O'Leary
Jeffrey Talka
Rob Whitten

REMOTE PARTICIPATION:

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

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.

You are invited to a Zoom webinar.

When: Apr 5, 2023 05:00 PM Eastern Time (US and Canada)

Topic: Historic Preservation Board Workshop 4-5-2023

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/84734812147>

Or One tap mobile :

US: +19292056099,,84734812147# or +13017158592,,84734812147#

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 +1 386 347 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

Webinar ID: 847 3481 2147

International numbers available: <https://portlandmaine-gov.zoom.us/j/84734812147>

PUBLIC COMMENT INFORMATION:

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

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

AGENDA:

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **REPORT OF ATTENDANCE AT THE MEETING HELD ON MARCH 15, 2023**
 - i. **PUBLIC HEARING**
73 Winter Street: Bassett, Miller, O'Brien, Talka, Tate, Whitten present.
 - ii. **WORKSHOP**
27 Park Street (Deering Oaks Park): Bassett, Miller, O'Brien, Talka, Tate, Whitten present.

3. REPORTS OF DECISIONS AT THE MEETING HELD ON MARCH 15, 2023

- i. Certificate of Appropriateness for Revisions to Prior Approval; 73 WINTER STREET (Previously 144 STATE STREET); Community Housing of Maine, Applicant. A project and plan summary are available for viewing on the city's CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number HPBR-001408-2020. The Board voted unanimously to approve the application as submitted.

4. COMMUNICATION AND REPORTS

5. PUBLIC HEARING

- i. No Public Hearings at this meeting.

6. WORKSHOP

- i. Preliminary Review of Proposed New Construction; 58 FORE STREET (BLOCK 4) Portland Foreside Development Company, Applicants. A project and plan summary are available for viewing on the city's CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number HPBR-002380-2023.
- ii. Preliminary Review of Proposed New Construction; 58 FORE STREET (BLOCK 6) Portland Foreside Development Company, Applicants. A project and plan summary are available for viewing on the city's CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number HPBR-002391-2023.

STAFF MEMORANDUM HISTORIC PRESERVATION PROGRAM PLANNING AND URBAN DEVELOPMENT



TO: Chair O'Brien and Members of the Historic Preservation Board
FROM: Evan R. Schueckler, Historic Preservation Program Manager
DATE: March 31, 2023
RE: 58 Fore Street – FIRST WORKSHOP – New Construction (Block 4)
PROJECT ID: HPBR-002380-2023
MEETING: April 5, 2023

Owner: Portland Foreside Development Company
Architect: Perkins & Will

A sign announcing the Historic Preservation Board's meeting on April 5, 2023 was posted at the property on March 24, 2023. A legal ad was published in the Portland Press Herald on March 24, 2023 and March 25, 2023, and 170 notices were sent to neighboring property owners within 100 feet of the subject property.

PROJECT SCOPE

Construct new townhouses and large mixed-use building (Block 4) on site partially within and adjacent to the Portland Company Historic District.

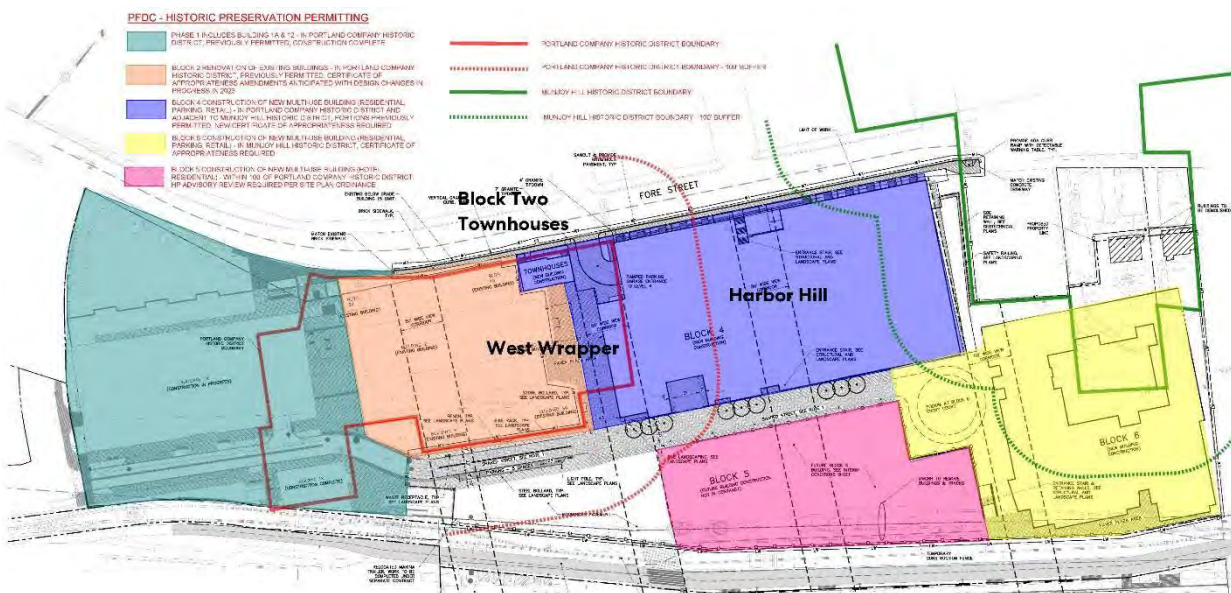


Figure 1: Map of 58 Fore Street site provided by applicant showing the Portland Company Historic District boundary (solid red line), and the area of the proposed Block 4 Development (purple shaded area labeled “Harbor Hill”). Block 1 (green shaded area) was previously approved and is nearing

completion. Block 2 (orange shaded area) contains the historic core of the Portland Company Historic District for which the Board previously reviewed a rehabilitation program. Block 6 (yellow shaded area) will be submitted to the Board for review under a separate application. Block 5 (pink shaded area) will only be subject to advisory review by Historic Preservation Staff.

The townhouses will front onto Fore Street, with a height of three stories along that frontage; however, they will also extend to the lower elevation of the Portland Company site, which sits about three stories below Fore Street, at a height of six stories.

The mixed-use building will consist of several connected elements. The base of the structure is a four-story podium parking structure, the top of which aligns roughly with the elevation of Fore Street. The north side of this parking podium will be embedded into the retaining wall and hillside below Fore Street with residential and commercial uses wrapping its south elevation. Atop this podium will sit a series of residential “towers” which range from three stories at the western end of the structure to five stories at the eastern end. These towers are obscured from Fore Street by groupings of five and six three-story townhouses which are related to the block frontages across Fore Street. The areas behind the townhouses and between the towers atop the parking podium will be reserved for amenity greenspaces, some private and others open to the public and aligning with view corridors, serving as a pedestrian connection from Fore Street into the 58 Fore Street site. The building also features a two-story mass at the western elevation, referred to as the “west wrapper,” which faces into the center of Portland Company Historic District. The west wrapper will have commercial, amenity, and service uses including what appears to be a rooftop amenity deck which will sit below the western façade of the westernmost residential tower.

The west wrapper will be connected to the lower levels of the townhouses through a retaining wall or raised podium structure supporting a driveway that provides vehicle access to the parking structure from Fore Street.

Those portions of the structure that are within the boundaries of the Portland Company Historic District require a Certificate of Appropriateness (COA). These elements include the two westernmost townhouses, the west wrapper, and the driveway podium structure (see figures 1 & 2). The remainder of the structure will be subject to an advisory design review by Historic Preservation Staff in conjunction with Portland’s Urban Designer as a part of the Site Plan Review for Block 4. This review is ongoing and has had one workshop with the Planning Board.

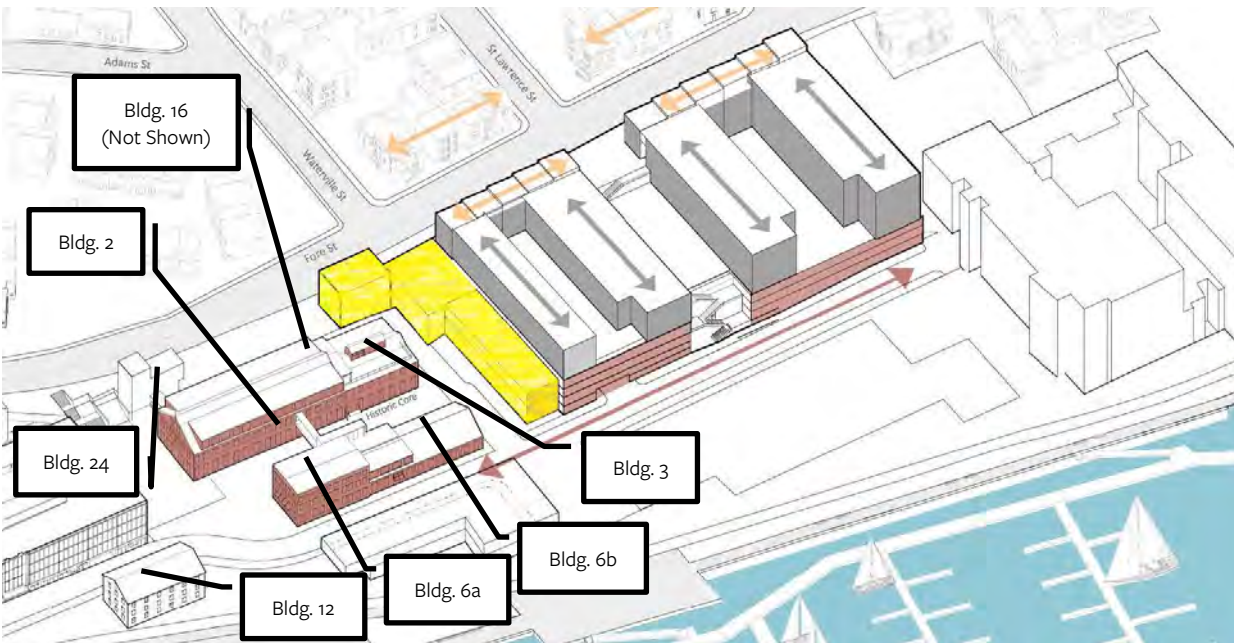


Figure 2: Axonometric view of proposed 58 Fore Street development provided by applicant showing the overall massing of the proposed Block 4 development adjacent to the historic core of the Portland Company Historic District. The areas shaded in yellow by Historic Preservation Staff, (the westernmost townhouses, the west wrapper, and the driveway podium) fall within the boundaries of the Portland Company Historic District. Historic building numbers have been added by Staff.

BACKGROUND

In 2016, the applicant received approval for a Master Development Plan (MDP) for the 58 Fore Street site. MDPs are an optional regulatory tool that can be used to guide large, multi-structure development projects such as is proposed for the 58 Fore Street site. Although the MDP approval does not constitute an authorization for development, it does maintain the applicability of regulations in effect at the time of approval for as long as the MDP approval remains valid. If an MDP is proposed for a site in a Historic District or designated as a Landmark, or a site located within 100 feet of a local historic designation, the MDP is subject to an advisory review by Historic Preservation. In 2016, when the applicant was applying for the MDP for 58 Fore Street, the Historic Preservation Board participated in the advisory review. Individual development projects are then still required to go through Site Plan Review by the Planning Board, and attain other necessary approvals such as a COA from Historic Preservation when development occurs within a historic district or the boundaries of a landmark structure.

Work at Blocks 1 and 2 have already gone through these reviews. Blocks 4, 5, & 6 are undergoing a joint development review. Blocks 4 & 6 are being presented to the Historic Preservation Board as two separate applications given that the areas of each block requiring a COA are located in different historic districts.

SUMMARY OF HISTORIC CONTEXT

The Portland Company was founded in 1845 as the Portland Iron Manufacturing Company, abbreviating the name formally the next year. In operation until 1982, the Portland Company is one of the largest, most significant, and last remaining industrial complexes within the City of Portland. The company was founded in conjunction with the St. Lawrence and Atlantic Railroad to provide a local center for the design and manufacturing of railroad equipment incorporating all of the necessary shops and trades on a single site. Likely the first purpose-built complex for the manufacture of railroad equipment in the United State, the Portland Company produced hundreds of railroad engines, as well as freight and passenger cars. The company also quickly expanded to producing all manner of machinery and metalwork ranging from marine engines and boilers, navigational aids, marine vessels, equipment for Maine's paper and canning industries, fire engines, snow plows, lighthouse equipment, and a variety of architectural elements. Famously, the Portland Company cast the iron beanpots used by the Burnham & Morrill Cannery in Portland, and fabricated the entirety of the iconic Bug Light in South Portland.



Figure 3: 1920 sketch image of the Portland Company site showing the scale of the sprawling complex. (Maine Preservation Commission)

The Portland Company complex was constructed on reclaimed land at the eastern end of Portland's primary waterfront. The approximately 10 acres of reclaimed land was part of a much larger program of land reclamation completed in the 1840s and 1850s to allow railroad access to Portland's bustling port. Given the interconnectedness of the Portland Company to the advent of the railroads in Portland and Maine, the company and site have a direct relationship the mid-nineteenth century remaking of Portland's waterfront, leading to the Commercial Street we know today.

The visual character of the Historic District is that of a rambling industrial complex containing a variety of structures all constructed to fulfill specific programmatic needs. These range from

foundries and boilers, to drafting rooms, machine shops, blacksmiths, and expansive halls for the assembly of large-scale machinery. Through the designation process of the Historic District, a number of original structures were deemed as non-contributing due to their lack of integrity or as part of the negotiated balancing of the sites historic character with the need for developable space on the site. At this time, the majority of non-contributing structures have been demolished leaving the historic core of contributing buildings.



Figure 4: 2021 aerial view of the Portland Company site showing Block 1 under construction at the western edge of the site (bottom left).

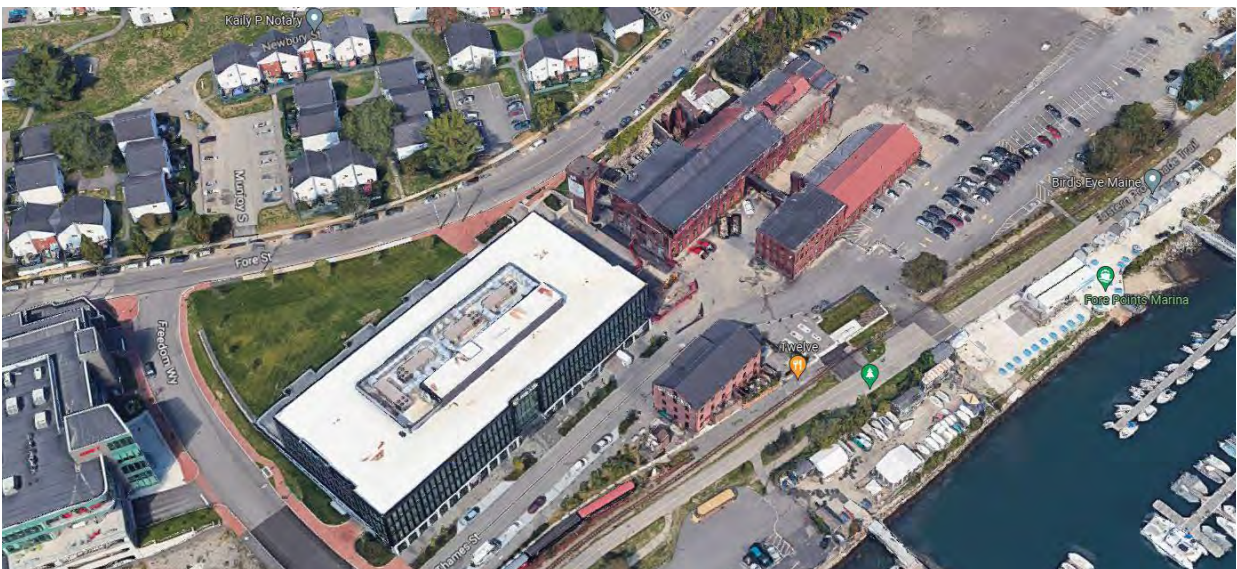


Figure 5: 2022 aerial view showing Block 1 largely complete, Building 12 reconstructed in its new location, and the remaining non-contributing structures at the eastern edge of the site having been removed clearing the way for the Block 4 Development (top right).

While all unique, the contributing buildings do generally share a visual language typical of late

nineteenth- or early twentieth-century industrial architecture. The structures are predominantly low-lying with long, horizontal elevations of brick on stone foundations. Several vertically oriented structures punctuate the campus such as the drawing vault at Building 24 or the stair tower at Building 6a. Roof forms vary including flat, gabled, and shed forms. Metal is commonly used in a limited capacity as structural elements at roofs or openings, or in some lean-to additions. Wood is used in a limited capacity. Exteriors are very spartan with little to no ornament. Building 2 is the most ornate with granite window headers and sills, and a substantial classically-inspired brick cornice and pediment. Windows and doors are typically regularly spaced punched openings with a vertical orientation and multi-light glazing.

The site is also significantly characterized by the arrangement of buildings. The structures were located close to one another, speaking to their many interrelated functions. However, clear spaces were left between many structures creating a modest internal network of streets and alleys that allowed for the staff, materials, and products in varying states of completion to be moved throughout the site. In several locations, second-story bridges or walkways create connections between buildings and over that network of streets. In several instances, important structures such as the pattern warehouse (Building 12) were located away from the working portions of the building to protect them from the potential for fire within the complex.



Figure 6: 2022 view of the Buildings 2 & 24. Block 1, at left, was nearing completion with sitework being completed in the foreground.

STAFF COMMENTS

The proposed Block 4 development is being brought forward for a first workshop in order to introduce the scope of the project to the Historic Preservation Board, to lay out the purview boundaries for the Board, for feedback on the preliminary design of the project, and so that the

Board can make clear what additional information will be needed to continue the review.

As discussed above, the project consists of the large, Block 4 structure which is itself composed of a number of parts, a pair of townhouses that will front onto Fore Street and back onto the historic core of the district, and an elevated podium supporting driveway access to the Block 4 parking structure. Of these, the entirety of the two townhouses and the parking podium, and the westernmost portion of Block 4 will require a Certificate of Appropriateness from the Historic Preservation Board. The rest of Block 4 will be subject to an advisory design review by Historic Preservation Staff as part of the Site Plan Review process.

The applicant has included information on portions of the building not subject to Historic Preservation Board review, and while the Board can certainly ask questions and provide comment on those portions of the building, questions and discussion should focus on those elements of the structure that are directly under Board purview. It is expected that the design review of the rest of the structure will be conducted in response to the design review by the Historic Preservation Board. By that same logic, in so far as the Board is able to consider the design of the rest of the structure through the lens of the Historic Preservation Standards for review, a cohesive and responsive design will benefit the project overall.

Staff have provided detailed comments on how the proposed structures respond to the standards for review of new construction below. Generally, the design is clearly contemporary, while attempting to respond to the character of the historic structures at the core of the historic district. The west wrapper is the most responsive to the massing, fenestration, and composition of the historic structures, being low-slung, horizontal, and featuring a highly regular pattern of punched openings. Staff would encourage the Board to discuss the proposed programming for this area to consider its compatibility with the historic core of the district.

The townhouses are less responsive, standing out much more as their own structures. They are more vertically oriented and double the height of most structures within the historic district when viewed from within the district. There are several vertical elements within the district; however, they are a much smaller scale than the proposed townhouses. Staff would encourage the Board to discuss whether there are opportunities to restudy the composition of the rear elevation of the townhouses to establish more compatible proportions and perceived height. Perhaps the townhouses could be given a stronger base which would ground the structure and allow the upper stories to have a distinct treatment making them more recessive to the historic core. There may also be room to strengthen the presence of the storefront at the lowest level of the townhouses adjacent to the historic structures. For instance, the west wrapper utilizes an oversized first floor to be in keeping with the scale of the historic structures. A stronger relationship between the townhouses and the west wrapper could promote a more grounded and contextual design adjacent to the historic structures. Regardless, to this point the applicant has not demonstrated how the proposed townhouses are contextual to the historic structures.

Additionally, the Board might consider the relationship between the pair of townhouses within the

district to those that cover the north elevation of Block just outside the district. The townhouses outside the district are currently shown with a much more residential character, attempting to respond to the residences across Fore Street, several of which are located within the nearby Munjoy Hill Historic District. In contrast, the townhouses in the Portland Company District have a much more clearly contemporary design that is responding to the historic industrial structures. Staff would encourage the Board to discuss whether there are opportunities to soften the transition between the western townhouses and the north elevation of Block 4, in particular when viewed from Fore Street where the townhouses are most disassociated from the context of the Portland Company below.

The driveway podium also stands out in contrast to the west wrapper and the townhouses in its solidity, currently being shown as a blank wall. It's unclear from the information provided whether the podium has interior programming below Fore Street and if so, what it might be. Staff would encourage the Board to discuss whether this element should be given fenestration or other articulation, or whether its blank treatment is an appropriate response to the driveway and Fore Street above.

While staff would not encourage the Board to focus on materials at this stage given that the applicant has not provided great detail on the placement and finish of any proposed materials, staff would note that brick is conspicuously absent from the portions of the buildings within the historic districts. The Board might consider questions of whether the use of brick in a clearly contemporary way might strengthen the contextuality of the structures and provide a transition from the historic structures to the much more contemporary upper stories of Block 4.

Additional information will need to be provided prior to a subsequent Board workshop so that staff can provide a fuller review, and the Board can have the information necessary to provide direction and make findings regarding contextuality and appropriateness. In addition to responses to Board comments from the March 15th workshop, staff would particularly recommend including the following in a next submission:

- Photo documentation of existing conditions including from within the district;
- A complete set of floor plans for the proposed structures within the Historic District;
- Elevation drawings focused on the proposed structures within the district showing them in relation to the various historic structures, including the smaller structures that sit below Fore Street at the north edge of the district;
- Additional renderings showing the proposed structures in relation to the historic, such as views from within the historic core and from further west on Fore Street (at present, the applicant has provided only one rendering showing any historic structures).

Staff would encourage the Board to make clear any additional views or information that should be provided for a second workshop.

Eventually, the applicant will also need to provide additional detailed information on material selection as well as exterior envelope construction, sitework, and exterior lighting. Once the above information has been provided and the massing, scale, fenestration, and overall façade

compositions have been fully workshopped, the applicant should begin to submit more detailed information for review.

ANALYSIS OF APPLICABLE REVIEW STANDARDS

Standards for Review of New Construction, 17.8.3:

Standard A. Scale and Form	
<u>1. Height</u> The proposed height shall be visually compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines.	
Standard Met?	Staff Comments
For Board Discussion	The height of the west wrapper and driveway podium (about three stories) generally appear to be compatible with the height of historic structures, being no higher than Fore Street at the north side of the site. In particular, the West Wrapper's height provides a transition to the taller residential tower of Block 4 just outside the Historic District. The townhouses meet current height standards, but are two to three stories taller than the historic structures. The Board may want to discuss opportunities for improving their overall visual compatibility by introducing horizontality to the south elevation to lower the perceived height of the size story structure.
<u>2. Width</u> The width of a building shall be visually compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines.	
Standard Met?	Staff Comments
For Board Discussion	The west wrapper is a large rectangular building that has a strong visual relationship to the historic structures of the district, though it is oriented perpendicular to the core structures of the district. The townhouses are visually narrower and taller than most of the buildings in the Historic District. There may be opportunities to break-up the perceived height of the townhouses.

<u>3. Proportion of principal facades</u> The relationship of the width to the height of the principal elevations shall be visually compatible with structures, public ways, and open spaces to which it is visually related.	
Standard Met?	Staff Comments
For Board Discussion	The west wrapper is a large rectangular building that has a strong horizontal orientation that is generally compatible with the proportions of the historic structures. The townhouses are more vertically oriented, standing in contrast to the low-slung proportions of the historic structures. There may be opportunities to break up the height of the townhouses south elevation to create areas of more horizontal proportions.
<u>4. Roof shapes</u> The roof shape of a structure shall be visually compatible with the structures to which it is visually related.	
Standard Met?	Staff Comments
For Board Discussion	Both the west wrapper and townhouses are proposed to have flat roofs. Several structures and portions of structures in the district have flat or low-slope roofs. While the flat roofs are not incompatible, alternative roof forms may provide an opportunity to create a stronger relationship with the historic structures, in particular at the townhouses.
<u>5. Scale of a structure</u> The size and mass of structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the structures, public ways, and places to which they are visually related.	
Standard Met?	Staff Comments
For Board Discussion	The west wrapper has a lower, horizontal massing that is generally compatible with the form of the historic structures in the district. This compatibility is further reinforced by the secondary vertical orientation of windows and openings within the horizontal mass. The townhouses are two to three stories taller than the historic structures, based on the need to maintain a residential relationship with Fore Street. This perceived height from within the district is reinforced given that the upper portion of the façade floats above the ground without a strong base or foundation element. There could be opportunities to adjust the massing or introduce two masses to the townhouses that would improve the relationship with the historic structures and minimize the perceived height.

Standard B. Composition of Principle Facades	
1. Proportion of openings The relationship of the width to height of windows and doors shall be visually compatible with structures, public ways, and places to which the building is visually related.	
Standard Met?	Staff Comments
For Board Discussion	Generally, the west wrapper and townhouses have square or vertically oriented openings. At the west wrapper the windows are broken up into smaller window units, creating the impression of multi-light windows, where the townhouses have what appear to be very large, flat expanses of glass.
2. Rhythm of solids to voids in facades The relationship of solids to voids in the façade of a structure shall be visually compatible with structures, public ways, and places to which it is visually related.	
Standard Met?	Staff Comments
For Board Discussion	Both the west wrapper and the townhouses have generally very regular arrangements of windows. The west wrapper incorporates significantly more glazing than is found on the remaining historic structures; however, the multi-light arrangement and industrial character are quite compatible with the historic structures. The townhouses feature a more similar ratio of solid to void, however, this is only found at the north and south elevations while the east and west are overly solid with only two windows at the west elevation. The proposed driveway podium contains no penetrations, instead being a solid wall. Historically in this area, the buildings either abutted the retaining wall supporting Fore Street or the retaining wall itself was visible; however, the Board might still consider whether fenestration at the podium might benefit the design.
3. Rhythm of entrance porch and other projections The relationship of entrances and other projections to sidewalks shall be visually compatible with the structures, public ways, and places to which they are visually related.	
Standard Met?	Staff Comments
For Board Discussion	The west wrapper features large commercial entryways and several garage doors which do bear a relationship to the larger industrial openings of the historic structures, though the Board should consider the impact of the service functions concealed by the garage doors on the adjacent historic structures. The north side of the townhouses has a very residential scale which relates to the many residential structures across Fore Street, some of which are not located in the historic district. At the south elevation, the structure has a storefront entrance which appears dwarfed by the structure above and in comparison, to the adjacent historic structures and west wrapper.

4. Relationship of materials

The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in the structures to which they are visually related.

Standard Met?	Staff Comments
For Future Board Discussion	At this time, the applicant has not provided significant information on the arrangement of the proposed materials of brick, fiber cement, and metal siding on the proposed facades. Additionally, the finish and texture of the proposed siding materials is not always apparent in the elevations or renderings. While material choices and details will have a significant impact on the final design, staff would encourage the Board to focus preliminary comments on the threshold issues of building massing, fenestration, and openings with further information on proposed materials to be provided for future workshops.

Standard C. Relationship to Street

1. Walls of continuity

Facades and site structures, such as masonry walls, fences, and landscape masses, shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the structures, public ways, and places to which such elements are visually related.

Standard Met?	Staff Comments
For Board Discussion	The proposed west wrapper will reestablish a sense of enclosure at the eastern end of the historic district reinforcing the inward focus of the site. Historically a number of other buildings were located in this area. Where the west wrapper ends and the south façade of Block 4 begins extending eastward is generally in line with one of the original internal streets of the site. This line of the structure will help to also reestablish that internal street which will now be the extension of Thames Street. The townhouses will continue to establish the enclosure created by the retaining wall holding up Fore Street within the site. At the level of Fore Street, the townhouses are generally compatible in scale with the residential buildings across the street and will retain some of openness to either side, as is typical of the adjacent residential areas.

<u>2. Rhythm of spacing and structures on streets</u> The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways, and places to which it is visually related	
Standard Met?	Staff Comments
For Board Discussion	The proposed west wrapper and townhouses will retain the open space of the interior roads and alleys of the site and create a new space at the eastern edge of the site. Additionally, the structures will reestablish the sense of enclosure that had been created by several of the now removed non-contributing buildings. Along Fore Street, the proposed townhouses will mirror the relationship of the many residential buildings across the street to Fore Street.
<u>3. Directional expression of principal elevation</u> A structure shall be visually compatible with the structures, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character.	
Standard Met?	Staff Comments
For Board Discussion	The west wrapper has a highly horizontal expression, punctuated by vertically oriented openings, as is typical of the historic structures. The townhouses have a more vertical orientation. Additionally, the expression of materials as shown in a limited capacity in the elevations and renderings is also vertical, in sharp contrast to the more horizontal historic structures.
<u>4. Streetscape, pedestrian improvements</u> Streetscape and pedestrian improvements and any change in the appearance thereof located adjacent to or on a landmark, within a historic district, or within a historic landscape district which is readily visible from any street or open space shall not be incongruous to the historic character of the landmark or district and shall comply with the criteria and guidelines specified in the Historic Resources Design Manual.	
Standard Met?	Staff Comments
For Board Discussion	Additional information should be provided about specific streetscape and pedestrian improvements that are being proposed within the Historic District for review at future workshops.

Standard D. Other Standards	
1. Compatible use Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration to the character defining features of the structure, object, or site and its environment or to use a property for its originally intended purpose.	
Standard Met?	Staff Comments
For Board Discussion	Generally, the proposed mixed use of the development is not incompatible with the site. The final compatibility relies mostly on the design treatment developed for the new buildings. However, staff would recommend discussion of the proposed uses for the areas closest to the historic structures to understand whether those uses will contribute to the proposed vibrant adaptive reuse of the historic structures.
2. Distinguishing original character The distinguishing original qualities or character of a structure, object, or site and its environment shall not be destroyed. The alteration of any historic material or distinctive architectural features should be avoided when possible.	
Standard Met?	Staff Comments
For Board Discussion	The proposed development will not damage any significant historical material. Additionally, as discussed above, the proposed placement and arrangement of the development will not negatively impact the significant qualities of the relationships between the historic structures.
4. Contemporary design Contemporary design for additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural, or archaeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, material, and character of the property, neighborhood and environment.	
Standard Met?	Staff Comments
For Board Discussion	The applicant has taken a design approach that is leading towards an assemblage of clearly contemporary buildings while attempting to respond to the historic character of the district. Staff would encourage board discussion of how the proposed designs could be adjusted to improve the compatibility of the development in terms of scale, material, design details that characterize the historic buildings.

ATTACHMENTS

- | | |
|--------------------------------|--------------------------------------|
| 1. Project Summary | 5. Floor Plans, Sections, Elevations |
| 2. Presentation and Renderings | 6. Photo Survey |
| 3. Site Plans | |
| 4. Elevations | |

Date: 2.21.2023

Mr. Evan Schueckler
Historic Preservation Program Manager
389 Congress Street
Portland, Maine 04101

Re: Harbor Hill – Portland Foreside Development Company

Dear Mr. Schueckler,

On behalf of the Portland Foreside Development Company, please find the attached materials for a first Submission to the Historic Preservation Program associated with the development of Harbor Hill.

The development borders Fore Street and the new Thames Street Extension, and spans from the Portland Company Historic District at its West boundary to the Munjoy Hill Historic District at its Eastern limits. The project will develop residential apartments and Townhomes, supported by a parking garage, resident amenities and street level retail, totaling approximately 425,000 GSF of development.

As components of the design, these individual program areas fall within the boundaries of Historic Preservation oversight. A map of this overlay is included within the presentation materials.

- **'West Wrapper' & "Block 2 Townhouses"** are those portions of the site within the Portland Company Historic Districts and will require a Certificate of Appropriateness before site plan approval can be given.
- **'West Tower', 'Fore Street frontage' & East Tower'** each fall within 100 feet of either the Portland Company or the Munjoy Hill Historic Districts, and accordingly are subject to an advisory design review by Historic Preservation Staff.

Our design approach consistent between the project's dialog with both Portland Company and Munjoy Hill Historic Districts, is to create new designs that reveal the character of the existing district through a complementary language, one that is relatively quiet and simple. New designs that express a crafted aesthetic, referencing the site and adjacent neighborhood's history of supporting fabrication, but now expressed through a decidedly new language that does not attempt to mirror its context, but instead draw references from these Historic Districts to create a more meaningful dialog between old and new.

We look forward to working with Portland's Historic Preservation Program towards ensuring the new Harbor Hill development is consistent with the standard, goals and objectives of the Program.

Sincerely,



Derek Johnson
Associate Principal
Perkins&Will

EVIDENCE OF RIGHT, TITLE & INTEREST

The following materials have also been provided as part of the Portland Foreside Block 4 and 6 Site Plan Application (PL-002202-2022) and are applicable for Historic Preservation Certificate of Appropriateness applications for Blocks 4 and 6 (the Projects).

Right, Title & Interest

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

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

Easements & Other Burdens

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

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

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

Attachments

- Property Deeds

ATTACHMENTS: PROPERTY DEEDS

TRUSTEE'S DEED
(Maine Statutory Short Form)

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

See Attached Exhibit A

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

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

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

WITNESS:

Cecilia de la Cruz

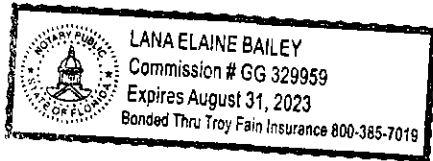
Timothy J. Haley
Timothy Haley, Sole Trustee of The Timothy Haley
Living Trust, dated June 3, 2005

MAINE REAL ESTATE TAX PAID

STATE OF FLORIDA
COUNTY OF MARTIN, ss.

December 28, 2021

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



Before me,

Lana Elaine Bailey
Attorney at Law/Notary Public

Print Name: Elaine Bailey
My Commission Expires: 8-31-23

Exhibit A

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

PARCEL ONE:

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

PARCEL TWO:

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

PARCEL THREE:

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

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

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

SHORT FORM QUITCLAIM DEED WITH COVENANTDLN: 1002040119134

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

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

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

WITNESS:


Name: Richard D. Prentice

CPB2 I LLC

By: CPB2 Management LLC, Manager

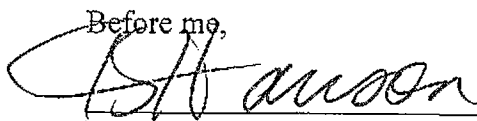
By: 
Casey W. Prentice, Manager

State of Maine
County of Cumberland, ss.

November 3, 2020

PERSONALLY APPEARED the above-named Casey W. Prentice, Manager of CPB2 Management LLC, Manager of CPB2 I LLC, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability companies.

Before me,



Notary Public/Attorney at Law

Print Name: Tom S. Hanson

Commission Expires: N/A

EXHIBIT A

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

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

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

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

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

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

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

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

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

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

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

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

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

13531538.3

12481681.4.4.3.3.2

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

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

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

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

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

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

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

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

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

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

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

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

13531538.3

12481681.4.4.3.3.2

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

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

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

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

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

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

MAINE REAL ESTATE TAX-Paid

QUITCLAIM DEED WITHOUT COVENANT
DLN: **1002140132239**

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

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

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

WITNESS:

PF LAND LLC

Richard D. Prentice
Name:

By: [Signature]
Casey W. Prentice, Manager

State of Maine
County of Cumberland, ss.

February 9, 2021

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

Before me,

[Signature]
Notary Public/Attorney at Law

Print Name: William M. Welch
Commission Expires:

EXHIBIT A

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

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

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

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

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

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

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

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

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

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



Harbor Hill – February 21, 2023

Perkins&Will

Exterior photograph of property





Portland Company & Munjoy Hill

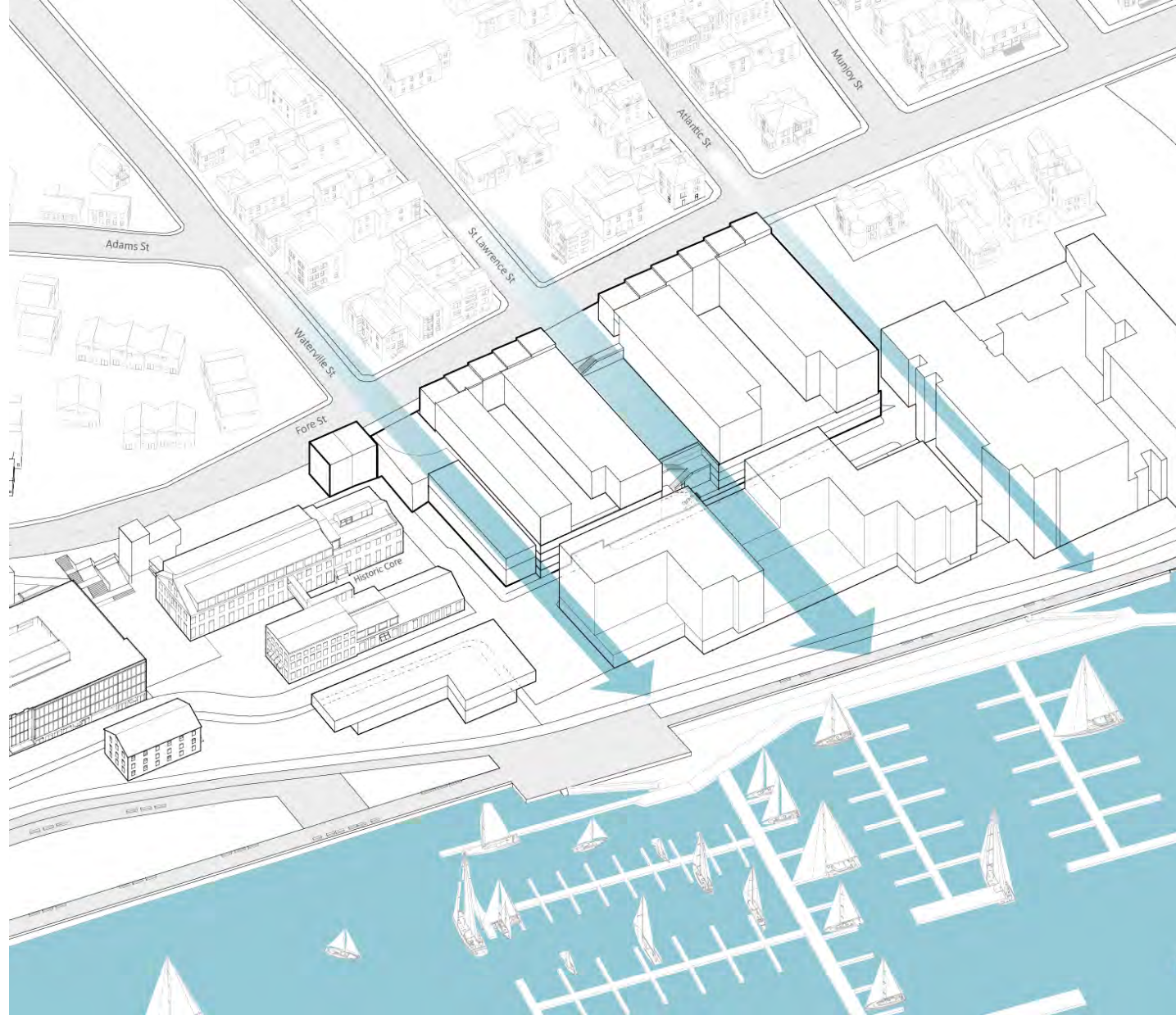


**Design approach:
new designs reveal
the character of the
existing district
through a
complementary
language, one that
is relatively quiet
and simple**

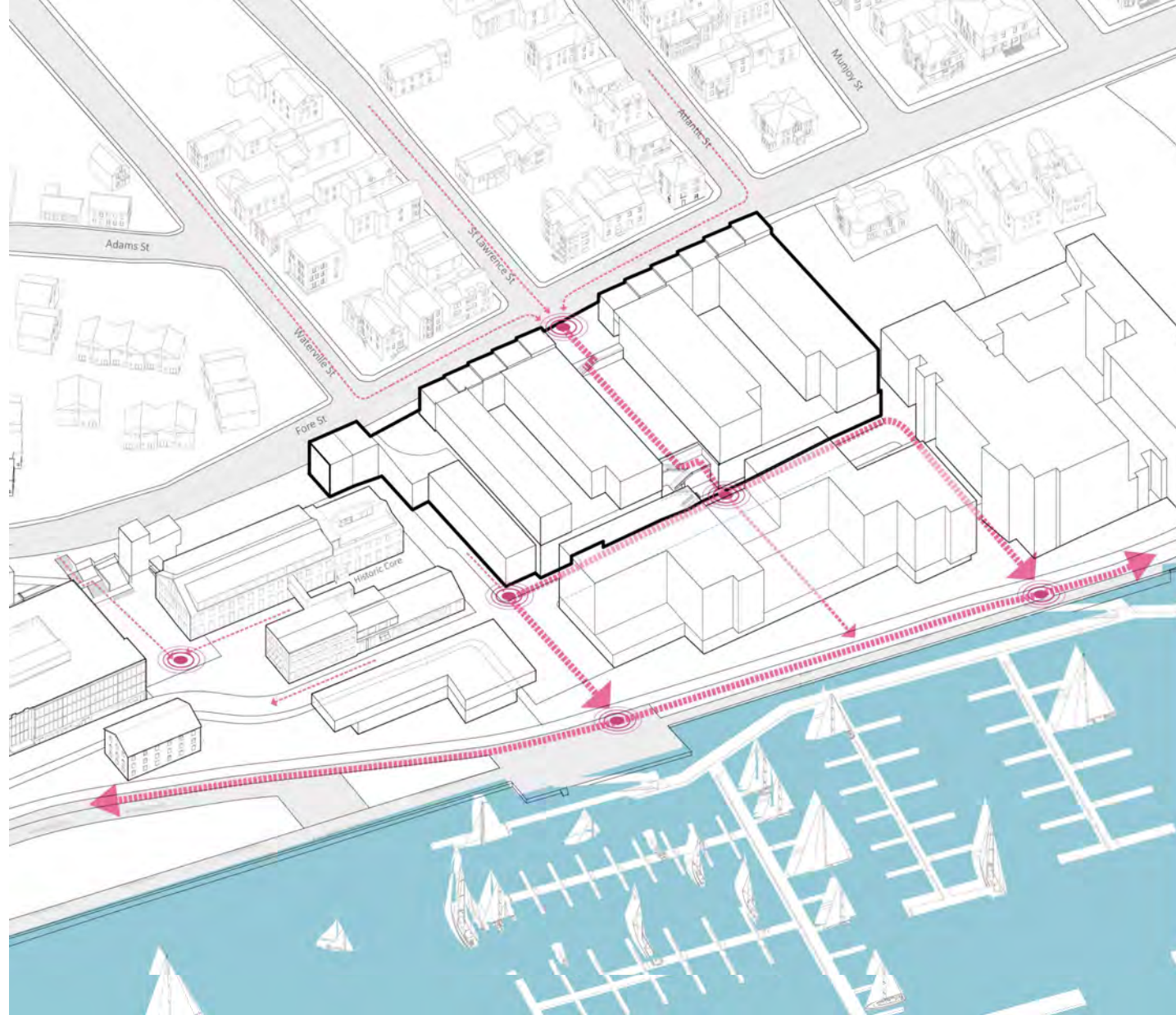


**a crafted, machined
aesthetic, referencing
the site's history of
fabrication, but now
expressed through a
contemporary
language**

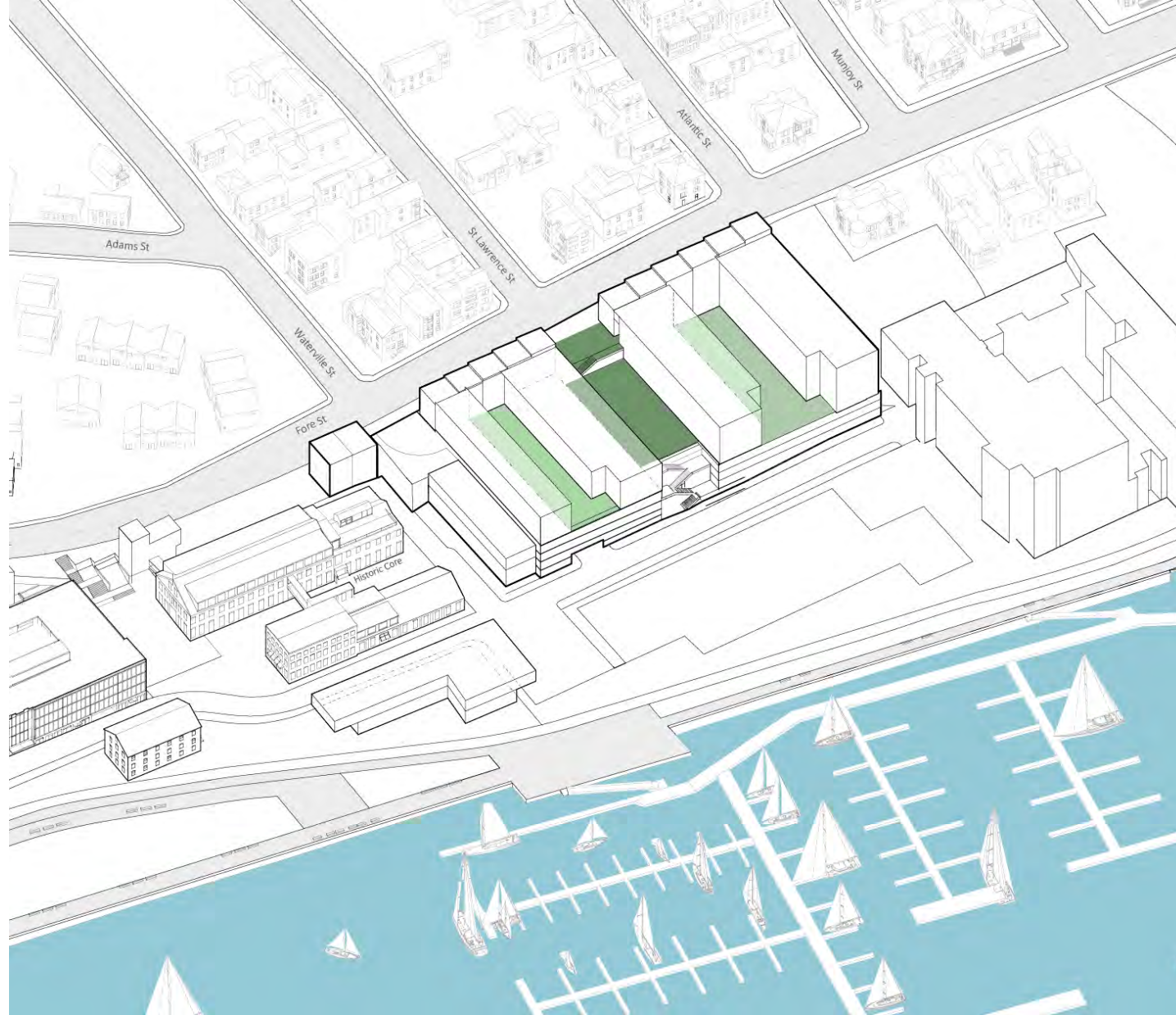




View Corridors:



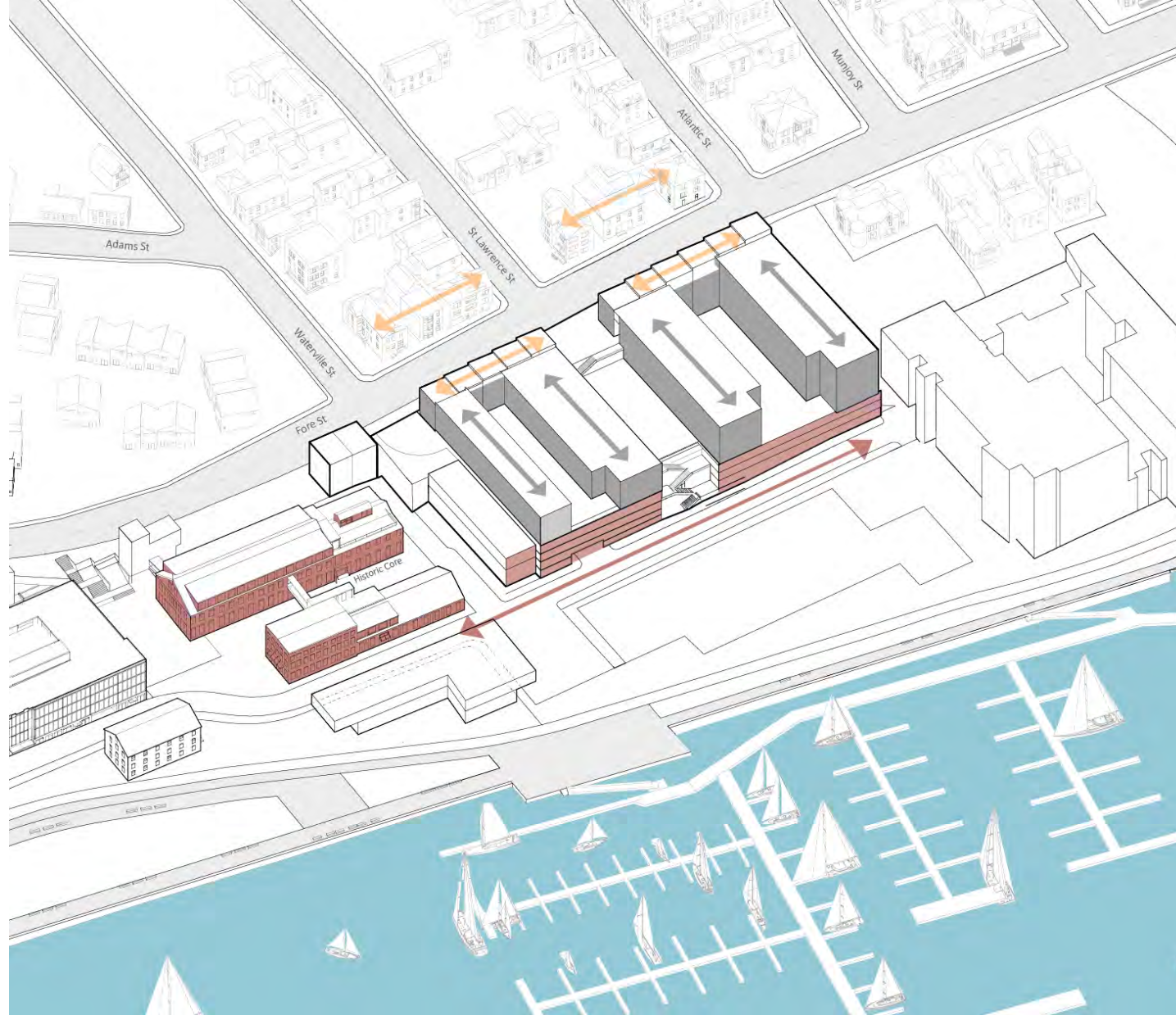
Site Circulation



Greenspace:



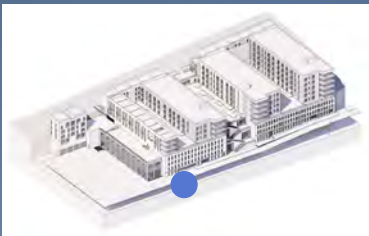
Overall Site Plan:



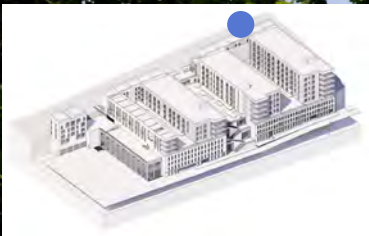
Material Influences:



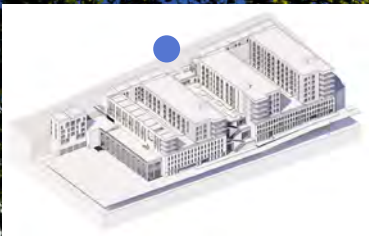
John Poor Crossing



Thames Street Looking East



Fore Street looking West



Fore Street @ St Lawrence Street

Representative Materials:

- 1 : Brick Veneer
- 2. & 3.: Fiber Cement Cladding
- 4: Metal Cladding with wood insets at B2 TH's

1

2

3

4

Representative Materials:

- 1: Brick Veneer
- 2. & 3.: Fiber Cement Cladding
- 4: Metal Cladding with wood insets at B2 TH's



BELDEN ROMAN BRICK

A LOOK OF ENDLESS POSSIBILITIES

For architects and homeowners aspiring for a unique look



Roman Brick is ideal for creating a distinct and different look to any structure. It characteristically has longer and flatter dimensions than those of standard modern brick. Belden Roman Brick was used on the restoration of the famous Frank Lloyd Wright "Marin House Complex" in Buffalo, New York. The dimensions of Belden Roman Face Brick are 3-3/4"x1-3/4"x11-3/8".

Belden offers Roman Face Brick in a Wide Variety of Colors and Textures.

415-475 DARK IRONSPOT	415-475 LIGHT SMOOTH	415-475 LIGHT VELOUR	415-475 MEDIUM RANGE SMOOTH
415-475 MEDIUM SHADOWTEX	BEAVER BLEND	BELCREST 500	FRONTIER BLEND VELOUR
RED SHALE SHADOWTEX	B331	M370 BLEND	RED FLASHED VELOUR
SHALE SMOOTH	SUNLUST VELOUR		

Please be aware that due to printing limitations & lighting variations, it is important to view a sample in person.

BELDEN
THE BELDEN BRICK COMPANY

P.O. BOX 20910 | CANTON, OHIO 44701-0910 | 330-456-0031 | www.beldenbrick.com
AN ISO 9001:2015 REGISTERED QUALITY MANAGEMENT SYSTEM | AN ISO 14001:2004 ENVIRONMENTAL MANAGEMENT SYSTEM

EQUITONE [lunara]

ESSENCE
A through-colored panel with a surface resembling a lunar landscape.

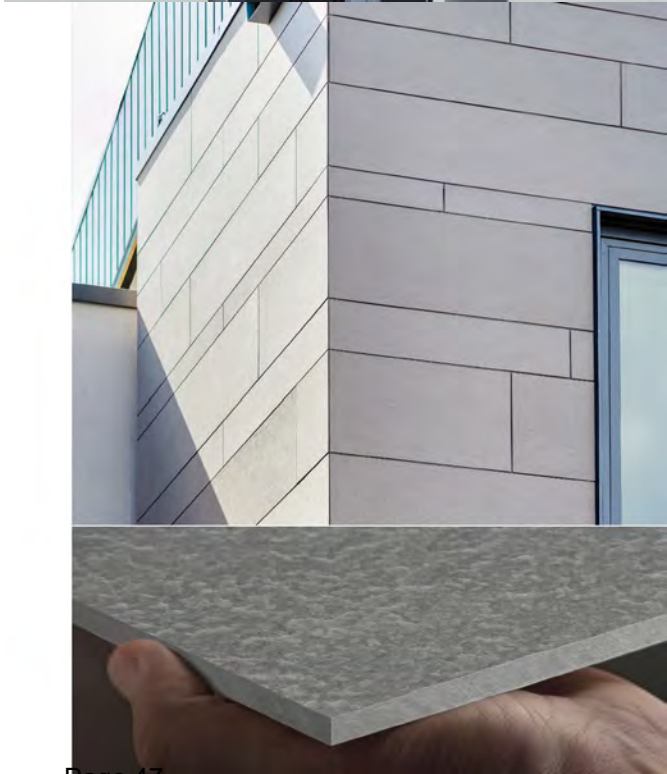
CHARACTERISTICS
The special production process makes each panel unique in color, texture, and surface.

EXPRESSION
The refined, uncoated surface looks as if it was created naturally, and the texture is without a repeating pattern.

Thickness	Sheet Size	Nominal Weight
25mm	4' x 8' (1220 x 2500mm) 4' x 10' (1220 x 3050mm)	3.5lb/ft ²



LA20LA60



OVERVIEWTECHNICAL

DOWNLOADS

FEATURED

Matrix MX-1

MATRIX SERIES

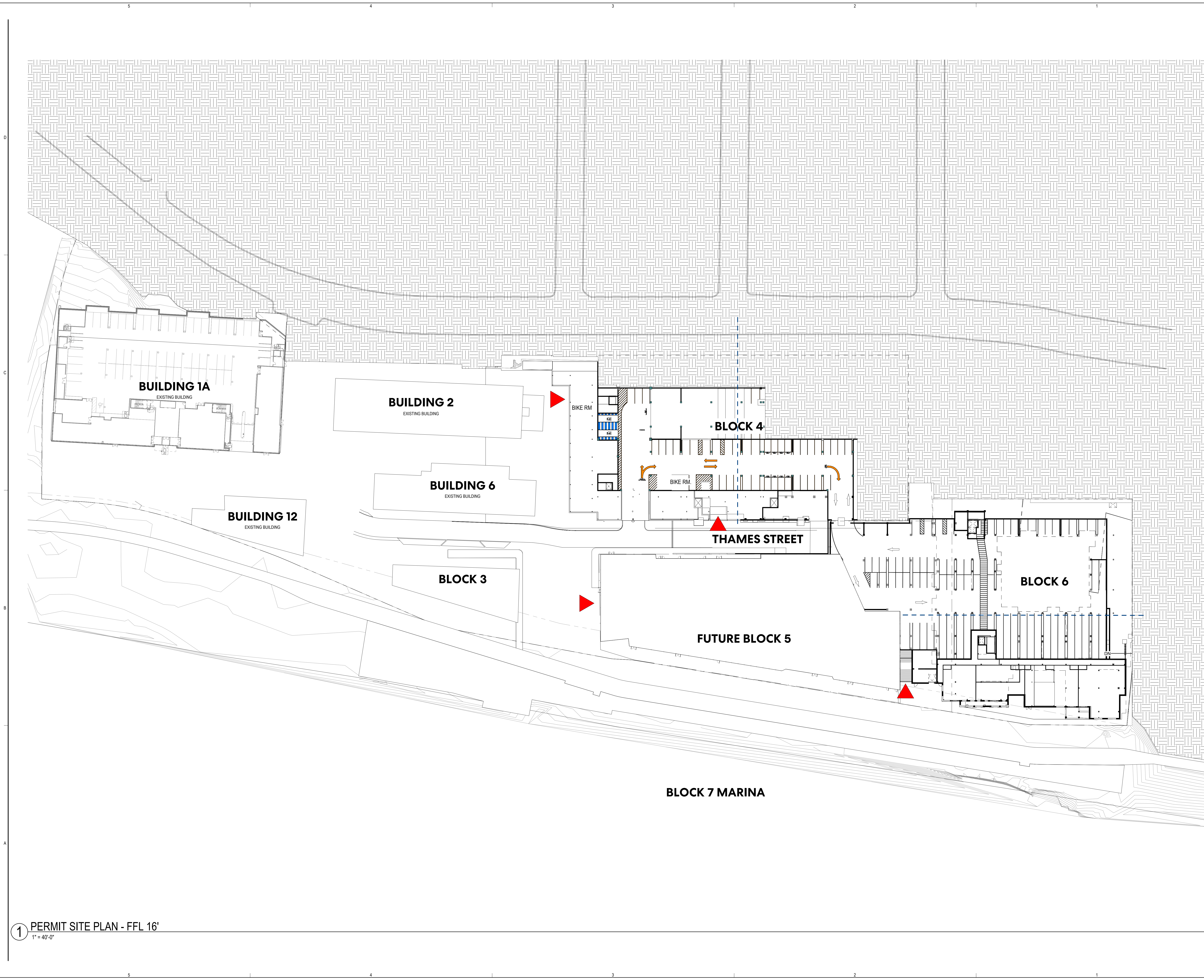
The Matrix Series is a concealed fastener rainscreen/wall panel system. It features ten different profiles with unique bold box rib configurations. Combine with other Matrix panels, or with panels from our Integrity Series or Pulse Series.

