

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
ROBERTO RODRÍGUEZ (A/L)



ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

SPECIAL CITY COUNCIL MEETING - APRIL 22, 2024 AT 5:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Mark Dion, Mayor, will preside.

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

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall.

To watch the meeting remotely, please visit <https://portlandme.portal.civicclerk.com/event/6499/media>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

Announcing The Maine Historic Preservation Commission's National Register of Historic Places - By Mark Dion, Mayor

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting Minutes- April 8, 2024

PROCLAMATIONS:

Proclamation 19-23/24 Recognizing May 2024 as Asian/Pacific American Heritage Month - Sponsored by Mark Dion, Mayor

Proclamation 20-23/24 Declaring May 2, 2024 as the National Day of Prayer - Sponsored by Mark Dion, Mayor

APPOINTMENTS:

Order 167-23/24 Appointing Wardens and Ward Clerks for the 2024-2025 Election Year - Sponsored by Ashley Rand, City Clerk

This order appoints Wardens and Ward Clerks for the 2024-2025 Election Year, whose names are listed in the attachment.

Five affirmative votes are required for passage after public comment.

Order 168-23/24 Appointing Election Clerks for 2024 to 2026 - Sponsored by Ashley Rand, City Clerk

This order appoints the Election Clerks for a term beginning on May 1, 2024 and expiring on April 30, 2026. Please see the order for the list of names.

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 169-23/24 Declaring May 1, 2024 - April 30, 2025 the Friends of Congress Square Park In the Square Festival - Sponsored by Danielle P. West, City Manager

Since 2014, the Friends of the Congress Square Park have scheduled and organized ongoing events for Congress Square Park. Events held in the park are free to the public and have been very well received over the past decade. Visitor attendance to the park has increased dramatically since the Friends began organizing events there. Organizers estimate more than 100,000 people have enjoyed the programming in the park since the inception of this partnership in 2014.

The event season (mainly spring, summer and fall) includes a wide variety of community activities such as art interactions, dance performances, live music, film and community gatherings. Most events are held on Saturday days and Thursday, Friday and Sunday evenings - dances and concerts will end by 9 pm. A complete calendar of events will be published on their website CongressSquarePark.org.

Five affirmative votes are required for passage after public comment.

Order 170-23/24 Declaring Sundays on the Boulevard Festival Days in 2024 - Sponsored by Danielle P. West, City Manager

Since 2014, Portland City Council has approved the closing of Baxter Boulevard from Vannah Avenue to Catafalque Drive (the east entrance to Payson Park) to vehicular traffic on Sundays (9:00am-4:00pm) in order to facilitate “Sundays on the Boulevard”.

The “Sundays on the Boulevard” committee would like to continue the tradition of offering this recreational opportunity to the public and requests permission to close the boulevard on Sundays, starting on May 5, 2024, through September 29, 2024, with a time frame of 9:00am – 4:00pm.

To facilitate the closure, city staff will erect barricades across Baxter Boulevard.

For “Sundays on the Boulevard,” streets listed below will be closed to vehicular traffic on Sundays, from 9am – 4pm: Baxter Blvd. - from Vannah Ave. to Catafalque Dr. (Payson Park east entrance). Payson Park, west entrance road - from the tip of the Grass Triangle (by the softball field) to Baxter Boulevard.

Five affirmative votes are required for passage after public comment.

Order 171-23/24 Declaring June 8, 2024 the Shipyard Old Port Half Marathon and 5K Festival - Sponsored by Danielle P. West, City Manager

The Shipyard Old Port Half Marathon & 5K has been held in the City for 13 years. This year's race is expected to draw an estimated 4500 participants. This is a for-profit event

that benefits local non-profits including A Running Passion from its proceeds.

Due to new restrictions enacted by the Maine State Police and Maine Department of Transportation, the race is no longer allowed to include the temporary closure of highway offramps. The race organizers have worked directly with City Staff to establish a new race route to accommodate those restrictions. The organizers are also working with businesses throughout the Old Port and the Waterfront, including those along Center Street, Fore Street, Middle Street and Commercial Street, to inform them about expected impacts and to develop contingency plans.

Five affirmative votes are required for passage after public comment.

Order 172-23/24 Declaring July 27, 2024 the 22nd Annual Greater Portland Festival of Nations - Sponsored by Danielle P. West, City Manager

This will be the 22nd Annual Festival of Nations held at Deering Oaks Park. The festival is organized by Women In Need Industries and the Mugadi Foundation & co-sponsored by the City of Portland. The event showcases Maine's ethnic diversity. The festival features music, food, cultural exhibits, children's activities and folk art from many nations around the world. Admission is free. Refreshments, crafts, artwork and other items will be for sale. The festival is held rain or shine.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 173-23/24 Granting Municipal Officers' Approval of Oscar Pizza LLC, dba Otto. Application for Indoor Entertainment at 225 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 4/1/24. Existing establishment adding Indoor Entertainment. New City application.

Five affirmative votes are required for passage after public comment.

Order 174-23/24 Granting Municipal Officers' Approval of Pizza Pie On The Fly LLC, dba Noble. Application for Class I FSE with Outdoor Dining on Private Property at 476 Stevens Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 4/1/24. Location was previously Elsmere BBQ and Wood Grill. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 175-23/24 Granting Municipal Officers' Approval of Battery Steele Brewing LLC, dba Battery Steele Brewing. Application for Indoor Entertainment at 1 Industrial Way #13 - Sponsored by Danielle P. West, City Manager

Application was filed on 3/29/24. Existing Establishment adding Indoor Entertainment. New City application.

Five affirmative votes are required for passage after public comment.

Order 176-23/24 Granting Municipal Officers' Approval of Newscapes Brewing Inc, dba Newscapes Brewing. Application for Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 163 Washington Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 3/20/24. License classification change of existing establishment. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 177-23/24 Granting Municipal Officers' Approval of Paella Seafood LLC, dba Paella Seafood. Application for Class III & IV with Outdoor Dining on Private Property at 865 Forest Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 3/20/24. Location was previously Piaziola. New City and State applications.

Five affirmative votes are required for passage after public comment.

BUDGET ITEMS:

Order 178-22/23 Receiving and Referring to the Finance Committee the Portland Board of Public Education's Fiscal Year 2025 Budget Estimate and Setting a Public Hearing Thereon - Sponsored by Danielle P. West, City Manager

Under this order, the City Council receives the Portland Board of Public Education's proposed Fiscal Year 2025 budget and refers it to the Finance Committee for review and recommendations. The Portland Board of Public Education took a final vote on the budget at its April 9, 2024 meeting.

The first reading and public hearing of the Fiscal Year 2025 school budget will be held on Monday, May 6, 2024, during the City Council meeting.

The second reading, public hearing and City Council action on the school budget will take place Monday, May 20, 2024, during the City Council meeting.

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 153-23/24 Approving the Service Contract between the Maine Historic Preservation Commission and the City of Portland and Accepting and Appropriating a Pass-through Grant in the Amount of \$9,153 to the Lions Club of Peaks Island - Sponsored by Danielle P. West, City Manager

On November 8, 2023 the City of Portland was awarded a Certified Local Government (CLG) grant by the Maine Historic Preservation Commission (MHPC). This order authorizes the City Manager to enter into a Service Contract with the MHPC, which will allow the City to administer the grant as a pass through grant in the amount of \$9,153 for the Lions Club of Peaks Island to complete a condition assessment of the Greenwood Gardens Playhouse. The Lions will provide \$6,102 in matching funds.

This item must be read on two separate days. It received its first reading on March 18 and

was postponed to April 22 on April 8. Five affirmative votes are required for passage after public comment.

Order 165-23/24 Approving the Agreement Between the Maine Department of Transportation, Portland Area Comprehensive Transportation System, and Portland RE: Improvements to Canco Road - Sponsored by Danielle P. West, City Manager

This project is part of the Municipal Partnership Initiative (MPI) Program; the City administers the project and typically receives a portion of funding from the state MPO. By signing the partnership agreement, it enables the City to proceed with the project and obligates PACTS to pay \$250,000 or 30% and the City to pay for 70% of the original estimated project cost; the City share is estimated to be \$580,000 and will come from FY 2025 budget.

This item must be read on two separate days. It received its first reading on April 8. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 179-23/24 Approving a Substantial Amendment to the Home American Rescue Plan Allocation Plan - Sponsored by the Housing and Economic Development Committee, Council Pious Ali, Chair

The Housing and Economic Development Committee met on March 19, 2024, and voted 3-0 (Phillips absent) to recommend City Council approval of the Substantial Amendment to the HOME-ARP Allocation Plan. The Health and Human Services & Public Safety Committee met on March 26 and received a presentation on the proposed amendment. No action was taken by the Health and Human Services & Public Safety Committee.

The American Rescue Plan (ARP) appropriated funds for the U.S. Department of Housing and Urban Development (HUD) to distribute under the HOME Investment Partnership Program (HOME). The Cumberland County HOME Consortium, a partnership between the City of Portland and Cumberland County, received a \$3,594,143 allocation from the HOME-ARP program. The HOME-ARP program is intended to provide affordable rental housing, tenant-based rental assistance, supportive housing services, and non-congregate shelter development, and other resources to folks experiencing homelessness and other vulnerable populations. The City of Portland and Cumberland County's HOME-ARP Allocation Plan was approved by HUD on May 1, 2023.

The primary objective of the HOME-ARP Substantial Amendment is to better align the distribution of HOME-ARP funds in accordance with the priority needs of individuals and families who are experiencing or at risk of experiencing homelessness. Changes included in the Substantial Amendment will ensure that these one-time funds are used to provide housing, resources, and support to those experiencing homelessness in Cumberland County and the City of Portland. The HOME-ARP Substantial Amendment first, incorporates a preference for folks experiencing homelessness (Qualifying Population 1) for the Development of Affordable Rental Housing; second, defines a referral method for these new rental units created with HOME-ARP funding; and third, reallocates funding from the Acquisition and Development of Non-Congregate Shelter to

Supportive Services.

Five affirmative votes are required for passage after public comment.

Order 180-23/24 Regarding Application to Reclassify 142 Free Street as a Noncontributing Structure in the Congress Street Historic District - Sponsored by the Planning Board, Brandon Mazer, Chair

On February 27, 2024, the Planning Board voted 5-1 (Smith recused) to recommend retaining the contributing classification for the building at 142 Free Street located within the Congress Street Historic District. The Planning Board's deliberations and recommendations were pursuant to the unanimous 5-0 (Paquin Gould recused) recommendation of the Historic Preservation Board on November 1, 2023 to retain the contributing classification as well as the materials and documentation submitted by the applicant, public comment, and the information provided at the public hearing.

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

AMENDMENTS:

Order 181-23/24 Amendment to Portland City Code Chapter 14 RE: Floodplain Management - Sponsored by the Planning Board, Brandon Mazer, Chair

On March 26, 2024, the Planning Board unanimously recommended a set of zoning text amendments to the City Council (7-0) that correspond to revisions to the State of Maine's model floodplain ordinance and the adoption of new FEMA Flood Insurance Rate Maps (FIRMs) for Cumberland County. Amendments to the City's ordinance are required to maintain the City's standing in the National Flood Insurance Program (NFIP). The deadline for the adoption of text amendments reflecting the state's model ordinance and the FEMA FIRMs is June 20, 2024. The proposed amendments as recommended by the Planning Board include changes to Articles 3 and 12 of the City's land use code.

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

EXECUTIVE SESSION:

ADJOURNMENT:



JANET T. MILLS
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

KIRK F. MOHNEY
DIRECTOR

March 25, 2024

Portland City Council
389 Congress Street
Portland, Maine 04101

RE: Trefethen-Evergreen Improvement Association, Trefethen Avenue, Peaks Island, parcels 090
L006001 and 090 K003001

Dear Councilors:

The Maine Historic Preservation Commission is pleased to inform you that the **Trefethen-Evergreen Improvement Association** was entered in the National Register of Historic Places on March 19, 2024, by the National Park Service, Department of the Interior, Washington, DC. A certificate signifying this recognition will be forwarded to you at your request.

If the Commission may be of further assistance to you in preserving this historic property, please do not hesitate to contact us.

Sincerely,

Kirk F. Mohnhey
State Historic Preservation Officer



JANET T. MILLS
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

KIRK F. MOHNEY
DIRECTOR

March 25, 2024

Mayor Mark Dion
389 Congress Street
Portland, Maine 04101

RE: Trefethen-Evergreen Improvement Association, Trefethen Avenue, Peaks Island, parcels 090
L006001 and 090 K003001

Dear Mayor Dion:

The Maine Historic Preservation Commission is pleased to inform you that the **Trefethen-Evergreen Improvement Association** was entered in the National Register of Historic Places on March 19, 2024, by the National Park Service, Department of the Interior, Washington, DC. A certificate signifying this recognition will be forwarded to you at your request.

If the Commission may be of further assistance to you in preserving this historic property, please do not hesitate to contact us.

Sincerely,

Kirk F. Mohney
State Historic Preservation Officer



JANET T. MILLS
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

KIRK F. MOHNEY
DIRECTOR

March 25, 2024

Portland City Council
389 Congress Street
Portland, Maine 04101

RE: Fort McKinley Torpedo Storehouse, 148 Cove Side Dr., Great Diamond Island, parcel 083F A690001

Dear Councilors:

The Maine Historic Preservation Commission is pleased to inform you that the **Fort McKinley Torpedo Storehouse** was entered in the National Register of Historic Places on March 19, 2024, by the National Park Service, Department of the Interior, Washington, DC. A certificate signifying this recognition will be forwarded to you at your request.

If the Commission may be of further assistance to you in preserving this historic property, please do not hesitate to contact us.

Sincerely,

Kirk F. Mohnney
State Historic Preservation Officer



JANET T. MILLS
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

KIRK F. MOHNEY
DIRECTOR

March 25, 2024

Mayor Mark Dion
389 Congress Street
Portland, Maine 04101

RE: Fort McKinley Torpedo Storehouse, 148 Cove Side Dr., Great Diamond Island, parcel 083F A690001

Dear Mayor Dion:

The Maine Historic Preservation Commission is pleased to inform you that the **Fort McKinley Torpedo Storehouse** was entered in the National Register of Historic Places on March 19, 2024, by the National Park Service, Department of the Interior, Washington, DC. A certificate signifying this recognition will be forwarded to you at your request.

If the Commission may be of further assistance to you in preserving this historic property, please do not hesitate to contact us.

Sincerely,

Kirk F. Mohney
State Historic Preservation Officer

Franklin Towers Rehabilitation

Portland Housing Development Corporation (PHDC)



Historic Designation and Historic Tax Credits (HTC)

From Scott Hanson, Historic Consultant – “National Register nomination for Franklin Towers has made it through the approval process and the building added to the Register.

Completed in 1969, Franklin Towers was determined to be historically significant for its association with federal programs to house the elderly and relationship to the displacement of low-income elderly residents for Urban Renewal projects. It was also determined to be architecturally significant as Maine's first high-rise residential building, first affordable senior housing project, and for 50+ years, Maine's tallest residential building (only surpassed last year).

Listing on the Register makes the building eligible for the use of state and federal historic tax credits for rehabilitation. The combined credits will add significant capital to update mechanical systems, replace vinyl asbestos floor tile, add insulation to exterior walls, update kitchens and baths, and replace the 1990s replacement windows with more efficient windows that better match the appearance of the original windows.”



The redevelopment of Franklin Towers will preserve 200-units of affordable housing for existing households and make long overdue improvements to the property. The property is home to some of our most vulnerable residents who receive services from partners like Greater Portland Community Health. The redevelopment will also increase accessibility for disabled and elderly residents; increase ventilation for improved indoor air quality; update apartment finishes and fixtures; make necessary upgrades to electrical, plumbing and HVAC systems that have exceeded their useful life and lower the overall energy use.

In addition to the Historic Tax Credit, project financing will include proceeds from the Low-Income Housing Tax Credit and permanent debt from Maine Housing. The City of Portland has also provided resources to enable us to successfully close other projects in the form of Tax-Increment financing, Brownfields and Housing Trust Fund grants.

ZOOM INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall and also via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. A recording will be available in the Agenda Center following the meeting.

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

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/83403839525?pwd=NGVISUFicnVzRzIITFBKL0pOc jRTUT09>

Passcode: 888951

Or One tap mobile :

+19292056099,,83403839525#,,,,*888951# US (New York)

+16469313860,,83403839525#,,,,*888951# US

Or Telephone:

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

+1 929 205 6099 US (New York)

+1 646 931 3860 US

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US (Washington DC)

Webinar ID: 834 0383 9525

Passcode: 888951

PLEDGE OF ALLEGIANCE:

Mayor Dion led all those present in the Pledge of Allegiance.

ROLL CALL:

Mayor Dion called the meeting to order at 5:03pm.

City Councilors Present: Councilor Fournier, Councilor Rodriguez, Councilor Sykes, Councilor Bullett, Councilor Trevorrow, Councilor Pelletier (Zoom), Councilor Phillips, Mayor Dion

Councilors Absent: Councilor Ali

*Council Trevorrow joined at 5:07pm

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

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

Steven Scharf (Brackett Street), Richard Ward (District 2), George Rheault (Hanover Street), Paul Temins (Gorham Resident)

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting- March 18, 2024

Motion was made by Councilor Ali and seconded by Councilor Rodriguez for passage.

Passage 9-0

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

PROCLAMATIONS:

Proclamation 17-23/24 Recognizing April 8-12, 2024 as Telecommunicator Appreciation Week - Sponsored by Mark Dion, Mayor

Ashley Rand (City Clerk) read Proclamation 17-23/24 Recognizing April 8-12, 2024 as Telecommunicator Appreciation Week into the record

Proclamation 18-23/24 Recognizing April 2024 as Arab American Heritage Month - Sponsored by Mark Dion, Mayor

Councilor Ali read Proclamation 18-23/24 Recognizing April 2024 as Arab American Heritage Month into the record.

LICENSES:

Order 157-23/24 Granting Municipal Officers' Approval of Low Key LLC, dba Low Key. Application for Class X Lounge with Outdoor Dining on Public Property at 89 Congress Street - Sponsored by Danielle P. West, City Manager 157

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

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

Order 158-23/24 Granting Municipal Officers' Approval of Lucky Sevens LLC, dba Bar Publica. Application for Class A Restaurant/Lounge with Outdoor Dining on Private Property at 82 Hanover Street - Sponsored by Danielle P. West, City Manager

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

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

Order 159-23/24 Granting Municipal Officers' Approval of Novel LLC, dba Novel. Application for Outdoor Dining on Private Property at 643 Congress Street - Sponsored by Danielle P. West, City Manager

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

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

Order 160-23/24 Granting Municipal Officers' Approval of Baba's LLC, dba Baba's. Application for Class I FSE at 79 Island Avenue - Sponsored by Danielle P. West, City Manager

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

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

Order 161-23/24 Granting Municipal Officers' Approval of Uncle Luckys LLC, dba Lucky Cheetah. Application for Class I FSE at 11 Moulton Street - Sponsored by Danielle P. West, City Manager

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

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

Order 162-23/24 Granting Municipal Officers' Approval of 123 CZ LLC, dba Porttown Public House. Application for Outdoor Dining on Public Property at 123 Commercial Street - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Ali and seconded by Councilor Rodriguez for passage.

Passage 9-0

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

Order 163-23/24 Granting Municipal Officers' Approval of Will & Girl LLC, dba Thistle & Grouse. Application for Outdoor Dining on Private Property at 10 Cotton Street - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Sykes and seconded by Councilor Trevorrow for passage. Passage 9-0

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

Order 164-23/24 Granting Municipal Officers' Approval of Duckfat LLC, dba Duckfat. Application for Class III & IV FSE with Parklet and Outdoor Dining on Public Property at 43 Middle Street - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Trevorrow and seconded by Councilor Bullett for passage. Passage 9-0

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

RESOLUTIONS:

Resolve 8-23/24 Adopting the Fiscal Year 2024-2025 Annual Action Plan Including Appropriations for Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Program and Certifications Pertaining Thereto - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Trevorrow and seconded by Councilor Ali for passage. Passage 8-1 (Councilor Bullett recused), as amended.

Mayor Dion opened the floor for public comment. The following individuals spoke: Libby Catania (Our Place Portland), Jen LaChance (Through These Doors), Fayla Sutton (Our Place Portland), Michelle Lamm (Greater Portland Family Promise), Jim Hall (District 1), Martha Stein (Hope Acts)

*Motion was made by Councilor Phillips and seconded by Councilor Rodriguez to amend Resolve 8 to reallocate \$57,002 in CDBG Social Service funds to partially fund Through These Doors Community Based Domestic Violence Program. The amendment is in backup materials.

Councilor Sykes made a motion and seconded by Councilor Philips to add a friendly amendment to Councilor Phillips original amendment to reallocate a total of \$10,000 from the following applicants that were fully funded: Wayside Food Programs, Quality Housing Coalition, Milestone Recovery, Greater Portland Family Promise, Preble Street Food Program, and Preble Street Teen Shelter to give Hope Acts back \$10,000 in funding.

The following Councilors commented on the amendment:

Councilor Sykes, Councilor Rodriguez, Councilor Fournier, Mary Davis (Director of Housing & Community Development Division), Mayor Dion, Councilor Ali, Councilor

Phillips, Danielle West (City Manager)

Motion to amend passed 7-1-1 (Mayor Dion-No, Councilor Bullett Recused)

UNFINISHED BUSINESS:

Order 151-23/24 Accepting and Appropriating a \$64,000 Grant from the Maine Department of Transportation for the Bicycle/Pedestrian Program on Forest Avenue - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Skyes and seconded by Councilor Ali for passage.

Passage 9-0

Mike Murray (Director of Public Works) gave an overview of this item.

Mayor Dion opened the floor for public comment. The following individuals commented on this item:

Stephen Scharff (Bracket Street), Mayor Dion, Councilor Skyes, Councilor Bullett

Order 152-23/24 Approving Agreements Between the Maine Department of Transportation, Portland Area Comprehensive Transportation System, and Portland re: Improvements to Riverside Street, Ocean Avenue, and Washington Avenue - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Ali and seconded by Councilor Phillips for passage as an emergency. Passage 9-0, as an emergency.

Mike Murray (Director of Public Works) gave an overview of this item.

Mayor Dion opened the floor for public comment. The following individuals commented on this item:

Councilor Fournier, Councilor Skyes

Order 153-23/24 Approving the Service Contract between the Maine Historic Preservation Commission and the City of Portland and Accepting and Appropriating a Pass-through Grant in the Amount of \$9,153 to the Lions Club of Peaks Island - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Bullett and seconded by Councilor Rodriguez to postpone this item until April 22, 2024. Passage 9-0

Item postponed.

Order 154-23/24 Approving the Service Contract Between the Maine Historic Preservation Commission and the City of Portland and Accepting and Appropriating a Pass-Through Grant in the Amount of \$15,000 to the First Parish Church - Sponsored by Danielle P. West, City Manager

Motion was made by Councilor Bullett and seconded by Councilor Ali for passage.

Passage 9-0

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

Order 155-23/24 Traffic Schedule Amendment Re: Removing Time Limited Parking on Kenwood Street - Sponsored by Sustainability & Transportation Committee, Councilor Regina Phillips, Chair

Motion was made by Councilor Phillips and seconded by Councilor Ali for passage.

Passage 9-0

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

George Rheault (West Bayside)

Order 156-23/24 Amendment to the Portland City Code Chapter 6 Re: Repeal Rental Housing Advisory Committee - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

Motion was made by Councilor Ali and seconded by Councilor Skyes for passage.

Passage 9-0

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

George Rheault (West Bayside), Councilor Phillips, Councilor Ali, Councilor Skyes

ORDERS:

Order 166-23/24 Receiving and Referring City Manager's Fiscal Year 2025 Municipal Budget to the Finance Committee and Setting Date of Public Hearing on the Fiscal Year 2025 Municipal Budget and Fiscal Year 2025 Appropriation Resolve - Sponsored by Danielle P. West, City Manager

*This item was taken out of Order. It was read into the record after Resolve 8 23-24

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

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

Order 165-23/24 Approving the Agreement Between the Maine Department of Transportation, Portland Area Comprehensive Transportation System, and Portland RE: Improvements to Canco Road - Sponsored by Danielle P. West, City Manager

This is first reading.

EXECUTIVE SESSION:

ADJOURNMENT:

Motion was made by Councilor Phillips and seconded by Councilor Ali to adjourn. Passage 9-0 at 7:37pm.

A TRUE RECORD

Ashley Rand, City Clerk

PROCLAMATION

RECOGNIZING

ASIAN AMERICAN, NATIVE HAWAIIAN, AND PACIFIC ISLANDER HERITAGE MONTH MAY 2024

- WHEREAS,** the people of the United States and Maine join together each May to pay tribute to the contributions of generations of Asian Americans, Native Hawaiians, and Pacific Islanders who have enriched the history of our country and state; and
- WHEREAS,** the history of Asian Americans, Native Hawaiians, and Pacific Islanders in the United States and Maine is inextricably tied to the story of our country and state; and
- WHEREAS,** the Asian American, Native Hawaiian, and Pacific Islander community is an inherently diverse population, composed of more than 45 distinct ethnicities and more than 100 language dialects; and
- WHEREAS,** according to the Bureau of the Census, the Asian American population in the United States has been one of the fastest growing over the last decade, doubling between 2000 and 2020; and
- WHEREAS,** in Maine there are over 26,000 residents who identify as Asian and over 1,000 residents who identify as Native Hawaiian or other Pacific Islander; and
- WHEREAS,** the United States government selected the month of May to recognize this community because the first Japanese immigrants arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from Chinese immigrants; and
- WHEREAS,** Section 102 of Title 36, United States Code, officially designates May as Asian American, Native Hawaiian, and Pacific Islander Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities; and

NOW, THEREFORE, BE IT RESOLVED, THAT I, Mark Dion, Mayor of the City of Portland, Maine, and members of the Portland City Council, do hereby recognize Asian American, Native Hawaiian, and Pacific Islander Heritage Month as an important time to celebrate their significant contributions in the United States and Maine.

Signed and sealed this 2nd day of May, 2024



Mark Dion, Mayor
City of Portland

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D FOURNIER (A/L)
ROBERTO RODRIGUEZ (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

ANNA TREVORROW (1)
VICTORIA PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**PROCLAMATION
RECOGNIZING
NATIONAL DAY OF PRAYER MAY 2, 2024**

- WHEREAS,** in times both prosperous and challenging, the citizens of our Nation have sought solace and guidance in prayer, embracing it as a deeply personal yet widely shared practice, enriching our diverse tapestry of languages, cultures, religions, and beliefs;
- WHEREAS,** prayer's sanctity is protected by our Constitution, interwoven into the American ethos, affirming our collective belief in the transformative power of faith to achieve the extraordinary;
- WHEREAS,** our Nation's history is punctuated with moments where prayer has catalyzed moral crusades and fortified democratic ideals, from the abolition of slavery to the expansion of voting rights, all rooted in the foundational principle of equality for all under God;
- WHEREAS,** the silent whispers of prayer permeate every corner of American life, offering comfort to our defenders, solace to our explorers, guidance to our healers, and strength to millions of faithful across our land.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Mark Dion, Mayor of the City of Portland, Maine, and members of the Portland City Council, do hereby recognize May 2, 2024, as a National Day of Prayer. I urge all citizens to reflect on our blessings and freedoms, and to seek divine guidance, mercy, and protection according to their own faiths and consciences.

Signed and sealed this 2nd day of May, 2024



**Mark Dion, Mayor
City of Portland**

MEMORANDUM
City Council Agenda Item

FROM:

DATE: January 31, 2024

SUBJECT: Order 167-23/24 Appointing Wardens and Ward Clerks for the 2024-2025 Election Year - Sponsored by Ashley Rand, City Clerk

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

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

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

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order appoints Wardens and Ward Clerks for the 2024-2025 Election Year, whose names are listed in the attachment.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

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

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Warden & Ward Clerk Appointments 2024-2025
2. Appointment - Appointing Wardens and Ward Clerks 2024-2025

Prepared by:

Date: 01/31/2024

City of Portland | City Clerk's Office
Ashley Rand, *City Clerk*



To: Mayor and City Councilors
From: Ashley Rand, City Clerk
Date: April 16, 2024
Re: Warden & Ward Clerks

Warden	Ward Clerk	District/Precinct
Aurelia Scott	Katherine McCarthy	1-1
Carol Morrisette	Dana Wilfahrt	1-2
Betsy Hays	Kim MacIssac	1-3
Susan McMillan	Heather Tanguay	2-1
Susan Maataoui	Alex Cox	2-2
Geri Rose	Kelce Engstrom	3-1
Dale Kinney	Robert Smith	3-2
Alicia Grinnell	Carol Nysten	4-1
Kelly Casey	Moriah Folsom	4-2
Stuart Tisdale	Virginia Fischer	5-1
George Smythe	Edmond Szalajeski	5-2

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

ORDER APPOINTING WARDENS AND WARD CLERKS
FOR THE 2024-2025 ELECTION YEAR

ORDERED, that the following persons are hereby appointed as Wardens and Ward Clerks
from June 1, 2024 to May 31, 2025:

Warden	Ward Clerk	District/Precinct
Aurelia Scott	Katherine McCarthy	1-1
Carol Morrisette	Dana Wilfahrt	1-2
Betsy Hays	Kim MacIssac	1-3
Susan McMillan	Heather Tanguay	2-1
Susan Maataoui	Alex Cox	2-2
Geri Rose	Kelce Engstrom	3-1
Dale Kinney	Robert Smith	3-2
Alicia Grinnell	Carol Nysten	4-1
Kelly Casey	Moriah Folsom	4-2
Stuart Tisdale	Virginia Fischer	5-1
George Smythe	Edmond Szalajeski	5-2

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 11, 2024

SUBJECT: Order 168-23/24 Appointing Election Clerks for 2024 to 2026 - Sponsored by Ashley Rand, City Clerk

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

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

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

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

This order appoints the Election Clerks for a term beginning on May 1, 2024 and expiring on April 30, 2026. Please see the order for the list of names.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

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

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Appointment - Appointing Election Clerks for 2024 to 2026
2. Election Clerks Master List- 2024

Prepared by:

Date: 04/11/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

ORDER APPOINTING ELECTION CLERKS FOR 2024 TO 2026

ORDERED, that the persons on the attached list are hereby appointed as Election Clerks for a term beginning on May 1, 2024 and expiring April 30, 2026.

Election Clerks:2024-2026

LAST NAME	FIRST NAME	CITY	POLITICAL PARTY
Abercrombie	Susan	Portland	Republican
Albert	Linda	Freeport	Democrat
Allhiser	Mary	Portland	Democrat
Amoroso	Marilyn	Gorham	Republican
Anderson	Jamie	Portland	Unenrolled
Anderson	Mary	Peaks Island	Democrat
Angelone	Jennifer	Portland	Democrat
Ardell	Randall	S Portland	Democrat
Babcock	Benjamin	Portland	Democrat
Bonebacker	Louise	Portland	Democrat
Bonebaker	Harlan	Portland	Democrat
Barbour	Martha	Portland	Democrat
Barnard	Amy	Westbrook	Democrat
Barrieau	Therese	Portland	Republican
Barrington	Leonard	Falmouth	Democrat
Baxley	Barbara	Portland	Democrat
Beck	Janyce	Peaks Island	Democrat
Benavides	Julie	Yarmouth	Democrat
Bileck	Liddy	Portland	Democrat
Blais	James	Westbrook	Democrat
Bogg	Nancy	Portland	Democrat
Braden	Sandra	Portland	Democrat
Bray	Mackenzie	Portland	Democrat
Brigitte	Kunz	Portland	Democrat
Brooks	Sandra	Portland	Republican
Brown	Maya	Portland	Democrat
Burrows	Patricia	Portland	Democrat
Butler	Catherine	Portland	Democrat
Casey	Kelly	Portland	Democrat
Casey	Luci	Portland	Republican
Castle	Paul	Peaks Island	Republican
Castleman	Anna	Cape Elizabeth	Democrat
Champagne	Stephen	Portland	Unenrolled
Chandler	Anita	Portland	Democrat
Charles	Jeanne	Portland	Democrat
Charles	Nora	Portland	Democrat
Chase	Aron	Portland	Democrat
Chasse	Patricia	Portland	Democrat
Chessin	Paula	Peaks Island	Democrat
Christen	Samantha	Portland	Unenrolled
Christianson	Kyle	Portland	Republican
Church	Lauren	Portland	Democrat
Cilley	Roger	Portland	Democrat
Clark	Mark	Portland	Democrat
Clayman	Steven	Peaks Island	Democrat
Cleghorn	Pamela	Portland	Democrat
Colby	Lynn	Portland	Republican
Cole	Jack	Portland	Democrat
Collins	Charles	Portland	Democrat
Conley	Margo	Portland	Democrat

Conroy	Anne	Portland	Democrat
Cook	Wanda	S Portland	Republican
Cox	Alex	Portland	Democrat
Coyne	Jo	Portland	Democrat
Crabbill	Kim	Portland	Democrat
Crabtree	Brian	Portland	Democrat
Cravinho	Albert	Westbrook	Democrat
Crocker	Gail	Portland	Republican
Czekanski	Kevin	Portland	Unenrolled
Dale	William	Portland	Democrat
Danahy	Michael	Portland	Democrat
DeAngelo	Dominick	Peaks Island	Republican
Deegan	Katherine	Portland	Democrat
Demaine	Gabe	Portland	Unenrolled
DeMaynadieer	Travis	Portland	Democrat
Deroche	Adonlie	Portland	Democrat
DiDominicus	Catherine	Portland	Unenrolled
DiPaolo	Timothy	Portland	Democrat
Dominak	Monica	Portland	Democrat
Donovan	Teresa	Portland	Democrat
Dubois	Paul	Portland	Unenrolled
Dyer	Cecile	Portland	Democrat
Engstrom	Kelcy	Portland	Democrat
Erkkinen	Porter	Yarmouth	Republican
Esposito	Sally	Portland	Democrat
Falk	James	Portland	Republican
Falk	Judith	Portland	Republican
Farina	Lauren	Portland	Democrat
Farneth	Sarah (Sally)	Portland	Democrat
Farr	Janet	Westbrook	Green Independent
Fineberg	Jill	Portland	Democrat
Fischer	Virginia	Portland	Unenrolled
Flaherty	Susan	Portland	Democrat
Frnak	Halsey	Portland	Republican
Freeman	Elizabeth	Portland	Democrat
Fuller	Dennis	Portland	Unenrolled
Gardner	Raelene	Portland	Republican
Garfield	Susan	Portland	Democrat
Garnett	Weylin	Portland	Democrat
Garrand	Brenda	Portland	Republican
Gaudet	Monique	Portland	Democrat
Gaughan	Beth	Portland	Democrat
George	Courtney	Portland	Democrat
Glass	Jane	Portland	Democrat
Goodwin	Lynne	Portland	Republican
Goss	Pauline	Portland	Republican
Gould	Mary Jayne	Portland	Democrat
Graffam	Robin	Scarborough	Democrat
Graham	Wendy	Portland	Democrat
Grant	Nancy	Portland	Unenrolled
Green	Claudette	Portland	Green Independent
Guerin	Paul	Portland	Unenrolled
Guy	Beth	Portland	Republican

Hager	Eric	Portland	Democrat
Haley	Connie	Portland	Republican
Hall	Christine	Portland	Democrat
Halversen	Darcy	South Portland	Democrat
Haney	Regina	Portland	Democrat
Hannington	Lucinda	Portland	Democrat
Harding	Alicia	Portland	Democrat
Hartley	Kimberly	Portland	Democrat
Hayden	Carol	Portland	Democrat
Hays	Pamela	Portland	Republican
Henckel	Paula	Portland	Democrat
Higgins	Cheryl	Peaks Island	Unenrolled
Hirsch	Alan	Portland	Democrat
Hirsch	Geraldine	Portland	Democrat
Hodson	Caroline	Portland	Democrat
Hoglund	Helen	Portland	Republican
Holmes	Eva	Portland	Democrat
Holmes	Leslie	Portland	Republican
Holtslander	Linda	Peaks Island	Democrat
Hopkins	Susan	Westbrook	Green Independent
Hoppin	Barbara	Peaks Island	Democrat
Hoppin	Christopher	Peaks Island	Democrat
Hosmer	Matthew	Portland	Unenrolled
Huber	Sarah	Portland	Democrat
Hughes	Robert	Portland	Republican
Hull	Stephen	Portland	Unenrolled
Hummel	Carrie	Portland	Democrat
Humphrey	Allyson	Portland	Democrat
Hunter	Leila	Portland	Democrat
Hutchins	Carol	Portland	Republican
Huthcins	Richard	Portland	Democrat
Iezzi	Cynthia	Portland	Republican
Intharakunha	Panithida	Portland	Unenrolled
Jablonski	John	Portland	Unenrolled
Jenkins	Chrisotpher	Peaks Island	Unenrolled
Jennings	Lynn	Portland	Democrat
Johnson	Bessie (Betty)	Portland	Republican
Johnson	Deborah	Portland	Democrat
Jones	Donna	Portland	Democrat
Jordan	Brenda	Portland	Green Independent
Jordan	Deborah	Peaks Island	Democrat
Julio	Richard	Portland	Unenrolled
Kachmar	James	S Portland	Republican
Kandolo	Arnold	Portland	Unenrolled
Karczewski	Anne	Portland	Democrat
Katsiaficas	Donna	Portland	Republican
Katsiaficas	James	Portland	Republican
Keating	Thomas	Portland	Democrat
Keefer	William	Portland	Democrat
Kellermann	Solange	Portland	Democrat
Kelly	Steven	Portland	Democrat
Kenny	Russell	Portland	Republican
King	Phil	S Portland	Unenrolled

Klosteridis	Basil	Peaks Island	Republican
Knight	Joy	S Portland	Democrat
Knight	Paul	Portland	Republican
Kordick	Jenny	Peaks Island	Democrat
Koster	Jean	Portland	Unenrolled
Krementz	Elizabeth (Betsy)	Portland	Republican
Krinsky	Joy	Portland	Democrat
Lacasse	David	Portland	Democrat
Lemay	Roland	Portland	Republican
Lemieux	Pamela	Portland	Democrat
Lestrade	Dara	Portland	Democrat
LeVasseur	Ingrid	Windham	Republican
Lheureux	Estelle	Portland	Democrat
Lichter	Paul	Portland	Democrat
Lindgren	Samantha	Portland	Democrat
Loranger	Nancy	Portland	Unenrolled
Lovley	Pamela	Portland	Democrat
Lucas	Philip	Portland	Democrat
Lundborg	Linda	Falmouth	Democrat
Lunt	Sarah	S Portland	Democrat
MacDaniels	Wendy	Portland	Green Independent
MacDonald	Laurie	Peaks Island	Green Independend
MacIsaac	Kimberly	Peaks Island	Unenrolled
MacIsaac	Phyllis	Peaks Island	Republican
Magnuson	Elise	Portland	Democrat
Mailman	Suzanne	Portland	Republican
Malachowski	Rosemary	Portland	Democrat
Malloy	Jean	Portland	Unenrolled
Maloney	Ann	Portland	Republican
Manter	Sandra	Portland	Democrat
Markushewski	Lisa	Falmouth	Democrat
Marley	Parker	Portland	Democrat
Martin	Samuel	Portland	Democrat
McCarthy Marsden	Nancy	Cape Elizabeth	Democrat
McCarty	Katherine	Portland	Democrat
McCloskey	Susan	Portland	Democrat
McConnell	David	Falmouth	Unenrolled
McCoy	Deborah	Portland	Democrat
Mcdonald	Rachel		Democrat
McKenney	John	Portland	Unenrolled
McLaughlin	Kimberly	Yarmouth	Democrat
McManamy	Jean	Portland	Democrat
McMillan	Susan	Portland	Democrat
Merrill	Sherwood	Westbrook	Republican
Meister	Sandra	Portland	Democrat
Metcalf	Margaret	Portland	Unenrolled
Miller	Nina	Portland	Democrat
Miller	Susan	Portland	Democrat
Molloy	Rita	So. Portland	Democrat
Moody Roberts	Elise	Portland	Democrat
More	Abigail	Portland	Democrat
Moreau	Cheryl	Portland	Republican
Morris	Lisa	Portland	Democrat

Morrow-Spitzer	Jacob	Portland	Democrat
Nadeau	Susan	Portland	Democrat
Naqui	Munira	Portland	Unenrolled
Nobbe	Amanda	Portland	Democrat
Nord	Julia	Peaks Island	Unenrolled
Nylen	Carol	Portland	Democrat
O'Connor	Mackenzie	Portland	Democrat
O'Brien/Hart	Johannah	Portland	Democrat
O'Keefe	Phyllis	Peaks Island	Unenrolled
Olmstead	Paul	Portland	Republican
Orr	Olivia	Portland	Democrat
Palmer	Christine	Portland	Democrat
Parker	Nancy	Portland	Democrat
Pastore	Susan	Portland	Democrat
Patefield	James	Portland	Democrat
Paul	Laura	Portland	Democrat
Payne	Gregory	Portland	Democrat
Peaslee	Susan	Peaks Island	Unenrolled
Pelletier	Wesley	Portland	Democrat
Peloquin	Jodi	Portland	Democrat
Perham	Carole	Portland	Democrat
Perry	Barbara	Peaks Island	Democrat
Pickering	Carol	Portland	Democrat
Posey	Samantha	Portland	Unenrolled
Powers	Kathleen	Portland	Unenrolled
Praise	Louise	Portland	Democrat
Quinn	Lisa	Portland	Unenrolled
Raia	Salvatore	Portland	Republican
Rainbow	Elizabeth	Portland	Democrat
Ramirez	Maya	Portland	Democrat
Reames	Phyllis	Portland	Green Independent
Reardon	Betsy	Portland	Unenrolled
Remage-Healey	Elizabeth	Peaks Island	Democrat
Rhoads	Dyer	Portland	Democrat
Rich	Penny	Portland	Democrat
Richman	Aidan	Portland	Democrat
Riley	Joyce	Portland	Democrat
Roak	Catherine	Portland	Democrat
Roberts	David	Portland	Democrat
Robins	Molly	Portland	Democrat
Robins	Suzanne	Portland	Democrat
Rogers	Stephen	Westbrook	Republican
Romano	Al	Portland	Republican
Ross	Claire	Portland	Unenrolled
Saffair	Jo.D.	Portland	Democrat
Sanborn	Eileen	Portland	Democrat
Sarno	Sophia	Falmouth	Democrat
Savage	Bruce	Portland	Republican
Schaberg	John	Portland	Democrat
Shmitt	Sarah	Portland	Democrat
Smith	Judith	Portland	Democrat
Smith	Robert	Portland	Democrat
Smyth	Craig	Portland	Republican

Somers	Fredrick	Peaks Island	Democrat
Somma	Rudolph	Portland	Republican
Soule	George (Gerry)	Portland	Democrat
Souviney	Judy	Portland	Unenrolled
Sprague	Gail	Portland	Democrat
Sprague	Patty	Portland	Democrat
Spring	Frank	Portland	Republican
Stanley	Gwendlyn (Wendy)	Portland	Democrat
Stickney	Holly	S Portland	Democrat
Stuart	Erlene	Portland	Republican
Sullivan	Barbara	Portland	Republican
Sunday	Brenda	Portland	Democrat
Szalajeski	Karen	Portland	Democrat
Szalajeski	Pamela	Portland	Republican
Tanguay	Heather	Portland	Democrat
Thorton	Elaine	Portland	Democrat
Tiffany	Robert	Peaks Island	Democrat
Tinkle	Shana	Portland	Democrat
Tisdale	Stuart	Portland	Republican
Troop	Meryl	Portland	Democrat
Treat	Carolyn	Portland	Democrat
Veilleux	Carol	Portland	Democrat
Veneziano	Jean	Portland	Democrat
Villacci	Nick	Portland	Unenrolled
Walker	Bradley	Portland	Democrat
Wall	Emily	Portland	Democrat
Walsh	Judith	Peaks Island	Democrat
Webster	Priscilla	Peaks Island	Democrat
Webster-Querry	Barbara	Portland	Democrat
Wells	Louisa	Portland	Democrat
Whitney	Mark	Portland	Republican
Whynot	Eileen	Gorham	Democrat
Zalweksi	Patricia	South Portland	Democrat

MEMORANDUM
City Council Agenda Item

FROM: Rusty Groh
DATE: March 22, 2024
SUBJECT: Order 169-23/24 Declaring May 1, 2024 - April 30, 2025 the Friends of Congress Square Park In the Square Festival - Sponsored by Danielle P. West, City Manager
SPONSOR: Danielle West; City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/22/2024

**Final
Action 4/22/2024**

Can action be taken at a later date: No Event organizers will need time to prepare for their event series.

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

PRESENTATION: A member of the City of Portland Parks, Recreation and Facilities Management team will be on hand to answer any questions.

I. SUMMARY

Order Declaring the Friends of Congress Square Park's "In the Square" event series, (May 1st 2024- April 30th 2025) as a festival.

II. AGENDA DESCRIPTION

Since 2014, the Friends of the Congress Square Park have scheduled and organized ongoing events for Congress Square Park. Events held in the park are free to the public and have been very well received over the past decade. Visitor attendance to the park has increased dramatically since the Friends began organizing events there. Organizers estimate more than 100,000 people have enjoyed the programming in the park since the inception of this partnership in 2014.

The event season (mainly spring, summer and fall) includes a wide variety of community activities such as art interactions, dance performances, live music, film and community gatherings. Most events are held on Saturday days and Thursday, Friday and Sunday evenings - dances and concerts will end by 9 pm. A complete calendar of events will be published on their website CongressSquarePark.org.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Friends of the Congress Square Park have scheduled and organized events in Congress Square Park since 2014.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

For the City Council to declare the Friends of Congress Square Park's "In the Square" event series, (May 1st 2024- April 30th 2025) as a festival.

V. FINANCIAL IMPACT

All permit fees, licenses and any applicable staffing costs will be paid for by the Friends of Congress Square Park.

VI. STAFF ANALYSIS AND BACKGROUND

Parks, Recreation & Facilities Management have worked with the organizers for years on their event series and are confident in their ability to present these events.

VII. RECOMMENDATION

It is recommended that the order be declared.

VIII. LIST ATTACHMENTS

1. Consent Item - Friends of Congress Square Park in the Square Festival
2. Application - FoCSP 2024
3. Council Agenda Memo - Friends of Congress Square Park 2024
4. Current Entertainment License - FoCSP 2024
5. Season Calendar - FoCSP 2024
6. Sound Locations In Congress Sq - FoCSP 2024
7. Sound Mitigation Plan - FoCSP 2024

Prepared by:

Rusty Groh

Date: 03/22/2024

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER DECLARING MAY 1, 2024 TO APRIL 30, 2025
THE FRIENDS OF CONGRESS SQUARE PARK
IN THE SQUARE FESTIVAL**

ORDERED, that May 1, 2024 to April 30, 2025 is hereby declared to be the In the Square Festival, sponsored by the Friends of Congress Square Park; and

BE IT FURTHER ORDERED, that the In the Square Festival area shall be the all of Congress Square Park and the sidewalks bordering the park (Congress Street & High Street sidewalks); and

BE IT FURTHER ORDERED, that some areas of the parking lane on Congress Street (directly beside the park) may be posted No Parking on Festival days (most events will be held on Thursdays, Fridays, Saturdays & Sundays); and

BE IT FURTHER ORDERED, that vehicles in violation of the “no parking” signs in the Festival Area shall be towed at owner’s expense; and

BE IT FURTHER ORDERED, that the In the Square Festival Area shall be closed to licensed street vendors as provided in §19-17 and §19-22 of the Portland City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to the Friends of Congress Square Park under §§25-26— 25-28 of the Portland City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. The Friends of Congress Square Park shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 per occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. The Friends of Congress Square Park shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;

2. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival Area;
3. The Friends of Congress Square Park shall comply with all Public Assembly Facilities Division Conditions for use of grounds, and requirements for food service, vending sales, tent and stage installations and other items specified in that permit shall be adhered to, and all Public Assembly Facilities Division fees shall apply;
4. The Friends of Congress Square Park shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the In the Square Festival;
5. The Business Licensing Office shall charge the usual fees for licensing food vendors, and street goods vendors for the Festival to those vendors the Friends of Congress Square Park has agreed shall participate;
6. Public Assembly Facilities Division concert license conditions shall be complied with and any and all amplified music and public announcements shall be maintained at a reasonable noise level (Volume must not exceed an A-weighted 85 decibels / C-weighted 95 decibels.) and be configured by the event organizer to focus volume away from residential housing and neighboring business, limiting any impact in the area by the sound level;

BE IT FURTHER ORDERED, that the City Manager is authorized to waive fees and to issue such other temporary licenses, including licenses for food service establishments, as may be required by the Portland City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.



Public Assembly Facilities Division
USE of PUBLIC SPACE
APPLICATION

212 Canco Rd. • Suite A • Portland • ME • 04103 • (207) 808-5435 • rgroh@portlandmaine.gov

For use of city property, there are typically: 1) fees charged for use of the area, 2) a security deposit required, and 3) insurance required.
There may be fees due and applications required from other City Departments.

\$25 APPLICATION FEE MUST BE PAID WHEN SUBMITTING APPLICATION

(This is a transferrable/non-refundable fee. If your event is permitted, the \$25.00 will be credited toward your permit fee.)

TODAY'S DATE		2/29/2024		ORGANIZATION NAME		Friends of Congress Square Park			
ADDRESS (Street/City/State/Zip)		P.O. Box 5056, Portland, ME 04101							
CONTACT NAME(S)		C.J. Opperthausen			TITLE(S)		Executive Director		
PHONE	248.961.1554			PHONE				PHONE	
EMAIL	cjopperthausen@congresssquarepark.org			EMAIL				EMAIL	

PARK AREA / PUBLIC SPACE REQUESTED		Congress Square Park					
EVENT DAY(S) & DATE(S)		5/1/2024 – 4/30/2025		RAIN DAY(S) & DATE(S) (50% added fee)		N/A	
OVERALL EVENT START & END TIME (When setup will begin until cleanup is expected to be complete.)		Various		EVENT START & END TIME		Various	

EVENT NAME		EXPECTED ATTENDANCE	
2024 In the Square Season		Varies	

DESCRIPTION OF EVENT: Please be specific regarding area of public space/park requested and describe EVENT in detail. Please include a detailed map of the proposed event area, proposed route &/or proposed street closures when applicable.

The Friends of Congress Square Park will program a series of events and activities to occur throughout the calendar year with the majority of the regular programming scheduled between May 1 and October 31, 2024 - primarily on Thursday, Friday, and Sunday evenings and Saturdays throughout the day. Additional daytime and evening events will occur on variable days during the week. From December through February, we will host weekly S'mores Nights in the park on Thursday evenings, as well as a winter market and one or two additional gatherings. The events and activities will be free to the public (no charge for admittance to the square).

This is the 11th season for FoCSP and continues the community led creative placemaking that has successfully activated Congress Square Park through free public amenities and events. The event season will include a wide variety of community activities such as live music, films, Tai-Chi, literary events, and community gatherings. All activities will be scheduled in advance with the PAFD Office. A complete calendar of events will be published by April 15th. A draft schedule is attached to this application. Organizers will also work with other groups during the permit period so that other agencies or events, other than FoCSP events, can also take place in the square/park. Similar to previous years (and under the Memorandum of Understanding between City of Portland and Friends of Congress Square Park), tables and chairs will be set up on the sunken plaza area, portable planters brought into the park, temporary art will be placed with the approval of the Portland Public Art Committee, banners will be placed, and festive lights hung in the trees.

Electricity will be needed during some events. Musical equipment and PA (and movie screen) set up on the stage area. Events and concerts at the park will end by 8pm. Film screenings will go later, ending by (at the very latest) 10pm. A concert license (covering the season's events) will be procured from the PAFD Office.

IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT?		Please check: _____ FEE _____ PLEDGES	
IF YES FOR FEES, HOW MUCH?		FEE	\$
		STUDENT FEE	\$

WHAT WILL BE THE ANTICIPATED NEED FOR PARKING AND WHAT IS YOUR PARKING PLAN?

PLEASE CHECK OFF AND ANSWER:

PLEASE SEE ATTACHED FEE SCHEDULE / DEPT. INFORMATION IF YOU ANSWER YES

	X-YES	X-NO	X-NOT SURE
* Are you setting up a canopy(s) ? (10'x10' size or smaller) How many?	X (VARIES)		
* Do you wish to set up a tent(s) and/or stage(s) ? A canopy/tent or stage larger than 10'x10' needs a Temporary Tent or Stage Permit issued by Building Inspections. For permit application, please go to: http://portlandmaine.gov/DocumentCenter/Home/View/2317 or contact the Permitting and Inspections Department at buildinginspections@portlandmaine.gov or 874-8703 for more information. PLEASE apply at least 2-weeks before your event. Tent/Stage Size(s): Exact Location(s) of Tent/Stage Placement Requested: *** In order to drive tent stakes into the ground, DIG SAFE must be contacted: 888-344-7233. ***		X	
* Will you be setting up tables and/or chairs ? How many tables: 10 chairs: 40	X		
* Are other items or equipment being placed on City property? (i.e. Moon Bounce, Dunk Tank, Radio Station Van, Helium Tank, etc.) Please List: AV equipment & inflatable movie screen	X		
* Will there be refreshments at the event? Do you wish to sell food ? If so, you will need approval from PAFD and possibly a Temporary Food Service License from Business Licensing Office. PLEASE provide them at least 2 weeks advance notice (874-8557). List food and drink / Food Trucks, etc.: PLEASE NOTE: A Temporary Food Service License is NOT needed when: 1. Food Vendors have a current City of Portland Food License 2. Just pre-packaged refreshments, or food & drink items are purchased or donated from a licensed establishment 3. Bottled water / water is served A TFSL is needed when food vendors are not licensed or when food is being prepared and cooked at the event.		X	
* Do you wish to sell non-food items (like T-shirts, crafts, cd's, etc.)? If so, please apply for a Street Goods Vendor License(s) at the Business Licensing Office (874-8557) – 2 week notice. List items you wish to sell:		X	
* Are you setting up a PA (sound) system ? Are you planning on having Amplified Music ? Band? DJ? Boom Box? If so, your event may require a concert license. PAFD will advise upon review of your application. Amplified speech (i.e. Press Conference) does not require the license, however, a Sound Security Deposit may be required. There are time restrictions for amplified music/speech in Downtown Parks & Squares: limited to 11:45am – 1:15pm and 1 hour between 5pm - 8pm.	X		
* Will your event require electricity ? Electricity is available at Deering Oaks Park, Monument Square, Congress Square, Tommy's Park, Post Office Park, Payson Park, Preble Street Grass Area, Eastern Prom, Fort Allen Park, and Lincoln Park. A \$40 activation fee is required.	X		
* Are you planning on bringing a Grill for a Barbecue ? Grilling is subject to weather conditions and possibly Fire Dept. review.		X	
* Will the event require reserved parking spaces / parking meters ? How many? "No Parking" signs may be purchased at the PAFD Office, 212 Canco Rd.		X	
* Will your event need safety vests, signs, barricades and/or cones ? Please list what you would like to borrow/rent: Limited safety vests, cones & barricades may be borrowed/rented from PAFD Office. Traffic signs may be borrowed/rented from Public Works if needed (874-8493).		X	
* Will your event require street closures ? (Please be specific under "Description of Event") Will your event affect METRO BUS ROUTES ? (If service is affected, organizer needs to work directly with METRO for endorsement / feedback). Please check with Glenn Fenton, METRO: 517-3029 (gffenton@gpmetro.com) to discuss.		X	
* Will your event require Police assistance? An event such as a road race, march or parade in the street, would typically require police assistance. To reserve & hire an Officer(s) to be on site at your event, please visit: https://portlandmaine-portal.app.transform.civicplus.com/forms/26740		X	
* Will your event require Fire/EMS assistance? (For a large walk/race, it may be required.) To hire or inquire about hiring city Fire/EMS staff to be on site, please email fireprevention@portlandmaine.gov well in advance of the event. For general questions, you may also call 874-8400.		X	
* Will your event require Parking Control assistance? To hire a Parking Control Officer(s) to be on site at your event, please call 874-8910 well in advance to arrange.		X	

Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments & should be paid to them directly.

*	Will your event require porta-restroom rental(s) or need existing porta-restrooms cleaned? (Some of the parks already have porta-restrooms. Event participants may use these, but a \$25 fee is assessed for events where attendance is 150 or more.) Porta-restrooms may be rented from any of the local companies. Units currently on site are through Associated Septic.		X	
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INSURANCE CERTIFICATE INFORMATION

*	Will your event require liability Insurance? (Commercial liability insurance is required for a walkathon, race, festival, press conference, concert, etc. Product liability insurance is also required if the event has been approved for serving food.)	X		
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- ♦ If you answered **YES**, you shall procure and maintain occurrence-based Commercial General Liability and Product Liability Insurance, when required, in an amount not less than Four Hundred Thousand Dollars (\$400,000.00) per occurrence for bodily injury, death and property damage. You shall name the City of Portland as an additional insured or shall obtain a general liability extension endorsement, for coverage only in those areas where government immunity has been expressly waived by 14 M.R.S. A. § 8104-A, as limited by § 8104-B, and § 8111. The terms of this permit and the insurance coverage shall not be deemed a waiver of any defenses, immunities or limitations of liability or damages available to the CITY under the Maine Tort Claims Act, other Maine statutory law, judicial precedent, common law, or any other defenses, immunities or limitations of liability available to the City. You shall also be responsible for any and all deductibles and/or self-insured retentions.
- ♦ Both the **Certificate of Insurance** and **Additional Insured Endorsement** shall be sent to rgroh@portlandmaine.gov and must state that the policy is endorsed to name the City of Portland as an additional insured pursuant to the date of the event (and rain date).

PUBLIC ASSEMBLY FACILITIES DIVISION POLICIES

EVENT REVIEW

The PAFD Office holds a monthly meeting where proposed events are discussed and reviewed by City Departments. For some events, organizers will be asked to present before the committee. Some potential factors may necessitate your event receive City Council approval.

ELECTRICITY

All cords in the public way must be covered by rugs, mats or orange cones to avoid public hazard. If weather is inclement (drizzle, rain, snow, etc.) we require that you **not use** electricity, unless all connections and equipment are covered and protected from the elements. If a generator is used, please take all necessary measures to ensure safe operation. Bring a fire extinguisher, set generator up away from activities (and combustibles), store fuel source away from the generator and keep children away from the generator.

BARBECUES - GAS GRILLS ONLY

Only GAS GRILLS are allowed in parks/public spaces – i.e. No Charcoal Grills or open burning. Barbecuing must first be approved by PAFD Office and is subject to weather conditions, and possible further review by the Fire Dept. Grills must be set up away from children's activities. You are required to have a fire extinguisher with in the grilling area.

PORTA-RESTROOMS / BATHROOM FACILITIES

Porta-Restrooms are required for large events and events where refreshments are being served. Some of Portland's parks already have portable restrooms from Associate Septic on site (*Preble Street Grass Area at the Preble Street Parking Lot – across from Hannaford's, *Entrance to Dyer's Flat – beside Payson Park, *Deering Oaks Park – Playground + Ravine, *East End Beach - Winter & Early Spring: Just EEB.) If over 150 people are expected to attend the event, a \$25 user fee is required (paid to PAFD). If extra units are rented by organizer, then no additional user fee is assessed. Porta-restrooms are cleaned M, W, & F. If you would like to guarantee that they are cleaned just prior to your event, then you need to call the porta-restroom company (Associated Septic / Royal Flush, 207-799-1980, M-F) to request and pay for a cleaning. If renting units, organizer has the option of renting from Associated Septic / Royal Flush, or from other local companies.

TRASH

All groups must abide by our Carry In/ Carry Out Policy. Please bring extra trash bags and/or trash receptacles and remove all trash. Do not use existing trash barrels or the metal liners inside. You will need to haul all of your trash out of the park/public space or forfeit the security deposit(s). Please recycle whenever possible, (please do not use Styrofoam - it is NOT recyclable). The area will be checked following your event; if park is clean and conditions for use adhered to, your security deposit will be returned to you. Thank you in advance!

MARKING OF GROUNDS

Please DO NOT mark city property in any permanent way.
DO NOT use SPRAY PAINT or SPRAY CHALK. DO NOT STAPLE or NAIL anything to trees.
Children's Art Chalk can be used on hardscape areas with permission from PAFD Office. Tape may also be used.
If markings remain for more than a few rain storms, event organizers are responsible for removing them.
If city staff or contractors need to remove the markings, event organizers are responsible for the cost of staff time and materials.
You may also place signs on stakes in the grass areas bordering trails/race routes (when applicable).
Please remove all signage immediately following the event.

USE OF CANDLES

It is preferred that LED lighted candles or glow sticks are used. If flammable candles are used, please make sure all candles have drip protectors to prevent wax from dripping on hardscape surfaces, which may cause permanent stains/damage. Please make sure all candles are extinguished before being thrown away. Please collect all spent candles so there is no trash left behind. Please take safety precautions: bring a fire extinguisher, gallon of water, etc. in case of fire. **Any damage** (dripped wax absorbed into hardscape causing stains, etc.) **will result in a forfeiture of your security deposit.**

ADA COMPLIANCE

Event organizer must comply with the Americans with Disabilities Act (ADA) and the Maine Human Rights Act (MHRA), including maintaining the permitted use area and all public rights-of-way accessible during the entirety of the permitted event. In the event the permitted area is rendered inaccessible to disabled persons, and/or by request of PAFD staff, the organizer shall act immediately to provide accessibility. All requests to provide interpretive services shall be the responsibility of the organizer to provide and pay for such services. The organizer shall defend, indemnify, and hold the City harmless from any and all liability and damages resulting from alleged violations of the ADA and/or MHRA.

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES

Vehicles are prohibited from parking on grass areas/sidewalks/park streets (unless specifically approved by city staff). \$25 will be deducted from your security deposit for each vehicle parked on grass/sidewalk areas or vehicles parked illegally. **Any tire ruts/damage to the grass areas will result in a forfeiture of your security deposit.**

RESERVED PARKING

To reserve parking for your event, please contact the PAFD Office (808-5400 x0). Staff will review your request and can issue you "No Parking" signs (\$32.50/each*). You will need to label signs and tape them to meters or signposts AT LEAST 24 HOURS PRIOR TO YOUR EVENT. (NOTE: If event is on a Sunday or Monday, NP Signs may need to be posted on the preceding Friday by Noon.) Please do not cover up coin slots on meters. If the reserved parking area has no actual parking meters, you may need to tape signs to sign posts, utility poles, trees, or orange cones (placed on the sidewalk beside the street). Please make sure signs are removed once the event is complete.

ALCOHOL / SMOKE-FREE ZONES

By city ordinance, smoking a cigar, cigarette, pipe, electronic cigarette, electronic cigar, electronic pipe, or other similar product that relies on vaporization or aerosolization, is prohibited at and within 20 feet of the following outdoor recreation and event areas: downtown squares and plazas, trails, parks, playgrounds, beaches, and athletic facilities. Consumption of alcohol is prohibited in public spaces unless specifically approved by City Council. Please inform all participants / attendees.

AMPLIFIED SOUND POLICY

Outdoor events with amplified sound may require an Entertainment License from the PAFD Office.
If the Police Dept./City Staff receive noise complaints, they will respond accordingly.
Please set the PA System up with speakers facing away from businesses/residences to lessen impact.
Please keep volume levels low out of consideration for nearby residents and businesses.
The Permittee (organizer) shall not allow the sound emanating from the event to exceed an A-weighted 85 decibels / C-weighted 95 decibels. One verbal warning shall be issued if the sound has been found to have exceeded those limits. The warning may be given to the sound board operator or the organizer/organizer's designee. If the decibel limit is found to have been exceeded a second time during the same event, the entertainment license (or permission to use a bullhorn/PA system) shall be immediately suspended, the PA system / amplification / bullhorn turned off, and the sound security deposit forfeited.

CANCELATION POLICY

The event must be canceled with PAFD prior to the scheduled date in order to be eligible for a refund.
If canceled within 2 weeks of scheduled event date, a \$75 cancellation fee may be charged.

NOTIFICATION

Please keep a copy of your event permit on site at all times. City staff may require proof of permit.
If there are members of the public in the reserved space upon arrival, please present the permit as proof of reservation & approved usage. If you need assistance, please contact the Police Department at (207) 874-8574.
Please ask Portland newspapers to run an article alerting the public to the event.
You may put up temporary A-frame signs to alert the public to your event or place signage on orange cones, etc. Signs are to be up DAY OF EVENT ONLY. Please remove all signage immediately following the event.
Please call Portland Police Dept. (874-8574) on the day of your event to remind them it is taking place.
Please notify any nearby businesses, including restaurants that may have tables out for dining, to alert them to your event.

STREET CLOSURE NOTIFICATION

Should event involve a Street Closure, lasting longer than an hour, PAFD Office requires organizers to give advanced notification to area businesses, residents and bus companies (in the form of a "Street Closure Sign Off Sheet"). If event impacts METRO Buses, organizer (in advance) must discuss detour plans with METRO.

REVOCABLE PERMIT

- ◆ The City reserves the unconditional right to control or cancel events to protect and/or prohibit damage to public property.
- ◆ The City reserves the unconditional right to revoke or revise an issued permit.
- ◆ Police or City Staff on site may use their discretion to revise conditions of use.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES**TYPE INITIALS****CO****DATE****2/29/2024****ASSUMPTION OF RISK & LIABILITY**

Users of the area agree to accept the grounds in an "as is" condition and shall be responsible for all risk and liability in using the park/public space area for the said event. By returning this form (should permission be granted to use city property), the above parties agree to indemnify, defend, and hold harmless the City of Portland, its employees and agents, from and against all claims arising out of activities during said event.

I have read the Assumption of Risk & Liability Agreement**TYPE INITIALS****CO****DATE****2/29/2024****PLEASE INITIAL & DATE HIGH-LIGHTED YELLOW BOXES ABOVE.**

FEE SCHEDULE – UPDATED JULY 1, 2019

Fees are tiered and assigned based on the level of demand placed on City resources and impact on City infrastructure.

Simple Event (no registration fee): \$75/hour Event with registration or pledges & attendance 25 - 300: \$125/hr. Event with registration or pledges & attendance 301+: \$225/hr. Film/Photo Shoot: \$150/day Public Space/Park Security Deposit: \$100 - \$1000 Sound Security Deposit: \$100 - \$1,000 Impact/Street Closure Fee (variable based on impact): \$100-\$500 Staff Fee (on site event support): \$37/hr. Administrative Fee (event coordination support): \$40/hr. (or more) "No Parking" Signs: \$32.50/ea. Event Cancellation Fee: \$75	Electricity (activation/de-activation) Fee: \$40/flat Porta Restroom User Fee (if attendance is 150+): \$75 Entertainment License: \$50 Barricades: \$5/ea. Rental Fee + \$25/ea. Security Deposit Bike Racks: \$10/ea. Rental Fee + \$25/ea. Security Deposit Flashing Lights: \$10/ea. Rental Fee + \$40/ea. Security Deposit Cones: \$2/ea. Rental Fee + \$15/ea. Security Deposit Safety Vests: \$15/ea. Security Deposit Keys: \$50/ea. Security Deposit Equipment Delivery Fee: \$150 (or more) Fortification Fee: TBD
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CITY OF PORTLAND ACCEPTS CASH, CHECK, MONEY ORDER AND CREDIT / DEBIT CARDS FOR PAYMENT

Checks should be made payable to City of Portland
 There will be a 2.65% processing fee added to all Debit / Credit Card transactions.

TOTAL AMOUNT(S) DUE TO PUBLIC ASSEMBLY FACILITIES DIVISION (Please make all security deposit checks out separately)

Permit Fee for use of area:	\$	Entertainment License Fee:	\$
Number of Hours of Use: Approx.		Equipment Rental Fee:	\$
Staff Fee (on site event support):	\$	Public Space / Park / Sound Security Deposit:	\$
Admin. Fee (event coordination support):	\$	Borrowed / Rented Equipment Deposit:	\$
Electricity Fee (activation/de-activation):	\$	Additional Fees:	\$
Impact/Street Closure Fee (variable based on impact):	\$	(Porta-Restroom User Fee, "No Parking" Signs, etc.)	

FOR OFFICE USE ONLY

APPLICATION FEE:	\$ 25.00	PERMIT FEE:	\$	SECURITY DEPOSIT:	\$	INSURANCE NEEDED?	Y / N
DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:	



TO: Danielle West, City Manager
FROM: Andrew J. Downs, Director of Public Assembly Facilities Division
DATE: March 19, 2024
RE: **Council Agenda Item – Friends of Congress Square Park’s “In the Square” Festival**

I am requesting that the following order be placed on
the next City Council agenda:

**Order declaring the Friends of Congress Square Park's "In the Square" event series
(May 1, 2024 - April 30, 2025), as a festival.**

Since 2014, the Friends of Congress Square Park have scheduled and organized ongoing events for Congress Square Park. Events held in the park are free to the public and have been very well received over the past decade. Visitor attendance to the park has increased dramatically since the Friends began organizing events there. Organizers estimate more than 100,000 people have enjoyed the programming in the park since the inception of this partnership in 2014.

EVENT DESCRIPTION: The Friends of Congress Square Park have again submitted a request to organize and host their annual event series (titled: “In the Square”). The event season (mainly Spring, Summer & Fall) will include a wide variety of community activities such as art interactions, dance performances, live music, films and community gatherings. Most events will be held on Thursday, Friday & Sunday evenings (with Saturdays primarily being programmed with daytime activities). Dances and concerts at the park will end by 9pm. A complete calendar of events will be published by April 15th. A draft schedule is included with this packet. From December through February, weekly S'mores Nights will be hosted in the park on Thursday evenings, as well as a winter market and one or two additional gatherings. The Friends of Congress Square Park - through the city’s Public Assembly Facilities Division, will work with other groups throughout the year so that other agencies and events, other than FoCSP organized activities, may take place in the park when not already actively programmed.

(continued)

Operational funding for the “In the Square” Festival will come directly from fundraising efforts of the Friends of Congress Square Park. There is no admission fee to attend these events. All activities/events are free to the public.

The festival zone for the “In the Square Festival” is all of Congress Square Park and the sidewalks bordering the park (Congress Street & High Street sidewalks).

The Order should include the following items:

Friends of Congress Square Park “In the Square” Festival will be authorized for Spring, Summer & Fall of 2024 & Winter/Spring 2025 at the Congress Square Park area.

This festival area will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of festival organizers for the purpose of conducting the “In the Square” Festival, subject to the direction and control of the City Manager.

In order to hold the events on city property, some areas of the parking lane on Congress Street (directly beside the park), need to be posted “No Parking” on event days. Vehicles in violation of the “No Parking” signs shall be towed at owner’s expense.

The City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to the Friends of Congress Square Park for the use of the above-described area for said Festival subject to the following conditions:

The Friends of Congress Square Park shall indemnify the City and hold it harmless from and against all claims arising out of activities during said Festival, and shall take out and maintain public liability insurance coverage in the amount of at least **\$400,000** per occurrence for personal or bodily injury, death or property damage for said purpose. This insurance certificate will also list the City of Portland as an additional insured in regards to the “In the Square Festival”, and the City be endorsed on the policy;

The Friends of Congress Square Park shall have sole authority over participating vendors at the events and may charge a fee to vendors for the opportunity to vend at the “In the Square Festival;”

Conditions for use of grounds, specified in a permit issued from Public Assembly Facilities Division, shall be adhered to;

(continued)

Under no circumstances may alcoholic beverages be consumed or sold on the streets or park areas of said area during said festival;

Any and all amplified music/public announcements shall be maintained at a reasonable level (less than an A-weighted 85 decibels / C-weighted 95 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring businesses, limiting any sound impacts in the area; and

Public Assembly Facility Division permit fees for use of the area are waived; other fees to city departments may be due (as specified in the Memorandum of Understanding between City of Portland and Friends of Congress Square Park).

The City Manager is also authorized to issue such other temporary licenses, including licenses for food service establishments, as may be required by the Portland City Code, provided that all other applicable requirements of said Code have been met regarding the operation of said Festival/Event.

Document prepared by Rusty Groh, Booking Coordinator
Public Assembly Facilities Division



City of Portland

Permitting and Inspections Department

Business Name: Congress Square Park

Classification: Outdoor Entertainment

Business Location: 8 Congress Sq
Portland, ME 04101

Description: Fees waived

Owner: City of Portland, PAFD

License Number: AMUSE-003377-2021

Issued Date: 6/6/2023

Expiration Date: 6/7/2024

A handwritten signature in cursive script that reads "Jessica Blais Hanscombe".

Jessica Blais Hanscombe,
Director of Permitting and Inspections

THIS LICENSE IS NOT TRANSFERRABLE
PLEASE POST IN A CONSPICUOUS PLACE

BILLING CONTACT

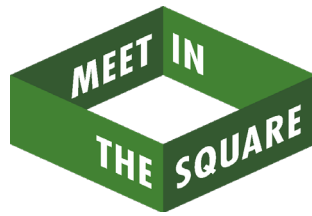
Ethan Hipple
City of Portland, PAFD
212 Canco Rd, Ste A
Portland, Me 04103

Season Calendar-All By Date

Performance	Category	Day	Start Time	End Time
Taiko Maine Dojo	Music	Friday	5/3/2024 5:00pm	
Jane's Walk	Meet	Saturday	5/4/2024 10:00am	
Queer Makers' Market		Sunday	5/5/2024 11:00am	5/5/2024 3:00pm
Taiko Maine Dojo rain date	Music	Friday	5/10/2024 5:00pm	
Bike to Work Day		Friday	5/17/2024 8:00am	5/17/2024 11:00am
Outdoor Access Fair		Saturday	5/18/2024 1:00pm	5/18/2024 3:00pm
Congress Square Market		Sunday	5/19/2024 11:00am	5/19/2024 3:00pm
Spring Festival		Saturday	5/25/2024 11:00am	5/25/2024 2:00pm
Yarn in the Park		Monday	5/27/2024 5:30pm	5/27/2024 7:00pm
Ragtime Destroyers		Friday	5/31/2024 6:00pm	
Queer Makers' Market		Sunday	6/2/2024 11:00am	6/2/2024 3:00pm
GPIWC: Clarisse Karasira	Music	First Friday	6/7/2024 5:00pm	
GPIWC rain date	Music	Saturday	6/8/2024 5:00pm	
Square to Square	Music	Thursday	6/13/2024 5:00pm	
Maine Youth Circus		Friday	6/14/2024 6:00pm	
What Do You Stay Alive For?		Saturday	6/15/2024 12:00pm	6/15/2024 3:00pm
Congress Square Market		Sunday	6/16/2024 11:00am	6/16/2024 3:00pm
Hip Hop in the Park		Monday	6/17/2024 6:00pm	6/17/2024 8:00pm
Square to Square	Music	Thursday	6/20/2024 5:00pm	
Maine Youth Circus		Friday	6/21/2024 6:00pm	
What Do You Stay Alive For? rain date		Saturday	6/22/2024 12:00pm	6/22/2024 3:00pm
Yarn in the Park		Monday	6/24/2024 5:30pm	6/24/2024 7:00pm
Square to Square	Music	Thursday	6/27/2024 5:00pm	
GPIWC: Nkumu Katalay & Life Long Project Band	Music	First Friday	7/5/2024 5:00pm	
GPIWC rain date	Music	Saturday	7/6/2024 5:00pm	
Queer Makers' Market		Sunday	7/7/2024 11:00am	7/7/2024 3:00pm
Square to Square	Music	Thursday	7/11/2024 5:00pm	
Sounds n Sizzle		Friday	7/12/2024 12:00pm	
Sounds n Sizzle		Saturday	7/13/2024 12:00pm	
Hip Hop in the Park		Monday	7/15/2024 6:00pm	7/15/2024 8:00pm
Square to Square	Music	Thursday	7/18/2024 5:00pm	
Congress Square Market		Sunday	7/21/2024 11:00am	7/21/2024 3:00pm
Yarn in the Park		Monday	7/22/2024 5:30pm	7/22/2024 7:00pm
Square to Square	Music	Thursday	7/25/2024 5:00pm	
Square to Square	Music	Thursday	8/1/2024 5:00pm	
GPIWC	Music	First Friday	8/2/2024 5:00pm	

GPIWC rain date	Music	Saturday	8/3/2024 5:00pm	
Queer Makers' Market		Sunday	8/4/2024 11:00am	8/4/2024 3:00pm
Badminton		Tuesday	8/6/2024 6:00pm	8/6/2024 8:00pm
Square to Square	Music	Thursday	8/8/2024 5:00pm	
A Celebration of Hip-Hop presented by Graphic Melee	Music	Saturday	8/10/2024 5:00pm	8/10/2024 8:00pm
Congress Square Market		Sunday	8/11/2024 11:00am	8/11/2024 3:00pm
Badminton		Tuesday	8/13/2024 6:00pm	8/13/2024 8:00pm
Portland Ballet	Dance	Friday	8/16/2024 5:00pm	8/16/2024 6:00pm
Let's Band Together	Music	Saturday	8/17/2024 12:00pm	
Tender Table Night Market	Shop	Sunday	8/18/2024 5:00pm	
Hip Hop in the Park		Monday	8/19/2024 6:00pm	8/19/2024 8:00pm
Badminton		Tuesday	8/20/2024 6:00pm	8/20/2024 8:00pm
Portland Ballet rain date	Dance	Friday	8/23/2024 5:00pm	8/23/2024 6:00pm
Tender Table Night Market rain date	Shop	Saturday	8/24/2024 5:00pm	
Yarn in the Park copy		Monday	8/26/2024 5:30pm	8/26/2024 7:00pm
Badminton		Tuesday	8/27/2024 6:00pm	8/27/2024 8:00pm
Maine Hip Hop Summit		Saturday	8/31/2024 12:00pm	8/31/2024 6:00pm
Queer Makers' Market		Sunday	9/1/2024 11:00am	9/1/2024 3:00pm
GPIWC	Music	First Friday	9/6/2024 5:00pm	
GPIWC rain date	Music	Saturday	9/7/2024 5:00pm	
Puppets in Portland	Theater	Saturday	9/14/2024 2:00pm	9/22/2024 5:30pm
Puppets in Portland rain date	Theater	Saturday	9/15/2024 2:00pm	9/15/2024 5:30pm
Hip Hop in the Park		Monday	9/16/2024 6:00pm	9/16/2024 8:00pm
Talk Like a Pirate Day		Thursday	9/19/2024 5:00pm	
Congress Square Market		Sunday	9/22/2024 11:00am	9/22/2024 3:00pm
Yarn in the Park		Monday	9/23/2024 5:30pm	9/23/2024 7:00pm
Swing Dance		Friday	9/27/2024 6:00pm	
Mayhem (Janoah's Circus Performance)		Friday	10/4/2024 5:00pm	
Mayhem Rain Date		Friday	10/11/2024 5:00pm	
All Hallows' Market		Sunday	10/20/2024 11:00am	10/20/2024 3:00pm
Cozy Winter Market		Sunday	12/15/2024 11:00am	12/15/2024 3:00pm





FRIENDS OF CONGRESS SQUARE PARK

Sound Mitigation Plan
The Friends of Congress Square Park
March 2024

As part of our sound mitigation plan, the Friends of Congress Square Park (FoCSP) will take sound readings using our decibel monitoring device during all FoCSP-coordinated amplified events in Congress Square Park. We will work with our sound technicians and/or musicians, performers, or speakers to ensure compliance with the Portland City Code.

In the event that we receive a complaint related to the volume of our amplified events, we will consider the timing of the event and what we might do to satisfy the complaint in the future.

- i) *The Friends of Congress Square Park is the 501(c)(3) non-profit place manager of Congress Square Park, an urban public open space in downtown Portland. We seek to create an inclusive, welcoming and vibrant community gathering place accessible to all through neighborhood engagement, programming, and the arts.*

[CONGRESSSQUAREPARK.ORG](https://congresssquarepark.org)

FOLLOW US



@congresssquare

MEMORANDUM
City Council Agenda Item

FROM: Rusty Groh
DATE: April 4, 2024
SUBJECT: Order 170-23/24 Declaring Sundays on the Boulevard Festival Days in 2024 -
Sponsored by Danielle P. West, City Manager
SPONSOR: Danielle West, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/22/2024

Final Action 4/22/2024

Can action be taken at a later date: No Organizers need time to plan for the closures.

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

PRESENTATION: A member of the Parks, Recreation and Facilities Management Division will be on hand to answer any questions.

I. SUMMARY

Order Declaring Sundays on the Boulevard as a Weekly Festival (Sunday May 5th 2024 thru Sunday September 29th 2024).

II. AGENDA DESCRIPTION

Since 2014, Portland City Council has approved the closing of Baxter Boulevard from Vannah Avenue to Catafalque Drive (the east entrance to Payson Park) to vehicular traffic on Sundays (9:00am-4:00pm) in order to facilitate “Sundays on the Boulevard”.

The “Sundays on the Boulevard” committee would like to continue the tradition of offering this recreational opportunity to the public and requests permission to close the boulevard on Sundays, starting on May 5, 2024, through September 29, 2024, with a time frame of 9:00am – 4:00pm.

To facilitate the closure, city staff will erect barricades across Baxter Boulevard.

For “Sundays on the Boulevard,” streets listed below will be closed to vehicular traffic on Sundays, from 9am – 4pm: Baxter Blvd. - from Vannah Ave. to Catafalque Dr. (Payson Park east entrance). Payson Park, west entrance road - from the tip of the Grass Triangle (by the softball field) to Baxter Boulevard.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Sundays on the Boulevard have been held annually since 2014.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

For the Council to pass the Order.

V. FINANCIAL IMPACT

All staffing costs, permit fees and equipment usage will be covered by the organizers.

VI. STAFF ANALYSIS AND BACKGROUND

City Staff have been part of Sundays on the Boulevard for the past 10 years. We are supportive of this weekly event.

VII. RECOMMENDATION

It is recommended that the order be passed.

VIII. LIST ATTACHMENTS

1. Consent Item - Sundays on the Boulevard 2024
2. Council Memo - SOTB 2024

Prepared by:

Rusty Groh

Date: 04/04/2024

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER DECLARING
SUNDAYS ON THE BOULEVARD FESTIVAL DAYS IN 2024**

ORDERED, that Sundays from May 5, 2024 to September 29, 2024, are hereby declared to be Sundays on the Boulevard Festival Days; and

BE IT FURTHER ORDERED, that the Sundays on the Boulevard Festival Days area shall be Baxter Boulevard from Vannah Avenue to the east entrance to Payson Park; and

BE IT FURTHER ORDERED, that Baxter Boulevard from Vannah Avenue to Catafalque Drive (Payson Park east entrance), and the Payson Park west entrance road from the tip of the grass triangle to Baxter Boulevard shall be closed to traffic from 9:00 a.m. to 4:00 p.m. on every Sunday from May 5, 2024 to September 29, 2024; and

BE IT FURTHER ORDERED, that vehicles in violation of any “no parking” signs in the Festival Area shall be towed at owner’s expense; and

BE IT FURTHER ORDERED, that the Sundays on the Boulevard Festival Days area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit under §25-27 of the City Code to the Sundays on the Boulevard Committee, subject to the direction and control of the City Manager and to the following specific conditions:

1. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival area; and
2. The City of Portland shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Sundays on the Boulevard Festival; and
3. Assistance from City Departments will be in kind; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue such other temporary licenses, including licenses for food service establishments, as may be

required by the City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.

Parks, Recreation and Facilities Management

Ethan Hipple

Director

Andy Downs

Public Assembly Facilities Director

March 19, 2024



TO: Danielle West, City Manager
FROM: Andrew J. Downs, Director of Public Assembly Facilities Division
DATE: April 3, 2024
RE: **Council Agenda Item – Sundays on the Boulevard**

I am requesting that the following order be placed on
the next City Council agenda:

Order declaring “Sundays on the Boulevard” as a weekly festival event and declaring Baxter Boulevard (from Vannah Avenue to the entrance of Payson Park) be closed to traffic every Sunday, starting on May 5, 2024 through September 29, 2024 from 9:00am to 4:00pm, in order to allow the public to use that portion of the street as recreational space.

EVENT DESCRIPTION: Since 2014, Portland City Council has approved the closing of Baxter Boulevard from Vannah Avenue to Catafalque Drive (the east entrance to Payson Park) to vehicular traffic on Sundays (9:00am-4:00pm) in order to facilitate “Sundays on the Boulevard”.

The “Sundays on the Boulevard” committee would like to continue the tradition of offering this recreational opportunity to the public and requests permission to close the boulevard on Sundays, starting on May 5, 2024 through September 29, 2024, with a time frame of 9:00am – 4:00pm.

To facilitate the closure, city staff will erect barricades across Baxter Boulevard.

For “Sundays on the Boulevard,” streets listed below will be closed to vehicular traffic on Sundays, from 9am – 4pm:

Baxter Blvd. - from Vannah Ave. to Catafalque Dr. (Payson Park east entrance).

Payson Park, west entrance road - from the tip of the Grass Triangle (by the softball field) to Baxter Boulevard.

(continued)

The City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to the Sundays on the Boulevard Committee for the use of the above-described area for said Festival subject to the following conditions:

Under no circumstances may alcoholic beverages be consumed or sold on the streets or park areas of said area during said festival;

Assistance from City Departments will be covered in the operating budget.

The City Manager is also authorized to issue such other temporary licenses, including licenses for food service establishments, as may be required by the Portland City Code, provided that all other applicable requirements of said Code have been met regarding the operation of said Festival/Event.

Document prepared by Rusty Groh, PAFD Booking Coordinator

MEMORANDUM
City Council Agenda Item

FROM: Rusty Groh
DATE: April 2, 2024
SUBJECT: Order 171-23/24 Declaring June 8, 2024 the Shipyard Old Port Half Marathon and 5K Festival - Sponsored by Danielle P. West, City Manager
SPONSOR: Danielle West, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/22/2024

Final Action 4/22/2024

Can action be taken at a later date: No Organizer needs approval to finalize plans.

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

PRESENTATION: Event Organizer Erik Boucher and a member of the Parks, Recreation and Facilities Management Department will be available at the meeting to answer any questions.

I. SUMMARY

Order declaring Shipyard Old Port Half Marathon & 5K to be held on Saturday June 8th 2024 as a festival.

II. AGENDA DESCRIPTION

The Shipyard Old Port Half Marathon & 5K has been held in the City for 13 years. This year's race is expected to draw an estimated 4500 participants. This is a for-profit event that benefits local non-profits including A Running Passion from its proceeds.

Due to new restrictions enacted by the Maine State Police and Maine Department of Transportation, the race is no longer allowed to include the temporary closure of highway offramps. The race organizers have worked directly with City Staff to establish a new race route to accommodate those restrictions. The organizers are also working with businesses throughout the Old Port and the Waterfront, including those along Center Street, Fore Street, Middle Street and Commercial Street, to inform them about expected impacts and to develop contingency plans.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

This will be the 13th running of the Shipyard Old Port Half Marathon and 5K.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The City Council will declare the Shipyard Old Port Half Marathon & 5K on Saturday June 8th 2024 as a festival.

V. FINANCIAL IMPACT

All City staff costs, permits and Equipments usage fees will be paid by the organizers.

VI. STAFF ANALYSIS AND BACKGROUND

The Public Assembly Facilities Division has worked with the organizers of this event in the past and we are confident in their ability to host the event.

VII. RECOMMENDATION

It is recommended that the order be declared.

VIII. LIST ATTACHMENTS

1. Consent Item - Shipyard Old Port Half Marathon and 5k 2024
2. Area Impact Study - 2024 OPHM
3. Council Memo - 2024 Old Port Half Marathon
4. Course Maps - 2024 OPHM
5. Special Event Application - 2024 OPHM

Prepared by:

Rusty Groh

Date: 04/02/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

ORDER DECLARING JUNE 8, 2024
THE SHIPYARD OLD PORT HALF MARATHON AND 5K FESTIVAL

ORDERED, that June 8, 2024 is hereby declared to be the Shipyard Old Port Half Marathon and 5K Festival, sponsored by Venture Endurance Events, LLC; and

BE IT FURTHER ORDERED, that that the festival is authorized from 3:00 a.m. – 11:30 a.m. on Saturday, June 8, 2024, with races to be held along city streets and trails; and

BE IT FURTHER ORDERED, that the Half Marathon race will start at 7:00 a.m., and the 5k race will start at 7:15 a.m.; and

BE IT FURTHER ORDERED, that the start of the Half Marathon is on Spring Street, the start of the 5k is on Cross Street, and the finish line for both races is on Spring Street; and

BE IT FURTHER ORDERED, that the Shipyard Old Portland Half Marathon and 5K Festival area shall be Spring Street from Center Street Street to Union Street and adjacent sidewalks; and

BE IT FURTHER ORDERED, that the following streets shall be closed to traffic for the following times or, if the race start is delayed, then at a later time:

Street	Area	Lanes Closed	Starting	Ending
Beach	York to Commercial	southbound lane	8:00 AM	10:15 AM
Bowdoin	Chadwick to Neal	eastbound lane	8:00 AM	10:00 AM
Carroll	Neal to Chadwick	westbound lane	8:00 AM	10:00 AM
Center	Spring to Fore	northbound lane	3:00 AM	12:00 PM
Center	Fore to Commercial	both lanes	7:00 AM	11:00 AM
Chadwick	Carroll to Bowdoin	southbound lane	8:00 AM	10:00 AM
Clark	Danforth to York	southbound lane	8:00 AM	10:15 AM
Clifford	Neal to Vaughan	westbound lane	8:00 AM	10:00 AM
Commercial	Union to Valley	westbound lane	7:45 AM	10:30 AM

Commercial	Valley and West Commercial	eastbound lane	7:30 AM	9:00 AM
Cross	Free to Spring		3:00 AM	12:00 PM
Cross	Fore to Commercial	both lanes	7:30 AM	10:30 AM
Cutter		both lanes	7:00 AM	9:00 AM
Danforth	Valley to Clark	both lanes	7:50 AM	10:15 AM
Fletcher		both lanes	8:00 AM	10:00 AM
Fore	Franklin St to E Prom	runners' lane on water side	6:55 AM	8:00 AM
Fort Allen Park loop		both lanes	7:00 AM	8:00 AM
Franklin	Middle St to Fore	both lanes	6:55 AM	7:15 AM
Franklin	Middle St to Fore	both lanes	7:30 AM	7:45 AM
High	York to Commercial	both lanes	7:45 AM	10:30 AM
Maple	York to Commercial	both lanes	7:45 AM	10:30 AM
Middle	Union to Frankin St	both lanes	6:55 AM	7:15 AM
Middle	Union to Frankin St	both lanes	7:30 AM	7:45 AM
Neal	Pine to Clifford	southbound lane	8:00 AM	10:00 AM
Orchard		both lanes	8:00 AM	10:00 AM
Park	York to Commercial	southbound lane	7:45 AM	10:30 AM
Pine	Western Prom to Vaughan	eastbound lane	8:00 AM	10:00 AM
Spring	Center to Union	both lanes	3:00 AM	12:00 PM
Valley	W Commercial to Danforth	right turning lane only	7:50 AM	9:45 AM
Vaughan	Pine to Danforth	both lanes	8:00 AM	10:00 AM
Western Prom	Vaughan to Bowdoin	both lanes	7:55 AM	9:45 AM
York	High to Center	runners' lane on water side	7:45 AM	10:30 AM

BE IT FURTHER ORDERED, that vehicles in violation of “no parking” signs in the Festival Area shall be towed at owner’s expense; and

BE IT FURTHER ORDERED, that the Shipyard Old Portland Half Marathon Festival area shall be closed to licensed street vendors as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Venture Endurance Events, LLC under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. Venture Endurance Events, LLC shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising

out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance and alcohol liability insurance in the minimum amount of \$400,000 per occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. Venture Endurance Events, LLC shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;

2. Under no circumstances may alcoholic beverages be sold or consumed on City of Portland right-of-ways during said event, other than in an area restricted to 21-years-old and older people on Spring Street from 7:30 a.m. to 12:30 p.m., with security provided by the Portland Police Department;
3. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in a contract and permit issued from Public Assembly Facilities Division shall be adhered to;
4. Venture Endurance Events, LLC shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the Shipyard Old Portland Half Marathon Festival;
5. Venture Endurance Events, LLC shall hire police officers, Public Assembly Facilities Division staff and parking control officers to assist with directing traffic at street closures, and Public Assembly Facilities staff shall be hired to facilitate Venture Endurance Events, LLC's use of the festival area; and
6. In addition, the Business Licensing Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival to those vendors the Venture Endurance Events, LLC has agreed shall participate; and
7. Route of the course and street closing times are subject to change, depending on construction projects along the course, delays, and police recommendations leading up to the race day; and
8. Any and all amplified music/public announcements shall be maintained at a reasonable level (less than an A-weighted 85 decibels / C-weighted 95 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring businesses, limiting any sound impacts in the area; and

BE IT FURTHER ORDERED, that the City Manager is authorized to waive fees and to issue such other temporary licenses, including licenses for food service establishments, as may be required by the City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.



TIER III / SPECIAL EVENT
PUBLIC PARK AND SPACE



AREA IMPACT STUDY
City Council Review

TODAY'S DATE	2/15/24	ORGANIZATION NAME	Ventures Endurance Events LLC		
ADDRESS (Street/City/State/Zip)	51 Dynamic Dr Unit #3, Scarborough, ME 04074				
CONTACT NAME(S)	Erik Boucher	TITLE(S)	Operations Manager		
PHONE	207-210-8655	PHONE		PHONE	
EMAIL	eboucher@venturesendurance.com	EMAIL		EMAIL	

PARK AREA / PUBLIC SPACE REQUESTED	Eastern Prom Trail, Bayside Trail, Back Cove Trail, Portland Streets, Start & Finish and after-party areas on Spring Street		
EVENT DAY(S) & DATE(S)	Saturday 6/8/24	RAIN DAY(S) & DATE(S) (50% added fee)	NA
OVERALL EVENT START & END TIME (When setup will begin until cleanup is expected to be complete.)	3:00 AM to 11:30 PM On Public Property	EVENT START & END TIME	7:00 AM to 10:30 PM

EVENT NAME	EVENT CLASSIFICATION Road Race, Parade, Public Assembly, Music Festival	EXPECTED ATTENDANCE
Shipyard Old Port Half Marathon & 5K	road race	4,500 runners, 1,000 spectators

AREA IMPACT STUDY: Please be as specific as possible regarding the area of public space/park that you would like to permit

1. Description of event. Description of event and event history so that all departments may better understand your event request.

<https://oldporthalfmarathon.com/>

This will be the 13th annual Shipyard Old Port Half Marathon & 5K.

Proceeds benefit: A Running Passion (official charity partner)

The start and finish areas for both races are located on Spring St between Union St and Center St. The post-race festivities will be held in the nearby private lot One Portland Square Parking at 50 Cross St.

In the fall of 2023 Maine State Police and the Department Of Transportation announced a new policy that prohibited the closure of Interstate ramps for all running events. This action required a redesign of the 2023 half marathon route (only) since runners could not cross Washington Ave safely without the closure of Exit 8 on I-295. The 2024 half marathon route is nearly identical to the 2023 route and not longer includes Eastern Promenade or the closure of Washington Ave. The 5K route will remain the same as 2023.