Product Highlights

- Machine roll-formed for top quality and consistent product
- Can be integrated with other Matrix, Integrity, and/or Pulse panels
- Interlocking joint with concealed clip and fastener design
- Can be installed horizontally, vertically, as a soffit, or even diagonally
- Standard finish and custom finish options available

+ MORE

2/1/2023 11:10:31 Autodesk Docs\\PFDC Block Four\\ARCH\\PFDC_B4-Res_INT.rvt



1 PERMIT SITE PLAN - FFL 16'
1" = 40'-0"

Perkins&Will

225 Franklin Street, Suite 1100
Boston, MA 02110
t 617.478.0300
www.perkinswill.com

CONSULTANTS

CIVIL ENGINEER
Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
t 207.774.2112

STRUCTURAL ENGINEER
Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
t +1 207.245.0002

MEP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
t +1 207.221.2200

GEO TECH ENGINEER
Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
t +1 207.482.4607

OWNER'S CONSULTANT

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

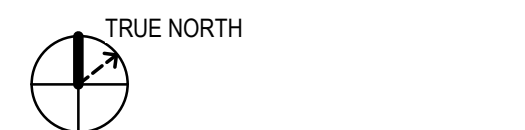
PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



MARK ISSUE DATE

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number	157111
Drawn	Author
Checked	Checker
Approved	Approver
TITLE	

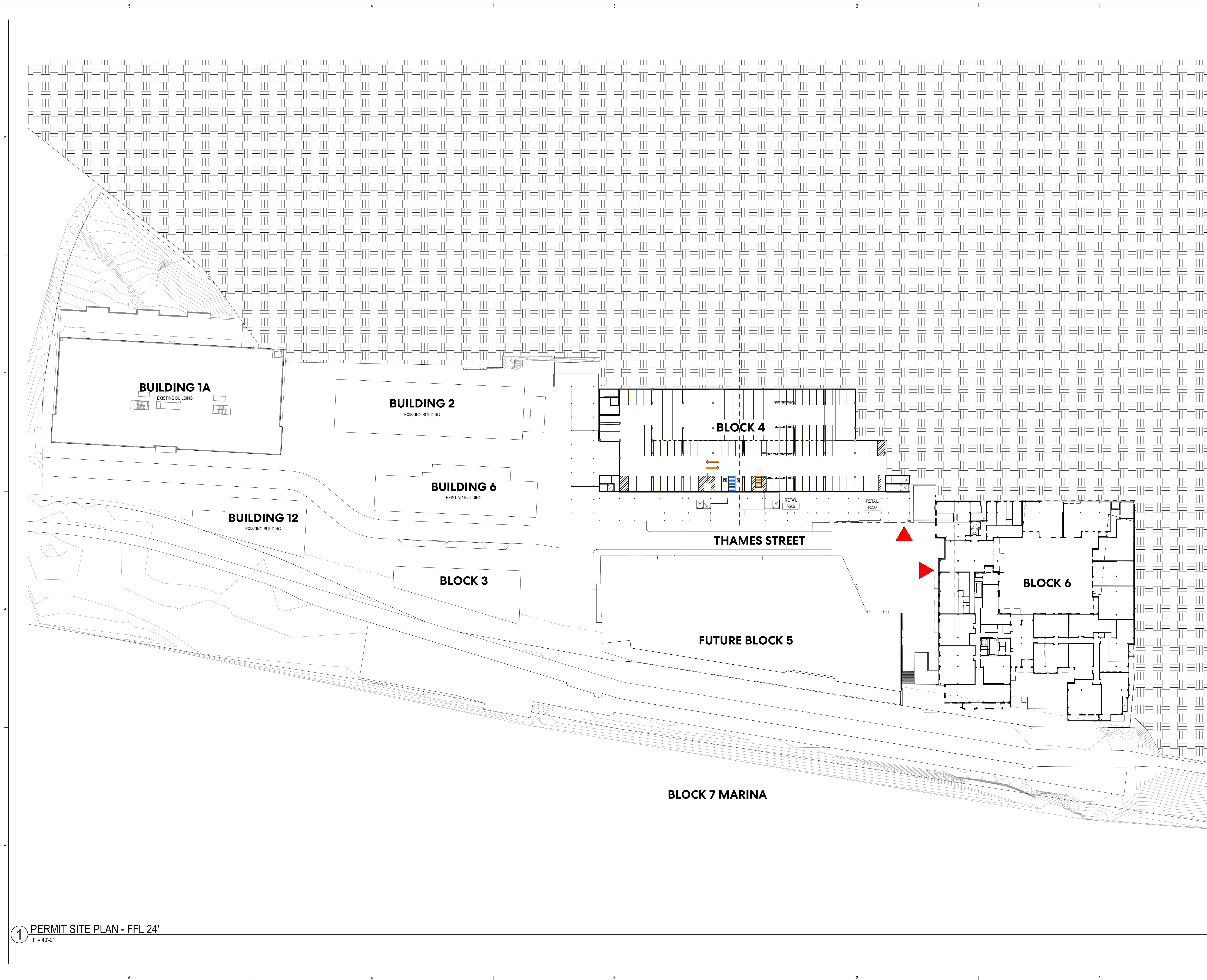
PERMIT SITE PLAN
FFL 16'

SHEET NUMBER

G01-10X

Copyright © 2022 Perkins+Will

2/21/2023 11:10:40 Autodesk Docs\\PFDC Block Four\\ARCH\\PFDC_B4-Reg_INT.rvt



1 PERMIT SITE PLAN - FFL 24'
1" = 40'-0"

Perkins&Will

225 Franklin Street, Suite 1100
Boston, MA 02110
t 617.478.0300
www.perkinswill.com

CONSULTANTS

CIVIL ENGINEER
Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
t 207.774.2112

STRUCTURAL ENGINEER
Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
t +1 207.245.0062

MEP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
t +1 207.221.2260

GEOTECH ENGINEER
Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
t +1 207.482.4607

OWNER'S CONSULTANT

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

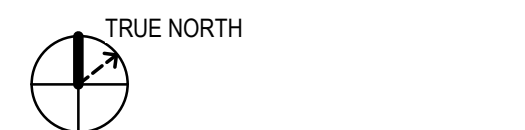
PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



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

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number	157111
Drawn	Author
Checked	Checker
Approved	Approver
TITLE	

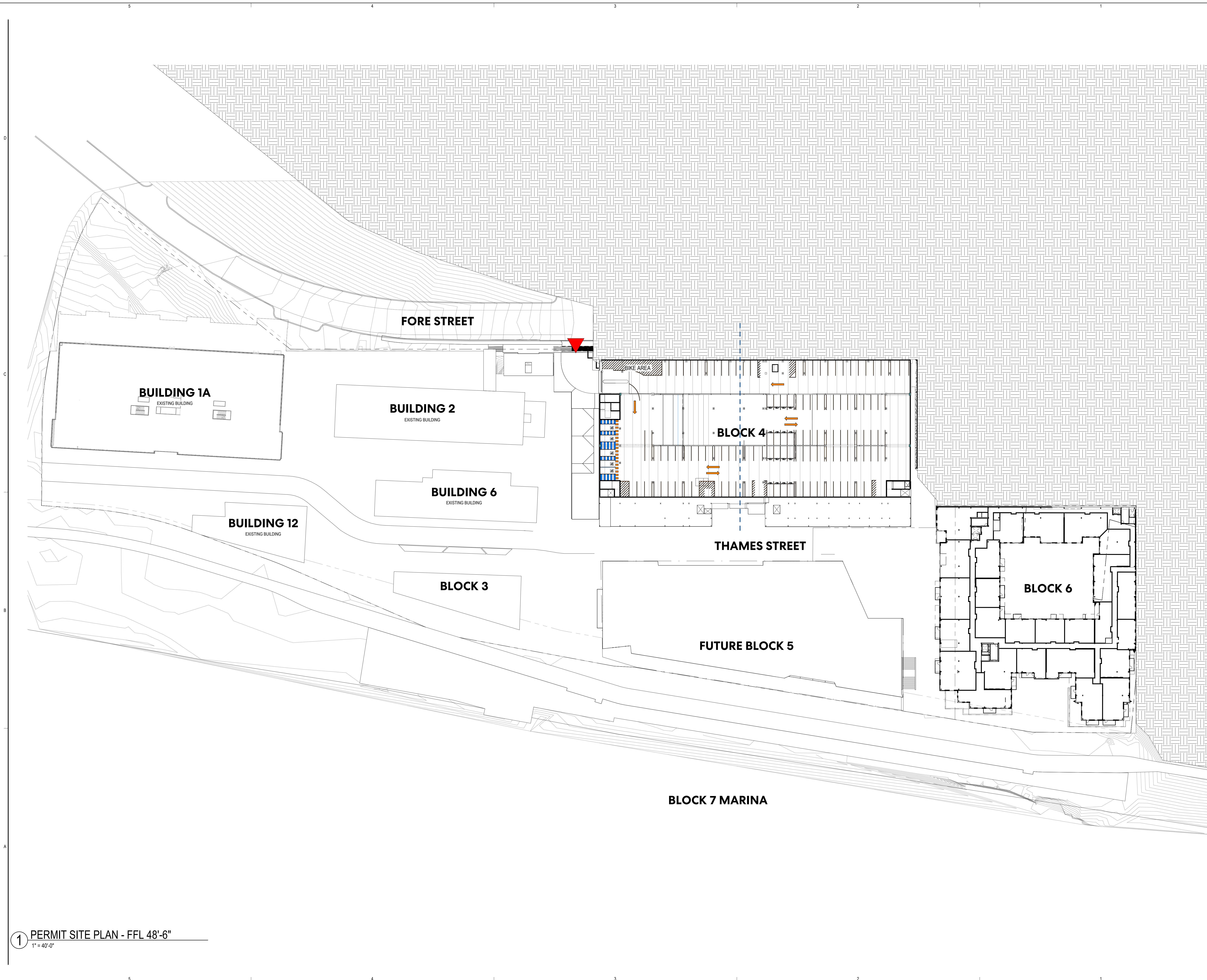
PERMIT SITE PLAN
FFL 24'

SHEET NUMBER

G01-11

Copyright © 2022 Perkins+Will

2/21/2023 11:10:50 Autodesk Docs\\PFDC Block Four\\ARCH\\PFDC_B4-Reg_INT.rvt



1 PERMIT SITE PLAN - FFL 48'-6"
1" = 40'-0"

Perkins&Will

225 Franklin Street, Suite 1100
Boston, MA 02110
t 617.478.0300
www.perkinswill.com

CONSULTANTS

CIVIL ENGINEER
Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
t 207.774.2112

STRUCTURAL ENGINEER
Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
t +1 207.245.0062

MEP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
t +1 207.221.2290

GEO TECH ENGINEER
Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
t +1 207.482.4607

OWNER'S CONSULTANT

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

PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



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

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number	157111
Drawn	Author
Checked	Checker
Approved	Approver

TITLE

PERMIT SITE PLAN
48'-6"

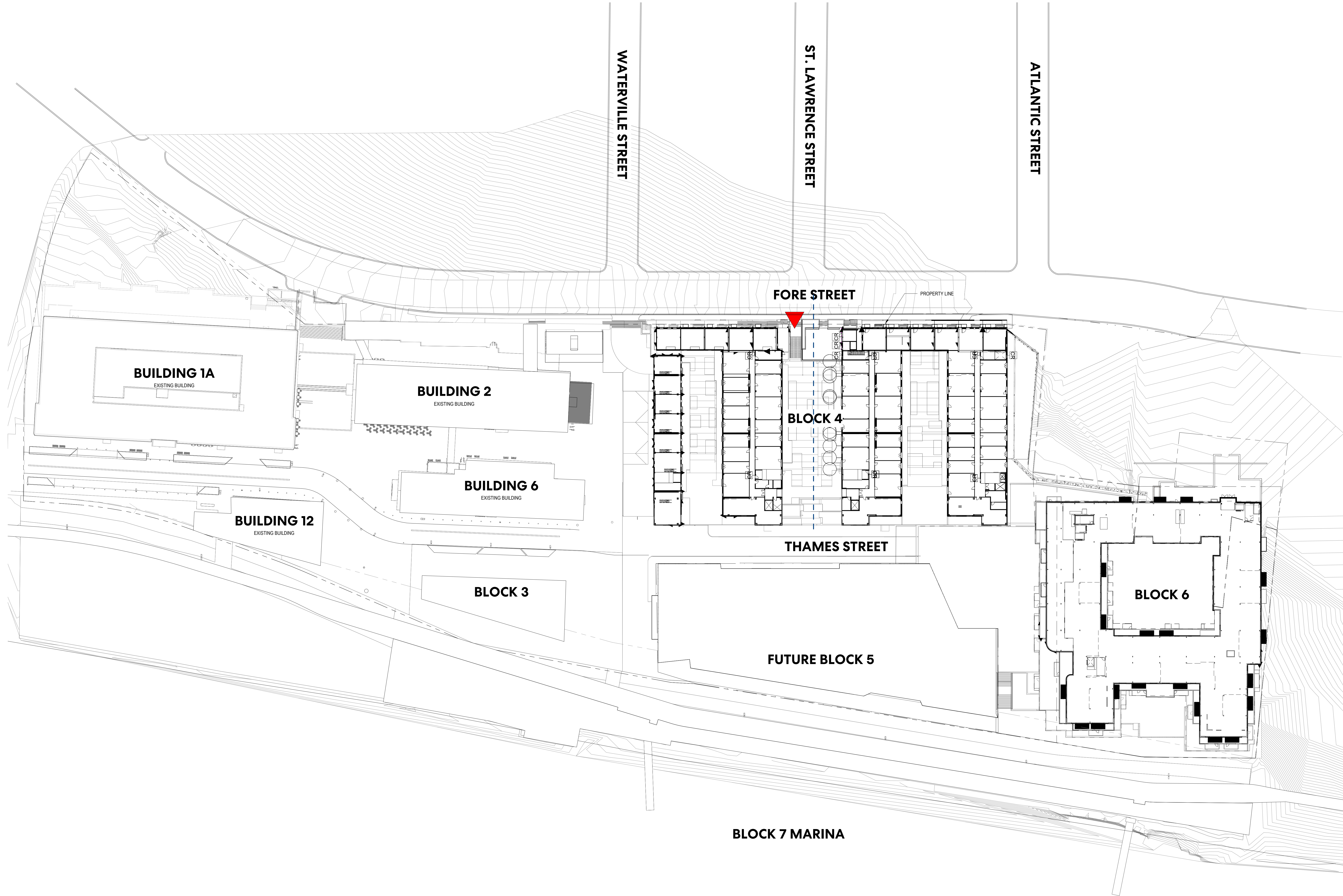
SHEET NUMBER

G01-12

Copyright © 2022 Perkins+Will

2/21/2023 11:11:47 Autodesk Docs\\PFDC Block Four\\ARCH\\PFDC_B4-Reg_INT.rvt

1 SITE PLAN 2
1" = 40'-0"



Perkins&Will

225 Franklin Street, Suite 1100
Boston, MA 02110
t 617.478.0300
www.perkinswill.com

CONSULTANTS

CIVIL ENGINEER
Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
t 207.774.2112

STRUCTURAL ENGINEER
Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
t +1 207.245.0062

MEP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
t +1 207.221.2290

GEOTECH ENGINEER
Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
t +1 207.482.4607

OWNER'S CONSULTANT

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

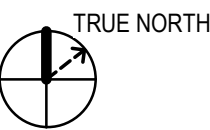
PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



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

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number	157111
Drawn	Author
Checked	Checker
Approved	Approver

TITLE

PERMIT SITE PLAN
FFL 56'

SHEET NUMBER

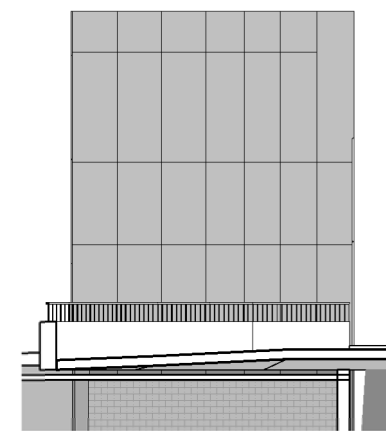
G01-13

Copyright © 2022 Perkins+Will

2/1/2023 11:16:40 Autodesk Docs\\PFDC Block Four\\ARCH\\PFDC_B4-Res_INT.rvt



⑤ OVERALL ELEVATION - EAST
1" = 20'-0"



OVERALL
ELEVATION - B2
EAST
④ 1" = 20'-0"



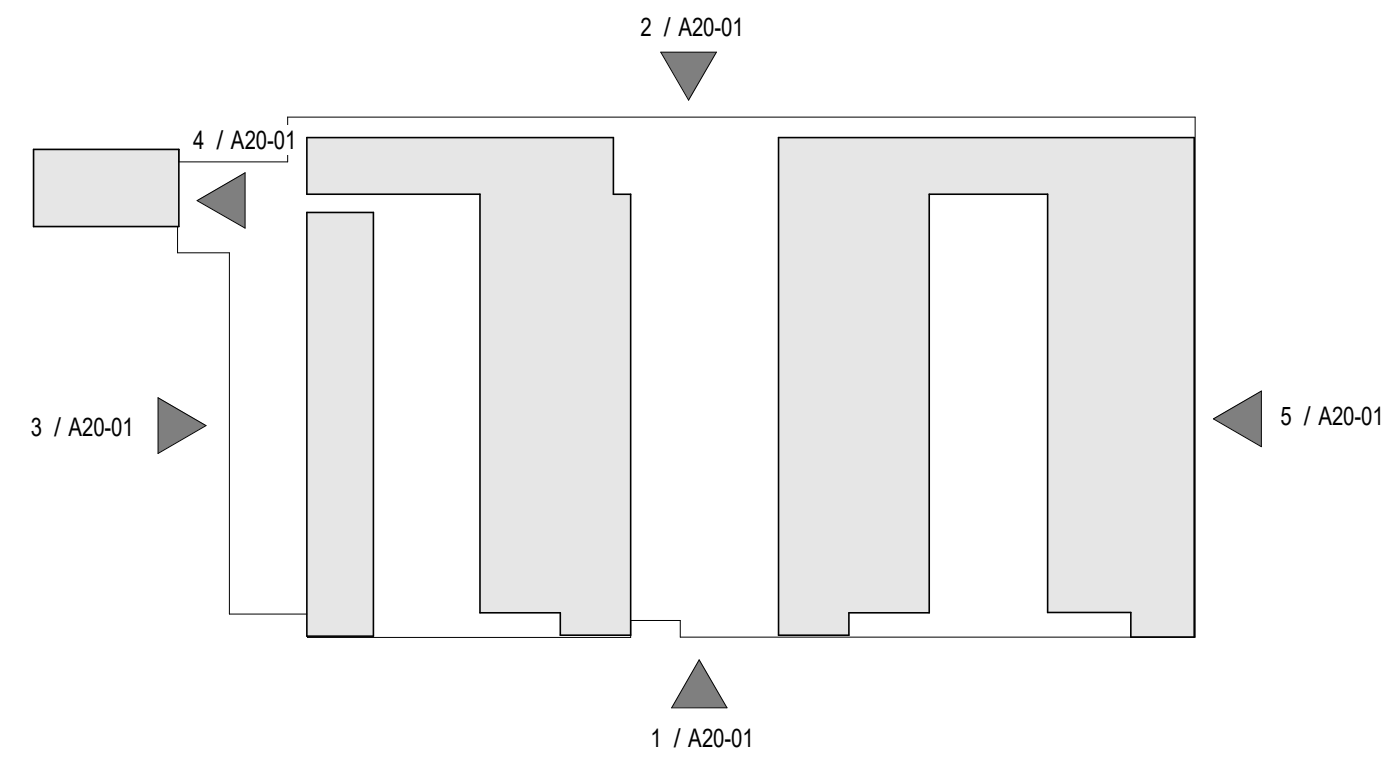
③ OVERALL ELEVATION - WEST
1" = 20'-0"



② OVERALL ELEVATION - NORTH
1" = 20'-0"



① OVERALL ELEVATION - SOUTH
1" = 20'-0"



Perkins&Will

225 Franklin Street, Suite 1100
Boston, MA 02110
t 617.478.0300
www.perkinswill.com

CONSULTANTS

CIVIL ENGINEER

Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
t 207.774.2112

STRUCTURAL ENGINEER

Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
t +1 207.245.0062

MEP ENGINEER

Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
t +1 207.221.2290

GEO TECH ENGINEER

Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
t +1 207.482.4607

OWNER'S CONSULTANT

LANDSCAPE ARCHITECT

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

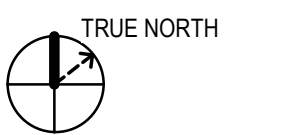
PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



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

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number	157111
Drawn	Author
Checked	Checker
Approved	Approver

TITLE

**OVERALL
ELEVATIONS**

SHEET NUMBER

A20-01

Copyright © 2022 Perkins+Will

Perkins&Will

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

CONSULTANTS

CIVIL ENGINEER
Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
1.207.774.2112

STRUCTURAL ENGINEER
Thomton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
1.207.245.0062

MFP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
1.207.221.2290

GEOTECH ENGINEER
Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
1.207.482.4607

OWNER'S CONSULTANT

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

PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



MARK ISSUE DATE

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number 157111
Drawn Author
Checked Checker
Approved Approver

TITLE

**OVERALL SOUTH
ELEVATION**

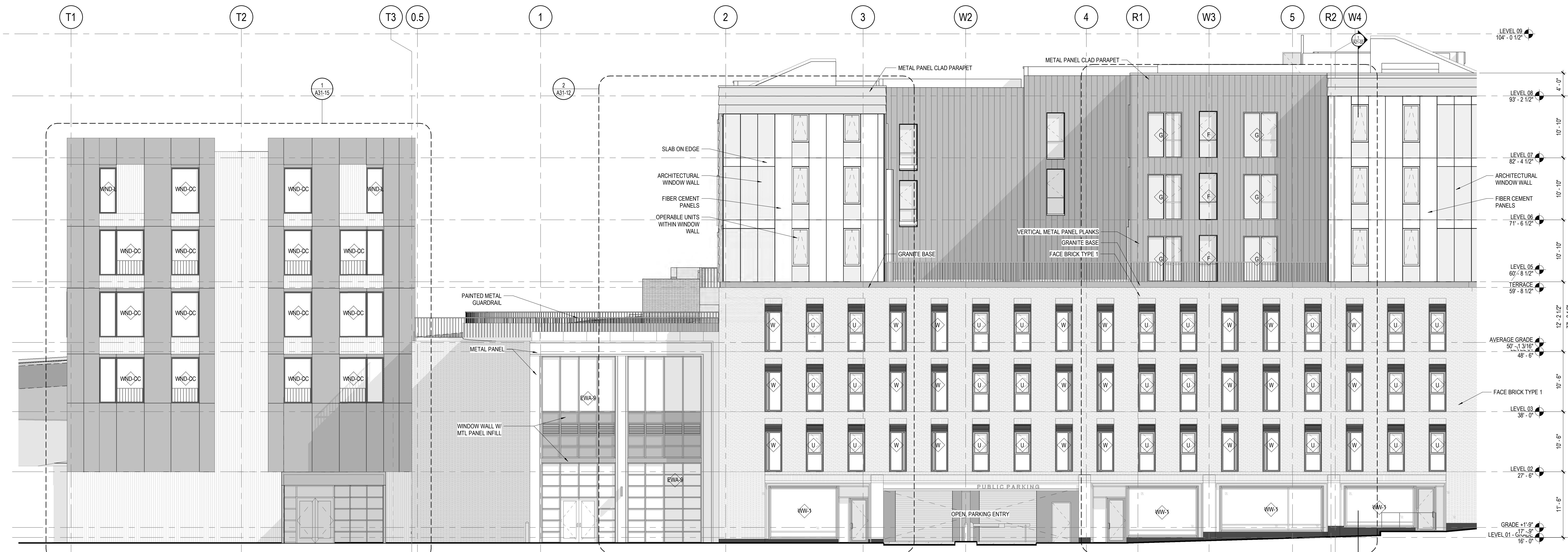
SHEET NUMBER

A20-02

Copyright © 2022 Perkins+Will

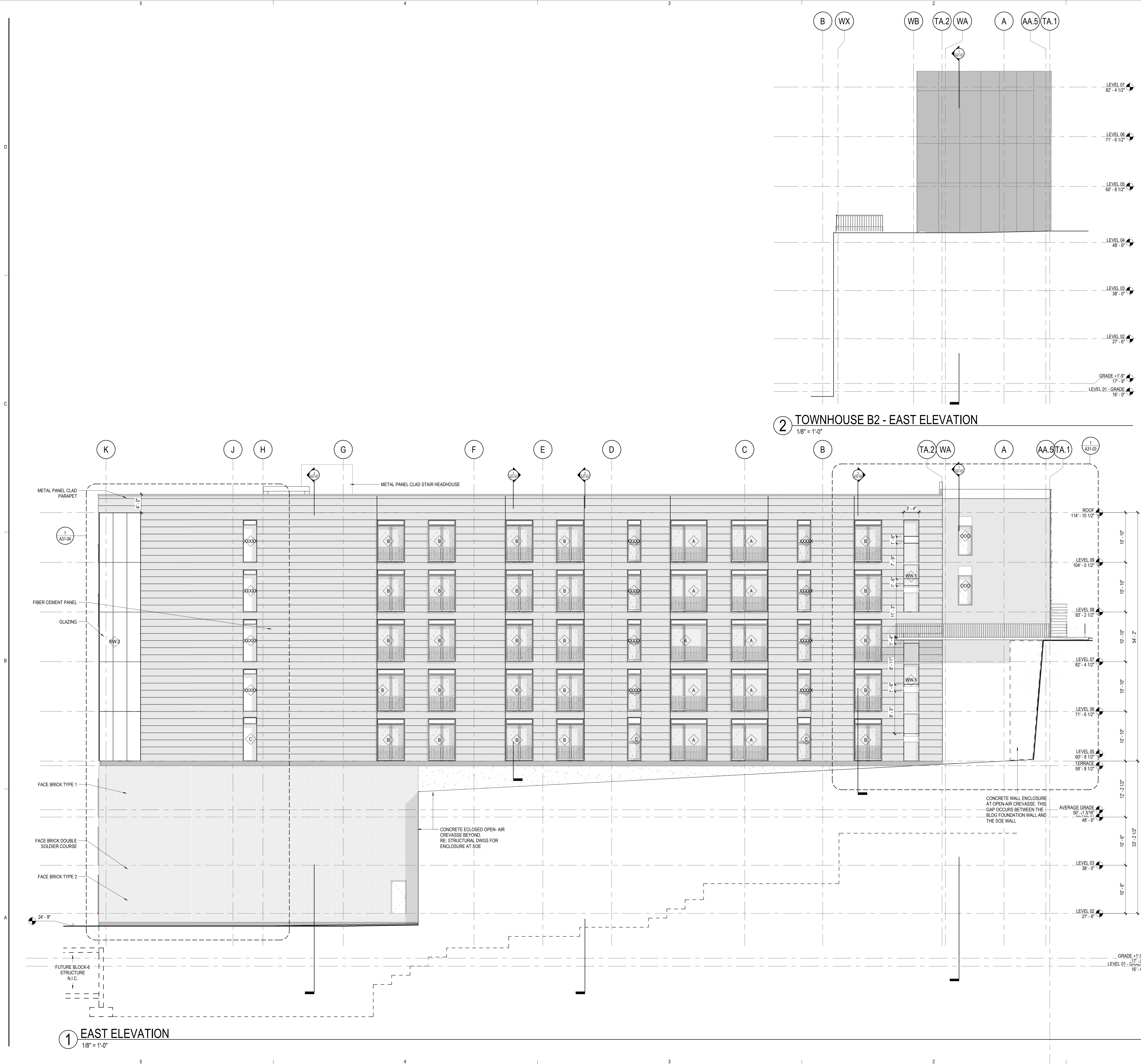


① OVERALL SOUTH ELEVATION A
1/8" = 1'-0"



② SOUTH ELEVATION B
1/8" = 1'-0"

2/21/2023 11:08:46 Autodesk Draw/FPDC Block Four/ARCH-PPDC-B4-Rev_INT.rvt



EXTERIOR ELEVATION
GENERAL NOTES

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

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

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

EXTERIOR ELEVATION
LEGEND

EXTERIOR GLAZING SYSTEM TAG REFER TO A33 SERIES FOR SCHEDULE.

TEMPERED GLAZING

BUILDING EXPANSION JOINT

MASONRY EXPANSION JOINT: MATCH MORTAR COLOR

Perkins&Will

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

CONSULTANTS

CIVIL ENGINEER

Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
1.207.774.2112

STRUCTURAL ENGINEER

Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
1+1.207.245.0062

MEP ENGINEER

Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
1+1.207.221.2290

GEOTECH ENGINEER

Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
1+1.207.482.4607

OWNER'S CONSULTANT

LANDSCAPE ARCHITECT

Michael Boucher Landscape Architecture
457 US Route 1 Suite 2
Freeport, Maine
1.207.865.1080

PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN

TRUE NORTH

MARK 1 ISSUE DATE

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number

157111

Drawn

Author

Checked

Checker

Approved

Approver

TITLE

OVERALL EAST
ELEVATION

SHEET NUMBER

A20-03

Copyright © 2022 Perkins+Will

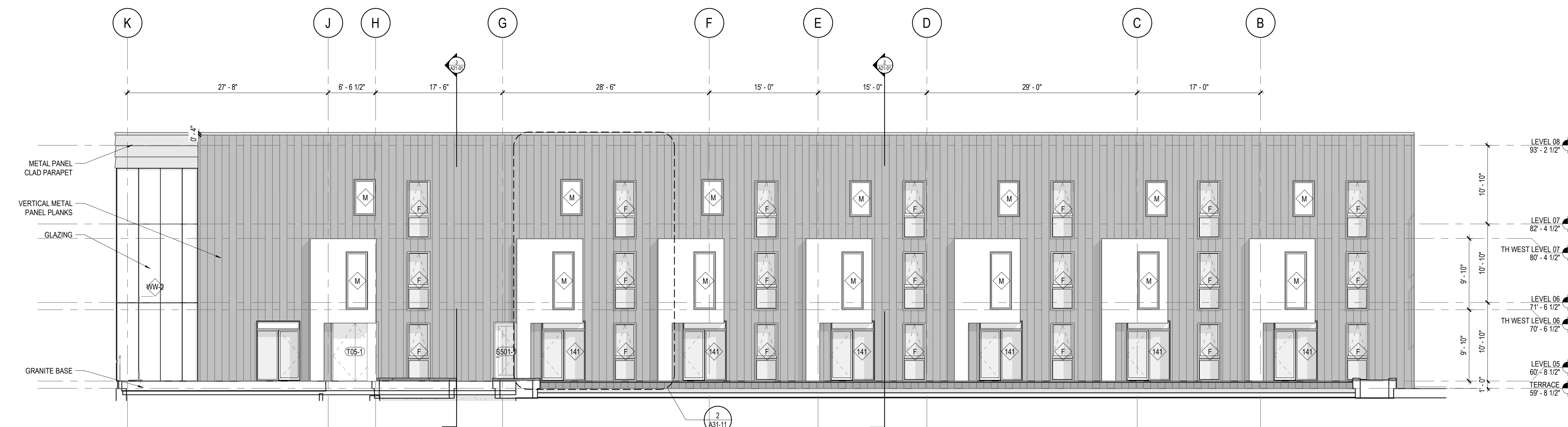


MASONRY EXPANSION JOINT: MATCH MORTAR COLOR

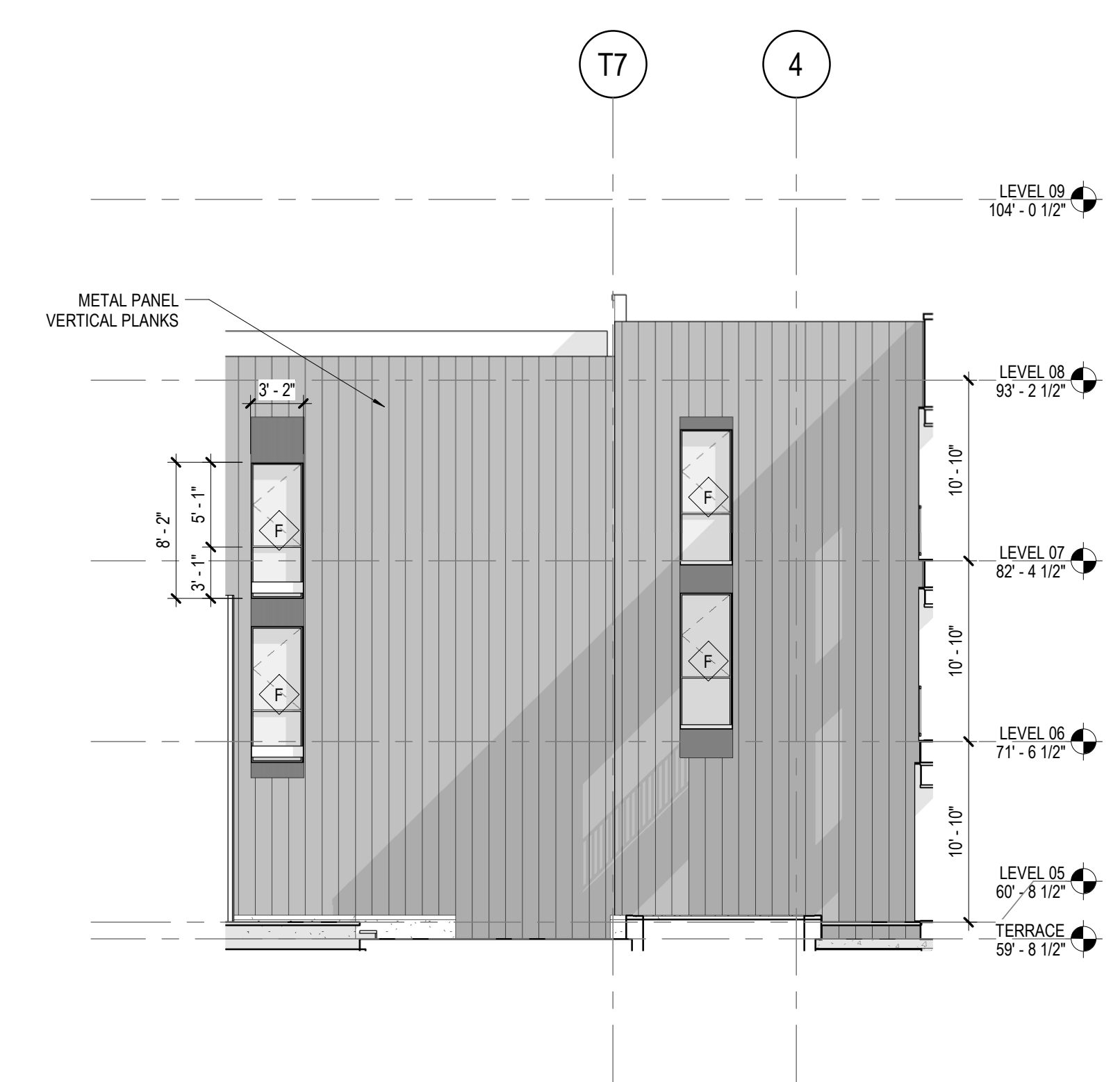
A20-04



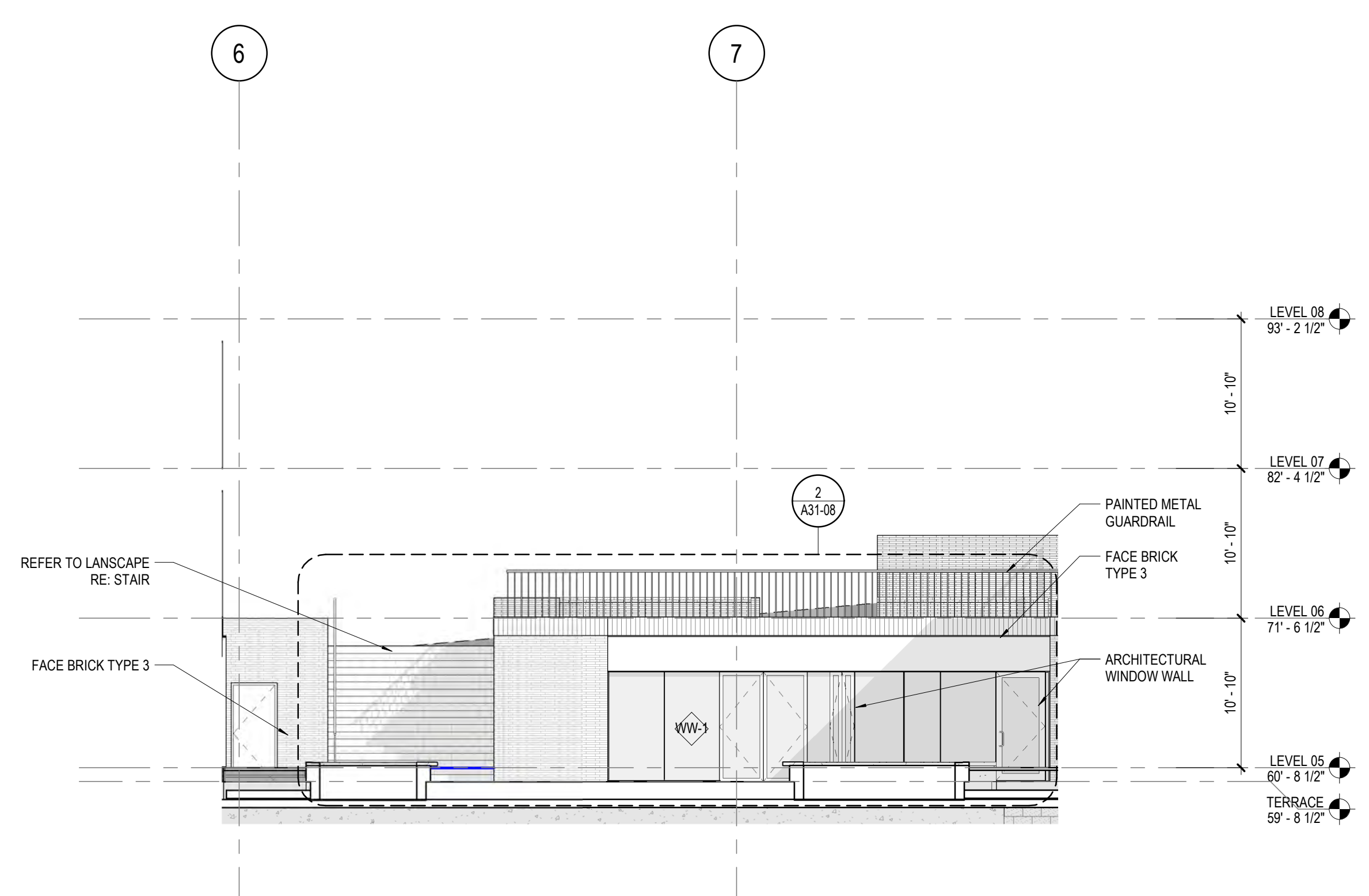
1 COURTYARD 1 ELEVATION - EAST
1/8" = 1'-0"



2 COURTYARD 1 ELEVATION - WEST
1/8" = 1'-0"



3 COURTYARD 1 ELEVATION - SOUTH
1/8" = 1'-0"



4 COURTYARD 2 ELEVATION - SOUTH
1/8" = 1'-0"

EXTERIOR ELEVATION
GENERAL NOTES

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

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

EXTERIOR ELEVATION
LEGEND

A EXTERIOR GLAZING SYSTEM TAG REFER TO A30-00 FOR PUNCHED OPENING SCHEDULE

T TEMPERED GLAZING

BUILDING EXPANSION JOINT

MASONRY EXPANSION JOINT: MATCH MORTAR COLOR

Perkins&Will

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

CONSULTANTS

CIVIL ENGINEER
Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
1.207.774.2112

STRUCTURAL ENGINEER
Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
1+1.207.245.0062

MEP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
1+1.207.221.2290

GEOTECH ENGINEER
Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
1+1.207.482.4607

OWNER'S CONSULTANT

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

PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL
254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN

MARK ISSUE DATE

DESIGN DEVELOPMENT	FEBRUARY 03, 2023
--------------------	-------------------

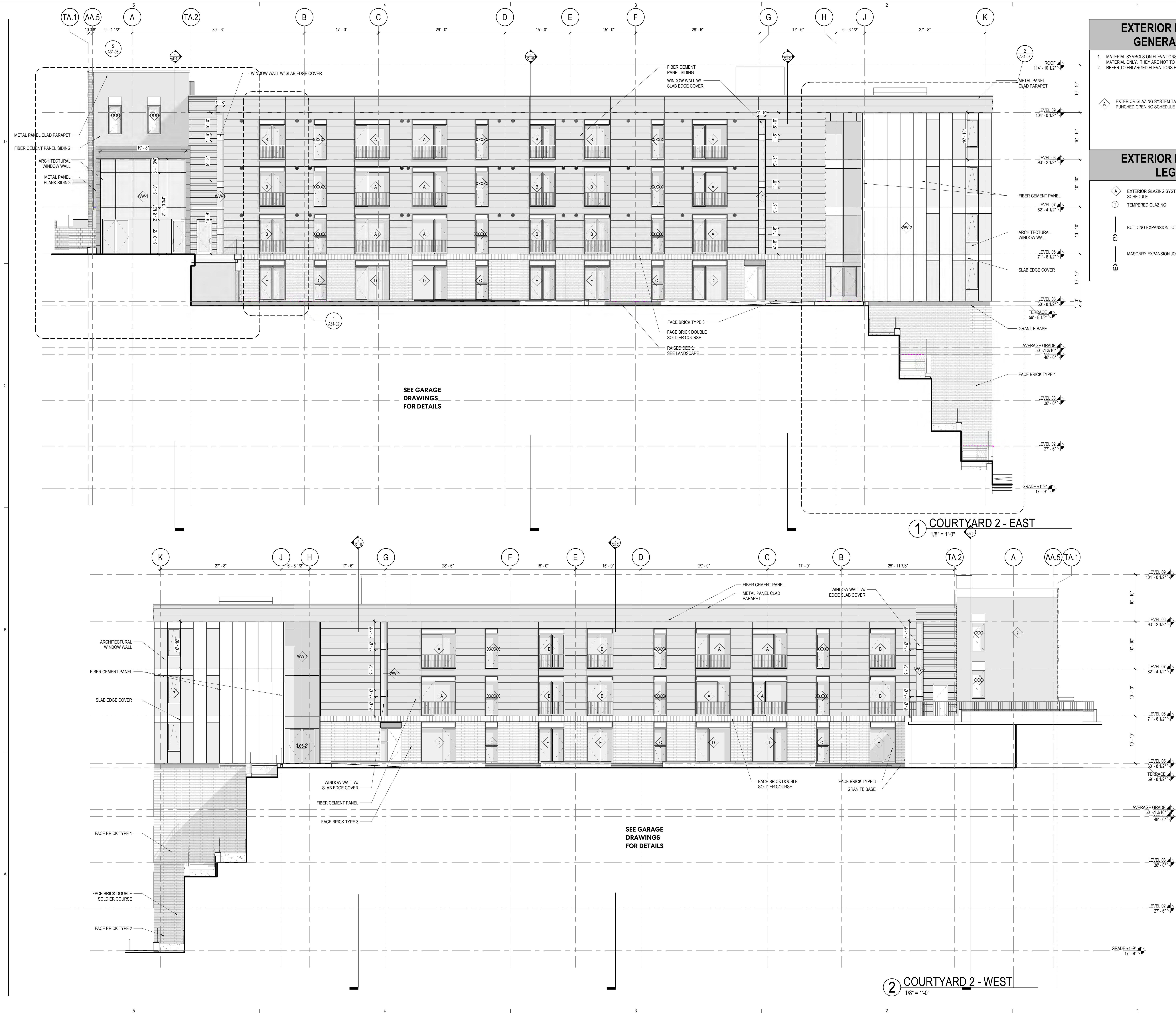
Job Number	157111
Drawn	Author
Checked	Checker
Approved	Approver

TITLE

**OVERALL
COURTYARD 1
ELEVATIONS**

SHEET NUMBER

A20-05



EXTERIOR ELEVATION
GENERAL NOTES

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

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

A

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

EXTERIOR ELEVATION
LEGEND

A

EXTERIOR GLAZING SYSTEM TAG REFER TO A33 SERIES FOR SCHEDULE

T

TEMPERED GLAZING

—

BUILDING EXPANSION JOINT

—

MASONRY EXPANSION JOINT: MATCH MORTAR COLOR

Perkins&Will

225 Franklin Street, Suite 1100
Boston, MA 02110
t 617.478.0300
www.perkinswill.com

CONSULTANTS

CIVIL ENGINEER

Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
t 207.774.2112

STRUCTURAL ENGINEER

Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
t +1 207.245.0002

MEP ENGINEER

Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
t +1 207.221.2200

GEOTECH ENGINEER

Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
t +1 207.482.4607

OWNER'S CONSULTANT

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

PROJECT

**FORESIDE
DEVELOPMENT**

PFDC HARBOR HILL
254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN

TRUE NORTH

MARK

ISSUE

DATE

DESIGN DEVELOPMENT

FEBRUARY 03, 2023

Job Number

157111

Drawn

Author

Checked

Checker

Approved

Approver

TITLE

**OVERALL
COURTYARD 2
ELEVATIONS**

SHEET NUMBER

A20-06

Copyright © 2022 Perkins+Will

Page 57

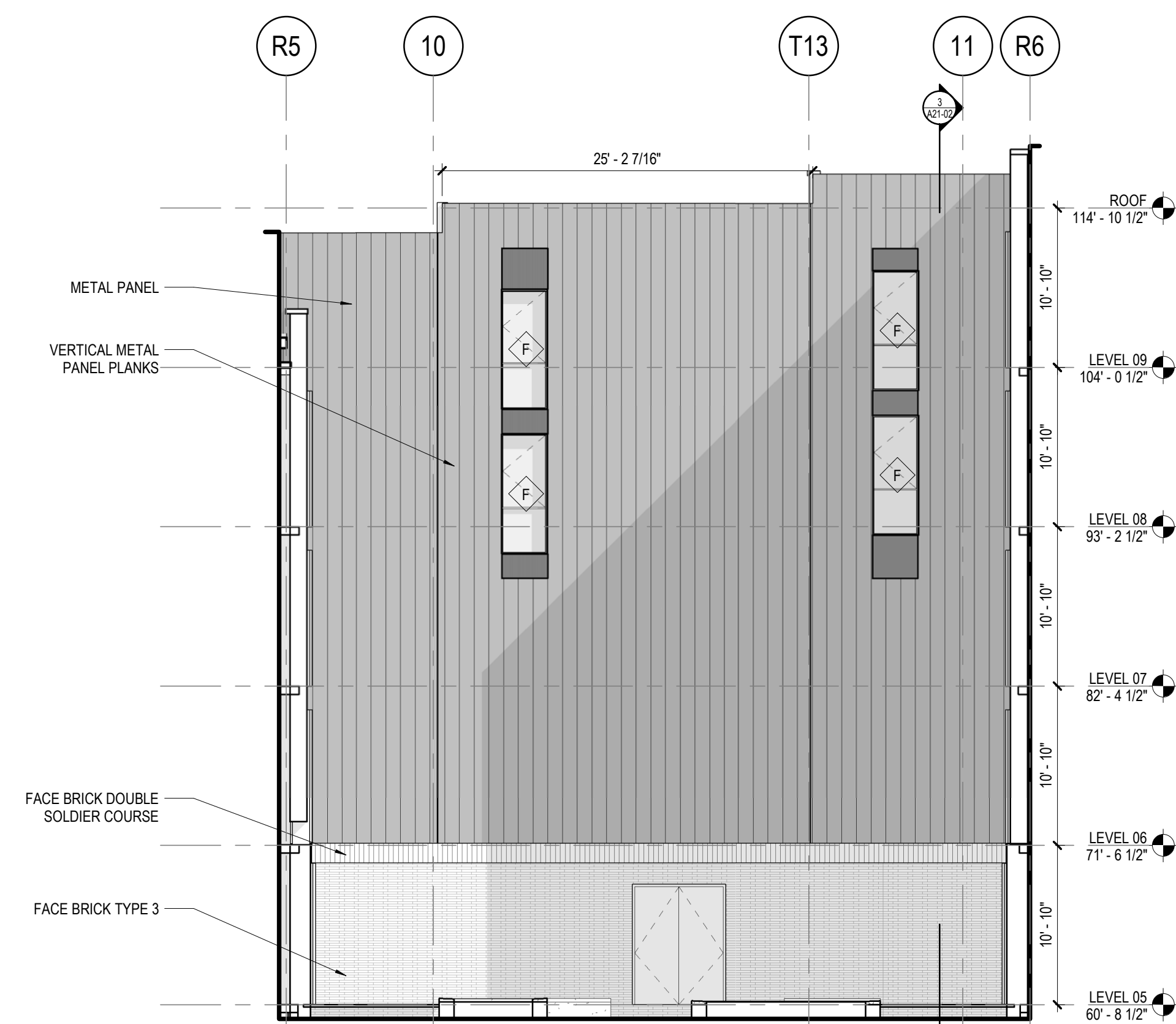
2/21/2023 11:10:13 Autodesk Draw/PPDC Block Four/ARCH-PPDC_B4-Rev_INT.rvt



1 COURTYARD 3 ELEVATION - EAST
1/8" = 1'-0"



2 COURTYARD 3 ELEVATION - WEST
1/8" = 1'-0"



3 COURTYARD 3 ELEVATION - SOUTH
1/8" = 1'-0"

EXTERIOR ELEVATION GENERAL NOTES

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

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

EXTERIOR ELEVATION LEGEND

- EXTERIOR GLAZING SYSTEM TAG REFER TO A33 SERIES FOR SCHEDULE
- TEMPERED GLAZING
- BUILDING EXPANSION JOINT
- MASONRY EXPANSION JOINT: MATCH MORTAR COLOR

Perkins&Will

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

CONSULTANTS

CIVIL ENGINEER
Woodard & Curran
411 Hutchins Dr
Portland, ME 04102
1.207.774.2112

STRUCTURAL ENGINEER
Thornton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
1.207.245.0002

MFP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
1.207.221.2200

GEOTECH ENGINEER
Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
1.207.482.4607

OWNER'S CONSULTANT

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

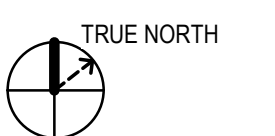
PROJECT

FORESIDE/
DEVELOPMENT

PPDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN



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

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number 157111
Drawn Author
Checked Checker
Approved Approver

TITLE

**OVERALL
COURTYARD 3
ELEVATIONS**

SHEET NUMBER

A20-07

Copyright © 2022 Perkins+Will

Perkins&Will

225 Franklin Street, Suite 1100
Boston, MA 02110
t 617.478.0300
www.perkinswill.com

CONSULTANTS

CIVIL ENGINEER
Woodard & Curran
41 Hutchins Dr
Portland, ME 04102
t 207.774.2112

STRUCTURAL ENGINEER
Thomton Tomasetti
14 York Street, Suite 201
Portland, ME 04101
t +1 207.245.0062

MEP ENGINEER
Allied Engineering, Inc.
160 Veranda St, Portland,
ME 04103
t +1 207.221.2290

GEOTECH ENGINEER
Haley & Aldrich, Inc.
75 Washington Avenue, Suite 1A, Portland,
ME 04101
t +1 207.482.4607

OWNER'S CONSULTANT

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

PROJECT

FORESIDE
DEVELOPMENT

PFDC HARBOR HILL

254 COMMERCIAL ST
SUITE 118
PORTLAND, ME 04101

KEYPLAN

MARK ISSUE DATE

DESIGN DEVELOPMENT
FEBRUARY 03, 2023

Job Number 157111
Drawn Author
Checked Checker
Approved Approver

TITLE

**OVERALL NORTH
ELEVATION**

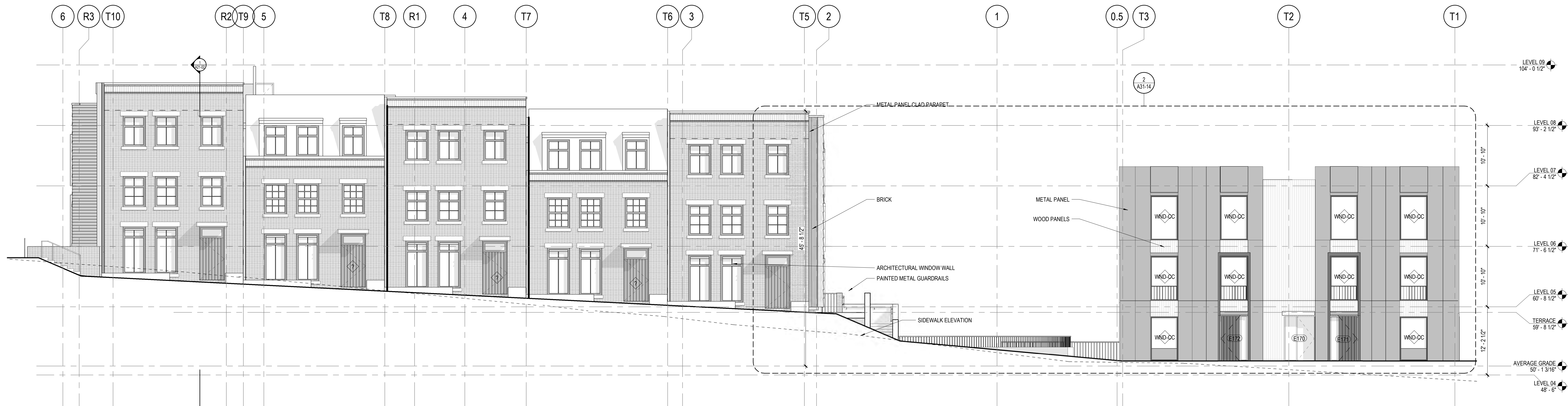
SHEET NUMBER

A20-08

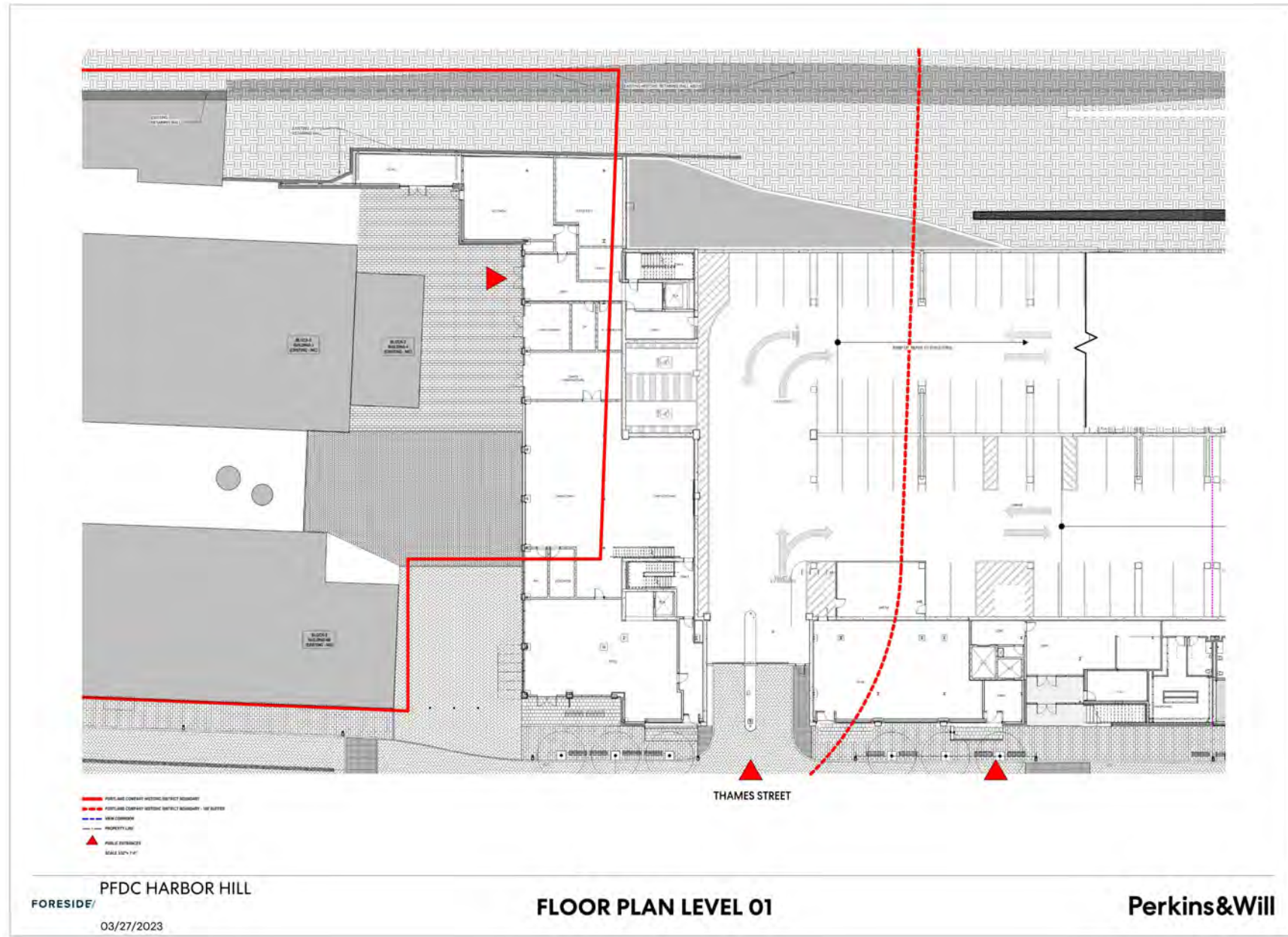
Copyright © 2022 Perkins+Will



1 NORTH ELEVATION A
1/8" = 1'-0"

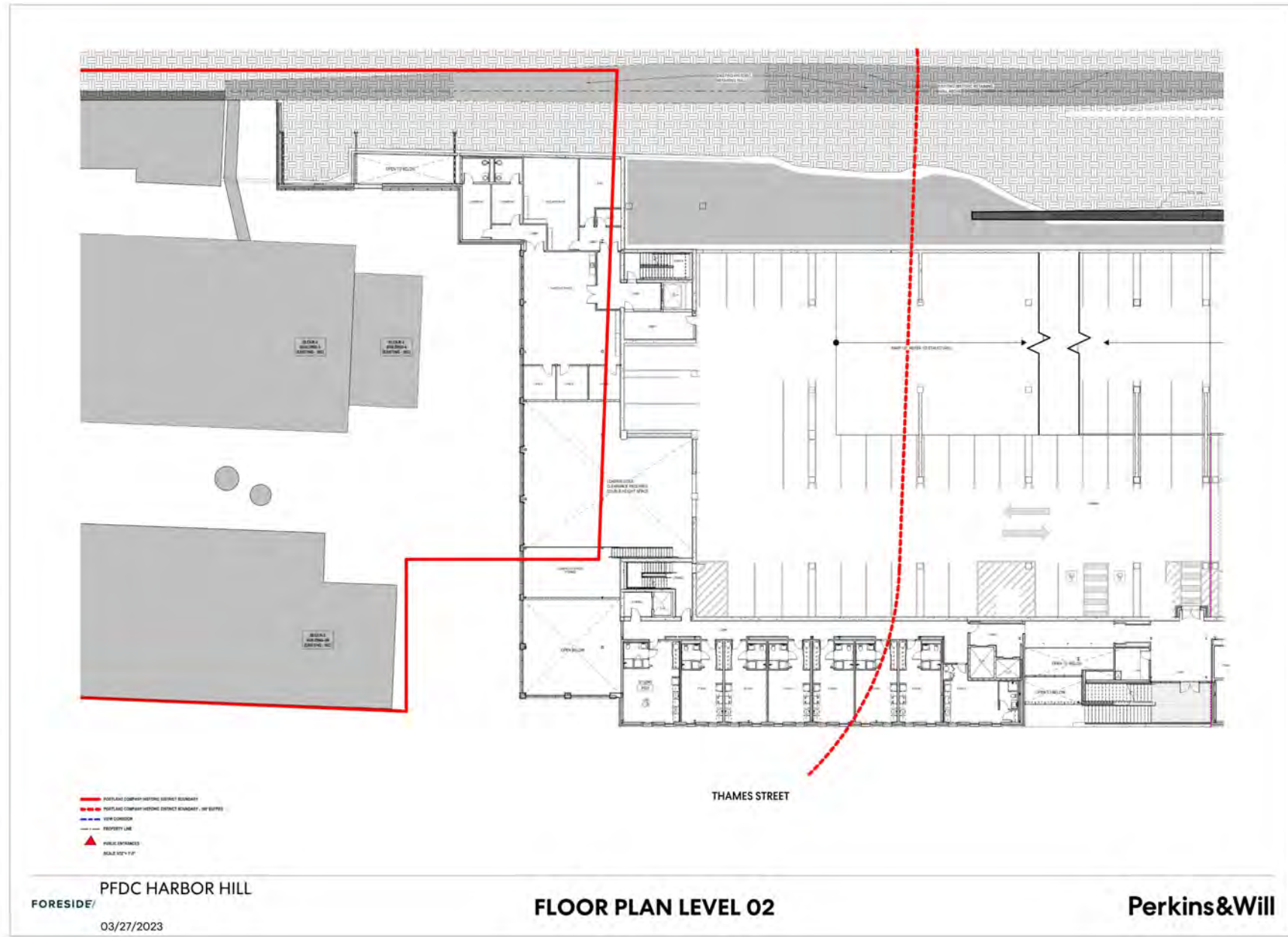


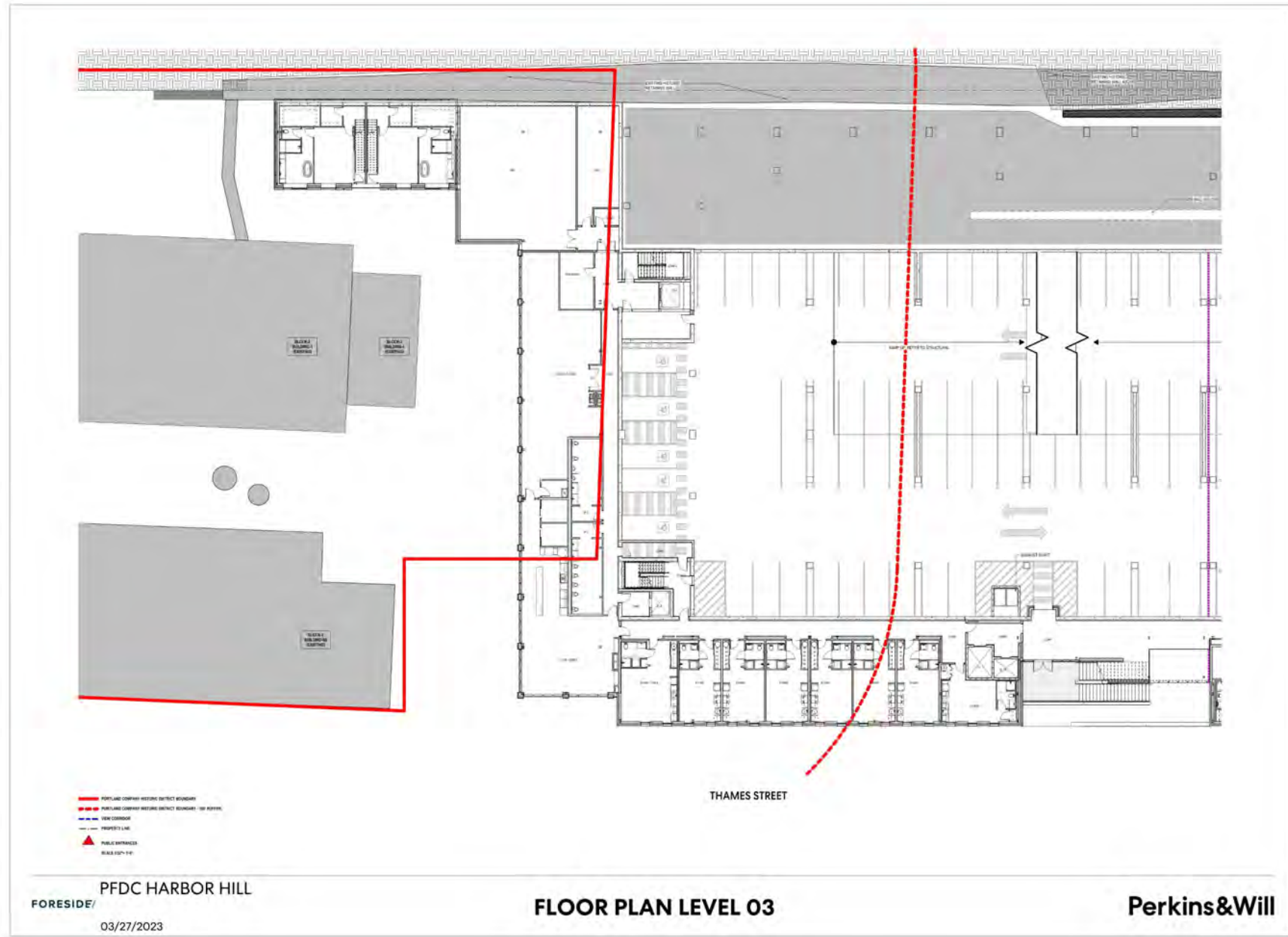
2 NORTH ELEVATION B
1/8" = 1'-0"

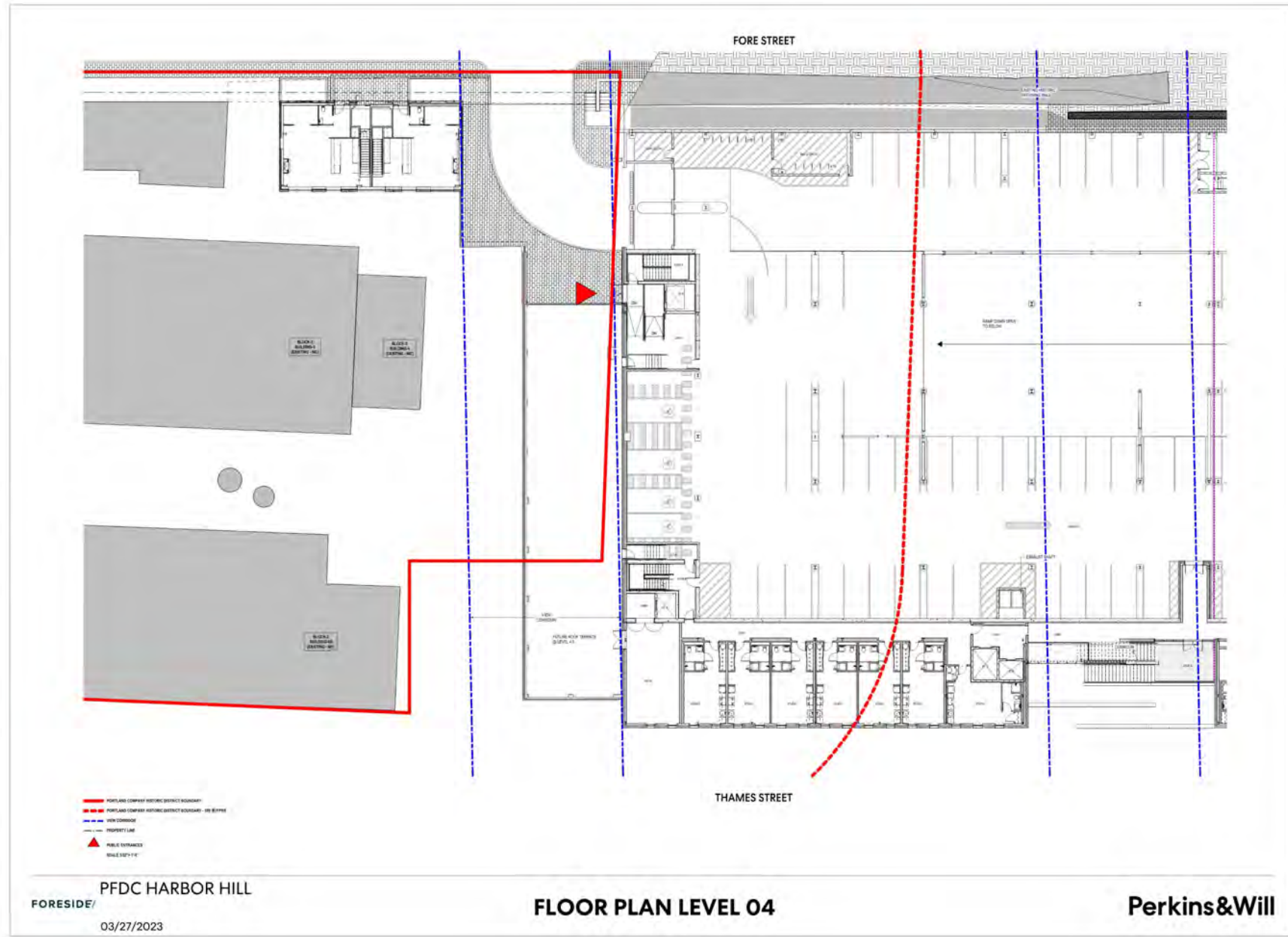


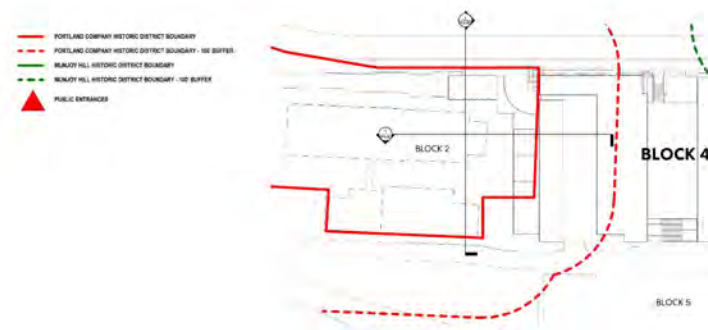
Harbor Hill – March 24, 2023

Perkins&Will











Harbor Hill – March 24, 2023

Perkins&Will



Fore Street looking East

Harbor Hill – March 24, 2023

Perkins&Will



Fore Street looking East

Harbor Hill – March 24, 2023

Perkins&Will



Fore Street looking East

Harbor Hill – March 24, 2023

Perkins&Will



Fore Street looking East

Harbor Hill – March 24, 2023

Perkins&Will



Fore Street looking West

Harbor Hill – March 24, 2023

Perkins&Will



Overall site looking North

Harbor Hill – March 24, 2023

Perkins&Will



Overall site looking East

Harbor Hill – March 24, 2023

Perkins&Will



Overall site looking South

Harbor Hill – March 24, 2023

Perkins&Will

March 13, 2023

Chair O'Brien and members of the Historic Preservation Board:

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 use 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 with comments related to the initial workshop on Block 4 of the Portland Foreside Development Company (58 Fore Street). Because this is an early phase of review and the packet materials are mostly conceptual, we want to offer appreciation and support for the Historic Preservation staff's comments about three aspects of the proposal. Namely, that the HP Board supports the current compatibility of the "west wrapper" while encouraging the applicant to make the townhouses stand out less in relation to the historic core of the complex. Specifically, we support designs that reduce the contrasting verticality of the townhouses, such as through adjusting their massing to minimize their perceived height, and consider non-flat roof forms. Relatedly, we believe the driveway podium would benefit from some fenestration rather than being a solid wall. With regard to overall massing and placement, we want to thank the applicant for helping to maintain the open spaces of the site's interior roads and alleys that evoke the historic ones.

Sincerely,



C. Ian Stevenson, PhD
Director of Advocacy



Sandra L. Guay
Partner
sguay@archipelagolaw.com

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

March 17, 2023

Via Email:

Portland Planning Board
Maggie Stanley, Chair
City of Portland Planning & Urban Development
389 Congress Street
Portland, ME 04101
planningboard@portlandmaine.gov

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

Dear Madam Chair and Board Members:

As noted in my December 28, 2022 letter, this firm represents John Roger Trettel, an abutter to 58 Fore Street and the mixed-use development project that is the subject of the Portland Foreside Development Company (“Applicant”) site plan application currently pending before the Board (“Application”). As also noted in that letter, Mr. Trettel generally supports the mixed-use development project and the benefits that it will bring to the City’s Munjoy Hill and waterfront area.

As an abutter to the project however, Mr. Trettel has followed the development of this site closely and is aware of its long and complex history. Although he did not own the 5 Eastern Promenade property at the time, Mr. Trettel is aware of the community conversations that took place back in 2015 when the property was rezoned to accommodate this project, and in 2016 when the Master Development Plan and Phase I site plan were reviewed and approved. Like many of his neighbors and others in the City, he is aware of the controversy that has surrounded the development since 2016 – including the after-the-fact requests for approval by the Applicant and the enforcement action taken by the City in 2021 and 2022 after repeated violations.

Given the history and context of the development of 58 Fore Street, it is critically important that the Applicant’s proposal is compliant with all applicable standards and codes, and with the Planning Board and City Council’s vision for the growth and development of the City of Portland. Along these lines, Mr. Trettel has significant concerns about the Application and the next phases of development and trusts that a meaningful resolution of these concerns might serve to avoid still more controversy and conflict for the City and the Munjoy Hill Neighborhood.

Attorney Keith Richard and I recently met with Kevin Kraft to discuss some of these concerns. We appreciate Kevin taking the time to meet with us and understand that the Application will be undergoing a more rigorous review process over the coming weeks and months. It is in this light that we offer the following comments and would ask that the issues raised in this letter are carefully considered and addressed by the reviewers and by the Planning Board.

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 2 of 8

I. The 2016 Master Development Plan (MDP) Approval has Expired and is Therefore Void.

On December 20, 2016, the Planning Board approved a Master Development Plan (“MDP”) for the 58 Fore Street property (the “Property”). Both the City and the Applicant have since argued that the standards found in the Land Use Code in effect on December 20, 2016, apply to the current Mixed Use of Blocks 4 and 6 Major Site Plan Review Application and future development of the Property.

The 2016 MDP has only three “Standard Conditions of Approval & Requirements”. The third condition, located directly above the signature of then-Planning Board Chair, Elizabeth Boepple, is captioned “Master Development Plan Expiration”, and reads:

An approved master development plan shall expire six (6) years from the date of approval unless, prior to the expiration of the master development plan, a written request for an extension is submitted to the Planning Authority. Only two (2) such extensions may be granted by the Planning Authority, and each such extension shall be limited to two (2) years from the date of expiration of the master development plan. The Planning Authority may grant an extension provided there have not been substantial changes to the underlying zoning or site plan standards since the date of the master plan development plan approval that would have a substantial impact on approval. The Planning Authority may condition the extension on an amendment of the master development plan to comply with such applicable ordinance or site plan standard changes per section 14-532(d) of the city’s land use ordinance. Approved major or minor amendments to a master development plan do not alter the expiration date for the master development plan.