2. Permits. Include all applicable permits from all pertinent city departments.(Fire,Police,City clerk...)

License Type	Date of application/Request	Approval - YES/NO/IN REVIEW
Street Goods Vendor License(s) To sell non-food items (like T-shirts, crafts, cd's, etc.)?	2/15/24	In Review
Liquor License	2/15/24	In Review
Temporary Tent/Stage Permit	2/15/24	In Review
Temporary Food Service License	2/15/24	In Review
Police Assistance	2/15/24	In Review
Emergency/Fire Assistance	2/15/24	In Review
Entertainment License(amplified sound)	2/15/24	In Review
Parking/Street Closure Assistance	2/15/24	In Review

3. Detailed site plans. Include maps of venue, parade and course routes, parking/shuttle plans, evacuation plans... (Downloadable format)

All supporting documents including course maps and the complete operations plan can be found in the following Google Docs.
<https://docs.google.com/presentation/d/1-8CchJ8y7MetR4SCj7Jfk9DN9QLhNZkjMUiwB0fravk/edit?usp=sharing>

Police & PCO Details

<https://docs.google.com/presentation/d/19LP67stWDXzJTWzluUz7B2lzQvCh90EGYTkuL3ezlww/edit?usp=sharing>

Interactive Course Maps

Half Marathon: <https://www.google.com/maps/d/edit?mid=1K9LsZuR4fF5GuadT5IEoXT-bAYLGhAM&usp=sharing>

5K: https://www.google.com/maps/d/edit?mid=1ZfRL_1oUI7WUwV9Wz3vIv9F-21YafA8&usp=sharing

A half marathon (13.1 miles) Road Race and 5K Road Race (SAT June 8).

Route Description

Half Marathon -- Race starts at 7:00 AM.

Start on Spring St intersection with Union St. Straight on Middle St (using both lanes), right on Franklin St (in uphill lane), Left on Fore St (in runners lane on water side), Straight on Eastern Promenade, Right on Cutter St, Left on Eastern Prom Trail, Right on Bayside Trail (pass under Tukey's Bridge) Sharp left on Back Cove Trail, Run counter-clockwise around Back Cove, Left on Bayside Trail, Left on

on Eastern Prom Trail until Franklin St, crossing over Franklin St then getting into center turning lane on Commercial St until Union St, then getting into westbound lane on Commercial St, Straight on Commercial St (using westbound lane), Straight on West Commercial St (using westbound lane), Right on Valley St (using right turning lane), Right on Danforth St (using both lanes), Left on Vaughan St (using both lanes), Left on Western Promenade (using both lanes), Right on Pine St (using right lane), Right on Neal St (using right lane), Right on Carroll St (using both lanes), Left on Chadwick St (using left lane), Left on Bowdoin St (using both lanes), Right on Neal St, Right on Clifford St (using both lanes), Left on Vaughan St (using left lane), Left on Orchard St (using both lanes), Right on Fletcher St (using both lanes), Left on Danforth St (using right lane), Right on Clark St (using both lanes), Right on Beach St, Left on West Commercial St (using westbound lane), Left on High St (using both lanes), Right on York St (in runners lane on water side), Left on Center St (using both lanes), Right on Spring St to finish line.

5K -- Race starts at 7:35 AM.

Start on Spring St intersection with Union St. Straight on Middle St (using both lanes), right on Franklin St (in uphill lane), Left on Fore St (in runners lane on water side), Straight on Eastern Promenade (in runners lane on water side), Right on Cutter St (using both lanes), Right on Eastern Prom Trail until Franklin St, crossing over Franklin St then getting into center turning lane on Commercial St until Pearl St, then getting into westbound lane on Commercial St, Straight on Commercial St (using westbound lane), Right on Center St, Right on Spring St to finish line.

Some of the race routes are on Trails and Paths (and some on the street).

Many course marshals (86+) will staff intersections.

4. Event components. Event time frame, sound levels, neighborhood impacts, road closures, security/police, EMS services.
(Downloadable format)

All supporting documents including course maps and the complete operations plan can be found in the following Google Docs.

<https://docs.google.com/presentation/d/1-8CcHj8y7MetR4SCj7Jfk9DN9QLhNZkjMUiwB0fravk/edit?usp=sharing>

Event Time Line Saturday 6/8

3:30 AM Close streets down around start/finish chutes on Spring St and Cross St.

3:30 AM Build out start / finish areas in Spring St

5:30 AM sound check for Spring St sound system

5:30 AM Meeting at Unified Command Center with Fire/EMS, Police, Medical

5:30 AM Course Marshals meet at Portland Fish Pier 320 Commercial St

5:30 AM Registration at Cross Insurance Arena

6:00 AM Course Marshals deployed on school buses or walk

6:00 AM announcements start on Spring St

7:00 AM half marathon race starts

7:35 AM 5k race starts

7:35 AM beer gardens open

10:30 AM expected last finisher

11:30 PM expected time to reopen Spring St (Center to Union)

12:15 PM last call in beer garden

12:30 PM beer gardens close

2:30 PM Complete load-out



TO: Danielle West, City Manager
FROM: Andrew J. Downs, Director of Public Assembly Facilities Division
DATE: April 1, 2024
RE: **Council Agenda Item – 2024 Shipyard Old Port Half Marathon & 5K**

I am requesting that the following order be placed on
the next City Council agenda:

**Order authorizing and declaring Shipyard Old Port Half Marathon & 5K
to be held on Saturday, June 8, 2024 as a Festival.**

EVENT DESCRIPTION: The Shipyard Old Port Half Marathon & 5K is a for-profit event, however, A Running Passion (and other non-profits in the area) all benefit from race proceeds.

This race has been held in the city for twelve (12) years. (This will be the 13th.) This year, the number of half marathon and 5K runners is estimated to be 4,500 people total.

Due to new restrictions enacted by Maine State Police & Maine Department of Transportation, the race is no longer allowed to include the temporary closure of highway offramps. The race organizer has worked directly with City staff (Police, Fire, Traffic & Event Permitting) to establish a new race route to accommodate those restrictions. The race organizer is also working with businesses throughout the Old Port and the waterfront, including those along Center Street, Fore Street, Middle Street, and Commercial Street to inform them about expected impacts and to develop contingency plans.

The Order should include the following items:

(1) The Shipyard Old Port Half Marathon & 5K be authorized for Saturday, June 8, 2024, from 3:00am – 11:30am, to be held in Portland, along city streets and trails. The start corral for the half marathon race is on Spring Street between Center Street and Union Street; and on Cross St between Free Street and Spring St for the 5K. The finish chute area is on Spring Street. The start of the half marathon race is at 7:00 am, and the start of the 5K race is at 7:35 am.

(continued)

(2) As part of the post-race event, a food and 21+ beer garden will be set up in a privately owned lot at One Portland Square Parking at 50 Cross Street (approx. 67,410 sq ft of open space), and open from 7:30am – 12:30pm. Organizer will hire Police Officers for this area and will have an ambulance & EMS staff on site for the duration of the event.

The area of Spring Street (Center Street to Union Street) and abutting sidewalks is the designated Festival Zone. As such, it is closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of the race organizer for the purpose of conducting the Shipyard Old Port Half Marathon & 5k, subject to the direction and control of the City Manager.

The race routes are as follows:

Shipyard Old Port Half Marathon (start time 7am). Runners assemble on Spring St. Start on Spring St intersection with Union St. Straight on Middle St (using both lanes), right on Franklin St (in uphill lane), left on Fore St (in runners lane on water side), straight on Eastern Promenade, right on Cutter St, left on Eastern Prom Trail, right on Bayside Trail (pass under Tukey's Bridge) sharp left on Back Cove Trail, run counter-clockwise around Back Cove, left on Bayside Trail, left on Eastern Prom Trail until Franklin St, crossing over Franklin St then getting into center turning lane on Commercial St until Union St, then getting into westbound lane on Commercial St, straight on Commercial St (using westbound lane), straight on West Commercial St (using westbound lane), right on Valley St (using right turning lane), right on Danforth St (using both lanes), left on Vaughan St (using both lanes), left on Western Promenade (using both lanes), right on Pine St (using right lane), right on Neal St (using right lane), right on Carroll St (using both lanes), left on Chadwick St (using left lane), left on Bowdoin St (using both lanes), right on Neal St, right on Clifford St (using both lanes), left on Vaughan St (using left lane), left on Orchard St (using both lanes), right on Fletcher St (using both lanes), left on Danforth St (using right lane), right on Clark St (using both lanes), right on Beach St, left on West Commercial St (using westbound lane), left on High St (using both lanes), right on York St (in runners lane on water side), left on Center St (using both lanes), right on Spring St to finish line.

Shipyard Old Port 5K (start time 7:35am). Runners assemble on Cross Street. Start on Spring St intersection with Union St. Straight on Middle St (using both lanes), right on Franklin St (in uphill lane), left on Fore St (in runners lane on water side), straight on Eastern Promenade (in runners

lane on water side), right on Cutter St (using both lanes), right on Eastern Prom Trail until Franklin St, crossing over Franklin St then getting into center turning lane on Commercial St until Pearl St, then getting into westbound lane on Commercial St, straight on Commercial St (using westbound lane), right on Center St, Right on Spring St to finish line.

During the Shipyard Old Port Half Marathon & 5K, streets listed below will be closed to vehicular traffic, Saturday, June 8, 2024. (The Police Dept. has endorsed these closures. Many Police Officers and Parking Control Officers will be hired by the organizer. Flaggers will also staff race intersections.)

(continued)

Street	Area	Lanes Closed	Starting	Ending
Beach	York to Commercial	southbound lane	8:00 AM	10:15 AM
Bowdoin	Chadwick to Neal	eastbound lane	8:00 AM	10:00 AM
Carroll	Neal to Chadwick	westbound lane	8:00 AM	10:00 AM
Center	Spring to Fore	northbound lane	3:00 AM	12:00 PM
Center	Fore to Commercial	both lanes	7:00 AM	11:00 AM
Chadwick	Carroll to Bowdoin	southbound lane	8:00 AM	10:00 AM
Clark	Danforth to York	southbound lane	8:00 AM	10:15 AM
Clifford	Neal to Vaughan	westbound lane	8:00 AM	10:00 AM
Commercial	Union to Valley	westbound lane	7:45 AM	10:30 AM
Commercial	Valley and West Commercial	eastbound lane	7:30 AM	9:00 AM
Cross	Free to Spring		3:00 AM	12:00 PM
Cross	Fore to Commercial	both lanes	7:30 AM	10:30 AM
Cutter		both lanes	7:00 AM	9:00 AM
Danforth	Valley to Clark	both lanes	7:50 AM	10:15 AM
Fletcher		both lanes	8:00 AM	10:00 AM
Fore	Franklin St to E Prom	runners' lane on water side	6:55 AM	8:00 AM
Fort Allen Park loop		both lanes	7:00 AM	8:00 AM
Franklin	Middle St to Fore	both lanes	6:55 AM	7:15 AM
Franklin	Middle St to Fore	both lanes	7:30 AM	7:45 AM
High	York to Commercial	both lanes	7:45 AM	10:30 AM
Maple	York to Commercial	both lanes	7:45 AM	10:30 AM
Middle	Union to Frankin St	both lanes	6:55 AM	7:15 AM
Middle	Union to Frankin St	both lanes	7:30 AM	7:45 AM
Neal	Pine to Clifford	southbound lane	8:00 AM	10:00 AM
Orchard		both lanes	8:00 AM	10:00 AM
Park	York to Commercial	southbound lane	7:45 AM	10:30 AM
Pine	Western Prom to Vaughan	eastbound lane	8:00 AM	10:00 AM
Spring	Center to Union	both lanes	3:00 AM	12:00 PM
Valley	W Commercial to Danforth	right turning lane only	7:50 AM	9:45 AM
Vaughan	Pine to Danforth	both lanes	8:00 AM	10:00 AM
Western Prom	Vaughan to Bowdoin	both lanes	7:55 AM	9:45 AM
York	High to Center	runners' lane on water side	7:45 AM	10:30 AM

(continued)

The organizer will reach out to the many businesses along the race route, including businesses in the Start/Finish Line area, as well businesses along Center St, Middle Street, Fore Street, and Commercial Street to alert them to the street closures and traffic delays on Saturday morning.

In the event the start of the Half Marathon is delayed, the ending times of the above street closures would also be delayed/pushed back.

For Commercial Street, the “west-bound” lane (Union St to Valley St) will be closed to traffic and used for runners. Police will close access to the east-bound lane to regular traffic starting at Valley St and West Commercial Street from 7:30 AM to 9:00 AM. However, Police will allow commercial vehicles through that need access to the waterfront businesses. The waterside (east-bound lane) will only be open to vehicles coming from the waterfront businesses. A single row of barricades will be placed on Commercial St to divide the east and west bound lanes from Valley Street to Franklin Street. Vehicles will be permitted to cross over Commercial Street at the intersections of Park Street, Union Street, Pearl Street, and Franklin St (with police assistance, when space between runners allows).

For Commercial Street proper (Union St to Franklin St), the runner’s lane will be down the “center turn lane” of Commercial Street. Two rows of barricades will be used. At this point along Commercial Street, there are 2 lanes for vehicles (westbound and eastbound – one on either side of the runners).

For streets near the beginning of the race route, Eastern Promenade and Fore Street (down to Hancock Street), a row of cones will be placed down the middle, and a runners lane will be setup on the water side of the street (so vehicles will still flow on the other side of the street).

For streets near the end of the race route, York Street (High Street to Center Street), a row of cones will be placed down the middle, and a runners lane will be set up on the water side of the street (so vehicles will still flow on the other side of the street).

Some streets will need to be posted "No Parking," including Spring Street, Center Street, Cross Street, Fore Street, Eastern Promenade Road, and possibly other streets along the race route. Cars parked illegally at these “No Parking” signs will be towed at the owner's expense.

In addition, the trails will have restricted use. Back Cove Trail, Eastern Prom Trail and Bayside Trail will need to be posted “Bicycles, Baby Strollers and Pets, not permitted on Trails during OPHM Race, Saturday, 7 – 10am.” Signs to be posted along the trails by organizer, a week in advance.

The City Manager is authorized to issue a revocable permit under Section 25-27 of the Municipal Code to the Shipyard Old Port Half Marathon & 5K organizer, for the use of the above-described area for said events, subject to the following conditions:

(continued)

- PA Systems will be set up (announcements & music) and used at the race in a number of locations along the race route, including Spring Street (start and finish line area), Back Cove Parking Lot (off Preble St), Eastern Prom Trail (near Sewage Treatment Plant), Loring Memorial Park, and Harbor View Memorial Park. Music and announcements will be made while runners are passing by these locations (between the hours of 6:00 AM – 11:00 AM). Any and all public announcement (PA) and other speakers or amplifiers used to amplify music or other sound shall be maintained under A-weighted 85 decibels / C-weighted 95 decibels and be configured by the event organizer and the City to focus volume away from residential housing, limiting any sound impacts in residential areas;
- Race organizer shall indemnify the City and hold it harmless from and against all claims arising out of activities during said event, and shall take out and maintain public liability insurance coverage (as well as alcohol liability coverage) in the amount of at least \$400,000 per occurrence for personal or bodily injury, death, or property for said purposes;
- Conditions for use of grounds, specified in a contract and permit issued from the Public Assembly Facilities Division, shall be adhered to;
- City permit fees, license fees, and costs for city staff assistance will be paid by the race organizer (race organizer will hire many Police Officers and Parking Control Officers to assist with street closures, detours, race intersections, Fire/EMS Officers to provide emergency medical services, and hire Public Assembly Facilities staff to oversee the Start/Finish Line;
- Route of the course is subject to change, depending on construction projects along the course and Police recommendations leading up to and on race day.

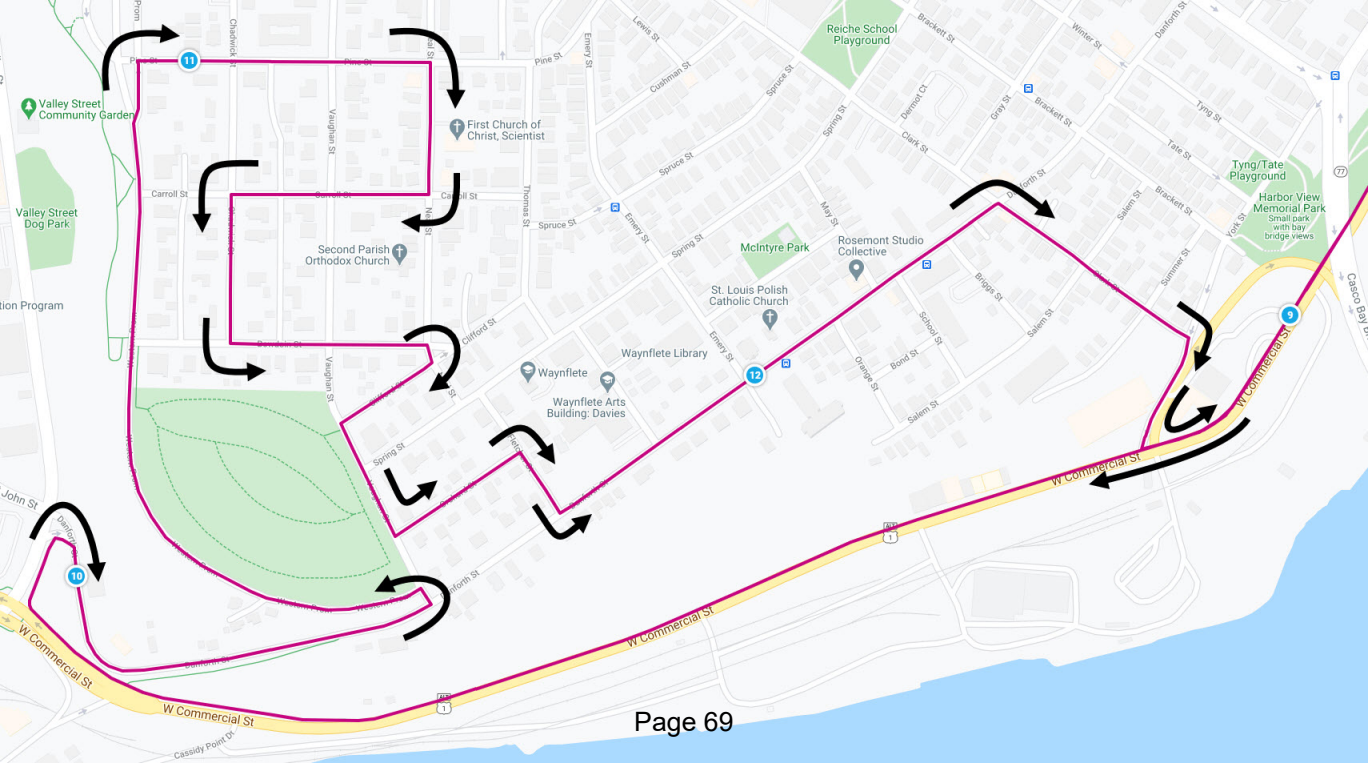
The City Manager is also authorized to issue such other temporary licenses and temporary permits, including licenses for food service establishments and permits for sales of non-food related items, as may be required by the Portland City Code, provided that all applicable requirements of said code have been met regarding the operation of said Festival.

Attachments: Application, Area Impact Study, Course Maps

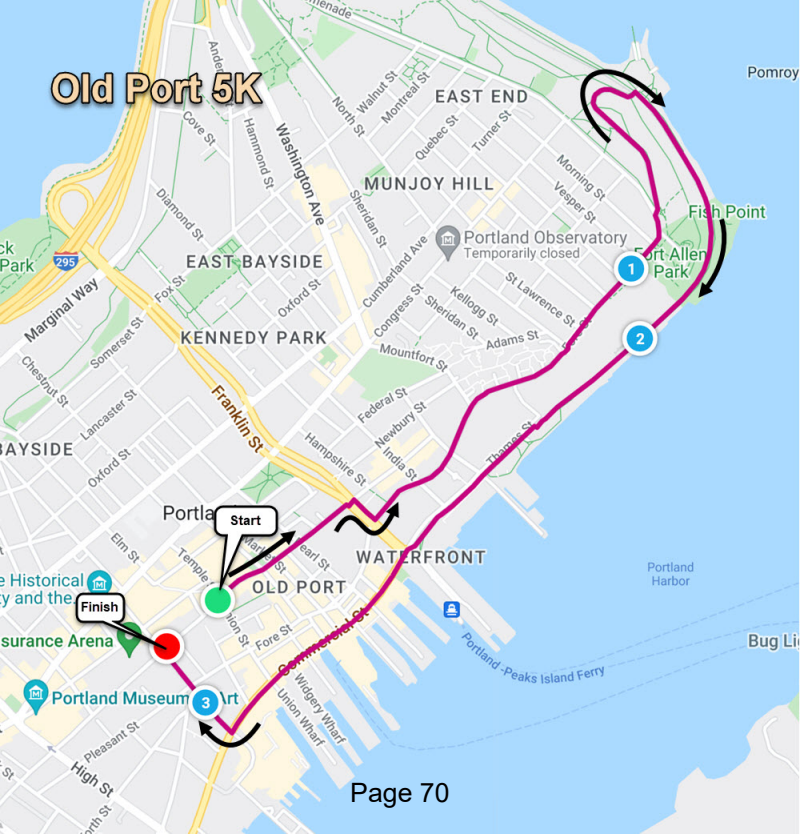
Document prepared by Rusty Groh, PAFD Booking Coordinator



Half Marathon Course



Old Port 5K



Start & Finish Chutes

**Roux & Cyr International
Fine Art Gallery**

Free St

Center St

barricades

Fore River Parking

Free St

El Rayo Taqueria

Find

Cliff's Barber Shop

Free St

barricades

**Mensroom
Salon & Lounge**

45 Spring St Parking

Cross St

5K Start

Aphrodite Salon

North Atlantic Capital

Old Port Vape Shop

Start Line

Beaten Path Tours

Middle St

Spring St

EMS

EMS

EMS

medica

Finish Line

Spring St

Spring St

Half Marathon



**TIER III / SPECIAL EVENT
PUBLIC PARK AND SPACE**
City of Portland, Public Assembly Facilities Division
221 Canco Road Suite A
Portland, Maine 04103
207-808-5434
Rusty Groh - rgroh@portlandmaine.gov



TIER III APPLICATION FEE \$50.00
EXPECTED ATTENDANCE 2000+

PAYMENT MUST BE MADE WHEN SUBMITTING COMPLETED APPLICATION

(This is a transferable/non-refundable fee. If your event is permitted, the \$50.00 will be credited toward your permit fee.)

For uses of city property, there are typically: 1) fees charged for use of the area, 2) a security deposit required, 3) insurance required and 4) Area Impact Study. There may be fees due and applications required from other City Departments.

TODAY'S DATE	2/15/24	ORGANIZATION NAME	Ventures Endurance Events LLC		
ADDRESS (Street/City/State/Zip)	51 Dynamic Dr Unit #3, Scarborough, ME 04074				
CONTACT NAME(S)	Erik Boucher	TITLE(S)	Operations Manager		
PHONE	207-210-8655	PHONE		PHONE	
EMAIL	eboucher@venturesendurance.com	EMAIL		EMAIL	

PARK AREA / PUBLIC SPACE REQUESTED	Eastern Prom Trail, Bayside Trail, Back Cove Trail, Portland Streets, Start & Finish and after-party areas on Spring Street		
EVENT DAY(S) & DATE(S)	Saturday 6/8/24	RAIN DAY(S) & DATE(S) (50% added fee)	NA
OVERALL EVENT START & END TIME (When setup will begin until cleanup is expected to be complete.)	3:00 AM to 11:30 PM On Public Property	EVENT START & END TIME	7:00 AM to 10:30 PM

EVENT NAME	EVENT CLASSIFICATION Road Race, Parade, Public Assembly, Music Festival, Block Party	EXPECTED ATTENDANCE
Shipyard Old Port Half Marathon & 5K (13th Annual) https://oldporthalfmarathon.com/	road race	4,500 runners, 1,000 spectators

AREA IMPACT STUDY: Please be as specific as possible regarding the area of public space/park that you would like to permit and please describe the event in detail using the **AREA IMPACT STUDY(AIS) CHECKLIST**. [\(add link to guide.\)](#)

AVIS CHECKLIST

COMPLETED

1. Description of event. Brief description of event and event history so that all departments may better understand your event request. (Downloadable format)	X
2. Permits. Include all applicable permits from all pertinent city departments.(Fire,Police,City clerk...)	X
3. Detailed site plans. Include maps of venue, parade and course routes, parking/shuttle plans, evacuation plans... (Downloadable format)	X
4. Event components. Event time frame, sound levels, neighborhood impacts, road closures, security/police, EMS services. (Downloadable format)	X

IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT?	Please check: ☒ FEE ☐ PLEDGES	
IF YES FOR FEES, HOW MUCH?	FEE	\$ \$24 to \$109

	STUDENT FEE	\$ NA
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PLEASE CHECK OFF AND ANSWER:

Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments & should be paid to them directly.				
		X-YES	X-NO	AIS
*	Are you setting up a canopy(s) ? (10'x10' size or smaller) How many? 20	X		
*	Do you wish to set up a tent(s) and/or stage(s) ? A canopy/tent or stage larger than 10'x10' needs a Temporary Tent or Stage Permit issued by Building Inspections. For permit application, please go to: https://content.civicplus.com/api/assets/376697a8-b6ac-4a4c-babc-9dbcf1e61eb8 or contact the Permitting and Inspections Department at buildinginspections@portlandmaine.gov or 207-874-8703 for more information. PLEASE apply at least 2-weeks before your event. Tent/Stage Size(s): Exact Location(s) of Tent/Stage Placement Requested: *** In order to drive tent stakes into the ground, DIG SAFE must be contacted: 888-344-7233. ***	X		Permit Required Include on Site Plan
*	Will you be setting up tables and/or chairs ? How many tables: 60 chairs: 10	X		Include on Site Plan
*	Are other items or equipment being placed on City property? (i.e. Moon Bounce, Dunk Tank, Radio Station Van, Helium Tank, etc.) Please List: inflatable arch, cones, barricade	X		Include on Site Plan
*	Will there be refreshments at the event? Do you wish to sell food ? If so, you will need approval from PAFD and possibly a Temporary Food Service License from the Business Licensing Office. PLEASE provide them at least 2 weeks advance notice (207-874-8557). List food and drink / Food Trucks, etc.: PLEASE NOTE: A Temporary Food Service License is NOT needed when: 1. Food Vendors have a current City of Portland Food License 2. Just pre-packaged refreshments, or food & drink items are purchased or donated from a licensed establishment 3. Bottled water / water is served A TFSL is needed when food vendors are not licensed or when food is being prepared and cooked at the event.	X		License Required Include on Site Plan
*	Do you wish to sell non-food items (like T-shirts, crafts, cd's, etc.)? If so, please apply for a Street Goods Vendor License(s) at the Business Licensing Office (207-874-8557) – 2 week notice. List items you wish to sell: shirts and hats	X		License Required Include on Site Plan
*	Do you wish to sell or provide Alcohol ? If yes, you must complete the application for a Liquor License specific to your event through the State of Maine and submit the application to the City of Portland Business office first. Application will need City of Portland's approval prior to going to the State. Questions? please contact the Division of Liquor Licensing and Enforcement at (207) 624-7220/email- MaineLiquor@maine.gov .	X		License Required
*	Are you setting up a PA (sound) system ? Are you planning on having Amplified Music ? Band? DJ? Boom Box? If so, your event may require a concert license. PAFD will advise upon review of your application. Amplified speech (i.e. Press Conference) does not require the license, however, a Sound Security Deposit may be required. There are time restrictions for amplified music/speech in Downtown Parks & Squares: limited to 11:45am – 1:15pm and 1 hour between 5pm - 8pm.	X		License Required Include on Site Plan & Event Components
*	Will your event require electricity ? Electricity is available at Deering Oaks Park, Monument Square, Congress Square, Tommy's Park, Post Office Park, Payson Park, Preble Street Grass Area, Eastern Prom, Fort Allen Park, and Lincoln Park. A \$40 activation fee is required.		X	
*	Are you planning on bringing a Grill for a Barbecue ? Grilling is subject to weather conditions and possibly Fire Dept. review.		X	
*	Will the event require reserved parking spaces / parking meters ? How many? 100 "No Parking" signs may be purchased at the PAFD Office, 212 Canco Rd.	X		
*	Will your event need safety vests, signs, barricades and/or cones ? Please list what you would like to borrow/rent: 75 barricades Limited safety vests, cones & barricades may be borrowed/rented from PAFD Office. Traffic signs may be borrowed/rented from Public Works if needed (207-874-8493).	X		
*	Will your event require street closures ? Will your event affect METRO BUS ROUTES ? (Please be specific under "Description of Event")	X		Include on Event Components

*	Will your event require Police assistance? An event such as a road race, march or parade in the street, would typically require police assistance. To reserve & hire an Officer(s) to be on site at your event, please visit: https://portlandmaine-portal.app.transform.civicplus.com/forms/26740	X		Required
*	Will your event require Fire/EMS assistance? (For a large walk/race, it may be required.) To hire or inquire about hiring city Fire/EMS staff to be on site, please email fireprevention@portlandmaine.gov well in advance of the event. For general questions, you may also call 207-874-8400.	X		Required
*	Will your event require Parking Control assistance? To hire a Parking Control Officer(s) to be on site at your event, please call 207-874-8910 well in advance to arrange.	X		
*	Will your event require portable-restroom rental(s) or need existing porta-restrooms cleaned? (Some of the parks already have porta-restrooms. Event participants may use these, but a \$25 fee is assessed for events where attendance is 150 or more.) Porta-restrooms may be rented from any of the local companies. Units currently on site are through Associated Septic. 1 unit/50 people when serving alcohol 1 unit/75 people with no alcohol	X		Include on Site Plan
*	Will your event require waste management and recycling? What is the waste management plan? A 30 yrd dumpster will be provided for waste materials. All plastic water bottle and gallon jugs will be collected, separated from trash, and recycled.	X		Include on Site Plan & Event Components
	For events where more than two thousand (2,000) individuals anticipated to gather or participate in the event or activity in the park, the permittee shall provide a bond in the form of cash, certified check or surety bond from a surety company qualified to do business in the State of Maine in an amount of not less than two thousand dollars (\$2,000.00). Such a bond shall be utilized to guarantee cleanup of the area and shall be applied against claims by the city for excessive damage to real or personal property in the park.	X		Required

INSURANCE CERTIFICATE INFORMATION

*	Will your event require liability Insurance? (Commercial liability insurance is required for a walkathon, race, festival, press conference, concert, etc. Product liability insurance is also required if the event has been approved for serving food.)	X		Required
♦ If you answered YES, you shall procure and maintain occurrence-based Commercial General Liability and Product Liability Insurance, when required, in an amount not less than Four Hundred Thousand Dollars (\$400,000.00) per occurrence for bodily injury, death and property damage. You shall name the City of Portland as an additional insured or shall obtain a general liability extension endorsement, for coverage only in those areas where government immunity has been expressly waived by 14 M.R.S. A. § 8104-A, as limited by § 8104-B, and § 8111. The terms of this permit and the insurance coverage shall not be deemed a waiver of any defenses, immunities or limitations of liability or damages available to the CITY under the Maine Tort Claims Act, other Maine statutory law, judicial precedent, common law, or any other defenses, immunities or limitations of liability available to the City. You shall also be responsible for any and all deductibles and/or self-insured retentions. ♦ Both the Certificate of Insurance and Additional Insured Endorsement shall be sent to rgroh@portlandmaine.gov and must state that the policy is endorsed to name the City of Portland as an additional insured pursuant to the date of the event (and rain date).				

PUBLIC ASSEMBLY FACILITIES DIVISION POLICIES

EVENT REVIEW

The PAFD Office holds a monthly meeting where proposed events are discussed and reviewed by City Departments. For some events, organizers will be asked to present before the committee. Some potential factors may necessitate your event receive City Council approval.

ELECTRICITY

All cords in the public way must be covered by rugs, mats or orange cones to avoid public hazard. If weather is inclement (drizzle, rain, snow, etc.) we require that you **not use** electricity, unless all connections and equipment are covered and protected from the elements. If a generator is used, please take all necessary measures to ensure safe operation. Bring a fire extinguisher, set generator up away from activities (and combustibles), store fuel source away from the generator and keep children away from the generator.

BARBECUES - GAS GRILLS ONLY

Only GAS GRILLS are allowed in parks/public spaces – i.e. No Charcoal Grills or open burning. Barbecuing must first be approved by PAFD Office and is subject to weather conditions, and possible further review by the Fire Dept. Grills must be set up away from children's activities. You are required to have a fire extinguisher with in the grilling area.

PORTA-RESTROOMS / BATHROOM FACILITIES

Porta-Restrooms are required for large events and events where refreshments are being served. Some of Portland's parks already have portable restrooms from Associate Septic on site (*Preble Street Grass Area at the Preble Street Parking Lot – across from Hannaford's, *Entrance to Dyer's Flat – beside Payson Park, *Deering Oaks Park – Playground + Ravine, *East End Beach - Winter & Early Spring: Just EEB.) If over 150 people are expected to attend the event, a \$25 user fee is required (paid to PAFD). If extra units are rented by the organizer, then no additional user fee is assessed. Porta-restrooms are cleaned M, W, & F. If you would like to guarantee that they are cleaned just prior to your event, then you need to

call the porta-restroom company (Associated Septic / Royal Flush, 207-799-1980, M-F) to request and pay for a cleaning. If renting units, the organizer has the option of renting from Associated Septic / Royal Flush, or from other local companies.

TRASH

All groups must abide by our Carry In/ Carry Out Policy. Please bring extra trash bags and/or trash receptacles and remove all trash. Do not use existing trash barrels or the metal liners inside. You will need to haul all of your trash out of the park/public space or forfeit the security deposit(s). Please recycle whenever possible, (please do not use Styrofoam - it is NOT recyclable). The area will be checked following your event; if the park is clean and conditions for use adhered to, your security deposit will be returned to you. Thank you in advance!

MARKING OF GROUNDS

Please DO NOT mark city property in any permanent way. DO NOT use SPRAY PAINT or SPRAY CHALK. DO NOT STAPLE or NAIL anything to trees. Children's Art Chalk can be used on hardscape areas with permission from PAFD Office. Tape may also be used. If markings remain for more than a few rain storms, event organizers are responsible for removing them. If city staff or contractors need to remove the markings, event organizers are responsible for the cost of staff time and materials. You may also place signs on stakes in the grass areas bordering trails/race routes (when applicable). Please remove all signage immediately following the event.

USE OF CANDLES

It is preferred that LED lighted candles or glow sticks are used. If flammable candles are used this may need to be approved by the Portland Fire Department. Please make sure all candles have drip protectors to prevent wax from dripping on hardscape surfaces, which may cause permanent stains/damage. Please make sure all candles are extinguished before being thrown away. Please collect all spent candles so there is no trash left behind. Please take safety precautions: bring a fire extinguisher, gallon of water, etc. in case of fire. **Any damage** (dripped wax absorbed into hardscape causing stains, etc.) **will result in a forfeiture of your security deposit.**

ADA COMPLIANCE

Event organizer must comply with the Americans with Disabilities Act (ADA) and the Maine Human Rights Act (MHRA), including maintaining the permitted use area and all public rights-of-way accessible during the entirety of the permitted event. In the event the permitted area is rendered inaccessible to disabled persons, and/or by request of PAFD staff, the organizer shall act immediately to provide accessibility. All requests to provide interpretive services shall be the responsibility of the organizer to provide and pay for such services. The organizer shall defend, indemnify, and hold the City harmless from any and all liability and damages resulting from alleged violations of the ADA and/or MHRA.

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES

Vehicles are prohibited from parking on grass areas/sidewalks/park streets (unless specifically approved by city staff). \$20 will be deducted from your security deposit for each vehicle parked on grass/sidewalk areas or vehicles parked illegally. **Any tire ruts/damage to the grass areas will result in a forfeiture of your security deposit.**

RESERVED PARKING

To reserve parking for your event, please contact the PAFD Office (808-5400 x0). Staff will review your request and can issue you "No Parking" signs (\$25 each*). You will need to label signs and tape them to meters or signposts AT LEAST 24 HOURS PRIOR TO YOUR EVENT. (NOTE: If event is on a Sunday or Monday, NP Signs may need to be posted on the preceding Friday by Noon.) Please do not cover up coin slots on meters. If the reserved parking area has no actual parking meters, you may need to tape signs to sign posts, utility poles, trees, or orange cones (placed on the sidewalk beside the street). Please make sure signs are removed once the event is complete.

FIREWORKS

Organizers wishing to have fireworks as part of their event must contact the Portland Fire Department directly. Permits will need to be obtained through the Portland Fire Department, the State of Maine and possibly through the US Coast Guard.

ALCOHOL / SMOKE-FREE ZONES

By city ordinance, smoking a cigar, cigarette, pipe, marijuana, electronic cigarette, electronic cigar, electronic pipe, or other similar product that relies on vaporization or aerosolization, is prohibited at and within 20 feet of the following outdoor recreation and event areas: downtown squares and plazas, trails, parks, playgrounds, beaches, and athletic facilities. Consumption of alcohol is prohibited in public spaces unless specifically approved by City Council. Please inform all participants / attendees.

AMPLIFIED SOUND POLICY

Outdoor events with amplified sound may require an Entertainment License from the PAFD Office. If the Police Dept./City Staff receive noise complaints, they will respond accordingly. Please set the PA System up with speakers facing away from businesses/residences to lessen impact. Please keep volume levels low out of consideration for nearby residents and businesses. The Permittee (organizer) shall not allow the sound emanating from the event to exceed an A-weighted 85 decibels / C-weighted 95 decibels. One verbal warning shall be issued if the sound has been found to have exceeded those limits. The warning may be given to the sound board operator or the organizer/organizer's designee. If the decibel limit is found to have been exceeded a second time during the same event, the entertainment license (or permission to use a bullhorn/PA system) shall be immediately suspended, the PA system / amplification / bullhorn turned off, and the sound security deposit forfeited.

CANCELATION POLICY

Events must be canceled with PAFD prior to the event date in order to be eligible for a refund. If canceled within 2 weeks of the scheduled event date, a \$75 cancellation fee may be charged.

NOTIFICATION
Please keep a copy of your event permit on site at all times. City staff may require proof of permit. If there are members of the public in the reserved space upon arrival, please present the permit as proof of reservation & approved usage. If you need assistance, please contact the Police Department at (207) 874-8574.. You may put up temporary A-frame signs to alert the public to your event or place signage on orange cones, etc. Signs are to be up DAY OF EVENT ONLY. Please remove all signage immediately following the event. Please call Portland Police Dept. (874-8574) on the day of your event to remind them it is taking place. Please notify any nearby neighborhoods, businesses, including restaurants that may have tables out for dining, to alert them to your event.

STREET CLOSURE NOTIFICATION
Should an event involve a Street Closure, lasting longer than an hour, PAFD Office requires organizers to give advanced notification to area businesses, residents and bus companies (in the form of a "Street Closure Sign Off Sheet"). If an event impacts METRO Buses, the organizer (in advance) must discuss detour plans with Parks Rec and Facilities..

REVOCABLE PERMIT
♦ The City reserves the unconditional right to control or cancel events to protect and/or prohibit damage to public property. ♦ The City reserves the unconditional right to revoke or revise an issued permit. ♦ Police or City Staff on site may use their discretion to revise conditions of use.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES	TYPE INITIALS	EB	DATE	2/15/24
--	---------------	----	------	---------

ASSUMPTION OF RISK & LIABILITY					
Users of the area agree to accept the grounds in an "as is" condition and shall be responsible for all risk and liability in using the park/public space area for the said event. By returning this form (should permission be granted to use city property), the above parties agree to indemnify, defend, and hold harmless the City of Portland, its employees and agents, from and against all claims arising out of activities during said event.					
<table border="1"> <tbody> <tr> <td>I have read the Assumption of Risk & Liability Agreement</td> <td>TYPE INITIALS</td> <td>EB</td> <td>DATE</td> <td>2/15/24</td> </tr> </tbody> </table>	I have read the Assumption of Risk & Liability Agreement	TYPE INITIALS	EB	DATE	2/15/24
I have read the Assumption of Risk & Liability Agreement	TYPE INITIALS	EB	DATE	2/15/24	

PLEASE INITIAL & DATE HIGH-LIGHTED YELLOW BOXES ABOVE.
--

PLEASE RETURN FORM AT LEAST 60 DAYS IN ADVANCE TO:
♦ Public Assembly Facilities Div. ~ 212 Canco Rd. ~ Portland ~ ME ~ 04103 EMAIL PREFERRED: raroh@portlandmaine.gov

FEE SCHEDULE – UPDATED JULY 1, 2019	
Fees are tiered and assigned based on the level of demand placed on City resources and impact on City infrastructure.	
Simple Event (no registration fee): \$75/hour Event with registration or pledges & attendance 25 - 300: \$125/hr Event with registration or pledges & attendance 301+: \$225/hr Film/Photo Shoot: \$150/day Public Space/Park Security Deposit: \$100 - \$1000 Sound Security Deposit: \$100 - \$1,000 Impact/Street Closure Fee (variable based on impact): \$100-\$500 Staff Fee (on site event support): \$37/hour Administrative Fee (event coordination support): \$40/hour or more Reserved Parking: \$25 each space Cancellation Fee: \$75	Electricity (activation/deactivation) Fee: \$40/flat Porta Restroom User Fee (if attendance is 150+): \$25 Entertainment License: \$50 Barricades: \$5/ea. Rental Fee + \$25/ea. Security Deposit Bike Racks: \$10/ea. Rental Fee + \$25/ea. Security Deposit Flashing Lights: \$10/ea. Rental Fee + \$40/ea. Security Deposit Cones: \$2/ea. Rental Fee + \$15/ea. Security Deposit Safety Vests: \$15/ea. Security Deposit Keys: \$50/ea. Security Deposit Equipment Delivery Fee: \$100 or more Fortification Fee: TBD

TOTAL AMOUNT(S) DUE TO PUBLIC ASSEMBLY FACILITIES DIVISION (Please make all security deposit checks out separately)			
Permit Fee for use of area:	\$ NA	Entertainment License Fee:	\$ NA
Number of Hours of Use: Approx.		Equipment Rental Fee:	\$ NA
Staff Fee (on site event support):	\$ NA	Public Space / Park / Sound Security Deposit:	\$ NA
Admin. Fee (event coordination support):	\$ NA	Borrowed / Rented Equipment Deposit:	\$ NA
Electricity Fee (activation/deactivation):	\$ NA	Additional Fees:	\$ NA
Impact/Street Closure Fee (variable based on impact):	\$ NA	(Porta-Restroom User Fee, "No Parking" Signs, etc.)	\$ NA

CITY OF PORTLAND ACCEPTS CASH, CHECK, MONEY ORDER AND CREDIT / DEBIT CARDS FOR PAYMENT
Checks should be made payable to City of Portland There will be a 2.65% processing fee added to all Debit / Credit Card transactions.

FOR OFFICE USE ONLY							
APPLICATION FEE:	\$ 25.00	PERMIT FEE:	\$	SECURITY DEPOSIT:	\$	INSURANCE NEEDED?	Y / N
DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:	

Merchandise -Do you wish to sell **non-food items** (like T-shirts, crafts, cd's, etc.)? If so, please apply for a **Street Goods Vendor License(s)** at the Business Licensing Office (207-874-8557)
<https://content.civicplus.com/api/assets/9ef5d795-ac26-4794-9e38-c2f0bb9c9f04?cache=1800>

Tents/Stages -Do you wish to set up a **tent(s)** and/or **stage(s)**? A canopy/tent or stage larger than 10'x10' needs a **Temporary Tent or Stage Permit** issued by Building Inspections
<https://content.civicplus.com/api/assets/376697a8-b6ac-4a4c-babc-9dbcf1e61eb8>

Alcohol sales -Do you wish to sell **alcohol**? You must complete the application for a **Liquor License** specific to your event through the State of Maine and submit the application to the City of Portland Business Licensing office first. Application will need City of Portland's approval prior to going to the State. Questions? please contact the Division of Liquor Licensing and Enforcement at (207) 624-7220/email-MaineLiquor@maine.gov. <https://www.maine.gov/dafs/bablo/liquor-licensing/license-and-permit-applications>

Food Sales - Will there be food vendors? If so, you must apply for a **Temporary Food Service License** from the Business Licensing Office.
<https://content.civicplus.com/api/assets/12f35a2a-e2a4-4d87-bf05-9ec89545e996?cache=1800>

Police - Will your event require **Police** assistance?
<https://portlandmaine-portal.app.transform.civicplus.com/forms/26740>

Fire/EMS - Will your event require **Fire/EMS** assistance? Email Fire Department - fireprevention@portlandmaine.gov

MEMORANDUM
City Council Agenda Item

FROM: Rusty Groh
DATE: March 22, 2024
SUBJECT: Order 172-23/24 Declaring July 27, 2024 the 22nd Annual Greater Portland Festival of Nations - Sponsored by Danielle P. West, City Manager
SPONSOR: Danielle West, Event Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/22/2024

**Final
Action 4/22/2024**

Can action be taken at a later date: No The organizer needs Council approval for event planning purposes.

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

PRESENTATION: Event organizer and a member of the Parks, Recreation and Facilities Management Division will be available to answer any questions.

I. SUMMARY

Order declaring July 27th 2024 as the 22nd Annual Greater Portland Festival of Nations.

II. AGENDA DESCRIPTION

This will be the 22nd Annual Festival of Nations held at Deering Oaks Park. The festival is organized by Women In Need Industries and the Mugadi Foundation & co-sponsored by the City of Portland. The event showcases Maine's ethnic diversity. The festival features music, food, cultural exhibits, children's activities and folk art from many nations around the world. Admission is free. Refreshments, crafts, artwork and other items will be for sale. The festival is held rain or shine.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Greater Portland Festival of Nations has taken place in the City of Portland for over 20 years.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The City Council will declare July 27th 2024 as the 22nd Annual Greater Portland Festival of Nations.

V. FINANCIAL IMPACT

All City staff costs, permit fees and equipment usage fees will be paid by the organizer.

VI. STAFF ANALYSIS AND BACKGROUND

The Public Assembly Facilities Division has worked with the organizers of this event in the past and we are confident in their abilities to host and produce this event.

VII. RECOMMENDATION

It is recommended that this order be declared.

VIII. LIST ATTACHMENTS

1. Consent Item - Festival of Nations 2024
2. 2024 FON Concert and Banner Permit Application

3. CITY FESTIVAL APPLICATION.2024 (2)
4. Council Memo - Festival of Nations(FON) 2024

Prepared by:

Rusty Groh

Date: 03/22/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER DECLARING JULY 27, 2024 THE 22ND ANNUAL GREATER PORTLAND
FESTIVAL OF NATIONS**

ORDERED, that July 27, 2024, is hereby declared the 22nd Annual Greater Portland Festival of Nations, sponsored by Women in Need Industries (WINI), Inc.; and

BE IT FURTHER ORDERED, that the 22nd Annual Greater Portland Festival of Nations area shall include the Bandstand and Farmers Market Road inside Deering Oaks Park, the Ravine Water Play Area, the Bowling Green grass area and park roadways including Tennis Court Road and Jenny Lane, and Farmers Market Road; and

BE IT FURTHER ORDERED, that Public Assembly Facilities staff will manage the main roadway into Deering Oaks Park to assist with festival safety and setup on July 27, 2024; and

BE IT FURTHER ORDERED, that Farmer's Market Road will be closed to traffic from 6:00 a.m. to 9:00 p.m. on July 27, 2024; and

BE IT FURTHER ORDERED, that vehicles in violation of the "no parking" signs in the Festival Area (interior roadways) shall be towed at owner's expense; and

BE IT FURTHER ORDERED, that the 22nd Annual Greater Portland Festival of Nations area shall be closed to licensed street vendors as provided in §19-17 and 19-22 of the City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Women in Need Industries (WINI), Inc. under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. Women in Need Industries (WINI), Inc. shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 per 1 occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. Women in Need Industries (WINI), Inc. shall provide

the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;

2. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival area;
3. The following fees and expenses shall be waived by the City and in-kind contributions shall be made by the City to the Festival:

Public Assembly Facilities Division permit fees for use of grounds, banner fees, “No Parking” sign fees, barricade delivery and single concert license; Public Works Department trash barrels and removal of trash; Business Licensing licensing fees; and

4. No Police, Parking Control, or Emergency Medical Services assistance should be necessary unless the Police Department deems coverage is required due to attendance, traffic concerns, etc., in which case, those fees would need to be paid by Women in Need Industries (WINI), Inc.;
5. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in a permit issued from the Public Assembly Facilities Division Office shall be adhered to, and the Organizers shall leave on file security deposits for the use of the park;
6. Women in Need Industries (WINI), Inc. shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the 22nd Annual Greater Portland Festival of Nations; and
7. Public Assembly Facilities Division concert license conditions shall be complied with and any and all amplified music and public announcements shall be maintained at a reasonable noise level (under A-weighted 85 decibels / C-weighted 95 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring business, limiting any impact in the area by the sound level; and

BE IT FURTHER ORDERED, that the City Manager is authorized to waive fees and to issue such other temporary licenses, including licenses for food service establishments, as may be required by the City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.