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

It is without question that Section 14-532(d) is the controlling language for the 2016 MDP approval, yet at the January 10, 2023 Planning Board Workshop, this Board was informed by Planning staff that the criteria for expiration of the MDP was:

Master development plans approved under this article shall expire six years from the date of approval if no site work or building construction has commenced.

This provision however is not from the MDP or even from the Land Use Code in effect in 2016, when the MDP was approved. Rather, this language is from Article 14.12.2 of the March 7, 2022 Land Use Code. It is therefore inapplicable to the 2016 MDP approval, and in fact in violation of the terms and conditions of that approval. It was additionally stated at the January 10 Workshop that only the standards of the 2016 Land Use Code apply to the Application, and that it is not subject to the new standards and requirements found in the 2022 Land Use Code; but, this then leads to an absurd result - the Applicant cannot reasonably argue on the one hand that the 2016 Code applies for *all* applicable regulations and standards, but that Article 14.12.2 from the 2022 Code applies with respect to expiration of the MDP. There is nothing in either the 2016 or the 2022 Code that would allow this, nothing in the 2016 MDP that allows

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 3 of 8

it, and there is no argument in law that would support this. The plain language of Section 14-532(d) in the 2016 Code, copied verbatim into the MDP approval, has no ambiguity as to its intent or meaning and it was the only mechanism available to the Applicant for obtaining a possible extension to the 2016 MDP.

The Maine Law Court has considered the finality of expiration language in land use approvals and ordinances, finding that “an Applicant must be diligent and request an extension within the [time] period for which the approval remains viable. Otherwise, the Ordinance would allow the Board to extend an approval that had become void.” *George D. Ballard, Builder, Inc. v. Westbrook*, 502 A.2d 476, 480 (Me. 1985). “Moreover, to construe the extension provision otherwise would allow a developer to be protected from zoning changes for an indefinite period greater than the [time period] provided in the Ordinance.” *Id.*

We have been provided with emails between Mary Costigan, Esq. on behalf of the Applicant, and Cristine Grimando, dated September 2022. On behalf of the City, Ms. Grimando opined that the MDP would not expire on December 22, 2022 because construction had commenced on the site. Ms. Grimando’s interpretation was based on the inapplicable Article 14.12.2 of the March 7, 2022 Land Use Code; the legislatively adopted Section 14-532(d) in the 2016 Code is, however, non-discretionary and the Planner had no authority under the Code to ignore, waive or otherwise provide a variance from that extension requirement. Furthermore, the email exchange between Attorney Costigan and Ms. Grimando had no impact upon the expiration of the MDP pursuant to the express terms of the MDP itself and the applicable Section 14-532(d) effective in 2016. First, Attorney Costigan’s email did not request an extension—it merely sought an opinion that the MDP would not expire. Second, there was no assessment by the City, as required by the Code, of whether there had “been substantial changes to the underlying zoning or site plan standards since the date of the master plan development plan approval that would have a substantial impact on approval...” Because there was no written request for an extension from the Applicant, nor the required process to determine whether to grant that extension by the City, the MDP expired.

Simply put - the Applicant failed to properly request an extension within requisite six years of the date of approval as clearly and unambiguously required by the 2016 MDP and in Section 14-532(d) of the 2016 Code. As a result, the 2016 MDP approval is void; there is no longer an approved or controlling MDP in place, and with all due respect to the Planning Board, it therefore lacks jurisdiction to continue to review the Application as though it were validly submitted.

II. Given the magnitude of this proposed project and its lasting impact on both the neighborhood and the character of Portland as viewed both to and from the water and Munjoy Hill, it is critical that the Planning Board understand the issue of grade and its relationship to building height.

A. The Project Violates Height Restrictions on Numerous Grounds.

“Average developed grade,” which is being applied by the City and Applicant, is not in the height definition or in any provisions addressing vertical dimensional standards. In fact, “finished grade” or

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 4 of 8

“developed grade” as the starting measuring point for structures has no express support anywhere in the Code, past or present.¹

Where a term, like “grade,” is undefined, Maine courts construe the term “reasonably with regard to both the objects sought to be obtained and to the general structure of the ordinance as a whole.” *Friends of Cong. Square Park v. City of Portland*, 2014 ME 63, ¶ 9, 91 A.3d 601 (citation omitted). Courts “give such terms their ‘common and generally accepted meaning’ and dictionaries are an established authority to identify definitions. *Id.*

Merriam-Webster Dictionary defines “grade” as “a datum or reference level . . . especially: GROUND LEVEL.” Merriam-Webster Dictionary Online, “grade” <https://www.merriam-webster.com/dictionary/grade>. Oxford Languages defines “datum” as “a fixed starting point of a scale or operation.” Dictionary definitions establish that “grade” has an objective, uniform starting point that bears a rational relationship to the conditions of the earth. The same conclusion follows applying the general rules of ordinance interpretation. *See Banks v. RSA #1*, 1998 ME 272, ¶ 4, 721 A.2d 655 (“A court’s interpretation of an ordinance must not create ‘absurd, inconsistent, unreasonable or illogical results.’”)

The City’s interpretation of “grade” will produce inconsistent, illogical, and absurd results. As a function of uniform height regulations, grade must consider the objective conditions of the site tethered to factual reality. Interpretation of “grade” as “post development grade” would mean height restrictions vary depending upon whatever a developer artificially creates or manipulates for conditions, divorced from what exists at the time of an application. For developers with the gumption, financial capacity, and engineering capability to reshape the earth, introduce creative structures, and pile fill, the sky is the limit. A developer can achieve whatever height they desire by creating a “developed grade” that games the height standard by anticipating when the City will begin measuring and adjusting their “developed grade” and proposed structures accordingly.

That is precisely the scenario here. The Applicant has artificially elevated their proposed buildings on a “pedestal” with the absurd and illogical result that buildings can exceed 110’ in a zone that restricts buildings to half as tall. For those without the same resources (everyone else), the regular height standards of 45’ up to 65’ apply. That is the type of inconsistent result produced by a “grade” interpretation and height standard that does not have any objective regulatory limit. Measuring height from the perimeter of

¹ A review of the Code as a whole reveals that such an interpretation is foreclosed by express provisions. *See, e.g.,* Portland, Me., Code § 14-755 (amended 2016) (defining height of wind energy system as “vertical distance *as measured from the average elevation of the finished grade*” (emphasis added)); § 14-369(d) (establishing height computations for signs as “normal grade” defined as “the lower of either existing grade prior to construction or the newly established grade after construction excluding any filling, berming, mounding or excavating accomplished solely for the purpose of locating the sign”). Thus, in creating height and grade standards for wind energy systems and signs, the drafters of Portland’s Code knew and understood how to clearly delineate between “existing” or “predevelopment grade” and “newly established” or “post development grade.” If “grade” for purposes of structure height was intended to be broadly interpreted to mean “post development grade,” this would have been stated explicitly. It was not, we must presume with intent. *See, e.g., Fuhrmann v. Staples the Office Superstore E., Inc.*, 2012 ME 135, ¶ 34, 58 A.3d 1083 (“If the Legislature had intended to create individual supervisor liability it would have done so explicitly in much clearer terms.”).

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 5 of 8

buildings, artificially elevated by new structures and fill, is a textbook example of stretching a definition to a logical extreme that violates core tenets of ordinance interpretation. *See, e.g., Banks*, 1998 ME 272, ¶ 4, 721 A.2d 655 (rejecting illogical interpretation of ordinance to construe tower as exempt from height restrictions as rendering height restriction meaningless).

The fact that the Code distinguishes “pre-development grade” on the islands does not mean that “grade” on mainland Portland has no objective definition. It is a logical fallacy to infer that because “pre-development grade” applies on the Islands, that “grade” for purposes of Mainland Portland therefore means “post-development grade,” with no objective definition of grade tied to a specific moment in time prior to development. Rather, “grade” must mean conditions of a site which logically, like any land use standard, would be determined *at the time of an application*. This is *not* an argument for applying the Islands standard to the Mainland because “pre-development grade” already has a specific meaning that is fixed in time: “‘Pre-development grade’ is defined as average grade, existing on October 1, 2000, at the corners of the foundation of the proposed structure.”

What about grade on October 2, 2000; on October 2, 2022; the date an application is filed; or the present date? None of the foregoing points in time constitute “predevelopment grade” because they all post-date October 1, 2000. Not only is the City implying “post development grade” without support in the Code—but the City is also failing to consistently interpret “predevelopment grade.” On the Mainland, the City appears to consider “predevelopment grade” to mean conditions of the site from the beginning of time until the moment before the developer has moved earth, built up, and filled the site. The Code definition of “predevelopment grade,” fixed in time as of 2000, contradicts that interpretation.

Moreover, the City’s interpretation is arbitrary. Starting tomorrow, the City could interpret “grade” on the Mainland to be the conditions at the time of an application, which would be consistent with the Code. If the City wants to adopt a standard with material regulatory consequence, that policy must be enacted by legislation, not unwritten longstanding internal deference to “the way we have always done it.” Unlike state agencies, municipalities do not receive deference in their interpretations of law, including ordinances. *Compare Rudolph v. Golick*, 2010 ME 106, ¶ 8, 8 A.3d 684 (“The interpretation of a local ordinance is a question of law, and we review that determination de novo.”), *with Guilford Transp. Indus. v. PUC*, 2000 ME 31, ¶ 11, 746 A.2d 910 (court defers to agency interpretations of ambiguous statute the agency administers). Regardless of whether this is a longstanding interpretation of the Code is immaterial to whether it is correct as a matter of law.²

² At the January workshop it was stated that the Maine courts have upheld the City’s interpretation. This is technically true but requires some important qualification. A single Superior Court case has affirmed the City’s height interpretation and site plan approval for an apartment building development in East Bayside, but that decision is currently on appeal at the Maine Supreme Court. *See Murray v. City of Portland*, AP-22-03 (Me. Sup. Ct. Aug. 5., 2022). The City’s height and grade interpretation is directly at issue in the appeal as a matter of first impression. Because trial court decisions are not binding on other courts (only Supreme Court decisions are), another Superior Court justice in a subsequent appeal could lawfully reach the opposite conclusion and we believe likely would on the facts presented by this application. Until that appeal is decided, there are no *binding* Maine court decisions.

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 6 of 8

Even applying post-development grade to this application, the Portland Co. site *is* developed and has an existing post-development grade. If a site can be “developed” over and over again without limit, the standard truly has no objective meaning.

Finally, with respect to the portions of the proposed site that are within the Shoreland Overlay Zone, the City’s grade interpretation and height calculation is inconsistent with and therefore preempted by the Mandatory Shoreland Zoning Act, 38 M.R.S. §§ 435-448.³ *See Sawyer Env’tl. Recovery Facilities, Inc. v. Town of Hampden*, 2000 ME 179, ¶ 27, 760 A.2d 257. For new structures in the shoreland, “height” is defined as “the vertical distance between the mean original grade at the downhill side of the structure, prior to construction, and the highest point of the structure” 38 M.R.S. § 436-A(7-A). This definition preempts the City’s interpretation of “grade” on two grounds: first, the height calculation standards apply to “average grade” *before* construction, rather than post development; and second, the property owner must calculate from the downhill side of the structure. The statutory standard preempts the City’s inconsistent unwritten interpretation for portions of the site subject to shoreland zoning.

B. Even if the Lawfulness Were Assumed, the City’s Traditional Methodology for Determining Grade is Simplistic, Flawed, and Results in Errors and is being Improperly Employed by the Applicant here.

The City’s 2015 and 2022 code utilizes a simplistic methodology for determining the average grade of a site that is easily manipulated and can generate dramatically inconsistent results. The methodology involves calculating a simple average of the grade elevation at the primary corners of the building foundation. This methodology is most applicable if the site is small and generally uniform; it is not appropriate for a large, irregularly shaped and undulating site as that proposed for the 58 Fore St. project. This methodology was utilized during the original Master Development Plan review phase when it was applied to a large parking podium that would be constructed across Blocks 4, 5, and 6. By heavily weighing the high sides of the site, the Applicant (and apparently the City) erroneously determined that the average grade of the site was 50.1 feet.

Engineering consultant, Tetra Tech, performed a more accurate assessment of the site utilizing more applicable industry standard methods (see Attachment A). This easily reproduceable analysis determines that the average grade of the Block 4, 5, and 6 area is in reality approximately 29 feet—a *difference of over 20 feet*. Given the importance of the site in terms of its impact on the overall character of Portland and surrounding Munjoy Hill historic community, it is extremely important for the City to get the issue of grade and subsequent building height correct. It is not acceptable to use and manipulate a simplistic and flawed methodology to establish an incorrect starting grade that enables buildings that far exceed the maximum heights (45 to 65 feet) and number of floors (max 4-6) envisioned in the adopted height study plans⁴ and in the Code.

³ “In accordance with a schedule adopted by the board and acting in accordance with a local comprehensive plan, municipalities shall prepare and submit to the commissioner zoning and land use ordinances that are *consistent with or are no less stringent than the minimum guidelines adopted by the board* and, for coastal communities, that address the coastal management policies cited in section 1801.” 38 M.R.S.A. § 438-A.2 (emphasis added).

⁴ As noted, the Eastern Waterfront Building Height Study (September 2004) (“Study”), adopted into the E. Waterfront Master Plan and the City’s Comprehensive Plan as it existed in 2015, formed foundation and basis for the B-6 Height Overlay. In the area of the proposed new development, any building over four stories (one story is defined

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 7 of 8

In the application for the individual buildings proposed on Block 4 and Block 6, this methodology has been improperly used to establish base grades far beyond the factual conditions of the site. Using the methodology as intended, the average grades for the Block 4 and Block 6 buildings are approximately 39 feet and 36 feet, respectively (see expert statement Attachment B). While not presented in the current filing as it will be a separate building, the average grade for Block 5 is approximately 14 feet.

Reviewing the numbers presented in the filing, it is easy to see how the Applicant has weighted the high side of the site by utilizing approximately three times the data points, thereby dramatically skewing the purported “average.” This blatantly and inaccurately skews the average starting grade 30-40% higher than it actually is, with dramatic consequences for how height restrictions will be applied. More importantly, it flies in the face of the intent of the code and various height studies and overlays, to promote responsible development consistent with the character and scale of Portland’s eastern waterfront and the Munjoy Hill neighborhood.

III. The Applicant Cannot Unilaterally Include New Lots in an Entirely Different Zone Within the Boundary of the 2016 MDP.

As discussed in the December 28, 2022 letter and as further discussed by Board members at the January 10, 2023 Planning Board Workshop, the proposed site plan for Block 6 includes portions of three parcels of land, identified as 13-23 Eastern Promenade, which were never a part of the now void 2016 MDP, but rather separately purchased by the developer in 2021. The Applicant has now included portions of these parcels in the Application as though they were within and a part of the 2016 MDP project. Significantly, these appended properties are not located in the B-6 zone, but rather in the R-6 zone and in the Munjoy Hill Historic District and in addition to being inappropriately included in the present Application, are therefore subject to different and enhanced ordinance standards and regulations.

At the November 23, 2021 workshop for an amendment to the 2016 MDP⁵ the Planning Board opined as whether the Board had any control over the design of the project if the Level II site plan application pending at that time was subject only to staff review. The Board was informed that the MDP section of the 2016 Code had a provision for a major MDP amendment determination. In fact however, as noted in our December 28, 2022 letter, the 2016 Land Use Ordinance only provides a methodology for the Planning Authority to permit *minor* amendments to still effective Master Development Plans. Neither the 2016 Land Use Ordinance, nor the 2016 MDP, provide *any* avenue for a major, substantive amendment to an MDP (such as expansion of the boundaries of the original MDP by the addition of new land located in a different zone).

The inclusion of additional land, especially land that is in a different zone, is not a decision that can be made by staff. The addition of land in a residential zone has far reaching impacts upon those already residing in that zone, on the Comprehensive Plan and on the City’s and neighborhood’s vision for that residential neighborhood. It must be subject to the same rigorous review process that the initial MDP went

as 11 feet) has “has a maximum 70’ width parallel with the shore and a maximum 140’ length perpendicular to the shore.” Per the Study, the maximum total number of stories permitted in this area of the B-6 Overlay is 5 to 6 floors.

⁵ The purpose of the November 23, 2021 Planning Board Workshop was to amend the MDP in such a way non-permitted structures and uses at the 58 Fore Street project, then subject to Notices of Violation and a Consent Agreement with the City, would become compliant.

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 8 of 8

through – and in this case, as the MDP is void, there needs to be a substantial review as an entirely new project under the Site Plan Review section of the Code.

IV. The Applicant Has Failed to Establish Sufficient Right, Title, and Interest to Warrant Review by the Board.

As this Board well knows, to have sufficient standing to pursue an application for land use development, an Applicant must demonstrate that they have a reasonable expectation that they will be able to develop the property as they have proposed. In the absence of that interest, Maine courts have explained that an Applicant lacks sufficient right, title, and interest (RTI) to pursue an application before a municipal board. Ultimately, the standing/RTI requirement is aimed at ensuring that the Planning Board's (and Planning staff's) time is not wasted reviewing applications for projects that may never get built. Therefore, under state law as well as the express language of the City's Code, all applications for permission to develop land must include evidence of sufficient RTI to develop the property *before* review of the proposal is undertaken. As noted in my December 28, 2022 letter, the 2016 Master Development Plan for the 58 Fore Street property is also express on this point.

The now void MDP and the proposed Site Plan clearly contemplate improvements to the site that are located on property outside the Applicant's ownership and control, including City and private property. Easements allowing those improvements are therefore needed and required. The Applicant however has failed to provide copies of executed easements – likely because they have not yet been obtained. Nevertheless, the Applicant is treating the application as if it is complete and entitled to review by staff and this Board. It is not. Given the history of development of this property and before any further staff or board time is taken up reviewing this development, the Applicant should be required to go to the effort of securing the easements and any other permissions needed to build out the project *before* the Board reviews it. Otherwise, it is entirely possible that necessary easements will not be given causing the plans to later be amended with additional rounds of review and Board meetings required.

Rather than invite multiple hearings and amended approvals, the Applicant can and should be made to wait to present its proposals until such time as it actually has the permissions needed to build it. Without those permissions, review of this application is a waste of staff and board time. More fundamentally, the Applicant lacks standing to seek site plan approval at all.

Very Truly Yours,



SANDRA L. GUAY



KEITH P. RICHARD

Copy to:
John Roger Trettel
Portland Historic Preservation Board
c/o Evan R. Schueckler, Program Manager

ATTACHMENT A
Grade Elevation Study

Project: 58 Fore St. Project Area Elevation Review

Tetra Tech, Inc. is a global engineering, design, and consulting firm with over 50 years of experience performing complex engineering, design and construction services on 1000's of projects worldwide.

Tetra Tech performed a desktop investigation of the 58 Fore St. Project development area in the City of Portland, Maine to establish the estimated average grade across the site above mean sea level. The study area is located in the eastern waterfront area of Portland and consists of approximately 5 acres of commercial, past industrial, and vacant land uses. Approximately two-thirds of the study site is marked by a large low-lying level area slightly above sea level supporting parking areas, a commercial building slab, and a rail yard; while about one third of the site consists of undeveloped, fragmented scrub forest on steeply sloping to almost vertical terrain along its northern and eastern boundaries. The vertical portion of the site is a narrow strip along the north boundary where a stone retaining wall supports Fore Street.

The industry standard method for calculating average elevation of an irregularly shaped and undulating parcel of land involves the use on-site topographic land surveying or contouring. If time, budget, or access prohibit collecting of field data, a site can be studied remotely using Digital Elevation Models (DEMs) and Geographical Information Systems (GIS). The DEMs provide a three-dimensional representation of the topography of the parcel, while the GIS is used to process and analyze the DEM data. The first step in this process is to obtain the DEM data, either by using aerial LiDAR (Light Detection and Ranging) technology or by interpolating spot elevation data using techniques such as kriging (ESRI, 2018). Once the DEM data are obtained, it is processed to create a raster layer, which is a grid of cells with equal dimensions that represent the elevation of the parcel at each cell location. The average elevation of the parcel is then calculated by summing the elevation values of all the cells in the raster layer and dividing by the total number of cells (Lidén et al., 2003). This process is often performed using GIS software, such as ArcGIS or QGIS.

Such data were not readily available for this study, and as such, Tetra Tech utilized Google Earth's elevation profile functionality as the DEM to find the elevation across the site using a 10-foot by 10-foot raster grid. Elevation profiles were obtained by casting the raster grid across the irregular site polygon using the southern corner as an anchor point (see attached figure). Elevation profiles along grid lines were examined at 10 foot intervals and the elevation at each point was recorded and rounded to nearest whole number (data attached).

A total of 2406 data points were recorded across the polygon, totaling to 69,647 feet of total elevation. The average elevation across the site was determined to be 29 feet (total elevation / total number of data points), which is approximately 15 feet above the existing level grade elevation.

While Google Earth data are generally regarded as quite accurate and reliable in urban areas, the best measurement of average elevation/grade of an irregularly shaped and uneven site would be determined by an on-site topographic land survey using total station or global positioning system (GPS) equipment. Upon completion of a land survey, there are numerous industry standard DEM engineering models available that would use these data to quickly and precisely measure the average elevation/grade across the site.

In performing this desktop analysis, Tetra Tech performed a QA/QC check of the Google Earth data by doing a representative spot check of points across the site and comparing them to the topographic survey map provided in the 58 Fore Street project's original 2016 application. This review determined the Google Earth data to be close to the applicant's field surveyed measurements with only minor deviations observed. As such, the average calculated elevation across the site of 29 feet is expected to be accurate within a small margin of error.

Discussion on Perimeter Measure Methodology

The average grade of the site was previously determined by others using a perimeter elevation measure methodology. Using elevation measurements taken around the perimeter of an undulating site to determine the average elevation is not appropriate, as it does not accurately reflect the complex topography of the interior of the site. This method provides only a rough estimate of the average elevation and is likely to be significantly different from an average elevation calculated from more comprehensive elevation data. Using only perimeter measurements is likely to give a biased estimate of the average elevation and may result in errors, especially if the site has steep or complex topography (Lidén et al., 2003). In this case, a difference of 21 feet (50.1ft vs. 29 ft) between the perimeter measure approach and the grid overlay/topographic approach is a dramatic deviation and indicates that the perimeter measure approach is not providing an accurate assessment of the average grade of the site.

The level of measurement error that is acceptable for a project site is dependent upon the ultimate use of the site. However, in general, such a large deviation between two methods of measurement is not considered to be an acceptable level of error to enable accurate and responsible decision making and design. Tetra Tech recommends a more comprehensive method, such as a topographic land survey or a DEM analysis, to obtain a more accurate average elevation of an undulating site with extreme topography changes such as the 58 Fore St. project area.

References:

ESRI (2018). Understanding Raster Elevation Data. Environmental Systems Research Institute, Redlands, CA, USA.

American Society of Civil Engineers. (2017). Surveying Fundamentals. <https://asce.org/continuing-education/courses/surveying-fundamentals/>

Lidén, K., Jonsson, P., and Löfgren, S. (2003). Average elevation and other terrain attributes from digital elevation models: a comparison of methods. *Geomorphology*, 55(1-2), 89-104.

58 Fore Block 4, 5 & 6 Area

58 Fore Project Area
10'x10' Grade Grid

Legend

-  58 fore area
-  Feature 1



58 Fore Street Site Elevation Study - 10x10 Foot Grid Data																						
GE Paths	0	10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180	190	200	210
Path1	12	12	12	12	12	12	12	12	12	12	11	11	11	11	11	11	11	11	11	11	11	11
Path2	12	12	12	12	12	12	12	12	12	12	12	11	11	11	11	11	11	11	11	11	11	11
Path3	12	12	12	12	12	12	12	12	12	12	12	12	11	11	11	11	11	11	11	11	11	11
Path4	12	12	12	12	12	12	12	12	12	12	12	12	12	11	11	11	11	11	11	11	11	11
Path5	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	11	11
Path6	12	13	13	13	13	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
Path7	13	13	13	13	13	13	13	13	13	13	13	13	13	12	12	12	12	12	12	12	12	12
Path8	13	13	14	14	14	14	14	13	13	13	13	13	13	13	13	13	13	12	12	12	12	12
Path9	13	14	14	15	14	15	15	15	15	14	14	14	14	13	13	13	13	13	13	13	13	13
Path10	13	14	14	15	15	15	15	15	15	15	15	15	14	14	13	14	14	13	13	13	13	13
Path11	13	14	14	15	15	15	15	15	15	15	15	15	14	14	13	13	14	14	14	14	13	13
Path12	14	14	14	15	15	15	15	15	15	15	15	15	15	14	14	13	13	14	14	14	14	14
Path13	14	14	15	15	15	15	15	15	15	15	15	15	15	14	14	14	13	14	14	14	14	14
Path14	14	14	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14	14	14	14
Path15	14	14	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14	14	14
Path16	14	14	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14	14	14
Path17	15	14	14	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14	14
Path18	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14
Path19	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14
Path20	15	15	15	15	15	15	15	15	15	15	15	15	16	16	15	15	15	15	15	15	15	15
Path21	15	15	15	15	15	15	15	15	15	15	15	16	16	16	16	15	15	15	15	15	15	15
Path22	15	15	15	15	15	15	15	15	15	15	15	16	16	16	16	15	15	15	15	15	15	15
Path23	15	15	16	16	16	16	15	15	15	15	16	16	16	16	16	16	15	15	15	15	15	15
Path24	15	15	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	15	15	15	15
Path25	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	15	15
Path26	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16
Path27	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16
Path28	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	17
Path29	17	17	18	17	17	17	17	17	17	17	16	17	17	17	17	17	17	17	17	17	17	18
Path30	23	23	22	23	22	22	21	20	20	19	19	18	19	19	19	20	20	21	19	19	19	19
Path31	33	31	32	30	29	28	27	27	26	25	25	23	24	24	24	26	26	26	26	25	24	23
Path32	42	40	39	40	38	36	35	33	33	32	31	31	30	30	31	31	32	31	31	31	30	29
Path33	50	50	49	48	49	47	45	45	43	41	42	41	40	41	49	38	39	37	37	38	37	36
Path34	50	51	52	50	51	49	48	48	47	46	48	46	45	47	47	46	48	47	47	49	50	51
Path35	57	56	58	57	56	57	56	59	60	61	64	66	69	71	71	73	71	72	72	71	72	72
Path36	75	76	76	75	76	76	76	76	77	78	78	78	78	78	78	80	80	80	80	79	79	81
Path37	81	83	83	83	83	84	83	84	82	83	83	84	87	88								
Path38	87	88	88																			
Path39	71	69	66	64	61	60	58	57														
Path40	72	71	69	67	65	62	61	60														
Path41	73	72	70	69	67	65	63															
Path42	73	72	71	70	69	67	65															
Path43	74	72	72	71	70	69	67															
Path44	74	73	72	71	71	70	68															
Path45	74	74	72	72	71	71	70															
Path46	75	74	73	72	72	72	72															
	Total Count	2406																				
	Total Elevation	69647	feet																			
	Average Elevation	28.95																				

[illegible]

[illegible]

ATTACHMENT B
Expert Opinion

February 24, 2023

City of Portland
Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

Attn: Planning Board

Re: Miscalculation of Average Grade
Level III Site Plan and Subdivision – 58 Fore Street
Portland Foreside Development Company

Dear Planning Board Members:

Based on our review of the above-referenced submission, it appears the Applicant has either miscalculated or misrepresented average grade for proposed structures on Parcel 4 (“Harbor Hill”) and Parcel 6 (“The Channel Mark”). The proposed building elevations note average grade *singularly* as **elevation 50.1** despite there effectively being two buildings on separate parcels of land with substantially different surrounding grades. The average grade noted has no discernible relevance to the buildings proposed and no reasonably justifiable supporting calculations were found for the value. Furthermore, the calculations provided are clearly and unjustifiably skewed to result in a higher elevation than would otherwise reasonably be determined. This is particularly egregious as it pertains to the Harbor Hill structure.

The City of Portland Land Use Code (March 2022) clearly and logically specifies average grade as being calculated at the corners of the foundation of the proposed structure. Common practice for determining average grade requires weighting selected foundation corners relative to the length of building foundation. The attached figures show how applying common practice and using existing elevations at the principal foundation corners results in the substantially different average grade calculation of **elevation 39.5** for the Harbor Hill structure and **elevation 36.3** for The Channel Mark structure. A substantially different average grade calculation would be the result whether calculated using the four principal foundation corners or equidistant points along the foundation.

Any building height measured from the average grade of elevation 50.1 is simply unsupportable and inconsistent with the relatively clear intent expressed in the City of Portland Land Use Code (March 2022).

Very truly yours,



Sean P. Reardon, PE
Vice President



Matthew W. Moyan, PE
Senior Project Manager

Attachments: Figure 1 – Civil Building Height Calculation Figure Markup

Cc: Roger Trettel

TETRA TECH, INC.

Tetra Tech has been a world class provider of consulting and engineering services for over 50 years. We support global commercial and governmental clients focused on sustainable infrastructure, water, environment, energy, and international development. With over 27,000 associates worldwide, Tetra Tech provides clear solutions to complex problems.

In a complex world with competing demands for limited resources, Tetra Tech offers clear solutions made possible with sound science, understanding, innovation, and industry-leading approaches.

PERSONNEL EXPERIENCE SUMMARY**Sean P. Reardon, PE**

Mr. Reardon is a Vice President at Tetra Tech who specializes in guiding site/civil engineering and land development programs to successful completion. He has 30 years of experience in the planning, permitting, design and construction of a wide range of facilities and infrastructure. His broad background encompasses all service sectors: municipal, institutional, private land developers and public/private partnerships. He is particularly skilled in managing multidisciplinary services under aggressive timeframes, as well as design/build and on-call engineering contracts. Mr. Reardon prides himself on building long-term, collaborative client relationships and overcoming technical and regulatory challenges with creative solutions that optimize project objectives. In addition to his leadership on residential, institutional, commercial and mixed-use development programs, Mr. Reardon is regularly called upon to provide expert witness testimony and litigation support. Mr. Reardon is a licensed Professional Engineer in Maine, Massachusetts, Rhode Island, New Hampshire, Connecticut, and Vermont.

Matthew W. Moyen, PE

Mr. Moyen is a Senior Project Manager at Tetra Tech with 16 years of experience in planning, civil engineering design, permitting, and construction as part of multidiscipline and multi-firm project teams. He leverages his diverse skill set and technical background to lead a range of commercial, industrial and residential land development projects, renewable energy projects, and stormwater programs to successful completion for public agencies and private clients. Mr. Moyen also provides peer review services of complex projects for municipal boards and state agencies. Mr. Moyen is a licensed Professional Engineer in New Hampshire, with reciprocity underway in several states including Maine.

58 Fore Street 0 views



Barbara Vestal <vestal@chesterandvestal.c... Mar 29, 2023, 6:26:52 PM (17 hours ago)
to hp@portlandmaine.gov

Hello Chair O'Brien and Historic Preservation Board Members,

I write to you as an abutter to the proposed project. I reside directly across the street at 7 Fore Street. As you begin to review proposed Block 6, I would like to call your attention to a few threshold issues that I believe you need to be aware of as you begin your review:

- 1) it appears that the 2016 Master Development Plan approval has expired;
- 2) the proposed plan appears to violate the building height restrictions,
- 3) new lots have been included in proposed Block 6 which were not part of the original Master Development Plan application, and
- 4) it appears that the project is not ripe for review because it has not obtained all of the rights necessary to develop as proposed.

Rather than repeating all of its contents, let me just say that I wholeheartedly endorse the letter from Attorney Sandra Guay dated March 17, 2023 which was submitted to the Portland Planning Board with a copy to the Historic Preservation Board. In that letter she documents in great detail the fact that the Master Development Plan approval expired on December 20, 2022 by its own terms, without a timely request for any extension. That means that this project needs to be reviewed as an entirely new project under the currently applicable site plan and historic preservation standards.

Attorney Guay also outlines multiple bases to challenge the extreme building heights currently proposed by the applicant, including:

- the fact that they are using an absurd and illogical interpretation of the grade language in the ordinance to inflate proposed heights,
- that they are ignoring the statutory requirements for grade calculation in the shoreland zone, and
- that they seem to be using a single (inflated, improperly calculated) average grade for the entire site despite the fact that blocks 4, 5 and 6 each have different site and grade characteristics.

Attorney Guay also raises the issue that the plan contemplates improvements to the site that would be located upon land outside the current control of the applicant. I would add to Atty. Guay's discussion of missing rights that there is an 1876 agreement between the City and Portland Company recorded in Book 434, Page 368 (copy attached) which was made as the seawall along Fore Street was being constructed. It says that up to 4 feet of the embankment under the base of the seawall/retaining wall may be upon land owned by the Portland Company, with the rest to be constructed upon land of the City. The Portland Company, its successors and assigns are not to disturb the embankment which sustains the wall except if they substitute permanent support at their own cost. Further, the Portland Company is given the right to construct upon the top of the wall, but only within the line of Portland Company land, any wall of brick or stone which it might desire to erect on the retaining wall, consistent with the safety and stability of the wall. The applicant appears to be proposing to build an access ramp to the parking garage across City-owned land, and appears to be proposing to construct at least a portion of the parking garage driveway podium structure (not just a "wall of brick or stone") on top of the historic retaining wall. It seems like the City would need to grant an additional easement for that to be permissible.

I would think that these fundamental Master Development Plan expiration issues, grade and building height issues, and development rights issues need to be resolved before the Historic Preservation Board will be in a position to meaningfully undertake its review. I realize that your direct review applies primarily to portions of Block 4, but your comments on the remainder of Block 4 and Block 6 may also be relevant to HP staff advisory design review of the remainder of the proposed project.

I anticipate that you will proceed with due caution as this massive project will significantly affect what is left of the historic Portland Company structures, the historic seawall, and the adjacent Munjoy Hill Historic District.

Regards,
Barbara Vestal

Portland. These articles of agreement entered into by and between the City of Portland, and the Portland Company, a corporation duly existing under the laws of the State of Maine, this ninth day of November, A.D. 1876.

Agreement. Witness:

1st That in consideration of the agreement in the 2^d article following, said Portland Company hereby gives, grants, bargains and sells to the city the right to put upon the land of said company to an extent not exceeding four feet in width, at the base throughout its entire length, the wall now in process of erection on the line between Fore street in said city and the real estate of said company and to maintain the same forever, with right of entry upon the lands of said company for purposes of repair.

And said company further agrees that the embankment which will sustain said wall shall not in any way, or under any pretense be disturbed, dug away, removed or the slope diminished except under the restrictions following, viz:

If the said company or its successors or assigns, owners of said land shall desire to disturb, dig away or remove said embankment or diminish said slope, its successors and assigns, shall substitute without expense to the city, a complete and sufficient permanent support for said wall.

2^d Said city in consideration of the foregoing, hereby gives, grants, bargains and sells to said company the right to put upon said wall within the line of said company's land, any wall of brick or stone which said company desires or may desire put thereon, consistent with the safety and stability of said wall.

Witness to E. H. Davies
G. J. M. Rufus D. Bean

Portland Company,
By E. H. Davies, Pres.
Counter-signed by
Geo. J. Mearns, Secy.

State of Maine, Cumberland Co., ss. November 10th 1876.
Personally appeared Edward H. Davies and acknowledged the foregoing instrument to be the free and abed deed of the Portland Company.
Before me, H. J. Robinson, Justice of the Peace.
Received, Nov. 10, 1876, at 1 P.M. P. H. Davies recorded according to the original.
Attest: Henry C. Houston, Register.





Sandra L. Guay
Partner
sguay@archipelagolaw.com

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

March 31, 2023

Via Email:

Portland Historic Preservation Board
Robert O'Brien, Chair
c/o Evan Schuekler, Program Manager
City of Portland
389 Congress Street
Portland, ME 04101
evans@portlandmaine.gov

Re: Portland Foreside Development Company
58 Fore Street/Mixed Use of Blocks 4 and 6
Historic Preservation Board Review Workshop
HPBR-002380-2023

Dear Chair O'Brien and Board Members:

This firm represents John Roger Trettel, the owner of property located at 5 Eastern Promenade, and a direct abutter to the proposed new construction and development at 58 Fore Street as presented in the Historic Preservation Board ("HPB") Review application ("Application") submitted by Portland Foreside Development Company ("Applicant"). This letter is submitted to voice Mr. Trettel's concerns about the proposed development's impact on his property and on the Munjoy Hill Historic District. Mr. Trettel makes these informed observations as the recent recipient of the 2023 Preservation Buffalo award for his work in the renovation of historic structures in Buffalo, New York.

The HPB is also in receipt of Mr. Trettel's March 17, 2023 letter to the Planning Board, which is incorporated into this letter and included in the record to this Board. The March 17 letter lays out in detail: (a) that the 2016 Master Development Plan ("MDP") for this project expired in December of 2022 and was never extended as required by both the City Code in effect in 2016 and as explicitly conditioned in the MDP itself, and is therefore void; (b) that the proposed new development violates the City's height restrictions on numerous grounds; (c) that even if it didn't violate the City Code on height restrictions, the methodology used by the Applicant to calculate height for the new structures is flawed, leading to significant errors in the height calculation (by more than 20 feet); (d) that the Applicant is including land that is not included in the 2016 MDP and is in fact located in an entirely different zone (the R-6 zone, which is in the Munjoy Hill

ARCHIPELAGO

Portland Planning Board
March 31, 2023
Page 2 of 5

Historic District); and, (d) that that Applicant has failed to submit sufficient right, title or interest for areas of the proposed new construction that are outside of the Applicant's control, including both private and City property.

While each of these issues, well supported in the March 17 letter, are important to this Board in its review of the Application, the purpose of this letter is to focus on the additional review criteria subject to HPB review. In addition, this letter suggests that in light of the void MDP, the incomplete Application and the unresolved height calculation issues, the HPB should table the review of this Application until such time as a new and complete non-MDP application is submitted, and the height questions resolved.

I. The Application is Not Complete

The purpose of having a complete application prior to acceptance and initial review by any administrative board is to avoid waste of the board's time in the event that an applicant is either unable to provide what is needed in the application, and/or the applicant needs to significantly alter the application after review has already commenced, public comment has been received, and time has been expended. In this case, the City Code *requires* that an application submitted for review to the HPB must be deemed complete *before* that application is placed on a HPB meeting agenda. (Sec. 17.7.4.A). In addition to insufficient evidence of right, title or interest and insufficient evidence of adequate financial security, as noted in the March 15, 2023 Staff Memorandum to the HPB from Evan R. Schuekler, there is "significant amounts" of information that is lacking from the Application. The Application, as submitted, therefore lacks sufficient and required substantive information for the Applicant to have standing for even a workshop review by this Board, and review of the Application should therefore be tabled.

II. The Project is Not in Compliance with the Character and Form of the Historic District

In part, the stated purpose of the City's Historic Preservation Code is to "prevent the unnecessary loss of the community's historical features and to ensure compatible new construction." (Sect. 17.1.C). By manipulating the otherwise allowed height for structures in the B-6 zone, the massing of the proposed townhouses is significantly out of scale with the existing historic structures, leaving these historic structures shaded and dwarfed in comparison. This oversized scaling fails to meet the stated purpose of the Code, and additionally fails to protect and enhance neighborhood character (Sect. 17.1.E), fails to stabilize and improve the value of the designated properties and area (Sect. 17.1.F), fails to protect and enhance the attractiveness of the City (Sect. 17.1.G), and fails to foster and encourage preservation, restoration, and rehabilitation that respects the historic, cultural, architectural and archeological significance of the distinctive Munjoy Hill historic area and the historic structures (see discussion about the historic seawall in an email addressed to this Board from Barbara Vestal, dated March 29, 2023).

ARCHIPELAGO

Portland Planning Board
March 31, 2023
Page 3 of 5

The original seawall structure is a significant archeological resource in the City of Portland. (Sec. 14.6.4.3.i). As such, it is subject to the requirements of that Section of the Code, including “leaving archeological resources untouched beneath a new development through adaptation of foundation design or architectural layout”. (Sec. 14.6.4.3.a). The Applicant is required to provide evidence if complete protection is not feasible. (Sec. 14.6.4.3.b). Further, the need to impact the City’s historic seawall in any way does not appear to be supported by evidence right, title or interest to do so. In addition, old maps of the area encompassing Block 4/Block 6, indicate that a fort was at one time located in that area. An archeological study should be required to identify whether the fort is located within the proposed development area, and if so, to make certain that any further development at the very least documents and where feasible, preserves, that important piece of Portland history.

The Munjoy Hill Architectural Development & Context Statement (April 2019) also illustrates how the proposed new structures fail to comply with the standards for the Munjoy Hill Historic District. For example, in the ‘Visual Character of the Hill’ section of the Context Statement, the scale of the existing houses is described as “generally modest” with most buildings ranging from 1½ to 3 stories in height. The Statement points out that this is the reason why some of the later developments “do not feel sufficiently integrated with the neighborhood.” This statement easily applies to the tall, narrow structures proposed in the Application.

In addition, the review standards provided in Section 17.8.3.A of the City Code require that new construction in a Historic District must be visually compatible with surrounding structures “when viewed from any street or open space” with respect to height, width, proportion and scale. Section 17.8.3.B requires that the composition of the principal facades be visually compatible with structures, public ways and places to which the building is visually related. Section 17.8.3.C requires such compatibility with relation to the street. Section 17.8.3.D. requires that “the distinguishing original qualities or character of a structure, object, *or site and its environment*, not be destroyed” (emphasis added). There is no amount of wordsmithing by the Applicant that can make the proposed new structures meet these mandatory standards.

Furthermore, one critical “open space” from which these structures can be viewed is the water. For centuries, boaters have enjoyed the view of Fore Street and Munjoy Hill as seen over the top of the Portland Company buildings. The proposed structures will block and destroy this historic view forever. Likewise, because the proposed structures do not “step down” toward the water, they will forever block the view to the water from Fore Street and other locations on Munjoy Hill.

III. The Height Issue Must be Resolved Prior to Review by this Board

As fully illustrated in the March 17, 2023 letter to the Planning Board, on which this Board was copied, there are numerous issues with the way height has been calculated for the proposed new structures. In part, the Applicant (and previously, the City) has been applying an “average

ARCHIPELAGO

Portland Planning Board
March 31, 2023
Page 4 of 5

developed grade” from which to begin to calculate height. Not only is this term not defined in the Code, it makes no logical sense. As used, it would mean that a developer can bring as much fill onto a property as it wants to raise the pre-measurement height to any level it desires (in this case even using another structure, the parking structure to establish “average developed grade”). In effect, this means that the City has *no enforceable maximum height restrictions*, as the starting point from which to start calculating height can be artificially manipulated to whatever the developer desires and can afford. Here the existing Portland Company site has a historically established grade – the parking lot – and it is from here that the height of the structures should be measured.

In the MDP, despite the radically elevated rear portion of the property along Fore Street, the City’s Planning Office permitted the Applicant to use a method of calculating the “average developed grade” by allowing the developer to calculate an average at the corners of the building foundation. In the application to the Planning Board, it was however readily apparent that rather than use the industry standard for determining an average grade, the Applicant had taken numerous measurements from the highest side of the property, and very few measurements from the lower elevation of the property. In doing so, the supposed “average grade” was manipulated to look significantly greater than it actually is; a difference of *over 20 feet*.

Until the issue of height calculation is resolved, it is a waste of this Board’s valuable time reviewing an application for structures that have been designed around these miscalculations.

IV. Summary

The Historic Preservation Board has always played a critical role in the review of applications before it and, in keeping with the legislative wishes of the City and of the surrounding community, works diligently to ensure that new development in Portland’s historic districts meet the letter of the Code. The Board often gets only one shot to reshape a proposed development – or to disapprove of a proposed design in its entirety when, as proposed, the project fails to comply with the Code.

There is of course great significance to all applications that come before the HPB, from the perspective of the Board, the applicant, and the community. The size and scope of the 58 Fore Street project is however unique in many respects. The all-encompassing, view blocking scale of the proposed structures now before this Board would forever alter and destroy the historic nature of Munjoy Hill, as viewed both from the streets of the City and from the water.

The 2016 Master Development Plan has expired and is now void. The Application as submitted is woefully incomplete, in part lacking necessary evidence of right, title or interest. The height calculations proposed by the Applicant are artificially manipulated and otherwise fail to comply with the Code. The project area includes land in the R-6 zone and outside of the scope of

ARCHIPELAGO

Portland Planning Board
March 31, 2023
Page 5 of 5

even the now void 2016 MDP. Lastly, the Application fails to meet even the most basic requirements of the Historic Preservation portion of the Code.

On behalf of abutter John Roger Trettel, we ask that the Historic Preservation Board find the application to be incomplete and/or otherwise not in compliance with the required review standards of the City Code.

Very Truly Yours,



SANDRA L. GUAY



KEITH P. RICHARD

Copy to:

John Roger Trettel



Evan Schueckler <evans@portlandmaine.gov>

Fwd: Historic images showing scale

Roger Trettel <roberttrettel@gmail.com>

Fri, Mar 31, 2023 at 11:26 AM

To: Evan Schueckler <evans@portlandmaine.gov>, Robert Wiener <rwiener@portlandmaine.gov>

I'm sure you have probably seen this map, but it definitely illustrates the historic scale of the area and how the Portland Company Historic District property was tucked in beneath the hill. Anything bigger than this would be contrary to the scale of the Munjoy Hill Historic District which is largely reflected here.

Best regards,

Roger Trettel

2 attachments



Portland historic birds eye view showing scale.jpg

681K



Portland historic birds eye view showing scale zoom in.jpg

251K



BIRD'S EYE VIEW OF THE CITY OF

PORTLAND

MAINE,

1876.

THIS MAP IS THE PROPERTY OF THE PUBLISHER.

1. Portland Packing Co. of Harwoodville Street
2. Providence, W. G. Davis and J. P. Buxton.
3. Burgess, Follen & Co's White Lead Works.
4. Portland Iron Works Co's Works.
5. S. H. & A. R. Tinsley's Planing & Moulding Mills.
6. J. J. Fry's Saw Factory.
7. F. O. Bailey & Co's Dock and Stone Coal Factory.
8. Smith, Knight & Co's Cabinet Organ.
9. Leavitt & Goss's Railroad Shop.
10. C. N. Dalton & Co's Planing & Moulding Mills.
11. West & Nevins, Coffee and Spice.
12. Twilbert, Champin & Co's Coffee & Spice.
13. Hinchman & Merrill, Packers of Canned Goods.
14. George H. Wood's Soda Factory.

15. Crown Tanning Co.
16. Hayes & Briggs's Mineral Factory.
17. E. Newman & Co's Gunter and Currier Marsh's.
18. C. M. & H. T. Plummer, Gas & Water Pipe.
19. Whitney & Thorne, Boat and Shoe.
20. Sawyer, Welch & Co.
21. C. W. Thomas.
22. Wm. H. H. Merrill's Marble Works.
23. Gas Works.
24. F. M. Lacey's Saddle and Shoe Works.
25. J. Russell's Carriage and Stage Factory.
26. Carriage Factory.
27. Geo. Clark's Tannery.
28. Portland Steamship Co's Works.
29. Portland Suspension Co's.

30. Geo. Hudson's Candy Works.

CHURCHES.

- A. First Baptist.
- B. Free St. Baptist.
- C. Free Will.
- D. Epworth Memorial Congregational.
- E. High Street.
- F. State Street.
- G. Plymouth.
- H. St. Lawrence.
- I. United.
- J. Wesleyan Chapel.
- K. St. Luke's Cathedral, Episcopal.
- L. St. Stephen's.
- M. St. Paul's Episcopal.
- N. Central St. Methodist.
- O. Pine St.
- P. Congress St.
- Q. Mount Zion.
- R. Roman Catholic Cathedral.
- S. St. Dominic.
- T. Friends' Chapel.
- U. First Parish Catholics.
- V. Park St.
- W. First Universalist.
- X. Second.
- Y. New Jerusalem.
- Z. Fourth St. Chapel.
- * Allen Chapel.

STAFF MEMORANDUM
HISTORIC PRESERVATION PROGRAM
PLANNING AND URBAN DEVELOPMENT



TO: Chair O'Brien and Members of the Historic Preservation Board
FROM: Evan R. Schueckler, Historic Preservation Program Manager
DATE: March 31, 2023
RE: 58 Fore Street – FIRST WORKSHOP – New Construction (Block 6)
PROJECT ID: HPBR-002391-2023
MEETING: April 5, 2023

Owner: Portland Foreside Development Company
Architect: Perkins & Will

A sign announcing the Historic Preservation Board's meeting on April 5, 2023 was posted at the property on March 24, 2023. A legal ad was published in the Portland Press Herald on March 24, 2023 and March 25, 2023, and 170 notices were sent to neighboring property owners within 100 feet of the subject property.

PROJECT SCOPE

Construct new mixed-use building (Block 6) on site partially within and adjacent to the Munjoy Hill Historic District. Project to include demolition of non-contributing structures at the rear of 19 and 21 Eastern Promenade.



Figure 1: Map of the Munjoy Hill Historic District showing location of 58 Fore Street, Block 6 Development with yellow star.

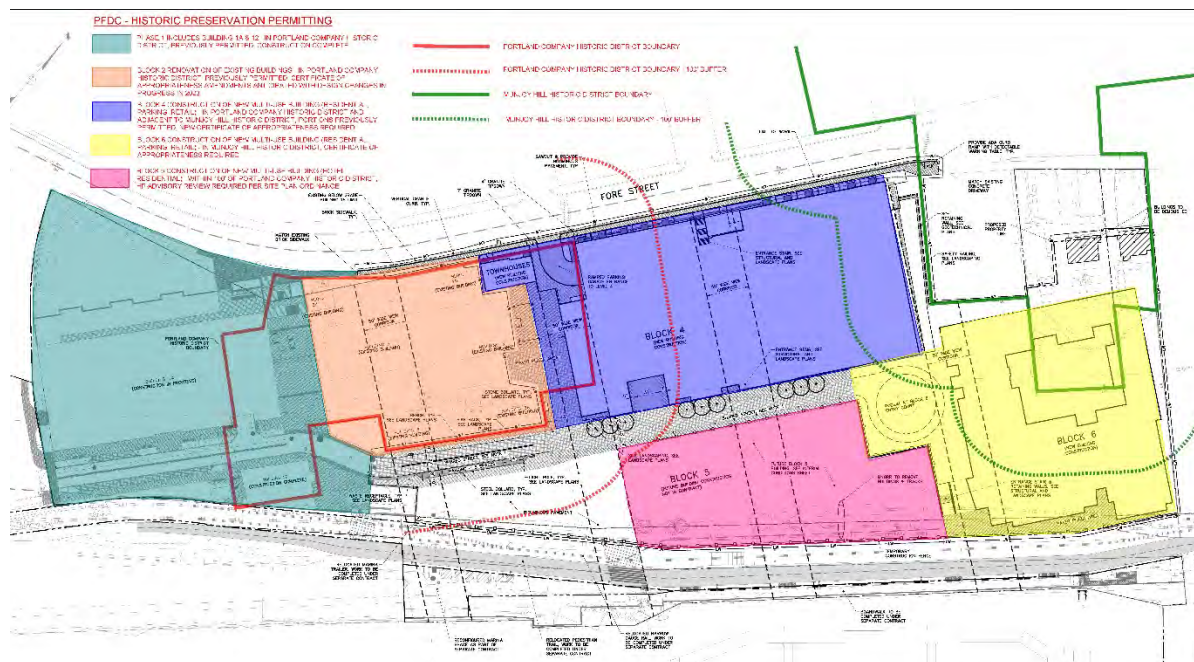


Figure 2: Map of 58 Fore Street site provided by applicant showing the Munjoy Hill Historic District boundary (solid green line), and the area of the proposed Block 6 Development (yellow shaded area) Block 1 (teal shaded area) was previously approved and is nearing completion. Block 2 (orange shaded area) contains the historic core of the Portland Company Historic District for which the Board previously reviewed a rehabilitation program. Block 4 (blue shaded area) has been submitted to the Board for review under a separate application. Block 5 (pink shaded area) will only be subject to advisory review by Historic Preservation Staff.

The proposed mixed-use building will range from a height of nine stories at the southern elevation to two stories above grade at the north elevation, with five stories extending below grade adjacent to a large retaining wall. The first floor will sit primarily below grade containing one level of parking, with retail facing along the Eastern Promenade Trail. The second level will contain some additional retail, resident common spaces, and a number of residential units. Floors three through 9 will contain primarily residential units with a few communal spaces as well. The whole structure is organized around an internal courtyard, the floor of which is at the second level. There will be two primary entrances for residents; one at the second level on the west elevation from within the development site, and another at the seventh level on the north elevation from between the historic structures.

Those portions of the structure that are within the boundaries of the Munjoy Hill Historic District require a Certificate of Appropriateness (COA) from Historic Preservation. In the case of Block 6, this is only the north elevation (see figures 1, 2, & 3). Some portions of the inner courtyard are also located within the Munjoy Hill Historic District; however, the courtyard will only be accessible from within the building, and therefore does not have significant public visibility. It should be noted that the area of development within the district is located to the rear of several Historic Structures and sits somewhat below them. The development does not have a street frontage within the Munjoy

Hill Historic District. The remainder of the structure will be subject to advisory design review by Historic Preservation Staff in conjunction with Portland's Urban Designer as a part of the Site Plan Review. This review is ongoing and has had one workshop with the Planning Board.

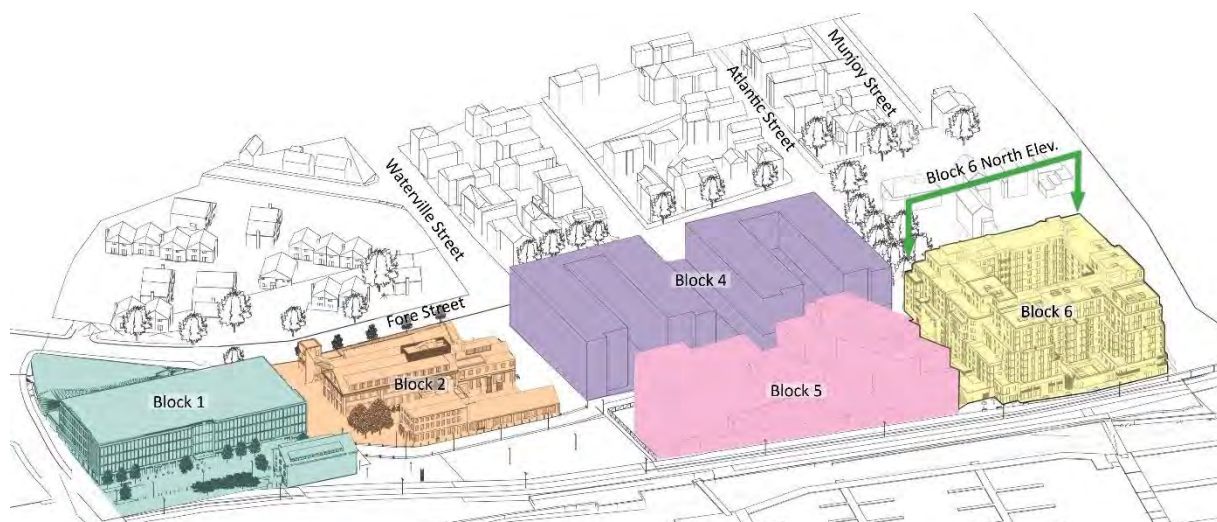


Figure 3: Axonometric view of proposed 58 Fore Street development provided by applicant showing the overall massing of the proposed Block 6 development (in yellow) adjacent to the southern edge of the Munjoy Hill Historic District. The north elevation of Block 6, indicated with the green arrows by Historic Preservation Staff and not visible from this view, falls within the boundaries of the Munjoy Hill Historic District.

SUMMARY OF HISTORIC CONTEXT

Munjoy Hill is a dense historic neighborhood with a blend of vernacular, working-class architecture and a number of grand, high-style houses which primarily face onto the Eastern Promenade. There are also a small number of commercial and institutional buildings scattered throughout.

Early in Portland's development, Munjoy Hill was sparsely populated with only a few houses located at the western base of the hill, closer to the waterfront. Other than the area occupied by the Portland Observatory and its attendant structures (constructed in 1807), the majority of the Hill was privately maintained as open-space for the pasturing of cows. The original Tukey's Bridge, constructed in 1796, connected the eastern end of the Portland peninsula to the mainland and prompted the laying out of Washington Avenue. Development on the hill remained slow-going early in the nineteenth century. Regardless, in 1836 the City of Portland purchased the lands along the edge of the peninsula that would eventually become the Eastern promenade in response to the increasing development. The earliest houses, of which only a few survive, were generally very modest one- to two-story wood-frame capes.



Figure 4: An example of an early, though somewhat altered, cape type house, which would have been common in the early- to mid-nineteenth century (7 Lafayette Street).

Development picked-up pace in the mid-nineteenth century with the founding of the Atlantic and St. Lawrence Railroad in 1845 and the Portland Company in 1847. Jobs at the Portland Company in particular, at the base of Munjoy Hill and along the waterfront, created the need for working-class housing in close proximity. The undeveloped tracts on Munjoy Hill provided ample space for that growth. Homes from the mid nineteenth century were often built in the vernacular Greek Revival style, featuring highly symmetrical façades and austere classically-inspired details.



Figure 5: An example of a more ornate asymmetrical gable-fronted Greek Revival (8 Sherbrook Street).

In the aftermath of the Great Fire of 1866, Portland found itself in dire need of additional housing and significant development occurred on Munjoy Hill. This was fueled by subdivision of the remaining large tracts of land and the arrival of horse-drawn (and later electric) streetcars, which made the easternmost ends of the peninsula easily accessible to downtown Portland. In this late-

nineteenth century era, the scale of buildings increased, with many two- to three-family Italianate and Second Empire structures being built. This dense mode of development was further fueled by an influx of immigrants in the early-twentieth century. The demand for housing led to the advent of the now ubiquitous triple-deckers which dominate the easternmost ends of Munjoy Hill. These large frame structures can be found dressed in various architectural styles that were popular from the 1880s into the 1910s.



Figure 6: A typical street showing examples of triple-deckers and Italianate duplexes (82, 84, 86, & 88 Beckett).

This same era also saw increased interest in the expansive views and beauty of the Eastern Promenade by Portland's wealthiest residents. A number of grand single-family homes were built along the Promenade in the Italianate, Second Empire, Shingle, and Queen Anne styles. This development in the very early-twentieth century solidified the Eastern Promenade streetscape as we know it today.



Figure 7: An example of grand Queen Anne style house facing onto the Eastern Promenade (140 Eastern Promenade).

Munjoy Hill has a long history of development and features highly varied architectural expressions across buildings. Many buildings also feature historical alterations, as past owners tried to update Capes or Greek Revival houses with Italianate or Queen Anne details, creating varied and dynamic layers of history. Regardless of this diversity, there are a handful of unifying features within the district. Construction is primarily of wood frame over brick or stone foundations, with only a handful of primarily brick structures. Structures are typically independent, but constructed densely, with tight driveways and side yards. Front yards are typically extremely shallow, with proximity to the sidewalk being prioritized even on large lots. Projecting bay windows or entry porches are often used to create additional variety along the sidewalk. Windows are predominantly vertically oriented with varied placement on front and side elevations.

The immediate vicinity of the proposed development is highly eclectic, reflecting the overall diversity of the district's architecture. 5, 6, and 22 Eastern Promenade are excellent examples of high-style grand homes typical of the promenade, as identified by their unique designs and exceptional architectural details. Meanwhile, 17, and 19 Eastern Promenade are fair examples of Queen Anne multi-family homes found throughout the district with their large gable fronts and stacked bay windows. 13 Eastern Promenade is another fine example of this typology; however, it is setback significantly from the street, speaking to the density with which the whole neighborhood was developed over the decades. 21 Eastern Promenade is an example of an early Greek Revival structure as embodied by its more modest scale, symmetrical composition, and strong corner pilasters and cornice.

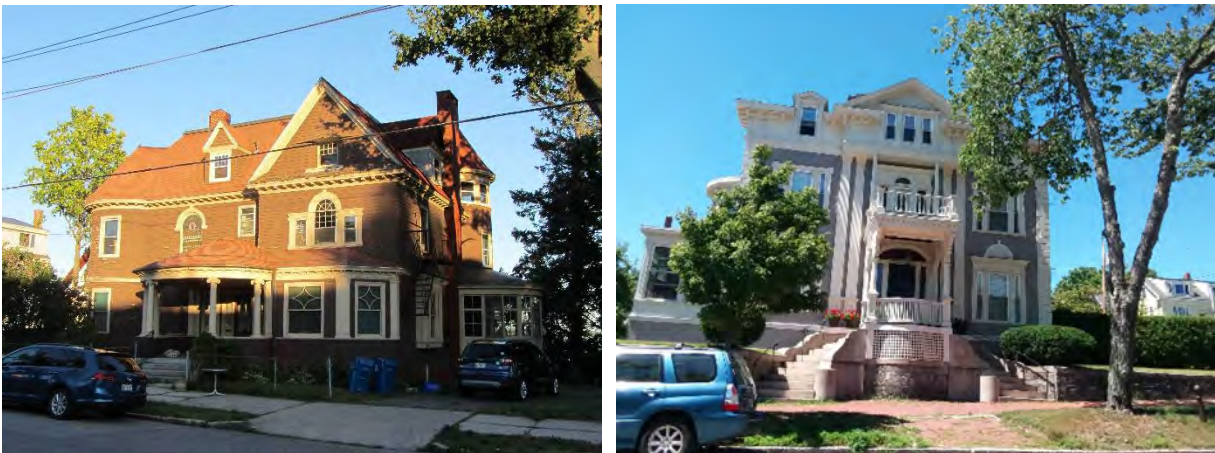


Figure 8: Examples of grand, high-style houses (5 Eastern Promenade, left and 6 Eastern Promenade, right) adjacent to the proposed development site.



Figure 9: Example of an early vernacular building (21 Eastern Promenade) and typical late-nineteenth century multi-family buildings (13 and 19 Eastern Promenade) adjacent to the proposed development site.

BACKGROUND

In 2016, the applicant received approval for a Master Development Plan (MDP) for the 58 Fore Street site. MDPs are an optional regulatory tool that can be used to guide large, multi-structure development projects such as is proposed for the 58 Fore Street site. Although the MDP approval does not constitute an authorization for development, it does maintain the applicability of regulations in effect at the time of approval for as long as the MDP approval remains valid. If an MDP is proposed for a site in a Historic District or designated as a Landmark, or a site located within 100 feet of a local historic designation, the MDP is subject to an advisory review by Historic Preservation. In 2016, when the applicant was applying for the MDP for 58 Fore Street, the Historic Preservation Board participated in the advisory review. Individual development projects are then still required to go through Site Plan Review by the Planning Board, and attain other necessary approvals such as a COA from Historic Preservation when development occurs within a historic district or the boundaries of a landmark structure.

Work at Blocks 1 and 2 have already gone through these reviews. Blocks 4, 5, & 6 are undergoing a joint development review. Blocks 4 & 6 are being presented to the Historic Preservation Board as two separate applications given that the areas of each block requiring a COA are located in different historic districts.

STAFF COMMENTS

The proposed Block 6 development is being brought forward for a first workshop in order to introduce the scope of the project to the Historic Preservation Board, to lay out the purview

boundaries for the Board, for feedback on the preliminary design of the project, and so that the Board can make clear what additional information will be needed to continue the review.

As discussed above, the majority of the project lies outside of the Munjoy Hill Historic District. Only the north elevation lies within the Historic District and therefore will require a COA from the Historic Preservation Board. The rest of Block 6 will be subject to an advisory design review by Historic Preservation Staff as part of the Development Review process.

The applicant has included information on portions of the building not subject to Historic Preservation Board review, and while the Board can certainly ask questions and provide comment on those portions of the building, questions and discussion should focus on those elements of the structure that are directly under Board purview. It is expected that the design review of the rest of the structure will be conducted in response to the design review by the Historic Preservation Board. By that same logic, in so far as the Board is able to consider the design of the rest of the structure through the lens of the Historic Preservation Standards for review, a cohesive and responsive design will benefit the project overall.

Staff have provided detailed comments on how the proposed structure responds to the standards for review of new construction below; however, staff would also like to provide several high-level comments for the Board's consideration throughout the discussion. These include the significant change in grade, lack of a street frontage within the district, the overall scale of the structure, and its design character.

The proposed development site is highly atypical given the significant change in grade that the structure will cross, transitioning from just below the level of Eastern Promenade to just above the waterfront along the Eastern Promenade Trail. This change is being used by the applicant to keep the apparent scale of the structure low at the north elevation within the Historic District, while the nine-story height will be readily apparent from the waterfront, and other areas outside the Historic District. The change in grade also means that the structure will meet grade at the north elevation at a height somewhat below the street.

Block 6 will also be set back significantly from the street, with no direct frontage in the Historic District. This means that the views of the north elevation will primarily be from between the historic structures that do front onto Eastern Promenade. The Board should consider the affect that the lower grade and the significant setback will have on the prominence of the structure in the streetscape of the district. In some ways, this primary north façade of Block 6 will be perceived more as the rear of the building, facing the rear of the historic structures. There are two existing, non-contributing two-story structures in this area, though the slope and lower areas of site have historically been minimally developed. Still, the composition of the façade should be carefully considered to ensure a compatible relationship with the historic structures.

The proposed Block 6 will be a large multi-unit building, but is being studied for compatibility with a much smaller scale residential district. Most buildings are two to three stories in height, with

narrow facades on tight urban lots. The proposed structure will appear to be a very compatible two-stories at the north elevation, but its overall width is much greater than typical. The applicant is proposing to break-up that width with some changes in material and several residential entries; however, it is a very flat façade, with only one shift in wall plane at the shared entrance. Staff would encourage the Board to discuss whether there are opportunities for the applicant to further break-up the mass at the north elevation by introducing additional shifts in wall plane to create masses that are more compatible in width with the adjacent historic structures. In particular, this could be employed at the eastern end of the north elevation where the grade drops away quickly, exposing lower levels of the structure.

Regarding the design character of Block 6, the structure will be clearly contemporary, while attempting to respond to the adjacent historic structures in scale and materials. One of the strategies employed in responding to historic context is to introduce a variety of siding, window placements, and implied building widths through changes in materials. Staff would encourage the Board to discuss whether this variety is a successful reference to the architectural variety of the historic district, or whether it overly complicates the façade, and a simpler and more regular design might be more successful.

The applicant has provided some detailed information on the proposed material palette for the development, and while staff would encourage the Board to focus discussion on larger elements of the design such as massing, scale, and fenestration, there is room for comment on the general direction of the proposed materials. The north elevation is primarily proposed to be clad in a blend of vertical and horizontal cementitious siding, though there are some proposed areas of stone veneer. The applicant has stated that the vertical siding is intended to create a “timber effect” while the horizontal siding is meant as a “nod to the horizontal clapboard of the region.” The Board might consider the compatibility of the proposed siding materials with the clapboard siding found throughout the district. In particular, the stone veneer siding may be out of character at the north elevation given that masonry structures are very uncommon in the Munjoy Hill Historic District, with only a small number of brick structures, and stone being almost exclusively limited to use at foundations.

In addition to responses to Board comments from the April 5th workshop, staff would recommend the applicant include some additional information in a next submission:

- Additional photo documentation of existing conditions including views from along the Eastern Promenade Trail, Fore Street, Eastern Promenade, and views from within the historic district;
- Additional photo-realistic renderings showing the proposed structures in relation to the historic structures along Eastern Promenade;

Staff would encourage the Board to make clear any additional views or information that should be provided for a second workshop.