Gregory A. Mitchell
Director, Economic Development Department

Public Assembly Facilities Division
Andrew J. Downs, Director
212 Canco Road • Suite A • Portland, Maine 04103
(207) 808-5434

Single Concert Permit Application for PUBLIC PROPERTY(*)
Must apply at least seven (7) business days prior to event.

Permit Fee: \$50/day

* If the event is proposed for private property, you must obtain the necessary permits from the Permitting & Inspections Department. They can be reached at (207) 874-8557.

Number of Attendees:	1,500	Will Alcohol be Consumed?	YES or NO
Applicant Information			
Organizer/Business/Group Name(s):	Women I Need / ESM / Mndicci		
Organizer/Business/Group Address:	10 A Gleckler Rd, Portland ME 04103		
Applicant/Contact Person's Name:	Shalom Odokara		
Daytime Phone Number:	207-420-1277		
Phone Number Day of Event:	207-420-1277		
Email Address:	wominie@aol.com /		
Event Information			
Name of Event:	Festival of Nations		
Event Location:	Deering Oaks Park		
Date of Event:	July 27, 2024		
Time of Event (start to finish):	9 a.m.	Time Frame for Amplified Music:	6 P.M.
Type of Music/Amplified Sound (DJ, Live Band, Acoustic Performance, etc.):	DJ, Live and Acoustic Performances		
Please list all bands/performers (If more space is needed, please utilize the back of this page.):			
Still being decided			

Read Carefully & Sign: I/we understand that any misstatement of material fact in the above application may result in denial of this permit or revocation if the permit has already been issued.

Signature: [Signature]

Date: 2/28/2024

For more information about City Codes regarding Single Concert/Single Dance permits, please see Chapter 4 of the Code of Ordinances at www.portlandmaine.gov.

Email Sent:

Dept.

Fire
PD
Treasury

Approval Received

Fee:

Cash: _____
Check: _____
CC: _____



parks,
recreation
& facilities

BANNER APPLICATION
CITY OF PORTLAND, PUBLIC ASSEMBLY FACILITIES DIVISION
212 Canco Rd. • Suite A • Portland • ME • 04103 •
(207) 808-5434
Rusty Groh rgroh@portlandmaine.gov



TODAY'S DATE		2/28/2024		ORGANIZATION NAME		Women In Need	
ADDRESS (Street/City/State/Zip)		101A Gleckler Rd, Portland ME 04103					
CONTACT NAME(S)		Shalom Odokara		TITLE(S)			
PHONE	207-420-1277	PHONE		PHONE		PHONE	
EMAIL	Womine@aol.com	EMAIL		EMAIL		EMAIL	

EVENT NAME		Festival of Nations		SPONSOR(S) APPEARING ON BANNER			
BANNER WORDING		Festival of Nations, July 27, Deering Oaks Park					
BANNER LOCATION (Congress St. / Baxter Blvd. / Both)		Congress St.		ACTUAL EVENT DATE		July 27, 2024	
MONDAY START DATE				MONDAY END DATE			

PLEASE READ & INITIAL THE FOLLOWING:		INITIALS
1.	I agree to abide by the Banner Policies & Procedures.	Do
2.	My insurance company has faxed/emailed proof of insurance to PAFD.	Do In June
3.	If banner does not meet specifications, I am not eligible for a refund.	Do
4.	I have included my payment with application (\$75.00/week).	N/A city is co-host/partner of event

MINIMUM \$400,000 LIABILITY INSURANCE CERTIFICATES

All banner locations require listing the City of Portland (389 Congress Street • Portland, ME • 04101) as additional insured.
Banners at the Congress Street location must also list A&M Partners, Inc. (120 Exchange Street • Portland, ME • 04101) as additional insured.

PLEASE HAVE YOUR INSURANCE COMPANY EMAIL CERTIFICATE OF INSURANCE: rgroh@portlandmaine.gov
DESCRIPTION ON CERTIFICATE MUST INCLUDE BANNER LOCATION & HANGING DATES.

BANNER SPECIFICATIONS

- Banner Must Be Double-Sided (printed on both sides).
- Banner Must Measure 3 Feet in Height x 30 Feet in Length.
- Banner Must Be a Minimum 18 oz. Vinyl.
- Banner Must Have 3/8" Center Hole on Metal Grommets.
- Banner Must Have Metal Grommets Every 2 Feet on Top & Bottom Edges.
- Banner Must Have Metal Grommets at All 4 Corners.
- Banner Must Have Wind Slits.

**BANNERS THAT DO NOT MEET SPECIFICATIONS MAY BE DENIED
AND ARE NOT ELIGIBLE FOR REFUND OF PERMIT FEES.**

CREDIT CARD INFORMATION (VISA or MASTERCARD ONLY)

CARD NUMBER					EXPIRATION DATE		
PLEASE NOTE: A \$3.00 or 2.65% SERVICE FEE (whichever is greater) WILL BE ADDED TO ALL CREDIT CARD TRANSACTIONS. IF PAYING BY CHECK, PLEASE MAKE PAYABLE TO "CITY OF PORTLAND."							

BANNER INSTALLATION CONTRACTOR INFORMATION			PRICE	
			/BANNER	
LUCAS TREE EXPERTS: 636 Riverside Street • Portland, ME • 04103 PHONE: (207) 797-7294 ext. 2101 / EMAIL: abatson@lucastree.com			\$295.00/BANNER	
PLEASE LET US KNOW WHICH CONTRACTOR WILL BE HANGING YOUR BANNER:				
CONTRACTOR		CONTACT NAME		CONTACT #

BANNER APPLICATION POLICIES	
1. Banners are scheduled on a first-come / first-served basis. 2. Permit applications are not accepted without payment in full. 3. A minimum of 60-days' cancellation notice is required for refund. 4. Organization must be non-profit. 5. Banner hang time begins on Monday and ends on Monday (7 days total) and costs \$75.00/week. 6. Maximum hang time for banner is two weeks. 7. Currently, banners are only hung on Congress Street (<i>City Hall</i>) or Baxter Boulevard (<i>Pedro Field/Hannaford's</i>). 8. Organization is responsible for the following: ◆ Storage of banner ◆ Updating information on banner ◆ Ensuring banner is damage free (i.e. all grommets are present, no tears, etc.) ◆ Submitting installation payment directly to contractor ◆ Confirmation of banner dates with Contractor & PAFD ◆ Delivery and pick-up of banner to installation contractor	
Banner requests are NOT confirmed until application, payment & proof of insurance are received. Banner Permit will be issued once all requested information has been received, reviewed and approved.	

FOR OFFICE USE ONLY			
DATE APPLICATION RECEIVED			
DATE INSURANCE RECEIVED			
DATE PAYMENT RECEIVED			
PAYMENT AMOUNT			
CASH	VISA	MC	CHECK #:



TIER II
PUBLIC PARK AND SPACE
City of Portland, Public Assembly Facilities Division
221 Canco Road Suite A
Portland, Maine 04103
207-808-5434
Rusty Groh - rgroh@portlandmaine.gov



TIER II APPLICATION FEE \$25.00

EXPECTED ATTENDANCE 301-2000

PAYMENT MUST BE MADE WHEN SUBMITTING COMPLETED APPLICATION

(This is a transferable/non-refundable fee. If your event is permitted, the \$25.00 will be credited toward your permit fee.)

For uses of city property, there are typically: 1) fees charged for use of the area, 2) a security deposit required, 3) insurance required and 4) May Require an Area Impact Study. There may be fees due and applications required from other City Departments.

TODAY'S DATE		Feb. 27, 2024		ORGANIZATION NAME		Women In Need, ESM Global Productions, LLC, Mugadi Foundation	
ADDRESS (Street/City/State/Zip)		10 A Gleckler Rd., Portland ME 04103					
CONTACT NAME(S)		Shalom Odokara		TITLE(S)		Coordinator	
PHONE	(207) 420-1277		PHONE	207-712-7712		PHONE	
EMAIL	womini@aol.com		EMAIL	wards18b@gmail.com		EMAIL	

PARK AREA / PUBLIC SPACE REQUESTED		Deering Oaks Park		
EVENT DAY(S) & DATE(S)		July 27, 2024	RAIN DAY(S) & DATE(S) (50% added fee)	None
OVERALL EVENT START & END TIME (When setup will begin until cleanup is expected to be complete.)		July 27, 2024	EVENT START & END TIME	8 am to 8pm

EVENT NAME		EVENT CLASSIFICATION Road Race, Parade, Public Assembly, Music Festival, Block Party		EXPECTED ATTENDANCE
22nd Annual Greater Portland Festival of Nations				Approx. 1,500
IS THERE A REGISTRATION FEE/PLEDGES COLLECTED FOR THIS EVENT?	Please check: _____ FEE _____ PLEDGES			
IF YES FOR FEES, HOW MUCH?	FEE	\$		
	STUDENT FEE	\$		

DESCRIPTION OF EVENT: Please be specific regarding the area of public space/park requested and describe EVENT in detail. Please include a detailed map of the proposed event area, proposed route &/or proposed street closures when applicable.

Women In Need Industries, in collaboration with the City of Portland, Mugadi Foundation, and ESM Global Productions, is proud to present the 22nd Annual Greater Portland Festival of Nations. Event will be held on Saturday, July 27, 2024. The Festival is a day of music, dance and other performing arts, representing cultural traditions from across America and the world. This event will showcase Maine's ethnic diversity, perpetuate traditions, encourage ethnic understanding, and promote unity. The Festival engenders community cohesion from its volunteers and by attracting thousands of festival-goers each year. We are proud to ally the Festival's philosophy with the City of Portland's mission, vision and objectives.

The event will go before City Council - to be declared a festival.

Music and dance at the stage/gandstand area. Festival booths and canopies positioned on the tarred areas. Booths with food/refreshments available for sale. Clothing, arts & crafts, etc available for sale. PA system setup on stage. Electricity is needed/lights to bandstand stage turned on. Water spigot needs to be turned on.

PLEASE CHECK OFF AND ANSWER:

Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments & should be paid to them directly.				
		X-YES	X-NO	IF YES ADD TO AREA IMPACT STUDY
*	Are you setting up a canopy(s) ? (10'x10' size or smaller) How many? approx 15	X		
*	Do you wish to set up a tent(s) and/or stage(s) ? A canopy/tent or stage larger than 10'x10' needs a Temporary Tent or Stage Permit issued by Building Inspections. For permit application, please go to: https://content.civicplus.com/api/assets/376697a8-b6ac-4a4c-babc-9dbcf1e61eb8 or contact the Permitting and Inspections Department at buildinginspections@portlandmaine.gov or 207-874-8703 for more information. PLEASE apply at least 30 days before your event. Tent/Stage Size(s): Exact Location(s) of Tent/Stage Placement Requested: *** In order to drive tent stakes into the ground, DIG SAFE must be contacted: 888-344-7233. ***		X	Permit Required Include on Site Plan
*	Will you be setting up tables and/or chairs ? How many tables: 15 chairs: 30	X		Include on Site Plan
*	Are other items or equipment being placed on City property? (i.e. Moon Bounce, Dunk Tank, Radio Station Van, Helium Tank, etc.) Please List:		X	Include on Site Plan
*	Will there be refreshments at the event? Do you wish to sell food ? If so, you will need approval from the Parks, Recreation and Facilities Department and possibly a Temporary Food Service License from the Business Licensing Office. PLEASE provide them at least 30 days advance notice (207-874-8557). List food and drink / Food Trucks, etc.: PLEASE NOTE: A Temporary Food Service License is NOT needed when: 1. Food Vendors have a current City of Portland Food License 2. Just pre-packaged refreshments, or food & drink items are purchased or donated from a licensed establishment 3. Bottled water / water is served A TFSL is needed when food vendors are not licensed or when food is being prepared and cooked at the event.	X		License Required Include on Site Plan
	Do you wish to sell or provide Alcohol ? If yes, you must complete the application for a Liquor License specific to your event through the State of Maine and submit the application to the City of Portland Business office first. Application will need City of Portland's approval prior to going to the State. Questions? please contact the Division of Liquor Licensing and Enforcement at (207) 624-7220/email- MaineLiquor@maine.gov .		X	License Required
*	Do you wish to sell non-food items (like T-shirts, crafts, cd's, etc.)? If so, please apply for a Street Goods Vendor License(s) at the Business Licensing Office (207-874-8557) –30 Day notice. List items you wish to sell:	X		License Required Include on Site Plan
*	Are you setting up a PA (sound) system ? Are you planning on having Amplified Music ? Band? DJ? Boom Box? If so, your event may require a Entertainment License . PAFD will advise upon review of your application. Amplified speech (i.e. Press Conference) does not require the license, however, a Sound Security Deposit may be required. There are time restrictions for amplified music/speech in Downtown Parks & Squares: limited to 11:45am – 1:15pm and 1 hour between 5pm - 8pm.	X		License Required Include on Site Plan & Event Components
*	Will your event require electricity ? Electricity is available at Deering Oaks Park, Monument Square, Congress Square, Tommy's Park, Post Office Park, Payson Park, Preble Street Grass Area, Eastern Prom, Fort Allen Park, and Lincoln Park. A \$40 activation fee is required.	X		
*	Are you planning on bringing a Grill for a Barbecue ? Grilling is subject to weather conditions and possibly Fire Dept. review.	X		
*	Will the event require reserved parking spaces / parking meters ? How many? "No Parking" signs may be purchased at the PAFD Office, 212 Canco Rd.	X		
*	Will your event need safety vests, signs, barricades and/or cones ? Please list what you would like to borrow/rent: Limited safety vests, cones & barricades may be borrowed/rented from PAFD Office. Traffic signs may be borrowed/rented from Public Works if needed (207-874-8493).	X		
*	Will your event require street closures ? Will your event affect METRO BUS ROUTES ? (Please be specific under "Description of Event")		X	Include on Event Components
*	Will your event require Police assistance? An event such as a road race, march or parade in the street, would typically require police assistance. To reserve & hire an Officer(s) to be on site at your event, please visit: https://portlandmaine-portal.app.transform.civicplus.com/forms/26740		X	Required
*	Will your event require Fire/EMS assistance? (For a large walk/race, it may be required.)		X	Required

	To hire or inquire about hiring city Fire/EMS staff to be on site, please email fireprevention@portlandmaine.gov well in advance of the event. For general questions, you may also call 207-874-8400.			
*	Will your event require Parking Control assistance? To hire a Parking Control Officer(s) to be on site at your event, please call 207-874-8910 well in advance to arrange City Parks&Rec.		X	
	Fees for Police, Fire/EMS or Parking Control Staff will be invoiced by those individual departments & should be paid to them directly.			
*	Will your event require portable-restroom rental(s) or need existing porta-restrooms cleaned? (Some of the parks already have porta-restrooms. Event participants may use these, but a \$25 fee is assessed for events where attendance is 150 or more.) Porta-restrooms may be rented from any of the local companies. City will provide 1 unit/50 people when serving alcohol 1 unit/75 people with no alcohol	X		Include on Site Plan
*	Will your event require waste management and recycling? What is the waste management plan? City has agreed to provide this service.	X		Include on Site Plan & Event Components

INSURANCE CERTIFICATE INFORMATION

*	Will your event require liability Insurance? (Commercial liability insurance is required for a walkathon, race, festival, press conference, concert, etc. Product liability insurance is also required if the event has been approved for serving food.)	X		Required
♦ If you answered YES, you shall procure and maintain occurrence-based Commercial General Liability and Product Liability Insurance, when required, in an amount not less than Four Hundred Thousand Dollars (\$400,000.00) per occurrence for bodily injury, death and property damage. You shall name the City of Portland as an additional insured or shall obtain a general liability extension endorsement, for coverage only in those areas where government immunity has been expressly waived by 14 M.R.S. A. § 8104-A, as limited by § 8104-B, and § 8111. The terms of this permit and the insurance coverage shall not be deemed a waiver of any defenses, immunities or limitations of liability or damages available to the CITY under the Maine Tort Claims Act, other Maine statutory law, judicial precedent, common law, or any other defenses, immunities or limitations of liability available to the City. You shall also be responsible for any and all deductibles and/or self-insured retentions. ♦ Both the Certificate of Insurance and Additional Insured Endorsement shall be sent to rgroh@portlandmaine.gov and must state that the policy is endorsed to name the City of Portland as an additional insured pursuant to the date of the event (and rain date).				

PUBLIC ASSEMBLY FACILITIES DIVISION POLICIES

EVENT REVIEW

The PAFD Office holds a monthly meeting where proposed events are discussed and reviewed by City Departments. For some events, organizers will be asked to present before the committee. Some potential factors may necessitate your event receiving City Council approval.

ELECTRICITY

All cords in the public way must be covered by rugs, mats or orange cones to avoid public hazard. If weather is inclement (drizzle, rain, snow, etc.) we require that you **not use** electricity, unless all connections and equipment are covered and protected from the elements. If a generator is used, please take all necessary measures to ensure safe operation. Bring a fire extinguisher, set generator up away from activities (and combustibles), store fuel source away from the generator and keep children away from the generator.

BARBECUES - GAS GRILLS ONLY

Only GAS GRILLS are allowed in parks/public spaces – i.e. No Charcoal Grills or open burning. Barbecuing must first be approved by PAFD Office and is subject to weather conditions, and possible further review by the Fire Dept. Grills must be set up away from children's activities. You are required to have a fire extinguisher within the grilling area.

PORTA-RESTROOMS / BATHROOM FACILITIES

Porta-Restrooms are required for large events and events where refreshments are being served. Some of Portland's parks already have portable restrooms on site (*Preble Street Grass Area at the Preble Street Parking Lot – across from Hannaford's, *Entrance to Dyer's Flat – beside Payson Park, *Deering Oaks Park – Playground + Ravine, *East End Beach - Winter & Early Spring: Just EEB.) If over 150 people are expected to attend the event, a \$25 user fee is required (paid to PAFD). If extra units are rented by the organizer, then no additional user fee is assessed. Porta-restrooms are cleaned M, W, & F. If you would like to guarantee that they are cleaned just prior to your event, then you need to call a [portable-restroom company](#)

TRASH

All groups must abide by our Carry In/ Carry Out Policy. Please bring extra trash bags and/or trash receptacles and remove all trash. Do not use existing trash barrels or the metal liners inside. You will need to haul all of your trash out of the park/public space or forfeit the security deposit(s). Please recycle whenever possible, (please do not use Styrofoam - it is NOT recyclable). The area will be checked following your event; if the park is clean and conditions for use adhered to, your security deposit will be returned to you. Thank you in advance!

MARKING OF GROUNDS

Please DO NOT mark city property in any permanent way.
DO NOT use SPRAY PAINT or SPRAY CHALK. DO NOT STAPLE or NAIL anything to trees.
Children's Art Chalk can be used on hardscape areas with permission from PAFD Office. Tape may also be used.
If markings remain for more than a few rain storms, event organizers are responsible for removing them.
If city staff or contractors need to remove the markings, event organizers are responsible for the cost of staff time and materials.
You may also place signs on stakes in the grass areas bordering trails/race routes (when applicable).
Please remove all signage immediately following the event.

USE OF CANDLES

It is preferred that LED lighted candles or glow sticks are used. If flammable candles are used this may need to be approved by the Portland Fire Department, please make sure all candles have drip protectors to prevent wax from dripping on hardscape surfaces, which may cause permanent stains/damage. Please make sure all candles are extinguished before being thrown away. Please collect all spent candles so there is no trash left behind. Please take safety precautions: bring a fire extinguisher, gallon of water, etc. in case of fire. **Any damage** (dripped wax absorbed into hardscape causing stains, etc.) **will result in a forfeiture of your security deposit.**

ADA COMPLIANCE

Event organizers must comply with the Americans with Disabilities Act (ADA) and the Maine Human Rights Act (MHRA), including maintaining the permitted use area and all public rights-of-way accessible during the entirety of the permitted event. In the event the permitted area is rendered inaccessible to disabled persons, and/or by request of PAFD staff, the organizer shall act immediately to provide accessibility. All requests to provide interpretive services shall be the responsibility of the organizer to provide and pay for such services. The organizer shall defend, indemnify, and hold the City harmless from any and all liability and damages resulting from alleged violations of the ADA and/or MHRA.

PARKING ON GRASS AREAS / SIDEWALKS / ILLEGALLY PARKED VEHICLES

Vehicles are prohibited from parking on grass areas/sidewalks/park streets (unless specifically approved by city staff). \$20 will be deducted from your security deposit for each vehicle parked on grass/sidewalk areas or vehicles parked illegally. **Any tire ruts/damage to the grass areas will result in a forfeiture of your security deposit.**

RESERVED PARKING

To reserve parking for your event, please contact the Parks, Recreation and Facilities Office (207-808-5400 x0). Staff will review your request and can issue you "No Parking" signs (\$25 each*). You will need to label signs and tape them to meters or signposts AT LEAST 24 HOURS PRIOR TO YOUR EVENT. (NOTE: If the event is on a Sunday or Monday, NP Signs may need to be posted on the preceding Friday by Noon.) Please do not cover up coin slots on meters. If the reserved parking area has no actual parking meters, you may need to tape signs to sign posts, utility poles, trees, or orange cones (placed on the sidewalk beside the street). Please make sure signs are removed once the event is complete.

ALCOHOL / SMOKE-FREE ZONES

By city ordinance, smoking a cigar, cigarette, marijuana, pipe, electronic cigarette, electronic cigar, electronic pipe, or other similar product that relies on vaporization or aerosolization, is prohibited at and within 20 feet of the following outdoor recreation and event areas: downtown squares and plazas, trails, parks, playgrounds, beaches, and athletic facilities. Consumption of alcohol is prohibited in public spaces unless specifically approved by City Council. Please inform all participants / attendees..

AMPLIFIED SOUND POLICY

Outdoor events with amplified sound may require an Entertainment License from the PAFD Office.
If the Police Dept./City Staff receive noise complaints, they will respond accordingly.
Please set the PA System up with speakers facing away from businesses/residences to lessen impact.
Please keep volume levels low out of consideration for nearby residents and businesses.
The Permittee (organizer) shall not allow the sound emanating from the event to exceed an A-weighted 85 decibels / C-weighted 95 decibels. One verbal warning shall be issued if the sound has been found to have exceeded those limits. The warning may be given to the sound board operator or the organizer/organizer's designee. If the decibel limit is found to have been exceeded a second time during the same event, the entertainment license (or permission to use a bullhorn/PA system) shall be immediately suspended, the PA system / amplification / bullhorn turned off, and the sound security deposit forfeited.

FIREWORKS

Organizers wishing to have fireworks as part of their event must contact the Portland Fire Department directly. Permits will need to be obtained through the Portland Fire Department, the State of Maine and possibly through the US Coast Guard.

CANCELATION POLICY

Events must be canceled with PAFD prior to the event date in order to be eligible for a refund.
If canceled within 2 weeks of the scheduled event date, a \$75 cancellation fee may be charged.

NOTIFICATION
Please keep a copy of your event permit on site at all times. City staff may require proof of permit. If there are members of the public in the reserved space upon arrival, please present the permit as proof of reservation & approved usage. If you need assistance, please contact the Police Department at (207) 874-8574.. You may put up temporary A-frame signs to alert the public to your event or place signage on orange cones, etc. Signs are to be up DAY OF EVENT ONLY. Please remove all signage immediately following the event. Please call Portland Police Dept. (207-874-8574) on the day of your event to remind them it is taking place. Please notify any nearby neighborhoods, businesses, including restaurants that may have tables out for dining, to alert them to your event.

STREET CLOSURE NOTIFICATION
Should an event involve a Street Closure, lasting longer than an hour, PAFD Office requires organizers to give advanced notification to area businesses, residents and bus companies (in the form of a "Street Closure Sign Off Sheet"). If an event impacts METRO Buses, the organizer (in advance) must discuss detour plans with METRO.

REVOCABLE PERMIT
◆ The City reserves the unconditional right to control or cancel events to protect and/or prohibit damage to public property. ◆ The City reserves the unconditional right to revoke or revise an issued permit. ◆ Police or City Staff on site may use their discretion to revise conditions of use.

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE POLICIES	TYPE INITIALS	SO	DATE	2/27/2024
---	----------------------	-----------	-------------	------------------

ASSUMPTION OF RISK & LIABILITY					
Users of the area agree to accept the grounds in an "as is" condition and shall be responsible for all risk and liability in using the park/public space area for the said event. By returning this form (should permission be granted to use city property), the above parties agree to indemnify, defend, and hold harmless the City of Portland, its employees and agents, from and against all claims arising out of activities during said event.					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 45%; padding: 5px;">I have read the Assumption of Risk & Liability Agreement</td> <td style="width: 15%; padding: 5px;">TYPE INITIALS</td> <td style="width: 10%; padding: 5px; background-color: yellow; text-align: center;">SO</td> <td style="width: 10%; padding: 5px;">DATE</td> <td style="width: 20%; padding: 5px; background-color: yellow; text-align: center;">2/27/2024</td> </tr> </table>	I have read the Assumption of Risk & Liability Agreement	TYPE INITIALS	SO	DATE	2/27/2024
I have read the Assumption of Risk & Liability Agreement	TYPE INITIALS	SO	DATE	2/27/2024	

PLEASE INITIAL & DATE HIGH-LIGHTED YELLOW BOXES ABOVE.

PLEASE RETURN FORM AT LEAST 60 DAYS IN ADVANCE TO:
◆ Public Assembly Facilities Div. ~ 212 Canco Rd. ~ Portland ~ ME ~ 04103 EMAIL PREFERRED: rgroh@portlandmaine.gov

FEE SCHEDULE – UPDATED JULY 1, 2019	
Fees are tiered and assigned based on the level of demand placed on City resources and impact on City infrastructure.	
Simple Event (no registration fee): \$75/hour Event with registration or pledges & attendance 25 - 300: \$125/hr Event with registration or pledges & attendance 301+: \$225/hr Film/Photo Shoot: \$150/day Public Space/Park Security Deposit: \$100 - \$1000 Sound Security Deposit: \$100 - \$1,000 Impact/Street Closure Fee (variable based on impact): \$100-\$500 Staff Fee (on site event support): \$37/hour Administrative Fee (event coordination support): \$40/hour or more Reserved Parking: \$25 each space Cancellation Fee: \$75	Electricity (activation/deactivation) Fee: \$40/flat Porta Restroom User Fee (if attendance is 150+): \$25 Entertainment License: \$50 Barricades: \$5/ea. Rental Fee + \$25/ea. Security Deposit Bike Racks: \$10/ea. Rental Fee + \$25/ea. Security Deposit Flashing Lights: \$10/ea. Rental Fee + \$40/ea. Security Deposit Cones: \$2/ea. Rental Fee + \$15/ea. Security Deposit Safety Vests: \$15/ea. Security Deposit Keys: \$50/ea. Security Deposit Equipment Delivery Fee: \$100 or more Fortification Fee: TBD

TOTAL AMOUNT(S) DUE TO PUBLIC ASSEMBLY FACILITIES DIVISION (Please make all security deposit checks out separately)			
Permit Fee for use of area:	\$	Entertainment License Fee:	\$
Number of Hours of Use: Approx.		Equipment Rental Fee:	\$
Staff Fee (on site event support):	\$	Public Space / Park / Sound Security Deposit:	\$
Admin. Fee (event coordination support):	\$	Borrowed / Rented Equipment Deposit:	\$
Electricity Fee (activation/deactivation):	\$	Additional Fees:	\$
Impact/Street Closure Fee (variable based on impact):	\$	(Porta-Restroom User Fee, "No Parking" Signs, etc.)	

CITY OF PORTLAND ACCEPTS CASH, CHECK, MONEY ORDER AND CREDIT / DEBIT CARDS FOR PAYMENT
Checks should be made payable to City of Portland There will be a 2.65% processing fee added to all Debit / Credit Card transactions.

FOR OFFICE USE ONLY							
APPLICATION FEE:	\$ 25.00	PERMIT FEE:	\$	SECURITY DEPOSIT:	\$	INSURANCE NEEDED?	Y / N
DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:		DATE RECEIVED:	

AREA IMPACT STUDY: Please be as specific as possible regarding the area of public space/park that you would like to permit and please describe the event in detail using the **AREA IMPACT STUDY(AIS) CHECKLIST**.

AIS CHECKLIST

COMPLETED

1. Description of event. Brief description of event and event history so that all departments may better understand your event request. (Downloadable format)	
2. Permits. Include all applicable permits from all pertinent city departments.(Fire,Police,City clerk...)	
3. Detailed site plans. Include maps of venue, parade and course routes, parking/shuttle plans, evacuation plans... (Downloadable format)	
4. Event components. Event time frame, sound levels, neighborhood impacts, road closures, security/police, EMS services. (Downloadable format)	

Merchandise -Do you wish to sell **non-food items** (like T-shirts, crafts, cd's, etc.)? If so, please apply for a **Street Goods Vendor License(s)** at the Business Licensing Office (207-874-8557)
<https://content.civicplus.com/api/assets/9ef5d795-ac26-4794-9e38-c2f0bb9c9f04?cache=1800>

Tents/Stages -Do you wish to set up a **tent(s)** and/or **stage(s)**? A canopy/tent or stage larger than 10'x10' needs a **Temporary Tent or Stage Permit** issued by Building Inspections
<https://content.civicplus.com/api/assets/376697a8-b6ac-4a4c-babc-9dbcf1e61eb8>

Alcohol sales -Do you wish to sell **alcohol**? You must complete the application for a **Liquor License** specific to your event through the State of Maine and submit application to the City of Portland Business Licensing office first. Application will need City of Portland's approval prior to going to the State. Questions?please contact the Division of Liquor Licensing and Enforcement at (207) 624-7220/email- MaineLiquor@maine.gov.
<https://www.maine.gov/dafs/bablo/liquor-licensing/license-and-permit-applications>

Food Sales - Will there be food vendors? If so, you must apply for a **Temporary Food Service License** from the Business Licensing Office. <https://content.civicplus.com/api/assets/12f35a2a-e2a4-4d87-bf05-9ec89545e996?cache=1800>

Police - Will your event require **Police** assistance? <https://portlandmaine-portal.app.transform.civicplus.com/forms/26740>

Fire/EMS - Will your event require **Fire/EMS** assistance? Email Fire Department - fireprevention@portlandmaine.gov

Parks, Recreation and Facilities Management

Ethan Hipple

Director

Andy Downs

Public Assembly Facilities Director

March 28, 2024



TO: Danielle West, City Manager
FROM: Andrew J. Downs, Director of Public Assembly Facilities Division
DATE: March 28, 2024
RE: **Council Agenda Item – Festival Of Nations (FON)**

I am requesting that the following order be placed on
the next City Council agenda:

**Order declaring the Festival of Nations
Saturday, July 27, 2024 as a festival.**

The festival, organized by Women In Need Industries and Mugadi Foundation & co-sponsored by the City of Portland, showcases Maine's ethnic diversity. The festival features music, food, cultural exhibits, children's activities, and folk art from many nations around the world. Admission is FREE. Refreshments, crafts, artwork, and other items will be for sale. The Festival is held rain or shine.

EVENT DESCRIPTION: The Festival is a day of music, dance and other performing arts, representing cultural traditions from across America and the world. This event will showcase Maine's ethnic diversity, perpetuate traditions, encourage ethnic understanding, and promote unity. The Festival engenders community cohesion from its volunteers and by attracting thousands of festival-goers each year. We are proud to ally the Festival's philosophy with the City of Portland's mission, vision and objectives.

Festival booths and canopies will be positioned on the grass areas and tarred areas along Farmers Market Rd. Food, refreshments & crafts will be available for sale. Organizers have permission to have amplified music from 9am-6pm, pending sound level compliance. A PA system will be set up on stage. Electricity is needed at the bandstand. Organizer has been provided a key to access breakers backstage. Breakers 1-5 should be sufficient for electrical needs as lighting is not necessary. Electricity may be needed at the green box across from the bandstand as well, and the water spigot will be turned on.

PAFD staff will manage traffic flow of Tennis Court Rd. Aside from temporary closures to accommodate vendor parking, Tennis Court Rd. should be left open to vehicular traffic, allowing access to Castle, playgrounds, ballfields & State St.

Festival volunteers will staff the barricades leading to Farmers Market Rd., allowing access to vendors only.

(continued)

212 Canco Road Suite A, Portland, Maine 04103 | c: 207.808-5400 | recreation@portlandmaine.gov

The Order should include the following items:

For the festival held on Saturday, the Farmers Market in Deering Oaks Park will move their setup to Bowling Green Lane (festival day only), so that setup for the Festival of Nations can take place at the Bandstand and along Farmers Market Rd.

In order to safely hold the festival and to assist in setup, the main roadway into Deering Oaks Park needs to be managed by PAF staff.

The Festival Zone for this event includes: Deering Oaks Park - to include the Bandstand and grass areas surrounding the bandstand, the Ravine Water Play area, the Bowling Green grass area, and park roadways: Tennis Court Rd., Jenny Lane, and Farmers Market Rd.

The Festival area (north side of the pond) will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of the organizer and Mugadi Foundation for the purpose of conducting the Festival, subject to the direction and control of the City Manager.

FON shall indemnify the City and hold it harmless from and against all claims arising out of activities during said Festival, and shall take out and maintain public liability insurance coverage in the amount of at least **\$400,000** per occurrence for personal or bodily injury, death or property damage for said purpose. This insurance certificate will also list the City of Portland as an additional insured in regards to the “In the Festival”, and the City be endorsed on the policy;

FON shall have sole authority over participating vendors at the events and may charge a fee to vendors for the opportunity to vend at the “In the Festival;”

Conditions for use of grounds, specified in a permit issued from Public Assembly Facilities Division, shall be adhered to;

Under no circumstances may alcoholic beverages be consumed or sold on the streets or park areas of said area during said festival;
Any and all amplified music/public announcements shall be maintained at a reasonable level (less than an A-weighted 85 decibels / C-weighted 95 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring businesses, limiting any sound impacts in the area; and
Public Assembly Facility Division permit fees for use of the area are waived; other fees to city departments may be due (as specified in the Memorandum of Understanding between City of Portland and FON).

The City Manager is also authorized to issue such other temporary licenses, including licenses for food service establishments, as may be required by the Portland City Code, provided that all other applicable requirements of said Code have been met regarding the operation of said Festival/Event.

Document prepared by Andrew Ransom-Keyek, Event Manager
Public Assembly Facilities Division

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 9, 2024

SUBJECT: Order 173-23/24 Granting Municipal Officers' Approval of Oscar Pizza LLC, dba Otto. Application for Indoor Entertainment at 225 Congress Street - Sponsored by Danielle P. West, City Manager

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

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

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

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 4/1/24. Existing establishment adding Indoor Entertainment. New City application.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

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

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2024.04.22_Otto_Council Order
2. 2024.04.22_Otto_Council Packet

Prepared by:

Date: 04/09/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA Y. BULLETT (4)
KATHRYN SYKES (5)

ORDER

GRANTING MUNICIPAL OFFICERS’

APPROVAL OF:

Oscar Pizza LLC, dba Otto. Application for Indoor Entertainment at 225 Congress Street



Otto Portland, LLC
576 Congress Street
Portland, ME 04101

To City Council and Mayor of Portland,

We, Otto, intend to have entertainment at our location at 225 Congress St. During the day we will provide stereo background music. In the evening and nighttime hours, we will occasionally have performers providing background music at a low volume so that customers can have a conversation while eating. We will not have full bands or DJs.

Thank you,

Michael Keon
Otto Portland, LLC | Manager



CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☒ Indoor Entertainment \$500.00		☐ Outdoor Entertainment \$700.00		☐ Combined Entertainment \$800.00	
☐ Sound Mitigation Fee \$150.00					
Business Information					
Establishment Name (d/b/a):			Phone:	358-7870	
Location Address:			Zip: 04101		
Owner Name:			Phone:		
Owner Email:			mike@ottopotland.com		
Contact Person responsible for Entertainment:			Phone:	834-6652	
Contact Person Email:			erics@ottopotland.com		
Manager of Establishment:			Phone:	807-5377	
Manager Email:			GraceO@ottopotland.com		

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:

Stereo Forbackground music . Stage NW corner .
Pizza full serve restaurant

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

Signature [Signature] Title Owner Date 4/1/24

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557
bl@portlandmaine.gov • www.portlandmaine.gov

OTTO Pizza 225 Congress St. Sound Mitigation Plan

Prepared By Neil Griggs

Audio Engineer-Headlight A.V.

ngriggs@headlightav.com (207)838-6818

Methods used to minimize impact on surrounding uses.

This OTTO location is an older brick building with gaps between the buildings around it. Above is a business that is open 9-5. They will be doing their entertainment after normal business hours at OTTO, so shouldn't bother anyone upstairs. Businesses on either side are bars.

Speaker location and direction/sound system details and controls.

There is a stereo in place for regular background music during the day. Any PA will be brought in by performers on a case-by-case basis. Performers will be low key background music for people to still be able to have a conversation and eat.

Stage and site layout and direction.

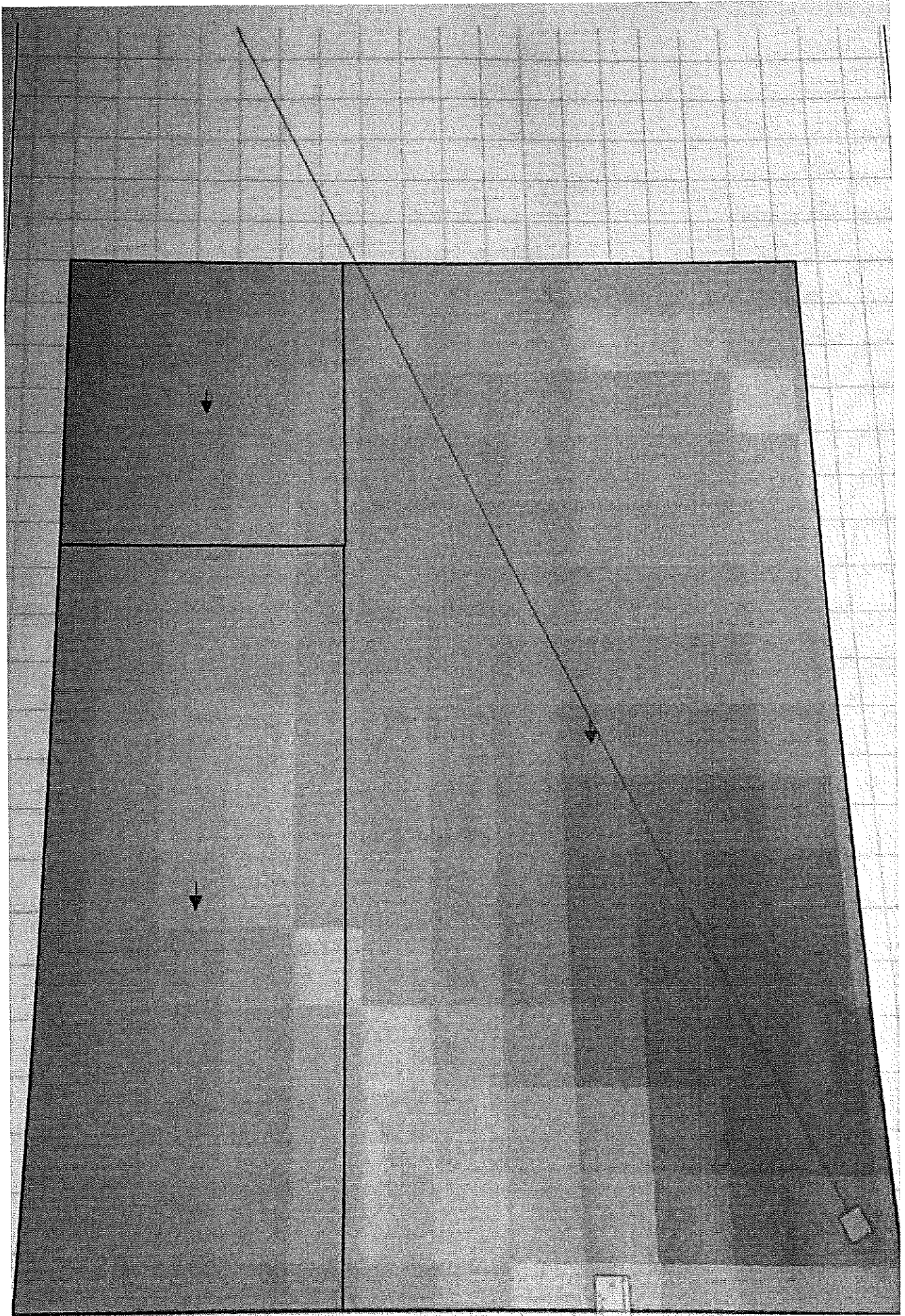
Performers will be in the northwest corner of the dining and bar area facing the door on the southeast corner. There is a takeout counter and kitchen separated by partial walls on the north side.

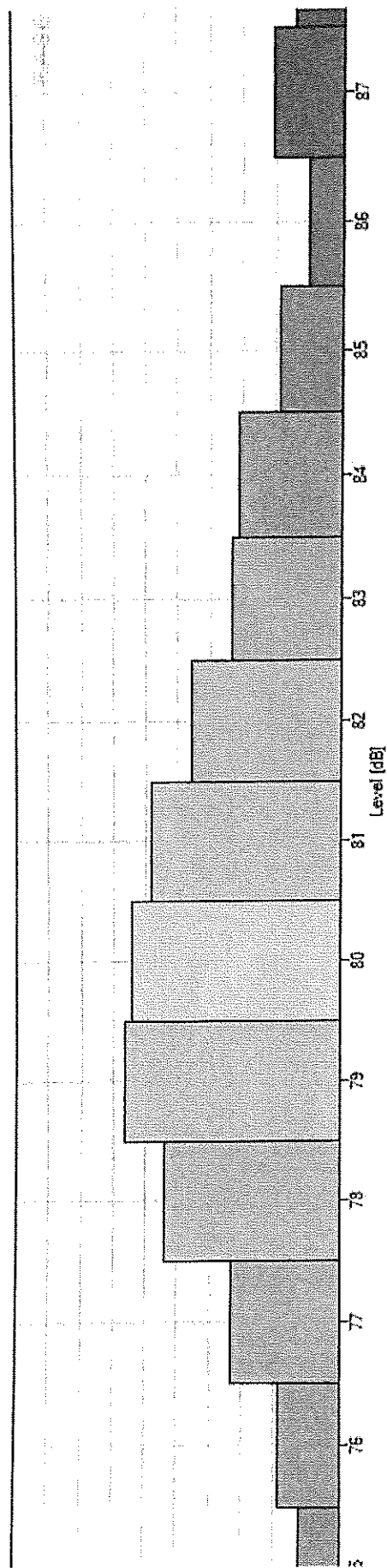
Noise cancelling or mitigation measures proposed.

None. It's a solid old building and they're not having full bands or DJ's playing where any noise is going to spill over to other uses in the area.

Anticipated sound readings.

With the house sound system reading 80 db inside I could not measure any sound over the traffic noise on the sidewalk out front.





CITY OF BIRMINGHAM

1000 OCT - 6 - 1964

APPROXIMATELY 1000
OCT - 6 - 1964
APPROXIMATELY 1000
OCT - 6 - 1964
APPROXIMATELY 1000
OCT - 6 - 1964

music/sound

Restroom

Restroom

Restroom

Restroom

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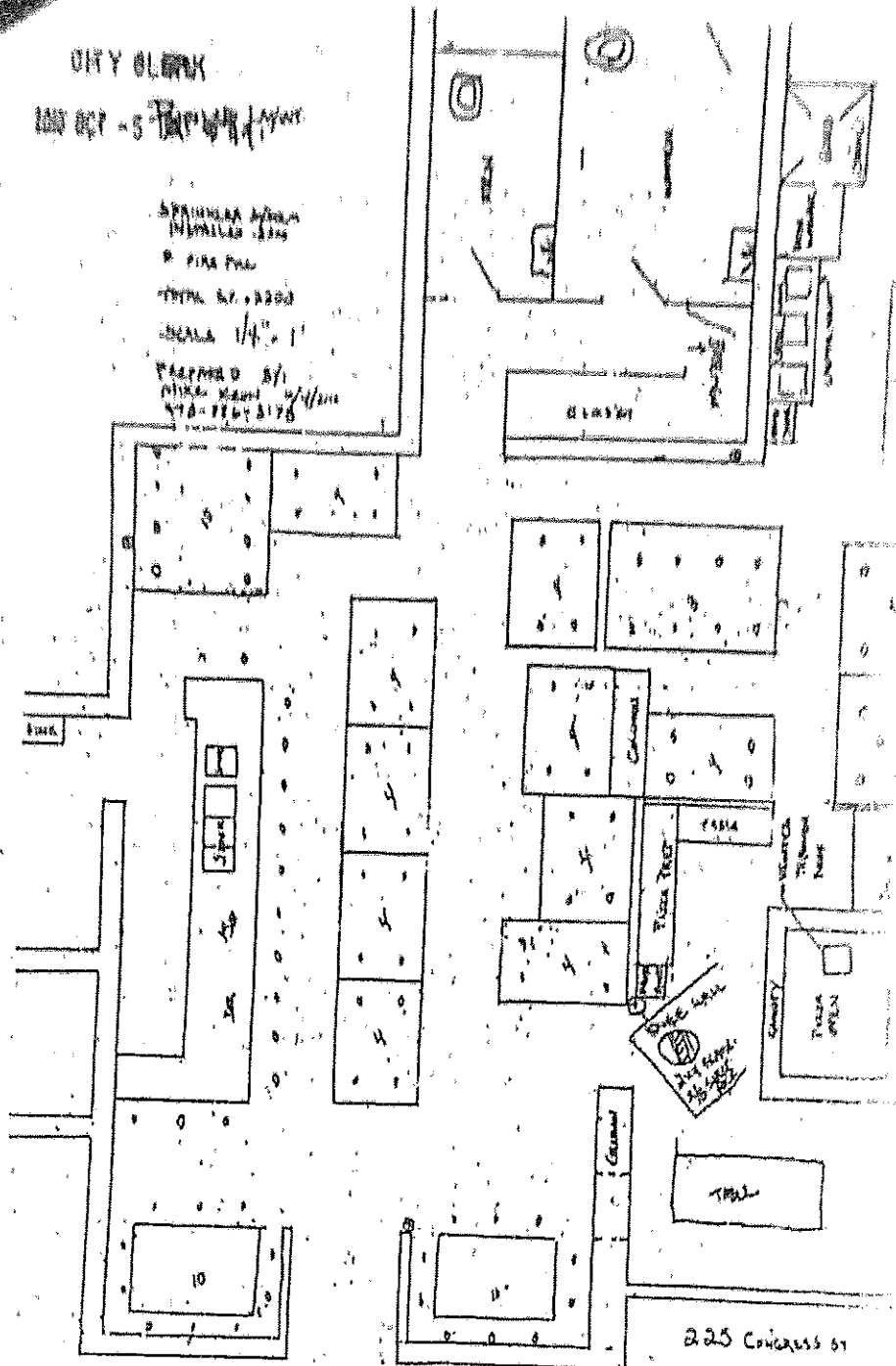
Restroom

Restroom

Restroom

SECRET

SPRINGFIELD ARIZONA
MAY 1968
D. PINE FIVE
TOTAL WT. 1000
WEIGHT 1/4" x 1"
FALCON D. 8/1
MILK NAME 4/4/1968
410-1144-1178





Zachary Lenhart <zlenhart@portlandmaine.gov>

Otto - 225 Congress - Indoor Entertainment

Glen McGary <glenm@portlandmaine.gov>

Tue, Apr 9, 2024 at 3:31 PM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

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

PD approves with the restriction on DJs and full live bands as. Goes in the last letter.