Eventually, the applicant will also need to provide additional detailed information on exterior envelope construction, sitework, and exterior lighting. Once the above information has been

provided and the massing, scale, fenestration, and overall façade compositions have been workshopped, the applicant should begin to submit more detailed information for staff comment and finally Board review.

ANALYSIS OF APPLICABLE REVIEW STANDARDS

Standards for Review of New Construction, 17.8.3:

Standard A. Scale and Form	
1. Height	
The proposed height shall be visually compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines.	
Standard Met?	Staff Comments
For Board Discussion	The north elevation will generally be two-stories tall; though at the western end, the overall height of the structure will be made more apparent as the grade drops away. There may be opportunities to adjust the massing, and composition of the building to break up the large scale of the building.
2. Width	
The width of a building shall be visually compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines.	
Standard Met?	Staff Comments
For Board Discussion	As proposed, Block 6 is a large building, stretching across four parcels of varying widths making the structure larger than typically found in the district. The north elevation is proposed to be visually broken up with changes in material, suggesting a more compatible scale. However, the Board might consider whether the changes in material are sufficient to break-up the scale, or if additional steps, such as shifts in wall plane, might be needed
3. Proportion of principal facades	
The relationship of the width to the height of the principal elevations shall be visually compatible with structures, public ways, and open spaces to which it is visually related.	
Standard Met?	Staff Comments
For Board Discussion	Again, the north elevation of Block 6 is wider than it is tall; however, the height is not out of character. The Board might consider whether there are opportunities to improve the apparent proportions of the north elevation by further breaking up the width.

4. Roof shapes The roof shape of a structure shall be visually compatible with the structures to which it is visually related.	
Standard Met?	Staff Comments
For Board Discussion	Block 6 is proposed to have flat roofs at a variety of levels. Flat roofs are common throughout the Munjoy Hill Historic District.
5. Scale of a structure The size and mass of structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the structures, public ways, and places to which they are visually related.	
Standard Met?	Staff Comments
For Board Discussion	Block 6 will be a larger building than typically found throughout the Historic District. However, the Board should consider its placement in relation to the streetscape and adjacent historic structures in that it is set back significantly from Eastern Promenade, being behind adjacent historic structures and set somewhat below them. The scale at the north elevation will be two-stories, with the majority of the building's mass located below the level of the street. The overall scale of the building will be readily apparent from public ways such as Thames Street or the Eastern Promenade Trail, which are located outside the Historic District.

Standard B. Composition of Principle Facades	
1. Proportion of openings The relationship of the width to height of windows and doors shall be visually compatible with structures, public ways, and places to which the building is visually related.	
Standard Met?	Staff Comments
For Board Discussion	Generally, the north elevation is proposed to have vertically oriented windows and doors. In some areas, such as the shared building entrance, the windows are grouped and much larger than typical of the district.
2. Rhythm of solids to voids in facades The relationship of solids to voids in the façade of a structure shall be visually compatible with structures, public ways, and places to which it is visually related.	
Standard Met?	Staff Comments
For Board Discussion	The north elevation generally features an even distribution of fenestration; however, ends of the elevation, in particular the eastern end, feature some larger areas of solid wall. As well, the overall elevation has a higher-proportion of solid than is typical of the historic district. The Board might consider if there are opportunities to incorporate additional fenestration across the elevation.

<u>3. Rhythm of entrance porch and other projections</u> The relationship of entrances and other projections to sidewalks shall be visually compatible with the structures, public ways, and places to which they are visually related.	
Standard Met?	Staff Comments
For Board Discussion	While Block 6 is a large, multi-unit building, the north elevation is proposed to have several entrances to specific units on the north side of the building in addition to a shared entrance, which follows more the pattern of the individual historic building within the district. These entrances are set back significantly from the sidewalk given the placement of the proposed structure behind and down the slope from Eastern Promenade; however, there are several examples of structure being set back from the street throughout the district given the long and dense development history of the district. The Board might consider whether the placement and patterning of these entrances could be coordinated with any changes in wall plane and material.
<u>4. Relationship of materials</u> The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in the structures to which they are visually related.	
Standard Met?	Staff Comments
For Board Discussion	The applicant is proposing to clad the structure in a mixture of veneer stone and vertically and horizontally oriented cementitious paneling. The stone cladding is largely out of character with the predominantly frame construction of the historic district. The Board might consider whether the proposed panelized materials will be sufficiently compatible in the color and texture with the typical clapboard siding of the historic district.

Standard C. Relationship to Street	
<u>1. Walls of continuity</u> Facades and site structures, such as masonry walls, fences, and landscape masses, shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the structures, public ways, and places to which such elements are visually related.	
Standard Met?	Staff Comments
For Board Discussion	The proposed structure will be set-back significantly from the street and will not have a significant impact on the street wall immediately next to the sidewalk. Instead, the structure will likely create a sense of enclosure behind the buildings. While not historically present at this location given the significant grade change behind the existing structures, that type of enclosure is common at the rear of many historic structures given the density of development, with structures often backing very closely onto structures fronting adjacent streets.

<u>2. Rhythm of spacing and structures on streets</u> The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways, and places to which it is visually related	
Standard Met?	Staff Comments
For Board Discussion	The proposed structure will not affect the rhythm and spacing of structures on the street as it will be set back so significantly. The structure is atypically long, stretching the width of four parcels. The Board might consider whether the North façade should be further broken up to emulate the rhythm of the adjacent historic structures.
<u>3. Directional expression of principal elevation</u> A structure shall be visually compatible with the structures, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character.	
Standard Met?	Staff Comments
For Board Discussion	Generally, the structure has a horizontal express, given its length, however, this is broken up by changes in material, and contrasted with areas of vertical cladding, and vertical windows. Generally, facades are more vertically oriented throughout the Historic District, but feature contrasting directionalities with horizontal siding and vertical windows.
<u>4. Streetscape, pedestrian improvements</u> Streetscape and pedestrian improvements and any change in the appearance thereof located adjacent to or on a landmark, within a historic district, or within a historic landscape district which is readily visible from any street or open space shall not be incongruous to the historic character of the landmark or district and shall comply with the criteria and guidelines specified in the Historic Resources Design Manual.	
Standard Met?	Staff Comments
For Board Discussion	Additional information should be provided about any streetscape and pedestrian improvements as well as sitework in the area behind the historic structures that are being proposed within the Historic District for review at future workshops.

Standard D. Other Standards	
<u>1. Compatible use</u> Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration to the character defining features of the structure, object, or site and its environment or to use a property for its originally intended purpose.	
Standard Met?	Staff Comments
For Board Discussion	Generally, the proposed mixed use of the development is not incompatible with the site, in particular because the north elevation is proposed to contain exclusively residential uses adjacent to the residential historic district.

<u>2. Distinguishing original character</u> The distinguishing original qualities or character of a structure, object, or site and its environment shall not be destroyed. The alteration of any historic material or distinctive architectural features should be avoided when possible.	
Standard Met?	Staff Comments
For Board Discussion	The proposed development will not damage any significant historical material. The proposed placement and arrangement of the development will affect the visual relationship between several historic structures along Eastern Promenade and areas outside the historic district such as the adjacent Portland Company Historic District and the Eastern Promenade Trail. The development is proposed for areas of Portland's East End that have historically been developed with industrial uses.
<u>4. Contemporary design</u> Contemporary design for additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural, or archaeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, material, and character of the property, neighborhood and environment.	
Standard Met?	Staff Comments
For Board Discussion	The applicant has taken a design approach that is leading towards an assemblage of clearly contemporary buildings while attempting to respond to the historic character of the district. Staff would encourage board discussion of how the proposed designs could be adjusted to improve the compatibility of the development in terms of scale, material, design details that characterize the historic buildings.

ATTACHMENTS

1. Project Summary
2. Presentation and Renderings
3. Plans Elevations
4. Material Palette

March 2, 2023

Portland Foreside Block 6: The Channel Mark

Historic Preservation Application Cover Letter

Evan Schueckler
Historic Preservation Program Manager
Planning & Urban Development Department
389 Congress Street, 4th Floor
Portland, ME 04101

Phone: 207.874.8726
Email: evans@portlandmaine.gov

Dear Mr. Schueckler,

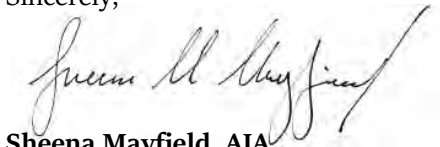
Thank you for taking the time on February 17th for our team to present Portland Foreside's Block 6 project, The Channel Mark, to you and your colleagues. We appreciate the initial feedback we received in that meeting and have prepared this submission in response.

The Channel Mark's exterior aesthetic references the landscape in which it sits, taking cues from the distinct linearity of stepping and stacking found within the geology of Maine's coastline. The structure has a quiet confidence, with materiality specifically chosen to reflect this and its surroundings. At the first and second level — where the building is adjacent to grade — a base of rustic, solid stone harkens to the stoicism of the seawall. As within traditional stone construction, the design incorporates a gradient of dimension decreasing in height where it surpasses the second level. Above the stone, there is a second tier of textured concrete panel, which recalls the industrial heritage of the Portland Company site, alluding to striation and erosion from exposure to the waterfront elements. The heights of the building are of a "timber effect" slat wall panel, in a primarily vertical orientation, topped at discrete locations with landscaping and greenery, mimicking the coastal forest. Select areas are positioned horizontally in a nod to the vernacular clapboard of the region.

Of primary concern to the Historic Preservation Board is the portion of The Channel Mark which partially resides within the edge of the Munjoy Hill Historic District. The design of this North elevation intends to respond both to the larger building of which it is a part, and the smaller residential scale of the surrounding historic fabric to which it directly abuts. This is achieved most notably by virtue of the existing site topography and building orientation. At this North elevation, the building touches the ground at its seventh level above the waterfront. With a total building height of eight stories at this face, the elevation appears to be two residential — stories plus screening and penthouse beyond — from this vantage. Additionally, the Channel Mark sits both below, in elevation, and behind several historic properties which front Fore Street/Eastern Promenade. This arrangement aligns with the neighborhood's dense development pattern and provides for limited views of the building at the street level. The massing viewed at that vantage respects the Atlantic Street View Corridor, while echoing the two- and three-story residential structures that constitute the primary architectural typology of the historic district.

Aesthetically, the North elevation is intended as a modulation between the Channel Mark's overarching material palette and the dominant architectural patterns of the surrounding neighborhood. The stone utilized as a low wall and water table on this North elevation is a native New England granite and found to a greater extent on the Entry and Waterfront elevations. Here, it references the 18th-century stone walls found throughout Munjoy Hill. Clapboard-inspired materials used in both horizontal and vertical patterning break up the massing, creating a residential scale and connecting the building to the historic homes nearby. Additionally, several dwellings have front door access to the North terrace, communicating directly with its historic neighbors. This combination of elements is meant to create a sincere and activated relationship with both the surrounding structures—new and old—and the community beyond. We invite you to refer to the initial exterior finish schedule and elevations (A200) for an extended material palette and great design intent.

Sincerely,



Sheena Mayfield, AIA

Associate | Architect

Baskervill

Phone: 804.728.3049

Email: smayfield@baskervill.com

Please find included as attachments or appendices to this cover letter the Portland Foreside Block 6 Historic Preservation Application supplemental documents listed below.

- City of Portland Planning & Urban Development Department, Historic Preservation Application Submission Checklist (*attached, Page 3*)
- Evidence of right, title and interest for both Block 4 & Block 6 (*attached, Page 4*)
- Exterior photographs of Property and Surrounding Context is included within [Appendix A - 230309_HP Presentation.pdf] an update to the presentation viewed February 17th, 2023 (*forthcoming*)
- Drawing including elevations, sections, and plans are included in [Appendix B - 230309_PFD Block 6_HP Drawing Submission.pdf] (*forthcoming*)
- An exterior materials list and catalog of product information is provided in [Appendix C - 230309_Exterior Facade Material Catalog.pdf] (*forthcoming*)

CITY OF PORTLAND
Planning & Urban Development Department

HISTORIC PRESERVATION APPLICATION SUBMISSION CHECKLIST Please submit each document as a separate PDF file Please confirm by electronically checking the boxes to the left		
To supplement your application, please submit the following items <i>as applicable to your project</i>. Keep in mind that the written project description that you provide the Historic Preservation Board and staff, is the only description they will have of your project or design. Therefore, it should precisely illustrate the proposed alteration(s), additions, and/or infill construction.		
GENERAL APPLICATION DOCUMENTS		
Yes ☒	N/A ☐	Project Description Cover Letter with detailed project description
Yes ☒	N/A ☐	Completed Checklist for Historic Preservation review (this document)
Yes ☒	N/A ☐	Evidence of Right, Title and Interest Deeds, leases or purchase and sales agreements
PLANS, etc.		
Yes ☒	N/A ☐	Exterior photographs of property (required for all applications). Include a general streetscape view, view of entire building, and close-ups of project area.
Yes ☒	N/A ☐	Sketches or elevation drawings at a minimum ¼" scale.
Yes ☒	N/A ☐	Details or wall sections, where applicable.
Yes ☒	N/A ☐	Floor plans, where applicable.
Yes ☒	N/A ☐	Site Plan, where applicable, showing relative location of adjacent structures.
Yes ☒	N/A ☐	Catalog cuts or product information (e.g. proposed windows, doors, fencing).
Yes ☒	N/A ☐	Materials – list all visible exterior materials.

EVIDENCE OF RIGHT, TITLE & INTEREST

The following materials have also been provided as part of the Portland Foreside Block 4 and 6 Site Plan Application (PL-002202-2022) and are applicable for Historic Preservation Certificate of Appropriateness applications for Blocks 4 and 6 (the Projects).

Right, Title & Interest

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

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

Easements & Other Burdens

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

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

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

Attachments

- Property Deeds

ATTACHMENTS: PROPERTY DEEDS

TRUSTEE'S DEED
(Maine Statutory Short Form)

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

See Attached Exhibit A

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

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

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

WITNESS:

Cecilia de la Cruz

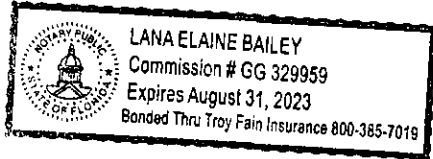
Timothy J. Haley
Timothy Haley, Sole Trustee of The Timothy Haley
Living Trust, dated June 3, 2005

MAINE REAL ESTATE TAX PAID

STATE OF FLORIDA
COUNTY OF MARTIN, ss.

December 28, 2021

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



Before me,

Lana Elaine Bailey
Attorney at Law/Notary Public

Print Name:

Lana Elaine Bailey
My Commission Expires: 8-31-23

Exhibit A

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

PARCEL ONE:

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

PARCEL TWO:

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

PARCEL THREE:

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

Doc# 91587 Bk:39047 Pg: 294

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

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

SHORT FORM QUITCLAIM DEED WITH COVENANTDLN: 1002040119134

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

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

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

WITNESS:


Name: Richard D. Prentice

CPB2 I LLC

By: CPB2 Management LLC, Manager

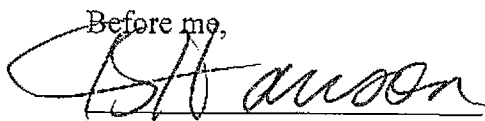
By: 
Casey W. Prentice, Manager

State of Maine
County of Cumberland, ss.

November 3, 2020

PERSONALLY APPEARED the above-named Casey W. Prentice, Manager of CPB2 Management LLC, Manager of CPB2 I LLC, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability companies.

Before me,



Notary Public/Attorney at Law

Print Name: Tom S. Haddon

Commission Expires: N/A

EXHIBIT A

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

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

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

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

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

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

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

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

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

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

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

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

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

13531538.3
12481681.4.4.3.3.2

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

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

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

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

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

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

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

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

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

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

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

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

13531538.3

12481681.4.4.3.3.2

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

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

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

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

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

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

MAINE REAL ESTATE TAX-Paid

QUITCLAIM DEED WITHOUT COVENANT
DLN: **1002140132239**

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

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

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

WITNESS:

PF LAND LLC



Name:

By:


Casey W. Prentice, Manager

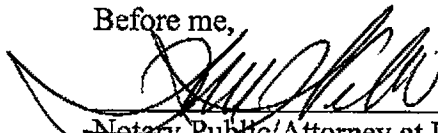
State of Maine

County of Cumberland, ss.

February 9, 2021

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

Before me,



Notary Public/Attorney at Law

Print Name: William M. Welch

Commission Expires:

EXHIBIT A

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

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

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

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

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

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

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

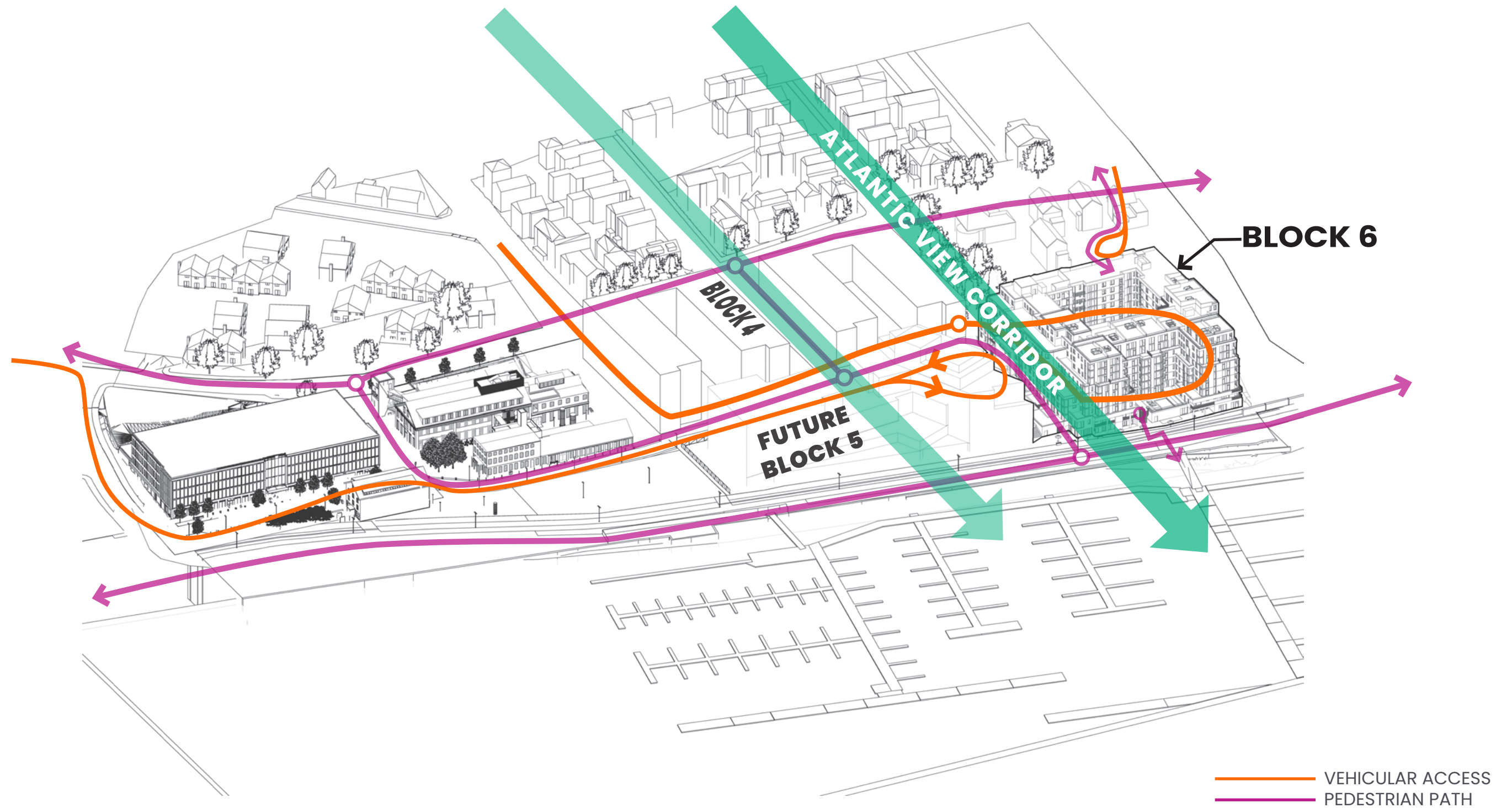
THENCE, S 40°31'10" W ALONG PARCEL 1C A DISTANCE OF 28.56 FEET;

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

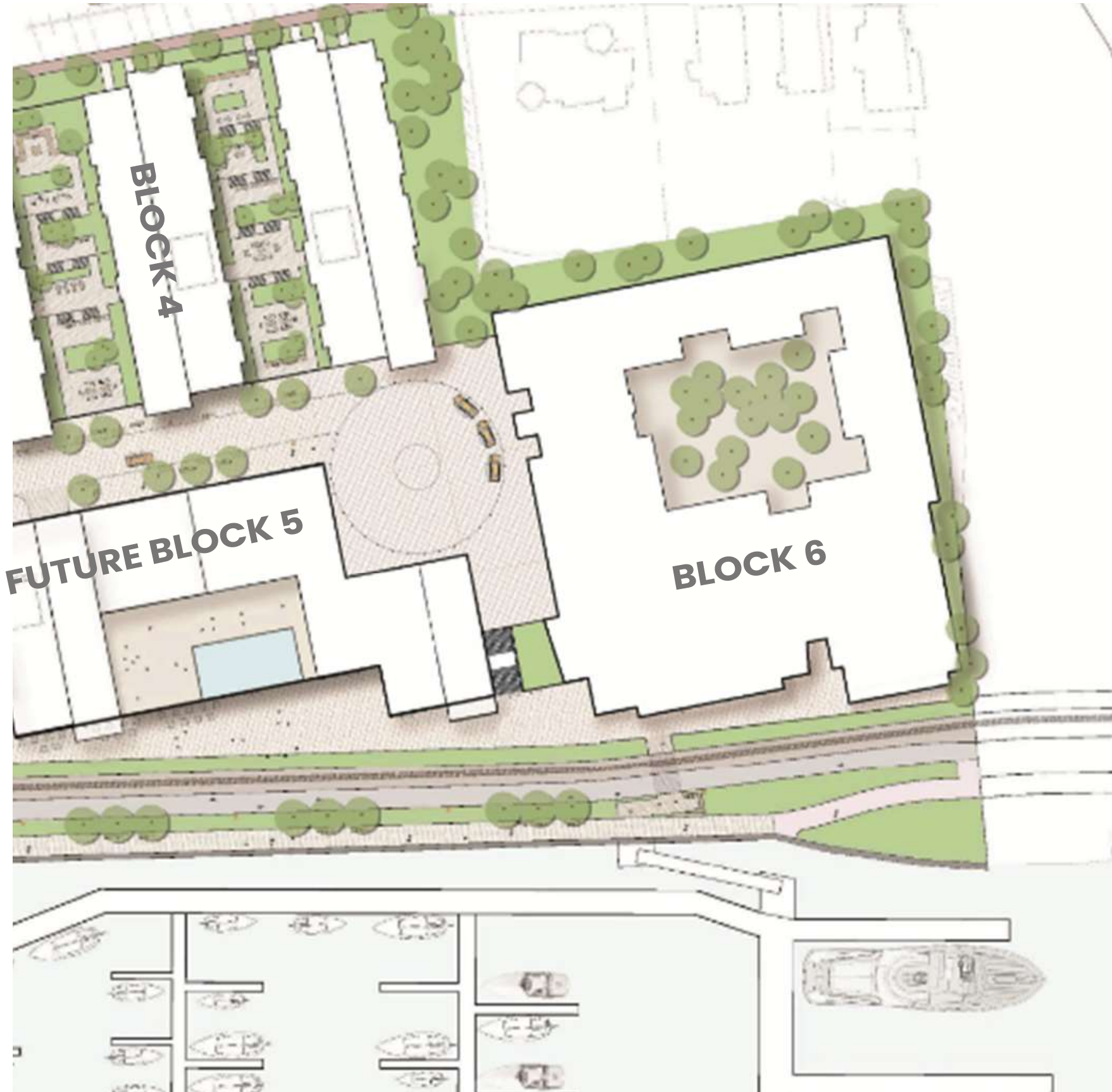
BEARING ARE BASED ON MAINE STATE PLANE COORDINATE SYSTEM WEST ZONE NAD 83.



THE CHANNEL MARK- BLOCK 6 – BUILDING LOCATION | MARCH 9, 2023



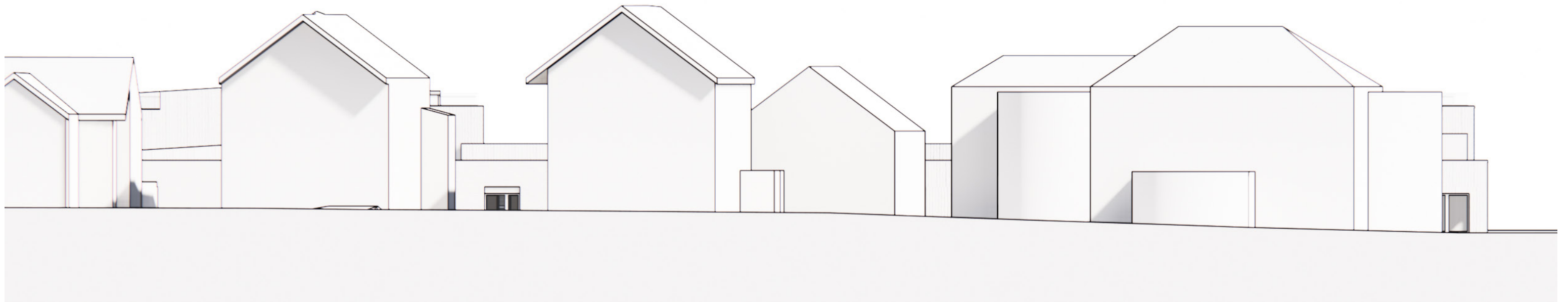
BLOCK 6 – CIRCULATION AND VIEW ANGLE DIAGRAM | MARCH 9, 2023



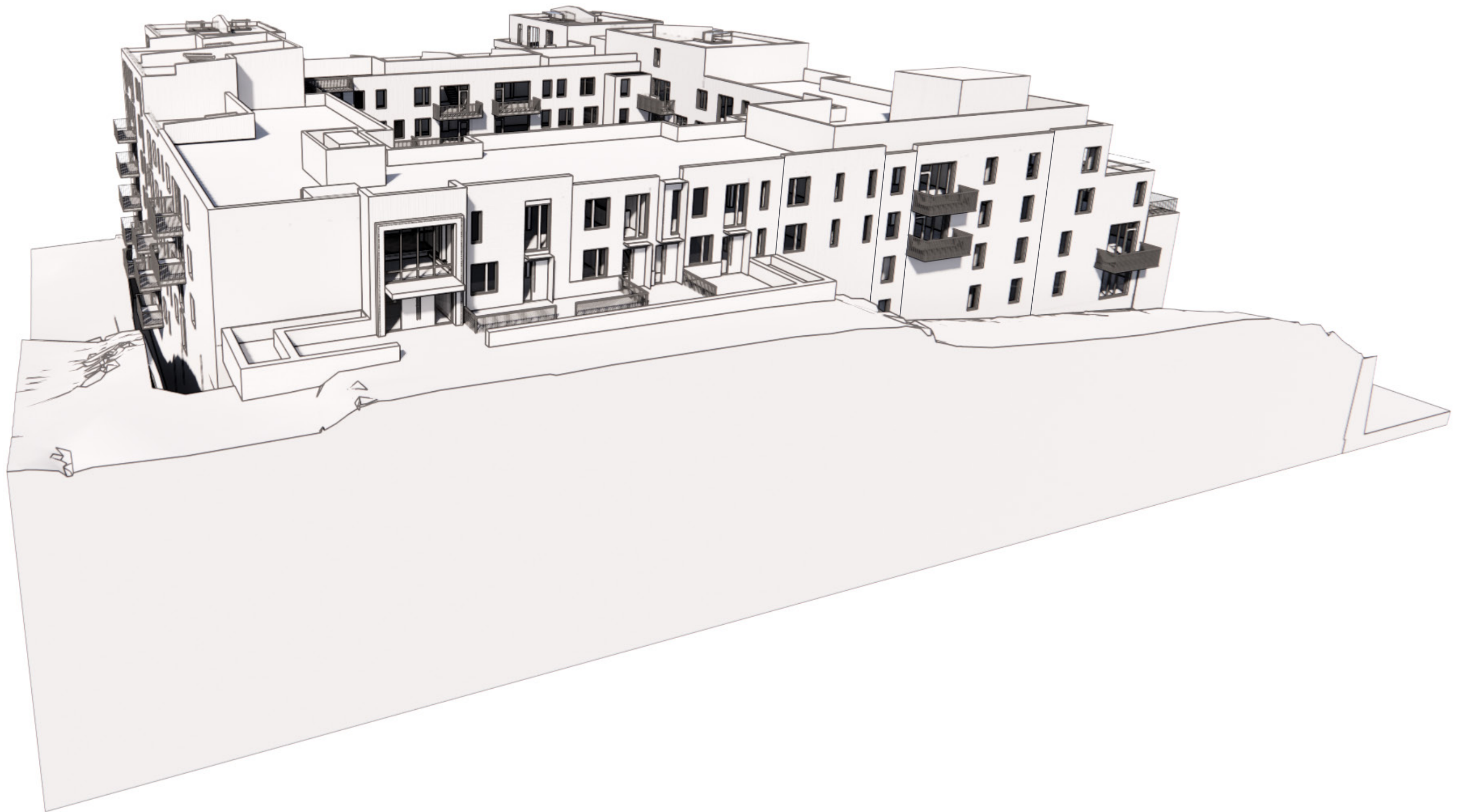
BLOCK 6 – SITE PLAN | MARCH 9, 2023



BLOCK 6 – NORTH ELEVATION | MARCH 9, 2023



BLOCK 6 – EASTERN PROMENADE ELEVATION | MARCH 9, 2023



BLOCK 6 – EASTERN PROMENADE ISOMETRIC VIEW | MARCH 9, 2023



BLOCK 6 – WATERFRONT ISOMETRIC VIEW | MARCH 9, 2023



View from within development property towards Munjoy Hill 7 Portland House Condominiums



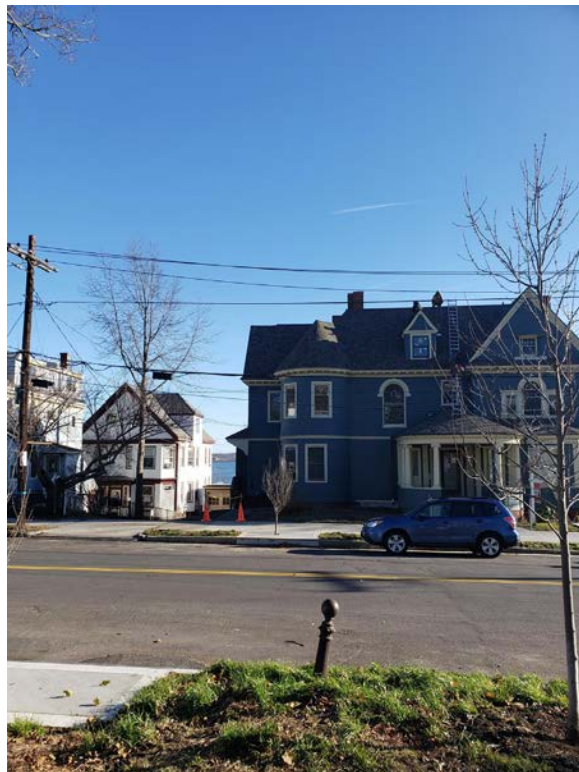
View of Eastern Promenade Trail adjacent to development



View from within development property looking towards Waterfront and across development site



View of adjacent Portland House Condos & Historic Properties



View from Atlantic St towards Waterfront and across development site (Atlantic View Corridor)



View from corner of Atlantic St & Fore St/Eastern Promenade



View from corner of St Lawrence St & Fore St

BLOCK 6 – EXISTING CONDITIONS SITE PHOTOS | MARCH 9, 2023

NOT TO SCALE

11



WATERFRONT BUILDING SECTION

NOT TO SCALE

BLOCK 6 – HEIGHT COMPARISON SECTION | MARCH 9, 2023



CONCEPTUAL VIEW FROM PORTLAND HOUSE: LOW VIEW (ON PARKING DECK)

NOT TO SCALE

BLOCK 6 – CONCEPTUAL VIEW | MARCH 9, 2023



CONCEPTUAL VIEW FROM PORTLAND HOUSE: MIDDLE VIEW

NOT TO SCALE

BLOCK 6 – CONCEPTUAL VIEW | MARCH 9, 2023



CONCEPTUAL VIEW FROM PORTLAND HOUSE: HIGH VIEW

NOT TO SCALE

BLOCK 6 – CONCEPTUAL VIEW | MARCH 9, 2023



BLOCK 6 – WATERFRONT CONCEPTUAL RENDERING | MARCH 9, 2023



BLOCK 6 – WATERFRONT CONCEPTUAL RENDERING | MARCH 9, 2023

PORTLAND FORESIDE DEVELOPMENT COMPANY LLC

PFDC – BLOCK 6: THE CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

OWNER / CLIENT

PORTLAND FORESIDE DEVELOPMENT
COMPANY LLC
245 COMMERCIAL STREET, SUITE 118
PORTLAND, ME 04101
+1 207 517 1100
WWW.PORTLANDFORESIDE.COM
CONTACT: TIM SCHNEIDER

ARCHITECTURE / INTERIORS / MEP

BASKERVILL
THREE JAMES CENTER;
1051 E. CARY, SUITE 200
RICHMOND, VA 23219
+1 804 343 1010
WWW.BASKERVILL.COM
CONTACT: ANGELO PHILLOS

LANDSCAPE

MICHAEL BOUCHER
LANDSCAPE ARCHITECTURE
457 US ROUTE 1, SUITE 2
FREEPORT, ME 04032
+1 207 865 1080
WWW.BOUCHERLANDSCAPE.COM
CONTACT: MICHAEL BOUCHER

CIVIL ENGINEER

WOODARD & CURRAN, INC
41 HUTCHINS DR
PORTLAND, ME 04102
+800 426 4262
WWW.WOODARDCURRAN.COM
CONTACT: DENISE CAMERON

STRUCTURAL ENGINEER

THORNTON TOMASETTI, INC
14 YORK ST, SUITE 2
PORTLAND, ME 04101
+1 207 879 1838
WWW.THORNTONTOMASETTI.COM
CONTACT: TODD NEAL

BUILDING ENCLOSURE

SIMPSON GUMPERTZ & HEGER, INC
1625 EYE STREET NW, SUITE 900
WASHINGTON, DC 20006
+1 202 239 4199
WWW.SGH.COM
CONTACT: BRADFORD CARPENTER

ACOUSTICS / AUDIO VISUAL
/ TELECOM / SECURITY

ACENTECH
33 MOULTON ST
CAMBRIDGE, MA 02138
+1 617 499 8000
WWW.ACENTECH.COM
CONTACT: JAY EPSTEIN

POOL CONSULTANT

MARTIN AQUATIC DESIGN &
ENGINEERING
189 S. ORANGE AVE, SUITE 1220
ORLANDO, FL 32801
+1 407 598 0550
WWW.MARTINAQUATIC.COM
CONTACT: JONATHAN TOAVS

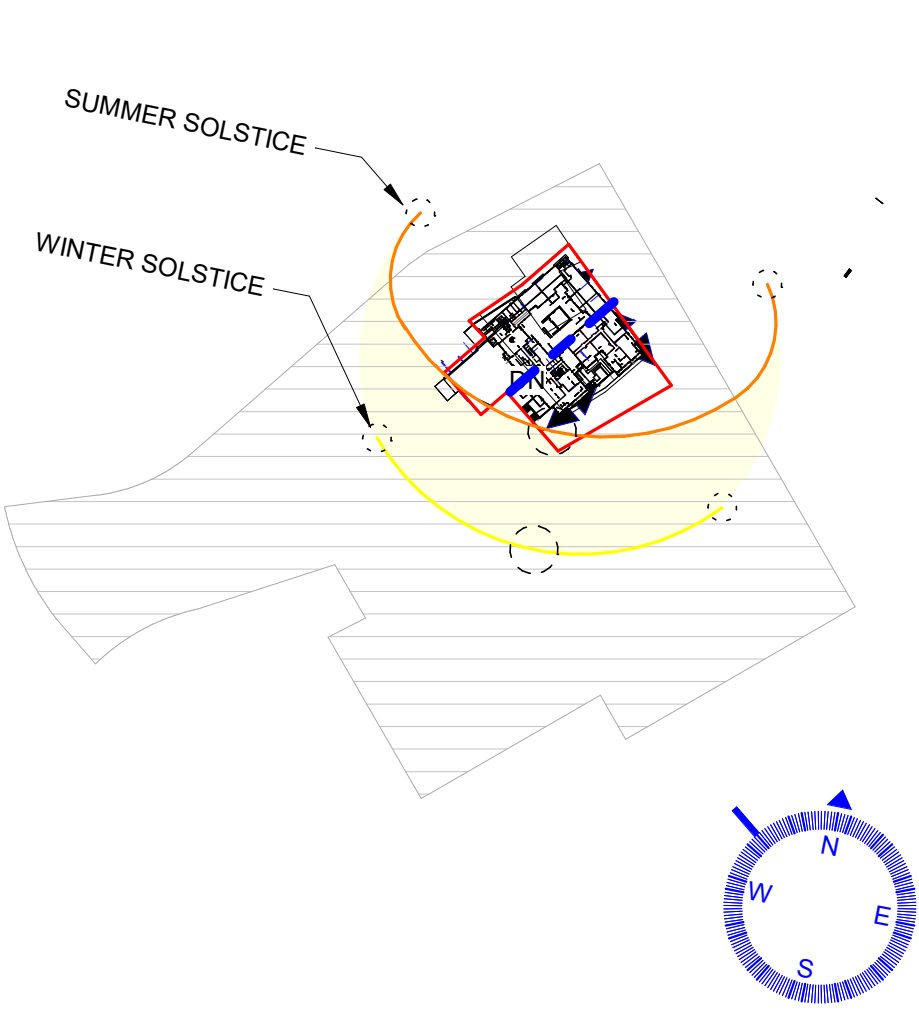
CONCEPTUAL 3D VIEW



VICINITY MAP



KEY PLAN AND SOLAR DIAGRAM



DESCRIPTION OF WORK

AN OCEANFRONT MIXED-USED DEVELOPMENT CUT INTO THE RIVERBANK TO CONTAIN LUXURY CONDOS & ASSOCIATED AMENITIES ARRANGED AROUND A COURTYARD. BUILDING IS TO BE SITUATED ABOVE A COVERED PARKING DECK WHICH IS CONNECTED THROUGH TO ADJACENT PARCELS WITHIN A LARGER DEVELOPMENT AND FACED WITH RETAIL SPACE ALONG THE WATERFRONT AND PROMENADE.

CODE DATA SUMMARY

USE GROUP:	A-2, A-3, M, R-2, S-1, S-2
CONSTRUCTION TYPE (602):	1B (PROTECTED, NONCOMBUSTABLE)
FULLY SPRINKLERED:	Yes
FIRE ALARM SYSTEM:	Yes
HEIGHT OF BUILDING:	99' - 0" (9 STORIES)
HIGH RISE:	Yes
AGENCY CODE:	MAINE UNIFORM BUILDING AND ENERGY CODE (MUBEC) WITH CITY OF PORTLAND AMENDMENTS
BUILDING CODE:	2015 INTERNATIONAL BUILDING CODE (IBC)
MECHANICAL CODE:	2015 INTERNATIONAL MECHANICAL CODE (IMC) +ASHRAE 62.1 & 62.2 (2013), 90.1 (2016), ASTM E-1465-2008
PLUMBING CODE:	2021 UNIFORM PLUMBING CODE (UPC)
ELECTRICAL CODE:	2020 NATIONAL ELECTRIC CODE (NEC)
FIRE CODE:	CITY OF PORTLAND MUNICIPAL CODE CH. 10 FIRE PREVENTION AND PROTECTION
NFPA:	2018 NFPA 1 & 101
ACCESSIBILITY CODE:	2009 ICC A117.1 & 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN (ADA)
ENERGY CODE:	2021 INTERNATIONAL ENERGY AND CONSERVATION CODE (IECC)

LIGHTING DESIGN

FLUX STUDIO
1714 ST. PAUL ST
BALTIMORE, MARYLAND 21202
202 368 5186
WWW.FLUXSTUDIO.NET

DRAWING INDEX

SHEET NO	SHEET TITLE	REV NO	REV DATE
T001	TITLE SHEET		
T002	SHEET INDEX AND EXTERIOR VIEWS		
L1.0	LANDSCAPE REFERENCE PLAN		
A111	LEVEL 1 - OVERALL PLAN		
A112	LEVEL 2 - OVERALL PLAN		
A113	LEVEL 3 - OVERALL PLAN		
A114	LEVEL 4 - OVERALL PLAN		
A115	LEVEL 5 - OVERALL PLAN		
A116	LEVEL 6 - OVERALL PLAN		
A117	LEVEL 7 - OVERALL PLAN		
A118	LEVEL 8 - OVERALL PLAN		
A119	LEVEL 9 - OVERALL PLAN		
A120	LEVEL 10 - PLAN		
A200	EXTERIOR ELEVATIONS		
A201	EXTERIOR ELEVATIONS		
A202	EXTERIOR ELEVATIONS		
A203	EXTERIOR ELEVATION		
A300	OVERALL BUILDING SECTIONS		

UNCONDITIONED GROSS SF

ENCLOSED GARAGE UNDER BUILDING	34,170 SF
ENCLOSED GARAGE UNDER PODIUM	15,458 SF
GARAGE GSF: 2	49,628 SF

CONDITIONED GROSS SF

BUILDING AREA LESS PARKING	296,633 SF
----------------------------	------------

CONDITIONED BUILDING GROSS BY LEVEL

LEVEL 1	
BUILDING AREA LESS PARKING	14,909 SF
LEVEL 2	
BUILDING AREA LESS PARKING	42,421 SF
LEVEL 3	
BUILDING AREA LESS PARKING	41,072 SF
LEVEL 4	
BUILDING AREA LESS PARKING	42,242 SF
LEVEL 5	
BUILDING AREA LESS PARKING	40,100 SF
LEVEL 6	
BUILDING AREA LESS PARKING	39,465 SF
LEVEL 7	
BUILDING AREA LESS PARKING	35,371 SF
LEVEL 8	
BUILDING AREA LESS PARKING	31,812 SF
LEVEL 9	
BUILDING AREA LESS PARKING	9,241 SF
LEVEL 10	
BUILDING AREA LESS PARKING	296,633 SF

LEASABLE SPACE COUNT

LEVEL 1	
RETAIL A	1
RETAIL B	1
RETAIL C	1
RETAIL D	1
LEVEL 2	
RETAIL SUITE	1
LEVEL 3	
RETAIL SUITE	5

SELLABLE SPACE COUNT

LEVEL 2	
1BR	2
2BR	9
3BR	6
LEVEL 3	
1BR	1
2BR	16
3BR	5
LEVEL 4	
1BR	4
2BR	19
3BR	3
LEVEL 5	
1BR	4
2BR	19
3BR	2
LEVEL 6	
1BR	4
2BR	21
3BR	1
LEVEL 7	
1BR	1
2BR	15
3BR	5
LEVEL 8	
1BR	1
2BR	8
3BR	2
PENTHOUSE	8
LEVEL 9	
1BR	19
2BR	156

OVERALL UNIT COUNT

1BR	17
2BR	107
3BR	24
PENTHOUSE	8
BUILDING TOTAL UNITS: 156	156

Baskervill

FORESIDE/

THE
CHANNEL
MARK®

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

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER

2.210338.0

PFDC – BLOCK 6: THE
CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

ISSUE

03/09/23 - HISTORIC

PRESERVATION PACKAGE

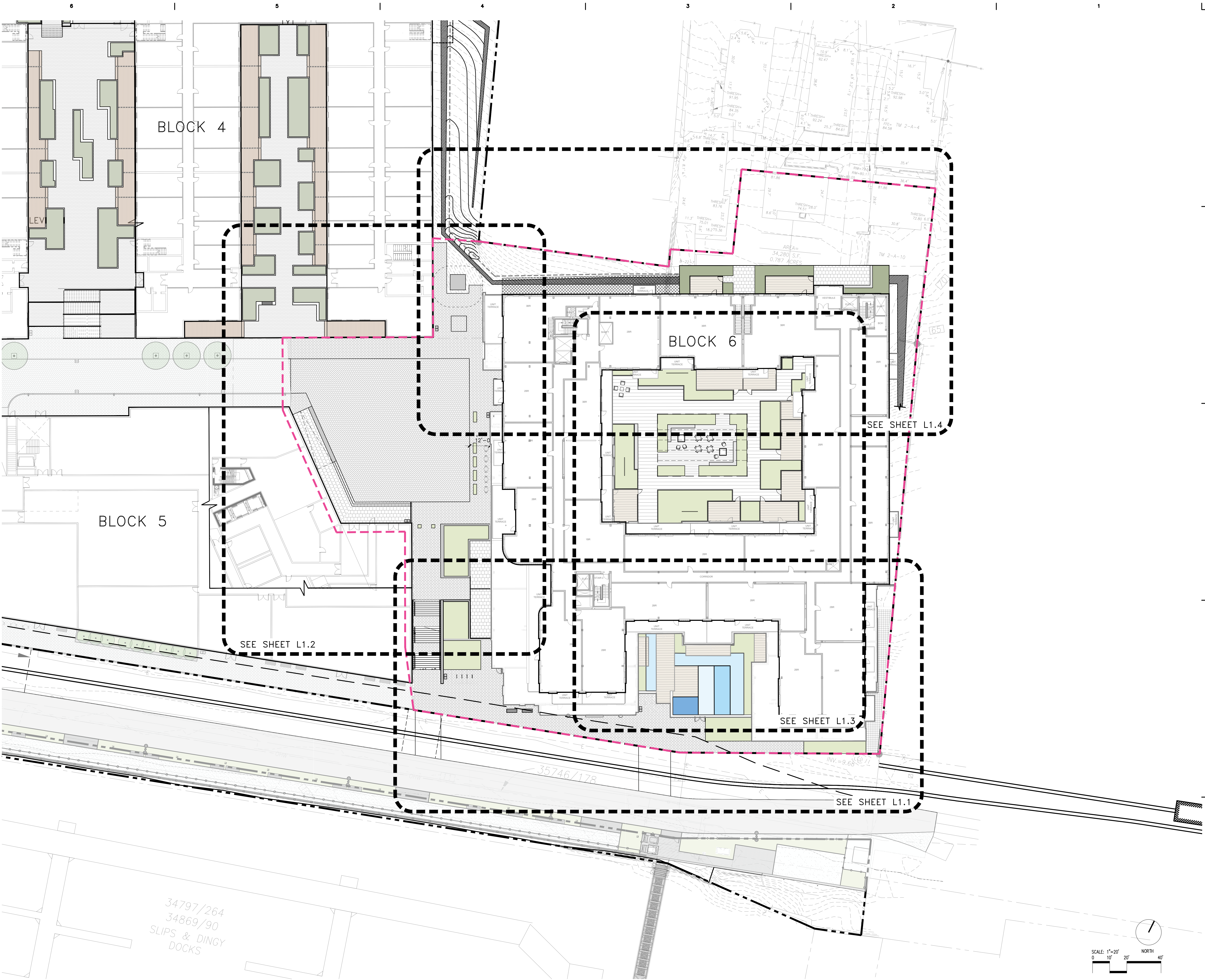
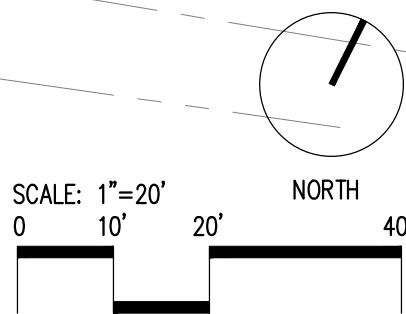
TITLE SHEET

T001



3A CONCEPTUAL EXTERIOR RENDERING

SCALE: 1/2" = 1'-0"



LEVEL 1 - PUBLIC SPACE SCHEDULE		
NO	SPACE	NET AREA
LEVEL 1		
103	CORRIDOR	956 SF
417	CORRIDOR	125 SF
GG		
MT	MARINA PLAZA	935 SF
RA	RETAIL A	1599 SF
RA T	RETAIL TERRACE	594 SF
RB	RETAIL B	1079 SF
RB T	RETAIL TERRACE	574 SF
RC	RETAIL C	1378 SF
RD	RETAIL D	3062 SF
		10302 SF

LEVEL 1- COMMON SPACE SCHEDULE		
SPACE TYPE	NET AREA	
LEVEL 1		
COMMON SPACE - ACCESS	1734 SF	
COMMON SPACE - AMENITY	1520 SF	
COMMON SPACE - BOH	443 SF	
COMMON SPACE - PARKING	614 SF	
COMMON SPACE - UTILITIES	1332 SF	
	5643 SF	

AREA/UNIT TYPE

- SITE - OUTDOOR SPACE

RETAIL

RETAIL - ACCESS SPACE

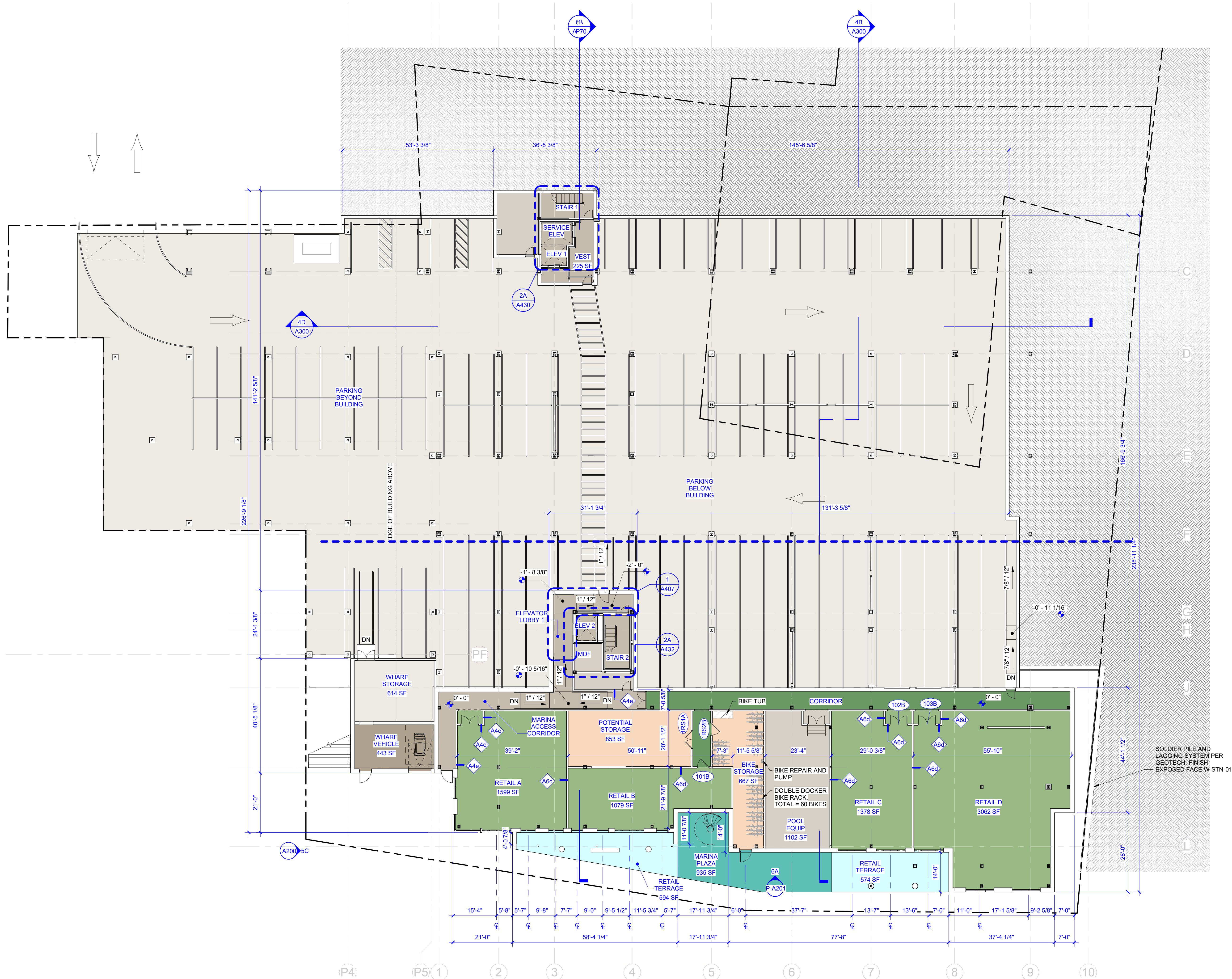
RETAIL - OUTDOOR SPACE

COMMON SPACE - BOH
- COMMON SPACE - ACCESS

COMMON SPACE - UTILITIES

COMMON SPACE - PARKING

COMMON SPACE - AMENITY



5A LEVEL 1 (MARINA/PROMENADE) - PLAN

SCALE: 1/16" = 1'-0"



FORESIDE/

THE
CHANNEL
MARK®

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

NOT FOR
CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS
FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER

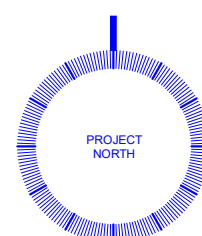
2.210338.0

PFDC - BLOCK 6: THE
CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

ISSUE

03/09/23 - HISTORIC
PRESERVATION PACKAGE



LEVEL 1 - OVERALL PLAN

A111

LEVEL 2 - UNIT SCHEDULE		
NO	SPACE	AREA
LEVEL 2		
204	2BR	1057 SF
204 T	UNIT TERRACE	264 SF
205	2BR	1419 SF
205 T	UNIT TERRACE	338 SF
207	3BR	1870 SF
207 T	UNIT TERRACE	352 SF
208	3BR	1752 SF
208 T	UNIT TERRACE	325 SF
209	1BR	1045 SF
209 T	UNIT TERRACE	102 SF
211	2BR	1310 SF
211 T	UNIT TERRACE	157 SF
212	2BR	1096 SF
212 T	UNIT TERRACE	230 SF
213	1BR	1061 SF
213 T	UNIT TERRACE	116 SF
214	2BR	1218 SF
214 T	UNIT TERRACE	268 SF
215	2BR	1502 SF
215 T	UNIT TERRACE	234 SF
216	2BR	1387 SF
216 T1	UNIT TERRACE	177 SF
216 T2	UNIT TERRACE	74 SF
217	3BR	1815 SF
217 T	UNIT TERRACE	119 SF
218	2BR	1706 SF
218 T	UNIT TERRACE	300 SF
219	2BR	1382 SF
219 T	UNIT TERRACE	280 SF
220	3BR	1662 SF
220 T	UNIT TERRACE	152 SF
221	3BR	2081 SF
221 T	UNIT TERRACE	230 SF
223	3BR	1826 SF
223 T	UNIT TERRACE	325 SF
		29220 SF

UNITS TOTAL FOR LEVEL (CONDITIONED SPACE)
17

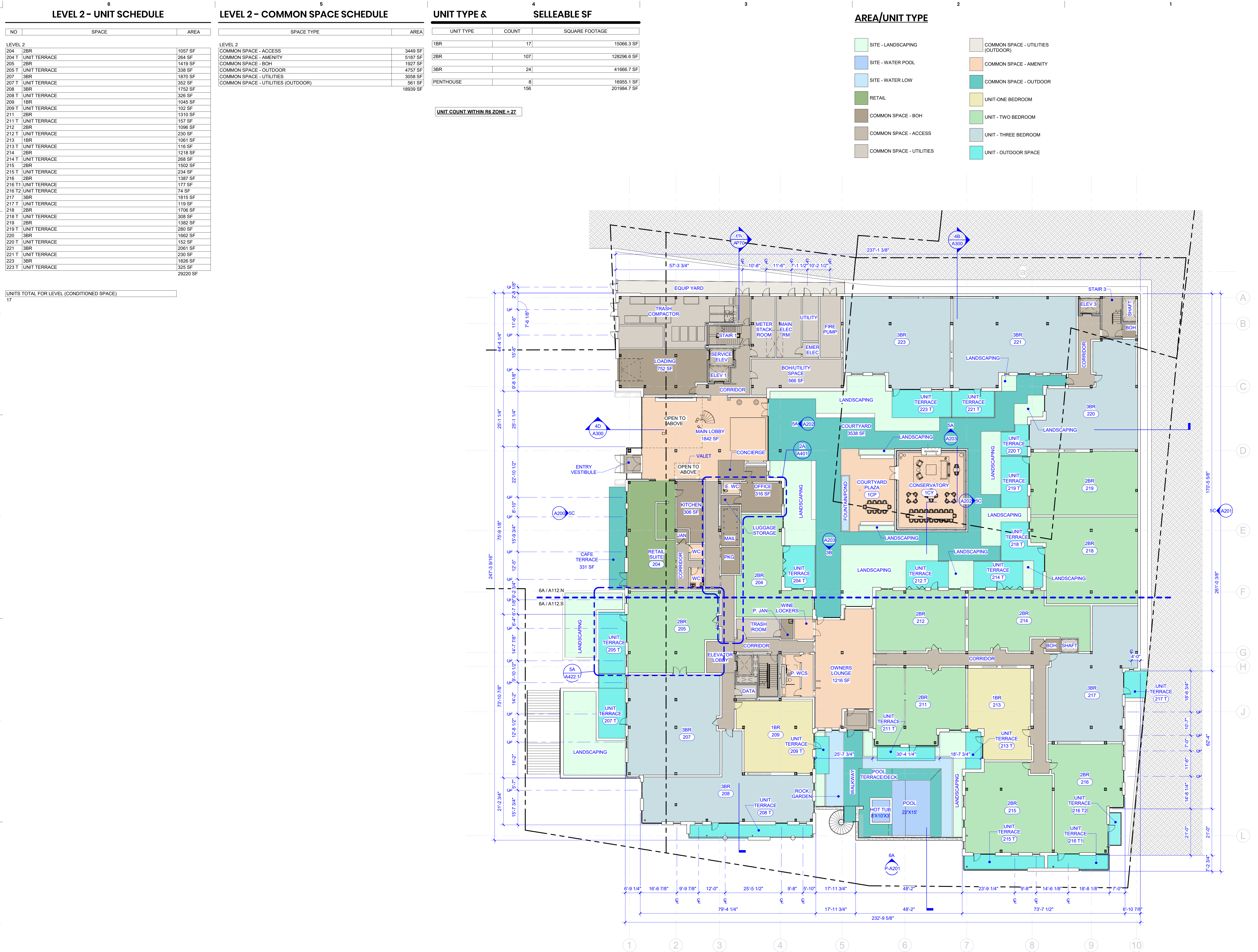
LEVEL 2 - COMMON SPACE SCHEDULE		
SPACE TYPE	AREA	
LEVEL 2		
COMMON SPACE - ACCESS	3449 SF	
COMMON SPACE - AMENITY	5187 SF	
COMMON SPACE - BOH	1927 SF	
COMMON SPACE - OUTDOOR	4757 SF	
COMMON SPACE - UTILITIES	3058 SF	
COMMON SPACE - UTILITIES (OUTDOOR)	561 SF	
	18939 SF	

UNIT TYPE & SELLEABLE SF		
UNIT TYPE	COUNT	SQUARE FOOTAGE
1BR	17	15066.3 SF
2BR	107	128296.6 SF
3BR	24	41666.7 SF
PENTHOUSE	8	16955.1 SF
	156	201984.7 SF

UNIT COUNT WITHIN R6 ZONE = 27

4A LEVEL 2 (STREET LEVEL) - PLAN

SCALE: 1/16" = 1'-0"



FORESIDE/

THE
CHANNEL
MARK®

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

NOT FOR
CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS
FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER

2.210338.0

PFDC - BLOCK 6: THE
CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

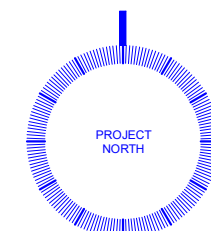
ISSUE

03/09/23 - HISTORIC

PRESERVATION PACKAGE

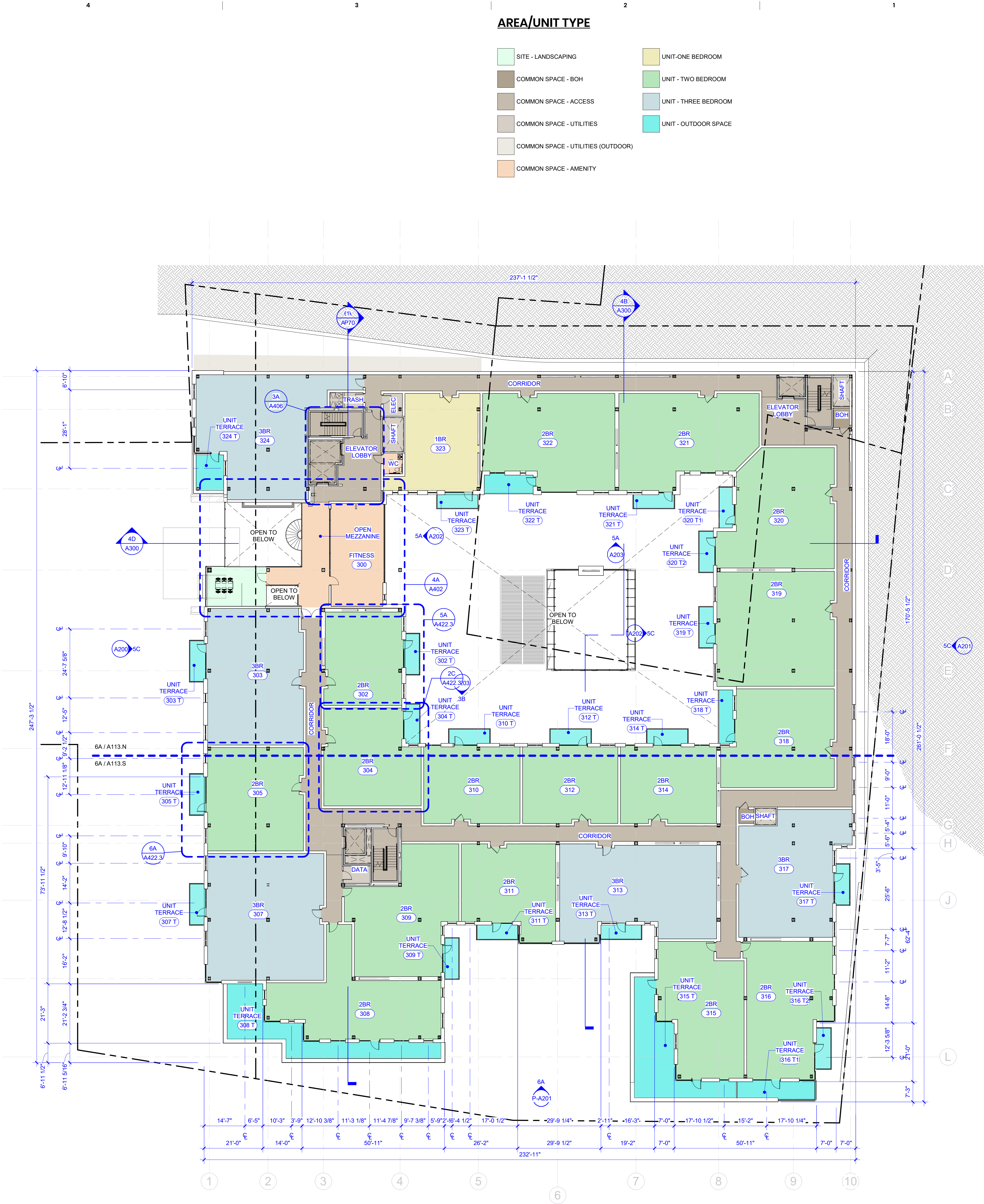
LEVEL 2 - OVERALL PLAN

A112



LEVEL 3 - UNIT SCHEDULE		
NO	SPACE	AREA
LEVEL 3		
302	2BR	908 SF
302 T	UNIT TERRACE	69 SF
303	3BR	1647 SF
303 T	UNIT TERRACE	73 SF
304	2BR	1112 SF
304 T	UNIT TERRACE	67 SF
305	2BR	1294 SF
305 T	UNIT TERRACE	74 SF
307	3BR	1873 SF
307 T	UNIT TERRACE	73 SF
308	2BR	1371 SF
308 T	UNIT TERRACE	69 SF
309	2BR	1433 SF
309 T	UNIT TERRACE	73 SF
310	2BR	931 SF
310 T	UNIT TERRACE	73 SF
311	2BR	1012 SF
311 T	UNIT TERRACE	74 SF
312	2BR	921 SF
312 T	UNIT TERRACE	73 SF
313	3BR	1753 SF
313 T	UNIT TERRACE	72 SF
314	2BR	930 SF
314 T	UNIT TERRACE	73 SF
315	2BR	1284 SF
315 T	UNIT TERRACE	636 SF
316	2BR	1385 SF
316 T1	UNIT TERRACE	179 SF
316 T2	UNIT TERRACE	74 SF
317	3BR	1531 SF
317 T	UNIT TERRACE	69 SF
318	2BR	1308 SF
318 T	UNIT TERRACE	97 SF
319	2BR	1709 SF
319 T	UNIT TERRACE	73 SF
320	2BR	1550 SF
320 T1	UNIT TERRACE	67 SF
320 T2	UNIT TERRACE	73 SF
321	2BR	1483 SF
321 T	UNIT TERRACE	70 SF
322	2BR	1483 SF
322 T	UNIT TERRACE	118 SF
323	1BR	961 SF
323 T	UNIT TERRACE	70 SF
324	3BR	1735 SF
324 T	UNIT TERRACE	124 SF
UNITS TOTAL FOR LEVEL (CONDITIONED SPACE)		32669 SF
22		

LEVEL 3 - COMMON SPACE SCHEDULE		
SPACE TYPE	AREA	
LEVEL 3		
COMMON SPACE - ACCESS	5353 SF	
COMMON SPACE - AMENITY	1180 SF	
COMMON SPACE - BOH	76 SF	
COMMON SPACE - UTILITIES	313 SF	
		6922 SF



4A LEVEL 3 - PLAN
SCALE: 1/16" = 1'-0"

Baskervill

FORESIDE/

THE
CHANNEL
MARK®

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

NOT FOR
CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS
FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER

2.210338.0

PFDC - BLOCK 6: THE
CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

ISSUE

03/09/23 - HISTORIC
PRESERVATION PACKAGE

LEVEL 3 - OVERALL PLAN

A113

LEVEL 4 - UNIT SCHEDULE		
NO	SPACE	AREA
LEVEL 4		
400	2BR	1091 SF
400 T	UNIT TERRACE	75 SF
401	2BR	1393 SF
401 T	UNIT TERRACE	80 SF
402	2BR	908 SF
402 T	UNIT TERRACE	73 SF
403	3BR	1643 SF
403 T	UNIT TERRACE	74 SF
404	2BR	1112 SF
404 T	UNIT TERRACE	71 SF
405	2BR	1254 SF
405 T	UNIT TERRACE	74 SF
407	3BR	1873 SF
407 T	UNIT TERRACE	73 SF
408	2BR	1371 SF
408 T	UNIT TERRACE	74 SF
409	2BR	1437 SF
409 T	UNIT TERRACE	73 SF
410	2BR	933 SF
410 T	UNIT TERRACE	73 SF
411	2BR	1012 SF
411 T	UNIT TERRACE	74 SF
412	2BR	918 SF
412 T	UNIT TERRACE	73 SF
413	3BR	1754 SF
413 T	UNIT TERRACE	72 SF
414	2BR	932 SF
414 T	UNIT TERRACE	73 SF
415	2BR	1278 SF
415 T1	UNIT TERRACE	73 SF
415 T2	UNIT TERRACE	75 SF
416	2BR	1373 SF
416 T1	UNIT TERRACE	73 SF
416 T2	UNIT TERRACE	74 SF
417	2BR	1098 SF
417 T	UNIT TERRACE	69 SF
418	1BR	761 SF
418 T	UNIT TERRACE	97 SF
419	1BR	705 SF
419 T	UNIT TERRACE	73 SF
420	2BR	1418 SF
420 T	UNIT TERRACE	73 SF
421	2BR	1112 SF
421 T	UNIT TERRACE	73 SF
422	1BR	966 SF
422 T	UNIT TERRACE	70 SF
423	2BR	1482 SF
423 T	UNIT TERRACE	73 SF
424	2BR	1480 SF
424 T	UNIT TERRACE	125 SF
425	1BR	1004 SF
425 T	UNIT TERRACE	73 SF
426	2BR	1545 SF
426 T	UNIT TERRACE	144 SF
UNITS TOTAL FOR LEVEL (CONDITIONED SPACE)		34061 SF

NO	SPACE	AREA
LEVEL 4		
400	2BR	1091 SF
400 T	UNIT TERRACE	75 SF
401	2BR	1393 SF
401 T	UNIT TERRACE	80 SF
402	2BR	908 SF
402 T	UNIT TERRACE	73 SF
403	3BR	1643 SF
403 T	UNIT TERRACE	74 SF
404	2BR	1112 SF
404 T	UNIT TERRACE	71 SF
405	2BR	1254 SF
405 T	UNIT TERRACE	74 SF
407	3BR	1873 SF
407 T	UNIT TERRACE	73 SF
408	2BR	1371 SF
408 T	UNIT TERRACE	74 SF
409	2BR	1437 SF
409 T	UNIT TERRACE	73 SF
410	2BR	933 SF
410 T	UNIT TERRACE	73 SF
411	2BR	1012 SF
411 T	UNIT TERRACE	74 SF
412	2BR	918 SF
412 T	UNIT TERRACE	73 SF
413	2BR	1754 SF
413 T	UNIT TERRACE	72 SF
414	2BR	932 SF
414 T	UNIT TERRACE	73 SF
415	2BR	1278 SF
415 T1	UNIT TERRACE	73 SF
415 T2	UNIT TERRACE	75 SF
416	2BR	1373 SF
416 T1	UNIT TERRACE	73 SF
416 T2	UNIT TERRACE	74 SF
417	2BR	1098 SF
417 T	UNIT TERRACE	69 SF
418	1BR	761 SF
418 T	UNIT TERRACE	97 SF
419	1BR	705 SF
419 T	UNIT TERRACE	73 SF
420	2BR	1418 SF
420 T	UNIT TERRACE	73 SF
421	2BR	1112 SF
421 T	UNIT TERRACE	73 SF
422	1BR	966 SF
422 T	UNIT TERRACE	70 SF
423	2BR	1482 SF
423 T	UNIT TERRACE	73 SF
424	2BR	1489 SF
424 T	UNIT TERRACE	125 SF
425	1BR	1004 SF
425 T	UNIT TERRACE	73 SF
426	2BR	1545 SF
426 T	UNIT TERRACE	144 SF
		34061 SF

UNITS TOTAL FOR LEVEL (CONDITIONED SPACE)
26

LEVEL 4- COMMON SPACE SCHEDULE	
SPACE TYPE	AREA
LEVEL 4	
COMMON SPACE - ACCESS	5609 SF
COMMON SPACE - BOH	104 SF
COMMON SPACE - UTILITIES	95 SF
	5808 SF

SPACE TYPE	AREA
LEVEL 4	
COMMON SPACE - ACCESS	5609 SF
COMMON SPACE - BOH	104 SF
COMMON SPACE - UTILITIES	95 SF
	5808 SF

AREA/UNIT TYPE

	COMMON SPACE - BOH		UNIT - TWO BEDROOM
	COMMON SPACE - ACCESS		UNIT - THREE BEDROOM
	COMMON SPACE - UTILITIES		UNIT - OUTDOOR SPACE
	UNIT-ONE BEDROOM		

**FORESIDE/**

**THE
CHANNEL
MARK®**

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

NOT FOR
CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER

2.210338.0

PFDC – BLOCK 6: THE CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

ISSUE
**03/09/23 – HISTORIC
PRESERVATION PACKAGE**

4A LEVEL 4 – PLAN

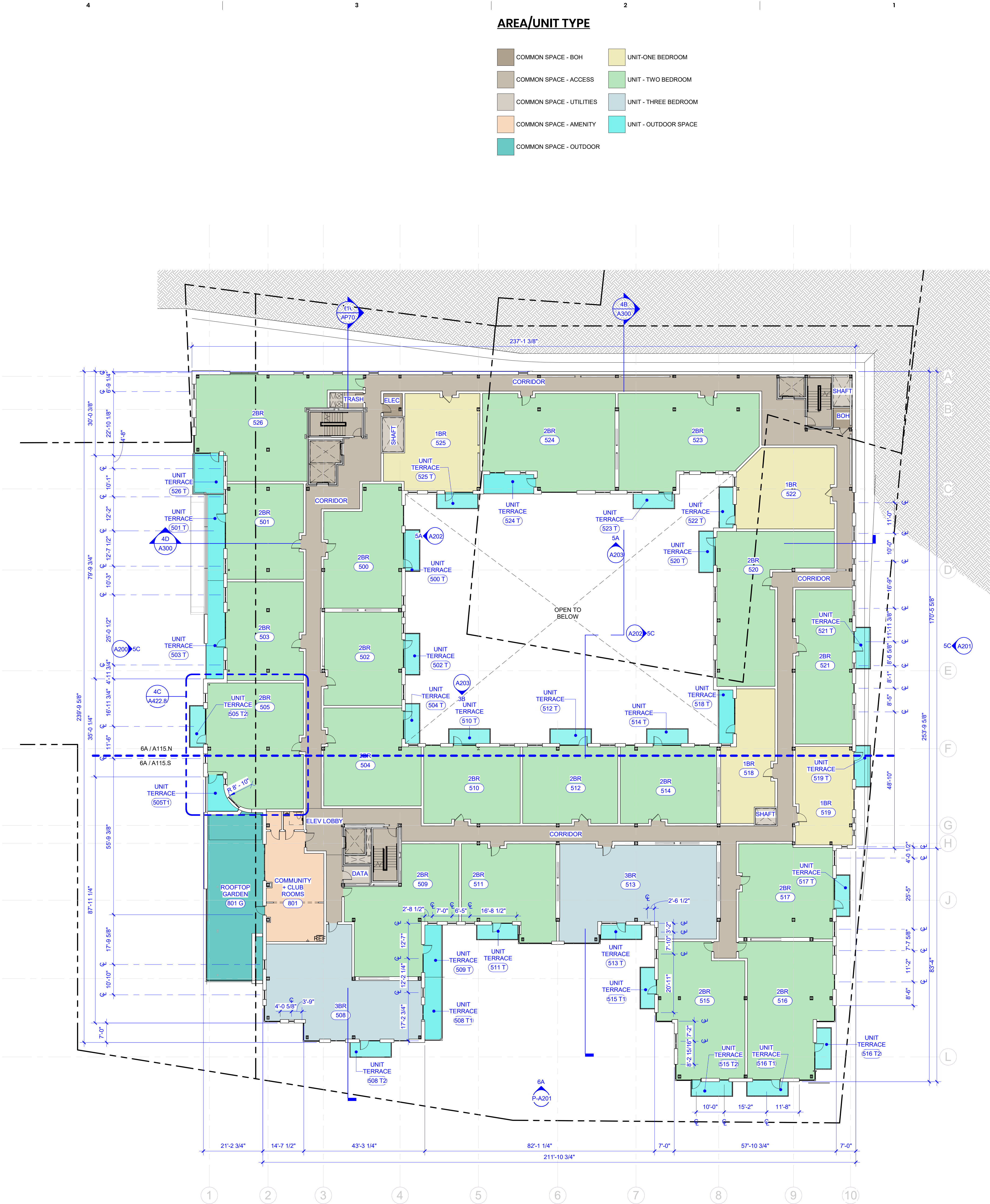
SCALE: 1/16" = 1'-0"

LEVEL 4 – OVERALL PLAN

A114

LEVEL 5 - UNIT SCHEDULE		
NO	SPACE	AREA
LEVEL 5		
500	2BR	1092 SF
500 T	UNIT TERRACE	73 SF
501	2BR	919 SF
501 T	UNIT TERRACE	194 SF
502	2BR	914 SF
502 T	UNIT TERRACE	73 SF
503	2BR	951 SF
503 T	UNIT TERRACE	216 SF
504	2BR	1112 SF
504 T	UNIT TERRACE	71 SF
505	2BR	1424 SF
505 T2	UNIT TERRACE	69 SF
505T1	UNIT TERRACE	93 SF
508	3BR	1522 SF
508 T1	UNIT TERRACE	135 SF
508 T2	UNIT TERRACE	74 SF
509	2BR	1296 SF
509 T	UNIT TERRACE	112 SF
510	2BR	932 SF
510 T	UNIT TERRACE	73 SF
511	2BR	1015 SF
511 T	UNIT TERRACE	74 SF
512	2BR	919 SF
512 T	UNIT TERRACE	73 SF
513	3BR	1755 SF
513 T	UNIT TERRACE	72 SF
514	2BR	932 SF
514 T	UNIT TERRACE	73 SF
515	2BR	1288 SF
515 T1	UNIT TERRACE	73 SF
515 T2	UNIT TERRACE	75 SF
516	2BR	1363 SF
516 T1	UNIT TERRACE	73 SF
516 T2	UNIT TERRACE	74 SF
517	2BR	1100 SF
517 T	UNIT TERRACE	69 SF
518	1BR	762 SF
518 T	UNIT TERRACE	97 SF
519	1BR	705 SF
519 T	UNIT TERRACE	73 SF
520	2BR	1417 SF
520 T	UNIT TERRACE	73 SF
521	2BR	1112 SF
521 T	UNIT TERRACE	73 SF
522	1BR	966 SF
522 T	UNIT TERRACE	70 SF
523	2BR	1483 SF
523 T	UNIT TERRACE	73 SF
524	2BR	1495 SF
524 T	UNIT TERRACE	125 SF
525	1BR	999 SF
525 T	UNIT TERRACE	73 SF
526	2BR	1544 SF
526 T	UNIT TERRACE	156 SF
UNITS TOTAL FOR LEVEL (CONDITIONED SPACE)		31667 SF
25		

LEVEL 5- COMMON SPACE SCHEDULE		
SPACE TYPE	AREA	
COMMON SPACE - ACCESS	5631 SF	
COMMON SPACE - AMENITY	828 SF	
COMMON SPACE - BOH	104 SF	
COMMON SPACE - OUTDOOR	1186 SF	
COMMON SPACE - UTILITIES	59 SF	
	7808 SF	



4A LEVEL 5 - PLAN
SCALE: 1/16" = 1'-0"



FORESIDE/

THE
CHANNEL
MARK®

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

NOT FOR
CONSTRUCTION

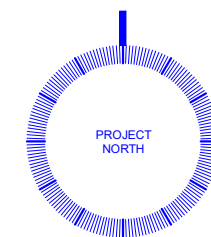
COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS
FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER
2.210338.0

PFDC - BLOCK 6: THE
CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

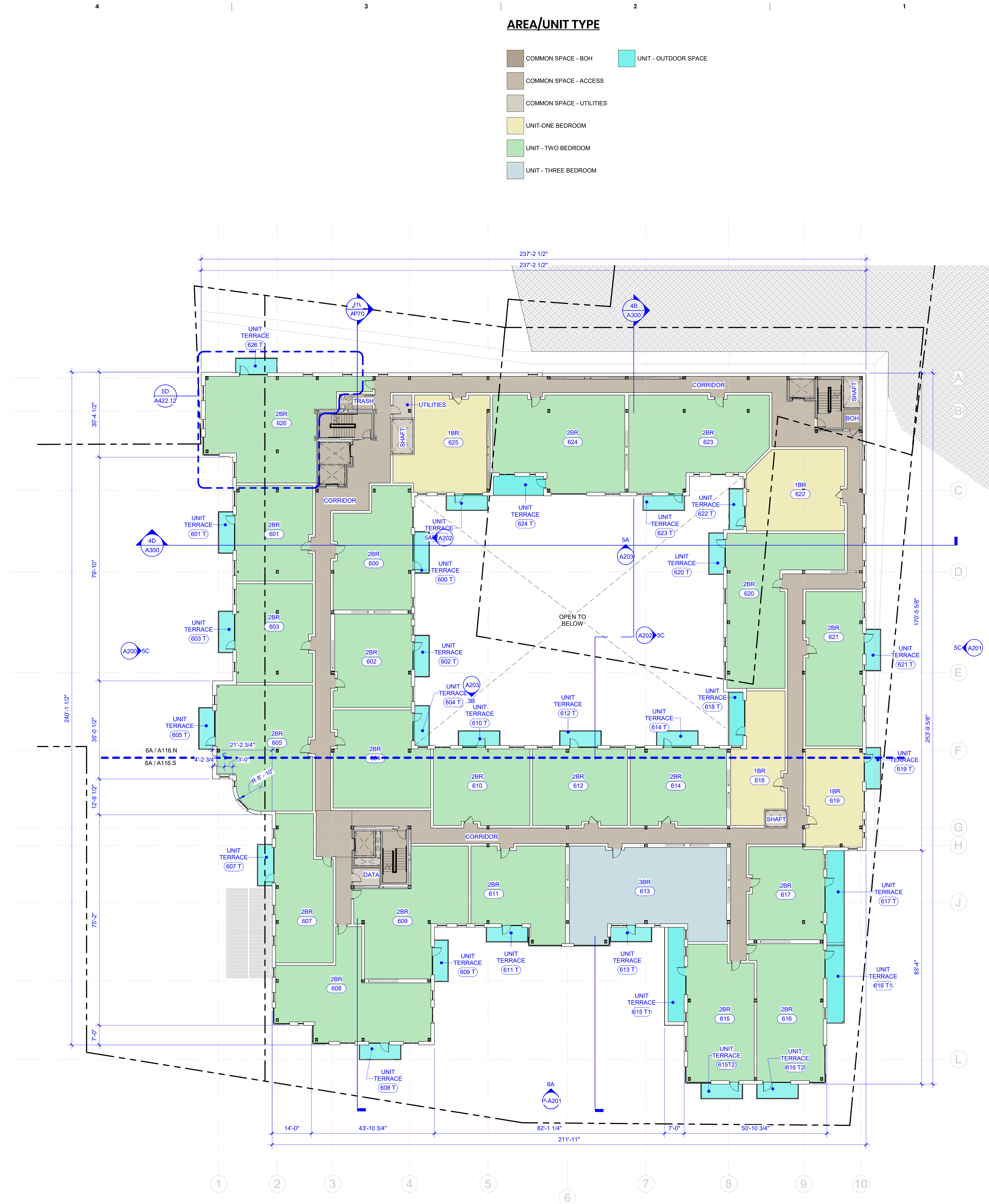
ISSUE
03/09/23 - HISTORIC
PRESERVATION PACKAGE



LEVEL 5 - OVERALL PLAN
A115

LEVEL 6 - UNIT SCHEDULE		
NO	SPACE	AREA
LEVEL 6		
600	2BR	1092 SF
600 T	UNIT TERRACE	73 SF
601	2BR	919 SF
601 T	UNIT TERRACE	73 SF
602	2BR	908 SF
602 T	UNIT TERRACE	73 SF
603	2BR	961 SF
603 T	UNIT TERRACE	73 SF
604	2BR	1112 SF
604 T	UNIT TERRACE	71 SF
605	2BR	1423 SF
605 T	UNIT TERRACE	69 SF
607	2BR	981 SF
607 T	UNIT TERRACE	73 SF
608	2BR	1380 SF
608 T	UNIT TERRACE	74 SF
609	2BR	1291 SF
609 T	UNIT TERRACE	70 SF
610	2BR	932 SF
610 T	UNIT TERRACE	73 SF
611	2BR	1011 SF
611 T	UNIT TERRACE	74 SF
612	2BR	919 SF
612 T	UNIT TERRACE	73 SF
613	3BR	1712 SF
613 T	UNIT TERRACE	72 SF
614	2BR	932 SF
614 T	UNIT TERRACE	73 SF
615	2BR	1092 SF
615 T1	UNIT TERRACE	194 SF
615T2	UNIT TERRACE	73 SF
616	2BR	1178 SF
616 T1	UNIT TERRACE	175 SF
616 T2	UNIT TERRACE	73 SF
617	2BR	867 SF
617 T	UNIT TERRACE	200 SF
618	1BR	761 SF
618 T	UNIT TERRACE	97 SF
619	1BR	705 SF
619 T	UNIT TERRACE	73 SF
620	2BR	1412 SF
620 T	UNIT TERRACE	73 SF
621	2BR	1112 SF
621 T	UNIT TERRACE	73 SF
622	1BR	968 SF
622 T	UNIT TERRACE	70 SF
623	2BR	1483 SF
623 T	UNIT TERRACE	73 SF
624	2BR	1490 SF
624 T	UNIT TERRACE	125 SF
625	1BR	995 SF
625 T	UNIT TERRACE	73 SF
626	2BR	1544 SF
626 T	UNIT TERRACE	74 SF
UNITS TOTAL FOR LEVEL (CONDITIONED SPACE)		31629 SF
26		

LEVEL 6- COMMON SPACE SCHEDULE		
SPACE TYPE	AREA	
LEVEL 6		
COMMON SPACE - ACCESS	5634 SF	
COMMON SPACE - BOH	49 SF	
COMMON SPACE - UTILITIES	114 SF	
	5797 SF	



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

NOT FOR CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER
2.210338.0

PFDC - BLOCK 6: THE CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

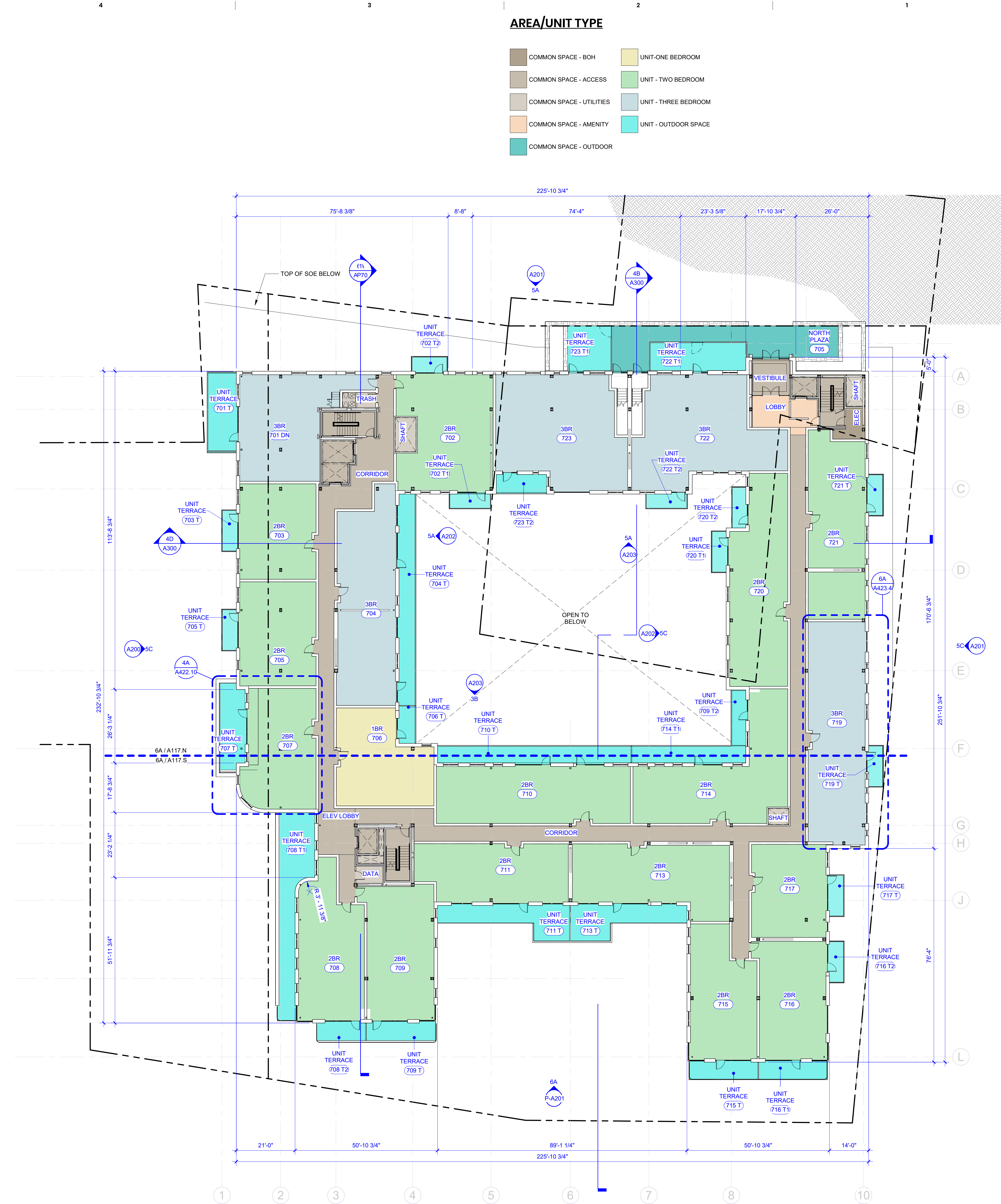
ISSUE
03/09/23 - HISTORIC PRESERVATION PACKAGE

LEVEL 6 - OVERALL PLAN
A116

LEVEL 7 - UNIT SCHEDULE		
NO	SPACE	AREA
LEVEL 7		
702	2BR	1332 SF
702 T1	UNIT TERRACE	73 SF
702 T2	UNIT TERRACE	83 SF
703	2BR	919 SF
703 T	UNIT TERRACE	73 SF
704	3BR	1510 SF
704 T	UNIT TERRACE	443 SF
705	2BR	1003 SF
705 T	UNIT TERRACE	73 SF
706	1BR	1019 SF
706 T	UNIT TERRACE	78 SF
707	2BR	1060 SF
707 T	UNIT TERRACE	273 SF
708	2BR	1125 SF
708 T1	UNIT TERRACE	599 SF
708 T2	UNIT TERRACE	112 SF
709	2BR	1161 SF
709 T	UNIT TERRACE	156 SF
709 T2	UNIT TERRACE	102 SF
710	2BR	1400 SF
710 T	UNIT TERRACE	423 SF
711	2BR	1076 SF
711 T	UNIT TERRACE	384 SF
713	2BR	1235 SF
713 T	UNIT TERRACE	354 SF
714	2BR	1447 SF
714 T1	UNIT TERRACE	248 SF
715	2BR	1021 SF
715 T	UNIT TERRACE	156 SF
716	2BR	1012 SF
716 T1	UNIT TERRACE	151 SF
716 T2	UNIT TERRACE	73 SF
717	2BR	875 SF
717 T	UNIT TERRACE	73 SF
719	3BR	1602 SF
719 T	UNIT TERRACE	73 SF
720	2BR	1424 SF
720 T1	UNIT TERRACE	73 SF
720 T2	UNIT TERRACE	70 SF
721	2BR	1314 SF
721 T	UNIT TERRACE	73 SF
722	3BR	1656 SF
722 T1	UNIT TERRACE	349 SF
722 T2	UNIT TERRACE	73 SF
723	3BR	1706 SF
723 T1	UNIT TERRACE	253 SF
723 T2	UNIT TERRACE	125 SF
		29892 SF

LEVEL 7 - MULTI STORY UNIT			
NO	SPACE	LEVEL	AREA
701			
701 DN	3BR	LEVEL 7	1241 SF
701 UP	3BR	LEVEL 8	593 SF
2			1834 SF
701 T	UNIT TERRACE	LEVEL 7	294 SF
701 RT	UNIT ROOF TERRACE	LEVEL 8	610 SF
2			904 SF
UNITS TOTAL FOR LEVEL (CONDITIONED SPACE)			
21			

LEVEL 7 - COMMON SPACE SCHEDULE		
SPACE TYPE	AREA	
LEVEL 7		
COMMON SPACE - ACCESS	4403 SF	
COMMON SPACE - AMENITY	250 SF	
COMMON SPACE - BOH	94 SF	
COMMON SPACE - OUTDOOR	795 SF	
COMMON SPACE - UTILITIES	95 SF	
	5638 SF	



4A LEVEL 7 - PLAN

SCALE: 1/16" = 1'-0" DRAWING REF: A200



FORESIDE/

THE CHANNEL MARK®

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

NOT FOR CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER

2.210338.0

PFDC - BLOCK 6: THE CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

ISSUE

03/09/23 - HISTORIC

PRESERVATION PACKAGE

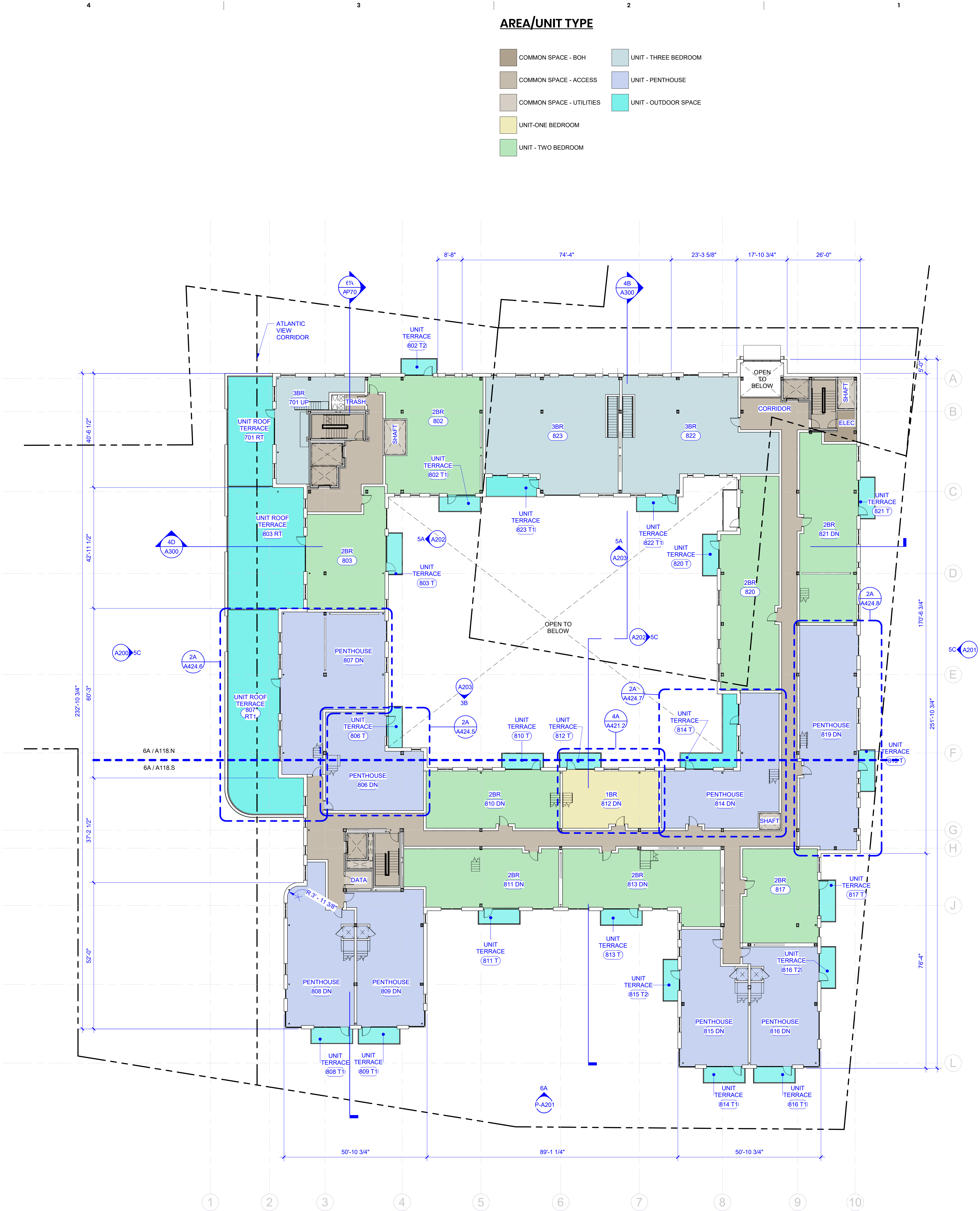
LEVEL 7 - OVERALL PLAN

A117

LEVEL 8 - UNIT SCHEDULE		
NO	SPACE	AREA
LEVEL 8		
802	2BR	1367 SF
802 T1	UNIT TERRACE	73 SF
802 T2	UNIT TERRACE	63 SF
803	2BR	1009 SF
803 RT	UNIT ROOF TERRACE	1159 SF
803 T	UNIT TERRACE	70 SF
817	2BR	879 SF
817 T	UNIT TERRACE	73 SF
820	2BR	1424 SF
820 T	UNIT TERRACE	73 SF
822	3BR	1763 SF
822 T1	UNIT TERRACE	73 SF
823	3BR	1809 SF
823 T1	UNIT TERRACE	125 SF
		9961 SF

LEVEL 8 - MULTI STORY UNITS			
NO	SPACE	LEVEL	AREA
806			
806 DN	PENTHOUSE	LEVEL 8	1029 SF
806 UP	PENTHOUSE	LEVEL 9	595 SF
2			1625 SF
806 T	UNIT TERRACE	LEVEL 8	70 SF
806 RT1	UNIT ROOF TERRACE	LEVEL 9	292 SF
806 RT2	UNIT ROOF TERRACE	LEVEL 10	625 SF
3			987 SF
807			
807 DN	PENTHOUSE	LEVEL 8	1607 SF
807 UP	PENTHOUSE	LEVEL 9	1220 SF
2			2827 SF
807 RT1	UNIT ROOF TERRACE	LEVEL 8	1383 SF
807 RT2	UNIT ROOF TERRACE	LEVEL 10	1203 SF
2			2586 SF
808			
808 DN	PENTHOUSE	LEVEL 8	1141 SF
808 UP	PENTHOUSE	LEVEL 9	979 SF
2			2120 SF
808 T2	UNIT TERRACE	Not Placed	Not Placed
808 T1	UNIT TERRACE	LEVEL 8	74 SF
808 T3	UNIT TERRACE	LEVEL 9	74 SF
808 RT	UNIT ROOF TERRACE	LEVEL 10	957 SF
4			1104 SF
809			
809 DN	PENTHOUSE	LEVEL 8	1154 SF
809 UP	PENTHOUSE	LEVEL 9	740 SF
2			1894 SF
809 T2	UNIT TERRACE	Not Placed	Not Placed
809 T1	UNIT TERRACE	LEVEL 8	75 SF
809 T3	UNIT TERRACE	LEVEL 9	234 SF
809 RT	UNIT ROOF TERRACE	LEVEL 10	672 SF
4			982 SF
810			
810 DN	2BR	LEVEL 8	958 SF
1			958 SF
810 T	UNIT TERRACE	LEVEL 8	71 SF
810 RT	UNIT ROOF TERRACE	LEVEL 9	1046 SF
2			1117 SF
811			
811 DN	2BR	LEVEL 8	1075 SF
1			1075 SF
811 T	UNIT TERRACE	LEVEL 8	67 SF
811 RT	UNIT ROOF TERRACE	LEVEL 9	690 SF
2			757 SF
812			
812 DN	1BR	LEVEL 8	685 SF
1			685 SF
812 T	UNIT TERRACE	LEVEL 8	72 SF
812 RT	UNIT ROOF TERRACE	LEVEL 9	1032 SF
2			1105 SF
813			
813 DN	2BR	LEVEL 8	1235 SF
1			1235 SF
813 T	UNIT TERRACE	LEVEL 8	73 SF
813 RT	UNIT ROOF TERRACE	LEVEL 9	609 SF
2			681 SF
814			
814 DN	PENTHOUSE	LEVEL 8	1179 SF
814 UP	PENTHOUSE	LEVEL 9	777 SF
2			1956 SF
814 T	UNIT TERRACE	LEVEL 8	209 SF
814 RT	UNIT ROOF TERRACE	LEVEL 10	1232 SF
2			1442 SF
815			
815 DN	PENTHOUSE	LEVEL 8	1014 SF
815 UP	PENTHOUSE	LEVEL 9	609 SF
2			1623 SF
814 T1	UNIT TERRACE	LEVEL 8	73 SF
815 T2	UNIT TERRACE	LEVEL 8	73 SF
815 T3	UNIT TERRACE	LEVEL 9	448 SF
815 RT	UNIT ROOF TERRACE	LEVEL 10	579 SF
4			1173 SF
816			
816 DN	PENTHOUSE	LEVEL 8	1012 SF
816 UP	PENTHOUSE	LEVEL 9	933 SF
2			1945 SF
816 T1	UNIT TERRACE	LEVEL 8	73 SF
816 T2	UNIT TERRACE	LEVEL 8	73 SF
816 T3	UNIT TERRACE	LEVEL 9	138 SF
816 RT	UNIT ROOF TERRACE	LEVEL 10	852 SF
4			1137 SF
819			
819 DN	PENTHOUSE	LEVEL 8	1604 SF
819 UP	PENTHOUSE	LEVEL 9	1361 SF
2			2965 SF
819 T	UNIT TERRACE	LEVEL 8	73 SF
819 RT	UNIT ROOF TERRACE	LEVEL 10	888 SF
2			962 SF
821			
821 DN	2BR	LEVEL 8	1313 SF
1			1313 SF
821 T	UNIT TERRACE	LEVEL 8	73 SF
821 RT	UNIT ROOF TERRACE	LEVEL 9	624 SF
2			698 SF
UNITS TOTAL FOR LEVEL (CONDITIONED SPACE)			
19			

LEVEL 8 - COMMON SPACE SCHEDULE		
SPACE TYPE		AREA
LEVEL 8		
COMMON SPACE - ACCESS		3966 SF
COMMON SPACE - BOH		94 SF
COMMON SPACE - UTILITIES		59 SF
		4119 SF



4A LEVEL 8 - PLAN
SCALE: 1/16" = 1'-0"



FORESIDE/

THE
CHANNEL
MARK®

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

NOT FOR
CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS
FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER
2.210338.0

PFDC - BLOCK 6: THE
CHANNEL MARK

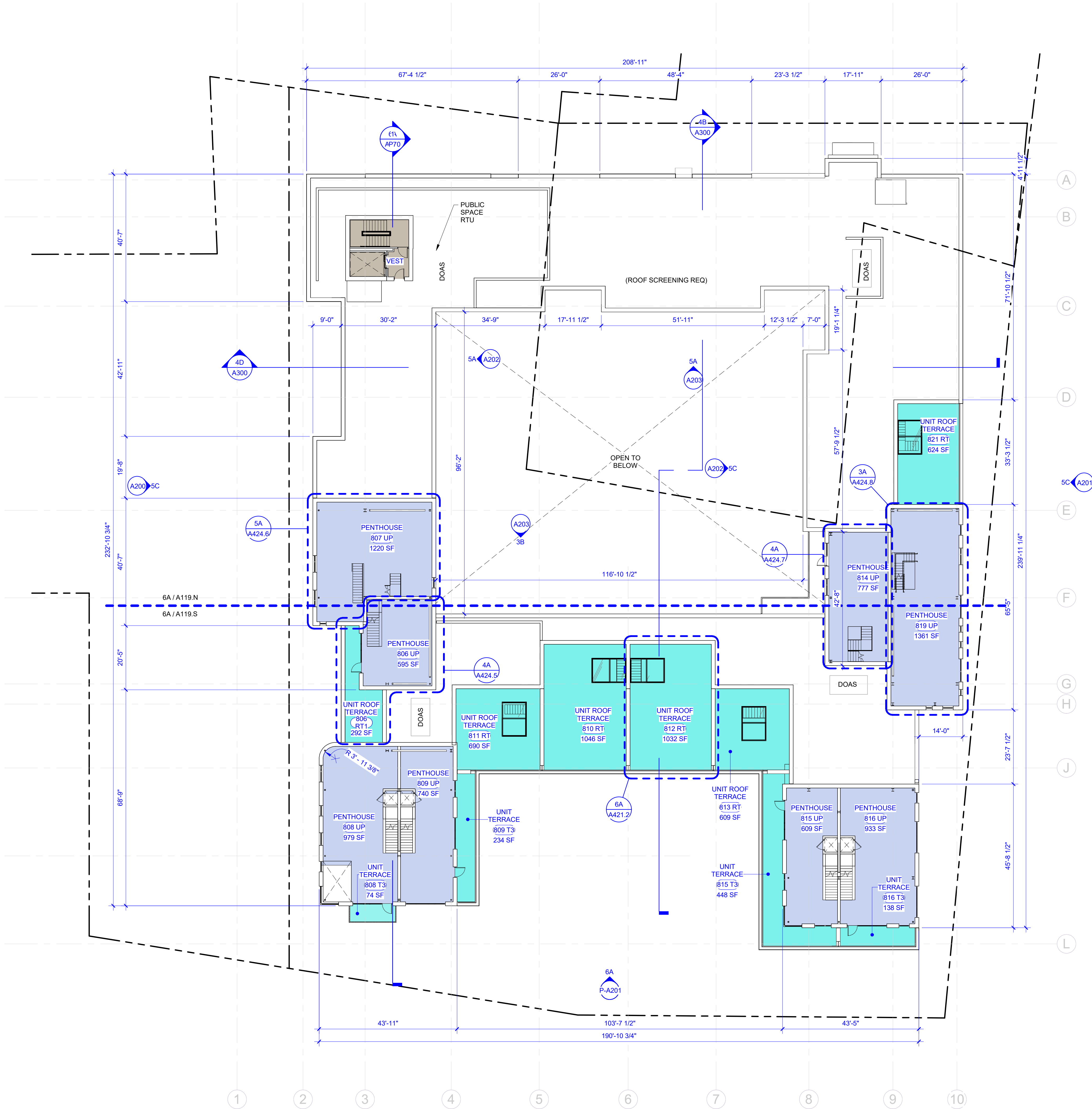
58 FORE ST
PORTLAND, ME 04101

ISSUE
03/09/23 - HISTORIC
PRESERVATION PACKAGE

LEVEL 8 - OVERALL PLAN
A118

AREA/UNIT TYPE

- COMMON SPACE - ACCESS
- UNIT - PENTHOUSE
- UNIT - OUTDOOR SPACE



4A LEVEL 9 (ROOF) – PLAN
SCALE: 1/16" = 1'-0" DRAWING REF: A200

NOT FOR
CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER

2.210338.0

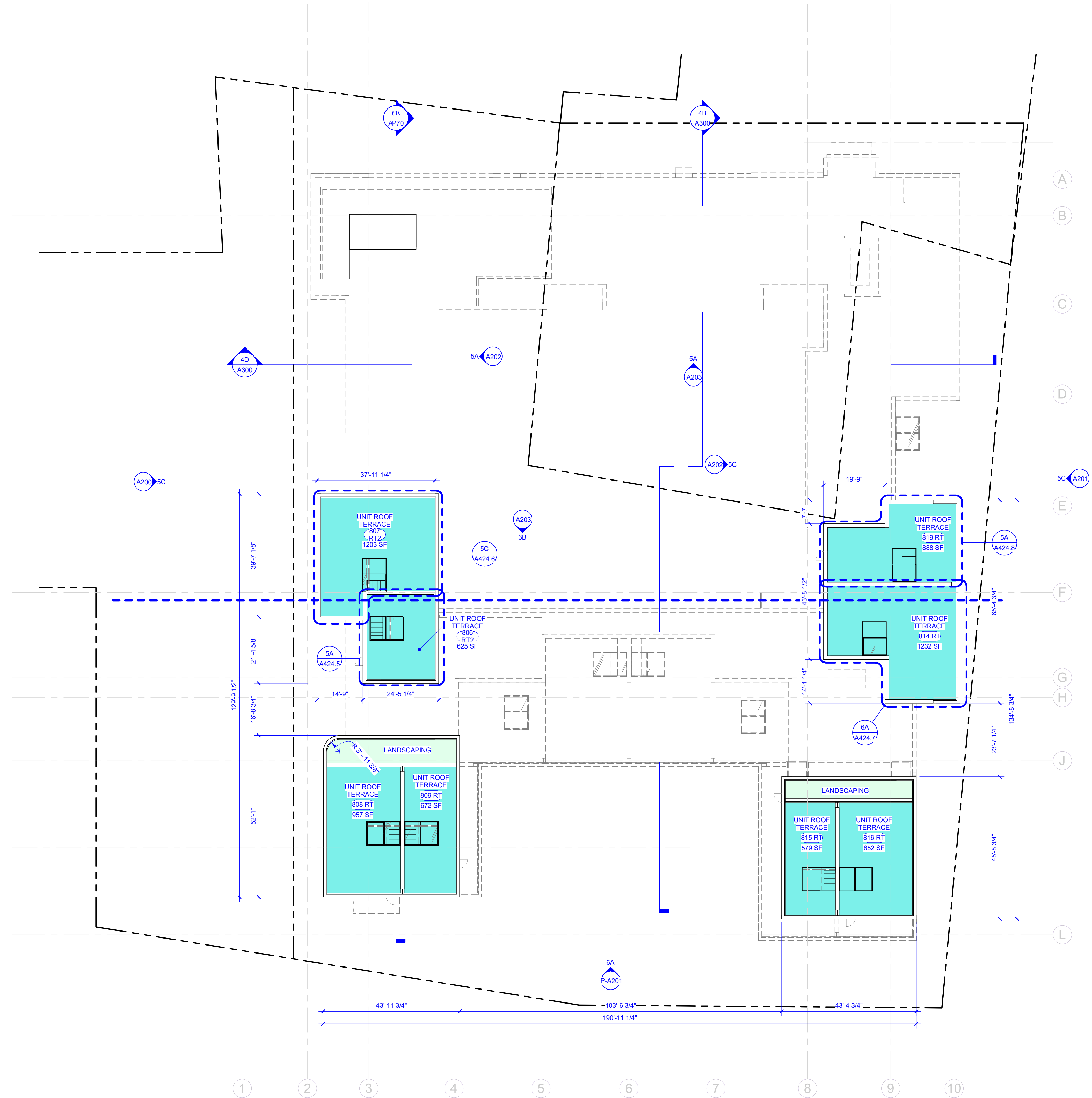
PFDC – BLOCK 6: THE CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

03/09/23 - HISTORIC
PRESERVATION PACKAGE

LEVEL 10 – PLAN

A120



4A LEVEL 10 – (ROOF) PLAN

EXTERIOR FINISH LEGEND

FINISH NO.	MATERIAL	MANUFACTURER	STYLE NAME / NO.	COLOR	SIZE	DESCRIPTION / REMARKS
CONC-01	CONCRETE					EXPOSED POURED IN PLACE CONCRETE
EXTERIOR FLOORING						
CT-01	PORCELAIN PAVER		WOOD LOOK		LARGE FORMAT - RECTILINEAR	AT POOL AND ROOF TERRACES
CT-02	PORCELAIN PAVER		STONE LOOK		LARGE FORMAT - PLANK	AT POOL AND ROOF TERRACES
PS-01	PEDASTAL PAVER SYSTEM	HANOVER PAVERS	GRIDLOC ON PEDASTAL PAVERS			WEIGHTED
PS-02	PAVERS	PER LANDSCAPE			VARIED	ABOVE PODIUM
MASONRY						
STN-01	STONE		GRANITE		LARGE FORMAT	CAVITY WALL VENEER
STN-02	STONE		GRANITE		LEDGESTONE	CAVITY WALL VENEER
METAL						
MTL-01	ALUMINUM FRAMED DOOR / WINDOW SYSTEM	WASAU		DARK BRONZE		THERMALLY BROKEN
MTL-02	ALUMINUM COMPOSITE PANEL	FAIRVIEW ARCHITECTURALS	VITRAPLATE		FACTORY FINISHED TO MATCH WINDOW SYSTEM	ROOF EQUIPMENT SCREEN
MTL-03	ALUMINIUM RAILING SYSTEM	LEVOLUX	SERENITI BALUSTADE		FACTORY FINISHED TO MATCH WINDOW SYSTEM	VERTICAL PICKET RAILING WITH NARROW PROFILE

EXTERIOR FINISH LEGEND

FINISH NO.	MATERIAL	MANUFACTURER	STYLE NAME / NO.	COLOR	SIZE	DESCRIPTION / REMARKS
MTL-04	GLASS GUARDRAIL	WISHAMPTON ARCHITECTURAL GLASS	BOTTOM SHOE	FINISH TO MATCH MTL-01	48" PANELS	GLASS PANEL RAILING WITH ALUMINUM MOUNT SYSTEM
MTL-05	MODULAR BALCONY	LEVOLUX	SERENITI BALCONY	FINISH TO MATCH MTL-01	15' X 5'	THERMALLY BROKEN ATTACHMENT, RAILED ALLUM DECKING, AND EDGE DRAINAGE
PAINT						
PNT-01	ELASTOMERIC COATING			COLOR TO MATCH MTL-01		ALL EXPOSED STEEL
RAINSCREEN PANEL						
FCP-1	FIBER CEMENT PANEL	SWISS PEARL	GRAVIAL	GRANITE 624		CONCEALED ATTACHEMENT SYSTEM
FCP-2	FIBER CEMENT PANEL	TBD	CLAPBOARD	WHITE		CONCEALED ATTACHEMENT SYSTEM
GFRC-1	GLASSFIBER REINFORCED CONCRETE SLAT	RIEDER	OKO SKIN STRIPES	COLOR/FINISH MIX TBD	70mm, 147mm, 302m	CONCEALED ATTACHEMENT SYSTEM; VERTICAL ORIENTATION
GFRC-2	GLASSFIBER REINFORCED CONCRETE SLAT	RIEDER	OKO SKIN STRIPES	COLOR/FINISH MIX TBD	70mm, 147mm, 302m	CONCEALED ATTACHEMENT SYSTEM; HORIZONTAL ORIENTATION

KEYNOTES

05.51.14	DECORATIVE ALUMINUM SPIRAL STAIRCASE
05.59.13	MODULAR ALUMINUM BALCONY, BOD: LEVOLUX SERENITI MODULAR BALCONY WITH RAILED ALUMINIUM BALUSTRADE, NON COMBUSTIBLE DECKING, AND EDGE DRAINAGE
05.73.00.B	PREFINISHED ALUMINUM GUARDRAIL TO MATCH MODULAR BALCONIES
05.73.13	GLASS GUARDRAIL IN ALUMINUM SHOE
07.44.53	FRP COLUMN WRAP, MOUNTED VERTICALLY
07.62.00.A	ALUMINUM COPING WITH KYNAR FINISH SEE SECTION 07.6200
08.11.13	PAINTED HOLLOW METAL DOOR AND FRAME SEE SHEETS A8-01, A8-02, AND SECTION 08.1113
08.33.23	OVERHEAD COILING DOORS
10.55.01	ADAPTIVE OUTDOOR SHADE STRUCTURE, BOD: LANDSCAPE FORMS UPFIT
31.32.36	SOE PER CIVIL DRAWINGS
32.13.13.A	GRAND EXTERIOR STAIR PER LANDSCAPE DRAWINGS

Baskervill

FORESIDE/

THE CHANNEL MARK®



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

NOT FOR CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER

2.210338.0

PFDC - BLOCK 6: THE CHANNEL MARK

58 FORE ST
PORTLAND, ME 04101

ISSUE

03/09/23 - HISTORIC PRESERVATION PACKAGE

EXTERIOR ELEVATIONS

A200

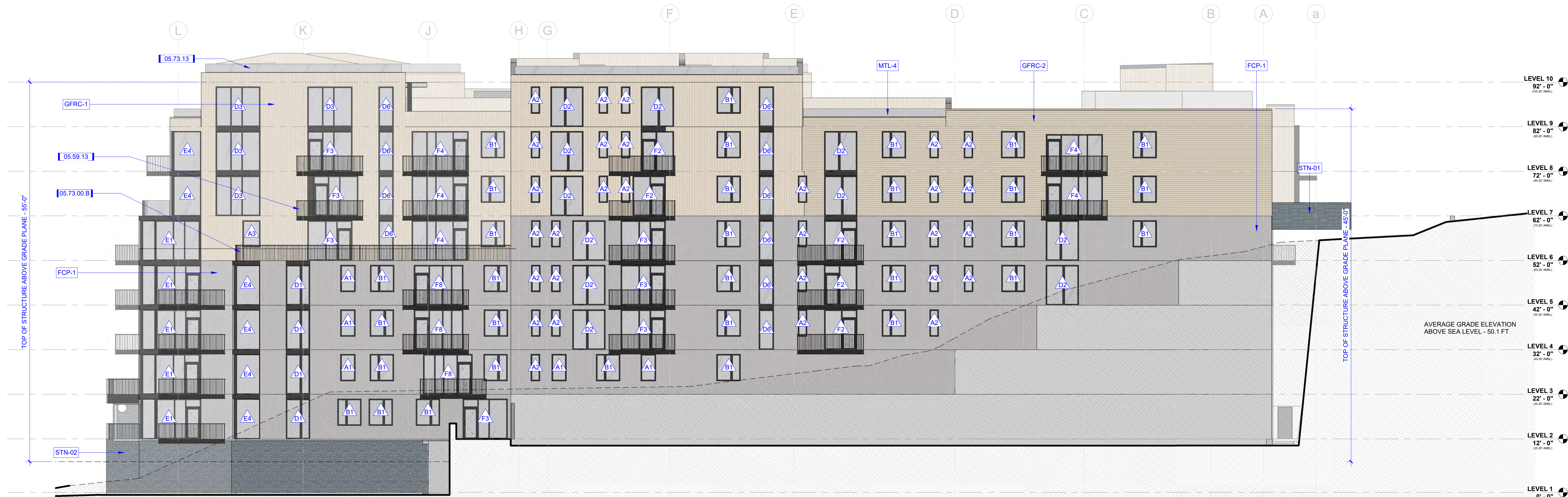
KEYNOTES

- 05.59.13 MODULAR ALUMINUM BALCONY, BOD; LEVOLLUX SERENITI MODULAR BALCONY WITH RAILED ALUMINUM BALUSTRADE, NON COMBUSTIBLE DECKING, AND EDGE DRAINAGE
- 05.73.00.B PREFINISHED ALUMINUM GUARDRAIL TO MATCH MODULAR BALCONIES
- 05.73.13 GLASS GUARDRAIL IN ALUMINUM SHOE
- 07.62.00.A ALUMINUM COPING WITH KYNAR FINISH SEE SECTION 07 6200



FORESIDE/

THE
CHANNEL
MARK®



5C ELEVATION - EAST
SCALE: 3/32" = 1'-0" DRAWING REF: A112

NOT FOR
CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

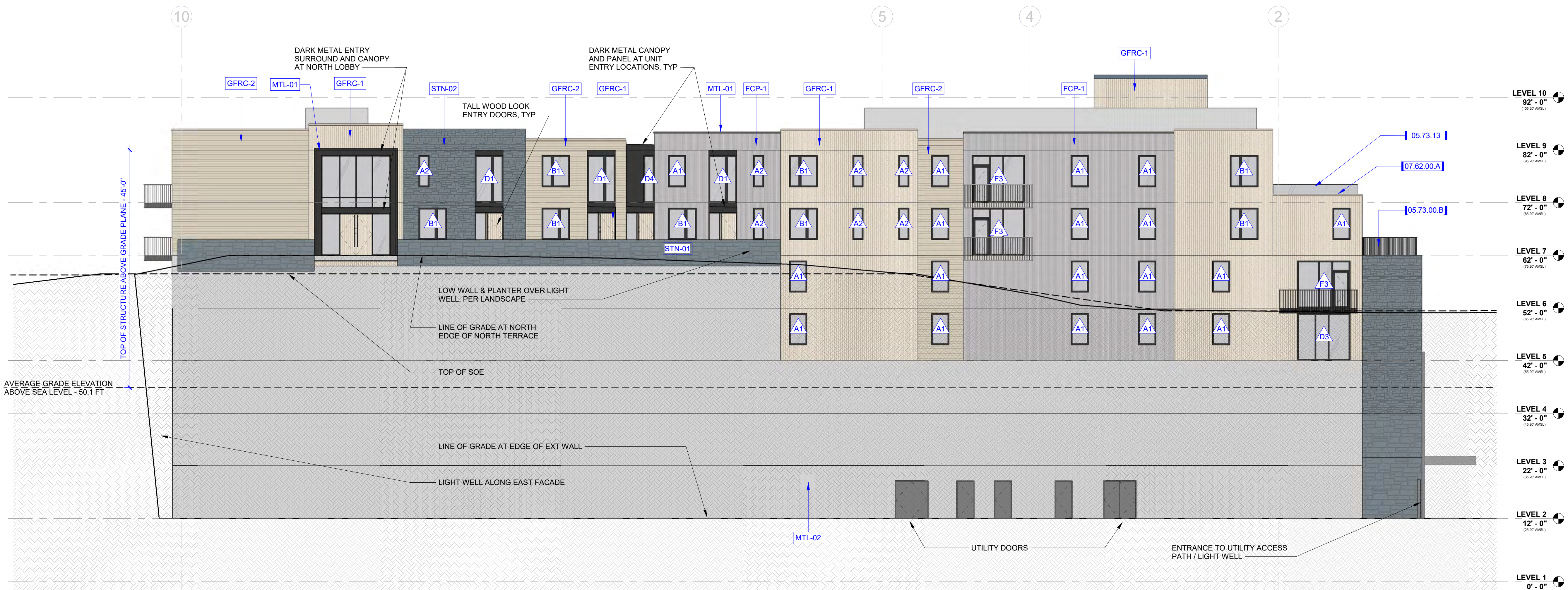
PROJECT NUMBER
2.210338.0

PFDC - BLOCK 6: THE
CHANNEL MARK

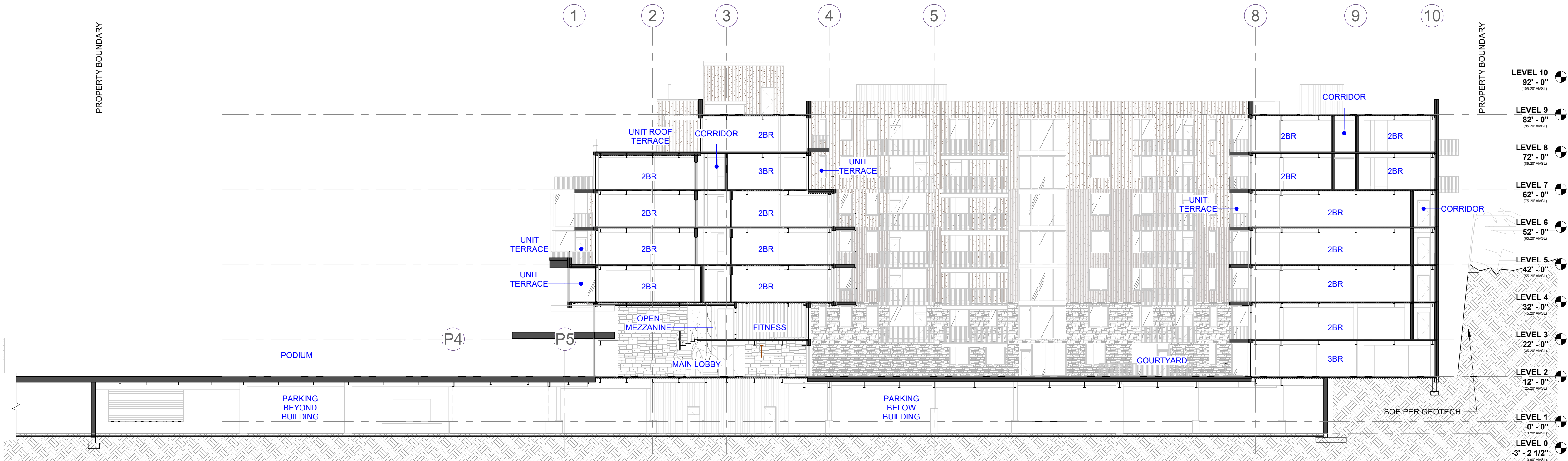
58 FORE ST
PORTLAND, ME 04101

ISSUE
03/09/23 - HISTORIC
PRESERVATION PACKAGE

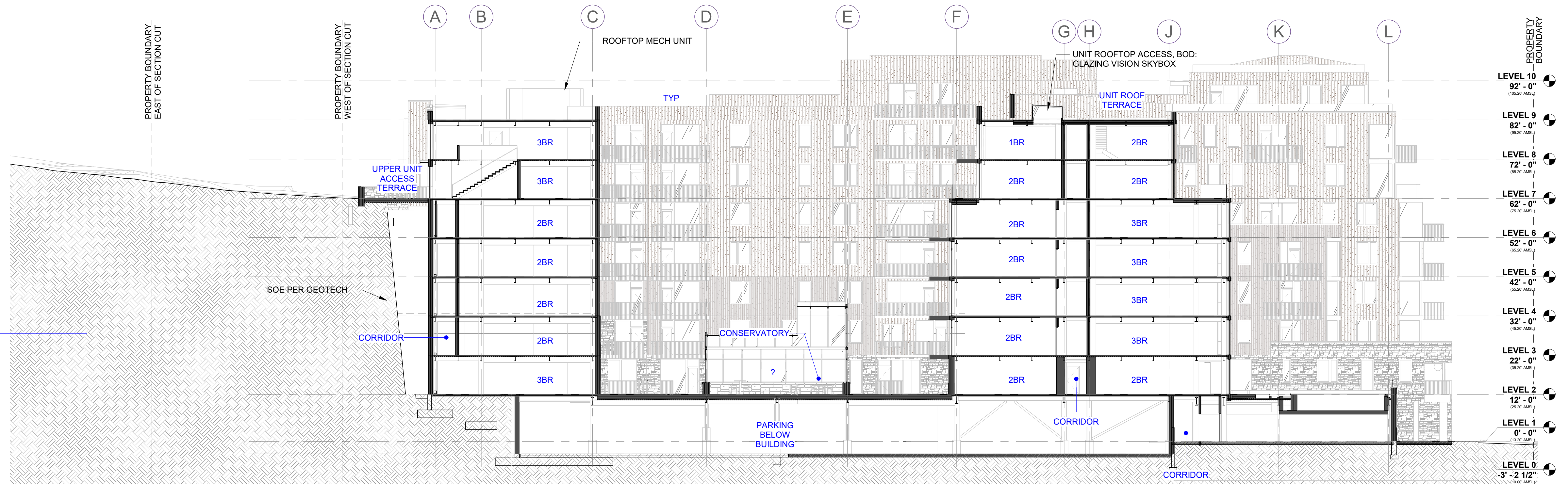
EXTERIOR ELEVATIONS
A201



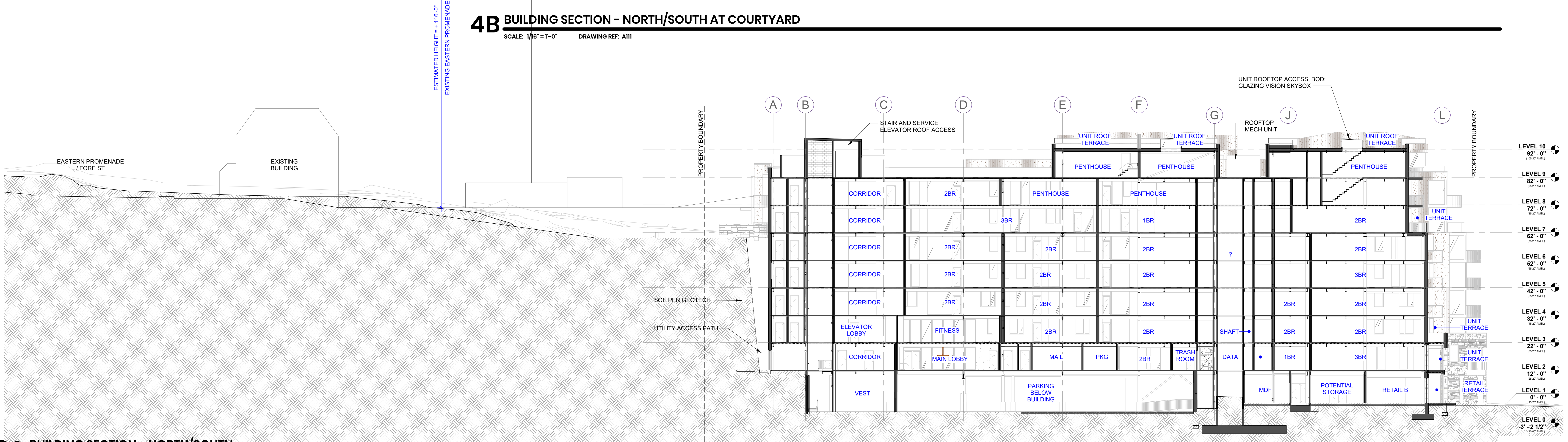
5A ELEVATION - NORTH
SCALE: 3/32" = 1'-0" DRAWING REF: A117



4D BUILDING SECTION - EAST/WEST AT COURTYARD
SCALE: 1/16" = 1'-0" DRAWING REF: A111



4B BUILDING SECTION - NORTH/SOUTH AT COURTYARD
SCALE: 1/16" = 1'-0" DRAWING REF: A111



6A BUILDING SECTION - NORTH/SOUTH
SCALE: 1/16" = 1'-0" DRAWING REF: A111

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

NOT FOR
CONSTRUCTION

COPYRIGHT 2022 BASKERVILL. USE OF THIS WORK IN WHOLE OR IN PART IS
FORBIDDEN WITHOUT EXPRESSED WRITTEN CONSENT.

PROJECT NUMBER
2.210338.0

**PFDC - BLOCK 6: THE
CHANNEL MARK**

58 FORE ST
PORTLAND, ME 04101

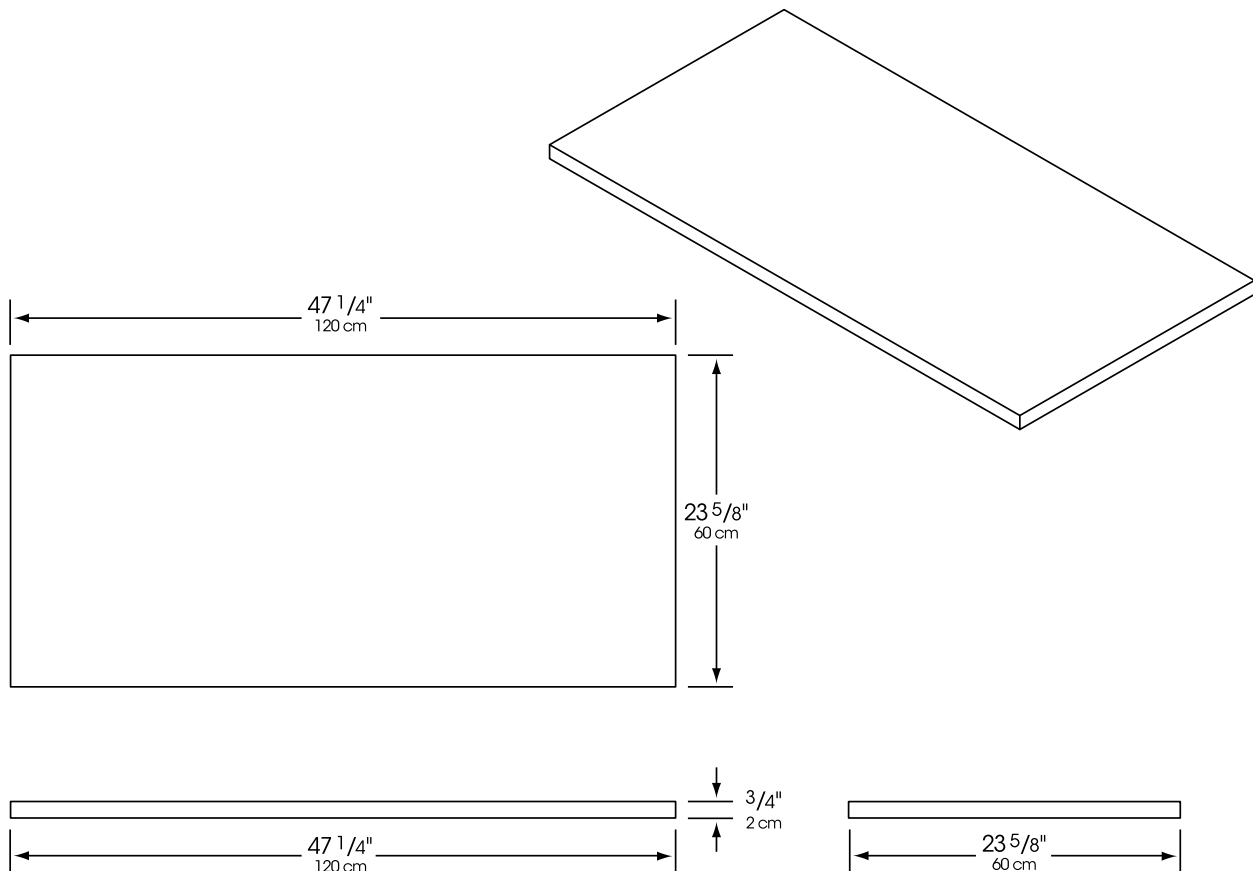
ISSUE
**03/09/23 - HISTORIC
PRESERVATION PACKAGE**

OVERALL BUILDING
SECTIONS
A300

EXTERIOR FINISH LEGEND

FINISH NO.	MATERIAL	MANUFACTURER	STYLE NAME / NO.	COLOR	SIZE	DESCRIPTION / REMARKS
CONCRETE						
CONC-01	CONCRETE					EXPOSED POURED IN PLACE CONCRETE
EXTERIOR FLOORING						
CT-01	PORCELAIN PAVER		WOOD LOOK		LARGE FORMAT - RECTILINEAR	AT POOL AND ROOF TERRACES
CT-02	PORCELAIN PAVER		STONE LOOK		LARGE FORMAT - PLANK	AT POOL AND ROOF TERRACES
PS-01	PEDASTAL PAVER SYSTEM	HANOVER PAVERS	GRIDLOC ON PEDASTAL PAVERS			WEIGHTED
PS-02	PAVERS	PER LANDSCAPE			VARIED	ABOVE PODIUM
MASONRY						
STN-01	STONE		GRANITE		LARGE FORMAT	CAVITY WALL VENEER
STN-02	STONE		GRANITE		LEDGESTONE	CAVITY WALL VENEER
METAL						
MTL-01	ALUMINUM FRAMED DOOR / WINDOW SYSTEM	WASAU		DARK BRONZE		THERMALLY BROKEN
MTL-02	ALUMINUM COMPOSITE PANEL	FAIRVIEW ARCHITECTURALS	VITRAPLATE	FACTORY FINISHED TO MATCH WINDOW SYSTEM		ROOF EQUIPMENT SCREEN
MTL-03	ALUMINIUM RAILING SYSTEM	LEVOLUX	SERENITI BALUSTADE	FACTORY FINISHED TO MATCH WINDOW SYSTEM		VERTICAL PICKET RAILING WITH NARROW PROFILE
MTL-04	GLASS GUARDRAIL	WESHAMPTON ARCHITECTURAL GLASS	BOTTOM SHOE	FINISH TO MATCH MTL-01	48" PANELS	GLASS PANEL RAILING WITH ALUMINUM MOUNT SYSTEM
MTL-05	MODULAR BALCONY	LEVOLUX	SERENITI BALCONY	FINISH TO MATCH MTL-01	15' X 5'	THERMALLY BROKEN ATTACHMENT, RAILED ALLUM DECKING, AND EDGE DRAINAGE
PAINT						
PNT-01	ELASTOMERIC COATING			COLOR TO MATCH MTL-01		ALL EXPOSED STEEL
RAINSCEEN PANEL						
FCP-1	FIBER CEMENT PANEL	SWISS PEARL	GRAVIAL	GRANITE 624		CONCEALED ATTACHEMENT SYSTEM
FCP-2	FIBER CEMENT PANEL	TBD	CLAPBOARD	WHITE	6"	CONCEALED ATTACHEMENT SYSTEM
GFRC-1	GLASSFIBER REINFORCED CONCRETE SLAT	RIEDER	ÖKO SKIN STRIPES	COLOR/FINISH MIX TBD	70mm, 147mm, 302m	CONCEALED ATTACHEMENT SYSTEM; VERTICAL ORIENTATION
GFRC-2	GLASSFIBER REINFORCED CONCRETE SLAT	RIEDER	ÖKO SKIN STRIPES	COLOR/FINISH MIX TBD	70mm, 147mm, 302m	CONCEALED ATTACHEMENT SYSTEM; HORIZONTAL ORIENTATION

HANOVER® PORCELAIN PAVER
Nominal 24" x 48"
(Actual Size 60 cm x 120 cm)



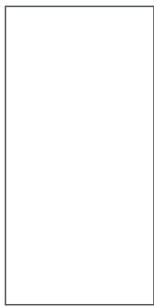
Please Note: Imperial dimensions shown are nominal. Products are made to fit metric modules.
Pavers should be laid maintaining a minimum 1/8" joint.