Lieutenant Glen McGary
Portland Police Department
109 Middle Street
Portland, Maine 04101
Office (207) 756-8294
Fax (207) 874-8580

[Quoted text hidden]



Zachary Lenhart <zlenhart@portlandmaine.gov>

Otto - 225 Congress - Indoor Entertainment

Zoning <zoning@portlandmaine.gov>

Thu, Apr 11, 2024 at 2:24 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>

Hello,

This property, CBL 013 G010001, is in the IS-FBC zone. The legal use is restaurant. Restaurant is a permitted use in the IS-FBC zone.

Zoning approves.

Thank you,
Will

[Quoted text hidden]

Sound Mitigation Review

Business Otto

Applicant Michael Keon

Approved

DIRECT ALL INQUIRIES TO:

Kevin Schneck

(207) 756-8433

kschneck@portlandmaine.gov

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on April 22, 2024 at 5:00 P.M., in City Council Chambers, 389 Congress St. for Oscar Pizza LLC, dba Otto. Application for Indoor Entertainment at 225 Congress Street - Sponsored by Danielle P. West, City Manager

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



April 17, 2024

Oscar Pizza LLC
576 Congress Street
Portland, Maine 04101

Re: Oscar Pizza LLC, dba Otto. Application for Indoor Entertainment at 225 Congress Street

Dear Oscar Pizza LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday April 22, 2024 at 5:00 p.m., for the review of application for Indoor Entertainment at 225 Congress Street. The meeting will take place in person at Portland City Hall, in City Council Chambers on the 2nd Floor of 389 Congress Street.

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

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

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 9, 2024

SUBJECT: Order 174-23/24 Granting Municipal Officers' Approval of Pizza Pie On The Fly LLC, dba Noble. Application for Class I FSE with Outdoor Dining on Private Property at 476 Stevens Avenue - Sponsored by Danielle P. West, City Manager

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

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

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

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 4/1/24. Location was previously Elsmere BBQ and Wood Grill. New City and State applications.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

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

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2024.04.22_Noble_Council Order
2. 2024.04.22_Noble_Council Packet

Prepared by:

Date: 04/09/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA Y. BULLETT (4)
KATHRYN SYKES (5)

ORDER

GRANTING MUNICIPAL OFFICERS’

APPROVAL OF:

**Pizza Pie On The Fly LLC, dba Noble. Application for Class I FSE with Outdoor Dining on
Private Property at 476 Stevens Avenue**

**Pizza Pie On The Fly LLC
PO Box 11227
Portland, Maine 04104**

27 March 2024

Mark Dion, Mayor of Portland
Members of the City Council
389 Congress Street
Portland, Maine 04101

Dear Mr. Dion and Members of the City Council:

This Letter of Intent (LOI) is to outline the relocation and expansion of an existing restaurant in Portland, Maine.

Entity	Pizza Pie On The Fly, LLC dba Noble
Location	476 Stevens Avenue, Portland, Maine
Intention	To relocate the existing Noble restaurant, an eighteen (18) seat restaurant, from 1706 Forest Avenue, Portland, to 476 Stevens Avenue, Portland, and expand to an eighty (80) seat restaurant, featuring barbecue and pizza menus, along with outdoor dining. Bar Service would also be available.

Noble has a current liquor license, License Number 6497. Since Noble is relocating to the 476 Stevens Avenue location, it is applying for a new liquor license for that location.

Thank you for your consideration.

Sincerely,



Kimberly Labbe Mills
CFO



CITY OF PORTLAND
Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information		
Legal Business Entity Applicant Name (corporation, LLC): Pizza Pie On The Fly, LLC		Business Name (D/B/A): Noble
Individual or Sole Proprietor Applicant Name(s):		Physical Location: 476 Stevens Avenue, Portland, Maine 04103
If applicable, what was formerly at this location:		Business Email Address: Booking@fireandcompany.com
Mailing Address:		Contact Person: Kimberly Labbe Mills
Contact Person Phone:		Contact Person Email: Kimberly@fireandcompany.com
Manager of Establishment: Ryan J. Carey	Date of Birth: 02/14/1984	Manager Phone: 207.299.6995
Owner of Premises (Landlord): 476 Stevens Avenue, LLC		Address of Premises Owner (Landlord): PO Box 11227, Portland, ME 04104

Sole Proprietor/Partnership Information (If Corporation, leave blank)		
Name of Owner(s):	Date of Birth:	Residence Address:
Name of Owner(s):	Date of Birth:	Residence Address:

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)			
Corporate Name: Pizza Pie On The Fly, LLC		Corporate Mailing Address: PO Box 11227, Portland, ME 04104	
Contact Person: Kimberly Labbe Mills		Contact Phone: 207.751.6455	
Principal Officers	Title	Date of Birth	Residence Address
Ryan J. Carey	President	02/04/1984	434 Woodford Street, Portland, ME 04103
Kimberly Labbe Mills	CFO	07/14/1960	257 Prince's Point Road, Brunswick, ME 04011

Pizza Pie On The Fly, LLC
Page 2



CITY OF PORTLAND
Permitting and Inspections Department

Class of Liquor License (see fee schedule): Class I (Class A Restaurant) ☒			
Type of food served:	Barbecue and Pizza		
Please select all that will be served:	☒ Beer	☒ Wine	☒ Liquor
Projected percentage of sales:	Generated from Food: 70%	Generated from Alcohol: 30%	
Hours & days of operation:	11:00a - 9:00p Monday through Sunday		
QUESTIONS	YES	NO	
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	☐	☒	
If No, please explain: Sandwiches and pizza do not necessarily require the use of tableware.			
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	☒	☐	
If yes, give the distance: School--0.1 Miles and Church--300 feet			
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)	☐	☒	
Will you permit dancing after 1:00 a.m.?	☐	☒	
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	☒	☐	
If yes, will the outside dining be on: ☐ PUBLIC property or ☒ PRIVATE property			
Will you have any amusement devices (pinball, video games, juke box)?	☐	☒	
If yes, please list: # of amusements: and # of pool tables:			
What is your targeted opening date? : June 1, 2024			
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	☐	☒	
If Yes, list name(s) of employee(s) and department(s):			
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	☒	☐	
If Yes, please list business name(s) and location(s): Please see Exhibit A			
Is any principal officer under the age of 21?	☐	☒	
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	☒	☐	
If Yes, please explain: Please see Exhibit B			

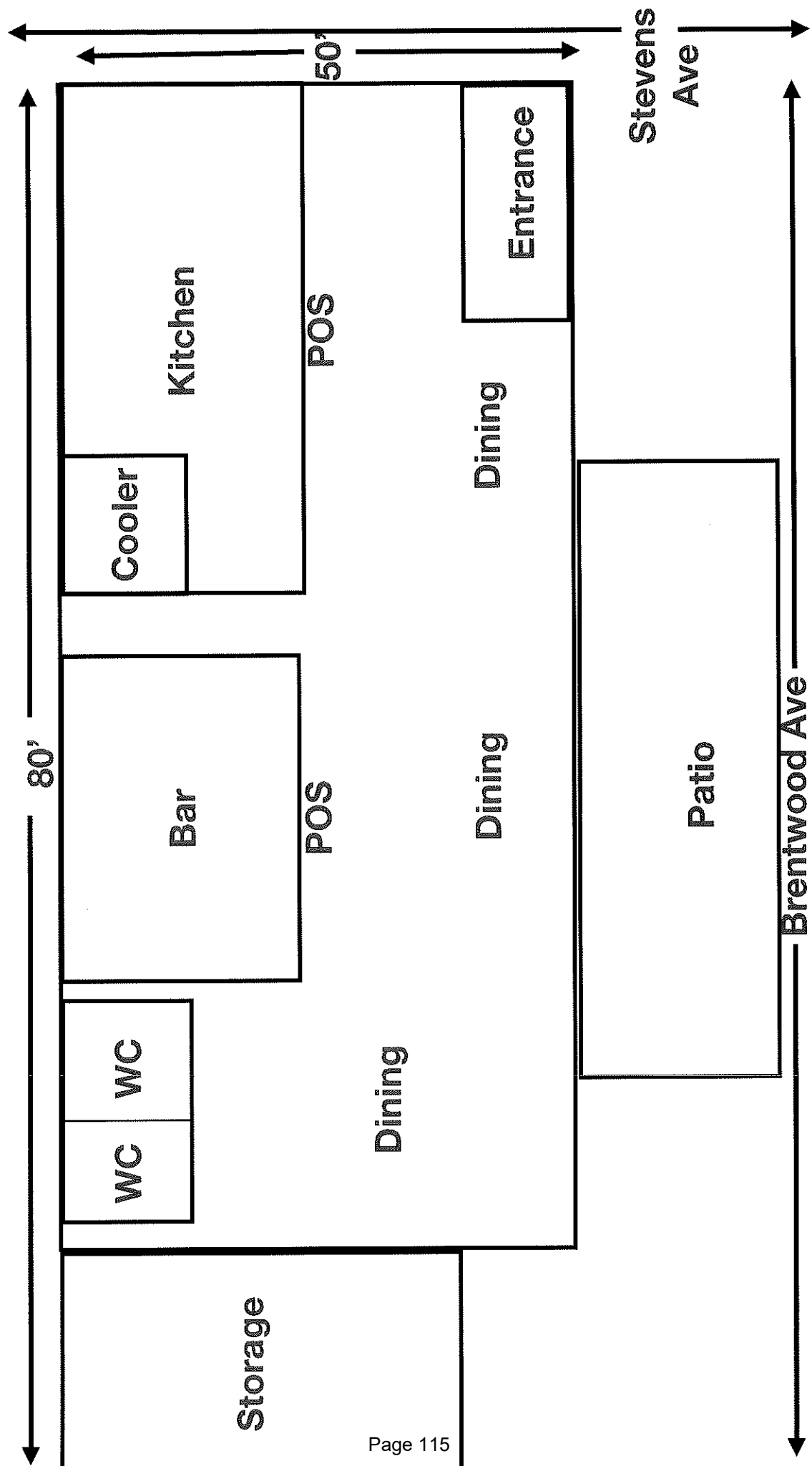
I, Kimberly Labbe Mills do hereby swear and affirm that every employee in my establishment that serves alcohol to the public has attended server training, or will attend server training within 90 days of their hire. I also understand that at any time the City license administrator can, upon request,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

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

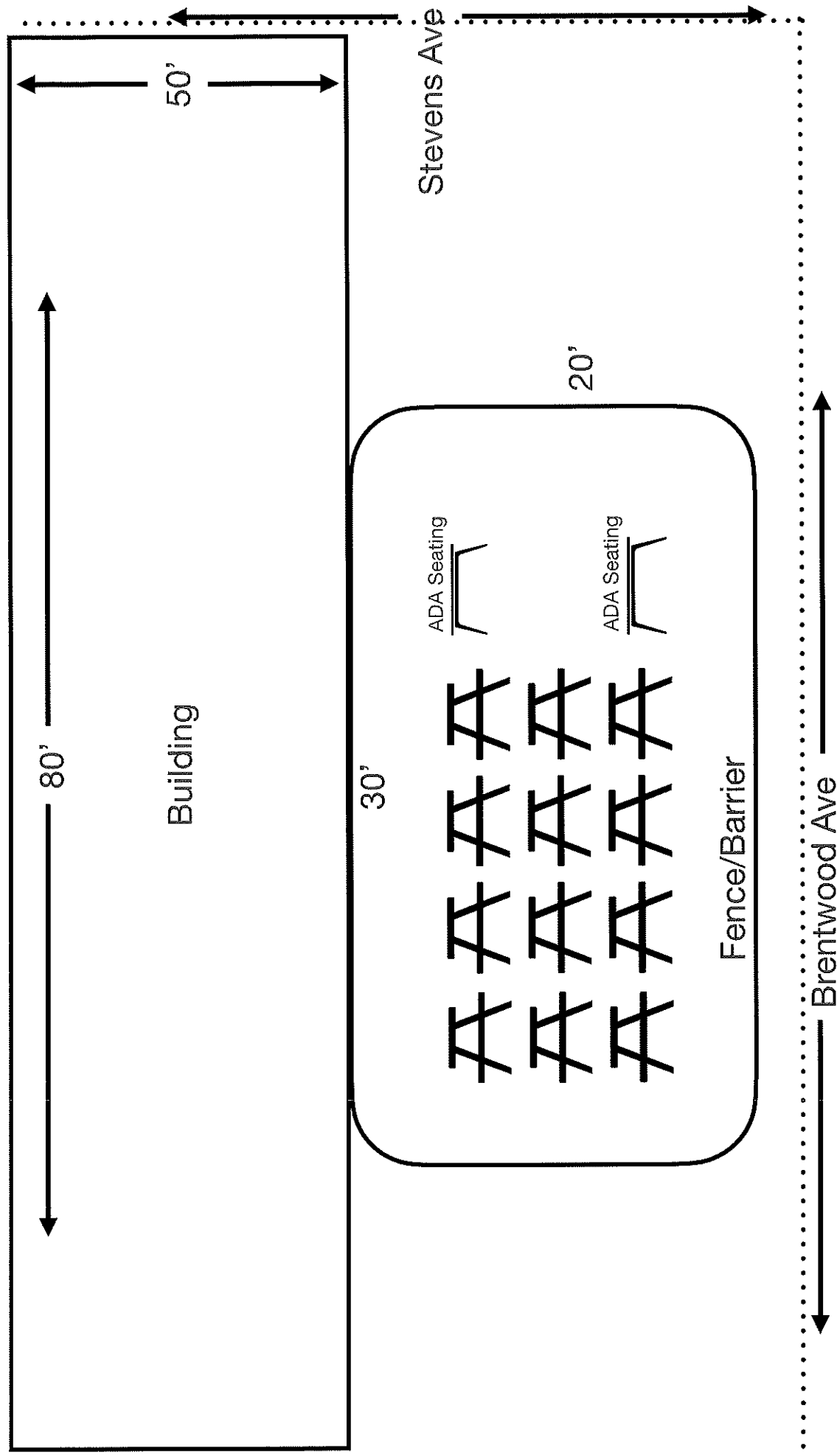
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive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

Signature Kimberly Labbe Mills Title CFO Date 03/28/2024

Pizza Pie On The Fly LLC
476 Stevens Avenue, Portland, Maine
Layout of Premises



Pizza Pie On The Fly LLC
476 Stevens Avenue, Portland, Maine
Layout of Outdoor Patio



**Pizza Pie On The Fly, LLC
City of Portland
Liquor License Application**

Exhibit A

Owner	Business Name	Address	License Number
Pizza Pie On The Fly, LLC	Noble Barbecue	1706 Forest Avenue Portland, Maine 04103	6497
Pizza Pie On The Fly, LLC	Fire and Company	1035 Ocean Avenue Portland, Maine 04103	LL-001465-2019
Pizza Pie On The Fly, LLC	Pizza Pie On The Fly Food Trucks	PO Box 11227 Portland, Maine 04104	FSE-005319-2023

Pizza Pie On The Fly, LLC
City of Portland
Liquor License Application

Exhibit B

Person Ryan Carey
Date February 2021
Reason Violation of Operating After Suspension
Outcome Dismissed May 2021



CITY OF PORTLAND
Permitting and Inspections Department

**Outdoor Dining Permit on Private Property
Supplemental Application**

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

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

Business Information						
Business Name (d/b/a):	Pizza Pie On The Fly, LLC dba Noble	Phone:	207.299.6995			
Location Address:	476 Stevens Avenue, Portland, Maine	Zip:	04103			
Mailing Address:	PO Box 11227 Portland, Maine	Zip:	04104			
Contact Person:	Kimberly Labbe Mills	Phone:	207.751.6455			
Contact Person Email:	Kimberly@fireandcompany.com					
Manager of Establishment:	Ryan J. Carey	Date of Birth:	02.04.1984	Phone:	207.299.6995	
Owner of Premises (Landlord):	476 Stevens Avenue, LLC					
Address of Premises Owner:	PO Box 11227, Portland, Maine				Zip:	04104

Owner Information

Corporate Name		Corporate Mailing Address			
Pizza Pie On The Fly, LLC		PO Box 11227 Portland ME		Zip:	04104
Contact Person:	Kimberly Labbe Mills	Phone:	207.751.6455		
Principal Officers	Title	Date of Birth	Residence Address		
Ryan J. Carey	President	02.04.1984	434 Woodford Street Portland, ME 04103		
Kimberly Labbe Mills	CFO	07.14.1960	257 Prince's Point Road Brunswick ME 04011		

Pizza Pie On The Fly LLC
Page 2



CITY OF PORTLAND
Permitting and Inspections Department

Class of License:	Class 1 Restaurant
Type of food served:	Barbecue and Pizza
Please circle all that will be served:	Beer Wine Liquor
Hours & days of operation:	11:00a - 9:00p Monday - Sunday
Number of Tables	Fourteen (14) including two (2) ADA compliant
Number of Chairs	Eighteen (18) benches and Eight (8) chairs

Design and Construction

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

Maintenance and Operations

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

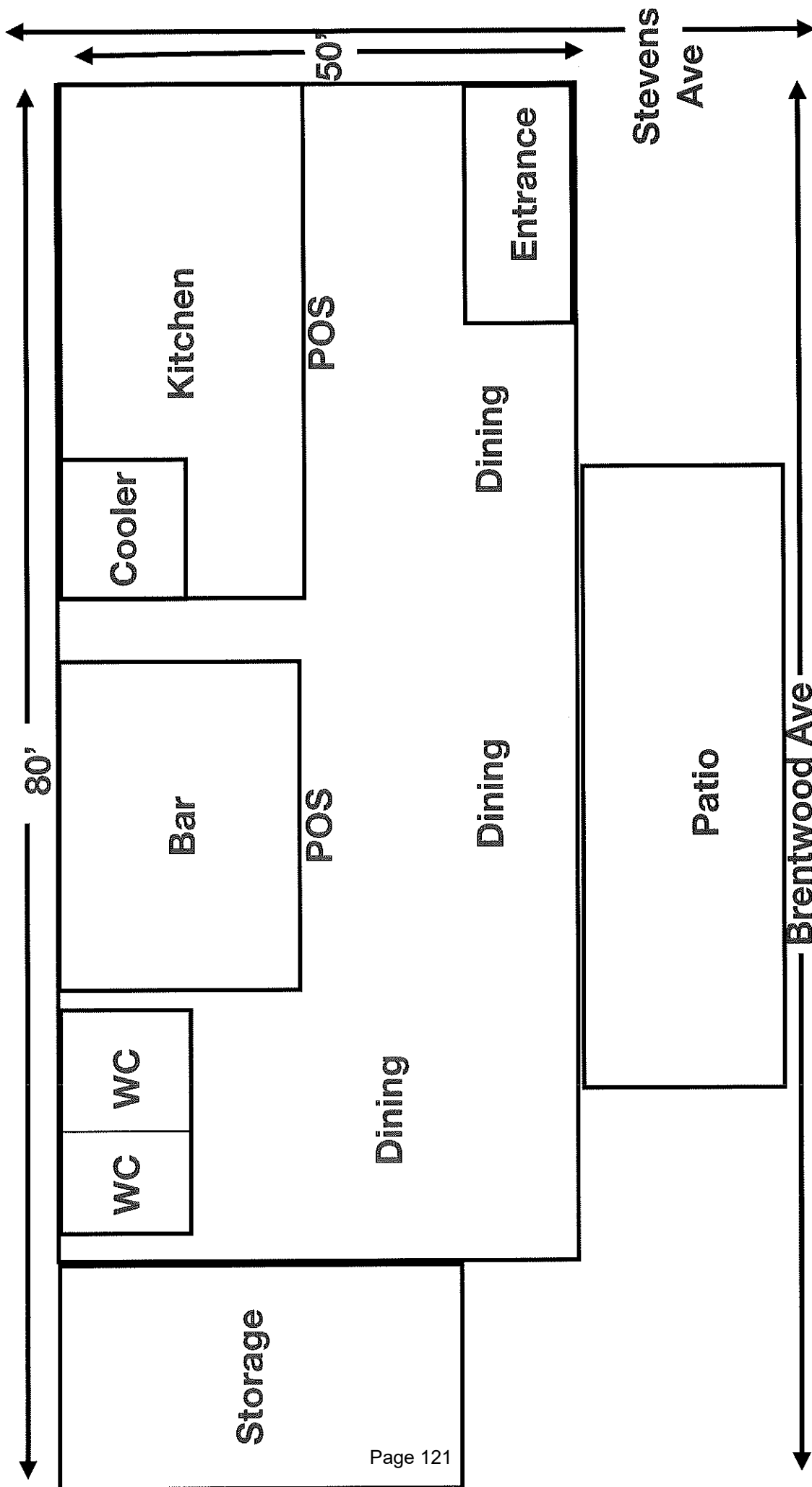
I/We fully understand that the City of Portland, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk or park space. To the fullest extent permitted by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

Signature *Kimberly Jacob Mills* Title CFO Date 03.27.2024

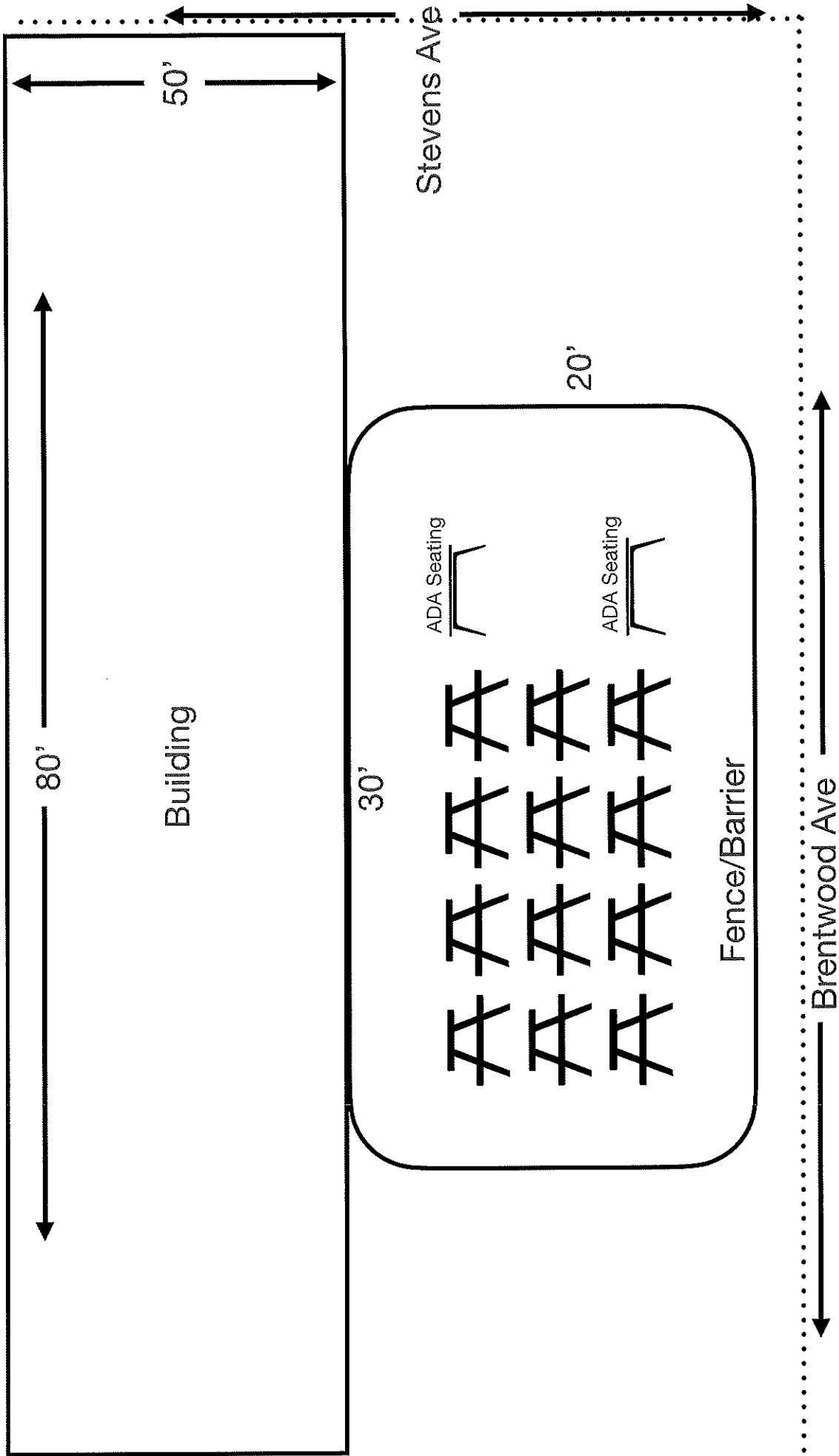
For Administrative Use Only

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

Pizza Pic On The Fly, LLC
Layout of Premises



Pizza Pie On The Fly, LLC
476 Stevens Avenue, Portland, Maine
Layout of Outdoor Patio



Pizza Pic On The Fly, LLC
Noble Pizzeria & BBQ Menu

Appetizers

Smoked & Fried Wings... \$15
Mozzarella Diamonds... \$12
Scappy Fries... \$12

Sides

Double Fried Hand Cut Fries... \$7
Pimento Mac & Cheese... \$7
Griddled Corn Muffins... \$4
Old School Slaw... \$4
Noble Pickles... \$4

Noble Sandwiches

Chopped Brisket Sandwich... \$16
Smoked Pastrami Reuben... \$16
Chopped Pork Sandwich... \$14
Smoked Spaghetti Squash... \$14
Rotating Fried Chicken... \$14

Noble Salads

Kale Caesar Salad... \$14
Chopped Salad... \$14
Brussel Sprouts Salad... \$14
Seasonal Salad... \$16

16" NY Style Pizza

Cheese... \$24
Pepperoni... \$26
Salty Tomato... \$26
Murder Hornet... \$28
Burrata & Basil... \$26
Smoked Meatzah... \$28
Buffalo Chicken... \$28

Noble - Class I FSE - 476 Stevens

Eric Nevins <erich@portlandmaine.gov>

Tue, Apr 9, 2024 at 5:15 PM

To: Zachary Lenhert <zlenhert@portlandmaine.gov>

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

Approved

On Tue, Apr 9, 2024 at 1:27 PM Zachary Lenhert <zlenhert@portlandmaine.gov> wrote:

[Quoted text hidden]

--

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



Zachary Lenhert <zlenhert@portlandmaine.gov>

Noble - Class I FSE - 476 Stevens

Zoning <zoning@portlandmaine.gov>

Thu, Apr 11, 2024 at 12:05 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Katlyn Sawyer <ksawyer@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>, Zachary Lenhert <zlenhert@portlandmaine.gov>

Hello,

Zoning Approves.

Legal use: Restaurant.

Zone: B1

Restaurant is a permitted use in the B1 zone. Most recent permit establishing use: BLDC2021-01883.

Thank you,

Will

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on April 22, 2024 at 5:00 P.M., in City Council Chambers, 389 Congress St. for Pizza Pie On The Fly LLC, dba Noble. Application for Class I FSE with Outdoor Dining on Private Property at 476 Stevens Avenue - Sponsored by Danielle P. West, City Manager

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



April 17, 2024

Pizza Pie On The Fly LLC,
P.O. Box 11227
Portland, Maine 04104

Re: Pizza Pie On The Fly LLC, dba Noble. Application for Class I FSE with Outdoor Dining on Private Property at 476 Stevens Avenue

Dear Pizza Pie On The Fly LLC,:

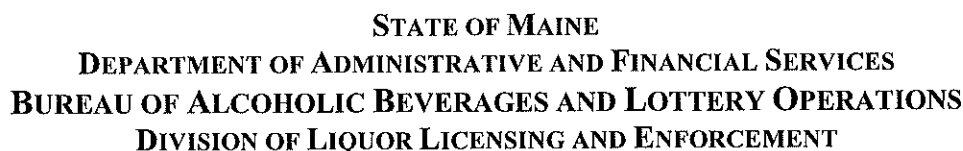
This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday April 22, 2024 at 5:00 p.m., for the review of application for Class I FSE with Outdoor Dining on Private Property at 476 Stevens Avenue. The meeting will take place in person at Portland City Hall, in City Council Chambers on the 2nd Floor of 389 Congress Street.

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

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

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager



All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

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

Legal Business Entity Applicant Name (corporation, LLC): Pizza Pie On The Fly, LLC	Business Name (D/B/A): Noble
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 476 Stevens Avenue, Portland, Maine 04103
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: PO Box 11227 Portland, ME 04104
Mailing address, if different from DBA address:	Email Address: Booking@fireandcompany.com
Telephone # Fax #:	Business Telephone # Fax #: 207.299.6995
Federal Tax Identification Number: 45-2582314	Maine Seller Certificate # or Sales Tax #: 1108864
Retail Beverage Alcohol Dealers Permit:	Website address: www.noblemeats.com

1. New license or renewal of existing license? ☒ New Expected Start date: 06/01/2024
☐ Renewal Expiration Date: _____
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: \$ 1,164,710.00 Beer, Wine or Spirits: \$ 499,162.00 Guest Rooms: \$ 0.00
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

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

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

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

5. Business records are located at the following address:

257 Prince's Point Road, Brunswick, Maine

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

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: _____

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

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

Name of Business	License Number	Complete Physical Address
Pizza Pie On The Fly LLC dba Noble Barbecue	CAR-2017-10059	1706 Forest Avenue Portland, Maine 04103
Pizza Pie On The Fly LLC dba Fire and Comp	QCS-2019-11916	1035 Ocean Avenue Portland, Maine 04103

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

Full Name	DOB	Place of Birth
Ryan J. Carey	02/04/1984	Bangor, Maine
Kimberly Labbe Mills (Maiden--Labbe)	07/14/1960	Brunswick, Maine

Residence address on all the above for previous 5 years

Name: Ryan J. Carey Address: 434 Woodford Street Portland, ME 04103

Name: Kimberly Labbe Mills Address: 257 Prince's Point Road Brunswick, ME 04011

Name: Address:

Name: Address:

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

☐ Yes ☒ No

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

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

476 Stevens Avenue, LLC PO Box 11227 Portland, Maine 04104

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

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

Casual, eighty (80) seat restaurant, with a bar, located at 476 Stevens Avenue, Portland, Maine.

Outdoor patio with picnic tables or small tables.

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

Name: Longfellow School | Deering Center Community Church

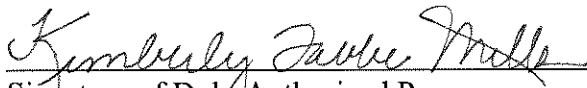
Distance: School--0.1 Miles and Church--300 feet

Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 03/28/2024



Signature of Duly Authorized Person

Kimberly Labbe Mills

Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

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

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

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

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

Signature of Officials	Printed Name and Title

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

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

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms.

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

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

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

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

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

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

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

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

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

E. A violation of any provision of this Title;

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

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

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

A. Repealed

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

4. Repealed

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

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

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

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

Section V: Fee Schedule

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

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

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

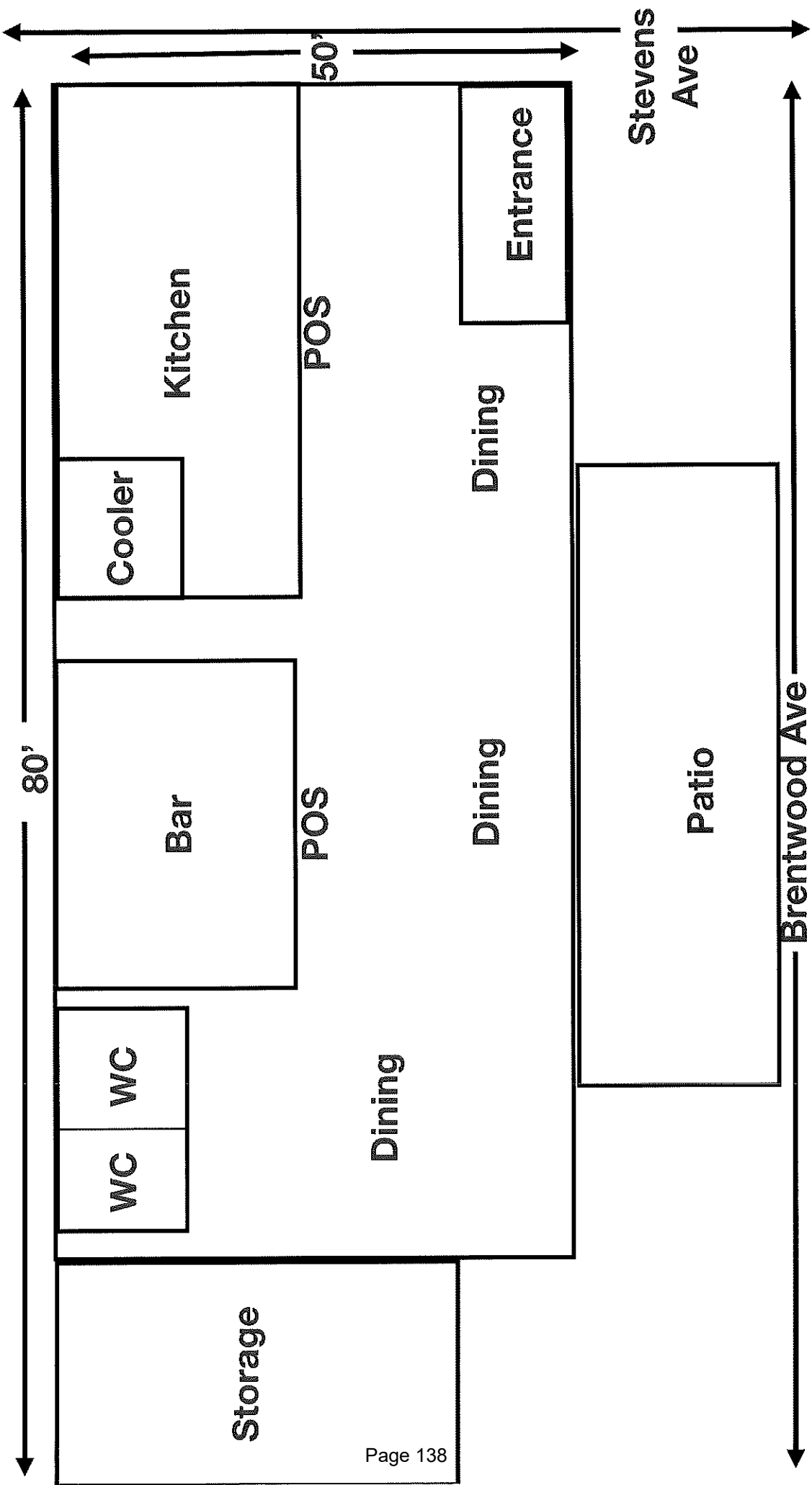
Pizza Pie On The Fly, LLC
Page 10

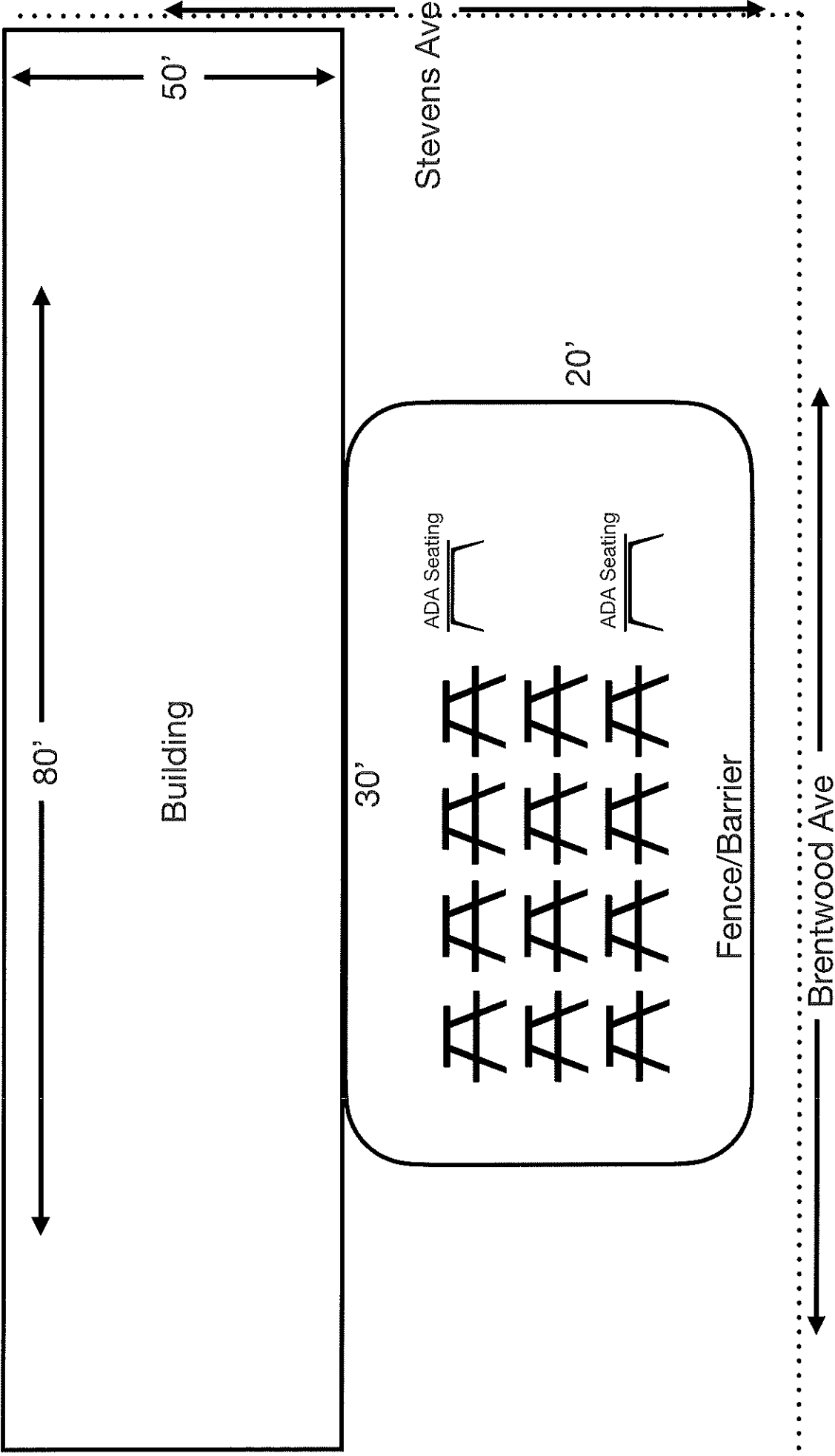
Section VI Premises Floor Plan

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

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

Please see attached.





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

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

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Pizza Pie On The Fly LLC
2. Doing Business As, if any: Noble
3. Date of filing with Secretary of State: 06/08/2011 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

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

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Ryan J. Carey	434 Woodford St. Portland ME	02/04/1984	President	100.0000
Kimberly Labbe Mills	257 Prince's Pt Rd Brunswick ME	07/14/1960	CFO	0.0000

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

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 9, 2024

SUBJECT: Order 175-23/24 Granting Municipal Officers' Approval of Battery Steele Brewing LLC, dba Battery Steele Brewing. Application for Indoor Entertainment at 1 Industrial Way #13 - Sponsored by Danielle P. West, City Manager

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

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

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

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 3/29/24. Existing Establishment adding Indoor Entertainment. New City application.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

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

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2024.04.22_Battery Steele_Council Order
2. 2024.04.22_Battery Steele_Council Packet

Prepared by:

Date: 04/09/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA Y. BULLETT (4)
KATHRYN SYKES (5)

ORDER

GRANTING MUNICIPAL OFFICERS’

APPROVAL OF:

**Battery Steele Brewing LLC, dba Battery Steele Brewing. Application for Indoor
Entertainment at 1 Industrial Way #13**

Dear Members of the Portland City Council,

I am writing to respectfully request your approval for our entertainment permit, which will allow us to continue hosting our monthly comedy event. This event serves not only as a platform for community engagement but also a steady source of revenue for our small business. We are committed to organizing these events responsibly and in line with the city's regulations, ensuring they contribute positively to our local community.

Thank you for considering our application.

Sincerely,

Shane Noble
Co-Founder/Owner
Battery Steele Brewing



CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

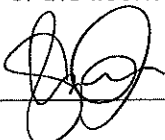
☒ Indoor Entertainment \$500.00	☐ Outdoor Entertainment \$700.00	☐ Combined Entertainment \$800.00
☒ Sound Mitigation Fee \$150.00		

Business Information			
Establishment Name (d/b/a):	Battery Steele Brewing	Phone:	207-749-5035
Location Address:	1 Industrial Way #13		Zip: 04103
Owner Name:	Shane Noble	Phone:	207-749-5035
Owner Email:	Shane@batterysteele.com		
Contact Person responsible for Entertainment:	Shane Noble	Phone:	207-749-5035
Contact Person Email:	Shane@batterysteele.com		
Manager of Establishment:	Shane Noble	Phone:	207-749-5035
Manager Email:	Shane@batterysteele.com		

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment: Taproom and brewery. Events: Comedy Nights
--

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

Signature  Title Partner Date 3/27/24

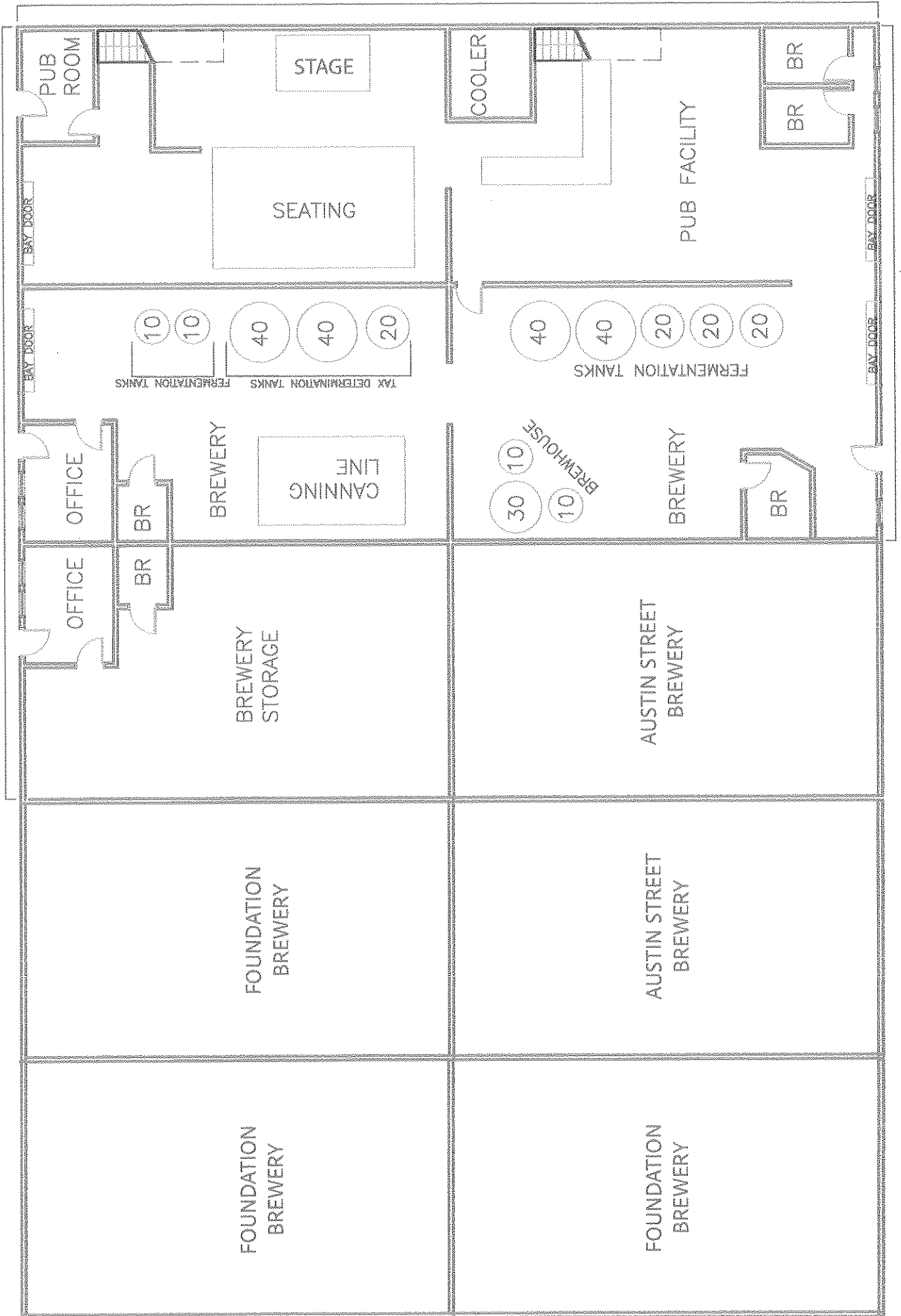
For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

BATTERY STEELE BREWING

90'

100'

60'





The Halo Studio LLC

58 River Road

Windham ME 04062

207.233.1770

3/26/2024

SOUND MITIGATION PLAN

Prepared for:

Battery Steele Brewing & City of Portland

From: Darren Elder, The Halo Studio LLC
To: Jessica Hanscombe, Licensing, City of Portland

Dear Ms. Hanscombe,
On behalf of our clients at Battery Steele Brewing , The Halo Studio is pleased to provide this Sound Mitigation Plan in support of entertainment licensing for their 1 Industrial Way Units 12 & 14 premises.

For ease of review, we have provided our findings and recommendations in order of the required items as outlined in the Code of Ordinances, Chapter 4, Sec. 4-52, Rev. 7-15-2019 4-10, 2 (a-d) inclusive.

Rationale

As Battery Steele Brewing seeks to curate ambient background and performance entertainment for their guests, we have strategized and coordinated the necessary rationale for them to remain in compliance with all relevant city sound ordinances as well as good standing with their immediate neighbors and community.

We trust that the information and guidance we have provided will meet the city's needs and stand ready to answer any questions you may have as you conduct your review.

Requirements

(a.)

This plan meets the requirement that it be prepared by a professional sound engineer with appropriate experience and training. The Halo Studio brings decades of experience and a track record that is second to none in terms of sophisticated sound engineering, acoustic design, and consulting on complex sound and audio-visual environments.

The team at The Halo Studio is routinely called upon by clients ranging from world-renowned recording artists and mastering studios to private businesses and municipalities to solve their acoustical needs and sound engineering challenges.

Over the last nineteen years we have become beta-testers for multiple cutting edge audio software and treatment companies which allows us to take every measure to maximize the acoustic experience within each designated space while minimizing unwanted frequencies and decibel levels.

Professional references are available upon request, and more information about the specialists at The Halo Studio can be found here:

<http://thehalostudio.com/about-us/who-we-are/>

(b.)

Our Sound Mitigation Plan begins by identifying the surrounding uses to which we aim to minimize, eliminate, and impact where possible, both in terms of overall dbA levels and tonal impulse sounds.

Battery Steele Brewing is designated as a IMB (Industrial Moderate) zone as are the adjacent abutting neighbors. The corresponding distances to these abutting zoned structures are:

North: 230'
East: 108'
South: 262'
West: 354'

Other surrounding contributors to the established noise floor in this area include but are not limited to:

Riverside Street traffic
Forest Avenue traffic
Neighborhood business and nearby residential activity.

These surrounding land uses are all significant transportation noise sources as well as periodic aircraft noise (particularly on overcast days which tend to retain sound pressure).

Practicality:

As a practical matter, the sound output from Riverside Street routinely measure higher the dbA, tonal, and impulse impacts from the desired entertainment activity that Battery Steele Brewing would generate.

Our Sound Mitigation Plan combines three simple elements which when operated in coordination enable us to create superior sound mitigation that results in negligible impact on neighboring uses.