HANOVER®
Architectural Products
5000 Hanover Road, Hanover, PA 17331
717.637.0500 fax 717.637.7145
www.hanoverpavers.com

12.6.16

SHEET 1 OF 4


20 mm SKE2.0



120x240 OAK 2.0
 A6695 rett.



30x240 OAK 2.0
 6691 rett.



80x180 OAK 2.0
 8046 rett.



26,5x180 OAK 2.0
 8054 rett.



20x120 OAK 2.0
 6681 rett.



40x120 OAK DOGA 2.0
 6651 rett.



60x60 OAK DOGA 2.0
 6546 rett.

PEZZI SPECIALI / SPECIAL PIECES

Vasta gamma di pezzi speciali disponibili su richiesta.
 Big range of special pieces available on demand.


10 mm



80x180 OAK
 6501 rett.



26,5x180 OAK
 6506 rett.



20x120 OAK
 6511 rett.
 6591 grip rett. **R11**



60x120 OAK
 6576 rett.
 6601 grip rett. **R11**



15x90 OAK
 6516 rett.



7,5x60 BATT. OAK
 6571

PEZZI SPECIALI / SPECIAL PIECES



30x30 tessere 3x3
 MOS. OAK
 6551



30x30 tessere 2,8x30
 MOS. STICKS OAK
 6606



30x30 tessere 1,5x10
 MOS. WOOD LIGHT
 6616



30x30 tessere 1,5x10
 MOS. WOOD MEDIUM
 6617



10x60 strisce 1,5x60
 MOS. STRIP OAK
 6611



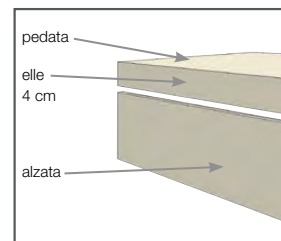
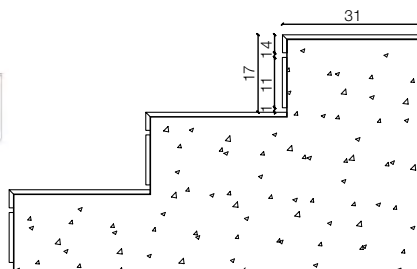
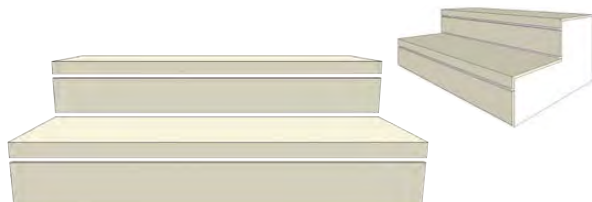
29x120 OAK CHALET
 6556



25x120 OAK LISTELLATO
 6561

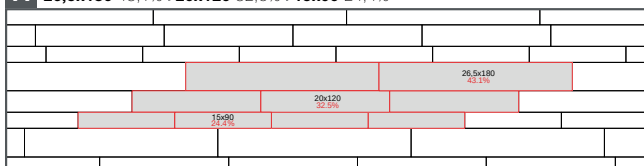


scale_STEPS_ESCALIERS_TREPPEN

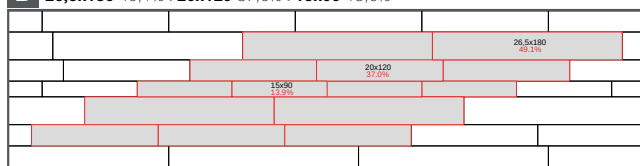


schemi di posa_INSTALLATION PATTERNS_SCHEMAS DE POSE_VERLEGESCHENEN

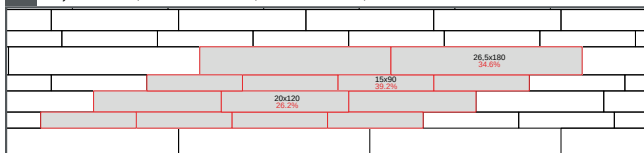
A 26,5x180 43,1% | 20x120 32,5% | 15x90 24,4%



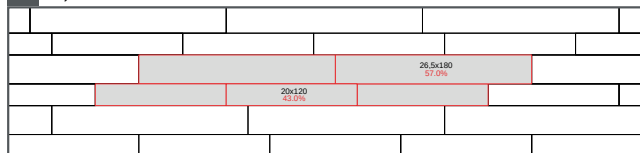
B 26,5x180 49,1% | 20x120 37,0% | 15x90 13,9%



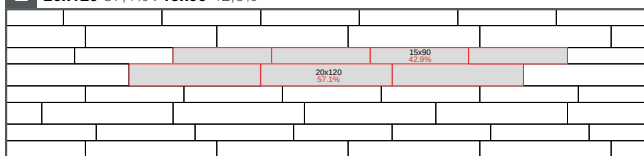
C 26,5x180 34,6% | 20x120 26,2% | 15x90 39,2%



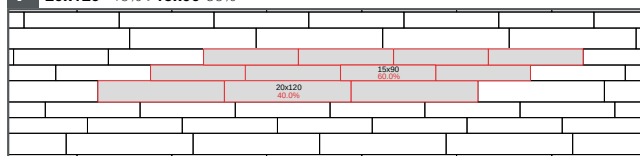
D 26,5x180 57% | 20x120 43%



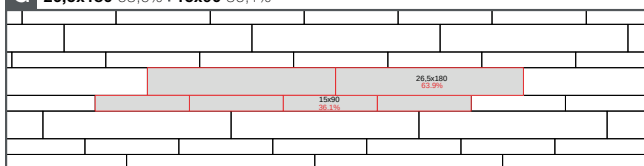
E 20x120 57,1% | 15x90 42,9%



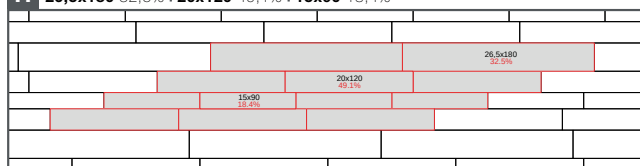
F 20x120 40% | 15x90 60%



G 26,5x180 63,9% | 15x90 36,1%



H 26,5x180 32,5% | 20x120 49,1% | 15x90 18,4%



WOODSIDE	Thickness	Pezzi per scatola	M² per scatola	Kg per scatola	Scatole per pallet	M² per pallet	KG per pallet
80x180	10	2	2,88	67,00	20	57,60	1.360
26,5x180	10	3	1,44	32,80	42	60,48	1.397,6
60x120	10	2	1,44	33,00	30	43,20	1.010
20x120	10	6	1,44	31,00	24	34,56	764
15x90	10	6	0,81	20,50	72	58,32	1.496
29x120 chalet	10	2	0,70	16,00	20	14,00	340
25x120 listellato	10	2	0,60	14,00	20	12,00	300
30x30 - mosaico 3x3	10	10	0,90	18,00	30	27,00	560
30x30 - sticks 2,8x30	10	10	0,90	18,00	30	27,00	560
30x30 - mosaico mix 1,5x10	10	5	0,45	7,50	-	-	-
10x60 - strip 1,5x60	10	5	0,30	7,00	-	-	-
120x240	20	1	2,88	136,00	6	17,28	836
30x240	20	1	0,72	33,00	20	14,40	680
80x180	20	1	1,44	67,00	20	28,80	1.360
26,5x180	20	2	0,96	44	30	28,80	1.340
20x120	20	3	0,72	31,50	24	17,28	776
60x60	20	2	0,72	33,00	30	21,60	1.010
40x120	20	2	0,96	44,20	24	23,04	1.080,8

CARATTERISTICHE E PROPRIETÀ CHARACTERISTICS OR PROPERTIES CARACTERISTIQUES OU PROPRIETES EIGENSCHAFTEN UND GÜTEMERKMALE	NORME STANDARDS NORMES NORMEN	SECONDO LE NORME COMPLIANCE WITH STANDARDS CONFORME AUX NORMES ENTSPRECHEND DEN NORMEN UNI EN 14411 G			
QUALITÀ DELLA SUPERFICIE - SURFACE QUALITY - QUALITE DE LA SURFACE - OBERFLÄCHENQUALITÄT	ISO 10545-2	IL 95% MIN DELLE PISTRELLE DEVE ESSERE ESENTI DA DIFETTI VISIBILI / AT LEAST 95% OF THE TILES MUST BE FREE FROM VISIBLE FLAWS / 95% MIN DES CARREUX NE DOIVENT PRÉSENTER AUCUN DÉFAUT VISIBLE / MINDESTENS 95% DER FLIESEN MUSSEN FREI VON SICHTBAREN	CONFORME ALLE NORME - COMPLIES WITH STANDARD - CONFORME AUX NORMES - NORMGERECHT		
		N ≥ 15cm	N ≥ 15cm mm	RISULTATI TEST TEST RESULTS RESULTSTES DES ESSAIS PRÜFERGEBNIS	CONFORME ALLE NORME COMPLIES WITH STANDARD CONFORME AUX NORMES - NORMGERECHT
DEVIAZIONE MASSIMA DI RETTILINEITÀ IN % - MAXIMUM STRAIGHTNESS DEVIATION IN % - MARGE DE TOLÉRANCE DE RECTITUDE EN % - ZULÄSSIGE HOECHSTABWEICHUNG DER KANTENGERADHEIT IN PROZENTEN		± 0,5 %	± 1,5 mm	± 0,10%	CONFORME ALLE NORME COMPLIES WITH STANDARD CONFORME AUX NORMES - NORMGERECHT
DEVIAZIONE AMMISSIBILE IN %, DELLO SPESSORE MEDIO DI OGNI PIASTRELLA DALLA DIMENSIONE DI FABBRICAZIONE - ADMITTED DEVIATION, IN %, OF THE AVERAGE THICKNESS OF EACH TILE FROM THE PRODUCTION DIMENSIONS - MARGE DE TOLÉRANCE, EN POURCENTAGE, ENTRE L'ÉPAISSEUR MOYENNE DE CHAQUE CARREAU ET LA DIMENSION DE FABRICATION - ZULÄSSIGE ABWEICHUNG DER DURCHSCHNITTSDICKE JEDER FLIESE VOM HERSTELLMASS IN PROZENTEN		± 0,5 %	± 0,5 mm	± 5%	CONFORME ALLE NORME COMPLIES WITH STANDARD CONFORME AUX NORMES - NORMGERECHT
DEVIAZIONE MASSIMA DI ORTOGONALITÀ IN % - MAXIMUM RIGHT-ANGLE DEVIATION IN % - MARGE DE TOLÉRANCE D'ANGULARITÉ EN % - HOECHSTABWEICHUNG DER RECHTWINKLIGKEIT IN PROZENTEN		± 0,5 %	± 2,0 mm	± 0,20%	CONFORME ALLE NORME COMPLIES WITH STANDARD CONFORME AUX NORMES - NORMGERECHT
PLANARITÀ - FLATNESS - PLANEITE - EBENFLÄCHIGKEIT		± 0,5 %	± 2,0 mm	± 0,35%	CONFORME ALLE NORME COMPLIES WITH STANDARD CONFORME AUX NORMES - NORMGERECHT
LUNGHEZZA E LARGHEZZA - LENGTH AND WIDTH LONGUEUR ET LARGEUR - LÄNGE UND BREITE		± 0,6 %	± 2,0 mm	± 0,15%	CONFORME ALLE NORME COMPLIES WITH STANDARD CONFORME AUX NORMES - NORMGERECHT
ASSORBIMENTO D'ACQUA - WATER ABSORPTION ABSORPTION D'EAU - WASSERAUFNAHME	ISO 10545-3	≤ 0,5 %	E < = 0,04 %		
RESISTENZA ALLA FLESSIONE - BENDING STRENGTH RESISTANCE À LA FLEXION - BIEGEZUGFESTIGKEIT	ISO 10545-4	R ≥ 35 N/mm²	53 N/mm²		
RESISTENZA ALL'URTO - IMPACT RESISTANCE RESISTANCE AUX CHOCES - SCHLAGFESTIGKEIT	ISO 10545-5	VALORE DICHIARATO - DECLARED VALUE - VALEUR DÉCLARÉE - ANGEGBENER WERT	0,88		
RESISTENZA ALL'ABRASIONE PROFONDA - RESISTANCE TO DEEP ABRASION RESISTANCE À L'ABRASION PROFONDE - WIDERSTANDSFÄHIGKEIT GEGEN TIEFENABRIEB	ISO 10545-6	≤175 mm³	<128 mm³		
COEFF. DI DILATAZIONE TERMICA LINEARE - COEFFICIENT OF LINEAR THERMAL-EXPANSION - COEFF. D'EXTENSION THERMIQUE LINEAIRE - LINEAR WÄRMEAUSSDEHNUNGS-KOEFFIZIENT	ISO 10545-8	-	α=7x10 ⁻⁶ /°C ⁻¹		
RESISTENZA AGLI SBALZI TERMICI - THERMAL SHOCK RESISTANCE RESISTANCE AUX ÉCARTS THERMIQUES - TEMPERATURWECHSELBESTÄNDIGKEIT	ISO 10545-9	TEST SUPERATO SECONDO EN ISO 10545-1 - PASS ACCORDING EN ISO 10545-1 - TEST OBTENUS SELON EN ISO 10545-1 - TEST LAUT EN ISO 10545-1 BESTANDEN	NESSUN DANNO - NO DAMAGE - AUCUN DOMMAGE - KEIN SCHADEN		
RESISTENZA AL GELO - FROST RESISTANCE RESISTANCE AU GEL - FROSTBESTÄNDIGKEIT	ISO 10545-12	TEST SUPERATO SECONDO EN ISO 10545-1 - PASS ACCORDING EN ISO 10545-1 - TEST OBTENUS SELON EN ISO 10545-1 - TEST LAUT EN ISO 10545-1 BESTANDEN	NESSUN DANNO - NO DAMAGE - AUCUN DOMMAGE - KEIN SCHADEN		
RESISTENZA AGLI AGENTI CHIMICI - CHEMICAL RESISTANCE RESISTANCE À L'ATTAQUE CHIMIQUE - BÄSTÄNDIGKEIT GEGEN CHEMIKALIEN	ISO 10545-13	UB MIN.	UA ULA UHA		
RESISTENZA ALLE MACCHIE - RESISTANCE TO STAIN RESISTANCE AUX TACHES - FLECKENFESTIGKEIT	ISO 10545-14	VALORE DICHIARATO - DECLARED VALUE - VALEUR DÉCLARÉE - ANGEGBENER WERT	Classe 5		
RESISTENZA AL FUOCO - FIRE RESISTANCE RESISTANCE AU FEU - FEUERWIDERSTAND	EN 13501 - 1	VALORE DICHIARATO - DECLARED VALUE - VALEUR DÉCLARÉE - ANGEGBENER WERT	CLASSE A1 - A1 FL		
RESISTENZA ALLO SCIVOLAMENTO - SLIP RESISTANCE RESISTANCE AU GLISSEMENT - BESTIMMUNG DER RUSTCHEMME EIGENSCHAFT			NAT	GRIP	SKE2.0
	B.C.R. C.A. B.C.R. G.B D. M. 236 DEL 4.6 1989	> 0,40	CONF	CONF	CONF
	ASTM C 1028/07 BOT 3000	Dry SCOF > 0,60	CONF	CONF	CONF
	ASTM C 1028/07 BOT 3000	Wet SCOF > 0,60	CONF	CONF	CONF
	ANSI A137.1 BOT 3000	Wet DCOF > 0,42	CONF	CONF	CONF
	DIN 51130	-	R10	R11	R11
	DIN 51097	-	A	A+B+C	A+B+C
	ENV 12633	≥ CL 1	CONF	CONF	CONF
	UNI EN 13036 - 4 2011	≥ 36	CONF	CONF	CONF
STABILITÀ DEI COLORI ALLA LUCE E AI RAGGI U.V. COLOUR STABILITY ON EXPOSURE TO LIGHT AND UV RAYS STABILITÉ DES COULEURS À LA LUMIÈRE ET AUX RAYONS U.V. FARBESTÄNDIGKEIT UNTER LICHTEINFLUSS UND UV-STRAHLUNG	DIN 51094	VALORE DICHIARATO - DECLARED VALUE - VALEUR DÉCLARÉE - ANGEGBENER WERT	CONFORME ALLE NORME, NO VARIAZIONI COMPLIES WITH STANDARD, NO VARIATION CONFORME AUX NORMES, PAS DE CHANGEMENTS NORMGERECHT, KEINE ÄNDERUNG		
SKE2.0					
CARICO STATICO - STATIC LOAD CHARGE STATIQUE - STATISCHER BELASTUNG	EN 12825	VALORE DICHIARATO - DECLARED VALUE - VALEUR DÉCLARÉE - ANGEGBENER WERT	CENTRO - CENTRE 9,6 KN CENTRO LATO CENTRE POINT OF SIDES 6,5 KN DIAGONALE - DIAGONAL 8,19 KN (CLASSE 3)		
CARICO DINAMICO, PROVA DI URTO DI CORPI DURI - DYNAMIC LOAD CAPACITY, HAND OBJECT IMPACT TEST C, STATIQUE, ESSAI D'IMPACT DE CORPS DURS - STATISCHER BELASTUNG, AUSWIRKUNGEN TEST DER HARTEN KÖRPER	EN 12825	VALORE DICHIARATO - DECLARED VALUE - VALEUR DÉCLARÉE - ANGEGBENER WERT	TEST NON SUPERATO - TEST NOT PASSED TEST À ÉCHOUE - TEST FEHLSGESCHLAGEN		
CARICO DINAMICO, PROVA DI URTO DI CORPI MORBIDI - DYNAMIC LOAD CAPACITY, SOFT OBJECT IMPACT TEST C, STATIQUE, ESSAIS D'IMPACT DE CORPS MOUS - STATISCHER BELASTUNG, AUSWIRKUNGEN PRÜFUNG VON WEICHEN KÖRPERN	EN 12825	VALORE DICHIARATO - DECLARED VALUE - VALEUR DÉCLARÉE - ANGEGBENER WERT	TEST SUPERATO - TEST PASSED TEST REUSSI - TEST BESTANDEN		
RESISTENZA ALLA FLESSIONE, CARICO DI ROTTURA IN N - BENDING STRENGTH, BREAKING FORCE IN N RESISTANCE À LA FLEXION, CHARGE DE RUPTURE IN N - BIEGEFESTIGKEIT, BRUCHLAST EN N	EN 1339	Kn 14,38	CLASSE U14		
CARICO DI ROTTURA IN MPA - BREAKING FORCE IN MPA - CHARGE DE RUPTURE IN MPA - BRUCHLAST EN MPA		-	MPA 46,5		



FLAMED BASALT PAVERS



SKUs: B-P-2-88 – 2" x 8" x 8" – 180 pcs/crate

B-P-2-816 – 2" x 8" x 16" – 90 pcs/crate

B-P-2-1616 – 2" x 16" x 16" – 45 pcs/crate

B-P-2-1624 – 2" x 16" X 24" – 30 pcs/crate

Description: Flamed basalt pavers are durable, beautiful, and practical. With plenty of grip and texture provided during our flaming process, these pavers are versatile and suitable for use in many different exterior locations. Custom sizing also available.

Color: Dark grey, charcoal

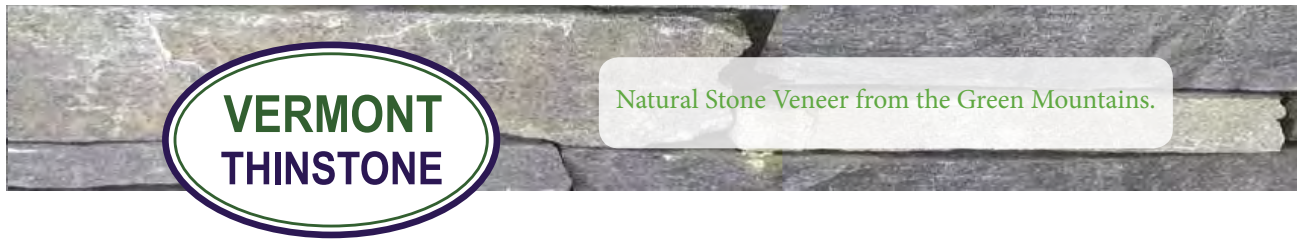
Weight: 32 pounds per square foot

VERMONT THINSTONE



Natural Stone Veneer from the Green Mountains.

www.VermontThinstone.com



Rolling Rock is a granite river rock. Colors are muted gray, tans and creams.



Rolling Rock



Rounds



Rolling Rock

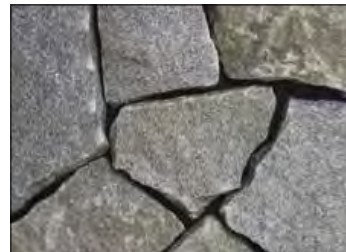
Winchester White is dense granite with no real grains. White with black specks and some yellow tones.



Winchester White



Ledgestone



Mosaic



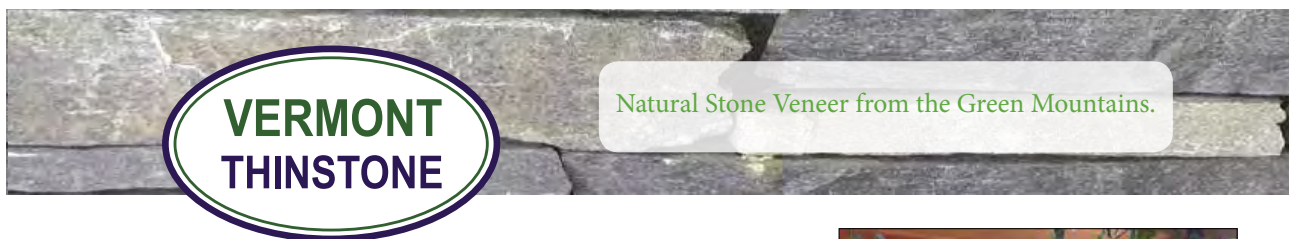
Square & Rect



Ashlar



Rolling Rock



Lincoln Lake
Ledgestone



Dove Cove Ledge/
Ashlar/Mosaic



Dove Cove
Ledgestone

Specification Information Available



Installation Specifications available for all types of structures.



Architects and Designers:
Specification sheets are
available upon request
for all our stone.
Gives you all the ASTM
specs, and sizes of each cut.

Material Specifications:

Stone Cut	Size Spec	Facing Area
Mosaic	1" - 1 ¼" Thickness	¼ sf - 1 ½ sf
Ledgestone	1" - 1 ¼" Thickness	Height 1-4" Length 4-16"
Ashlar	1" - 1 ¼" Thickness	Height 3-8" Length 4-16"
Square & Rectangle	1" - 1 ¼" Thickness	¼ sf - 1 ½ sf
Rounds	1" - 1 ¾" Thickness	¼ sf - 1 ¼ sf
2-4-6 Stone	1" - 1 ¼" Thickness	Height 2" or 4" or 6" Length 3-18"

Packaging:



Hardwood Crates
50 sf. 100 sf. 50 sf. Flats
50 lf. 100 lf. Corners



Plastic Totes
10 sf. Flats
5 lf. 10 lf. Corners

**** NOTE:** Square footage and Linear footage are based on 3/8" joints between stones;; if you drystack/tight fit the installation, then you must add 30% more Square footage/Linear foot to your overall order.

Place
Sticker
Here

WINDOW WALL PRODUCTS AND APPLICATIONS



Leverage the unique characteristics of window wall for your next mid-rise or high-rise residential, mixed-use or dormitory project. Wausau offers a full line of windows, curtainwall systems and storefront designed specifically for use in window wall applications.

Wausau's experienced technical design team optimizes structural integrity, weather-ability, energy efficiency, noise attenuation and aesthetics, to deliver time-tested products backed by a well-deserved 65-year reputation for reliability and workmanship.

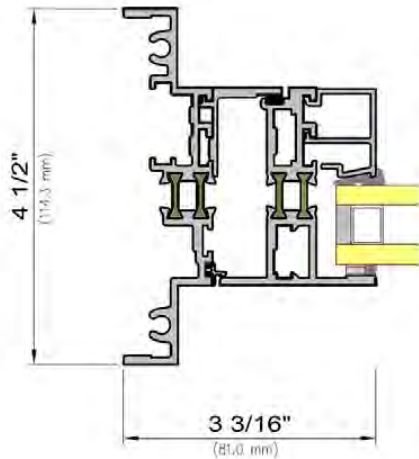
www.wausauwindow.com



TECHNICAL GUIDE
PROJECTED, CASEMENT and FIXED

Architectural Windows

4250i-OS Offset INvent™ Series



Setback glass provides a distinctive design feature



Features

- ✓ 4½" frame depth with polyamide thermal barrier
- ✓ AAMA AW-100 Performance Class
- ✓ Fixed, project-out awning, project-in hopper, or casement
- ✓ Glass plane recessed 1 ¼" from exterior face
- ✓ Dual or triple glazed option with hinged or lift-out access panels
- ✓ 5/8" or 1" between-glass Venetian blinds available
- ✓ Slide-in heavy duty steel anchors
- ✓ 1/8" principal wall thickness
- ✓ Multi-lock hardware option for improved accessibility
- ✓ Head, sill and jamb receptors available
- ✓ Broad selection of renovation panning
- ✓ Offered through Advantage by Wausau
- ✓ NFRC labeled
- ✓ High recycled content aluminum framing
- ✓ BHM option for UFC or ISC blast hazard mitigation

See the INvent™ –XLT
Technical Guide for superior
energy efficiency and
hurricane impact options.



Performance

Allowable Air
0.10 cfm/sqft at 6.24 psf
Water
15 psf
NFRC U-Factor
0.40 to 0.64 BTU/hr.sqft.°F (est.)
CRF_f
46 to 50 (est.)
STC
31 to 42

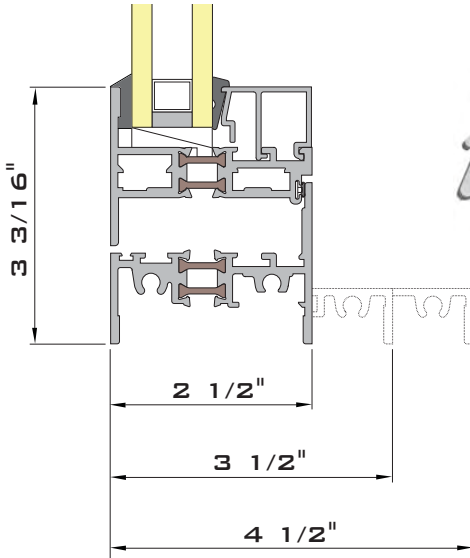
DISCLAIMER: Wausau Window and Wall Systems takes no responsibility for product selection or application, including, but not limited to, compliance with building codes, safety codes, laws, merchantability or fitness for a particular purpose; and further disclaims all liability for the use, in whole or in part, of this Technical Guide in preparation of project specifications and/or other documents. Technical Guides are subject to change at any time, without notice, and at Wausau's sole discretion. ©2014 Apogee Wausau Group, Inc.



TECHNICAL GUIDE
PROJECTED, CASEMENT and FIXED

Architectural Windows

2250i, 3250i and 4250i INvent™ Series



Features

- ✓ 2½", 3½" and 4½" frame depth with polyamide thermal barrier
- ✓ AAMA AW-100 Performance Class
- ✓ Fixed, project-out awning, project-in hopper, or casement
- ✓ Flush vent construction reduces collection of dust and debris
- ✓ 4250i simulated double hung option
- ✓ Dual or triple glazed option with hinged or lift-out access panels
- ✓ 5/8" or 1" between-glass Venetian blinds available
- ✓ Slide-in heavy duty steel anchors
- ✓ 1/8" principal wall thickness
- ✓ Multi-lock hardware option for improved accessibility
- ✓ Head, sill and jamb receptors available
- ✓ Broad selection of renovation panning
- ✓ Offered through Advantage by Wausau
- ✓ NFRC labeled
- ✓ High recycled content aluminum framing
- ✓ BHM option for UFC or ISC blast hazard mitigation

See the INvent™ –XLT
Technical Guide for superior
energy efficiency and
hurricane impact options.



Performance

Allowable Air
0.10 cfm/sqft at 6.24 psf
Water
15 psf
NFRC U-Factor
0.34 to 0.64 BTU/hr.sqft.°F
CRF_f
46 to 65
STC
31 to 42

DISCLAIMER: Wausau Window and Wall Systems takes no responsibility for product selection or application, including, but not limited to, compliance with building codes, safety codes, laws, merchantability or fitness for a particular purpose; and further disclaims all liability for the use, in whole or in part, of this Technical Guide in preparation of project specifications and/or other documents. Technical Guides are subject to change at any time, without notice, and at Wausau's sole discretion. ©2014 Wausau

7800 International Drive . Wausau, WI 54401 . Phone 715.845.2161 . Fax 715.846.4350 . www.wausauwindow.com

CROSSTRAK™ SLIDING DOORS, TERRACE DOORS and ENTRANCES INTEGRATED SOLUTIONS

CrossTrak™ Euro lift-and-slide or conventional sliding glass doors move in the plane of the wall, and are designed for high-rise air, water and structural performance, meeting stringent AAMA AW Performance Class requirements. Polyamide thermal barriers improve energy efficiency and facilitate two-color finishing. Two-track designs offer an open area of up to 50%, and are available as inside-slide for Juliet balconies (pictured) or outside-slide using low-profile improved-access sill detailing for easier passage. Water test pressure (WTP) varies with configuration.

Wausau **TD-4250i Series Terrace Doors** are side-hinged, and designed for high-rise air, water and structural performance. Single leaf and French astragal options are available, all meeting AAMA AW Performance Class requirements. Improved-access sill threshold detailing complies with ANSI A117.1 and the Fair Housing Act.

Ask for integrated balcony doors that are side-stacking with window wall systems, for matching runs of framing and accessories, single source responsibility, one warranty and one finisher, as well as one set of shop drawings and calculations for review and coordination.

Storefront doors, like the unique Wausau **EN-8300i Series Historical Entrances** with true divided lite muntins, or standard medium stile doors, meet most designers' size expectations and are durable and adjustable, accepting a broad range of hardware. However, performance of aluminum entrances is suitable only for low-rise applications, and they are properly used only where well-protected from the elements.

Door closers are always a good idea on swinging doors, in case of unexpected wind gusts on doors left unlocked or unlatched in severe weather events. For more information check out the online Wausau AIA CES program, "*Balcony Door Systems.*"



With properly designed building conditions and correct installation, improved access sill component profiles will meet ADA accessibility criteria per Fair Housing Act Regulations, 24 CFR 100.205 Chapter 4, "Thresholds and Accessibility Routes at Exterior Doors." However, Wausau makes no claim relative to ANSI A117.1 compliance of the total door installation, including but not limited to, clear width, hardware, approach area, reach, force(s), motion, etc. It is the sole responsibility of the building's Architect or Engineer of Record to verify compliance of the total installation. Wausau takes no responsibility for acceptance by authorities having jurisdiction.

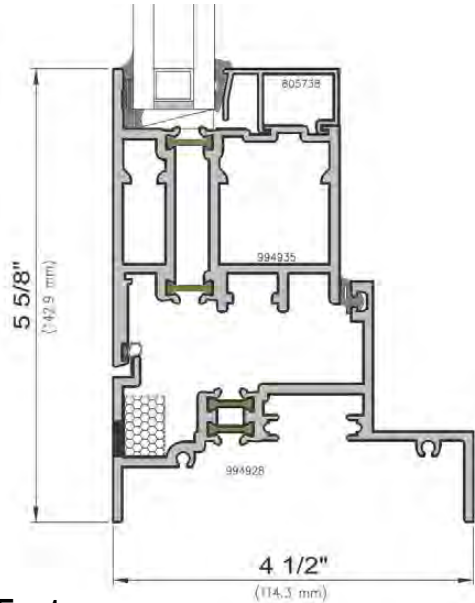
Page 9



TECHNICAL GUIDE
ARCHITECTURAL TERRACE DOORS

Architectural Terrace Doors

TD-4250i Series



Features

- ✓ 4½" frame depth with polyamide thermal barrier – Integrates with other Wausau products
- ✓ AAMA AW60 (single) AW50 (French) Performance Class
- ✓ In-swing or out-swing operation
- ✓ Sturdy corner-blocked and crimped door leaf construction; tested in door leaf sizes up to 4'-0" x 8'-0"
- ✓ Verona-style handle with manual compression lock; adjustable stainless steel multi-point locks
- ✓ Designed for LCN 4040 door closers (by others)
- ✓ Improved access sills (limited water) available for single and French doors
- ✓ Forced entry resistant
- ✓ Two-color finish option
- ✓ Window wall insert frames available
- ✓ Offered through Advantage by Wausau
- ✓ High recycled content extruded framing

Performance

Allowable Air
0.10 cfm/sqft at 6.24 psf
Water
15 psf (single) 12 psf (French)
NFRC U-Factor
0.47 to 0.67 BTU/hr.sqft.*F (est)
CRF_i
58
STC
33 to 37 (est)



DISCLAIMER: Wausau Window and Wall Systems takes no responsibility for product selection or application, including, but not limited to, compliance with building codes, safety codes, laws, merchantability or fitness for a particular purpose; and further disclaims all liability for the use, in whole or in part, of this Technical Guide in preparation of project specifications and/or other documents. Technical Guides are subject to change at any time, without notice, and at Wausau's sole discretion. © 2014 Apogee Wausau Group, Inc.

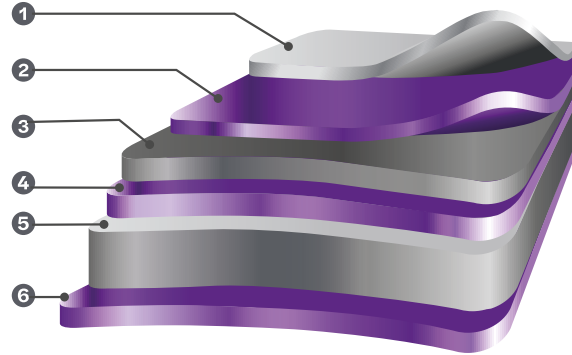




Product Composition

TYPICAL COMPOSITION

- ① Protective Film
- ② Clear Coating Finish Dependent
- ③ PVDF Colored Coating
- ④ Primer Coating
- ⑤ 3mm Aluminum
- ⑥ Chromate Conversion Coating



The material is rigid, resistant to blows, breakage and pressure, and has high bending, buckling and breaking strengths.

Product Weight

	Weight	
Vitraplate	3mm (1/8")	1.78 lb/ft ² [8.7 kg/m ²]

Product Tolerances

Width	(+1/2" / -1/8")
Length	(+2" / -0)
Thickness	+ - 0.18mm
Bow	Max 0.5% of length and/or width
Squareness	Max 0.196" (4.97mm)
Surface Defects	The surface shall not have any irregularities such as dents, scratches and other imperfections in accordance with our quality assurance.

Panel Sizes

Dimensions	
Width	Standard: 48", 60", 62" (1219mm, 1524mm, 1574mm)
Length	Standard: 122", 146", 196" (3099mm, 3708mm, 4980mm)

Technical Data

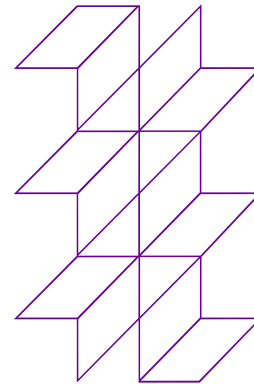
Standards	Description	Test Standard	Result
-----------	-------------	---------------	--------

PROPERTIES

ASTM E136	Fire Performance of 3003 Aluminum	$\Delta T < 86^{\circ}\text{F}$	PASS
-----------	-----------------------------------	---------------------------------	------

THERMAL PERFORMANCE

ASTM D696	Coefficient of Linear Expansion	13.8x10 ⁻⁶ in/in/°F (Aluminum)	
-----------	---------------------------------	---	--



Technical Data – AAMA 2605 Standard PVDF Coating

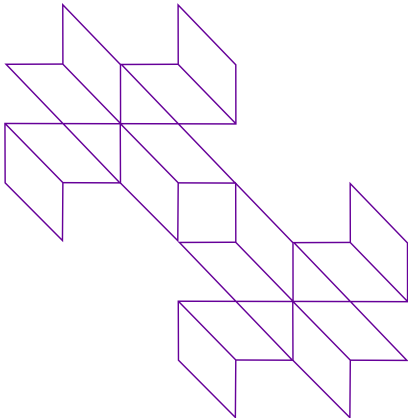
PVDF Coating	Descriptions	Test	Test Result
ASTM B117	Salt Spray Resistance	5% salt fog at 95°F	Passes 4000 hrs. Less than 1/16" avg creepage from scribe. None or few #8 blisters
ASTM D523	Specular Gloss Test	Standard @ 60°	Varies per finish
ASTM D1308	Alkali Test	10%, 25% NaOH, 1hr	No Effect
ASTM D714	Blistering of Paint Test	100% Relative Humidity @ 95°F	Passes 4000 hrs.
ASTM D2244	Exterior Exposure	10 years @ 45° South Florida	PASS - Max. 5 fade
ASTM D2247	Water Resistance	100% Relative Humidity @ 95°F	No #8 blisters
ASTM D2794	Reverse Impact	1.5 x metal thickness (Aluminum)	No cracking or adhesion loss
ASTM D3359	Adhesion	Reverse impact 1/16" crosshatch	No adhesion loss
ASTM D3363	Film Hardness	Pencil Test F - 2H	PASS
ASTM D4145	Prepainted Metal Coating Flexibility	T - Bend	0 - 2 T - Bend, No pick off
ASTM D4214	Chalk Resistance	10 years @ 45° South Florida	Pass - Max. 8 Chalk



Quality Control

Our dedication to fulfilling our customer’s expectations is reflected in our superior quality control system, beginning at the point of specification and continuing through to delivery of our guaranteed products. All activities are carried out in a manner that:

- uses the framework of ISO9000 Quality Standards to verify the quality of our systems
- ensures that our products and services are of the highest standards
- create continuous improvements to our product through the application of the best quality practices.



System-Tested Solutions

Complies to AAMA 508 and 509 when installed with Arrowhead and meets the test protocols TAS201, 202, and 203 in accordance with the Florida building code for the high velocity hurricane zone and Miami Dade County requirements.

AAMA 508 PRESSURE EQUALIZED ARROWHEAD RAIN SCREEN			
Standard	Test	Test Standard	Result
ASTM E283	Air Leakage of Test Buck (without panel system installed)	0.11 cfm/ft² min. 0.13 cfm/ft² max.	PASS
ASTM E1233	Cyclic Static Air Pressure Differential (pressure cycling)	Cycle Time Lag 0.08 sec max. Cycle Pressure Difference 12.5 psf max.	PASS
			PASS
ASTM E331	Static Water Penetration	3.20 ft²	PASS
AAMA 501.1	Dynamic Water Penetration	3.20 ft²	PASS
ASTM E330	Uniform Load Deflection and Uniform Load Structural	L/175 of Stiffener Length	PASS

AAMA 509 DRAINED AND BACK VENTILATED ARROWHEAD RAIN SCREEN			
Standard	Test	Lean Results	Flex Results
ASTM E283	Air Leakage	V1	V3
ASTM E331	Static Water Penetration	W1	W1
AAMA 501.1	Dynamic Water Penetration		

Warranty

A product warranty of up to 20 years is provided when installed by a licenced installer. An MCM coating warranty is issued on a project specific basis and is available up to 30 years per Fairview architectural approval.



It is the responsibility of the Architect, Building Owner, General Contractor, Installer or Fabricator to ensure that the appropriate tests have been carried out on the final assembly and that the materials meet the national, regional and local building codes and regulations. As the supplier, Fairview can only offer test reports for Vitraplate and any tested wall assembly. Fairview is not responsible for determining if a variation in the wall assembly will meet the test standards.

Technical Data contained in this document is accurate at the time of writing 03/01/2020. In the event more information is required please contact the Fairview office on 860-242-2711 or email: helpdesk@fairview-na.com

Issue – 4.0



SERENITI BALCONIES & BALUSTRADES

Ensure your development stands out with a Sereniti balcony from Levolux. Our customisable, modular and prefabricated balcony solutions are guaranteed to provide you with unrivalled choice and industry-leading craftsmanship.

WHY INVEST IN SERENITI BALCONIES?

- Our modular balconies are manufactured off-site for factory-controlled quality.
- All products are fully customisable and based on Levolux's modular balcony design principles.
- Derived from steel-framed structures with a range of decking, balustrade and soffit options.
- Available with non-combustible aluminium decking with slip resistance coating.
- Balustrade choices for all modular balconies include glass, railed aluminium or aluminium panels.
- Our balcony systems are designed to conform with BS 8579, with managed drainage or edge drainage options.
- Soffit profiles can be supplied in anodised or PPC finishes to any RAL colour and are available as a secret-fix profile for enhanced aesthetics.

11

This is my second job working with Levolux and the technical input upfront is very good and we found the right fully prefabricated balconies we were after. The on-site delivery in and around Manchester with Levolux is always undertaken very professionally. My client is very pleased with the overall quality of the balconies.



Robert Ianson
 Senior Project Manager
 Eric Wright Group

11

Levolux have worked with us through the design stage to find a product which suited our needs and then installed the balconies to a high standard, whilst coordinating with the site team and other contractors on site. The end result is a very high standard finish which has been complimented by all parties and stakeholders involved.



James Blackshaw
 Project Manager
 Vermont

LEVOLUX MODULAR BALCONY SOLUTIONS

SERENITI Balconies



Levolux Sereniti balconies are manufactured in the UK and delivered as pre-assembled units. They will arrive complete with all connections, structural frames, decking, glass or aluminium balustrades, fascias, soffits and drainage solutions.

SERENITI Balustrades



Sereniti balustrade systems are ideal for projects with in situ concrete balconies that can benefit from a contemporary balustrade solution to achieve the desired quality of finish.







 Rigid. Ready. Right.

The Sapphire Brand Guarantee

Rigid.

We promise that every balcony using Sapphire anchors will be Rigid, and can be scientifically proven to deflect less than half the amount British Standards allow.

Ready.

We promise that every balcony will be fully Ready for delivery before the agreed date.

Right.

We promise to have traceable proof that each balcony has been inspected to the required standard, so that every balcony is supplied Right.

Goodwill

Why make a promise? Our promise of achieving what clients care about is a high standard. It sets clear goal posts we can measure our performance against and provides a catalyst for self improvement, driving us to do everything necessary for delivering it. Our goodwill guarantee provides a self imposed extra consequence. This synergy creates the dedication needed to turn our promise into reality.

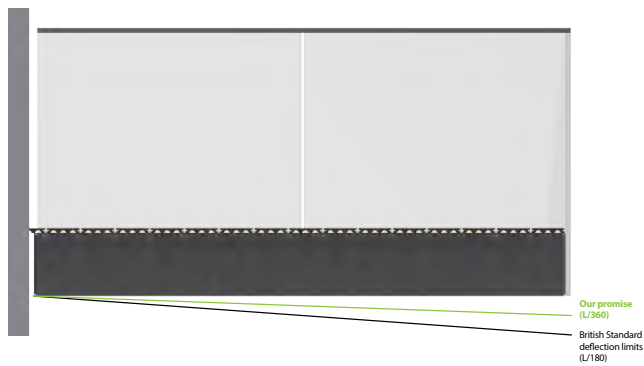
What if the promise isn't kept? If you are concerned our promise hasn't been delivered, the first thing is to report it. By reporting it, we will investigate it according to which part of the promise applies, and once resolved will implement our goodwill guarantee.

Our goodwill guarantee? We know the most important action, if a problem has occurred, is to resolve the issue. Once rectified, our goodwill guarantee, a refund of £100 per balcony affected (up to £300 per balcony), is given to you as an apology for not delivering our high standards of Rigid. Ready. Right. first time.

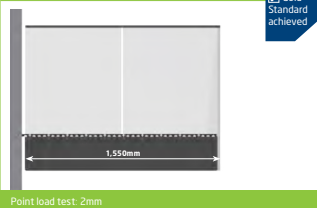
www.sapphire.eu.com

Our promise: Rigid balconies

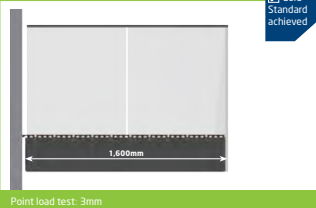
British Standards allow L/180 (length of projection divided by 180). Therefore a balcony of 1,800mm would be allowed to deflect 10mm.



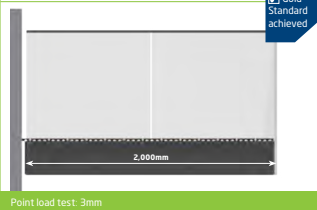
Royal Arsenal



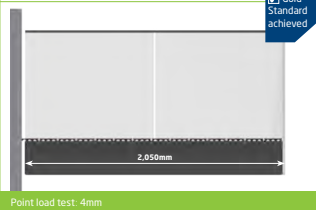
London Dock



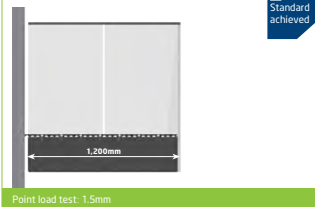
Greenwich Peninsula plot 103



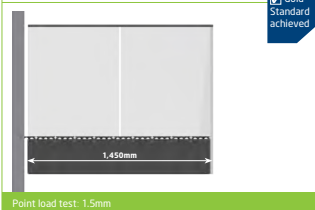
Fosters Care Home



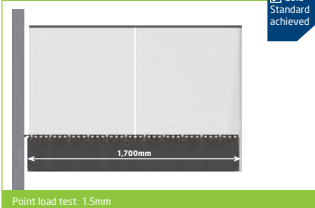
Pomona Wharf



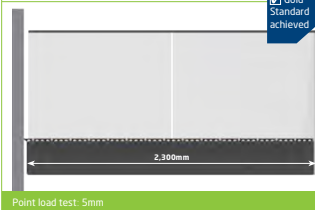
Fulham High Street



Wembley Alto (NW05)



Greenwich Peninsula plot 103



Rigid.Ready.Right.



What does Rigid mean?

British Standards require cantilever structures to deflect no more than L/180. We guarantee that every balcony fixed using Sapphire Anchors, will achieve our Gold Standard (L/360), which means 50% less deflection than the limits in BS EN 1993-1-1:2005.

50%

less deflection than the BS EN limits

100%

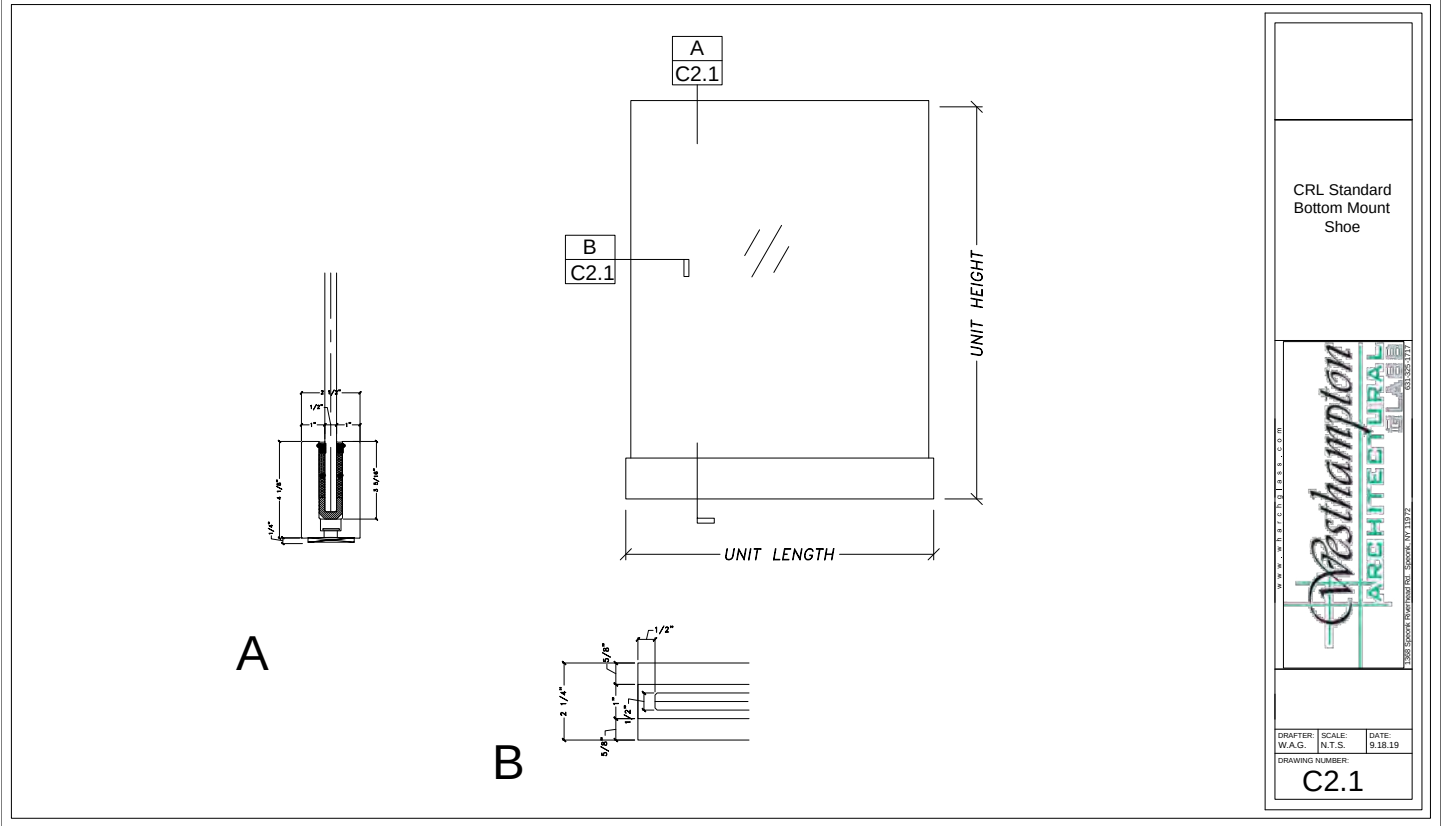
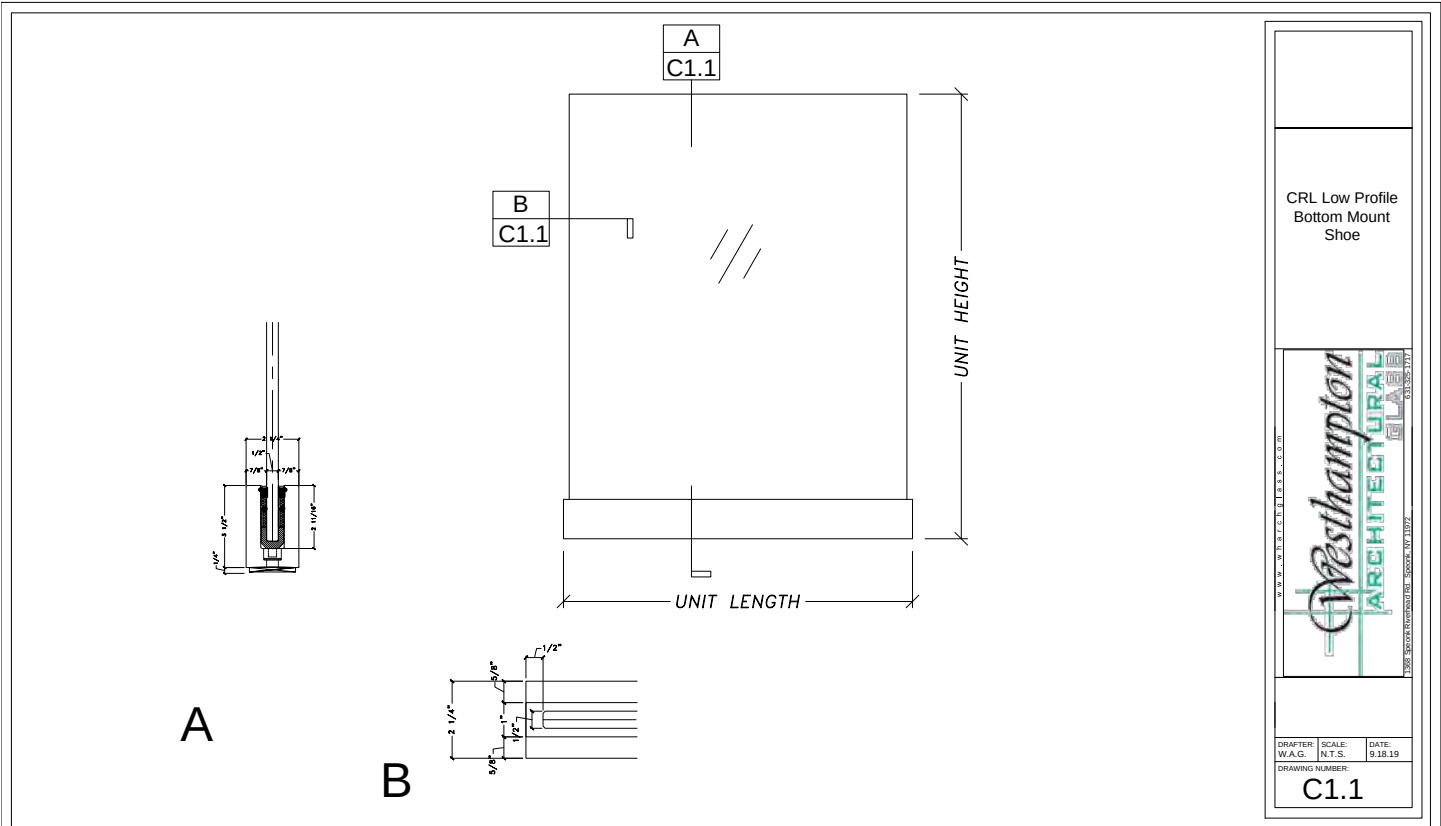
of rigidity tests we did last year met our Gold standard (L/360)

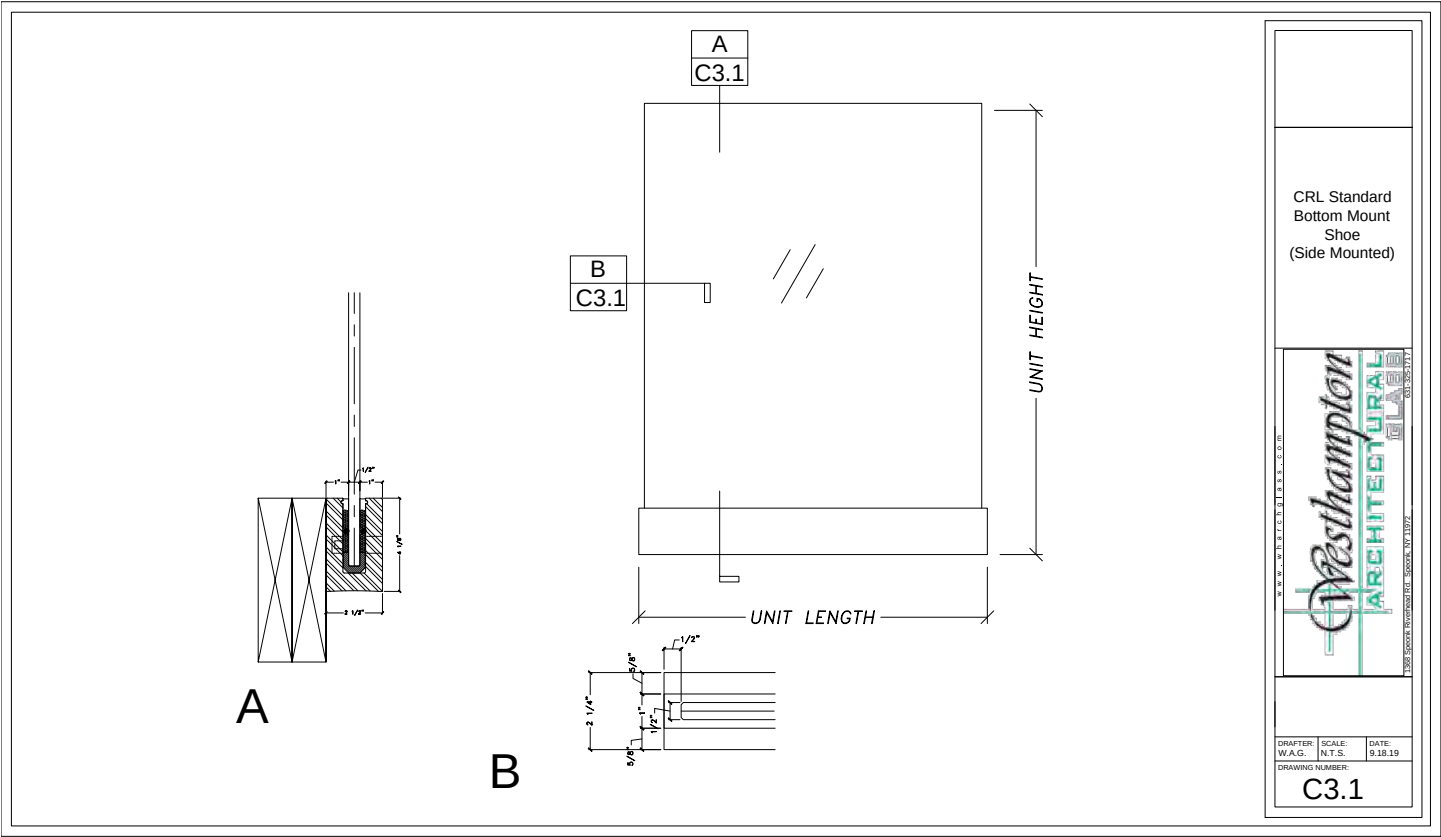
Watch our video



www.sapphire.eu.com/rigid

www.sapphire.eu.com





DIM Design & Installation Manual North America
Swisspearl Largo and Linearis



Swisspearl | www.swisspearl.com

Rev. 01/2022

2 Content

Swisspearl Largo and Linearis

General information, Program		Remarks, system, validity, ordering material, rain screen cladding	3
	Panel sizes	Overview panel sizes	4
		Application cutting	5
	Reflex, Vintago, Vintago - Reflex	Appearance Reflex, Vintago and Vintago - Reflex arrows to rear face	6
		Ordering material, Software support, Positioning, Cutting from CAD	6-7
	Adhesive	Adhesive application	7
	Bending radius	Portrait / Landscape	8
	Accessories	Fasteners	9
		Joint material	10
Design	General remarks	Terminology	11
		Corner zone, Application, Windload	12
		Insulation, Rear ventilation, Open joints	12
		Ventilation openings, building dilatation	12
		Panel support, Compatibility, Sub-frame	13-14
	Metal panel support	Panel edge distance, joints, fixed and sliding points	15
		Aluminum, steel sub-frame	16-17
		Drilling, riveting, and screws fixed point, sliding point, fastener distances	18
		Rivet distances, 5/16" & 1/2" facade panels	19
		Single span panel	20
		Swisspearl Largo portrait/landscape	21-23
		Fastening layout strips of slats	24-26
	Details	Outside corner, Inner corner, Window jamb, window sill	27-29
	Linearis	Window head, bottom detail, coping detail	30-32
	Timber panel supports	Distances to panel edge, panel joints	33
		Timber quality, screws, ventilation cavity	34
		Horizontal section, vertical joints at windows, fastener distances	35-36
		Rivet distances, 5/16" & 1/2" facade panels	37
		Single span panels, Installation	38
Installation		Swisspearl Largo portrait/landscape	39
	Linearis	Fastening layout strips of slats	40-42
	Details	Outside corner, Inner corner, Window jamb, window sill	43-45
		Window head, bottom detail, coping detail	46-48
	Storage on site	On site storage, Guideline, Stacking	49
	Cutting, Tools	Fabrication, Cut outs, Sealer, tools	50
	Cleaning	Cleaning procedures, Masking tape	51

Remarks | **Disclaimer**

Swisspearl Largo and Linearis 3

Remarks

This DIM (Design + Installation Manual) provides technical information regarding design and installation. Refer to area manager and local distributor for further information such as:

- Terms of delivery
- Pricing
- Products and colors
- Lead time, etc.

More general information available on www.swisspearl.com

CH- 8867 Niederurnen
Tel. +41 55 617 11 60
Email: info@swisspearl.com

Validity of DIM

Please consult your local distributor and or the Technical Advisor prior to the commencement of shop drawings or installation for the most current DIM guide. The current DIM can always be found at www.swisspearl.com. All previous DIM guides should be disregarded and are no longer valid

Product warranty

20 year warranty for the functional quality of panels and accessories, provided that the installation is in full compliance with this DIM. (Zenor panels will only be covered under a 10 year warranty.)

Maritime conditions

Maritime conditions call the use for stainless steel rivets. Those may be used on steel or anodized aluminum sub frame. Maritime conditions are considered up to 0.6 miles from the sea. Material specification for sub frame, fasteners and accessories to cater for maritime conditions according to local standards.

Advantages of fiber cement products

- Maximum protection against weather
- Excellent longevity
- Easy installation in any climate
- Almost no maintenance required
- Proven details
- No cracks, paint or sealant problems
- High sustainability
- Non combustible

Project specific ordering

Subtle visual differences may occur between product batches. Therefore we recommend ordering by job or specific elevation if ordering in phases.

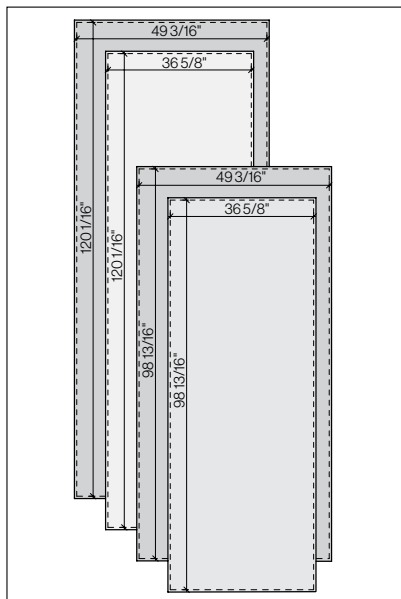
Disclaimer

The information and recommendations contained in this Design & Installation Manual ("DIM") are offered as a service to architects, constructors, installer and other persons involved with our products and are not intended to relieve them from their own responsibility. The information and recommendations provided herein are believed by Eternit (Schweiz) AG ("Eternit") to be accurate at the time of preparation of this DIM, or obtained from sources believed to be generally reliable. Eternit makes no warranty concerning the accuracy of the content of this DIM and shall not be liable for claims relating to any use regardless of whether it is claimed that the information or recommendations are inaccurate, incomplete, or otherwise misleading. The information and recommendations herein are intended to be used with the judgment and experience of professional personnel competent to evaluate the significance and limitations of the material contained. Eternit expressly disclaims any guarantees or warranties, expressed or implied, for anything described or illustrated herein and assumes no responsibility or liability for damages of any kind, including - without limitation - bodily harm, injury or damage to property inferred from this DIM or the use of the materials described herein.

4 Program | **Sizes**

Swisspearl Largo

Overview panel sizes



5/16\"

Overview

Swisspearl Largo		Nobilis Terra Planea	Zenor	Carat Reflex Vintago - Reflex Avera	Carat Reflex
Thickness	Inches	5/16\"	5/16\"	5/16\"	1/2\"
Weight	Pounds Per / sf	3.21 / 5.04	3.21	3.21	5.0
Format	Inches				
Untrimmed panels	max. net panel sizes				
120 7/8\"	50\"	120 1/16\" x 49 3/16\"	■*	■	■
99 5/8\"	50\"	98 13/16\" x 49 3/16\"	■	■	■
120 7/8\"	37 3/8\"	120 1/16\" x 36 5/8\"	■	Δ	
99 5/8\"	37 3/8\"	98 13/16\" x 36 5/8\"	■	Δ	

* Nobilis and Terra 1/2\"

Δ Panels with 36 5/8\"

Product data

- Density > 1.75g/cm³
- Modulus of elasticity ca. 15'000 MPa
- Design resistance for bending ca. 8.0 MPa

- Thermal expansion coefficient 0.01 mm / m / °K
- Fire classification according to NFPA 285 EN 13 501-1 & A2-s1,d0
- Frost resistance and durability under EN 12467
- Thermal range - 40°F to 176°F

Program | **Sizes**

HR coating

Special coating with increased scratch and UV resistance that allows removal of graffiti using Ace-tone. Availability as per Program and Colors.

F-coating for facade

For inclined cladding, panels with F-coating for increased exposure to weathering. It is opaque and matched to standard finishes, and has higher UV resistance.

R-coating for roof

Roofing panels must have minimum fall of 6° (10.5%). R-coating is opaque and matched to standard finishes, and has higher UV resistance. The panels in the color ranges Amber and Onyx are supplied with standard grey panel core.

Application

Swisspearl Largo panels can be attached to vertical timber or metal profiles. Suitable for new facades or existing cladding renovations.