These are:

1. Underlying sound measurement matrix and mathematical assumptions 2. Disciplined use of professional audio equipment

3. Regular monitoring during events

Items 1 and 2 are discussed in more detail in response to section (c.) below, and item 3 is treated in response to section (d.) below.

(c.)

Events utilize a sound amplification system that is positioned to be operated and compatible with achieving the least amount of negative impact on surrounding uses.

Sound within 8' of the building as measured by SPL meter (as well as by general observation).

The Halo Studio staff has consulted on the design and installation of the necessary systems and continues to provide oversight as needed. Battery Steele Brewing staff has been advised of all basic operational responsibilities.

Metrics

The following data is intended to present generally anticipated sound pressure levels at various points on and adjacent to the Battery Steele Brewing property resulting from amplified entertainment.

Though the intent of the ordinance is to include all modes of entertainment, including but not limited to acoustic performance as well as pre-recorded music played via speakers, whether indoor or outdoor, as a practical (and perhaps obvious) matter these modes are far less impactful than concert-level amplified music, so, to be as conservative as possible, we have utilized outdoor concert industry metrics to establish our underlying matrix and mathematical models.

For the purposes of modeling impacts, the base line for these calculations is a standard audio event with 80dB (A-weighted) measured SPL at the Mix Position and corresponding 8' increments concurrently.

The mathematical model used is the Inverse Square Law: $20 \cdot \log(D2/D1) = X$ where "D1" represents distance from Center Stage to Adjacent Seating, "D2" represents distance from center stage to perimeter location and "X" represents the reduction in dBspl from "D1" to "D2".

Using inverse square law calculations we would expect the following resulting SPL outcomes in each given location/distance from an amplified entertainment source measuring dBA at the mix position (which is assumed to be located at the Center Stage location)

Location (dist.) Resulting SPL

South Abutting Structure - 262' - 40.1dBA

East Abutting Structure - 108' - 51.9dBA

West Abutting Structure - 354' - Negligible dBA

North Abutting Structure - 230' - 51.3dBA

Further, it is important to note that inward facing directional sound pressure (speaker direction) is essential to focus collective decibel levels directly toward the brewery and canning facilities away from property lines.

As a practical matter, sound levels managed at the mix position could be higher than 80dBA and still result in sound levels at the nearest residential property that do not exceed 60dBA.

As discussed earlier, the surrounding conditions including but not limited to traffic, business, and aircraft routinely create ambient sound that exceeds these levels.

But with respect to entertainment at Battery Steele Brewing, the intent of our analysis has been to demonstrate that, even with an output of 80 dBA at the source, it is not mathematically plausible for any sound impact produced onsite to be in excess of 60 dBA at the nearest residential property, and the impact will most certainly be well below this level when "real world"

factors such as natural diffusion, structural interference, and directional friction are introduced into the equation.

It is anticipated that dbA 8' from any outer wall of will be no more than 61.3 dbA with the aforementioned context.

Standard Equipment
LUX PRO - spa8 - Speaker

Standard App- Decibel Meter

Exhibit A - Corresponding Site Plan



The stage will serve as the single speaker location and direction for a typical entertainment event, together with sound monitoring locations being established at the points of egress and walls.

(d.)

In coordination with Battery Steele Brewing management and under the direction of Battery Steele Brewing staff, we will continue to assist them in maintaining adherence to necessary standards previously mentioned.

The Halo Studio personnel are routinely deployed by our clients to perform sound monitoring with SPL meters on their premises and at selected locations nearby during relevant operational hours for the purpose of verifying and maintaining necessary standards.

Further, Battery Steele Brewing staff is equipped with and trained to use an SPL meter, and is available at any time prior to, during, or after events to respond to outreach from City officials.

Owner/Operator Shane Noble can be contacted at (207) 749-5035.

We trust that the foregoing will be sufficient to meet the requirements of the ordinance, and stand ready to answer any questions you may have.

Thank you,

A handwritten signature in black ink, appearing to read 'Darren Elder', is positioned above the printed name.

Darren Elder
The Halo Studio LLC
thehalostudio@gmail.com
207.233.1770

Battery Steele - Indoor Entertainment - 1 industrial way

Glen McGary <glenm@portlandmaine.gov>

Tue, Apr 9, 2024 at 3:28 PM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

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

After reviewing the sound mitigation plan for this venue, PD approves this plan.

Lieutenant Glen McGary
Portland Police Department
109 Middle Street
Portland, Maine 04101
Office (207) 756-8294
Fax (207) 874-8580

[Quoted text hidden]

Battery Steele - Indoor Entertainment - 1 industrial way

Zoning <zoning@portlandmaine.gov>

Tue, Apr 16, 2024 at 4:44 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhert <zlenhert@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <erich@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>, Glen McGary <glenm@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>

Good Afternoon,

The legal use for unit 13 is warehouse and tasting room. Zoning approves.

Thank you,

Mac

--

Mac Coldwell

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

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on April 22, 2024 at 5:00 P.M., in City Council Chambers, 389 Congress St. for Battery Steele Brewing LLC, dba Battery Steele Brewing. Application for Indoor Entertainment at 1 Industrial Way #13 - Sponsored by Danielle P. West, City Manager

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



April 17, 2024

Battery Steele Brewing LLC
1 Industry Way #12
Portland, Maine 04103

Re: Battery Steele Brewing LLC, dba Battery Steele Brewing. Application for Indoor Entertainment at 1 Industrial Way #13

Dear Battery Steele Brewing LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday April 22, 2024 at 5:00 p.m., for the review of application Indoor Entertainment at 1 Industrial Way #13. The meeting will take place in person at Portland City Hall, in City Council Chambers on the 2nd Floor of 389 Congress Street.

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

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

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 9, 2024

SUBJECT: Order 176-23/24 Granting Municipal Officers' Approval of Newsclapes Brewing Inc, dba Newsclapes Brewing. Application for Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 163 Washington Avenue - Sponsored by Danielle P. West, City Manager

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

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

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

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 3/20/24. License classification change of existing establishment. New City and State applications.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

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

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2024.04.22_Newsclapes_Council Order

2. 2024.04.22_Newsclapes_Council Packet

Prepared by:

Date: 04/09/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA Y. BULLETT (4)
KATHRYN SYKES (5)

ORDER

GRANTING MUNICIPAL OFFICERS’

APPROVAL OF:

**Newscapes Brewing Inc, dba Newscapes Brewing. Application for Class I FSE with
Combined Entertainment and Outdoor Dining on Private Property at 163 Washington
Avenue**

Letter of intent

I Jeffrey A. Curran on behalf of Newscapes Brewing Inc., apply for a change of license classification from a class IV beer only license to a class I restaurant license with beer, wine, and liquor, together with outside dining on private property and combined indoor/outdoor entertainment.

CITY OF PORTLAND
 Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information

Legal Business Entity Applicant Name (corporation, LLC): Newscares Brewing Inc		Business Name (D/B/A): Newscares Brewing	
Individual or Sole Proprietor Applicant Name(s): N/A		Physical Location: 163 Washington Ave. Portland	
If applicable, what was formerly at this location: Newscares brewing		Business Email Address: newscaresbrewing@gmail.com	
Mailing Address: 163 Washington Ave.		Contact Person: Jeffrey A. Curran	
Contact Person Phone: 207 831 0970		Contact Person Email: newscares@msn.com	
Manager of Establishment: Jeffrey A. Curran	Date of Birth: 7/4/1977	Manager Phone: 207 831 0970	
Owner of Premises (Landlord): Jeffrey A. Curran		Address of Premises Owner (Landlord): 163 Washington Ave. unit 2	

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

Name of Owner(s): N/A	Date of Birth: N/A	Residence Address: N/A
Name of Owner(s): N/A	Date of Birth: N/A	Residence Address: N/A

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

Corporate Name: Newscares Brewing Inc		Corporate Mailing Address: 163 Washington Ave. Portland ME 04101	
Contact Person: Jeffrey A. Curran		Contact Phone: 207 831 0970	
Principal Officers	Title	Date of Birth	Residence Address
Jeffrey A. Curran	President	7/4/1977	163 Washington Ave. Portland ME 04101

389 Congress Street, Room 307 • Portland, Maine 04101 • 207-874-8557
 BL@portlandmaine.gov • www.portlandmaine.gov



CITY OF PORTLAND
Permitting and Inspections Department

Class of Liquor License (see fee schedule): <u>Class 1 Restaurant (CLASS 1 FSE)</u>		
Type of food served:	<u>Pub</u>	
Please select all that will be served:	☒ Beer ☒ Wine ☒ Liquor	
Projected percentage of sales:	Generated from Food: <u>50</u>	Generated from Alcohol: <u>50</u>
Hours & days of operation:	<u>11:00 Am - 9:00 Pm Monday - Sunday</u>	
QUESTIONS	YES	NO
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	☒	☐
If No, please explain: <u>N/A</u>		
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	☐	☒
If yes, give the distance: <u>N/A</u>		
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)	☒	☐
Will you permit dancing after 1:00 a.m.?	☐	☒
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	☒	☐
If yes, will the outside dining be on: ☐ PUBLIC property or ☒ PRIVATE property		
Will you have any amusement devices (pinball, video games, juke box)?	☐	☒
If yes, please list: <u>N/A</u> # of amusements: <u>N/A</u> and <u>N/A</u> # of pool tables: <u>N/A</u>		
What is your targeted opening date? : <u>5/11/2024</u>		
Does the issuance of this license directly or indirectly benefit any City employee(s)?	☐	☒
If Yes, list name(s) of employee(s) and department(s): <u>N/A</u>		
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	☒	☐
If Yes, please list business name(s) and location(s): <u>Newscapes Brewing 163 Washington Ave</u>		
Is any principal officer under the age of 21?	☐	☒
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	☒	☐
If Yes, please explain: <u>All charges dropped</u>		

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

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

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

Signature

Title

President

Date

3/14/2024



CITY OF PORTLAND
Permitting and Inspections Department

Outdoor Dining Permit on Private Property
Supplemental Application

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

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

Business Information					
Business Name (d/b/a):	Newscapes Brewing	Phone:	207-415-9933		
Location Address:	163 Washington Ave Portland ME	Zip:	04101		
Mailing Address:	163 Washington Ave. Portland ME.	Zip:	04101		
Contact Person:	Jeffrey A. Curran	Phone:	207-831-0970		
Contact Person Email:	newscapes@msn.com				
Manager of Establishment:	Jeffrey A. Curran	Date of Birth:	7/4/1977	Phone:	207 831 0970
Owner of Premises (Landlord):	Jeffrey A. Curran				
Address of Premises Owner:	163 Washington Ave. #2 Portland ME.		Zip:	04101	

Owner Information

Corporate Name		Corporate Mailing Address		
Newscapes Brewing Inc.		163 Washington Ave. Portland ME 04101		
Contact Person:	Jeffrey A. Curran	Phone:	207 831 0970	
Principal Officers		Title	Date of Birth	Residence Address
Jeffrey A. Curran		President	7/4/1977	163 Washington Ave Portland ME 04101



CITY OF PORTLAND
Permitting and Inspections Department

Class of License:	Class 1 (Class A Restaurant)
Type of food served:	Pub
Please circle all that will be served:	Beer Wine Liquor
Hours & days of operation:	11:00 Am - 9:00 Pm Monday - Sunday
Number of Tables	9
Number of Chairs	24

Design and Construction

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

Maintenance and Operations

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

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

Signature Jeff Lamm Title President Date 3/14/2024

For Administrative Use Only

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



CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☐ Indoor Entertainment \$500.00	☐ Outdoor Entertainment \$700.00	☒ Combined Entertainment \$800.00
☒ Sound Mitigation Fee \$150.00		

Business Information		415 9933	
Establishment Name (d/b/a):	Newscares Brewing	Phone:	207 831 0970 J.C.
Location Address:	163 Washington Ave. Portland, ME.	Zip:	04101
Owner Name:	Jeffrey A. Curran	Phone:	207-831-0970
Owner Email:	newscares@msn.com		
Contact Person responsible for Entertainment:	Jeffrey A. Curran	Phone:	207 831 0970
Contact Person Email:	newscares@msn.com		
Manager of Establishment:	Jeffrey A. Curran	Phone:	207 831 0970
Manager Email:	newscares@msn.com		

About Your Establishment

Describe in detail the type and nature of the business and proposed entertainment:

Restaurant with inside + Outside Entertainment.

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

Signature Jeffrey A. Curran Title President J.C. Date 3/14/2024

For more information, refer to the City Code of Ordinance: Chapter 4 Amusements, at www.portlandmaine.gov

Sound mitigation plan.

Details of methods used to minimize the impact of entertainment on the surrounding uses: The methods used to minimize the impact of the entertainment on the surrounding properties, will be by the volume control on the mixing console.

Speaker, location and directions: There will be two speakers located in the entertainment area on the outside patio directed towards the patio and away from neighboring properties.

Sound system details and controls: The sound system consist of a digital mixer and two powered JBL speakers, as well various performers, instruments and amplifiers.

Stage and site, layout, and direction: The outside stage is located on the outside dining area and faces towards the patio containing the outside dining seating as seen on attached drawing.

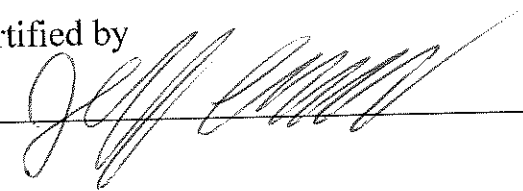
Noise canceling, or mitigating measures proposed: mitigating methods proposed are the use of the mixers volume control to control the output of the speaker volume so to not exceed the cities maximum allowable decibel level readings.

Anticipated sound readings:

Outdoor/combined entertainment - property line and closest residence, not to exceed cities, maximum decibel level at the nearest property or property line, or 95 decibels, whichever is less.

Prepared and certified by

Jeffrey a Curran



Date

3/14/2024

Draft menu

Appetizers

Oven baked Chicken wings. (6) \$10

Garlic Bread \$8 with cheese \$10

Pizzas 8"

Cheese \$8

Pepperoni \$9

Thai Pepper pie \$10

Extra Toppings \$1

Pepperoni, Bacon, Meatballs, Green Peppers, Sweet Onion, Baby Bella Mushrooms, Pickled Pepperoncini, Pickled Jalapenos, Asian Chili Peppers, Spicy Chili Sauce.

Entrees

Oven roasted Lemon pepper Chicken \$18

With mashed potato and steamed vegetables.

Oven roasted Italian Meatballs \$15

Served with marinara sauce and garlic bread with cheese.

Oven baked Calzone smothered in our house marinara sauce. \$15

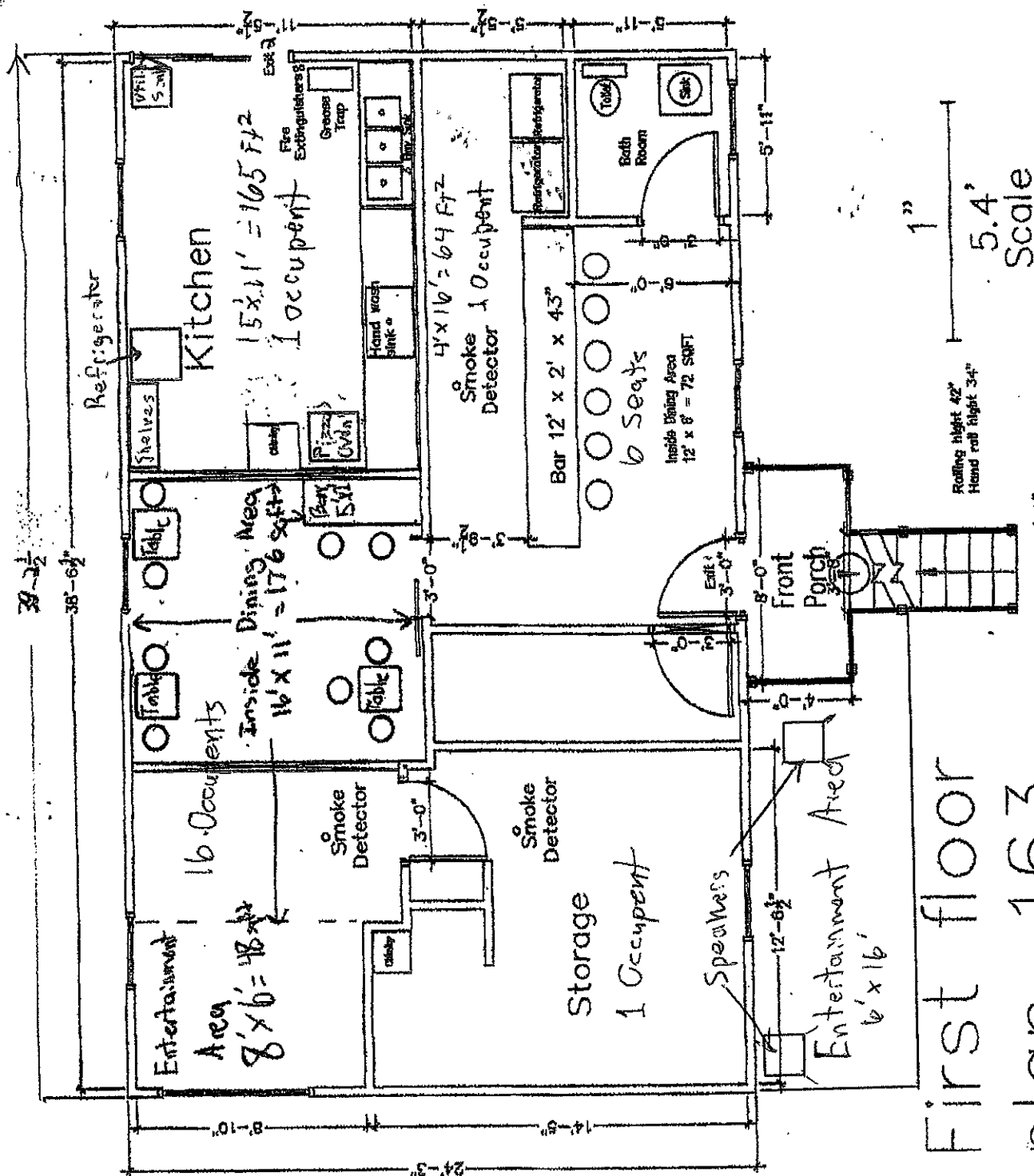
Your choice of fillings \$1 per item

Desserts

Cheesecake \$8

Ice cream sandwiches \$2

Ice cream Sundae \$8



First floor

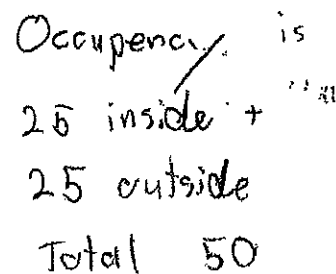
plan, 163

Washington Ave

Existing / Proposed

Revised 7/11/2023
3/14/2024

5.4' Scale



Revised 7/14/2023

3/14/2024

Newsclapes - Class I FSE - 163 Washington

Glen McGary <glenm@portlandmaine.gov>

Thu, Apr 11, 2024 at 7:05 PM

To: Katlyn Sawyer <ksawyer@portlandmaine.gov>

Cc: Benjamin Pearson <bnp@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>, Christina Stacey <cstacey@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <erick@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Ron Kelton <rkellon@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Zachary Lenhart <zlenhart@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>

If the original approved and this one is the same, PD will approve. We had concerns about the type of music and timing. If there is an issue, we may consider restrictions on times for entertainment.

Lieutenant Glen McGary
Portland Police Department
109 Middle Street
Portland, Maine 04101
Office (207) 756-8294
Fax (207) 874-8580

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Newsclapes - Class I FSE - 163 Washington

Zoning <zoning@portlandmaine.gov>

Tue, Apr 16, 2024 at 5:03 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Zachary Lenhart <zlenhart@portlandmaine.gov>, Ron Kelton <rkelton@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Katlyn Sawyer <ksawyer@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Eric Nevins <erich@portlandmaine.gov>, Benjamin Pearson <bnp@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, cstacey <cstacey@portlandmaine.gov>, Business Licensing <bl@portlandmaine.gov>, Glen McGary <glenm@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>

Good Afternoon,

The legal use of the ground floor of 163 Washington AVE is restaurant. Zoning approves. The property is in the B1 mixed-use zone. Please add the following condition.

Ch.14, Article 6, Section 6.4.6 - Commercial uses in the B-1/B-1b zones: Retail and restaurant uses shall not operate between the hours of 11 p.m. and 6 a.m., and shall not accept deliveries or services between the hours of 10 p.m. and 7 a.m. For restaurants, food service and consumption shall be the primary function.

Thank you,

Mac

--

Mac Coldwell

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

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Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on April 22, 2024 at 5:00 P.M., in City Council Chambers, 389 Congress St. for Newscapes Brewing Inc, dba Newscapes Brewing. Application for Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 163 Washington Avenue - Sponsored by Danielle P. West, City Manager

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



April 17, 2024

Newscapes Brewing Inc
163 Washington Avenue
Portland, Maine 04101

Re: Newscapes Brewing Inc, dba Newscapes Brewing. Application for Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 163 Washington Avenue

Dear Battery Steele Brewing LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday April 22, 2024 at 5:00 p.m., for the review of application Class I FSE with Combined Entertainment and Outdoor Dining on Private Property at 163 Washington Avenue. The meeting will take place in person at Portland City Hall, in City Council Chambers on the 2nd Floor of 389 Congress Street.

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

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

Sincerely,

Zachary J. Lenhert
Licensing and Housing Safety Manager



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

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

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

Legal Business Entity Applicant Name (corporation, LLC): Newsclapes Brewing Inc	Business Name (D/B/A): Newsclapes Brewing
Individual or Sole Proprietor Applicant Name(s): N/A	Physical Location: Portland ME 163 Washington Ave 04101
Individual or Sole Proprietor Applicant Name(s): N/A	Mailing address, if different: Same
Mailing address, if different from DBA address: Same	Email Address: newsclapesbrewing@gmail.com
Telephone # Fax #: 207-831-0970	Business Telephone # Fax #: 207-415-9933
Federal Tax Identification Number: 35-2662365	Maine Seller Certificate # or Sales Tax #: 1207880
Retail Beverage Alcohol Dealers Permit: Sec Attached	Website address: Newsclapesbrewing.com

1. New license or renewal of existing license? ☒ New Expected Start date: 5/11/2024
☐ Renewal Expiration Date: N/A

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

Food: N/A Beer, Wine or Spirits: N/A Guest Rooms: N/A

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

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

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

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

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

5. Business records are located at the following address:

163 Washington Ave Portland ME 04101

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

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: N/A

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

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

Name of Business	License Number	Complete Physical Address
Newscapes Brewing Inc.	SMB-2020-12868	163 Washington Ave Portland, ME 04101
Newscapes Brewing Inc.	RES-2022-14270B	163 Washington Ave. Portland, ME, 04101

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

Full Name	DOB	Place of Birth
Jeffrey A. Curran	7/4/1977	Portland
N/A		

Residence address on all the above for previous 5 years

Name	Jeffrey A. Curran	Address:	163 Washington Ave. Portland ME, 04101
Name	N/A	Address:	
Name	N/A	Address:	
Name	N/A	Address:	

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

☐ Yes ☒ No

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

N/A

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

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

Name: N/A Date of Conviction: N/A
Offense: N/A Location: N/A
Disposition: N/A

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

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

Name: N/A Date of Conviction: N/A
Offense: N/A Location: N/A
Disposition: N/A

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

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

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

N/A

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

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

All of the first floor of 163 Washington Ave Portland ME 04101
and a portion of the patio as seen in the attached
drawings.

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

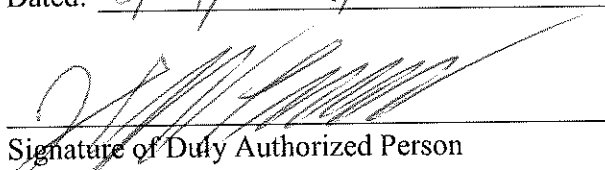
Name: East End Community School
Distance: .5 miles

Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 3/14/2024


Signature of Duly Authorized Person

Jeffrey A. Curran
Printed Name of Duly Authorized Person

N/A
Signature of Duly Authorized Person

N/A
Printed Name of Duly Authorized Person

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

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

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

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

Signature of Officials	Printed Name and Title

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

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

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms.

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

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

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

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

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

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

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

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

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

E. A violation of any provision of this Title;

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

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

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

A. Repealed

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

4. Repealed

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

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

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

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

Section V: Fee Schedule

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

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

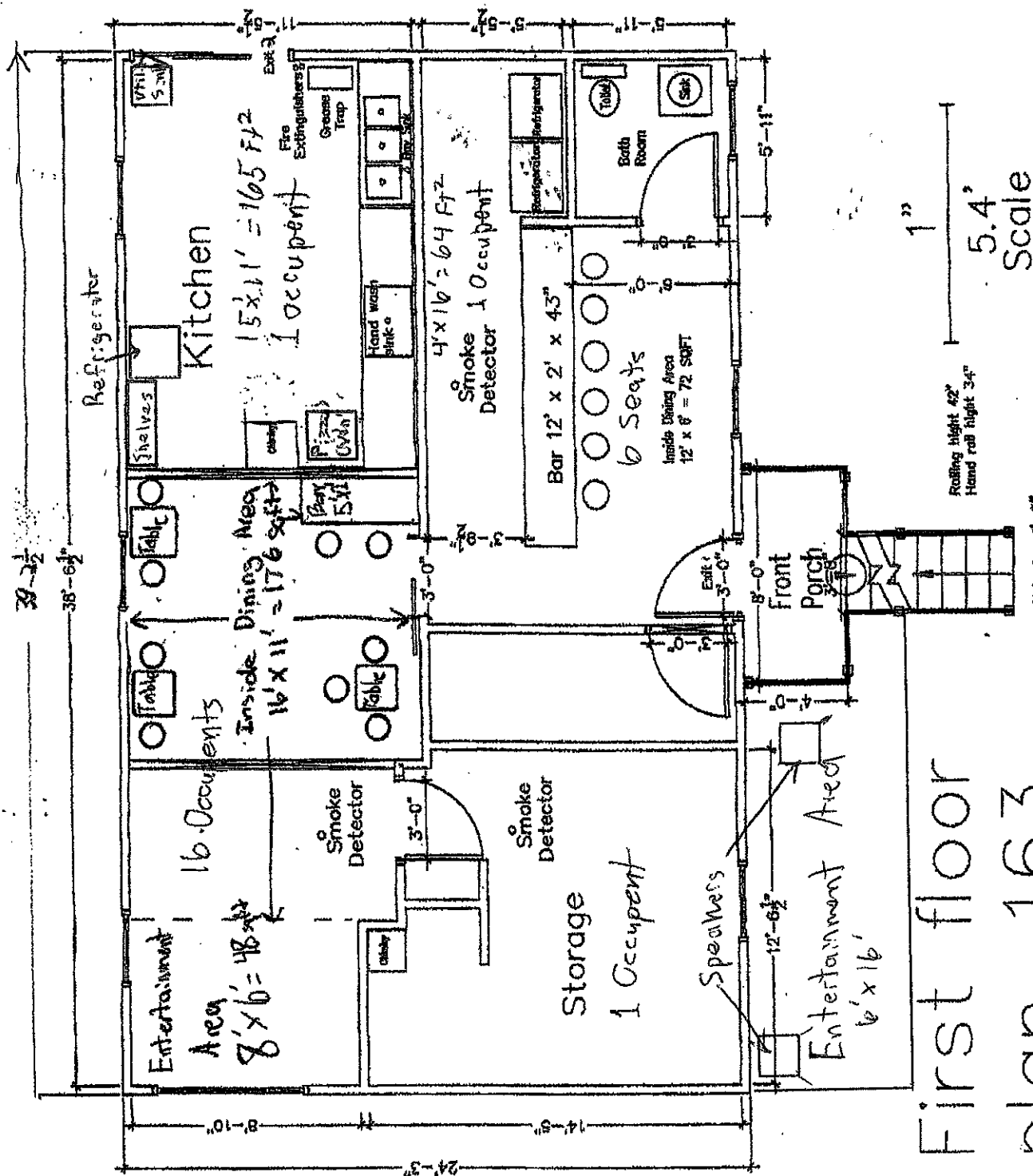
Class of License	Type of liquor/Establishments included	Fee
Class I ✕	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis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

Section VI Premises Floor Plan

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

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

See Attached

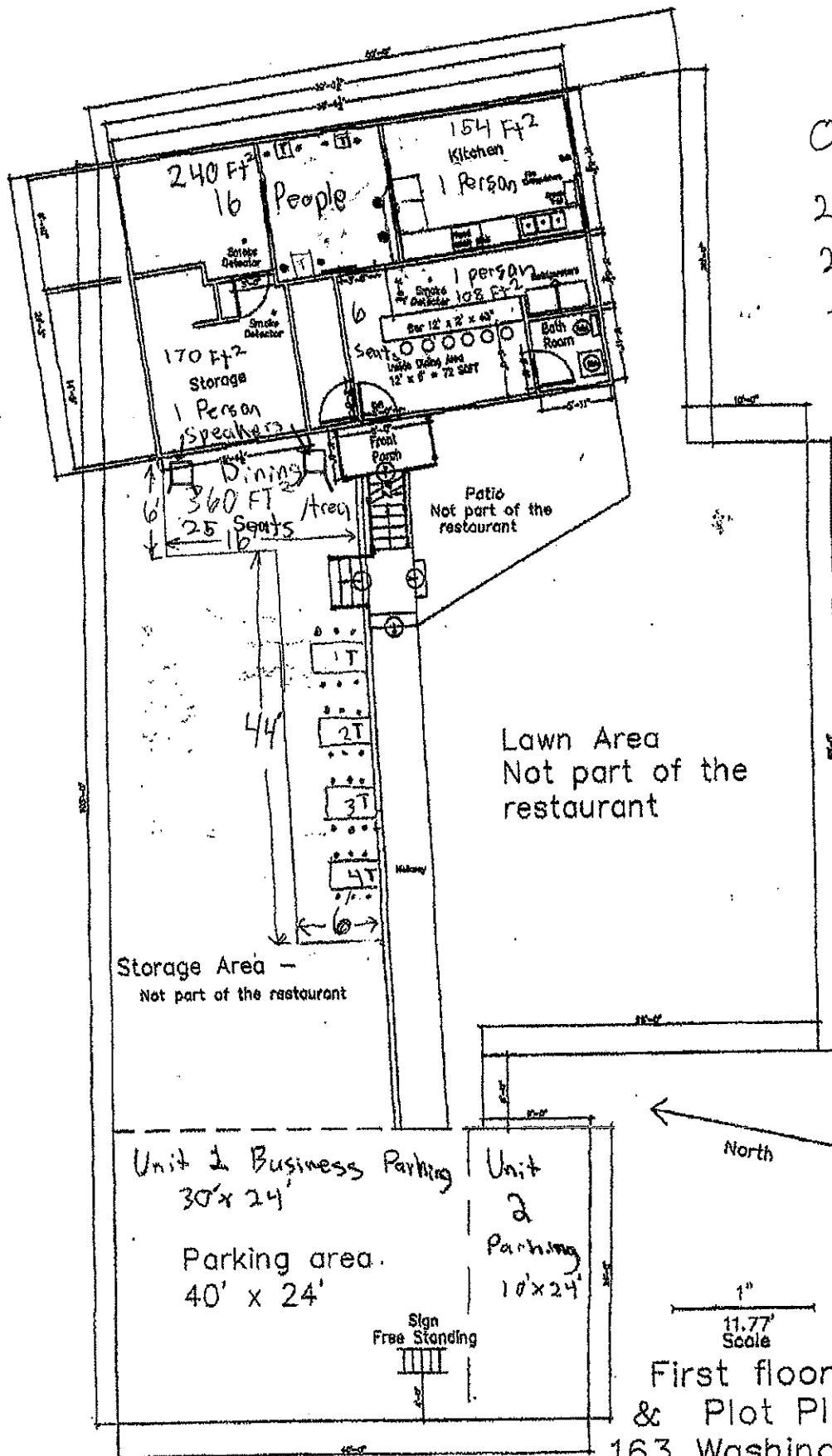


First floor
plan, 163
Washington Ave
Existing / Proposed

1"
5.4'
Scale

Rolling height 42"
Hand rail height 34"

Revised 7/14/2023
3/14/2024



Occupancy is
 25 inside +
 25 outside
 Total 50

First floor
 & Plot Plan
 163 Washington Ave

Revised 7/14/2022
 3/14/2024

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

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

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Newscapes Brewing Inc.
2. Doing Business As, if any: Newscapes Brewing Inc.
3. Date of filing with Secretary of State: 2/19/2019 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:
N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Jeffrey A. Curran	163 Washington Ave.	7/4/1977	President	100
N/A				

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

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 9, 2024

SUBJECT: Order 177-23/24 Granting Municipal Officers' Approval of Paella Seafood LLC, dba Paella Seafood. Application for Class III & IV with Outdoor Dining on Private Property at 865 Forest Avenue - Sponsored by Danielle P. West, City Manager

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

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

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

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

Application was filed on 3/20/24. Location was previously Piaziola. New City and State applications.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

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

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 2024.04.22_Paella_Council Order
2. 2024.04.22_Paella_Council Packet

Prepared by:

Date: 04/09/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA Y. BULLETT (4)
KATHRYN SYKES (5)

ORDER

GRANTING MUNICIPAL OFFICERS’

APPROVAL OF:

Paella Seafood LLC, dba Paella Seafood. Application for Class III & IV with Outdoor Dining on Private Property at 865 Forest Avenue

Paella Seafood Restaurant
865 Forest Ave, Portland Maine 04103

City of Portland
Permitting and Inspection Department
Liquor License Application Process
RE: Letter of Intent for alcohol license

March 11, 2024

Dear Mayor and city council members,

I am writing to you in regards to obtaining a license to serve alcohol at my restaurant, Paella Seafood restaurant, in Portland, which I opened on February 1, of this year.

Many of my customers have requested that I serve beer and/or wine, and so I have taken the initiative to fill out the accompanying application to serve alcohol in my restaurant. I am hoping it will be approved in a timely manner in order to fulfill the needs of my customers so that I can create enough business to stay in operation. I will only be serving wine and beer and it will be kept on my premises in a walk-in cooler, in the basement of my restaurant.

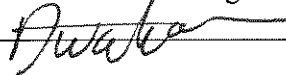
If you need further information or details about my restaurant, and/or would like to visit it, please feel free to call me at the following phone number from 11am to 8pm. 207-536-1021

Sincerely,
Mohammad Jabrawi -Owner



Date 3/19/24

Dahlia Wallden - Manger



Date 3/19/24

6023-2024



CITY OF PORTLAND

Permitting and Inspections Department

Application for Food Service Establishment with Alcoholic Beverages License

Business Information	
Establishment Name (d/b/a):	Paella Seafood Phone: 207 536-1021
Location Address:	865 Forest Ave Portland, ME Zip: 04103
If new, what was formerly at this location:	Piaziola (Pizza Restaurant)
Mailing Address:	865 Forest Ave, Portland ME Zip: 04103
Contact Person:	Dahlia Walden Phone: 207 536-1021
Contact Person Email:	paellaseafood@yahoo.com
Manager of Establishment:	Dahlia Walden Date of Birth: 8/1/1979 Phone: 207 536-1021
Owner of Premises (Landlord):	Steve Mardigan
Address of Premises Owner (Landlord):	Semco LLC Zip:

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

Name of Owner(s)	Date of Birth	Residence Address
Mohammad Jabrawi	11/19/1980	847 Forest Ave Portland ME 04103

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

Corporate Name	Corporate Mailing Address		
Paella Seafood LLC	865 Forest Ave Portland ME Zip: 04103		
Contact Person:	Dahlia Walden Phone: 207 318-4719		
Principal Officers	Title	Date of Birth	Residence Address
Dahlia Walden	Mgr.	8/1/1979	847 Forest Ave Portland ME 04103
Mohammad Jabrawi	owner	11/19/1980	Same
Class of Liquor License: Class III and IV			



CITY OF PORTLAND
Permitting and Inspections Department

Type of food served:	Seafood	
Please circle all that will be served:	☒ Beer ☒ Wine ☐ Liquor	
Projected percentage of sales:	Generated from Food:	Generated from Alcohol:
Hours & days of operation:	Tues-Sunday 11am-9pm	
QUESTIONS		
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?		Y/N ☒ Y ☐ N
If No, please explain:		
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?		Y/N ☒ Y ☐ N
If yes, give the distance:		
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)		Y/N ☒ Y ☐ N
Will you permit dancing after 1:00 a.m.?		Y/N ☒ Y ☐ N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)		Y/N ☒ Y ☐ N
If yes, will the outside dining be on PUBLIC or <u>PRIVATE</u> property (circle one).		
Will you have any amusement devices (pinball, video games, juke box)?		Y/N ☒ Y ☐ N
If yes, please list: # of amusements: _____ # of pool tables: _____		
What is your targeted opening date?	Feb. 1, 2024	2/1/24
Does the Issuance of this license directly or indirectly benefit any City employee(s)?		Y/N ☒ Y ☐ N
If Yes, list name(s) of employee(s) and department(s):		
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?		Y/N
If Yes, please list business name(s) and location(s):	This license for my restaurant has always been the same. Paella Seafood	
Is any principal officer under the age of 21?		Y/N ☒ Y ☐ N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?		Y/N ☒ Y ☐ N
If Yes, please explain:		

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

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

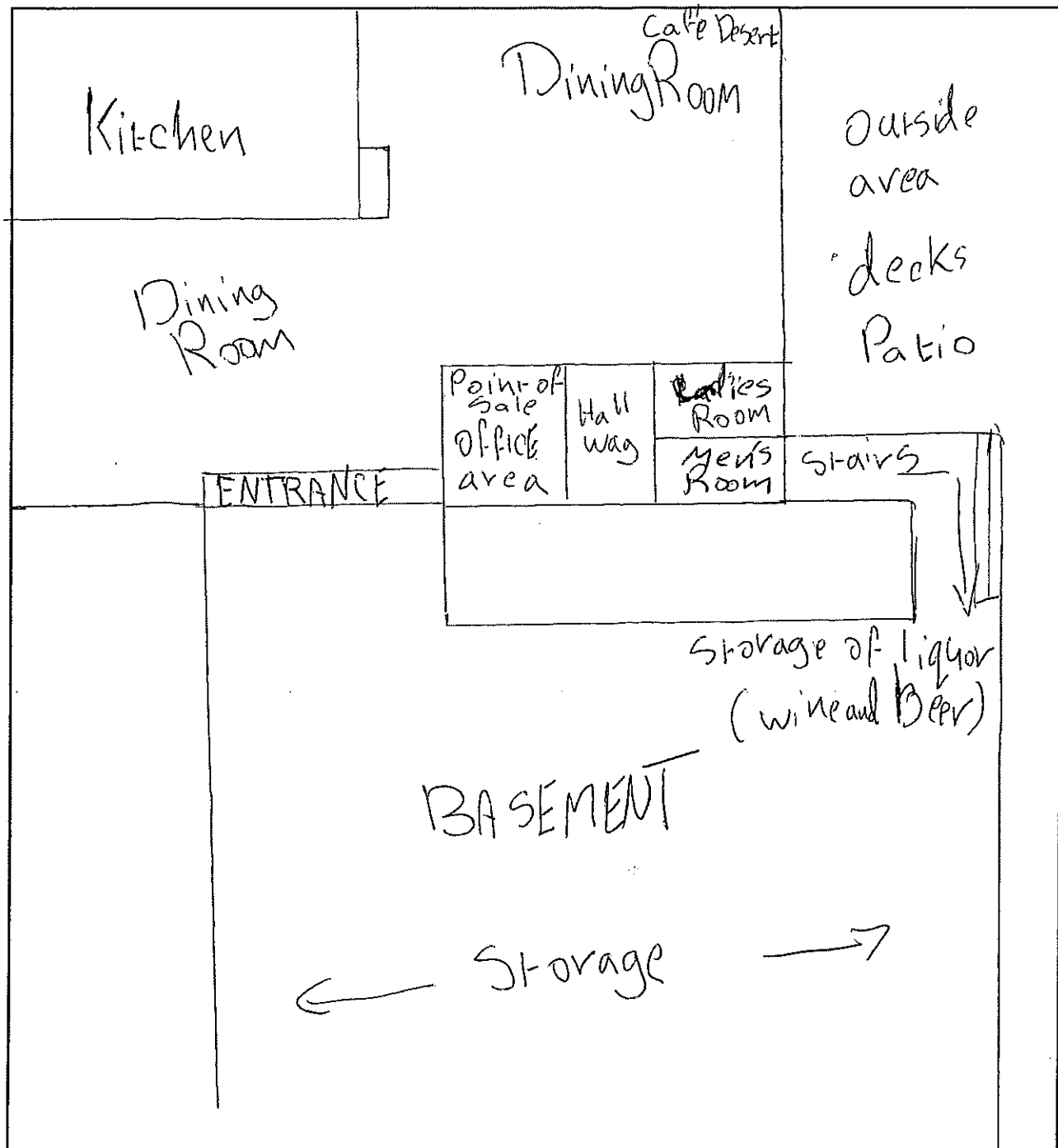
It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto. I/We, hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We, hereby waive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

X Signature Mohamed Sabrawi X Title Owner Date 3/19/24

Section VI Premises Floor Plan

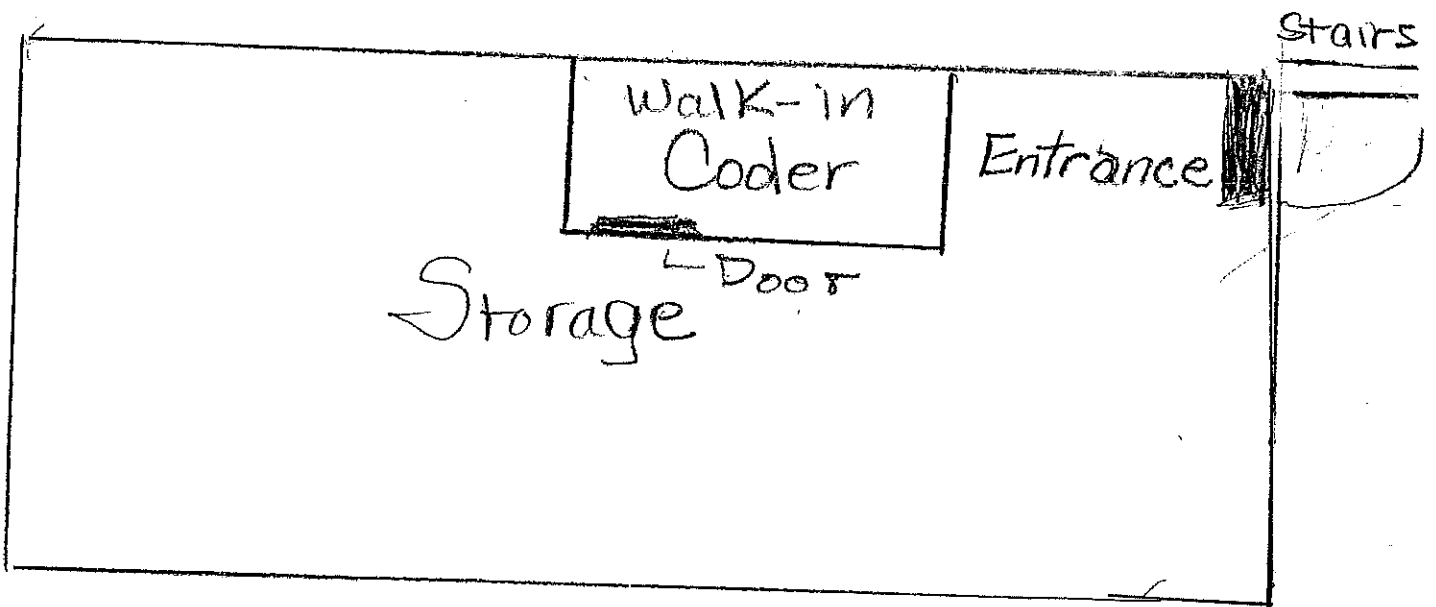
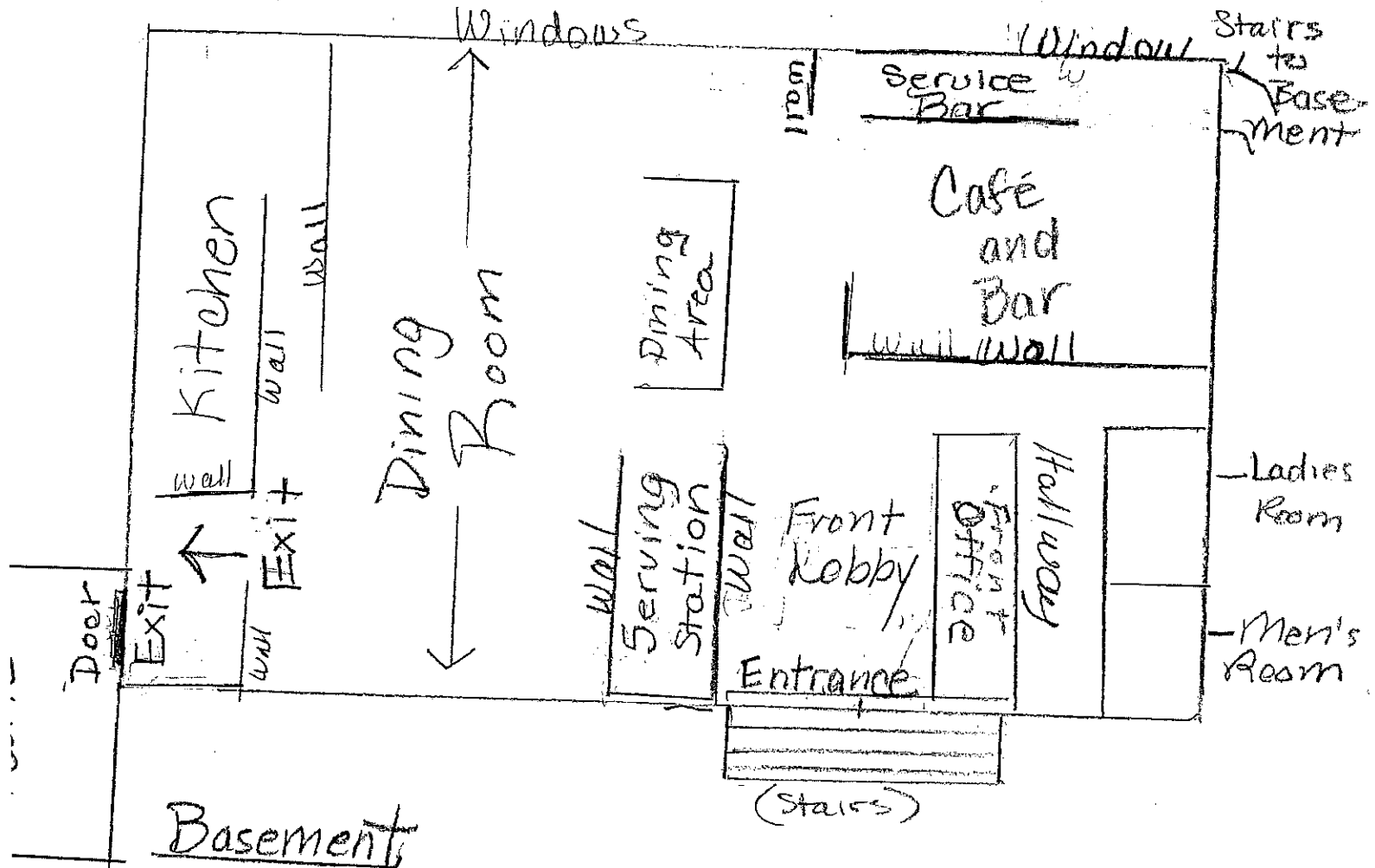
In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

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



The following is a draft of the restaurant owned premises that I have a lease with at 865 Forest Ave, Portland, Maine.