Untrimmed full size panels

Untrimmed panels will only be provided to approved fabricators. Untrimmed Swisspearl Largo panels must be trimmed 3/8" on all four sides.

Signage, light fittings, etc.

Provide structural attachment points behind the panel as required. Leave min. 1/4" free gap between panel edge and installation - so as not to constraint the panel movement.

Sealed cut edges

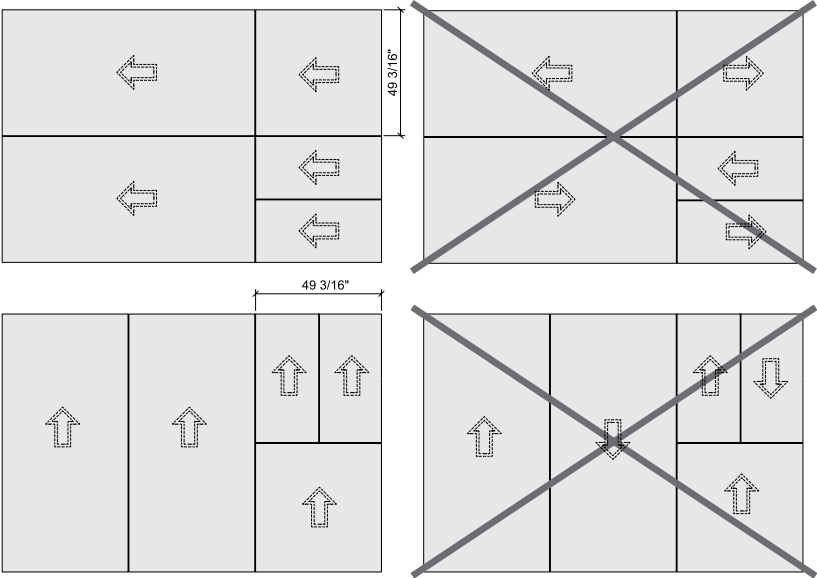
All panel edges cut on site or at a fabricators workshop must be sealed by LUKO sealer, provided by Swisspearl.

Swisspearl Largo 5

6 Program | **Reflex, Vintago, Vintago - Reflex**

Swisspearl Largo

Installation Reflex, Vintago, Vintago - Reflex



Panels are shown as on building elevation (finished face).

When installed, all the arrows on the backside of the Reflex, Vintago and Vintago - Reflex panels must point in the same direction.

Landscape orientation
 All arrows to the left

Portrait orientation
 All arrows up

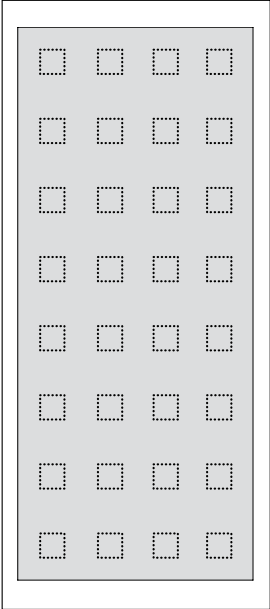
Cutting CAD drawing

Regarding panel fabrication at the factory based upon CAD drawings as for odd panel shapes, perforations etc.: Arrows must be indicated on the drawings to all panels. Panels always shown as seen on building elevation (finished face).

Program I **Adhesive**

Swisspearl Largo 7

Adhesive application



Adhesive technology

Specially ordered ARSB panels are signified by printed squares on the backside of the panel. Please consult with your adhesive manufacture prior to installation. Zenor panels are available for an adhesive application with the exception of white cement panels, Zenor 11006, 11115, 15015, 23048, 23057, 41054 and 41055 which are only available for face fastened system.

General requirements

Adhesive manufacturer's instructions for use must be strictly followed including:

- Cleanliness of panels and support profiles
- Panel and air temperature
- Air moisture content

Support profiles

- For exterior application the panels may be adheared to Aluminum supports only.
- Sub framing to be approved by adhesive manufacturer prior to stating the installation.

Panel ordering

Panels ordered for adhesive application are called ARSB and are available upon request at time of order. Standard Swisspearl panels cannot be used for adhesive application.

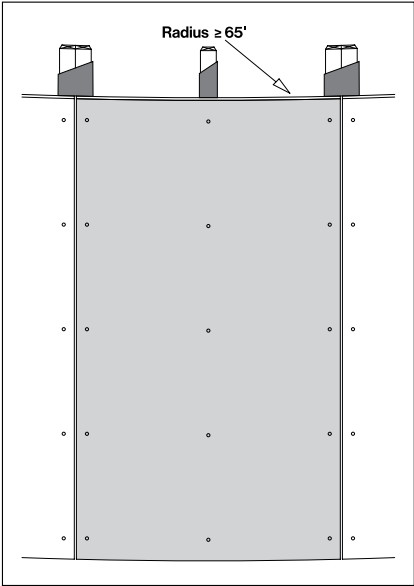
Warranty

Panel manufacturer provides functional warranty for the panels only. Warranty for the attachment of the panels to be obtained by adhesive manufacturer. Warranty for the panels cannot exceed that of the adhesive.

8 Program I **Bending panels on site**

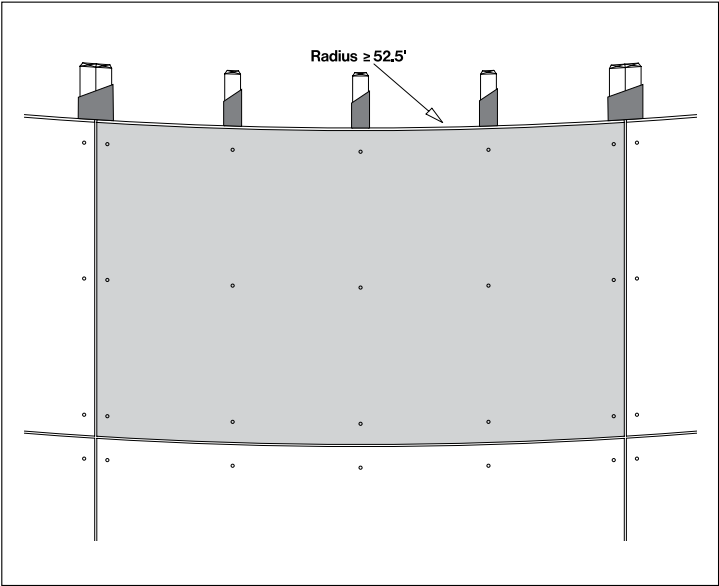
Swisspearl Largo

Swisspearl Largo 5/16" portrait



Portrait panels, attached to vertical supports. Minimum radius = 65'. Fix the battens with 2 screws per fixing point.

Swisspearl Largo 5/16" landscape

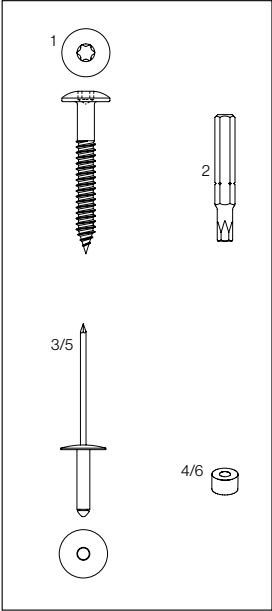


Landscape panels, attached to vertical supports at max. 24" centers. Minimum radius = 52.5'. Fix the battens with 2 screws per fixing point.

Program I Fasteners

Swisspearl Largo 9

Fasteners



To timber battens

- 1 Steel screw, Ø 12 mm, T20 drive, blank or powder coated 4.8x30, **4.8x38 mm** 4.8x44, 4.8x60 mm
- 2 Torx bit T 20 W
- To Aluminum profiles**
- 3 Aluminum rivet head Ø 15 mm, blank or powder coated
 - **4.0x18-K15, 8-13 mm grip range**
 - 4.0x24-K15, 13-18 mm grip range
 - 4.0x30-K15, 18-23 mm grip range
- 4 Fixed point sleeve aluminum type 8

To steel profiles

- 5 Stainless steel rivet, head Ø 15 mm, blank or powder coated
 - **4.0x18-K15, 9-14 mm grip range**
 - 4.0x23-K15, 14-19 mm grip range
- 6 Fixed point sleeve stainless steel type 8

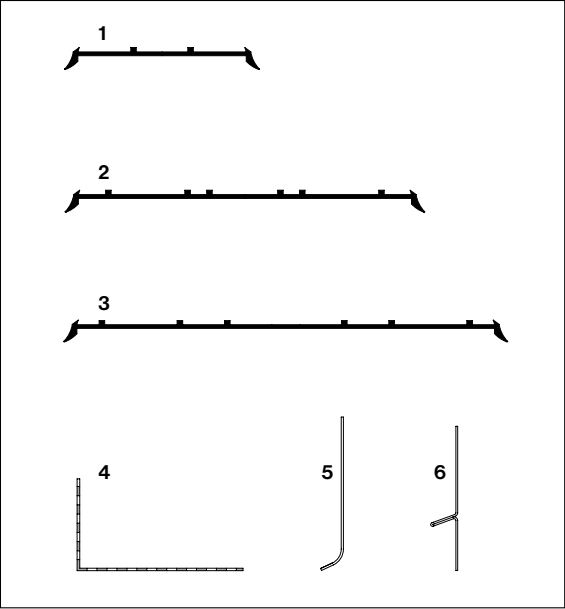
Maritime conditions

Maritime conditions call the use for stainless steel rivets. Those may be used on steel or anodized aluminum sub frame. Maritime conditions are considered within a distance 0,6 miles from the sea. Material specification for sub frame, fasteners and accessories to cater for maritime conditions according to local standards.

10 Program I Fasteners

Swisspearl Largo

Joint material

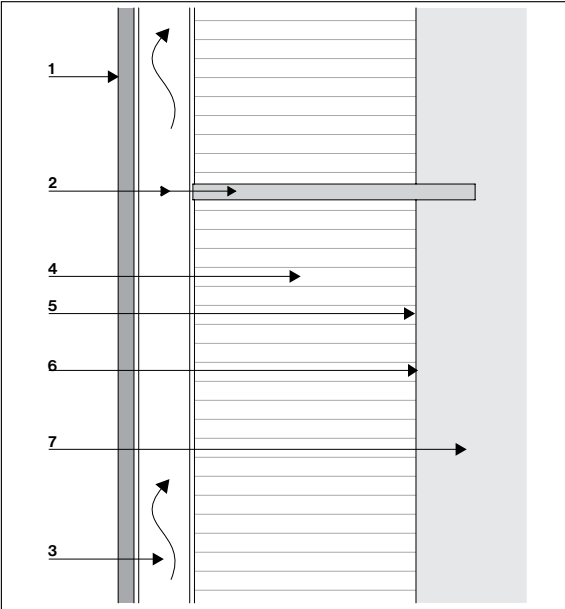


- 1 EPDM band, black, 60 mm wide for intermediate supports with side flanges, in 50m rolls
- 2 EPDM band, black, 100 & 120 mm wide for butt joints with side lips, in 50m rolls
- 3 EPDM band, black, 150 mm wide for inner and outer corners with side flanges, in 25m rolls
- 4 Ventilation profile, raw aluminum or standard colors, 50x30 mm, 70x30 mm, 100x40 mm. 2500 mm long, 0,6 mm thick
- 5 L-flashing, stainless steel, millor powder coated, 0,5 mm thick 2510 / 3050 mm long
- 6 Horizontal joint flashing, Aluminum, powder coated black, 0,5 mm thick 2510 / 3050 mm long

Design I **Terminology**

Swisspearl Largo 11

Terminology



Vertical section

Rear ventilated cladding

The design principle involves the screening of rain water to prevent it from entering the system. As the panel joints are not sealed, minimal amounts of water can gain access into the air cavity behind the panel. The cavity is naturally ventilated by vent gaps at bottom and top, so that any moisture will evaporate naturally by thermal action.

Cladding (1)

Panels with open or closed joints, in one plane or lapped.

Sub framing (2)

System options should be considered based on panel layout, wall conditions, and required external insulations. Min requirements are 3/4" vertical airflow.

Ventilation cavity (3)

Cavity behind panel with ventilation gaps at bottom and top.

Thermal insulation layer (4)

To increase the thermal insulation capacity of the exterior wall.

Substrate (5)

Face of exterior wall, such as plaster, concrete, exterior sheathing, vapor air barrier, etc.

Moisture barrier (6)

To be in compliance with regional codes, the use of a WRB is needed in a rainscreen assembly in order to prevent the penetration of water or moisture into the building.

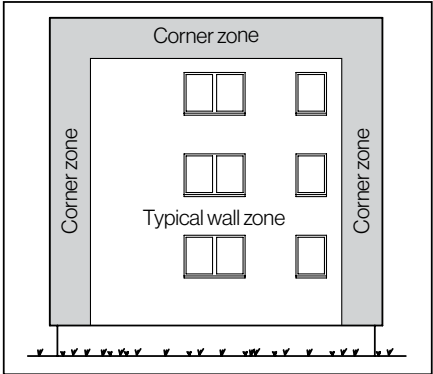
Exterior wall (7)

Brick, concrete, wood and steel studs

12 Design I **General remarks**

Swisspearl Largo

Corner zone



Wind load zones
 The applicable wind load values must be determined in the cladding specification.

Min. manufacturer cavity depth:

Mandatory for issuance of the warranty letter.

Cladding height	min. cavity
< 20'	3/4"
20' - 99'	1 1/4"
> 99'	1 3/4"

Application

Swisspearl cladding panels can be attached to vertical supports made of timber, Aluminum or steel.

Windload

Always use local standards when determining panel fastener differences. This is especially important for tall buildings, for buildings with special shapes and for high wind exposure areas.

Ventilation cavity

Building tolerances must be allowed for. The cavity may not be reduced by horizontal profiles or any stray objects such as loose insulation and other materials.

Building expansion joints

The buildings structural expansion joints should be considered when designing subframe systems. Structural expansion joints must be applied to sub frame and cladding as provided to the building structure.

Ventilation cavity

Minimum airflow at the backside of the panels should be 100% free of obstructions with no less than 200 cm² of vertical airflow (Min ¾" System depth) behind panels. Minimum air flow at base and top of walls is required to have at least 60% unobstructed ventilation if using ventilated profiles.

Ventilation cavity with perforated horizontal subframe components

Min ventilation gap to be 1.5". Horizontal profiles should allow min. 75% airflow. In advance please contact your Technical Service for approval.

Design | General remarks

Swisspearl Largo 13

Panel support

Panel must be supported on an even surface.

Optional venting requirements

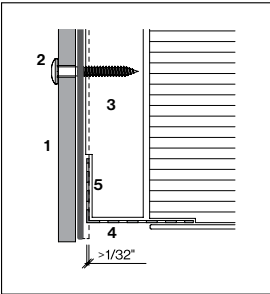
If perforated angles are placed between the panel and vertical batten profile the closure piece must not exceed 1/32". Perforated angles must allow ventilation entrance with a min. perforation of 60%. The use of an Aluminum mesh is possible. It has a high ventilation ratio, thin material thickness (won't push panel out) and is easy to install.

Material compatibility

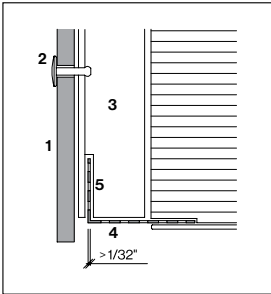
Untreated aluminum material such as Window sills, frames, etc. is not compatible with cement and must be protected against dust from drilling panels, etc. Aluminum components are to be used in anodized or powder-coated or Kynar Coated for exterior applications with protective films.

- 1 Swisspearl Largo
- 2 Fastener
- 3 Panel support
- 4 Perforated angle
- 5 Recess

Timber battens



Metal profile



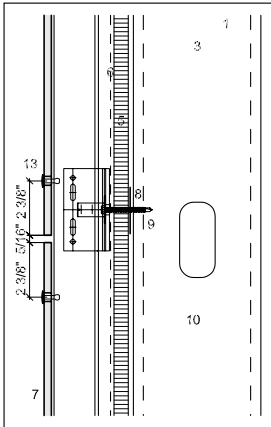
Sealant material

It is recommended, to keep the cladding maintenance free, the use of sealants should be avoided. Where the use of sealant is unavoidable Polyurethane, Acrylic or Hybrid Polymer products would be best suitable. Before applying any sealant to fiber cement material the compatibility must be checked as certain materials leave permanent staining on panel surface.

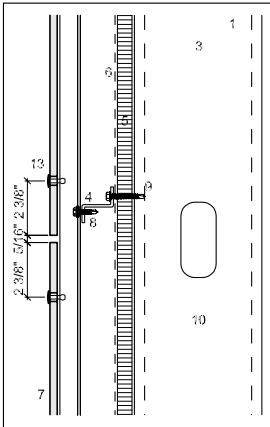
14 Design | General remarks

Swisspearl Largo

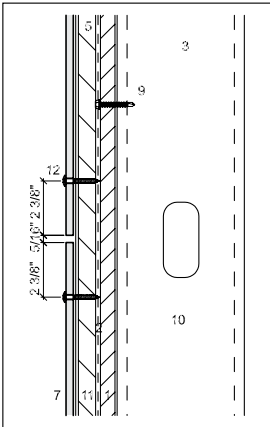
Sub frame types



Metal / metal



Metal / metal



Timber / timber

Typical wall constructions for wood battens is as follows:
2"x4" exterior grade plywood, sheathing
Vapor Air barrier either liquid applied or self adhered
Vertical wood batten screwed in the plywood
EPDM over the wood battens Panel.

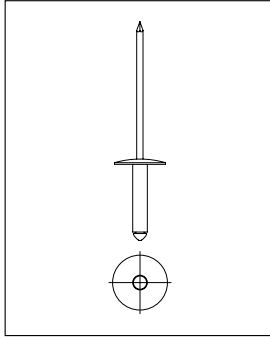
- 1 Substrate
- 2 Vapor Air Barrier
- 3 Thermal Insulation
- 4 Horizontal batten
- 5 Vertical batten
- 6 Vent cavity
- 7 Swisspearl Largo panel

- 8 Bracket
- 9 Engineered Screw by Others
- 10 Wall Cavity
- 11 Vertical Wood Battens
- 12 Screw by Swisspearl for Timber Applications
- 13 Rivet by Swisspearl for Metal Applications

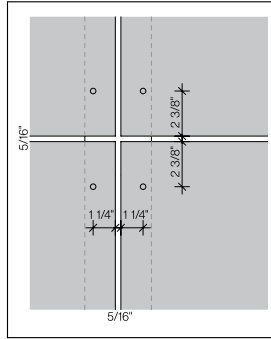
Design | **Metal supports**

Swisspearl Largo 15

Swisspearl rivet



Swisspearl rivet Ø 15 mm



Panel edge distances

Fixed, sliding points

Each panel must be fastened by 2 fixed points in the panels center to support the panels deadload. All other rivets are sliding points.

Drill holes Ø 0.16" to metal profiles

Use centering drill gauge so the holes will be concentric to the 3/8" hole in the panel. Use drill bit type A for aluminum profiles and type S for steel.

Sub-frame engineering

Engineer / contractor is responsible for the design and installation of all sub frame parts including all associated fasteners.

Holes in panel for rivets

Diameter 3/8"

Minimum edge distances

Horizontally 1 1/4"
Vertically 2 3/8"

Maximum edge distance

Horizontally and vertically 4"

Panel joints

Typical panel joint is 5/16", this allows panel scraps to be used as spacers. Wider joints will make any inaccuracies in the installation less noticeable.

The sliding point connection is **NOT** meant to accommodate building drift or seismic movement.

16 Design | **Metal supports**

Swisspearl Largo

Aluminum profiles

Aluminum thickness should be a min. of 5/64". Profiles should not exceed 10' and profile breaks should coincide with panel joints.

Aluminum rivet

4.0 x 18 - K15 rivet, head Ø 15 mm, powder coated or blank.

Staggered horizontal panel joints

Use two vertical profiles to vertical panel joint so that each can be broken on its horizontal panel joint level.

Black panel joints

Panel joints read as shadow lines. It is recommended to blacken the metal where visible, with paint or PVC paint tape.

Steel profiles

Steel panel supports to be min. 18 gauge to obtain nominal pull out value. Profiles should not be longer than 20'.

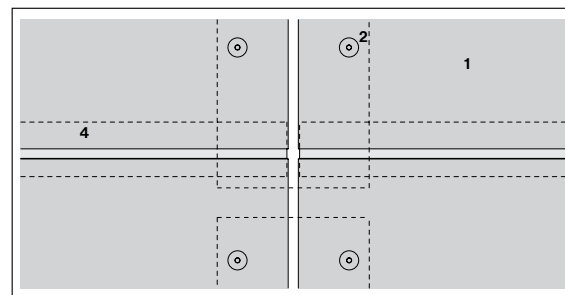
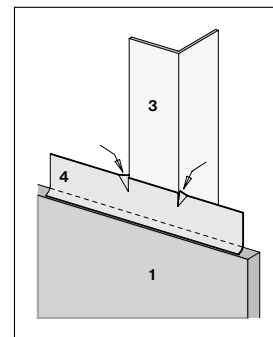
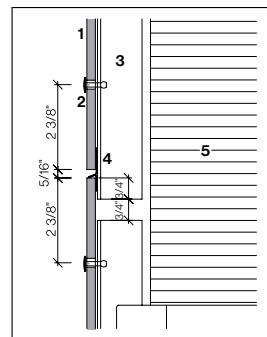
Stainless steel rivet

4.0 x 18 - K15 rivet, head Ø 15 mm, powder coated or blank.

Sub-frame engineering

Engineer / contractor is responsible for the design and installation of all sub frame parts including all pertaining fasteners.

Horizontal joint



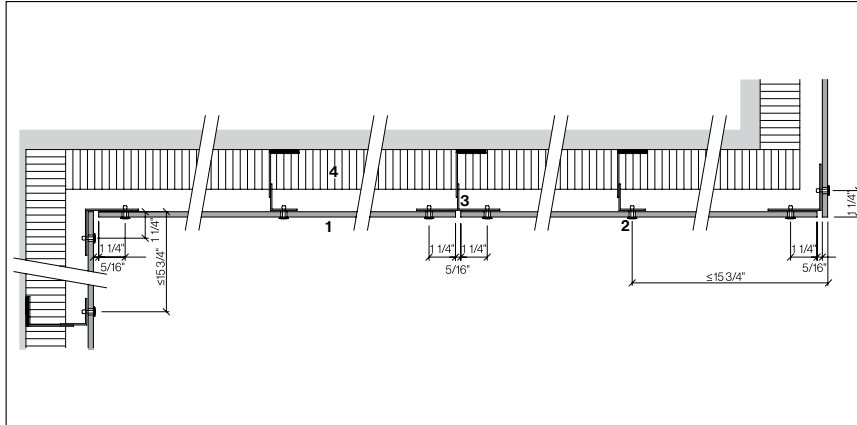
Any breaks to panel support profiles must be located at panel joints as shown. Flashing cut at one vertical as shown to prevent lateral dislocation of flashing.

- 1 Swisspearl Largo 5/16"
- 2 Rivet
- 3 Panel support profile
- 4 Joint flashing (optional). Always leave -1/16" of the panel width
- 5 Thermal insulation

Design | **Metal supports**

Swisspearl Largo 17

Horizontal section



Panel may be cantilevered max.
15 3/4\".

- 1 Swisspearl Largo 5/16"
- 2 Rivet
- 3 Aluminum profile
- 4 Thermal insulation

18 Design | **Metal supports**

Swisspearl Largo

Rivet installation

Use rivet gun GESIPA ACCUBIRD or similar. Do not use pneumatic equipment. Use centering drill gauge with drill bit Ø 0.16" to obtain concentric hole [A/3].

Fixed point for Aluminum Sub-frame

Fixed point for Aluminum, Type 8 Ø9.4 mm [B/4]
• Rivet head Ø15 mm 4.0×18-K15, blank or powder coated.

Fixed point for Steel Sub-frame

Fixed point steel A2, Type 8, Ø9.4 mm [B/4]
• SS Rivet, head Ø15 mm 4.0×18-K15, blank or powder coated.

Each panel must be fastened by 2 fixed fastening points in the panel center, installed first. All the others are sliding points.

Sliding points for Aluminum Sub-frame

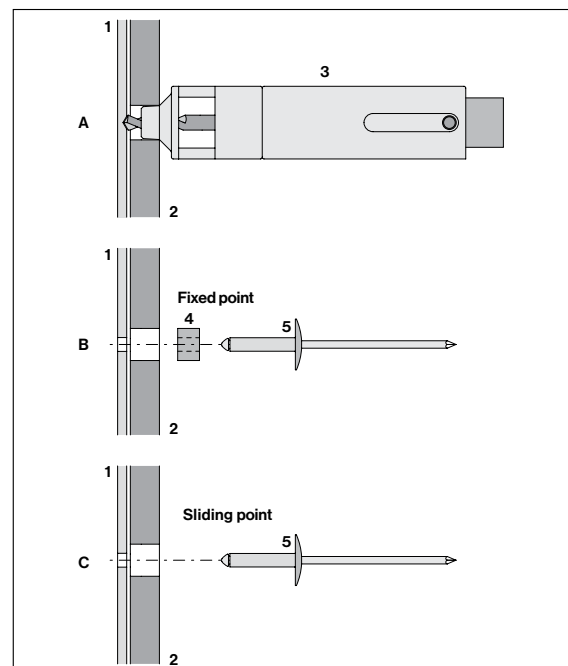
Use centering drill gauge with drill bit Ø 0.16" to obtain concentric hole [C/5]

- Aluminum Rivet, head Ø15mm, 4.0×18-K15 blank or powder coated. Sliding points for Steel Sub-frame use center drill gauge with drill bit Ø 0.16" to obtain concentric hole [C/5]

Sliding points for Steel Sub-frame

- Sliding points for Steel Sub-frame. Use centering drill gauge with drill bit Ø 0.16" to obtain concentric hole [C/5]
- SS Rivet, head Ø15 mm 4.0×18-K15, blank or powder coated.

- 1 Support profile
- 2 Swisspearl Largo 5/16"
- 3 Center drill gauge
- 4 Fixed point sleeve, type 8
- 5 Rivet



Design I **Metal support**

Swisspearl Largo 19

Metal sub frame - 5/16" & 1/2" facade panels - rivet distances

Engineering responsibility

For the cladding design a locally licensed engineer shall assume responsibility for calculation and verification of all subframe components.

Panel data

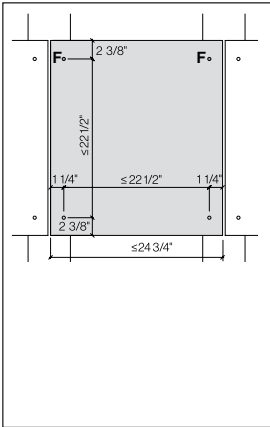
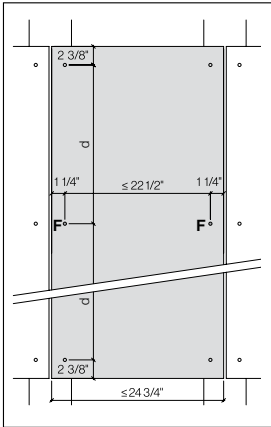
- Modulus of elasticity MOE ca. 15'000 MPa
- Modulus of rupture (characteristic) MOR (average) > 22 MPa
- Design value bending resistance 8.0 MPa (2.5 safety factor)
- Density > 1.75g/cm3

The data was evaluated according to ETAG 034 using 5/16" panel, and includes no safety factor. Diameter of panel hole must be 3/8", and rivet head must be 9/16". Min. thickness for steel profiles to be 0.05" gauge, and 0.08" for aluminum. Edge distances 1 3/16" horizontally, 3 1/8" vertically. The data may be interpolated.

20 Design I **Metal supports**

Swisspearl Largo

Single span no intermediate support



Single span

Fixed point Ø 3/8" [F]
 Sliding points Ø 3/8"

Soffit panels

Fastener distances for soffit panels and suspended ceilings not to exceed 19 11/16".

- Fixed point Ø3/8" [F]
- Sliding points Ø3/8"

Max. distance between fasteners for single span panels 22 1/2", unless smaller distances is required by high wind load as per table of fastener distances.

If more than 3m single span panels are horizontally adjoining each other - the chain of vertical T-profiles must be interrupted with 2 L-profiles.

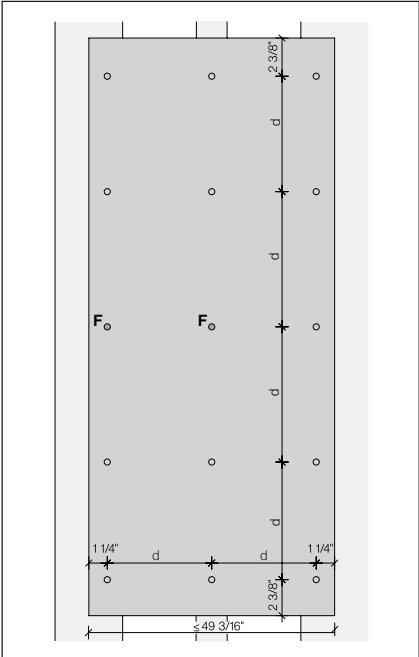
Consult with technical advisor.

Design | Metal supports

Swisspearl Largo 21

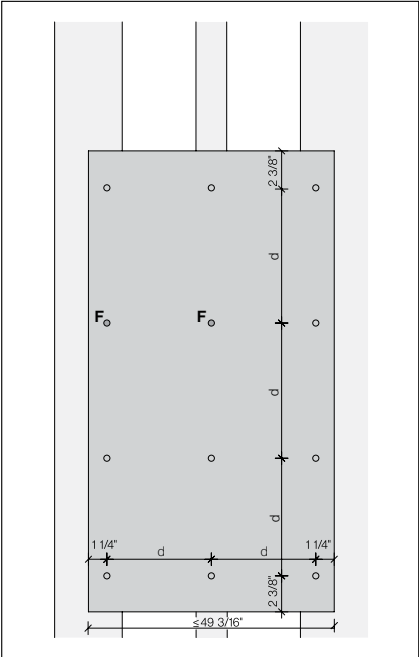
Sample rivet layouts, final layout to be determined by a local structural engineer.

Swisspearl Largo vertical panel (portrait)



Fixed points [F] center and left.

Swisspearl Largo vertical panel (portrait)



If no rivet at half height go with [F] to row above.

- Fixed point $\varnothing 3/8"$ [F]
- Sliding points $\varnothing 3/8"$

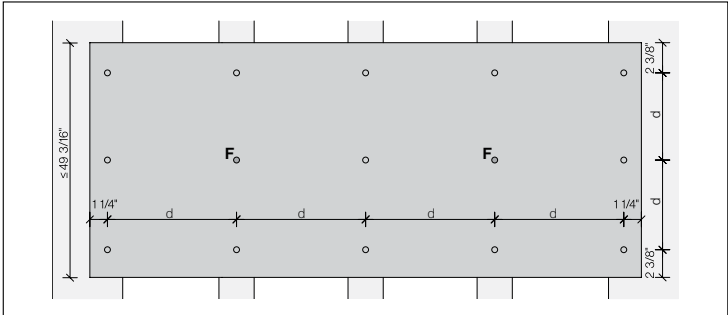
Sample rivet layouts, final layout to be determined by a local structural engineer.

22 Design | Metal supports

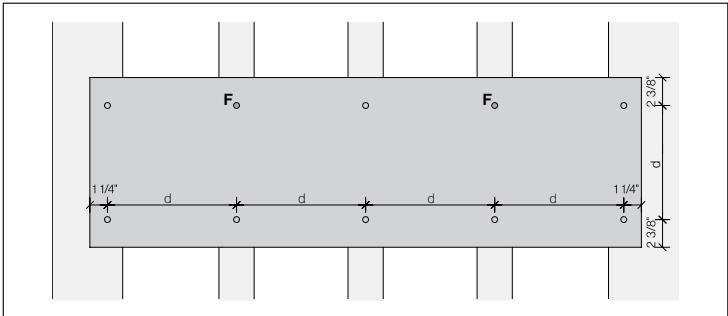
Swisspearl Largo

Sample rivet layouts, final layout to be determined by a local structural engineer.

Swisspearl Largo horizontal panel for odd number of rivets



Between fixed points, the max. distance can be 1 sliding point



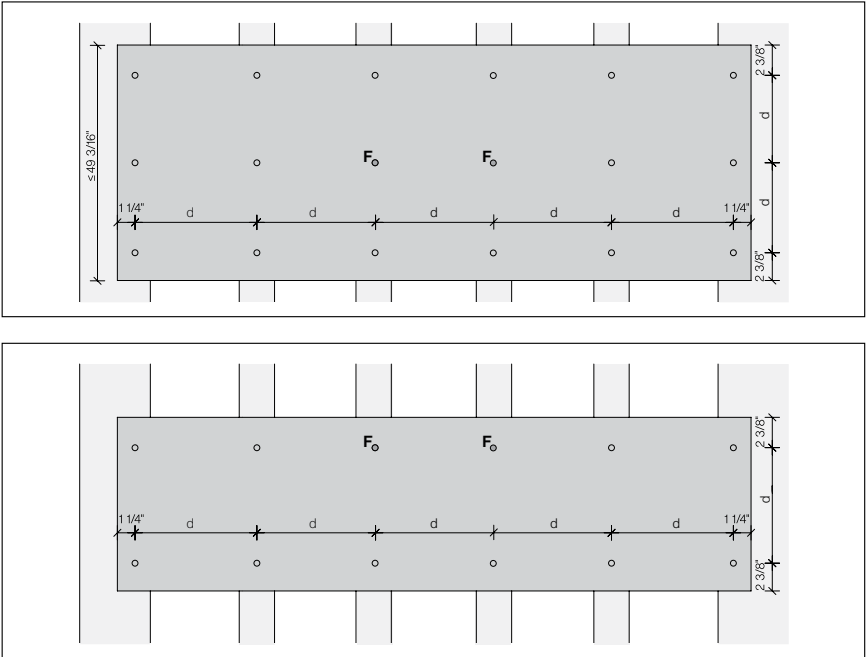
- Fixed point $\varnothing 3/8"$ [F]
- Sliding points $\varnothing 3/8"$

Design | Metal supports

Swisspearl Largo 23

Sample rivet layouts, final layout to be determined by a local structural engineer.

Swisspearl Largo horizontal panel (landscape) for even number of rivets

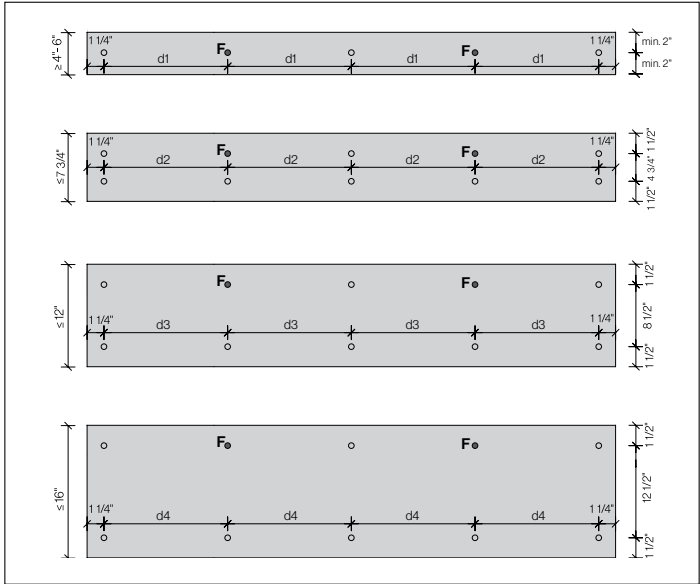


24 Design | Metal supports

Swisspearl Largo and Linearis

Sample rivet layouts, final layout to be determined by a local structural engineer.

Swisspearl Largo strips or Linearis



Panel height ≤ 15 3/4", the vertical edge distance might be reduced to a min. 1 37/64".

Linearis panel strips are delivered without drill holes.
Installation details as per this DIM are applicable.

Due to deformation of the panel the max. fastener
distances not to exceed:

- d1: 16 1/8"
- d2: 19 11/16"
- d3: 22 7/16"
- d4: 24"

Design | Metal supports

Swisspearl Largo and Linearis 25

Swisspearl Largo strips or
Linearis with open joints

Product
Swisspearl Linearis are ready-made Largo panel strips, for installing with open joints. Whether mono-chrome or multicolored, equal or varying format lengths, with continuous or offset joints – there is immense scope for different combinations.

Holes in panel for rivets
Fastener holes to be done at the jobsite. Diameter 3/8".

Panel joints
Swisspearl Linearis typical panel joint is min. 25".

Installation Reflex, Vintago and Vintago - Reflex
When installed, all the arrows on the backside of the Reflex, Vintago and Vintago - Reflex panels must point in the same direction.

Fixed point for Aluminum Sub-frame
Fixed point for Aluminum, Type 8 diameter 9.4 mm [B/4]
• Rivet head diameter 15 mm, 4.0×18-K15 blank or powder coated.

Fixed point for Steel Sub-frame
Fixed point steel A2, Type 8, diameter 9.4 mm [B/4]
• SS Rivet, head diameter 15 mm, 4.0×18-K15 blank or powder coated.

Drill holes diameter 0.16" to metal profiles
Use concenter drill gauge so that the holes will be concentric to the diameter 3/8" hole in the panel. Use drill bit type A for aluminum profiles and type S for steel.

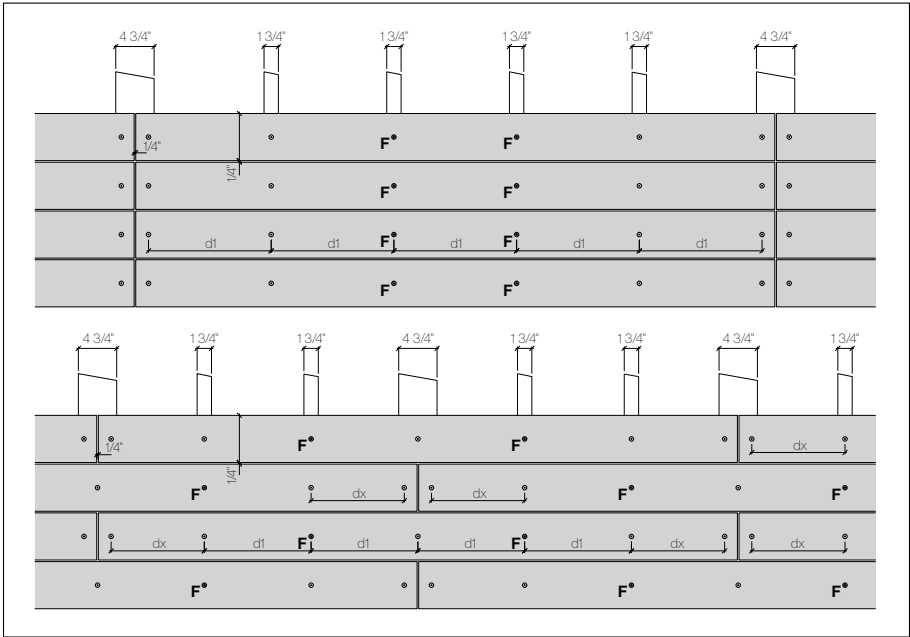
Details
Installation details as per this DIM are applicable.

Vertical installation
The arrangement of Swisspearl Linearis is usually horizontal. For the execution of a vertical application please contact the Technical Service.

26 Design | Metal supports

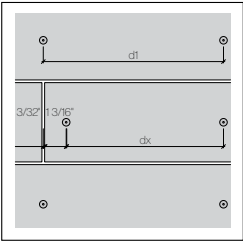
Swisspearl Linearis

Swisspearl Linearis example | panel height 5 25/32"



Attention! Staggered layout with offset rivet is also allowed per the discretion of the design, hat or t depending on Subframe components.

Linearis offset design



With a staggered design, the maximum fastening distance (d1) on the side panel joint is reduced on one of the sides, so that the fastener is not placed in the joint axis of the watercourse.

$$dx = [d1] - 1 \times \text{side edge distance} \\ (1 \frac{3}{16}'' - 3/32'' \text{ (1/2 vertical joint width)})$$

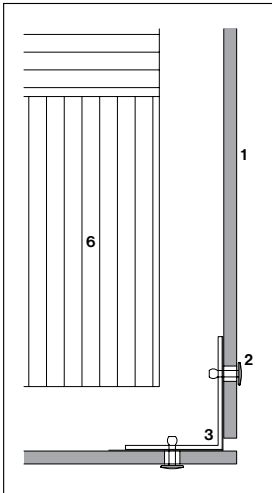
Please refer to page 24 for maximum fastening distances for Linearis.

● Fixed point Ø3/8" [F]
○ Sliding point Ø3/8"

Design | **Metal supports**

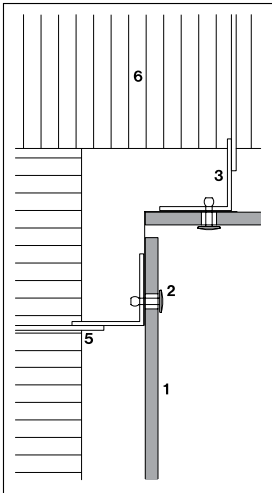
Swisspearl Largo 27

Example outer corner

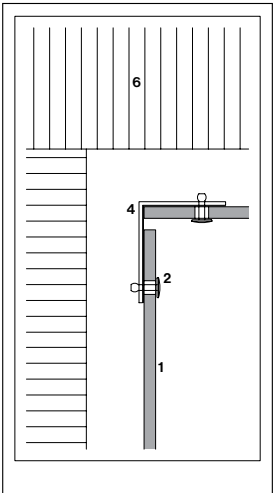


- 1 Swisspearl Largo 5/16"
- 2 Rivet 4.0x18-K15
- 3 Min. angle 2 1/4" x 2 1/4"
- 4 Min. angle 2 3/4" x 2 1/4"
- 5 Bracket
- 6 Thermal insulation

Example inner corner



Corner angle not attached back to building as shown can be cantilevered up to 16".

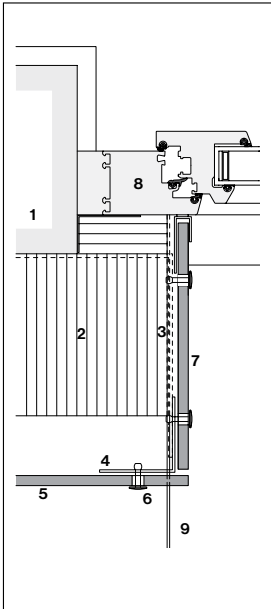


Depending on structural calculations (windloads) needs an extra support at the corners.

28 Design | **Metal supports**

Swisspearl Largo

Example window jamb



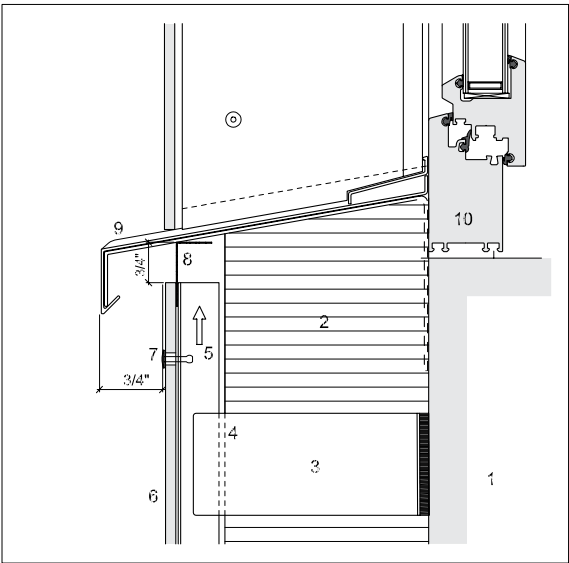
- 1 Exterior wall
- 2 Thermal insulation
- 3 Horizontal support
- 4 Vertical support
- 5 Swisspearl Largo 5/16"
- 6 Rivet 4.5x18 K15
- 7 Swisspearl Largo
- 8 Window frame
- 9 Window sill

Jamb with 5/16" panel

Design I Metal supports

Swisspearl Largo 29

Example window sill



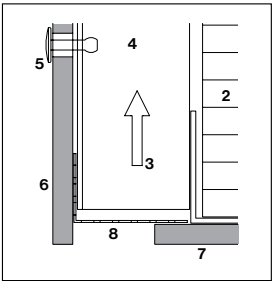
- 1 Exterior wall
- 2 Thermal insulation
- 3 Bracket
- 4 Vertical support
- 5 Ventilation cavity
- 6 Swisspearl Largo 5/16"
- 7 Rivet 4.0×18-K15
- 8 Perforated angle
- 9 Window sill
- 10 Window frame

Window sill made of metal

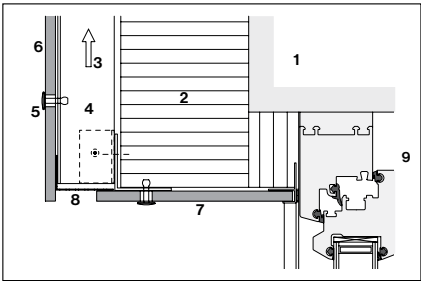
30 Design I Metal supports

Swisspearl Largo

Example window head



Perforated angle



Metal framing around whole window

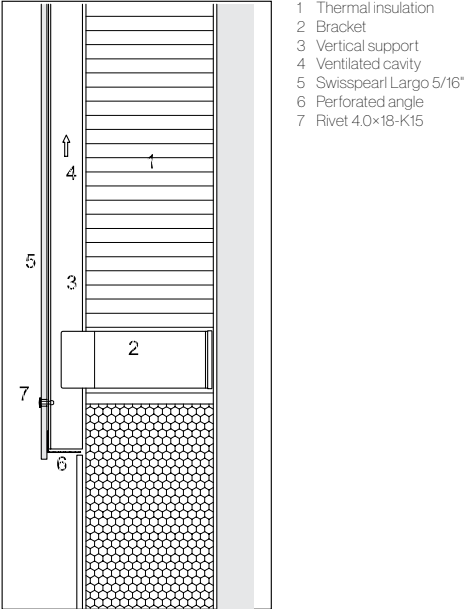
- 1 Exterior wall
- 2 Thermal insulation
- 3 Ventilation cavity
- 4 Vertical support
- 5 Rivet 4.0×18-K15
- 6 Swisspearl Largo 5/16"
- 7 Swisspearl Largo 5/16"

- 8 Perforated angle
- 9 Window frame

Design I Metal supports

Swisspearl Largo 31

Example bottom detail

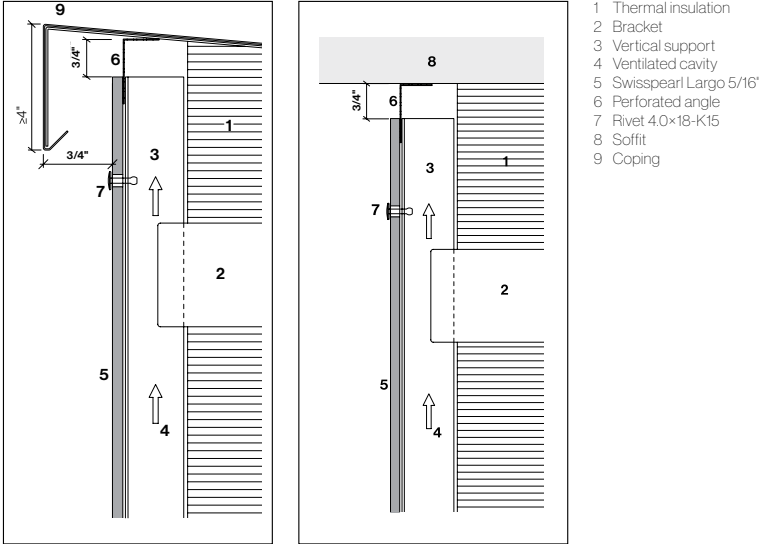


In order to avoid damages its advised to keep a minimum distance of 8" from bottom of the panel to the ground

32 Design I Metal supports

Swisspearl Largo

Example coping detail



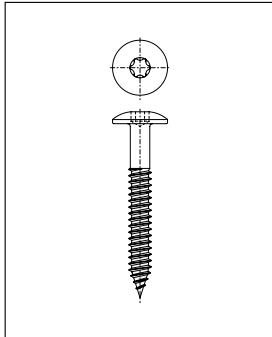
Coping detail

Details under slab

Design I Timber battens

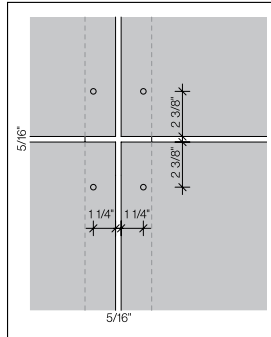
Swisspearl Largo 33

Swisspearl screw



Swisspearl screw, stainless steel, saucer head Ø 12 mm, T20 drive, 4.8×38 mm.

Distances to panel edge



Panel hole

Diameter 1/4"

Minimum edge distances

Horizontally 1 1/4"

Vertically 2 3/8"

Maximum edge distance

Horizontally and vertically max. 4"

Panel joints

Typical panel joint is 5/16", this allows panel scraps to be used as spacers. Wider joints will make any inaccuracies in the installation less noticeable.

Installation

The screws must be installed with depth stop at 90 degrees set to the panel. The screw head must rest even to the panel.

Sub-frame engineering

Engineer / contractor are responsible for the design and installation of all sub framing parts including all pertaining fasteners.

Timber battens

Straight grown pine, dry (max. 20% moisture content). Grade No.2

34 Design I Timber battens

Swisspearl Largo

Timber battens

Installation over timber battens is allowed provided the design meets local engineered codes and standards.

Timber quality

Battens must be thickness gauged to 1 face:

- Thickness min. 3/4" (depending on the building height, the cavity will increase, see recommended cavity depth page 12) should the building be higher, the vent. cavity has to increase.
- Always use planed surface timber
- Solidity class II (FK II/C24)
- Recommended only using kiln-dried lumber
- Moisture content max. 20-%
- Timber must be of equal or higher quality

Min. vertical battens

At panel joints:

2 × .75" × 2.50" or

1 × .75" × 5"

Intermediate supports:

.75" × 2.50"

Engineering

Battens including their attachment to be engineered per local standards.

Battens screw

Screw Ø min. 1/4"

Head Ø min. 1/2"

For battens wider than 2.25" use two screws per point of attachment. Rear ventilation, thermal insulation, moisture proofing, wind proofing layers. All local standards are applicable and must be complied with.

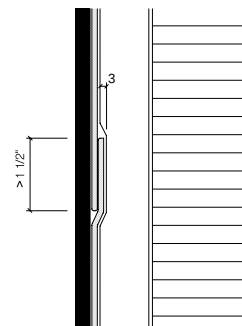
Joint flashing

Horizontal joint and L-flashing should be .08" shorter than panel and thus not visible in vertical joints. If required butt joint the flashings on any batten, do not overlap flashing.

L-flashings and horizontal joint flashing are not 100% water-proof! Therefore all timber battens must be fully covered by EPDM bands to protect them against moisture and to prevent rotting and the growth of fungi and mold.

EPDM strips

All timber battens must be fully covered by EPDM backing strips stapled to the battens. Stapled at the edges of the bands. EPDM strips to be in one single piece top to bottom or overlapped as per diagram.

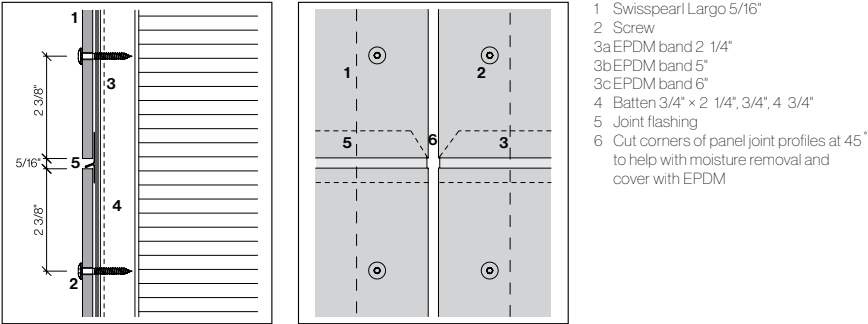


EPDM strip overlap

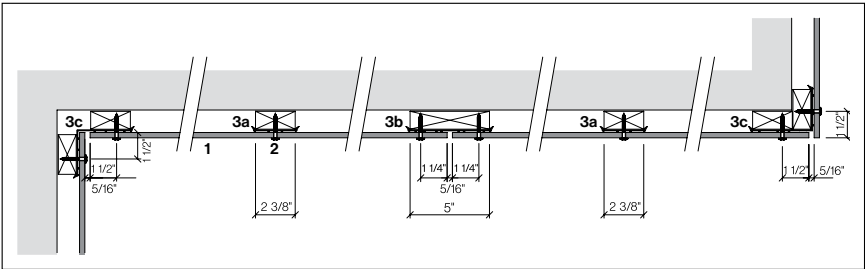
Design | **Timber battens**

Swisspearl Largo 35

Horizontal panel joint



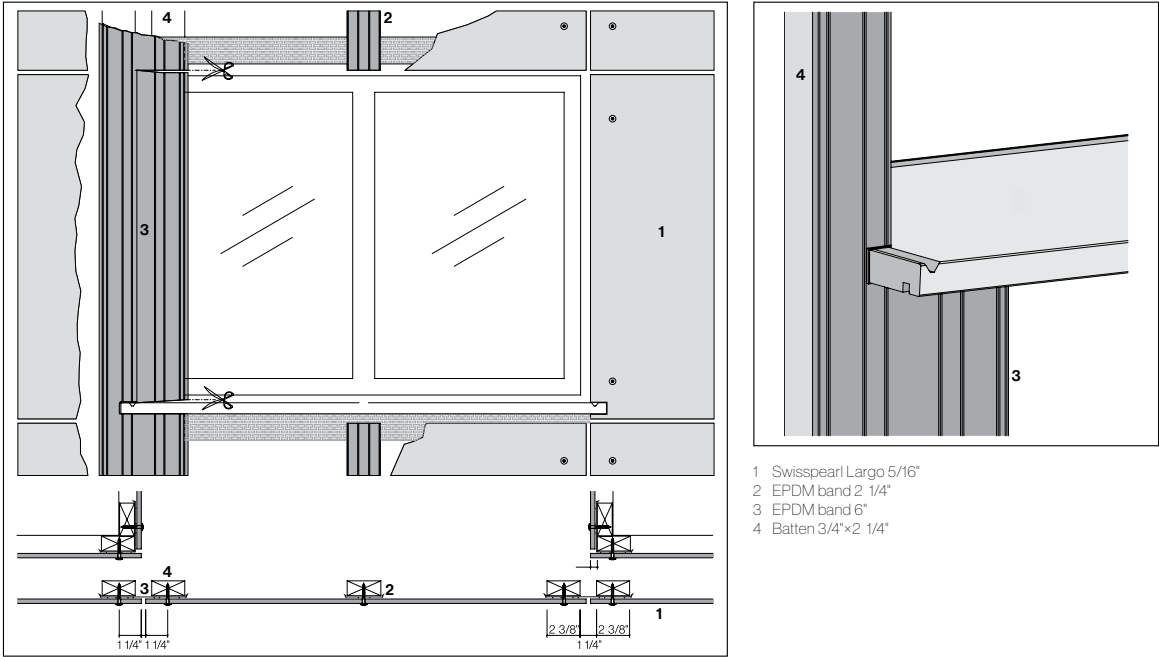
Horizontal section through vertical battens



36 Design | **Timber battens**

Swisspearl Largo

Vertical joint at window



Design | Timber battens

Swisspearl Largo 37

Timber sub frame - 5/16" & 1/2" facade panels - screw distances

Engineering responsibility

For the cladding design a locally licensed engineer shall assume responsibility for calculation and verification of all subframe components.

Panel data

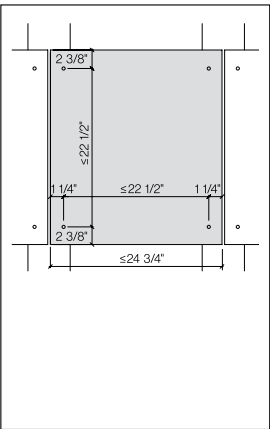
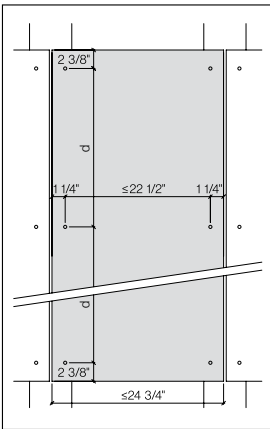
- Modulus of elasticity MOE ca. 15'000 MPa
- Modulus of rupture (characteristic) MOR (average) > 22 MPa
- Design value bending resistance 8.0 MPa (2.5 safety factor)
- Density > 1.75g/cm3

The data was evaluated according to ETAG 034 using 5/16" panel, and includes no safety factor. Diameter of panel hole must be 1/4", and screw head must be 1/2". Minimum screw engagement in timber to be 1 1/16". Edge distances 1 3/16" horizontally, 3 1/8" vertically. The data may be interpolated.

38 Design | Timber battens

Swisspearl Largo

Single span panel (no intermediate support)



Soffit panels

Fastener distances for soffit panels and suspended ceilings not to exceed 19 11/16".

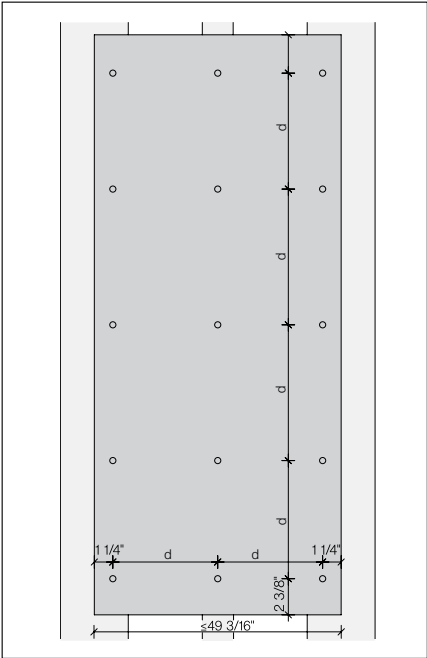
Max. distance between fasteners for single span panels 22 1/2", unless smaller distance is required by high wind load as per table of fastener distances.

Design | Timber battens

Swisspearl Largo 39

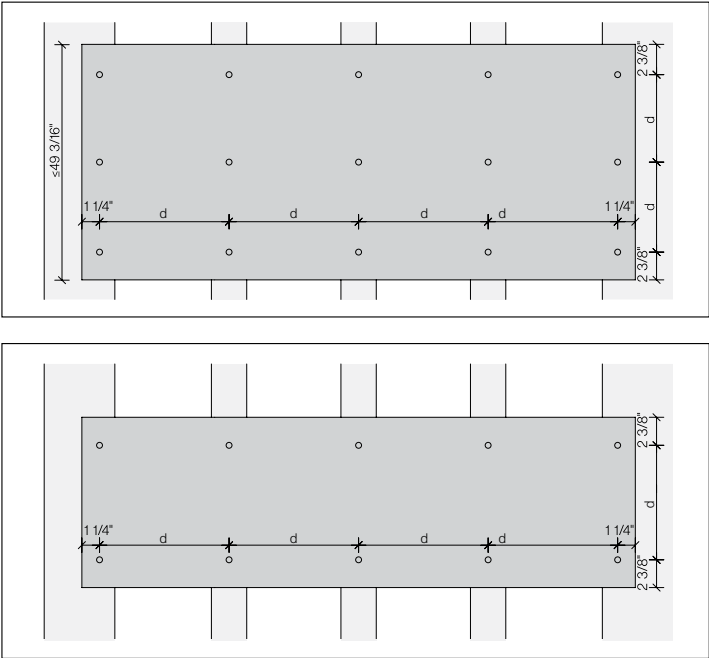
Sample screw layouts, final layout to be determined by a local structural engineer.

Swisspearl Largo vertical panel (portrait)



Drill holes Ø 5.5 mm

Swisspearl Largo horizontal panel (landscape)

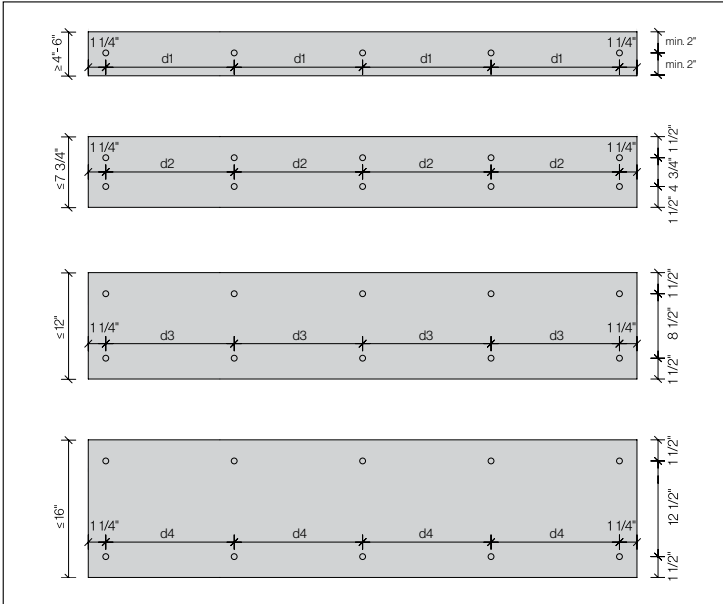


40 Design | Timber battens

Swisspearl Largo and Linearis

Sample screw layouts, final layout to be determined by a local structural engineer.

Swisspearl Largo strips or Linearis 5/16"



Panel height ≤ 15 3/4", the vertical edge distance might be reduced to a min. 1 37/64" mm.

Linearis panel strips are delivered without drill holes. Installation details as per this DIM are applicable.

Due to deformation of the panel the max. fastener distances not to exceed:

- d1: 16 1/8"
- d2: 19 11/16"
- d3: 22 7/16"
- d4: 24"

Design | Timber battens

Swisspearl Largo and Linearis 41

Swisspearl Largo strips or Linearis with open joints

Product

Swisspearl Linearis are ready-made Largo panel strips, for installing with open joints. Whether mono-chrome or multicolored, equal or varying format lengths, with continuous or offset joints – there is immense scope for different combinations.

Holes in panel for screws

Fastener holes to be done at the jobsite. Diameter 1/4".

Ventilation cavity

The min. cavity to be 3/4" with open joints.

Panel joints

Linearis typical panel joint is 1/4".

Installation Reflex, Vintago and Vintago - Reflex

When installed, all the arrows on the backside of the Reflex, Vintago and Vintago - Reflex panels must point in the same direction.

Timber battens

Installation over timber battens is allowed provided the design meets local engineered codes and standards.

EPDM strips

All timber battens must be fully covered by EPDM backing strips stapled to the battens. Stapled at the edges of the bands. EPDM strips to be in one single piece top to bottom or overlapped.

Mandatory the use of Swisspearl EPDM bands with side lips

Details

Installation details as per this DIM are applicable.

Vertical installation

The arrangement of Swisspearl Linearis is usually horizontal. For the execution of a vertical application please contact the Technical Service.

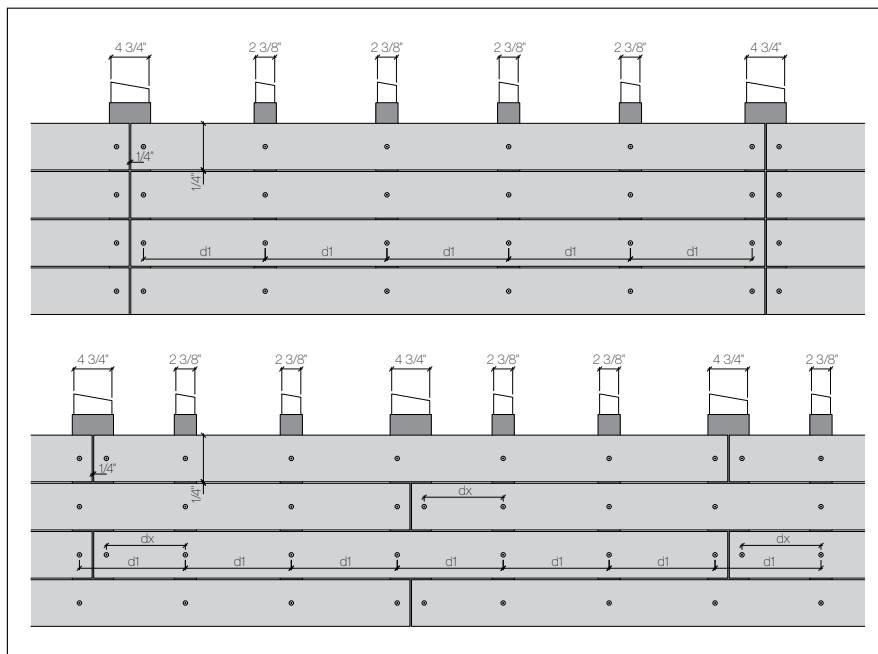
Vertical battens

Under butt joint 1×3/4"×4 3/4" or 2×3/4"×2 1/4", one-sided planed. Intermediate support 3/4"×2 1/4", one-sided planed.

42 Design | Timber battens

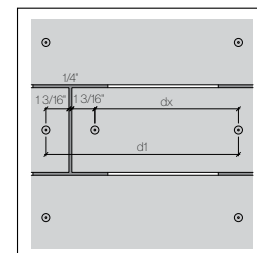
Swisspearl Largo and Linearis

Swisspearl Linearis example | panel height 5 25/32"



By an offset configuration, fastener hole not to be placed at the joint axis (water course).

Linearis offset design



With a staggered design, the maximum fastening spacing (d1) is reduced on both sides of the lateral panel joint.

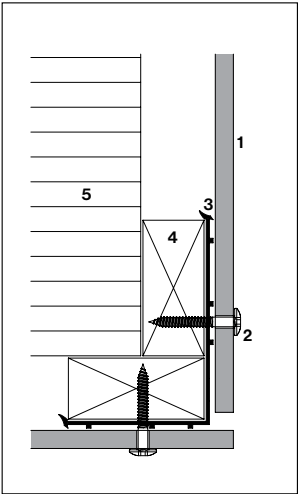
$$dx = [d1] - 2 \times \text{side edge distance} \\ (13/16") - 13/64" \text{ vertical joint width.}$$

Please refer to page 40 for maximum fastening distances for Linearis.

Design I **Timber battens**

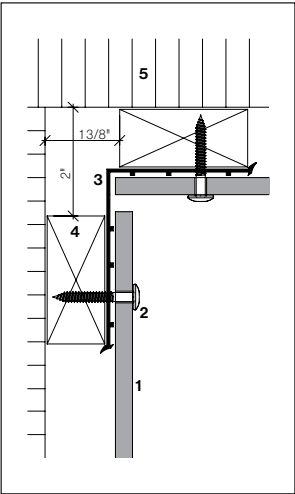
Swisspearl Linearis 43

Swisspearl Linearis example outer corner



Batten configuration to building corner as shown above with the use of 6" EPDM.