First Floor





CITY OF PORTLAND
Permitting and Inspections Department

**Outdoor Dining Permit on Private Property
Supplemental Application**

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

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

Business Information					
Business Name (d/b/a):	Paella Seafood LLC	Phone:	207-536-1021		
Location Address:	865 Forest Ave Portland ME	Zip:	04103		
Mailing Address:	865 Forest Ave Portland Maine	Zip:	04103		
Contact Person:	Mohammad Jabrawi	Phone:	813 998 4433		
Contact Person Email:	PaellaSeafood@yahoo.com				
Manager of Establishment:	Dahlia Wallsten	Date of Birth:	08/01/1971	Phone:	207 318 9719
Owner of Premises (Landlord):	Steve Mardigan				
Address of Premises Owner:	Semco LLC	Zip:	04103		

Owner Information

Corporate Name		Corporate Mailing Address			
Paella Seafood LLC		865 Forest Ave Portland ME		Zip:	04103
Contact Person:	Mohammad Jabrawi	Phone:	813 998 4433		
Principal Officers	Title	Date of Birth	Residence Address		



CITY OF PORTLAND
Permitting and Inspections Department

Class of License:	
Type of food served:	<u>Seafood</u>
Please circle all that will be served:	<u>Beer</u> <u>Wine</u> Liquor
Hours & days of operation:	<u>11-9</u>
Number of Tables	<u>6</u>
Number of Chairs	<u>12</u>

Design and Construction

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

Maintenance and Operations

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

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

Signature [Signature] Title owner Date 4/12/24

For Administrative Use Only

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







Zachary Lenhart <zlenhart@portlandmaine.gov>

Paelle Seafood - Class III & IV - 865 Forest Ave

Eric Nevins <erich@portlandmaine.gov>

Tue, Apr 9, 2024 at 5:13 PM

To: Zachary Lenhart <zlenhart@portlandmaine.gov>

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

Approved

[Quoted text hidden]

Eric Nevins

Lieutenant

Portland Police Department

(207) 874-8513

Paelle Seafood - Class III & IV - 865 Forest Ave

Zoning <zoning@portlandmaine.gov>

Tue, Apr 16, 2024 at 4:55 PM

To: Zoning <zoning@portlandmaine.gov>

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

Good Afternoon,

The legal use for 865 Forest AVE is a restaurant. Zoning approves.

Thank you,

Mac

--

Mac Coldwell

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

[Quoted text hidden]

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on April 22, 2024 at 5:00 P.M., in City Council Chambers, 389 Congress St. for Paella Seafood LLC, dba Paella Seafood. Application for Class III & IV with Outdoor Dining on Private Property at 865 Forest Avenue - Sponsored by Danielle P. West, City Manager

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



April 17, 2024

Paella Seafood LLC
865 Forest Avenue
Portland, Maine 04103

Re: Paella Seafood LLC, dba Paella Seafood. Application for Class III & IV with Outdoor Dining on Private Property at 865 Forest Avenue

Dear Paella Seafood LLC:

This letter shall serve as a reminder of the public hearing before the Portland City Council on Monday April 22, 2024 at 5:00 p.m., for the review of application for Class III & IV with Outdoor Dining on Private Property at 865 Forest Avenue. The meeting will take place in person at Portland City Hall, in City Council Chambers on the 2nd Floor of 389 Congress Street.

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

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

Sincerely,

Zachary J. Lenhart
Licensing and Housing Safety Manager



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

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:	Yes ☐ No ☐

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

Legal Business Entity Applicant Name (corporation, LLC): <i>Mohammad Jahrawi</i>	Business Name (D/B/A): <i>Paella Seafood</i>
Individual or Sole Proprietor Applicant Name(s):	Physical Location: <i>865 Forest Ave, Portland, ME 04103</i>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: <i>PaellaSeafood@yahoo.com</i>
Telephone # Fax #:	Business Telephone # Fax #: <i>207-536-1021</i>
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? ☐ New Expected Start date: _____
☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: _____ Beer, Wine or Spirits: X _____ Guest Rooms: _____

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

☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

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

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

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

5. Business records are located at the following address:

865 Forest Ave Portland ME 04103

6. Is the licensee/applicant(s) citizens of the United States?

☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine?

☒ Yes ☐ No

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: _____

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

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

Name of Business	License Number	Complete Physical Address
N/A		

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

Full Name	DOB	Place of Birth
N/A		

Residence address on all the above for previous 5 years	
Name	Address:
Dahlia Walden	847 Forest Ave PHd, ME 04103
Name	Address:
Name	Address:
Name	Address:

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

☐ Yes ☒ No

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

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

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

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

The areas to be licensed are
the dining room and cafe / bar.

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

Name: Ocean Ave Elementary School
Distance: 5 miles (1/2 mile)

Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 3/19/24 X

M669 X
Signature of Duly Authorized Person

Mohammad Jahrawi
Printed Name Duly Authorized Person

Dahlia Walden
Signature of Duly Authorized Person

Dahlia Walden
Printed Name of Duly Authorized Person

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

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

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

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

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

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

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

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

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

E. A violation of any provision of this Title;

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

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

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

A. Repealed

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

4. Repealed

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

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

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

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

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

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

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

Officials

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

Signature of Officials	Printed Name and Title

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

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

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms.

Section V: Fee Schedule

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

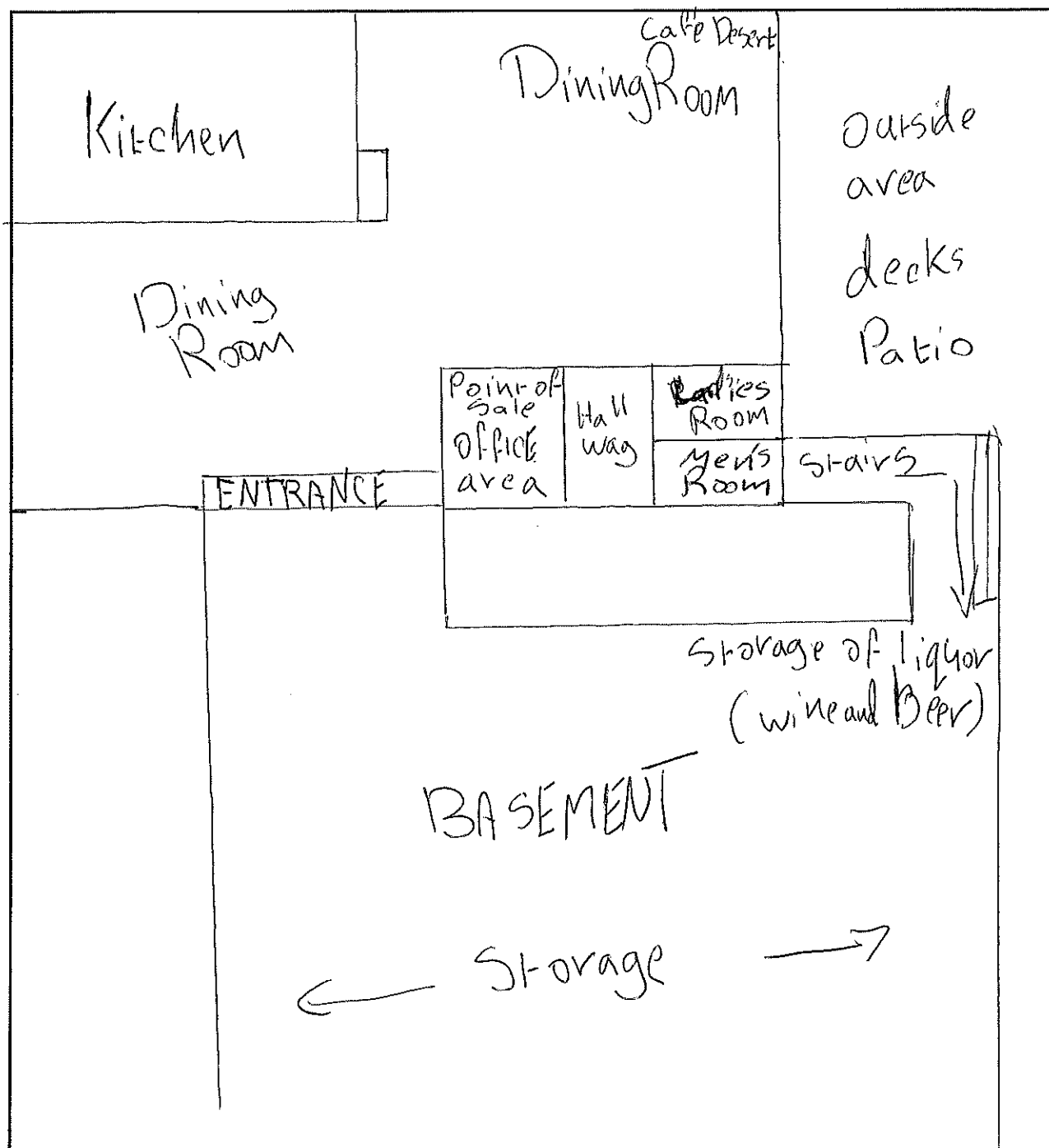
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

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

Section VI Premises Floor Plan

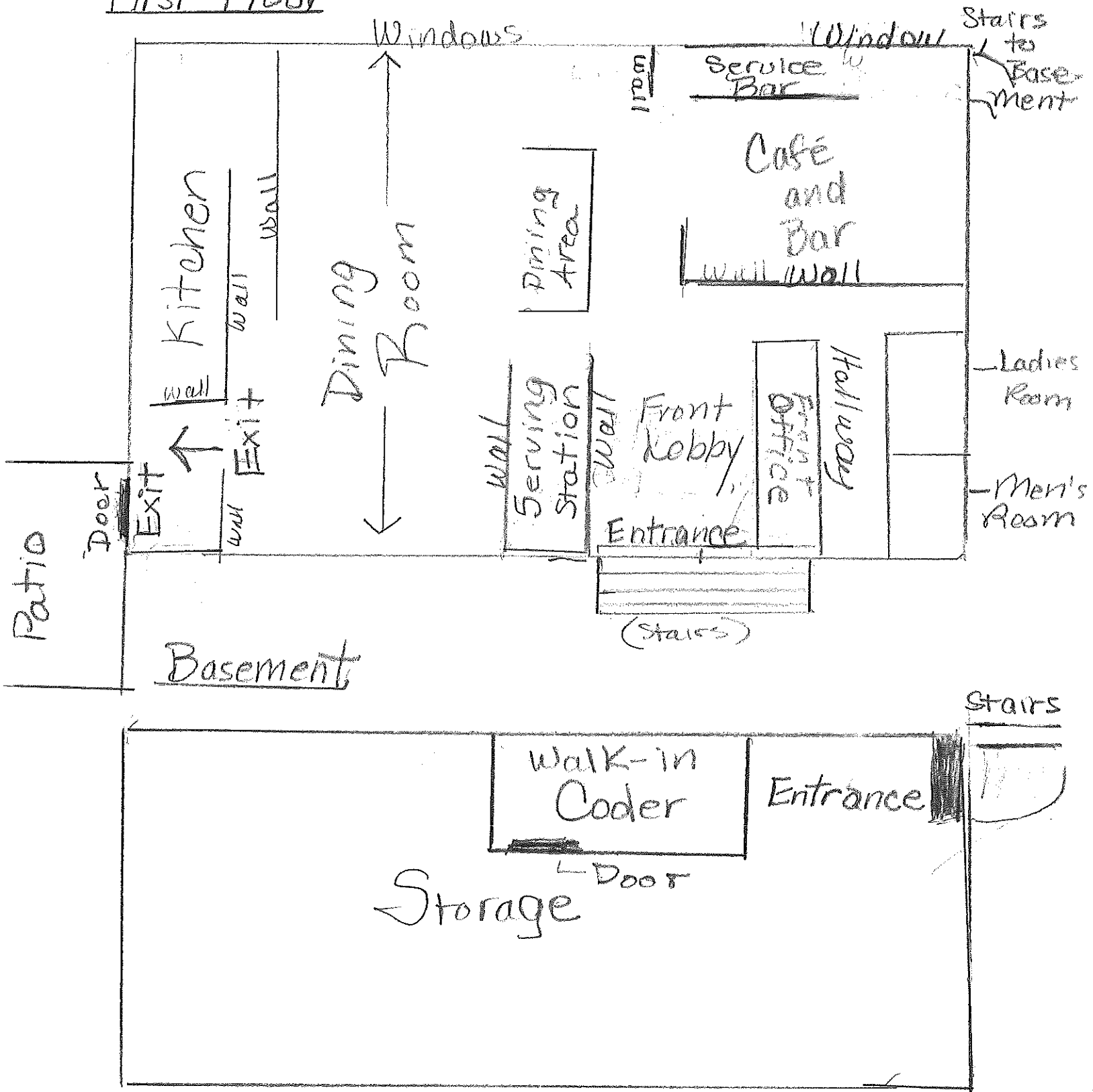
In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

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



The following is a draft of the restaurant owned premises that I have a lease with at 865 Forest Ave, Portland, Maine.

First Floor



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

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

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: _____
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: _____ State in which you are formed: _____
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

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

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Dahlia Wallden	847 Forest Ave	8/1/1979	Manager	100%
Mohammad Jabbari	1	11/19/1980	owner	100%

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

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER RECEIVING AND REFERRING TO THE FINANCE COMMITTEE THE
PORTLAND BOARD OF PUBLIC EDUCATION'S FISCAL YEAR 2025 BUDGET
ESTIMATE AND SETTING A PUBLIC HEARING THEREON**

ORDERED, that the Budget Estimate of the Portland Board of Public Education for Fiscal Year 2025 is hereby received and referred to the Finance Committee for review; and

BE IT FURTHER ORDERED, that the Public Hearing on the Fiscal Year 2025 School Budget will be on May 6, 2024 in the City Council Chambers, 389 Congress Street, at 5:00 p.m.



PORTLAND PUBLIC SCHOOLS

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Mayor Dion and Members of the Portland City Council:

On behalf of the Portland Board of Public Education and in accordance with the City Charter, I – along with Superintendent Ryan Scallon – are presenting our recommended fiscal year 2025 budget for the Portland Public Schools.

The Board was united in approving this \$161.4 million FY25 budget on April 9. We feel strongly that this budget is a fair and responsible one in a time of unique fiscal challenges. The budget is grounded in equity, centers students, supports staff, provides additional resources to schools and is aligned to our emerging strategic plan, while being cognizant of Portland taxpayers.

The budget process this year has been incredibly hard because the district faces increased expenses, relatively flat state funding and the end of COVID funding in FY25. This budget includes sizable reductions to address those fiscal challenges. While necessary, those cuts are painful, and we will feel the impact of each one of them.

The theme of our budget is “Centering Students,” and that has guided us in identifying not just reductions but also opportunities for strategic investments in developing this budget. This budget includes funding for increased student mental health, reading support, special education and school culture support at the school level. In addition, this budget supports increased rigor in the classroom, and maintains funding for athletics, extracurriculars, and class sizes.

This budget does all that while being cognizant of the tax burden on Portland residents. The loss of about \$9.4 million in federal COVID relief funds and other revenues, relatively flat state funding and increasing expenses meant that the district began the budget process with an estimated \$19.4 million shortfall. Without any cuts, that shortfall would have necessitated a 17.41% increase in the school portion of the tax rate.

Instead – due to strategic reductions and restructuring – the budget we present to you tonight calls for an increase of 6.6% (\$0.49) in the school tax rate. For the owner of a \$375,000 median-priced home in Portland, this would result in an increase in taxes of \$183.75 per year or just over \$15 per month. Previous versions of our FY25 school budget

were expected to result in a 6.85% increase in the school tax rate, but city property valuations that were revised as of April 1 brought that figure down to 6.6%.

It truly has been a community effort to get this budget to land where it is now. Since March 5, when the superintendent presented his proposed FY25 budget, members of the community, PPS staff, the Board and Council finance committees, as well as the mayor and other councilors, have all engaged to help us revise and enhance the FY25 budget. The Board has listened carefully as we worked to understand and evaluate budget priorities and develop a budget that is as responsive as possible to the needs of our students, staff and families, while also keeping in mind the concerns of taxpayers.

Our budget is the result of months of work and the process has been very thorough.

The budget process began back in July, when Superintendent Scallon joined the district and commenced a months-long listening and learning process involving all members of the community to develop a new five-year strategic plan. The goal is to align the FY25 and future budgets with that emerging plan.

Based on priorities identified in the strategic plan, five principles guided the reductions and restructuring in the budget:

- Aligning budget priorities to the emerging strategic plan
- Making budget cuts that minimize the impact on students
- Identifying opportunities for strategic investments and not just reductions
- Reviewing all expenses and not just expenses currently paid for by COVID Funds
- Making progress in building a sustainable organizational structure

Those principles ensured reductions in the budget were made as far away from students as possible. The principles also led to not just cuts but also to including strategic investments that enhance student mental health and learning and increasing enrichment classes – art, music, gym, library, environmental literacy and foreign language – at the elementary level.

On March 5, the superintendent presented a recommended budget of \$161 million. After extensive review, the Board's Finance Committee voted on April 1 to increase that overall budget proposal by just over 600,000 to add 17 staff positions to the budget. The Finance Committee's Recommended budget did not add to the tax rate increase in the superintendent's budget because the Committee offset those increases by including:

- \$300,000 in MaineCare revenue. A revenue stream that was not previously included in the FY25 budget.

- A \$322,602 reduction in budgeted PFML (parental and family medical leave) expenses to reflect our current bargaining agreements that will delay the district's need to budget PFML costs until FY26 for some employees.
- A reduction of \$559,283 in budgeted benefits as the district continued to receive additional information about lower benefits costs for FY25 than initially budgeted.
- An additional \$313,071 in the use of the fund balance reserves for FY25.

On April 9, the Board also voted to add in another position – that of middle school math coach – and to incorporate into the budget an additional \$326,035 in health insurance savings, based on the district's final notification from its insurer regarding the cost of employee health insurance benefits in FY25. After covering the cost of the math coach with those funds, the Board directed the remainder to be used to reduce the use of the fund balance in the Finance Committee's budget down from \$3,813,071 to \$3,582,780.

This year, for the first time, the school budget was presented in a more comprehensive manner, with all revenues and expenses presented, not just those in the local budget. Compared to the total overall FY24 budget of approximately \$163.1 million, the FY25 budget is \$161.4 million, a reduction of about \$1.7 million. The FY24 budget consists of a local budget of \$144 million and \$19 million in non-local funds. The FY25 budget consists of \$154 million in the local part of the budget, with \$7 million in other funds.

This also is a zero-based budget. The District did not roll forward its previous budget. Instead, we started with zero and built a new budget, looking at both staff and non-personnel and ensuring that they align to the strategic plan.

Below are some specific highlights at the district-wide and elementary, middle and high-school levels of the Board's recommended budget:

District-wide:

- Maintains or increases mental health staff
- Maintains staffing for multilingual learners
- Budgets all schools to have a Special Education Coordinator
- Increases the number of schools with proactive school climate staff
- Maintains class size guidance
- Establishes Network Support Teams specializing in, and dedicated to, outcomes at elementary schools or middle/high schools
- Maintains Central Office capacity for Tech Integration and Outdoor Learning Fieldwork

Elementary:

- Staffs all schools to have five specials (e.g. art, music, gym, library, environmental literacy, foreign language) per week

- Provides all teachers with five preparation periods per week - currently it is as low as three preparation periods a week in some schools.
- Increases intervention staff - training and materials
- Increases teachers and education technicians at Title I schools

Middle Schools:

- Maintains students having access to art, music, foreign language & STEM and extracurricular funding
- Increases reading and math intervention staff - training and materials
- Offers algebra at each middle school
- Maintains Make It Happen at the middle school level despite it previously being grant funded

High Schools:

- Maintains funding for athletics & extracurriculars
- Funds High School of the Future staff member and external support
- Maintains Extended Learning Opportunities at Portland and Deering high schools
- Maintain transitional capacity for students with IEPs and Multilingual Learners

To address the fiscal challenges of FY25, and to center students and invest in schools, the recommended budget includes a variety of savings and adjustments. Highlights include:

- Central Office: Restructured for effectiveness and efficiency, with a cut of 20 positions and initial cost savings estimated at more than \$2.6 million.
- Special Education: To provide additional capacity at the school level, reducing the number of special education staff at Central Office by 12 FTE (FY24 21 FTE).
- Transportation: Increasing budgeted staffing in transportation to reduce the District's reliance on contracted bus companies. The department will also not purchase new buses in FY25. The budgeted estimated savings are \$919,000.
- Facilities: The Facilities department is budgeted to reduce the overall number of custodians by 9 FTE and move a small number of staff to a Tuesday - Saturday schedule. Note that this reduction will be done through not filling current vacancies. This produces budgeted savings of \$570,000.
- School Staffing: Overall staffing at the school level remains relatively flat from FY24 to FY25, but there are a few targeted reductions, with savings from those re-invested in schools in other staffing additions.
- Stipends and Differentials: The district continues to work with union partners to both emphasize staff/teacher leadership and lower the overall expenses of stipends. The budgeted expenses for stipends/differential goes from \$2.1 million in FY24 to \$1.6 million in FY25.
- Fund Balance: To offset financial challenges, the budget proposes using \$3.58 million in fund balance, a slight reduction from the amount of fund balance used in FY24.

In summary, our Board budget is a balanced and reasonable one. It is fiscally prudent, containing reductions and restructuring but also investments that will enhance teaching and learning while being heedful of taxpayers.

We ask you to join us in supporting this budget and send it to Portland voters for final approval on June 11. The community has repeatedly demonstrated at the polls that they believe in the importance of a quality public education for Portland students so they are empowered to succeed in college and career. This budget reflects those values and we encourage you to approve it. Thank you.

Respectfully submitted,

Sarah Lentz, Chair

Portland Board of Public Education



CENTERING STUDENTS

FY25 Budget
City Council



**PORTLAND
PUBLIC SCHOOLS**
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The Portland Public School District is proud to present to you a budget that is focused on student outcomes, grounded in equity and informed by community input.

Executive Summary

- The Portland Public Schools has developed an overall budget of \$161.4 million that centers students, invests in schools and is aligned to the emerging strategic plan. This is the first time that the District has presented a comprehensive budget of all revenues and expenses.
- The budget includes strategic funding for increased mental health, reading support, special education and school culture support at the school level, supports increased rigor in the classroom, and maintains funding for athletics, extracurriculars, and class sizes.
- The proposed budget would raise the school portion of property taxes by 6.6% (\$0.49). For a median homeowner this would result in an increase of \$183.75 per year.
- The budget proposes to use \$3.58million in fund balance reserves in FY25.



Our agenda is short so that we have time for questions from the Council.

Agenda

- 1 Who We Are and the Work Ahead
- 2 Financial Challenges in Fiscal Year 2025
- 3 Prioritized Funding
- 4 Updated Tax Rate



Our vision and mission statements

Vision

All learners will be fully prepared to **participate and succeed** in a diverse and ever-changing world.

Mission

The Portland Public Schools is responsible for ensuring a **challenging, relevant, and joyful education** that **empowers every learner** to make a difference in the world. We build **relationships** among families, educators and the community to promote the **healthy development** and **academic achievement** of every learner.



1

Portland serves a diverse population of approximately 6,600 PK-12 students across 18 schools and programs.

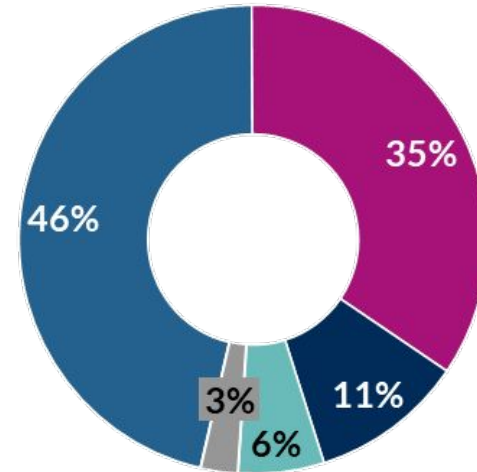
PPS total 23-24 Enrollment

Students enrolled	6616
# of schools and grade bands	18 PK-12 + adult education
% Economically disadvantaged	50%
% special education students (SpEd)	18%
% Multilingual learners (ML)	30%
% homeless	15%

Over ¼ of PPS students are Multilingual Learners.

Race / ethnicity breakdown 23-24

■ White
 ■ Asian or Asian American
 ■ Black or African American
 ■ Other*
 ■ Hispanic or Latinx



54% students of color

*Other includes students who identify as American Indian or Alaska Native, Native Hawaiian or Pacific Islander, Multiracial, or those who declined to answer.
Source: Maine DOE



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1 Since July, the District has been engaging the community in a strategic planning process.

Strategic Plan Priorities

Equity: Keeping Equity at the Center

The Portland Public Schools strives to be an anti-racist district by vigilantly supporting each and every student's particular path to achieving their potential and rooting out systemic inequities.

Achievement: Enhancing Academic Excellence and Equity

Implement a universally accessible, rigorous, and equitable curriculum that prepares students academically and ignites a joy of learning, through consistent, high-quality instruction and engaging, grade-level tasks that challenge and inspire students.

Whole Student, Connected Community: Cultivating Inclusivity and Belonging

Nurture supportive, inclusive school communities that promote belonging and engagement among all students, their families, and the broader community.

People: Developing Staff, Leaders, and Organizational Culture

Elevate recruitment, retention, and staff development practices focused on ensuring instructional excellence and cultivating an inclusive work environment that supports collaboration and staff well-being.

Systems: Streamlining Operations for Equity, Efficiency, and Accountability

Develop and implement consistent and clear operational procedures and systems that enhance equity, efficacy, and accountability across the Portland Public Schools.





2. Financial Challenges in Fiscal Year 2025



PORTLAND PUBLIC SCHOOLS

Below, you will see the fiscal challenges we anticipated when we started the budget process.

Significant Differences Between FY24 & FY25

Decreasing Revenues PK-12*

ESSER (COVID) Funds: −\$9,400,000

Fund Balance: −\$3,600,000

State Funding: \$220,000

TOTAL: −\$12,780,000

Tax Impact: 11.44%

\$0.852

*Because of inconsistencies in reporting & receiving grants from year to year, grants are excluded from the decreasing revenue column.

**Salaries, Benefits, & Goods/Services based on FY24. Debt Service, Sped Costs, & FMLA State based on FY25

Increasing Expenses**

Salaries (3%): \$2,400,000

Benefits (10%): \$1,800,000

Goods/Services(2.6%): \$625,000

Debt Service: \$560,000

Sped Costs: \$812,500

PFML: \$470,000

TOTAL: \$6,667,500

Tax Impact: 5.97%

\$0.44

2 The District faces the challenges of both decreasing revenues and increasing expenses.

Significant Differences Between FY24 & FY25

Decreasing Revenues PK-12*		Increasing Expenses**	
ESSER (Covid) Funds:	-\$9,400,000	Salaries (3%):	\$2,400,000
Fund			0
State			
TOTAL			
Tax			
\$19,447,500		17.41%	\$1.29
*Because of inconsistencies in reporting & receiving grants from year to year, grants are excluded from the decreasing revenue column.		TOTAL:	\$6,667,500
**Salaries, Benefits, & Goods/Services based on FY24. Debt Service, Sped Costs, & FMLA State based on FY25		Tax Impact:	5.97%
			\$0.44

Since the start of our budget process, we have received some good news.

Revenue Adjustments

New Revenue Streams

- MaineCare: \$300,000

Adjustment to Local Property Taxes

- Original Valuation: \$15,000,000,000
- Updated Valuation: \$15,029,000,000
- Local Tax Revenue: \$119,402,000
- Property Tax Rate: \$7.96 —→ \$7.94
- Property Tax Increase: \$0.51 —→ \$0.49
- Property Tax % Increase: 6.85% —→ 6.6%

Expense Adjustments

Reductions of Budgeted Expenses

- PFML reduction (\$322,602)
- Benefits reduction (5.56%) (\$885,318)

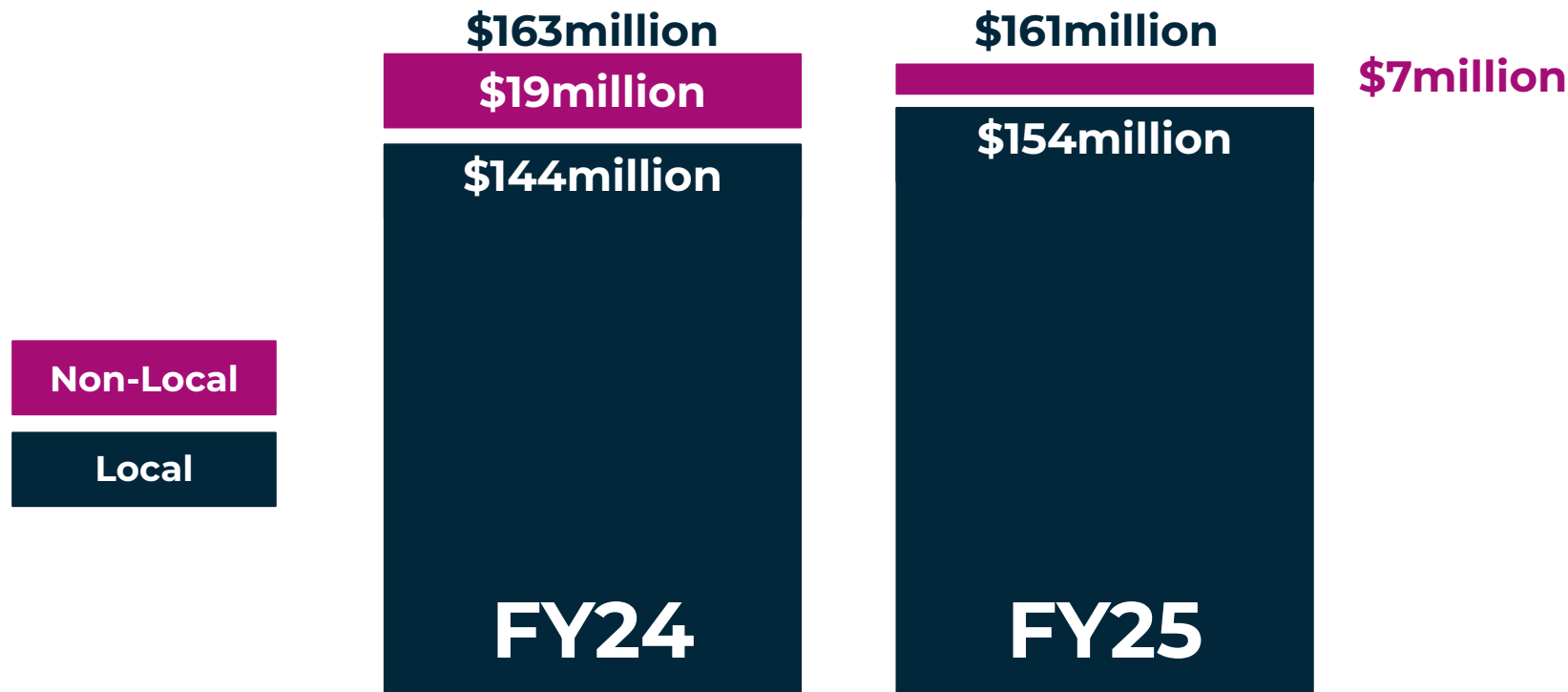
Total Adjustment: **(\$1,207,920)**



2

Below, you see that our overall funding decreased. This was caused by a decrease in non-local funding that was partially addressed through an increase in the proposed local funding.

FY24 vs FY25 Total Revenue



This year, we presented our budget in a more comprehensive manner.

Changes to How We Are Presenting

- All revenues and expenses are presented, not just those in the local budget
- 5-year budget for the District and 1-year budgets for the District, departments, and schools
- 5-year and 1-year budgets for our fund balance
- Detailed non-personnel budgets



2 Each proposed expense has been reviewed and is provided.

Dept. Budget

Academics ▼	
	FY 25 Superintendent
CONTRACTED SERVICES	
Ops and Comms	
Purchased Prof & Technical Services	\$ 638,000
430000	\$ 638,000

Dept. Budget

Ops and Comms	
Purchased Professional & Technical Services	430000
	Wabanki Consultants \$ 10,000
	Black History Consultants \$ 10,000
	Soc Stud Consultants \$ 3,000
	Fieldwork Contracts \$ 10,000
	Maine Audubon \$ 7,000
	Classify Training \$ 1,000
	EL Contracts \$ 60,000
	JMG \$ 54,000
	HSOF Consultant \$ 50,000
	Summer School Hold \$ 433,000





3. Prioritized Funding



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3 Recognizing the challenging budget landscape, five guiding principles were used to evaluate financial decisions.

Guiding Principles

1. Align budget priorities to the developing strategic plan which is grounded in equity
2. Make budget cuts that minimize the impact on students
3. Identify opportunities for strategic investments and not just reductions
4. Review all expenses & not just expenses currently paid for by ESSSER (COVID) Funds
5. Make progress in building a sustainable organizational structure



3 Utilizing our guiding principles, we were able to make strategic funding decisions at each level of the organization.

Examples of Funding Decisions

Guiding Principles

1. Align budget priorities to the developing strategic plan which is grounded in equity
2. Make budget cuts that minimize the impact on students
3. Identify opportunities for strategic investments and not just reductions
4. Review all expenses & not just expenses currently paid for by ESSER (Covid) Funds
5. Make progress in building a sustainable organizational structure

District-Wide

Elementary Schools

Middle Schools

High Schools



3 Utilizing our guiding principles, we were able to make strategic funding decisions at each level of the organization.

Examples of Funding Decisions

District-Wide

Elementary Schools

Middle Schools

High Schools

1. Maintained or increased **mental health staff**
2. Maintained **staffing** for **multilingual learners**
3. Budgeted all schools to have a **Special Education Coordinator**
4. Increased the number of schools with **proactive school climate** staff
5. Maintained **class size** guidance
6. Established **Network Support Teams** specializing in, and dedicated to, outcomes at elementary schools or middle/high schools
7. Maintained central office capacity for **Tech Integration** and **Outdoor Learning Fieldwork**



3 Utilizing our guiding principles, we were able to make strategic funding decisions at each level of the organization.

Examples of Funding Decisions

District-Wide

Elementary Schools

Middle Schools

High Schools

1. Staffed all schools to have **five specials** (e.g. art, music, gym, library, environmental literacy, foreign language) a week
2. Provided all teachers with **five preparation periods** a week
3. Increased **reading intervention staff** - training and materials
4. Increased teachers and education technicians at **Title I schools**



3 Utilizing our guiding principles, we were able to make strategic funding decisions at each level of the organization.

Examples of Funding Decisions

District-Wide

1. Maintained students having access to **art, music, language & STEM** and **extracurricular funding**

Elementary Schools

2. Increased **reading and math intervention staff** - training and materials

Middle Schools

3. Offering **algebra** at each middle school
4. **Maintained Make It Happen** at the middle school level despite it previously being grant funded

High Schools



3 Utilizing our guiding principles, we were able to make strategic funding decisions at each level of the organization.

Examples of Funding Decisions

District-Wide

1. Maintained funding for **athletics & extracurriculars**
2. Funded **High School of the Future** staff member and external support

Elementary Schools

3. Maintained **Extended Learning Opportunities** at Portland and Deering

Middle Schools

4. Maintained **transitional capacity** for **students with IEPs** and **Multilingual Learners**

High Schools



3 To address the significant challenges, we broadly approached the FY25 budget through a zero based budget process.

Zero Based Budget: In a zero based budget, the District does not roll forward a previous budget. Instead, the District starts with zero and builds a new budget looking at both staff and non-personnel and ensuring that they align to the strategic plan.

Additional Significant Actions:

- Central Office
- Facilities
- Fund Balance
- Special Education
- School-Based Staff
- Transportation
- Stipends





4. Updated Tax Rate



PORTLAND PUBLIC SCHOOLS

The proposed school tax increase this year to cover the budgeted expenses is \$0.49 or 6.64% on a property valuation of \$15.029 billion.

Property Tax History

FY	Tax Levy	School Tax	%
2019	\$88,003,431	\$11.14	5.0%
2020	\$93,345,138	\$11.69	4.9%
2021	\$94,338,744	\$11.69	0.0%
2022	\$99,083,251	\$12.15 → \$6.77	3.9%
2023	\$103,851,072	\$7.05	4.1%
2024	\$110,850,008	\$7.45	5.7%
2025	\$119,402,624	\$7.94	6.6%

Portion of FY25 Tax Levy

PreK-12: \$117,333,221

Adult Ed: \$2,068,945

Impact to Median Homeowner (\$375,000):

\$183.75 per year

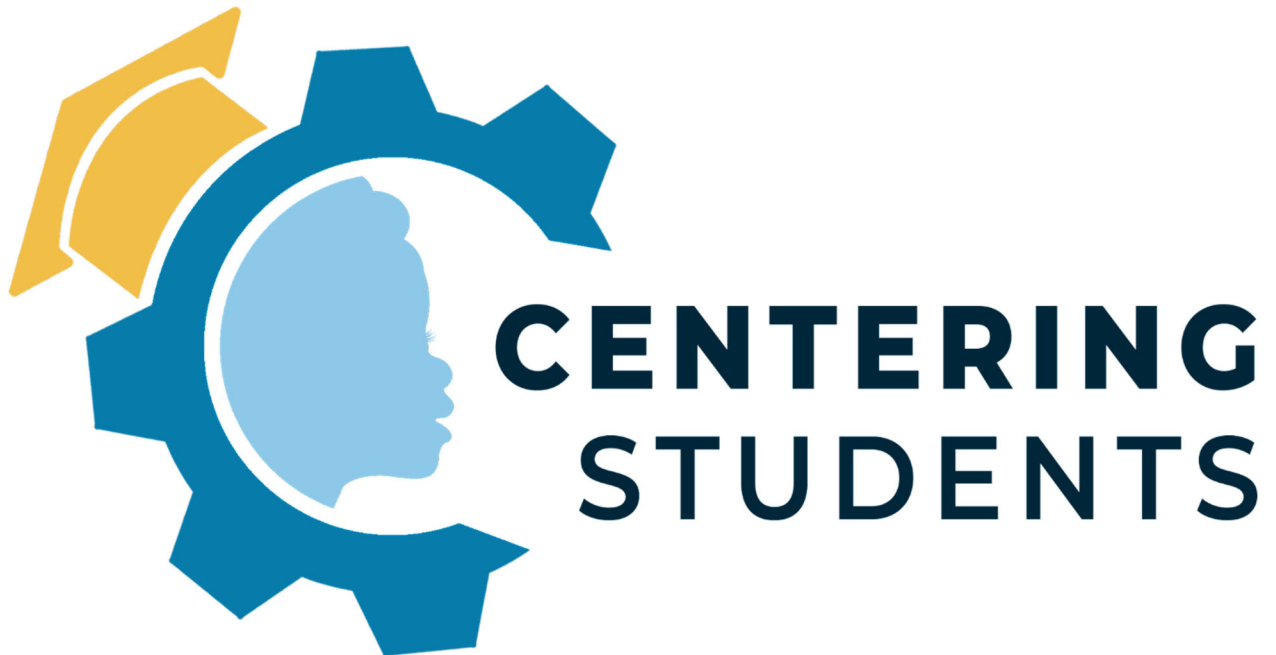




Questions



PORTLAND PUBLIC SCHOOLS



**FY2025 Board of Education
Recommended Budget
April 9, 2024**



Fiscal Year 2025 Budget Timeline

Date	Time	Activity	Location
Monday, November 13, 2023	4:30 PM	Finance Committee: Preview of Board Meeting	Finance Committee
Tuesday, February 6, 2024	6:00 PM	Public Forum on the Fiscal Year 2025 Budget	Board Meeting
Monday, February 12, 2024	4:30 PM	Review of Revenue and Estimated Expenses	Finance Committee
Tuesday, March 5, 2024	6:00 PM	Superintendent Presents Recommended Budget	Board Meeting
Monday, March 11, 2024	4:30 PM	School Finance Committee Budget Review	Finance Committee
Monday, March 18, 2024	2:00 PM	School Finance Committee Budget Review	Finance Committee
Tuesday, March 19, 2024		School Board Budget Workshop Following Regular Board Meeting	School Board
Thursday, March 28, 2024	5:00 PM	Joint City & School Finance Committee Meeting and Budget Review Meeting #1 <i>Per City Charter, two (2) joint meetings must occur during the thirty (30) days following submission of the Superintendent's Proposed Budget to the School Board</i>	Joint Meeting
Thursday, March 28, 2024	following Joint Meeting	School Finance Committee Budget Review	Finance Committee
Monday, April 1, 2024	4:30 PM	School Finance Committee Vote to Recommend Budget to School Board for Approval	Finance Committee
Tuesday, April 2, 2024	6:00 PM	1st Reading of Recommended Budget and Public Hearing <i>Per School Board Policy, at least two (2) public hearings on the school budget</i>	School Board Meeting
Thursday, April 4, 2024	5:00 PM	Joint City & School Finance Committee Meeting and Budget Review Meeting #2 <i>Per City Charter, two (2) joint meetings must occur during the thirty (30) days following submission of the Superintendent's Proposed Budget to the School Board</i>	Joint Meeting
Tuesday, April 9, 2024	6:00 PM	2nd Reading of Recommended Budget and Public Hearing. Vote to recommend budget to City Council <i>Per School Board Policy, at least two (2) public hearings on the school budget</i>	Special School Board Meeting
Monday, April 22, 2024	5:00 PM	Present Recommended Budget to City Council <i>Order receiving & referring School Board's budget to City Finance Committee for review</i>	City Council Meeting
Thursday, April 25, 2024	5:00 PM	City Finance Committee Review. Vote to Recommend Budget to City Council	City Finance Committee Meeting
Friday, April 26, 2024		Budget Orders are Due to the City	
Monday, May 6, 2024	5:00 PM	City Council 1st Reading of Budget at Public Hearing	City Council Meeting
Monday, May 20, 2024	5:00 PM	City Council 2nd Reading of Budget at Public Hearing. Vote for School Board Budget to move to Referendum	City Council Meeting
Tuesday, June 11, 2024		Public Referendum on School Budget <i>Must occur 10 to 30 days following City Council approval</i>	



PORTLAND PUBLIC SCHOOLS

prepared & empowered

Mayor Dion and Members of the Portland City Council:

On behalf of the Portland Board of Public Education and in accordance with the City Charter, I – along with Superintendent Ryan Scallon – are presenting our recommended fiscal year 2025 budget for the Portland Public Schools.

The Board was united in approving this \$161.4 million FY25 budget on April 9. We feel strongly that this budget is a fair and responsible one in a time of unique fiscal challenges. The budget is grounded in equity, centers students, supports staff, provides additional resources to schools and is aligned to our emerging strategic plan, while being cognizant of Portland taxpayers.

The budget process this year has been incredibly hard because the district faces increased expenses, relatively flat state funding and the end of COVID funding in FY25. This budget includes sizable reductions to address those fiscal challenges. While necessary, those cuts are painful, and we will feel the impact of each one of them.

The theme of our budget is “Centering Students,” and that has guided us in identifying not just reductions but also opportunities for strategic investments in developing this budget. This budget includes funding for increased student mental health, reading support, special education and school culture support at the school level. In addition, this budget supports increased rigor in the classroom, and maintains funding for athletics, extracurriculars, and class sizes.

This budget does all that while being cognizant of the tax burden on Portland residents. The loss of about \$9.4 million in federal COVID relief funds and other revenues, relatively flat state funding and increasing expenses meant that the district began the budget process with an estimated \$19.4 million shortfall. Without any cuts, that shortfall would have necessitated a 17.41% increase in the school portion of the tax rate.

Instead – due to strategic reductions and restructuring – the budget we present to you tonight calls for an increase of 6.6% (\$0.49) in the school tax rate. For the owner of a \$375,000 median-priced home in Portland, this would result in an increase in taxes of \$183.75 per year or just over \$15 per month. Previous versions of our FY25 school budget

were expected to result in a 6.85% increase in the school tax rate, but city property valuations that were revised as of April 1 brought that figure down to 6.6%.

It truly has been a community effort to get this budget to land where it is now. Since March 5, when the superintendent presented his proposed FY25 budget, members of the community, PPS staff, the Board and Council finance committees, as well as the mayor and other councilors, have all engaged to help us revise and enhance the FY25 budget. The Board has listened carefully as we worked to understand and evaluate budget priorities and develop a budget that is as responsive as possible to the needs of our students, staff and families, while also keeping in mind the concerns of taxpayers.

Our budget is the result of months of work and the process has been very thorough.

The budget process began back in July, when Superintendent Scallon joined the district and commenced a months-long listening and learning process involving all members of the community to develop a new five-year strategic plan. The goal is to align the FY25 and future budgets with that emerging plan.

Based on priorities identified in the strategic plan, five principles guided the reductions and restructuring in the budget:

- Aligning budget priorities to the emerging strategic plan
- Making budget cuts that minimize the impact on students
- Identifying opportunities for strategic investments and not just reductions
- Reviewing all expenses and not just expenses currently paid for by COVID Funds
- Making progress in building a sustainable organizational structure

Those principles ensured reductions in the budget were made as far away from students as possible. The principles also led to not just cuts but also to including strategic investments that enhance student mental health and learning and increasing enrichment classes – art, music, gym, library, environmental literacy and foreign language – at the elementary level.

On March 5, the superintendent presented a recommended budget of \$161 million. After extensive review, the Board's Finance Committee voted on April 1 to increase that overall budget proposal by just over 600,000 to add 17 staff positions to the budget. The Finance Committee's Recommended budget did not add to the tax rate increase in the superintendent's budget because the Committee offset those increases by including:

- \$300,000 in MaineCare revenue. A revenue stream that was not previously included in the FY25 budget.

- A \$322,602 reduction in budgeted PFML (parental and family medical leave) expenses to reflect our current bargaining agreements that will delay the district's need to budget PFML costs until FY26 for some employees.
- A reduction of \$559,283 in budgeted benefits as the district continued to receive additional information about lower benefits costs for FY25 than initially budgeted.
- An additional \$313,071 in the use of the fund balance reserves for FY25.

On April 9, the Board also voted to add in another position – that of middle school math coach – and to incorporate into the budget an additional \$326,035 in health insurance savings, based on the district's final notification from its insurer regarding the cost of employee health insurance benefits in FY25. After covering the cost of the math coach with those funds, the Board directed the remainder to be used to reduce the use of the fund balance in the Finance Committee's budget down from \$3,813,071 to \$3,582,780.

This year, for the first time, the school budget was presented in a more comprehensive manner, with all revenues and expenses presented, not just those in the local budget. Compared to the total overall FY24 budget of approximately \$163.1 million, the FY25 budget is \$161.4 million, a reduction of about \$1.7 million. The FY24 budget consists of a local budget of \$144 million and \$19 million in non-local funds. The FY25 budget consists of \$154 million in the local part of the budget, with \$7 million in other funds.

This also is a zero-based budget. The District did not roll forward its previous budget. Instead, we started with zero and built a new budget, looking at both staff and non-personnel and ensuring that they align to the strategic plan.