Swisspearl Linearis example inner corner

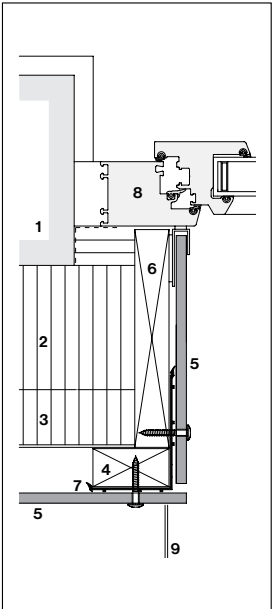


- 1 Swisspearl Linearis 5/16"
- 2 Swisspearl Screw 4.8x38 mm
- 3 EPDM band 6"
- 4 Batten 3/4" x 2 1/4"
- 5 Thermal insulation

44 Design I **Timber battens**

Swisspearl Largo

Swisspearl Largo example window jamb



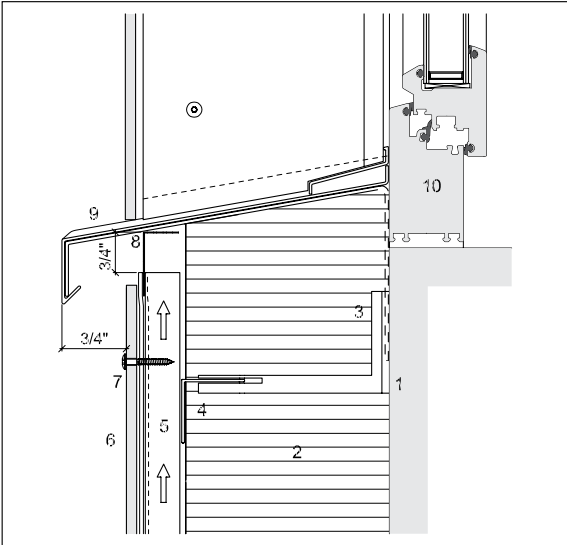
- 1 Exterior wall
- 2 Thermal insulation
- 3 Horizontal support
- 4 Vertical support
- 5 Swisspearl Largo 5/16"
- 6 Jamb board
- 7 EPDM band 150 mm
- 8 Window frame
- 9 Window sill

Jamb with 5/16" panels

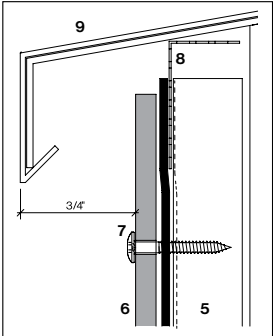
Design I **Timber battens**

Swisspearl Largo 45

Example window sill



Window sill made of metal



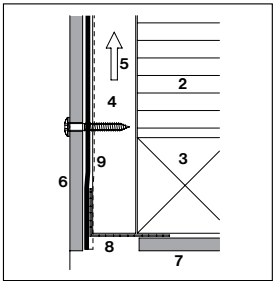
Sill detail

- 1 Exterior wall
- 2 Thermal insulation
- 3 Vertical support
- 4 Horizontal support
- 5 Vertical support
- 6 Swisspearl Largo 5/16"
- 7 Screw 4.8x38 mm
- 8 Perforated angle
- 9 Window sill
- 10 Window frame

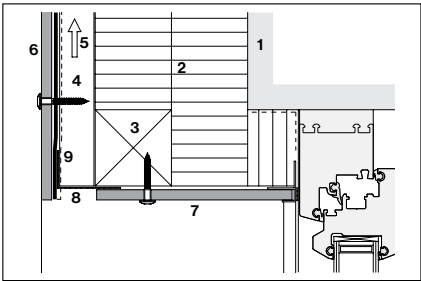
46 Design I **Timber battens**

Swisspearl Largo

Example window head



Perforated angle



Metal framing around whole window

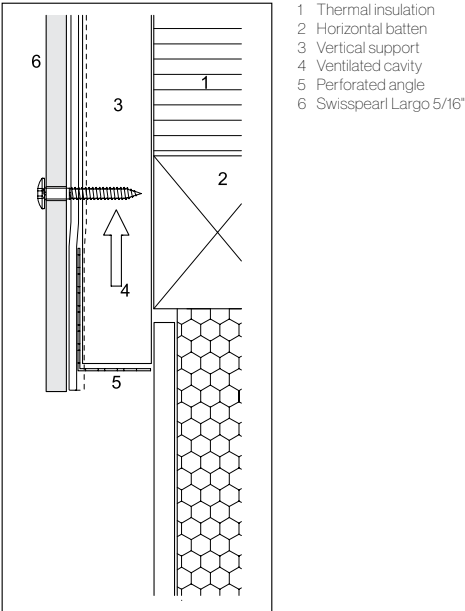
- 1 Exterior wall
- 2 Thermal insulation
- 3 Horizontal support
- 4 Vertical support
- 5 Ventilation cavity
- 6 Swisspearl Largo 5/16"
- 7 Swisspearl Largo 5/16"

- 8 Perforated angle
- 9 EPDM band

Design I Timber battens

Swisspearl Largo 47

Example bottom detail

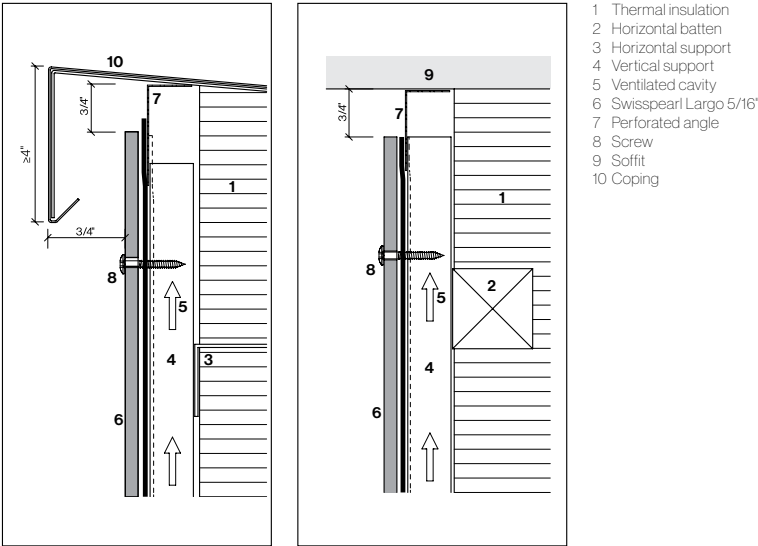


Timber / timber

48 Design I Timber battens

Swisspearl Largo

Example coping detail



Coping detail

Detail under slab

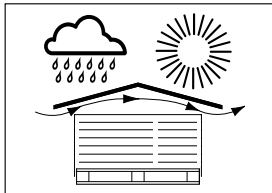
Installation | **Storage on site, safety**

Swisspearl Largo and Linearis 49

On site storage

Pallets must be stored under cover i.e. out of rainfall and direct sunlight. Where this is not possible, store under a tarp. Ingress of water into stacked panels will cause permanent staining to panel surface. Excess heat to stacked panels can cause damage to panel surface. Overseas pallets can be stacked 3 high above another.

Provisional roofing or tarp covers are to be used in a manner that allows cross ventilation as shown.



Fabricating panels at local fabricators or on site

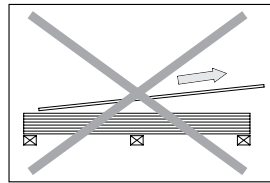
Always work out of the weather.

Cutting panels to size:

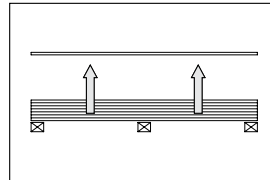
- Use industrial vertical panel saw for large quantities
- For small quantities use circular hand saw with straight edge and dust extraction
- Panel cut outs, etc. use jig saw
- Cutting blade supplied by factory or procured locally, considering cutting quality, performance, costs
- Dust from fabricating on site must be removed immediately
- Avoid tools which produce fine dust

Stacking panels on site

- Always stack the panels horizontally on pallet base
- Each stack should not be more than 20" high
- Use foam protection layer between the panels (as supplied by factory)
- 3 stacks on top of each other



Do not pull panel across...



...but lift up vertically

Pallet sequence

It is recommended to order the panels cut and pre-drill according to their sequence in the order to save time while installing.

50 Installation | **Fabrication, tools, etc.**

Swisspearl Largo and Linearis

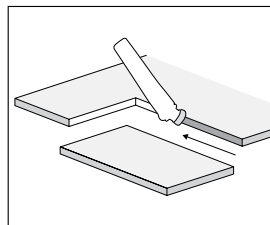
Panel fabrication on site

For long cuts use multifunction table with circular hand saw, guide rail and dust extractor. Saw blade supplied by panel manufacturer or at own choice.

Cut outs

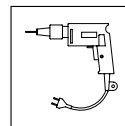
For smaller cut outs or odd shapes use pendular jig saw. For drilling use drill bits on site storage Ø 3/8" / Ø 1/4" (metal / timber supports) with carbide metal tips supplied by panel manufacturer or procured locally.

Sealer to cut edges

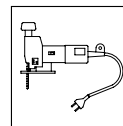


All cut edges must be sealed with impregnation liquid LUKO. Immediately wipe LUKO off the face of the material.

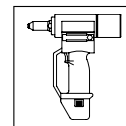
Tools



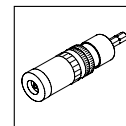
Drill



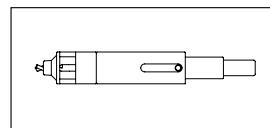
Jig saw



Rivet gun

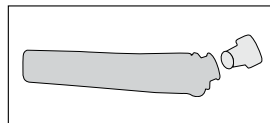


Depth stop (mandatory for timber sub-frame)

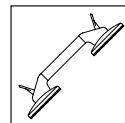


Centering drill gauge

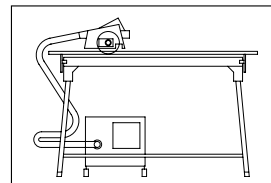
LUKO hand applicator



LUKO filled in hand applicators is frost proof to 18°F. LUKO supplied in 1 liter bottles is not frost proof but dries faster (for fabrication in work shop).



Vacuum handle with silicone cups. (Keep silicone cups clean during installation to prevent scratching panels).



Circular hand saw with guide rail and dust extraction

Installation | **Storage on site, safety**

Swisspearl Largo and Linearis 51

Swisspearl panels including

Carat, Avera, Reflex, Vintago, Vintago - Reflex, Nobilis, Terra, Planea and Zenor including those panels with an added Facade and or Roof coatings fall into these categories.

Cleaning procedures

Remove dust immediately after fabricating panels.

Dry dust

To be removed with a vacuum cleaner, or with a clean, dry and soft cloth or brush.

Wet dust

Results in staining the panel surface. It must be removed immediately, using plenty of water and a sponge or soft brush.

Cleaning of completed claddings

Non calcium based stains:

- Use high pressure cold water at max. 1160 PSI (minimum distance from panel 10"). Use flat fan spray nozzle, dirt blasters are not allowed.
- Test on in- conspicuous part of cladding prior to complete cleaning.
- If required use mild soap or dish-washing liquid. Do not use abrasive or solvent containing cleaning agents
- Do not use glass cleaning detergents!
- Never wash claddings in direct sun light with alkaline or acid cleaners, as the detergent may cause irreversible stains

Calcium based stains:

- Apply a mist spray of a solution of 9.5% acetic acid and water
- Allow to react a few minutes but do not let dry out
- Use high pressure cold water to rinse cladding

Repeate steps 1 to 3 on difficult stains:

Cleaning during service life

Normally no cleaning will be needed since the rain will periodically wash away dust, environmental dirt, etc. However, if particular environmental conditions lead to a dirty surface, wash with garden hose or high pressure cold water.

Cleaning of HR panels

Clean the surface with a soft cloth, remove stains with Acetone using a different soft cloth. Apply 2-3 times treatment if necessary. If the surface is not acceptable after the 3rd time, a change of the panel is recommended.

Do not clean the surface in direct sun light, and always use appropriate safety equipment. For detailed specifications on HR panels please contact your Technical Advisor.

Organic growth

Remove algae / fungii with a 5% solution of hydrogen peroxide (H2O2) to eliminate all spores.

Masking tape

For the use of masking tape on panels it should be noted that most common masking tapes are not resistant to UV rays. Such tapes leave behind residues, that cannot be removed without causing damage to panel surface or detaching the panel surface directly. However the use of the following masking tapes is recommended:

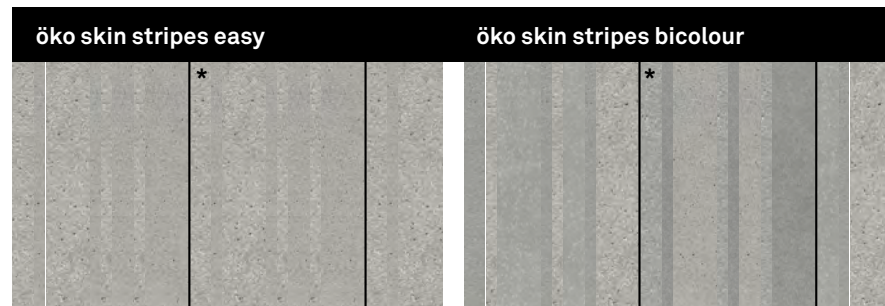
- Masking tape 3M Blue 2090 for temporary application (1 - 2 weeks)
- Masking tape 3M Gold 244 for longer term application.

DATA SHEET

öko skin stripes



RIEDER



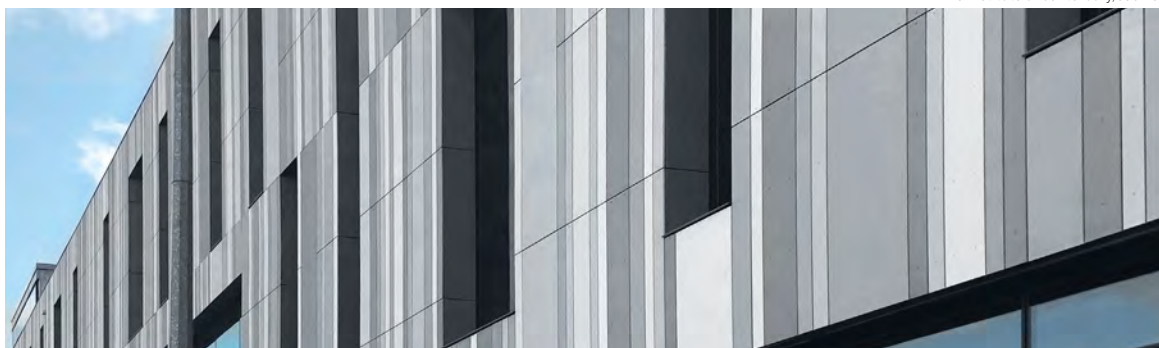
Colours	1 colour	2 colours
Surfaces	Mix of ferro light + ferro	Mix of matt + ferro light + ferro (extra contrast)

Material	
Length	2500 mm, 3100 mm / 98.42", 122" (US)
Width	70 mm, 147 mm and 302 mm / 2.76", 5.79" and 11.89" (US) sequencing of slats is pre-defined
Thickness	13 mm / 0.5" (US)
Colour collection	greyscale, pietra, timber, brickly
Texture	standard

Handling	
Mounting	Manually or with vacuum suction; slats must be handled with special care

Fixing	
Visible: rivet, screw	Distance to slat edge at least 30 mm / 1.18" (US)
Concealed: adhesive, undercut anchor (on request)	Distance to slat edge (vertically) at least 100 mm / 3.93" (US) Distance to slat edge (horizontally): with 70 mm and 147 mm / 2.76" and 5.79" (US) once in the middle; with 302 mm / 11.89" (US) minimum distance to slat edge 60 mm / 2.36" (US) (with point attachment: 2 pieces) Maximum distance between two vertical attachment points: 600 mm / 23.62" (US) Additional supporting structure or bracing required depending on statics.

Scope of delivery	
Palletisation	Mix of colours, surfaces and the sequencing used for the three slat-widths is pre-defined on the pallet. 8 slats per layer (4 x 70 mm, 2 x 147 mm, 2 x 302 mm / 4 x 2.76", 2 x 5.79" and 2 x 11.89" (US)) in colour and surface mix (according to visualisation*). Modular pre-assembly on request. 16 layers per pallet (47 m² / 505.90 ft² (US) of 2500 mm length 58 m² / 624.31 ft² (US) of 3100 mm length.



Ara Institute of Canterbury, Jasmax



Sandra L. Guay
Partner
sguay@archipelagolaw.com

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

March 17, 2023

Via Email:

Portland Planning Board
Maggie Stanley, Chair
City of Portland Planning & Urban Development
389 Congress Street
Portland, ME 04101
planningboard@portlandmaine.gov

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

Dear Madam Chair and Board Members:

As noted in my December 28, 2022 letter, this firm represents John Roger Trettel, an abutter to 58 Fore Street and the mixed-use development project that is the subject of the Portland Foreside Development Company (“Applicant”) site plan application currently pending before the Board (“Application”). As also noted in that letter, Mr. Trettel generally supports the mixed-use development project and the benefits that it will bring to the City’s Munjoy Hill and waterfront area.

As an abutter to the project however, Mr. Trettel has followed the development of this site closely and is aware of its long and complex history. Although he did not own the 5 Eastern Promenade property at the time, Mr. Trettel is aware of the community conversations that took place back in 2015 when the property was rezoned to accommodate this project, and in 2016 when the Master Development Plan and Phase I site plan were reviewed and approved. Like many of his neighbors and others in the City, he is aware of the controversy that has surrounded the development since 2016 – including the after-the-fact requests for approval by the Applicant and the enforcement action taken by the City in 2021 and 2022 after repeated violations.

Given the history and context of the development of 58 Fore Street, it is critically important that the Applicant’s proposal is compliant with all applicable standards and codes, and with the Planning Board and City Council’s vision for the growth and development of the City of Portland. Along these lines, Mr. Trettel has significant concerns about the Application and the next phases of development and trusts that a meaningful resolution of these concerns might serve to avoid still more controversy and conflict for the City and the Munjoy Hill Neighborhood.

Attorney Keith Richard and I recently met with Kevin Kraft to discuss some of these concerns. We appreciate Kevin taking the time to meet with us and understand that the Application will be undergoing a more rigorous review process over the coming weeks and months. It is in this light that we offer the following comments and would ask that the issues raised in this letter are carefully considered and addressed by the reviewers and by the Planning Board.

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 2 of 8

I. The 2016 Master Development Plan (MDP) Approval has Expired and is Therefore Void.

On December 20, 2016, the Planning Board approved a Master Development Plan (“MDP”) for the 58 Fore Street property (the “Property”). Both the City and the Applicant have since argued that the standards found in the Land Use Code in effect on December 20, 2016, apply to the current Mixed Use of Blocks 4 and 6 Major Site Plan Review Application and future development of the Property.

The 2016 MDP has only three “Standard Conditions of Approval & Requirements”. The third condition, located directly above the signature of then-Planning Board Chair, Elizabeth Boepple, is captioned “Master Development Plan Expiration”, and reads:

An approved master development plan shall expire six (6) years from the date of approval unless, prior to the expiration of the master development plan, a written request for an extension is submitted to the Planning Authority. Only two (2) such extensions may be granted by the Planning Authority, and each such extension shall be limited to two (2) years from the date of expiration of the master development plan. The Planning Authority may grant an extension provided there have not been substantial changes to the underlying zoning or site plan standards since the date of the master plan development plan approval that would have a substantial impact on approval. The Planning Authority may condition the extension on an amendment of the master development plan to comply with such applicable ordinance or site plan standard changes per section 14-532(d) of the city’s land use ordinance. Approved major or minor amendments to a master development plan do not alter the expiration date for the master development plan.

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

It is without question that Section 14-532(d) is the controlling language for the 2016 MDP approval, yet at the January 10, 2023 Planning Board Workshop, this Board was informed by Planning staff that the criteria for expiration of the MDP was:

Master development plans approved under this article shall expire six years from the date of approval if no site work or building construction has commenced.

This provision however is not from the MDP or even from the Land Use Code in effect in 2016, when the MDP was approved. Rather, this language is from Article 14.12.2 of the March 7, 2022 Land Use Code. It is therefore inapplicable to the 2016 MDP approval, and in fact in violation of the terms and conditions of that approval. It was additionally stated at the January 10 Workshop that only the standards of the 2016 Land Use Code apply to the Application, and that it is not subject to the new standards and requirements found in the 2022 Land Use Code; but, this then leads to an absurd result - the Applicant cannot reasonably argue on the one hand that the 2016 Code applies for *all* applicable regulations and standards, but that Article 14.12.2 from the 2022 Code applies with respect to expiration of the MDP. There is nothing in either the 2016 or the 2022 Code that would allow this, nothing in the 2016 MDP that allows

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 3 of 8

it, and there is no argument in law that would support this. The plain language of Section 14-532(d) in the 2016 Code, copied verbatim into the MDP approval, has no ambiguity as to its intent or meaning and it was the only mechanism available to the Applicant for obtaining a possible extension to the 2016 MDP.

The Maine Law Court has considered the finality of expiration language in land use approvals and ordinances, finding that “an Applicant must be diligent and request an extension within the [time] period for which the approval remains viable. Otherwise, the Ordinance would allow the Board to extend an approval that had become void.” *George D. Ballard, Builder, Inc. v. Westbrook*, 502 A.2d 476, 480 (Me. 1985). “Moreover, to construe the extension provision otherwise would allow a developer to be protected from zoning changes for an indefinite period greater than the [time period] provided in the Ordinance.” *Id.*

We have been provided with emails between Mary Costigan, Esq. on behalf of the Applicant, and Cristine Grimando, dated September 2022. On behalf of the City, Ms. Grimando opined that the MDP would not expire on December 22, 2022 because construction had commenced on the site. Ms. Grimando’s interpretation was based on the inapplicable Article 14.12.2 of the March 7, 2022 Land Use Code; the legislatively adopted Section 14-532(d) in the 2016 Code is, however, non-discretionary and the Planner had no authority under the Code to ignore, waive or otherwise provide a variance from that extension requirement. Furthermore, the email exchange between Attorney Costigan and Ms. Grimando had no impact upon the expiration of the MDP pursuant to the express terms of the MDP itself and the applicable Section 14-532(d) effective in 2016. First, Attorney Costigan’s email did not request an extension—it merely sought an opinion that the MDP would not expire. Second, there was no assessment by the City, as required by the Code, of whether there had “been substantial changes to the underlying zoning or site plan standards since the date of the master plan development plan approval that would have a substantial impact on approval...” Because there was no written request for an extension from the Applicant, nor the required process to determine whether to grant that extension by the City, the MDP expired.

Simply put - the Applicant failed to properly request an extension within requisite six years of the date of approval as clearly and unambiguously required by the 2016 MDP and in Section 14-532(d) of the 2016 Code. As a result, the 2016 MDP approval is void; there is no longer an approved or controlling MDP in place, and with all due respect to the Planning Board, it therefore lacks jurisdiction to continue to review the Application as though it were validly submitted.

II. Given the magnitude of this proposed project and its lasting impact on both the neighborhood and the character of Portland as viewed both to and from the water and Munjoy Hill, it is critical that the Planning Board understand the issue of grade and its relationship to building height.

A. The Project Violates Height Restrictions on Numerous Grounds.

“Average developed grade,” which is being applied by the City and Applicant, is not in the height definition or in any provisions addressing vertical dimensional standards. In fact, “finished grade” or

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 4 of 8

“developed grade” as the starting measuring point for structures has no express support anywhere in the Code, past or present.¹

Where a term, like “grade,” is undefined, Maine courts construe the term “reasonably with regard to both the objects sought to be obtained and to the general structure of the ordinance as a whole.” *Friends of Cong. Square Park v. City of Portland*, 2014 ME 63, ¶ 9, 91 A.3d 601 (citation omitted). Courts “give such terms their ‘common and generally accepted meaning’ and dictionaries are an established authority to identify definitions. *Id.*

Merriam-Webster Dictionary defines “grade” as “a datum or reference level . . . especially: GROUND LEVEL.” Merriam-Webster Dictionary Online, “grade” <https://www.merriam-webster.com/dictionary/grade>. Oxford Languages defines “datum” as “a fixed starting point of a scale or operation.” Dictionary definitions establish that “grade” has an objective, uniform starting point that bears a rational relationship to the conditions of the earth. The same conclusion follows applying the general rules of ordinance interpretation. *See Banks v. RSA #1*, 1998 ME 272, ¶ 4, 721 A.2d 655 (“A court’s interpretation of an ordinance must not create ‘absurd, inconsistent, unreasonable or illogical results.’”)

The City’s interpretation of “grade” will produce inconsistent, illogical, and absurd results. As a function of uniform height regulations, grade must consider the objective conditions of the site tethered to factual reality. Interpretation of “grade” as “post development grade” would mean height restrictions vary depending upon whatever a developer artificially creates or manipulates for conditions, divorced from what exists at the time of an application. For developers with the gumption, financial capacity, and engineering capability to reshape the earth, introduce creative structures, and pile fill, the sky is the limit. A developer can achieve whatever height they desire by creating a “developed grade” that games the height standard by anticipating when the City will begin measuring and adjusting their “developed grade” and proposed structures accordingly.

That is precisely the scenario here. The Applicant has artificially elevated their proposed buildings on a “pedestal” with the absurd and illogical result that buildings can exceed 110’ in a zone that restricts buildings to half as tall. For those without the same resources (everyone else), the regular height standards of 45’ up to 65’ apply. That is the type of inconsistent result produced by a “grade” interpretation and height standard that does not have any objective regulatory limit. Measuring height from the perimeter of

¹ A review of the Code as a whole reveals that such an interpretation is foreclosed by express provisions. *See, e.g.,* Portland, Me., Code § 14-755 (amended 2016) (defining height of wind energy system as “vertical distance *as measured from the average elevation of the finished grade*” (emphasis added)); § 14-369(d) (establishing height computations for signs as “normal grade” defined as “the lower of either existing grade prior to construction or the newly established grade after construction excluding any filling, berming, mounding or excavating accomplished solely for the purpose of locating the sign”). Thus, in creating height and grade standards for wind energy systems and signs, the drafters of Portland’s Code knew and understood how to clearly delineate between “existing” or “predevelopment grade” and “newly established” or “post development grade.” If “grade” for purposes of structure height was intended to be broadly interpreted to mean “post development grade,” this would have been stated explicitly. It was not, we must presume with intent. *See, e.g., Fuhrmann v. Staples the Office Superstore E., Inc.*, 2012 ME 135, ¶ 34, 58 A.3d 1083 (“If the Legislature had intended to create individual supervisor liability it would have done so explicitly in much clearer terms.”).

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 5 of 8

buildings, artificially elevated by new structures and fill, is a textbook example of stretching a definition to a logical extreme that violates core tenets of ordinance interpretation. *See, e.g., Banks*, 1998 ME 272, ¶ 4, 721 A.2d 655 (rejecting illogical interpretation of ordinance to construe tower as exempt from height restrictions as rendering height restriction meaningless).

The fact that the Code distinguishes “pre-development grade” on the islands does not mean that “grade” on mainland Portland has no objective definition. It is a logical fallacy to infer that because “pre-development grade” applies on the Islands, that “grade” for purposes of Mainland Portland therefore means “post-development grade,” with no objective definition of grade tied to a specific moment in time prior to development. Rather, “grade” must mean conditions of a site which logically, like any land use standard, would be determined *at the time of an application*. This is *not* an argument for applying the Islands standard to the Mainland because “pre-development grade” already has a specific meaning that is fixed in time: “‘Pre-development grade’ is defined as average grade, existing on October 1, 2000, at the corners of the foundation of the proposed structure.”

What about grade on October 2, 2000; on October 2, 2022; the date an application is filed; or the present date? None of the foregoing points in time constitute “predevelopment grade” because they all post-date October 1, 2000. Not only is the City implying “post development grade” without support in the Code—but the City is also failing to consistently interpret “predevelopment grade.” On the Mainland, the City appears to consider “predevelopment grade” to mean conditions of the site from the beginning of time until the moment before the developer has moved earth, built up, and filled the site. The Code definition of “predevelopment grade,” fixed in time as of 2000, contradicts that interpretation.

Moreover, the City’s interpretation is arbitrary. Starting tomorrow, the City could interpret “grade” on the Mainland to be the conditions at the time of an application, which would be consistent with the Code. If the City wants to adopt a standard with material regulatory consequence, that policy must be enacted by legislation, not unwritten longstanding internal deference to “the way we have always done it.” Unlike state agencies, municipalities do not receive deference in their interpretations of law, including ordinances. *Compare Rudolph v. Golick*, 2010 ME 106, ¶ 8, 8 A.3d 684 (“The interpretation of a local ordinance is a question of law, and we review that determination de novo.”), *with Guilford Transp. Indus. v. PUC*, 2000 ME 31, ¶ 11, 746 A.2d 910 (court defers to agency interpretations of ambiguous statute the agency administers). Regardless of whether this is a longstanding interpretation of the Code is immaterial to whether it is correct as a matter of law.²

² At the January workshop it was stated that the Maine courts have upheld the City’s interpretation. This is technically true but requires some important qualification. A single Superior Court case has affirmed the City’s height interpretation and site plan approval for an apartment building development in East Bayside, but that decision is currently on appeal at the Maine Supreme Court. *See Murray v. City of Portland*, AP-22-03 (Me. Sup. Ct. Aug. 5., 2022). The City’s height and grade interpretation is directly at issue in the appeal as a matter of first impression. Because trial court decisions are not binding on other courts (only Supreme Court decisions are), another Superior Court justice in a subsequent appeal could lawfully reach the opposite conclusion and we believe likely would on the facts presented by this application. Until that appeal is decided, there are no *binding* Maine court decisions.

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 6 of 8

Even applying post-development grade to this application, the Portland Co. site *is* developed and has an existing post-development grade. If a site can be “developed” over and over again without limit, the standard truly has no objective meaning.

Finally, with respect to the portions of the proposed site that are within the Shoreland Overlay Zone, the City’s grade interpretation and height calculation is inconsistent with and therefore preempted by the Mandatory Shoreland Zoning Act, 38 M.R.S. §§ 435-448.³ *See Sawyer Env’tl. Recovery Facilities, Inc. v. Town of Hampden*, 2000 ME 179, ¶ 27, 760 A.2d 257. For new structures in the shoreland, “height” is defined as “the vertical distance between the mean original grade at the downhill side of the structure, prior to construction, and the highest point of the structure” 38 M.R.S. § 436-A(7-A). This definition preempts the City’s interpretation of “grade” on two grounds: first, the height calculation standards apply to “average grade” *before* construction, rather than post development; and second, the property owner must calculate from the downhill side of the structure. The statutory standard preempts the City’s inconsistent unwritten interpretation for portions of the site subject to shoreland zoning.

B. Even if the Lawfulness Were Assumed, the City’s Traditional Methodology for Determining Grade is Simplistic, Flawed, and Results in Errors and is being Improperly Employed by the Applicant here.

The City’s 2015 and 2022 code utilizes a simplistic methodology for determining the average grade of a site that is easily manipulated and can generate dramatically inconsistent results. The methodology involves calculating a simple average of the grade elevation at the primary corners of the building foundation. This methodology is most applicable if the site is small and generally uniform; it is not appropriate for a large, irregularly shaped and undulating site as that proposed for the 58 Fore St. project. This methodology was utilized during the original Master Development Plan review phase when it was applied to a large parking podium that would be constructed across Blocks 4, 5, and 6. By heavily weighing the high sides of the site, the Applicant (and apparently the City) erroneously determined that the average grade of the site was 50.1 feet.

Engineering consultant, Tetra Tech, performed a more accurate assessment of the site utilizing more applicable industry standard methods (see Attachment A). This easily reproduceable analysis determines that the average grade of the Block 4, 5, and 6 area is in reality approximately 29 feet—a *difference of over 20 feet*. Given the importance of the site in terms of its impact on the overall character of Portland and surrounding Munjoy Hill historic community, it is extremely important for the City to get the issue of grade and subsequent building height correct. It is not acceptable to use and manipulate a simplistic and flawed methodology to establish an incorrect starting grade that enables buildings that far exceed the maximum heights (45 to 65 feet) and number of floors (max 4-6) envisioned in the adopted height study plans⁴ and in the Code.

³ “In accordance with a schedule adopted by the board and acting in accordance with a local comprehensive plan, municipalities shall prepare and submit to the commissioner zoning and land use ordinances that are *consistent with or are no less stringent than the minimum guidelines adopted by the board* and, for coastal communities, that address the coastal management policies cited in section 1801.” 38 M.R.S.A. § 438-A.2 (emphasis added).

⁴ As noted, the Eastern Waterfront Building Height Study (September 2004) (“Study”), adopted into the E. Waterfront Master Plan and the City’s Comprehensive Plan as it existed in 2015, formed foundation and basis for the B-6 Height Overlay. In the area of the proposed new development, any building over four stories (one story is defined

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 7 of 8

In the application for the individual buildings proposed on Block 4 and Block 6, this methodology has been improperly used to establish base grades far beyond the factual conditions of the site. Using the methodology as intended, the average grades for the Block 4 and Block 6 buildings are approximately 39 feet and 36 feet, respectively (see expert statement Attachment B). While not presented in the current filing as it will be a separate building, the average grade for Block 5 is approximately 14 feet.

Reviewing the numbers presented in the filing, it is easy to see how the Applicant has weighted the high side of the site by utilizing approximately three times the data points, thereby dramatically skewing the purported “average.” This blatantly and inaccurately skews the average starting grade 30-40% higher than it actually is, with dramatic consequences for how height restrictions will be applied. More importantly, it flies in the face of the intent of the code and various height studies and overlays, to promote responsible development consistent with the character and scale of Portland’s eastern waterfront and the Munjoy Hill neighborhood.

III. The Applicant Cannot Unilaterally Include New Lots in an Entirely Different Zone Within the Boundary of the 2016 MDP.

As discussed in the December 28, 2022 letter and as further discussed by Board members at the January 10, 2023 Planning Board Workshop, the proposed site plan for Block 6 includes portions of three parcels of land, identified as 13-23 Eastern Promenade, which were never a part of the now void 2016 MDP, but rather separately purchased by the developer in 2021. The Applicant has now included portions of these parcels in the Application as though they were within and a part of the 2016 MDP project. Significantly, these appended properties are not located in the B-6 zone, but rather in the R-6 zone and in the Munjoy Hill Historic District and in addition to being inappropriately included in the present Application, are therefore subject to different and enhanced ordinance standards and regulations.

At the November 23, 2021 workshop for an amendment to the 2016 MDP⁵ the Planning Board opined as whether the Board had any control over the design of the project if the Level II site plan application pending at that time was subject only to staff review. The Board was informed that the MDP section of the 2016 Code had a provision for a major MDP amendment determination. In fact however, as noted in our December 28, 2022 letter, the 2016 Land Use Ordinance only provides a methodology for the Planning Authority to permit *minor* amendments to still effective Master Development Plans. Neither the 2016 Land Use Ordinance, nor the 2016 MDP, provide *any* avenue for a major, substantive amendment to an MDP (such as expansion of the boundaries of the original MDP by the addition of new land located in a different zone).

The inclusion of additional land, especially land that is in a different zone, is not a decision that can be made by staff. The addition of land in a residential zone has far reaching impacts upon those already residing in that zone, on the Comprehensive Plan and on the City’s and neighborhood’s vision for that residential neighborhood. It must be subject to the same rigorous review process that the initial MDP went

as 11 feet) has “has a maximum 70’ width parallel with the shore and a maximum 140’ length perpendicular to the shore.” Per the Study, the maximum total number of stories permitted in this area of the B-6 Overlay is 5 to 6 floors.

⁵ The purpose of the November 23, 2021 Planning Board Workshop was to amend the MDP in such a way non-permitted structures and uses at the 58 Fore Street project, then subject to Notices of Violation and a Consent Agreement with the City, would become compliant.

ARCHIPELAGO

Portland Planning Board
March 17, 2023
Page 8 of 8

through – and in this case, as the MDP is void, there needs to be a substantial review as an entirely new project under the Site Plan Review section of the Code.

IV. The Applicant Has Failed to Establish Sufficient Right, Title, and Interest to Warrant Review by the Board.

As this Board well knows, to have sufficient standing to pursue an application for land use development, an Applicant must demonstrate that they have a reasonable expectation that they will be able to develop the property as they have proposed. In the absence of that interest, Maine courts have explained that an Applicant lacks sufficient right, title, and interest (RTI) to pursue an application before a municipal board. Ultimately, the standing/RTI requirement is aimed at ensuring that the Planning Board's (and Planning staff's) time is not wasted reviewing applications for projects that may never get built. Therefore, under state law as well as the express language of the City's Code, all applications for permission to develop land must include evidence of sufficient RTI to develop the property *before* review of the proposal is undertaken. As noted in my December 28, 2022 letter, the 2016 Master Development Plan for the 58 Fore Street property is also express on this point.

The now void MDP and the proposed Site Plan clearly contemplate improvements to the site that are located on property outside the Applicant's ownership and control, including City and private property. Easements allowing those improvements are therefore needed and required. The Applicant however has failed to provide copies of executed easements – likely because they have not yet been obtained. Nevertheless, the Applicant is treating the application as if it is complete and entitled to review by staff and this Board. It is not. Given the history of development of this property and before any further staff or board time is taken up reviewing this development, the Applicant should be required to go to the effort of securing the easements and any other permissions needed to build out the project *before* the Board reviews it. Otherwise, it is entirely possible that necessary easements will not be given causing the plans to later be amended with additional rounds of review and Board meetings required.

Rather than invite multiple hearings and amended approvals, the Applicant can and should be made to wait to present its proposals until such time as it actually has the permissions needed to build it. Without those permissions, review of this application is a waste of staff and board time. More fundamentally, the Applicant lacks standing to seek site plan approval at all.

Very Truly Yours,



SANDRA L. GUAY



KEITH P. RICHARD

Copy to:
John Roger Trettel
Portland Historic Preservation Board
c/o Evan R. Schueckler, Program Manager

ATTACHMENT A
Grade Elevation Study

Project: 58 Fore St. Project Area Elevation Review

Tetra Tech, Inc. is a global engineering, design, and consulting firm with over 50 years of experience performing complex engineering, design and construction services on 1000's of projects worldwide.

Tetra Tech performed a desktop investigation of the 58 Fore St. Project development area in the City of Portland, Maine to establish the estimated average grade across the site above mean sea level. The study area is located in the eastern waterfront area of Portland and consists of approximately 5 acres of commercial, past industrial, and vacant land uses. Approximately two-thirds of the study site is marked by a large low-lying level area slightly above sea level supporting parking areas, a commercial building slab, and a rail yard; while about one third of the site consists of undeveloped, fragmented scrub forest on steeply sloping to almost vertical terrain along its northern and eastern boundaries. The vertical portion of the site is a narrow strip along the north boundary where a stone retaining wall supports Fore Street.

The industry standard method for calculating average elevation of an irregularly shaped and undulating parcel of land involves the use on-site topographic land surveying or contouring. If time, budget, or access prohibit collecting of field data, a site can be studied remotely using Digital Elevation Models (DEMs) and Geographical Information Systems (GIS). The DEMs provide a three-dimensional representation of the topography of the parcel, while the GIS is used to process and analyze the DEM data. The first step in this process is to obtain the DEM data, either by using aerial LiDAR (Light Detection and Ranging) technology or by interpolating spot elevation data using techniques such as kriging (ESRI, 2018). Once the DEM data are obtained, it is processed to create a raster layer, which is a grid of cells with equal dimensions that represent the elevation of the parcel at each cell location. The average elevation of the parcel is then calculated by summing the elevation values of all the cells in the raster layer and dividing by the total number of cells (Lidén et al., 2003). This process is often performed using GIS software, such as ArcGIS or QGIS.

Such data were not readily available for this study, and as such, Tetra Tech utilized Google Earth's elevation profile functionality as the DEM to find the elevation across the site using a 10-foot by 10-foot raster grid. Elevation profiles were obtained by casting the raster grid across the irregular site polygon using the southern corner as an anchor point (see attached figure). Elevation profiles along grid lines were examined at 10 foot intervals and the elevation at each point was recorded and rounded to nearest whole number (data attached).

A total of 2406 data points were recorded across the polygon, totaling to 69,647 feet of total elevation. The average elevation across the site was determined to be 29 feet (total elevation / total number of data points), which is approximately 15 feet above the existing level grade elevation.

While Google Earth data are generally regarded as quite accurate and reliable in urban areas, the best measurement of average elevation/grade of an irregularly shaped and uneven site would be determined by an on-site topographic land survey using total station or global positioning system (GPS) equipment. Upon completion of a land survey, there are numerous industry standard DEM engineering models available that would use these data to quickly and precisely measure the average elevation/grade across the site.

In performing this desktop analysis, Tetra Tech performed a QA/QC check of the Google Earth data by doing a representative spot check of points across the site and comparing them to the topographic survey map provided in the 58 Fore Street project's original 2016 application. This review determined the Google Earth data to be close to the applicant's field surveyed measurements with only minor deviations observed. As such, the average calculated elevation across the site of 29 feet is expected to be accurate within a small margin of error.

Discussion on Perimeter Measure Methodology

The average grade of the site was previously determined by others using a perimeter elevation measure methodology. Using elevation measurements taken around the perimeter of an undulating site to determine the average elevation is not appropriate, as it does not accurately reflect the complex topography of the interior of the site. This method provides only a rough estimate of the average elevation and is likely to be significantly different from an average elevation calculated from more comprehensive elevation data. Using only perimeter measurements is likely to give a biased estimate of the average elevation and may result in errors, especially if the site has steep or complex topography (Lidén et al., 2003). In this case, a difference of 21 feet (50.1ft vs. 29 ft) between the perimeter measure approach and the grid overlay/topographic approach is a dramatic deviation and indicates that the perimeter measure approach is not providing an accurate assessment of the average grade of the site.

The level of measurement error that is acceptable for a project site is dependent upon the ultimate use of the site. However, in general, such a large deviation between two methods of measurement is not considered to be an acceptable level of error to enable accurate and responsible decision making and design. Tetra Tech recommends a more comprehensive method, such as a topographic land survey or a DEM analysis, to obtain a more accurate average elevation of an undulating site with extreme topography changes such as the 58 Fore St. project area.

References:

ESRI (2018). Understanding Raster Elevation Data. Environmental Systems Research Institute, Redlands, CA, USA.

American Society of Civil Engineers. (2017). Surveying Fundamentals. <https://asce.org/continuing-education/courses/surveying-fundamentals/>

Lidén, K., Jonsson, P., and Löfgren, S. (2003). Average elevation and other terrain attributes from digital elevation models: a comparison of methods. *Geomorphology*, 55(1-2), 89-104.

58 Fore Block 4, 5 & 6 Area

58 Fore Project Area
10'x10' Grade Grid

Legend

-  58 fore area
-  Feature 1



58 Fore Street Site Elevation Study - 10x10 Foot Grid Data																						
GE Paths	0	10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180	190	200	210
Path1	12	12	12	12	12	12	12	12	12	12	11	11	11	11	11	11	11	11	11	11	11	11
Path2	12	12	12	12	12	12	12	12	12	12	12	11	11	11	11	11	11	11	11	11	11	11
Path3	12	12	12	12	12	12	12	12	12	12	12	12	11	11	11	11	11	11	11	11	11	11
Path4	12	12	12	12	12	12	12	12	12	12	12	12	12	11	11	11	11	11	11	11	11	11
Path5	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	11	11
Path6	12	13	13	13	13	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
Path7	13	13	13	13	13	13	13	13	13	13	13	13	13	12	12	12	12	12	12	12	12	12
Path8	13	13	14	14	14	14	14	13	13	13	13	13	13	13	13	13	13	12	12	12	12	12
Path9	13	14	14	15	14	15	15	15	15	14	14	14	14	13	13	13	13	13	13	13	13	13
Path10	13	14	14	15	15	15	15	15	15	15	15	15	14	14	13	14	14	13	13	13	13	13
Path11	13	14	14	15	15	15	15	15	15	15	15	15	14	14	13	13	14	14	14	14	13	13
Path12	14	14	14	15	15	15	15	15	15	15	15	15	15	14	14	13	13	14	14	14	14	14
Path13	14	14	15	15	15	15	15	15	15	15	15	15	15	14	14	14	13	14	14	14	14	14
Path14	14	14	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14	14	14	14
Path15	14	14	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14	14	14
Path16	14	14	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14	14	14
Path17	15	14	14	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14	14
Path18	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14	14	14
Path19	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	14	14	14
Path20	15	15	15	15	15	15	15	15	15	15	15	15	16	16	15	15	15	15	15	15	15	15
Path21	15	15	15	15	15	15	15	15	15	15	15	16	16	16	16	15	15	15	15	15	15	15
Path22	15	15	15	15	15	15	15	15	15	15	15	16	16	16	16	15	15	15	15	15	15	15
Path23	15	15	16	16	16	16	15	15	15	15	16	16	16	16	16	16	15	15	15	15	15	15
Path24	15	15	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	15	15	15	15
Path25	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	15	15
Path26	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16
Path27	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16
Path28	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	17
Path29	17	17	18	17	17	17	17	17	17	17	16	17	17	17	17	17	17	17	17	17	17	18
Path30	23	23	22	23	22	22	21	20	20	19	19	18	19	19	19	20	20	21	19	19	19	19
Path31	33	31	32	30	29	28	27	27	26	25	25	23	24	24	24	26	26	26	26	25	24	23
Path32	42	40	39	40	38	36	35	33	33	32	31	31	30	30	31	31	32	31	31	31	30	29
Path33	50	50	49	48	49	47	45	45	43	41	42	41	40	41	49	38	39	37	37	38	37	36
Path34	50	51	52	50	51	49	48	48	47	46	48	46	45	47	47	46	48	47	47	49	50	51
Path35	57	56	58	57	56	57	56	59	60	61	64	66	69	71	71	73	71	72	72	71	72	72
Path36	75	76	76	75	76	76	76	76	77	78	78	78	78	78	78	80	80	80	80	79	79	81
Path37	81	83	83	83	83	84	83	84	82	83	83	84	87	88								
Path38	87	88	88																			
Path39	71	69	66	64	61	60	58	57														
Path40	72	71	69	67	65	62	61	60														
Path41	73	72	70	69	67	65	63															
Path42	73	72	71	70	69	67	65															
Path43	74	72	72	71	70	69	67															
Path44	74	73	72	71	71	70	68															
Path45	74	74	72	72	71	71	70															
Path46	75	74	73	72	72	72	72															
	Total Count	2406																				
	Total Elevation	69647	feet																			
	Average Elevation	28.95																				

Page 238

[illegible]

ATTACHMENT B
Expert Opinion

February 24, 2023

City of Portland
Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

Attn: Planning Board

Re: Miscalculation of Average Grade
Level III Site Plan and Subdivision – 58 Fore Street
Portland Foreside Development Company

Dear Planning Board Members:

Based on our review of the above-referenced submission, it appears the Applicant has either miscalculated or misrepresented average grade for proposed structures on Parcel 4 (“Harbor Hill”) and Parcel 6 (“The Channel Mark”). The proposed building elevations note average grade *singularly* as **elevation 50.1** despite there effectively being two buildings on separate parcels of land with substantially different surrounding grades. The average grade noted has no discernible relevance to the buildings proposed and no reasonably justifiable supporting calculations were found for the value. Furthermore, the calculations provided are clearly and unjustifiably skewed to result in a higher elevation than would otherwise reasonably be determined. This is particularly egregious as it pertains to the Harbor Hill structure.

The City of Portland Land Use Code (March 2022) clearly and logically specifies average grade as being calculated at the corners of the foundation of the proposed structure. Common practice for determining average grade requires weighting selected foundation corners relative to the length of building foundation. The attached figures show how applying common practice and using existing elevations at the principal foundation corners results in the substantially different average grade calculation of **elevation 39.5** for the Harbor Hill structure and **elevation 36.3** for The Channel Mark structure. A substantially different average grade calculation would be the result whether calculated using the four principal foundation corners or equidistant points along the foundation.

Any building height measured from the average grade of elevation 50.1 is simply unsupportable and inconsistent with the relatively clear intent expressed in the City of Portland Land Use Code (March 2022).

Very truly yours,



Sean P. Reardon, PE
Vice President



Matthew W. Moyan, PE
Senior Project Manager

Attachments: Figure 1 – Civil Building Height Calculation Figure Markup

Cc: Roger Trettel

[illegible]

EXISTING MARINA

Source: Civil Building Height Calculation
Figure prepared by Woodard &
Curran dated November 2022

Figure 1
02-16-23

Page 243

TETRA TECH, INC.

Tetra Tech has been a world class provider of consulting and engineering services for over 50 years. We support global commercial and governmental clients focused on sustainable infrastructure, water, environment, energy, and international development. With over 27,000 associates worldwide, Tetra Tech provides clear solutions to complex problems.

In a complex world with competing demands for limited resources, Tetra Tech offers clear solutions made possible with sound science, understanding, innovation, and industry-leading approaches.

PERSONNEL EXPERIENCE SUMMARY**Sean P. Reardon, PE**

Mr. Reardon is a Vice President at Tetra Tech who specializes in guiding site/civil engineering and land development programs to successful completion. He has 30 years of experience in the planning, permitting, design and construction of a wide range of facilities and infrastructure. His broad background encompasses all service sectors: municipal, institutional, private land developers and public/private partnerships. He is particularly skilled in managing multidisciplinary services under aggressive timeframes, as well as design/build and on-call engineering contracts. Mr. Reardon prides himself on building long-term, collaborative client relationships and overcoming technical and regulatory challenges with creative solutions that optimize project objectives. In addition to his leadership on residential, institutional, commercial and mixed-use development programs, Mr. Reardon is regularly called upon to provide expert witness testimony and litigation support. Mr. Reardon is a licensed Professional Engineer in Maine, Massachusetts, Rhode Island, New Hampshire, Connecticut, and Vermont.

Matthew W. Moyen, PE

Mr. Moyen is a Senior Project Manager at Tetra Tech with 16 years of experience in planning, civil engineering design, permitting, and construction as part of multidiscipline and multi-firm project teams. He leverages his diverse skill set and technical background to lead a range of commercial, industrial and residential land development projects, renewable energy projects, and stormwater programs to successful completion for public agencies and private clients. Mr. Moyen also provides peer review services of complex projects for municipal boards and state agencies. Mr. Moyen is a licensed Professional Engineer in New Hampshire, with reciprocity underway in several states including Maine.

58 Fore Street 0 views



Barbara Vestal <vestal@chesterandvestal.c... Mar 29, 2023, 6:26:52 PM (17 hours ago)
to hp@portlandmaine.gov

Hello Chair O'Brien and Historic Preservation Board Members,

I write to you as an abutter to the proposed project. I reside directly across the street at 7 Fore Street. As you begin to review proposed Block 6, I would like to call your attention to a few threshold issues that I believe you need to be aware of as you begin your review:

- 1) it appears that the 2016 Master Development Plan approval has expired;
- 2) the proposed plan appears to violate the building height restrictions,
- 3) new lots have been included in proposed Block 6 which were not part of the original Master Development Plan application, and
- 4) it appears that the project is not ripe for review because it has not obtained all of the rights necessary to develop as proposed.

Rather than repeating all of its contents, let me just say that I wholeheartedly endorse the letter from Attorney Sandra Guay dated March 17, 2023 which was submitted to the Portland Planning Board with a copy to the Historic Preservation Board. In that letter she documents in great detail the fact that the Master Development Plan approval expired on December 20, 2022 by its own terms, without a timely request for any extension. That means that this project needs to be reviewed as an entirely new project under the currently applicable site plan and historic preservation standards.

Attorney Guay also outlines multiple bases to challenge the extreme building heights currently proposed by the applicant, including:

- the fact that they are using an absurd and illogical interpretation of the grade language in the ordinance to inflate proposed heights,
- that they are ignoring the statutory requirements for grade calculation in the shoreland zone, and
- that they seem to be using a single (inflated, improperly calculated) average grade for the entire site despite the fact that blocks 4, 5 and 6 each have different site and grade characteristics.

Attorney Guay also raises the issue that the plan contemplates improvements to the site that would be located upon land outside the current control of the applicant. I would add to Atty. Guay's discussion of missing rights that there is an 1876 agreement between the City and Portland Company recorded in Book 434, Page 368 (copy attached) which was made as the seawall along Fore Street was being constructed. It says that up to 4 feet of the embankment under the base of the seawall/retaining wall may be upon land owned by the Portland Company, with the rest to be constructed upon land of the City. The Portland Company, its successors and assigns are not to disturb the embankment which sustains the wall except if they substitute permanent support at their own cost. Further, the Portland Company is given the right to construct upon the top of the wall, but only within the line of Portland Company land, any wall of brick or stone which it might desire to erect on the retaining wall, consistent with the safety and stability of the wall. The applicant appears to be proposing to build an access ramp to the parking garage across City-owned land, and appears to be proposing to construct at least a portion of the parking garage driveway podium structure (not just a "wall of brick or stone") on top of the historic retaining wall. It seems like the City would need to grant an additional easement for that to be permissible.

I would think that these fundamental Master Development Plan expiration issues, grade and building height issues, and development rights issues need to be resolved before the Historic Preservation Board will be in a position to meaningfully undertake its review. I realize that your direct review applies primarily to portions of Block 4, but your comments on the remainder of Block 4 and Block 6 may also be relevant to HP staff advisory design review of the remainder of the proposed project.

I anticipate that you will proceed with due caution as this massive project will significantly affect what is left of the historic Portland Company structures, the historic seawall, and the adjacent Munjoy Hill Historic District.

Regards,
Barbara Vestal

Portland. These articles of agreement entered into by and between the City of Portland, and the Portland Company, a corporation duly existing under the laws of the State of Maine, this ninth day of November, A.D. 1876.

Agreement. Witness:

1st That in consideration of the agreement in the 2^d article following, said Portland Company hereby gives, grants, bargains and sells to the city the right to put upon the land of said company to an extent not exceeding four feet in width, at the base throughout its entire length, the wall now in process of erection on the line between Fore street in said city and the real estate of said company and to maintain the same forever, with right of entry upon the lands of said company for purposes of repair.

And said company further agrees that the embankment which will sustain said wall shall not in any way, or under any pretense be disturbed, dug away, removed or the slope diminished except under the restrictions following, viz:

If the said company or its successors or assigns, owners of said land shall desire to disturb, dig away or remove said embankment or diminish said slope, its successors and assigns, shall substitute without expense to the city, a complete and sufficient permanent support for said wall.

2^d Said city in consideration of the foregoing, hereby gives, grants, bargains and sells to said company the right to put upon said wall within the line of said company's land, any wall of brick or stone which said company desires or may desire put thereon, consistent with the safety and stability of said wall.

Witness to E. H. Davies
G. J. M. Rufus D. Bean

Portland Company,
By E. H. Davies, Pres.
Counter-signed by
Geo. J. Moulton, Secy.

State of Maine, Cumberland, ss. November 10th 1876.
Personally appeared Edward H. Davies and acknowledged the foregoing instrument to be the free and abed deed of the Portland Company.
Before me, H. J. Robinson, Justice of the Peace.
Received, Nov. 10, 1876, at 1 P.M. P. H. Davies recorded according to the original.
Attest: Henry C. Houston, Register.





Sandra L. Guay
Partner
sguay@archipelagolaw.com

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

March 31, 2023

Via Email:

Portland Historic Preservation Board
Robert O'Brien, Chair
c/o Evan Schuekler, Program Manager
City of Portland
389 Congress Street
Portland, ME 04101
evans@portlandmaine.gov

Re: Portland Foreside Development Company
58 Fore Street/Mixed Use of Blocks 4 and 6
Historic Preservation Board Review Workshop
HPBR-002380-2023

Dear Chair O'Brien and Board Members:

This firm represents John Roger Trettel, the owner of property located at 5 Eastern Promenade, and a direct abutter to the proposed new construction and development at 58 Fore Street as presented in the Historic Preservation Board ("HPB") Review application ("Application") submitted by Portland Foreside Development Company ("Applicant"). This letter is submitted to voice Mr. Trettel's concerns about the proposed development's impact on his property and on the Munjoy Hill Historic District. Mr. Trettel makes these informed observations as the recent recipient of the 2023 Preservation Buffalo award for his work in the renovation of historic structures in Buffalo, New York.

The HPB is also in receipt of Mr. Trettel's March 17, 2023 letter to the Planning Board, which is incorporated into this letter and included in the record to this Board. The March 17 letter lays out in detail: (a) that the 2016 Master Development Plan ("MDP") for this project expired in December of 2022 and was never extended as required by both the City Code in effect in 2016 and as explicitly conditioned in the MDP itself, and is therefore void; (b) that the proposed new development violates the City's height restrictions on numerous grounds; (c) that even if it didn't violate the City Code on height restrictions, the methodology used by the Applicant to calculate height for the new structures is flawed, leading to significant errors in the height calculation (by more than 20 feet); (d) that the Applicant is including land that is not included in the 2016 MDP and is in fact located in an entirely different zone (the R-6 zone, which is in the Munjoy Hill

ARCHIPELAGO

Portland Planning Board
March 31, 2023
Page 2 of 5

Historic District); and, (d) that that Applicant has failed to submit sufficient right, title or interest for areas of the proposed new construction that are outside of the Applicant's control, including both private and City property.

While each of these issues, well supported in the March 17 letter, are important to this Board in its review of the Application, the purpose of this letter is to focus on the additional review criteria subject to HPB review. In addition, this letter suggests that in light of the void MDP, the incomplete Application and the unresolved height calculation issues, the HPB should table the review of this Application until such time as a new and complete non-MDP application is submitted, and the height questions resolved.

I. The Application is Not Complete

The purpose of having a complete application prior to acceptance and initial review by any administrative board is to avoid waste of the board's time in the event that an applicant is either unable to provide what is needed in the application, and/or the applicant needs to significantly alter the application after review has already commenced, public comment has been received, and time has been expended. In this case, the City Code *requires* that an application submitted for review to the HPB must be deemed complete *before* that application is placed on a HPB meeting agenda. (Sec. 17.7.4.A). In addition to insufficient evidence of right, title or interest and insufficient evidence of adequate financial security, as noted in the March 15, 2023 Staff Memorandum to the HPB from Evan R. Schuekler, there is "significant amounts" of information that is lacking from the Application. The Application, as submitted, therefore lacks sufficient and required substantive information for the Applicant to have standing for even a workshop review by this Board, and review of the Application should therefore be tabled.

II. The Project is Not in Compliance with the Character and Form of the Historic District

In part, the stated purpose of the City's Historic Preservation Code is to "prevent the unnecessary loss of the community's historical features and to ensure compatible new construction." (Sect. 17.1.C). By manipulating the otherwise allowed height for structures in the B-6 zone, the massing of the proposed townhouses is significantly out of scale with the existing historic structures, leaving these historic structures shaded and dwarfed in comparison. This oversized scaling fails to meet the stated purpose of the Code, and additionally fails to protect and enhance neighborhood character (Sect. 17.1.E), fails to stabilize and improve the value of the designated properties and area (Sect. 17.1.F), fails to protect and enhance the attractiveness of the City (Sect. 17.1.G), and fails to foster and encourage preservation, restoration, and rehabilitation that respects the historic, cultural, architectural and archeological significance of the distinctive Munjoy Hill historic area and the historic structures (see discussion about the historic seawall in an email addressed to this Board from Barbara Vestal, dated March 29, 2023).

ARCHIPELAGO

Portland Planning Board
March 31, 2023
Page 3 of 5

The original seawall structure is a significant archeological resource in the City of Portland. (Sec. 14.6.4.3.i). As such, it is subject to the requirements of that Section of the Code, including “leaving archeological resources untouched beneath a new development through adaptation of foundation design or architectural layout”. (Sec. 14.6.4.3.a). The Applicant is required to provide evidence if complete protection is not feasible. (Sec. 14.6.4.3.b). Further, the need to impact the City’s historic seawall in any way does not appear to be supported by evidence right, title or interest to do so. In addition, old maps of the area encompassing Block 4/Block 6, indicate that a fort was at one time located in that area. An archeological study should be required to identify whether the fort is located within the proposed development area, and if so, to make certain that any further development at the very least documents and where feasible, preserves, that important piece of Portland history.

The Munjoy Hill Architectural Development & Context Statement (April 2019) also illustrates how the proposed new structures fail to comply with the standards for the Munjoy Hill Historic District. For example, in the ‘Visual Character of the Hill’ section of the Context Statement, the scale of the existing houses is described as “generally modest” with most buildings ranging from 1½ to 3 stories in height. The Statement points out that this is the reason why some of the later developments “do not feel sufficiently integrated with the neighborhood.” This statement easily applies to the tall, narrow structures proposed in the Application.

In addition, the review standards provided in Section 17.8.3.A of the City Code require that new construction in a Historic District must be visually compatible with surrounding structures “when viewed from any street or open space” with respect to height, width, proportion and scale. Section 17.8.3.B requires that the composition of the principal facades be visually compatible with structures, public ways and places to which the building is visually related. Section 17.8.3.C requires such compatibility with relation to the street. Section 17.8.3.D. requires that “the distinguishing original qualities or character of a structure, object, *or site and its environment*, not be destroyed” (emphasis added). There is no amount of wordsmithing by the Applicant that can make the proposed new structures meet these mandatory standards.

Furthermore, one critical “open space” from which these structures can be viewed is the water. For centuries, boaters have enjoyed the view of Fore Street and Munjoy Hill as seen over the top of the Portland Company buildings. The proposed structures will block and destroy this historic view forever. Likewise, because the proposed structures do not “step down” toward the water, they will forever block the view to the water from Fore Street and other locations on Munjoy Hill.

III. The Height Issue Must be Resolved Prior to Review by this Board

As fully illustrated in the March 17, 2023 letter to the Planning Board, on which this Board was copied, there are numerous issues with the way height has been calculated for the proposed new structures. In part, the Applicant (and previously, the City) has been applying an “average

ARCHIPELAGO

Portland Planning Board
March 31, 2023
Page 4 of 5

developed grade” from which to begin to calculate height. Not only is this term not defined in the Code, it makes no logical sense. As used, it would mean that a developer can bring as much fill onto a property as it wants to raise the pre-measurement height to any level it desires (in this case even using another structure, the parking structure to establish “average developed grade”). In effect, this means that the City has *no enforceable maximum height restrictions*, as the starting point from which to start calculating height can be artificially manipulated to whatever the developer desires and can afford. Here the existing Portland Company site has a historically established grade – the parking lot – and it is from here that the height of the structures should be measured.

In the MDP, despite the radically elevated rear portion of the property along Fore Street, the City’s Planning Office permitted the Applicant to use a method of calculating the “average developed grade” by allowing the developer to calculate an average at the corners of the building foundation. In the application to the Planning Board, it was however readily apparent that rather than use the industry standard for determining an average grade, the Applicant had taken numerous measurements from the highest side of the property, and very few measurements from the lower elevation of the property. In doing so, the supposed “average grade” was manipulated to look significantly greater than it actually is; a difference of *over 20 feet*.

Until the issue of height calculation is resolved, it is a waste of this Board’s valuable time reviewing an application for structures that have been designed around these miscalculations.

IV. Summary

The Historic Preservation Board has always played a critical role in the review of applications before it and, in keeping with the legislative wishes of the City and of the surrounding community, works diligently to ensure that new development in Portland’s historic districts meet the letter of the Code. The Board often gets only one shot to reshape a proposed development – or to disapprove of a proposed design in its entirety when, as proposed, the project fails to comply with the Code.

There is of course great significance to all applications that come before the HPB, from the perspective of the Board, the applicant, and the community. The size and scope of the 58 Fore Street project is however unique in many respects. The all-encompassing, view blocking scale of the proposed structures now before this Board would forever alter and destroy the historic nature of Munjoy Hill, as viewed both from the streets of the City and from the water.

The 2016 Master Development Plan has expired and is now void. The Application as submitted is woefully incomplete, in part lacking necessary evidence of right, title or interest. The height calculations proposed by the Applicant are artificially manipulated and otherwise fail to comply with the Code. The project area includes land in the R-6 zone and outside of the scope of

ARCHIPELAGO

Portland Planning Board
March 31, 2023
Page 5 of 5

even the now void 2016 MDP. Lastly, the Application fails to meet even the most basic requirements of the Historic Preservation portion of the Code.

On behalf of abutter John Roger Trettel, we ask that the Historic Preservation Board find the application to be incomplete and/or otherwise not in compliance with the required review standards of the City Code.

Very Truly Yours,



SANDRA L. GUAY



KEITH P. RICHARD

Copy to:

John Roger Trettel



Evan Schueckler <evans@portlandmaine.gov>

Fwd: Historic images showing scale

Roger Trettel <rogetrettel@gmail.com>

Fri, Mar 31, 2023 at 11:26 AM

To: Evan Schueckler <evans@portlandmaine.gov>, Robert Wiener <rwiener@portlandmaine.gov>

I'm sure you have probably seen this map, but it definitely illustrates the historic scale of the area and how the Portland Company Historic District property was tucked in beneath the hill. Anything bigger than this would be contrary to the scale of the Munjoy Hill Historic District which is largely reflected here.

Best regards,

Roger Trettel

2 attachments

**Portland historic birds eye view showing scale.jpg**

681K

**Portland historic birds eye view showing scale zoom in.jpg**

251K



BIRD'S EYE VIEW OF THE CITY OF

PORTLAND

MAINE.

1876.

THIS ENGRAVED BY JAMES H. BROWN, NEW YORK.

1. Portland Parking Co. of Harwoodville Street
2. Providence, W. G. Davis and J. P. Burtin.
3. Burgess, Folsom & Co's White Lead Works.
4. Portland Iron Works Co's Works.
5. S. H. & A. B. Davis's Printing & Binding Mills.
6. J. J. Fry's Pine Factory.
7. F. O. Bailey & Co's Dock and Stone Coal Factory.
8. Smith, Knight & Co's Cabinet Organ.
9. Leavitt & Goss's Railroad Shop.
10. C. N. Deane & Co's Printing & Binding Mills.
11. West & Nevins, Coffee and Spice.
12. Twelfth Street, Chapman & Co's Coffee & Spice.
13. Harrison & Merrill, Packers of Clams.
14. George H. Wood's Soda Factory.

15. Crown Tanning Co.
16. Hayes & Briggs's Mineral Factory.
17. E. Newman & Co's Gunter and Currier Marsh's.
18. C. M. & H. T. Plummer, Gas & Water Pipe.
19. Whitney & Thomas, Boat and Shoe.
20. Sawyer, Welch & Co.
21. C. W. Thomas.
22. Wm. H. H. Merrill's Marble Works.
23. Gas Works.
24. F. M. Lane's Saddle and Shoe Works.
25. J. Russell's Carriage and Stage Factory.
26. Carriage Factory.
27. Geo. Clark's Tannery.
28. Portland Steamship Co's Works.
29. Portland Suspension Co's.

30. Geo. Hudson's Candy Works.

CHURCHES.

- A. First Baptist.
- B. First St. Baptist.
- C. First W. M.
- D. Epworth Memorial Congregational.
- E. High Street.
- F. State Street.
- G. Plymouth.
- H. St. Lawrence.
- I. United.
- J. Wesleyan Chapel.
- K. St. Luke's Cathedral, Episcopal.
- L. St. Stephen's.

- M. St. Paul's Episcopal.
- N. Central St. Methodist.
- O. Pine St.
- P. Congress St.
- Q. Mount Zion.
- R. Roman Catholic Cathedral.
- S. St. Dominic.
- T. Friends' Chapel.
- U. First Parish Catholics.
- V. Park St.
- W. First Universalist.
- X. Second.
- Y. New Jerusalem.
- Z. Fourth St. Chapel.
- * Allen Chapel.