Below are some specific highlights at the district-wide and elementary, middle and high-school levels of the Board's recommended budget:

District-wide:

- Maintains or increases mental health staff
- Maintains staffing for multilingual learners
- Budgets all schools to have a Special Education Coordinator
- Increases the number of schools with proactive school climate staff
- Maintains class size guidance
- Establishes Network Support Teams specializing in, and dedicated to, outcomes at elementary schools or middle/high schools
- Maintains Central Office capacity for Tech Integration and Outdoor Learning Fieldwork

Elementary:

- Staffs all schools to have five specials (e.g. art, music, gym, library, environmental literacy, foreign language) per week

- Provides all teachers with five preparation periods per week - currently it is as low as three preparation periods a week in some schools.
- Increases intervention staff - training and materials
- Increases teachers and education technicians at Title I schools

Middle Schools:

- Maintains students having access to art, music, foreign language & STEM and extracurricular funding
- Increases reading and math intervention staff - training and materials
- Offers algebra at each middle school
- Maintains Make It Happen at the middle school level despite it previously being grant funded

High Schools:

- Maintains funding for athletics & extracurriculars
- Funds High School of the Future staff member and external support
- Maintains Extended Learning Opportunities at Portland and Deering high schools
- Maintain transitional capacity for students with IEPs and Multilingual Learners

To address the fiscal challenges of FY25, and to center students and invest in schools, the recommended budget includes a variety of savings and adjustments. Highlights include:

- Central Office: Restructured for effectiveness and efficiency, with a cut of 20 positions and initial cost savings estimated at more than \$2.6 million.
- Special Education: To provide additional capacity at the school level, reducing the number of special education staff at Central Office by 12 FTE (FY24 21 FTE).
- Transportation: Increasing budgeted staffing in transportation to reduce the District's reliance on contracted bus companies. The department will also not purchase new buses in FY25. The budgeted estimated savings are \$919,000.
- Facilities: The Facilities department is budgeted to reduce the overall number of custodians by 9 FTE and move a small number of staff to a Tuesday - Saturday schedule. Note that this reduction will be done through not filling current vacancies. This produces budgeted savings of \$570,000.
- School Staffing: Overall staffing at the school level remains relatively flat from FY24 to FY25, but there are a few targeted reductions, with savings from those re-invested in schools in other staffing additions.
- Stipends and Differentials: The district continues to work with union partners to both emphasize staff/teacher leadership and lower the overall expenses of stipends. The budgeted expenses for stipends/differential goes from \$2.1 million in FY24 to \$1.6 million in FY25.
- Fund Balance: To offset financial challenges, the budget proposes using \$3.58 million in fund balance, a slight reduction from the amount of fund balance used in FY24.

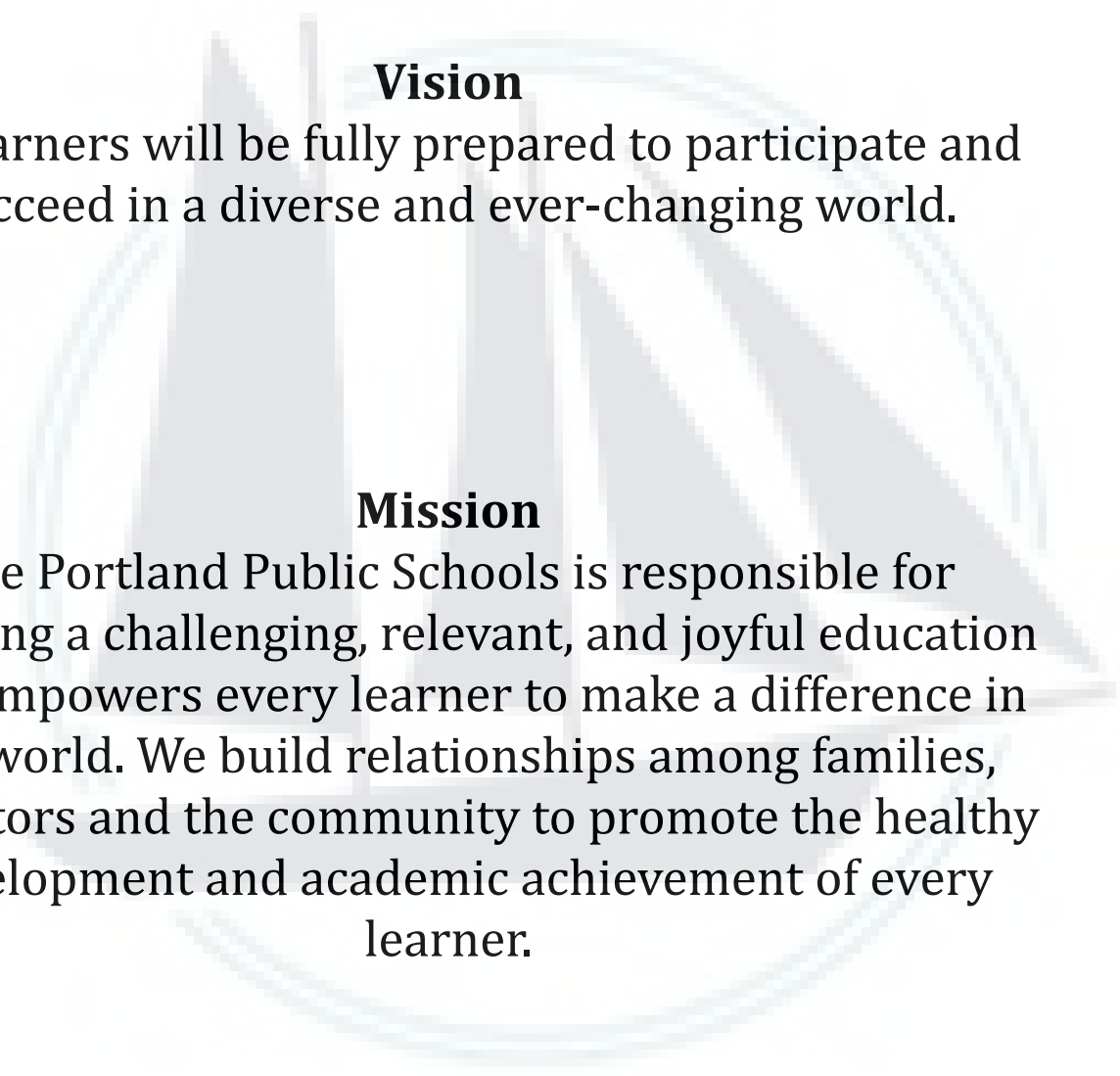
In summary, our Board budget is a balanced and reasonable one. It is fiscally prudent, containing reductions and restructuring but also investments that will enhance teaching and learning while being heedful of taxpayers.

We ask you to join us in supporting this budget and send it to Portland voters for final approval on June 11. The community has repeatedly demonstrated at the polls that they believe in the importance of a quality public education for Portland students so they are empowered to succeed in college and career. This budget reflects those values and we encourage you to approve it. Thank you.

Respectfully submitted,

Sarah Lentz, Chair

Portland Board of Public Education



Vision

All learners will be fully prepared to participate and succeed in a diverse and ever-changing world.

Mission

The Portland Public Schools is responsible for ensuring a challenging, relevant, and joyful education that empowers every learner to make a difference in the world. We build relationships among families, educators and the community to promote the healthy development and academic achievement of every learner.

Portland Board of Public Education

Sarah Lentz
School Board Chair
At-Large
(2025)

Abusana “Micky” Bondo
Vice Chair
District 1
(2024)

Sarah Brydon
District 5
(2026)

Emily Figdor
District 2
(2024)

Nyalat Biliew
At-Large
(2024)

Julianne Opperman
District 3
(2025)

Benjamin Grant
At-Large
(2025)

Fatuma Noor
District 4
(2026)

Usira Ali
At-Large
(2026)

Portland Public Schools
FY2025 Board of Education
Recommended Budget

April 9, 2024

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**Portland Public Schools
FY2025 Summary Revenue Budget
General, Adult Ed, and Food Service Funds
Board of Education Recommended Budget
April 9, 2024**

	FY2022 ACTUAL	FY2023 ACTUAL	FY2024 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
Local Revenue (non-tax)								
General	\$ 747,273	\$ 368,000	\$ 478,000	\$ 478,000	\$ 478,000	\$ 478,000	\$ -	0.0%
Adult Ed	\$ 151,636	\$ 142,811	\$ 124,000	\$ -	\$ -	\$ -	\$ (124,000)	-100.0%
Food Service	\$ 97,377	\$ 75,000	\$ 51,500	\$ 51,500	\$ 51,500	\$ 51,500	\$ -	0.0%
Total Local Revenue	\$ 996,286	\$ 585,811	\$ 653,500	\$ 529,500	\$ 529,500	\$ 529,500	\$ (124,000)	-18.97%
State Revenue								
EPS	\$ 21,137,463	\$ 19,409,181	\$ 20,010,394	\$ 19,935,654	\$ 19,935,654	\$ 19,935,654	\$ (74,740)	-0.37%
Debt Service Reimb	\$ 3,364,840	\$ 2,108,369	\$ 3,214,721	\$ 3,108,476	\$ 3,108,476	\$ 3,108,476	\$ (106,245)	-3.30%
Other	\$ 316,487	\$ 249,947	\$ 276,447	\$ 618,134	\$ 618,134	\$ 618,134	\$ 341,687	123.60%
Adult Ed	\$ 592,998	\$ 605,916	\$ 651,373	\$ 901,223	\$ 901,223	\$ 901,223	\$ 249,850	38.36%
Food Services	\$ 44,323	\$ 1,311,576	\$ 1,297,473	\$ 1,503,039	\$ 1,503,039	\$ 1,503,039	\$ 205,566	15.84%
Total State Revenue	\$ 25,456,111	\$ 23,684,989	\$ 25,450,408	\$ 26,066,526	\$ 26,066,526	\$ 26,066,526	\$ 616,118	2.4%
Federal Revenue								
General	\$ 341,688	\$ 259,730	\$ 254,730	\$ 45,000	\$ 345,000	\$ 345,000	\$ 90,270	35.4%
Food Services	\$ 4,223,178	\$ 2,508,976	\$ 2,701,418	\$ 3,019,337	\$ 3,019,337	\$ 3,019,337	\$ 317,919	11.8%
Total Federal Revenue	\$ 4,564,866	\$ 2,768,706	\$ 2,956,148	\$ 3,064,337	\$ 3,364,337	\$ 3,364,337	\$ 408,189	13.8%
Total Non-Tax Revenue	\$ 31,017,263	\$ 27,039,506	\$ 29,060,056	\$ 29,660,363	\$ 29,960,363	\$ 29,960,363	\$ 900,307	3.1%
Use of Fund Balance								
General	\$ -	\$ 2,035,390	\$ 3,614,861	\$ 3,500,000	\$ 3,813,071	\$ 3,582,780	\$ (32,081)	-0.9%
Food Services	\$ -	\$ 125,000	\$ 250,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 750,000	300.0%
Adult Education	\$ -	\$ 20,000	\$ 35,418	\$ 100,000	\$ 100,000	\$ 100,000	\$ 64,582	182.3%
Total Fund Balance	\$ -	\$ 2,180,390.00	\$ 3,900,279	\$ 4,600,000	\$ 4,913,071	\$ 4,682,780	\$ 782,501	20.1%
Property Taxes								
General Education	\$ 97,113,615	\$ 101,977,282	\$ 108,928,268	\$ 117,333,679	\$ 117,333,679	\$ 117,333,679	\$ 8,405,411	7.7%
Adult Education	\$ 1,783,513	\$ 1,869,211	\$ 1,921,740	\$ 2,068,945	\$ 2,068,945	\$ 2,068,945	\$ 147,205	7.7%
Food Services	\$ 186,123	\$ 4,578	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Property Tax	\$ 99,083,251	\$ 103,851,071	\$ 110,850,008	\$ 119,402,624	\$ 119,402,624	\$ 119,402,624	\$ 8,552,616	7.7%
Total Revenue	\$ 130,100,514	\$ 133,070,967	\$ 143,810,343	\$ 153,662,987	\$ 154,276,058	\$ 154,045,767	\$ 10,235,424	7.1%

**Portland Public Schools
FY2025 Detail Revenue Budget
General, Adult Ed. and Food Service Funds
Board of Education Recommended Budget
April 9, 2024**

	FY2022 ACTUAL	FY2023 ACTUAL	FY2024 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
GENERAL FUND								
<i>Local Revenue</i>								
Property Tax Revenue	\$ 97,113,615	\$101,977,282	\$108,928,268	\$ 117,333,678	\$ 117,333,679	\$ 117,333,679	\$ 8,405,410	7.7%
Tuition Public K-8	\$ 146,001	\$ 140,000	\$ 235,000	\$ 235,000	\$ 235,000	\$ 235,000	\$ -	0.0%
Tuition Public 9-12	\$ 110,580	\$ 100,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ -	0.0%
Transportation - Other Org	\$ 46,470	\$ 90,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	0.0%
Interest on Investments	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	0.0%
Admissions 9-12	\$ 612	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Building Rentals	\$ 50,385	\$ 9,500	\$ 49,500	\$ 49,500	\$ 49,500	\$ 49,500	\$ -	0.0%
Donations/Contributions	\$ 1,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Misc Local Revenue	\$ 68,197	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.0%
Sped revenue/Other Local Gov	\$ 4,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Refund Prior YR Expenditures	\$ 14,928	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Misc Sales and Refunds	\$ 203	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ -	0.0%
Proceeds from Disposal of Property	\$ 292,127	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Proceeds from Disposal of Buses	\$ 9,170	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Total Local	\$ 97,860,888	\$102,345,282	\$109,406,268	\$ 117,811,678	\$ 117,811,679	\$ 117,811,679	\$ 8,405,410	8%
<i>State Revenue</i>								
State Share EPS (State Subsidy)	\$ 21,137,463	\$ 19,409,181	\$ 20,010,394	\$ 19,935,654	\$ 19,935,654	\$ 19,935,654	\$ (74,740)	0%
State Reimbursement Debt Service	\$ 3,364,840	\$ 2,108,369	\$ 3,214,721	\$ 3,108,476	\$ 3,108,476	\$ 3,108,476	\$ (106,245)	-3%
State Agency Client	\$ 250,428	\$ 196,047	\$ 226,047	\$ 226,047	\$ 226,047	\$ 226,047	\$ -	0%
MultiLingual Learner Hardship Funds	\$ -	\$ -	\$ -	\$ 392,087	\$ 392,087	\$ 392,087	\$ 392,087	#DIV/0!
National Board - Salary Supplement	\$ 66,059	\$ 53,900	\$ 50,400	\$ -	\$ -	\$ -	\$ (50,400)	-100%
Total State	\$ 24,818,790	\$ 21,767,497	\$ 23,501,562	\$ 23,662,264	\$ 23,662,264	\$ 23,662,264	\$ 160,702	1%
<i>Federal Revenue</i>								
MaineCare Medicaid Reimbursement	\$ 299,929	\$ 300,000	\$ 300,000	\$ -	\$ 300,000	\$ 300,000	\$ -	0%
Seed Withholding	\$ -	\$ (90,270)	\$ (90,270)	\$ -	\$ -	\$ -	\$ 90,270	-100%
Federal Impact Aid	\$ 41,759	\$ 50,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ -	0%
Total Federal	\$ 341,688	\$ 259,730	\$ 254,730	\$ 45,000	\$ 345,000	\$ 345,000	\$ 90,270	35%
TOTAL GENERAL FUND	\$123,021,366	\$124,372,509	\$133,162,560	\$ 141,518,942	\$ 141,818,943	\$ 141,818,943	\$ 8,656,383	7%
USE OF FUND BALANCE	\$ -	\$ 2,035,390	\$ 3,614,861	\$ 3,500,000	\$ 3,813,071	\$ 3,582,780	\$ (32,081)	-1%
TOTAL GENERAL FUND REVENUE & FUND BALANCE	\$123,021,366	\$126,407,899	\$136,777,421	\$ 145,018,942	\$ 145,632,014	\$ 145,401,723	\$ 8,624,302	6%
ADULT EDUCATION								
<i>Adult Education Local Revenue</i>								
Local Funds (tax levy)	\$ 1,783,513	\$ 1,869,211	\$ 1,921,740	\$ 2,068,945	\$ 2,068,945	\$ 2,068,945	\$ 147,205	7.66%
Tuition Individual Enrichment	\$ 85,089	\$ 67,811	\$ 60,000	\$ -	\$ -	\$ -	\$ (60,000)	-100%
Tuition Individual Vocational	\$ 44,038	\$ 55,000	\$ 60,000	\$ -	\$ -	\$ -	\$ (60,000)	-100%
Tuition Other Academic	\$ 4,016	\$ 20,000	\$ 4,000	\$ -	\$ -	\$ -	\$ (4,000)	-100%
Adult Education Misc Revenue	\$ 200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Fund Transfers	\$ 18,293	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Adult Education Local Revenue	\$ 1,935,149	\$ 2,012,022	\$ 2,045,740	\$ 2,068,945	\$ 2,068,945	\$ 2,068,945	\$ 23,205	1%
<i>Adult Education State Revenue</i>								
Adult Education State Subsidy	\$ 592,998	\$ 605,916	\$ 651,373	\$ 901,223	\$ 901,223	\$ 901,223	\$ 249,850	38%
Adult Education State Subsidy	\$ 592,998	\$ 605,916	\$ 651,373	\$ 901,223	\$ 901,223	\$ 901,223	\$ 249,850	38%
USE OF FUND BALANCE	\$ -	\$ 20,000	\$ 35,418	\$ 100,000	\$ 100,000	\$ 100,000	\$ 64,582	182%
TOTAL ADULT EDUCATION REVENUE	\$ 2,528,147	\$ 2,637,938	\$ 2,732,531	\$ 3,070,168	\$ 3,070,168	\$ 3,070,168	\$ 337,637	12%

**Portland Public Schools
FY2025 Detail Revenue Budget
General, Adult Ed. and Food Service Funds
Board of Education Recommended Budget
April 9, 2024**

	FY2022 ACTUAL	FY2023 ACTUAL	FY2024 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
FOOD SERVICE								
<i>Food Service Local Revenue</i>								
Local Funds (tax levy)	\$ 186,123	\$ 4,578	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Daily Sales - Lunch	\$ 1,789	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Daily Sales Non-Reimbursement	\$ 80,698	\$ 56,000	\$ 37,500	\$ 37,500	\$ 37,500	\$ 37,500	\$ -	0%
Special Functions	\$ 4,239	\$ 10,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	0%
Building Rentals	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ -	0%
Donations/Contributions	\$ 2,107	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Misc Sales and Refunds/Nutrition	\$ 2,544	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	0%
Food Services Local Revenue	\$ 283,500	\$ 79,578	\$ 51,500	\$ 51,500	\$ 51,500	\$ 51,500	\$ -	0%
<i>Food Services State Revenue</i>								
State Reimbursement	\$ 36,680	\$ 1,306,576	\$ 936,369	\$ 1,090,814	\$ 1,090,814	\$ 1,090,814	\$ 154,445	16%
Local Produce	\$ 7,643	\$ 5,000	\$ 5,500	\$ 5,500	\$ 5,500	\$ 5,500	\$ -	0%
Breakfast Reduced State	\$ -	\$ -	\$ 2,328	\$ 2,083	\$ 2,083	\$ 2,083	\$ (245)	-11%
Breakfast Paid State	\$ -	\$ -	\$ 353,276	\$ 404,642	\$ 404,642	\$ 404,642	\$ 51,366	15%
							\$ -	0%
Food Services State Revenue	\$ 44,323	\$ 1,311,576	\$ 1,297,473	\$ 1,503,039	\$ 1,503,039	\$ 1,503,039	\$ 205,566	16%
<i>Food Service Federal Revenue</i>								
After School Snack	\$ 3,688	\$ 1,095	\$ 1,179	\$ 927	\$ 927	\$ 927	\$ (252)	-21%
Summer Food Program	\$ 144,335	\$ 139,155	\$ 129,919	\$ 119,525	\$ 119,525	\$ 119,525	\$ (10,394)	-8%
Performance Based Lunch	\$ -	\$ 40,064	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Reimbursement Lunch.- Regular	\$ -	\$ 211,769	\$ 275,538	\$ 298,876	\$ 298,876	\$ 298,876	\$ 23,338	8%
Reimbursement Lunch - Reduced	\$ -	\$ 28,028	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Reimbursement Lunch - Free	\$ 2,372,018	\$ 948,432	\$ 1,149,141	\$ 1,304,965	\$ 1,304,965	\$ 1,304,965	\$ 155,824	14%
Reimbursement Breakfast	\$ 1,141,202	\$ 716,425	\$ 685,103	\$ 808,285	\$ 808,285	\$ 808,285	\$ 123,182	18%
Payments in Lieu of Comm	\$ 217,959	\$ 227,508	\$ 252,088	\$ 227,257	\$ 227,257	\$ 227,257	\$ (24,831)	-10%
Fresh Fruits and Veggies	\$ 81,090	\$ 76,500	\$ 73,450	\$ 99,500	\$ 99,500	\$ 99,500	\$ 26,050	35%
Child/Adult Care Food Program	\$ 147,933	\$ 120,000	\$ 135,000	\$ 160,002	\$ 160,002	\$ 160,002	\$ 25,002	19%
Supply Chain Assistance Funds	\$ 114,953	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%
Food Services Federal Revenue	\$ 4,223,178	\$ 2,508,976	\$ 2,701,418	\$ 3,019,337	\$ 3,019,337	\$ 3,019,337	\$ 317,919	12%
USE OF FUND BALANCE	\$ -	\$ 125,000	\$ 250,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 750,000	300%
TOTAL FOOD SERVICES REVENUE	\$ 4,551,001	\$ 4,025,130	\$ 4,300,391	\$ 5,573,876	\$ 5,573,876	\$ 5,573,876	\$ 1,273,485	30%
TOTAL REVENUE & OTHER FUNDING SOURCES	\$130,100,514	\$133,070,967	\$143,810,343	\$ 153,662,987	\$ 154,276,058	\$ 154,045,767	\$10,235,424	7.12%

Portland Public Schools
FY2025 Revenue Budget Summary - All Funds
Board of Education Recommended Budget
April 9, 2024

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Local Revenue							
Property Tax Revenue	\$ 101,977,282	\$ 108,928,268	\$ 117,333,678	\$ 117,333,679	\$ 117,333,679	\$ 8,405,411	7.72%
Tuition Public K-8	\$ 140,000	\$ 235,000	\$ 235,000	\$ 235,000	\$ 235,000	\$ -	0.00%
Tuition Public 9-12	\$ 100,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ -	0.00%
Transportation - Other Org	\$ 90,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	0.00%
Interest on Investments	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	0.00%
Admissions 9-12	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Building Rentals	\$ 9,500	\$ 49,500	\$ 49,500	\$ 49,500	\$ 49,500	\$ -	0.00%
Misc Local Revenue	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.00%
Misc Sales and Refunds	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ -	0.00%
Total Local Programming Revenue	\$ 102,345,282	\$ 109,406,268	\$ 117,811,678	\$ 117,811,679	\$ 117,811,679	\$ 8,405,411	7.68%
Local Grants							
RREV: Outdoor/Experiential Learning	\$ 125,000	\$ 125,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ (75,000)	-60.00%
Barr Grant - High School Redesign	\$ 166,667	\$ 166,667	\$ -	\$ -	\$ -	\$ (166,667)	-100.00%
Total Local Grants	\$ 291,667	\$ 291,667	\$ 50,000	\$ 50,000	\$ 50,000	\$ (241,667)	-82.86%
TOTAL Local Funds	\$ 102,636,949	\$ 109,697,935	\$ 117,861,678	\$ 117,861,679	\$ 117,861,679	\$ 8,163,744	7.44%
State Revenue							
State Share EPS (State Subsidy)	\$ 17,984,999	\$ 15,569,266	\$ 16,033,030	\$ 16,033,030	\$ 16,033,030	\$ 463,764	2.98%
Career & Technical Education Center Allocation	\$ 3,322,907	\$ 3,523,947	\$ 3,716,194	\$ 3,716,194	\$ 3,716,194	\$ 192,247	5.46%
Education Service Center Member Allocation	\$ 181,326	\$ 181,185	\$ 186,430	\$ 186,430	\$ 186,430	\$ 5,245	2.89%
Less MaineCare Seed-Private	\$ (206,246)	\$ (257,288)	\$ -	\$ -	\$ -	\$ 257,288	-100.00%
Less MaineCare Seed-Public	\$ (74,518)	\$ (41,446)	\$ -	\$ -	\$ -	\$ 41,446	-100.00%
Multilingual Learner Hardship Funds	\$ 672,501	\$ 784,174	\$ 392,087	\$ 392,087	\$ 392,087	\$ (392,087)	-50.00%
State Reimbursement Debt Service	\$ 2,108,369	\$ 3,214,721	\$ 3,108,476	\$ 3,108,476	\$ 3,108,476	\$ (106,245)	-3.30%
State Agency Client	\$ 196,047	\$ 226,047	\$ 226,047	\$ 226,047	\$ 226,047	\$ -	0.00%
National Board - Salary Supplement	\$ 53,900	\$ 50,400	\$ -	\$ -	\$ -	\$ (50,400)	-100.00%
Total State Programming Revenue	\$ 24,239,285	\$ 23,251,006	\$ 23,662,264	\$ 23,662,264	\$ 23,662,264	\$ 411,258	1.77%
State Grants							
Perkins State	\$ 187,112	\$ 98,163	\$ 98,163	\$ 98,163	\$ 98,163	\$ -	0.00%
Pre-K Expansion Grant	\$ -	\$ 326,848	\$ -	\$ -	\$ -	\$ (326,848)	-100.00%
MLEH Grant	\$ 821,025	\$ 821,025	\$ -	\$ -	\$ -	\$ (821,025)	-100.00%
Total State Grants	\$ 1,008,137	\$ 1,246,036	\$ 98,163	\$ 98,163	\$ 98,163	\$ (1,147,873)	-92.12%
Total State Funds	\$ 25,247,422	\$ 24,497,042	\$ 23,760,427	\$ 23,760,427	\$ 23,760,427	\$ (736,615)	-3.01%
Federal Revenue							
MaineCare Medicaid Reimbursement	\$ 300,000	\$ 300,000	\$ -	\$ 300,000	\$ 300,000	\$ -	0.00%
Seed Withholding	\$ (90,270)	\$ (90,270)	\$ -	\$ -	\$ -	\$ 90,270	-100.00%
Federal Impact Aid	\$ 50,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ -	0.00%
Total Federal	\$ 259,730	\$ 254,730	\$ 45,000	\$ 345,000	\$ 345,000	\$ 90,270	35.44%
TITLE FUNDS							
ESEA Title IA	\$ 2,374,062	\$ 2,376,502	\$ 2,452,550	\$ 2,445,522	\$ 2,445,522	\$ 69,020	2.90%
ESEA Title IIA	\$ 448,852	\$ 410,118	\$ 423,241	\$ 422,028	\$ 422,028	\$ 11,911	2.90%
ESEA Title III	\$ 278,905	\$ 257,538	\$ 265,779	\$ 265,018	\$ 265,018	\$ 7,480	2.90%
ESEA Title IVA	\$ 217,951	\$ 254,624	\$ 262,772	\$ 262,019	\$ 262,019	\$ 7,395	2.90%
Total Title Funds	\$ 3,319,770	\$ 3,298,782	\$ 3,404,343	\$ 3,394,587	\$ 3,394,587	\$ 95,805	2.90%

Portland Public Schools
FY2025 Revenue Budget Summary - All Funds
Board of Education Recommended Budget
April 9, 2024

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Federal Funds							
IDEA	\$ 2,033,781	\$ 2,170,288	\$ 2,213,694	\$ 2,213,694	\$ 2,213,694	\$ 43,406	2.00%
Perkins Federal	\$ 240,521	\$ 299,698	\$ 299,698	\$ 299,698	\$ 299,698	\$ -	0.00%
McKinney-Vento Homelessness Assistance	\$ 31,111	\$ 28,636	\$ -	\$ -	\$ -	\$ (28,636)	-100.00%
ARP Homelessness Children & Youth 1	\$ 8,474	\$ 8,474	\$ -	\$ -	\$ -	\$ (8,474)	-100.00%
ARP Homelessness Children & Youth 2	\$ 43,186	\$ 43,186	\$ -	\$ -	\$ -	\$ (43,186)	-100.00%
ESSERF 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
ESSERF 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
ESSERF 3	\$ 4,948,448	\$ 9,500,000	\$ 433,000	\$ 433,000	\$ 433,000	\$ (9,067,000)	-95.44%
Perkins Career/Technical Ed Federal Funds	\$ 376,000	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Perkins Career/Technical Ed Reserve and Leadership	\$ 41,682	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
CARES Computer Science Mobile Lab	\$ 235,000	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
CRF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Preventing Student Homelessness	\$ -	\$ 260,050	\$ -	\$ -	\$ -	\$ (260,050)	-100.00%
Total Federal Grant Funds	\$ 7,958,203	\$ 12,310,333	\$ 2,946,392	\$ 2,946,392	\$ 2,946,392	\$ (9,363,941)	-76.07%
TOTAL Federal Funds	\$ 11,537,703	\$ 15,863,845	\$ 6,395,735	\$ 6,685,979	\$ 6,685,979	\$ (9,177,866)	-57.85%
CHILD DEVELOPMENT SERVICES							
CDS PreK Sped Reimbursement	\$ 872,166	\$ -	\$ 882,244	\$ 881,336	\$ 881,336	\$ 881,336	0.00%
TOTAL PREK-12 PROGRAMMING	\$ 140,294,239	\$ 150,058,821	\$ 148,900,085	\$ 149,189,421	\$ 149,189,421	\$ (869,400)	-0.58%
USE OF FUND BALANCE	\$ 2,035,390	\$ 3,614,861	\$ 3,500,000	\$ 3,813,071	\$ 3,582,780	\$ (32,081)	-0.89%
TOTAL PREK-12 PROGRAMMING AND FUND BALANCE	\$ 142,329,629	\$ 153,673,682	\$ 152,400,085	\$ 153,002,492	\$ 152,772,201	\$ (901,481)	-0.59%
ADULT EDUCATION							
Adult Education Local Revenue							
Local Funds (tax levy)	\$ 1,869,211	\$ 1,921,740	\$ 2,068,945	\$ 2,068,945	\$ 2,068,945	\$ 147,205	7.66%
Tuition Individual Enrichment	\$ 67,811	\$ 60,000	\$ -	\$ -	\$ -	\$ (60,000)	-100.00%
Tuition Individual Vocational	\$ 55,000	\$ 60,000	\$ -	\$ -	\$ -	\$ (60,000)	-100.00%
Tuition Other Academic	\$ 20,000	\$ 4,000	\$ -	\$ -	\$ -	\$ (4,000)	-100.00%
Adult Education Local Revenue	\$ 2,012,022	\$ 2,045,740	\$ 2,068,945	\$ 2,068,945	\$ 2,068,945	\$ 23,205	1.13%
Adult Education Local Grants							
AEFLA (PAE portion) (also included in Hub)	\$ -	\$ 175,801	\$ -	\$ -	\$ -	\$ (175,801)	-100.00%
Maine College and Career Access (MCCA) (PAE)	\$ -	\$ 44,032	\$ -	\$ -	\$ -	\$ (44,032)	-100.00%
Cumberland County ARPA (PAE portion)	\$ 31,004	\$ 46,506	\$ -	\$ -	\$ -	\$ (46,506)	-100.00%
MDOL Apprenticeship	\$ -	\$ 366,584	\$ -	\$ -	\$ -	\$ (366,584)	-100.00%
MDOE Strengthening Maines Workforce - ESOL	\$ -	\$ 254,300	\$ -	\$ -	\$ -	\$ (254,300)	-100.00%
MDOE Strengthening Maine Workforce - Digital	\$ -	\$ 271,178	\$ -	\$ -	\$ -	\$ (271,178)	-100.00%
MDOE Strengthening Maine Workforce - Healthcare	\$ -	\$ 291,066	\$ -	\$ -	\$ -	\$ (291,066)	-100.00%
Integrated English Literacy and Civics Education	\$ -	\$ 51,979	\$ -	\$ -	\$ -	\$ (51,979)	-100.00%
McKinney-Vento (Joel and Joline)	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ (75,000)	-100.00%
Foreign trained worker	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ (75,000)	-100.00%
Tax Increment Financing (TIF)	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ (200,000)	-100.00%
MDOE New Mainers Resource Center Expansion Grant	\$ -	\$ 133,333	\$ -	\$ -	\$ -	\$ (133,333)	-100.00%
OMRS Catholic Charities	\$ -	\$ 46,959	\$ -	\$ -	\$ -	\$ (46,959)	-100.00%
Portland Housing Authority	\$ -	\$ 20,416	\$ -	\$ -	\$ -	\$ (20,416)	-100.00%
United Way Learning Lab - PAE only	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
United Way Street Academy	\$ -	\$ 20,058	\$ -	\$ -	\$ -	\$ (20,058)	-100.00%
Learn to Earn / Preble Street	\$ 32,000	\$ 32,000	\$ -	\$ -	\$ -	\$ (32,000)	-100.00%
Gorman Foundation (East Bayside)	\$ -	\$ 130,000	\$ -	\$ -	\$ -	\$ (130,000)	-100.00%
Northern Light Health Workforce Development Contract	\$ -	\$ 24,373	\$ -	\$ -	\$ -	\$ (24,373)	-100.00%

Portland Public Schools
FY2025 Revenue Budget Summary - All Funds
Board of Education Recommended Budget
April 9, 2024

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
FPAE	\$ -	\$ 16,504	\$ -	\$ -	\$ -	\$ (16,504)	-100.00%
Total Local Grants	\$ 63,004	\$ 2,275,089	\$ -	\$ -	\$ -	\$ (2,275,089)	-100.00%
TOTAL LOCAL FUNDING	\$ 2,075,026	\$ 4,320,829	\$ 2,068,945	\$ 2,068,945	\$ 2,068,945	\$ (2,251,883)	-52.12%
Adult Education State Revenue							
Adult Education State Subsidy	\$ 605,916	\$ 650,923	\$ 901,223	\$ 901,223	\$ 901,223	\$ 250,300	38.45%
Adult Education State Subsidy	\$ 605,916	\$ 650,923	\$ 901,223	\$ 901,223	\$ 901,223	\$ 250,300	38.45%
USE OF FUND BALANCE	\$ 20,000	\$ 35,418	\$ 100,000	\$ 100,000	\$ 100,000	\$ 64,582	182.34%
TOTAL ADULT EDUCATION REVENUE	\$ 2,700,942	\$ 5,007,170	\$ 3,070,168	\$ 3,070,168	\$ 3,070,168	\$ (1,937,001)	-38.68%
FOOD SERVICE							
Food Service Local Revenue							
Local Funds (tax levy)	\$ 4,578	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Daily Sales Non-Reimbursement	\$ 56,000	\$ 37,500	\$ 37,500	\$ 37,500	\$ 37,500	\$ -	0.00%
Special Functions	\$ 10,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	0.00%
Building Rentals	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ -	0.00%
Misc Sales and Refunds/Nutrition	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	0.00%
Food Services Local Revenue	\$ 79,578	\$ 51,500	\$ 51,500	\$ 51,500	\$ 51,500	\$ -	0.00%
Food Services State Revenue							
State Reimbursement	\$ 1,306,576	\$ 936,369	\$ 1,090,814	\$ 1,090,814	\$ 1,090,814	\$ 154,445	16.49%
Local Produce	\$ 5,000	\$ 5,500	\$ 5,500	\$ 5,500	\$ 5,500	\$ -	0.00%
Breakfast Reduced State	\$ -	\$ 2,328	\$ 2,083	\$ 2,083	\$ 2,083	\$ (245)	-10.52%
Breakfast Paid State	\$ -	\$ 353,276	\$ 404,642	\$ 404,642	\$ 404,642	\$ 51,366	14.54%
Food Services State Revenue	\$ 1,311,576	\$ 1,297,473	\$ 1,503,039	\$ 1,503,039	\$ 1,503,039	\$ 205,566	15.84%
Food Service Federal Revenue							
After School Snack	\$ 1,095	\$ 1,179	\$ 927	\$ 927	\$ 927	\$ (252)	-21.37%
Summer Food Program	\$ 139,155	\$ 129,919	\$ 119,525	\$ 119,525	\$ 119,525	\$ (10,394)	-8.00%
Performance Based Lunch	\$ 40,064	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Reimbursement Lunch.- Regular	\$ 211,769	\$ 275,538	\$ 298,876	\$ 298,876	\$ 298,876	\$ 23,338	8.47%
Reimbursement Lunch - Reduced	\$ 28,028	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Reimbursement Lunch - Free	\$ 948,432	\$ 1,149,141	\$ 1,304,965	\$ 1,304,965	\$ 1,304,965	\$ 155,824	13.56%
Reimbursement Breakfast	\$ 716,425	\$ 685,103	\$ 808,285	\$ 808,285	\$ 808,285	\$ 123,182	17.98%
Payments in Lieu of Comm	\$ 227,508	\$ 252,088	\$ 227,257	\$ 227,257	\$ 227,257	\$ (24,831)	-9.85%
Fresh Fruits and Veggies	\$ 76,500	\$ 73,450	\$ 99,500	\$ 99,500	\$ 99,500	\$ 26,050	35.47%
Child/Adult Care Food Program	\$ 120,000	\$ 135,000	\$ 160,002	\$ 160,002	\$ 160,002	\$ 25,002	18.52%
Supply Chain Assistance Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Food Services Federal Revenue	\$ 2,508,976	\$ 2,701,418	\$ 3,019,337	\$ 3,019,337	\$ 3,019,337	\$ 317,919	11.77%
USE OF FUND BALANCE	\$ 125,000	\$ 250,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 750,000	300.00%
TOTAL FOOD SERVICES REVENUE	\$ 4,025,130	\$ 4,300,391	\$ 5,573,876	\$ 5,573,876	\$ 5,573,876	\$ 1,273,485	29.61%
TOTAL REVENUE & OTHER FUNDING SOURCES	\$ 149,055,701	\$ 162,981,242	\$ 161,044,129	\$ 161,646,536	\$ 161,416,245	\$ (1,564,997)	-0.96%

Portland Public Schools
FY2025 Expenditure by State Budget Categoricals
Board of Education Recommended Budget
April 9, 2024

	FY2022	FY2023	FY2024	FY25 SUPT	FY25 Finance Comm Rev	FY25 Board	\$ +/(-) v	% +/- v
State Budget Category	ACTUAL	ACTUAL	BUDGET	REC Mar 5	Apr 1	Apr 9	FY24	FY24
1. Regular Instruction	\$ 48,282,649	\$ 50,463,058	\$ 52,097,483	\$ 56,165,529	\$ 56,402,970	\$ 56,313,778	\$ 4,216,295	8.09%
2. Special Education Instruction	\$ 19,358,397	\$ 20,227,084	\$ 22,653,540	\$ 26,119,001	\$ 26,229,420	\$ 26,187,943	\$ 3,534,403	15.60%
3. CTE (Voc.) Instruction	\$ 3,090,963	\$ 3,598,754	\$ 3,736,020	\$ 3,741,468	\$ 3,757,285	\$ 3,751,344	\$ 15,324	0.41%
4. Other Instruction	\$ 2,200,002	\$ 2,368,728	\$ 2,550,772	\$ 2,547,879	\$ 2,558,650	\$ 2,554,604	\$ 3,832	0.15%
5. Student & Staff Support	\$ 11,714,029	\$ 12,855,631	\$ 13,002,661	\$ 14,292,192	\$ 14,352,613	\$ 14,329,917	\$ 1,327,256	10.21%
6. System Administration	\$ 4,543,536	\$ 5,099,238	\$ 6,032,558	\$ 5,651,101	\$ 5,674,991	\$ 5,666,017	\$ (366,541)	-6.08%
7. School Administration	\$ 5,796,097	\$ 6,186,655	\$ 6,434,539	\$ 6,940,804	\$ 6,970,146	\$ 6,959,124	\$ 524,585	8.15%
8. Transportation & Buses	\$ 3,664,574	\$ 3,938,755	\$ 5,328,474	\$ 4,687,715	\$ 4,707,532	\$ 4,700,088	\$ (628,386)	-11.79%
9. Facilities Maintenance	\$ 12,123,165	\$ 15,066,707	\$ 18,194,351	\$ 15,248,853	\$ 15,313,318	\$ 15,289,103	\$ (2,905,248)	-15.97%
10. Debt Service	\$ 6,041,774	\$ 6,008,608	\$ 6,010,563	\$ 8,999,667	\$ 9,037,714	\$ 9,023,422	\$ 3,012,859	50.13%
11. All Other Expendiures	\$ 487,132	\$ 594,681	\$ 736,460	\$ 624,734	\$ 627,375	\$ 626,383	\$ (110,077)	-14.95%
Total General Fund	\$ 117,302,318	\$ 126,407,899	\$ 136,777,421	\$ 145,018,943	\$ 145,632,014	\$ 145,401,723	\$ 8,624,302	6.31%
Adult Education	\$ 2,449,211	\$ 2,637,938	\$ 2,732,531	\$ 3,070,168	\$ 3,070,168	\$ 3,070,168	\$ 337,637	12.36%
Food Services	\$ 3,896,111	\$ 4,025,130	\$ 4,300,391	\$ 5,573,876	\$ 5,573,876	\$ 5,573,876	\$ 1,273,485	29.61%
TOTAL EXPENDITURES	\$ 123,647,640	\$ 133,070,967	\$ 143,810,343	\$ 153,662,987	\$ 154,276,058	\$ 154,045,767	\$ 10,235,424	7.12%

Portland Public Schools
FY2025 Expenditure Summary Budget - All Funds
Board of Education Recommended Budget
April 9, 2024

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 54,183,232	\$ 54,911,791	\$ 59,493,358	\$ 59,985,249	\$ 60,029,799	\$ 5,118,008	9.32%
Instructional Aide/Asst	\$ 7,591,894	\$ 7,922,476	\$ 7,945,515	\$ 8,373,100	\$ 8,373,100	\$ 450,624	5.69%
Adminstration/Regular Support	\$ 20,243,467	\$ 20,495,572	\$ 22,052,061	\$ 22,252,423	\$ 22,252,423	\$ 1,756,851	8.57%
Total Regular Salaries	\$ 82,018,593	\$ 83,329,839	\$ 89,490,933	\$ 90,610,772	\$ 90,655,322	\$ 7,325,483	8.79%
Temporary Salaries							
Temporary Salary	\$ 1,953,058	\$ 1,096,471	\$ 1,330,962	\$ 1,330,962	\$ 1,330,962	\$ 234,491	21.39%
Tutor	\$ 6,507	\$ 48,395	\$ 65,618	\$ 65,618	\$ 65,618	\$ 17,223	35.59%
Substitute	\$ 2,022,050	\$ 900,000	\$ 964,845	\$ 964,845	\$ 964,845	\$ 64,845	7.21%
Teacher Additional Pay	\$ 300,988	\$ 217,360	\$ 116,502	\$ 116,502	\$ 116,502	\$ (100,858)	-46.40%
Regular Support Overtime	\$ 259,712	\$ 170,960	\$ 86,893	\$ 86,893	\$ 86,893	\$ (84,067)	-49.17%
Stipend/Differential	\$ 2,265,348	\$ 2,228,036	\$ 1,608,976	\$ 1,608,976	\$ 1,608,976	\$ (619,060)	-27.78%
Stipend-Retirement Sick	\$ 517,672	\$ 640,000	\$ 550,000	\$ 550,000	\$ 550,000	\$ (90,000)	-14.06%
Stipend/Other	\$ 3,288	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Temporary Salaries	\$ 7,328,623	\$ 5,301,221	\$ 4,723,796	\$ 4,723,796	\$ 4,723,796	\$ (577,425)	-10.89%
Total Salaries	\$ 89,347,216	\$ 88,631,060	\$ 94,214,729	\$ 95,334,568	\$ 95,379,118	\$ 6,748,058	7.61%
Benefits							
Health Insurance	\$ 18,229,190	\$ 18,734,125	\$ 21,781,196	\$ 21,703,666	\$ 21,099,530	\$ 2,365,405	12.63%
Medicare	\$ 1,271,313	\$ 1,272,039	\$ 1,365,071	\$ 1,381,091	\$ 1,381,737	\$ 109,699	8.62%
Retirement	\$ 5,311,451	\$ 5,425,223	\$ 5,326,939	\$ 5,400,333	\$ 5,402,355	\$ (22,867)	-0.42%
Tuition Reimbursement	\$ 355,554	\$ 329,656	\$ 424,180	\$ 430,117	\$ 430,302	\$ 100,646	30.53%
Workers Compensation	\$ 422,227	\$ 499,865	\$ 512,861	\$ 512,861	\$ 512,861	\$ 12,996	2.60%
All Other	\$ 987,376	\$ 1,414,470	\$ 1,616,376	\$ 1,593,970	\$ 1,594,376	\$ 179,906	12.72%
PFML			\$ 470,671	\$ 136,608	\$ 136,608	\$ 136,608	0.00%
Total Benefits	\$ 26,577,110	\$ 27,675,377	\$ 31,497,294	\$ 31,158,646	\$ 30,557,769	\$ 2,882,392	10.42%
TOTAL SALARIES & BENEFITS	\$ 115,924,326	\$ 116,306,437	\$ 125,712,024	\$ 126,493,214	\$ 125,936,887	\$ 9,630,450	8.28%
CONTRACTED SERVICES							
PreK - 12th							
Contractual Pre-K	\$ 136,269	\$ 154,990	\$ 175,000	\$ 175,000	\$ 175,000	\$ 20,010	12.91%
Employee Train & Development Services	\$ 611,310	\$ 488,737	\$ 415,106	\$ 415,106	\$ 415,106	\$ (73,631)	-15.07%
EBooks & Online Subscriptions	\$ 66,367	\$ 74,968	\$ 33,620	\$ 33,620	\$ 33,620	\$ (41,348)	-55.15%
Software/Annual Subscription	\$ 698,215	\$ 941,366	\$ 553,985	\$ 553,985	\$ 553,985	\$ (387,381)	-41.15%
Tuition to Post-Secondary	\$ -	\$ 15,000	\$ -	\$ -	\$ -	\$ (15,000)	-100.00%
Staff Travel	\$ 126,872	\$ 286,177	\$ 117,481	\$ 117,481	\$ 117,481	\$ (168,697)	-58.95%
Security	\$ 33,834	\$ 32,099	\$ -	\$ -	\$ -	\$ (32,099)	-100.00%
Total PreK-12th Contracted Services	\$ 1,672,868	\$ 1,993,337	\$ 1,295,193	\$ 1,295,193	\$ 1,295,193	\$ (698,144)	-35.02%
Special Education							
Special Education Contracted Services	\$ 1,203,809	\$ 602,180	\$ 640,440	\$ 640,440	\$ 640,440	\$ 38,260	6.35%
Tuition To In-State SAU	\$ 115,394	\$ 206,479	\$ 3,950	\$ 3,950	\$ 3,950	\$ (202,529)	-98.09%
Tuition to Private Source	\$ 2,308,998	\$ 2,679,000	\$ 3,310,000	\$ 3,310,000	\$ 3,310,000	\$ 631,000	23.55%
Total SPED Contracted Services	\$ 3,628,201	\$ 3,487,659	\$ 3,954,390	\$ 3,954,390	\$ 3,954,390	\$ 466,731	13.38%
Adult Education							
Adult Ed Contracted Services	\$ 3,890	\$ 500	\$ 3,000	\$ 3,000	\$ 3,000	\$ 2,500	500.00%
Adult Education Advertising	\$ 18,895	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ -	0.00%

Portland Public Schools
FY2025 Expenditure Summary Budget - All Funds
Board of Education Recommended Budget
April 9, 2024

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
Adult Ed Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Adult Ed Contracted Services	\$ 22,785	\$ 25,500	\$ 28,000	\$ 28,000	\$ 28,000	\$ 2,500	9.80%
Ops and Comms							
Purchased Prof & Technical Services	\$ 3,926,845	\$ 2,447,665	\$ 2,065,226	\$ 2,184,657	\$ 2,184,657	\$ (263,008)	-10.75%
Other Professional Services	\$ 188,403	\$ 18,614	\$ 11,000	\$ 11,000	\$ 11,000	\$ (7,614)	-40.90%
Computer Lease	\$ 46,000	\$ 46,000	\$ 126,824	\$ 126,824	\$ 126,824	\$ 80,824	175.70%
Other Purchased Services	\$ 598	\$ 1,483	\$ 1,600	\$ 1,600	\$ 1,600	\$ 117	7.89%
Tech Related Repairs and Maintenance	\$ 54,642	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Software Maintenance	\$ 122,094	\$ 138,457	\$ 265,000	\$ 265,000	\$ 265,000	\$ 126,543	91.40%
Postage	\$ 40,860	\$ 68,208	\$ 37,200	\$ 37,200	\$ 37,200	\$ (31,008)	-45.46%
Phone	\$ 245,392	\$ 161,442	\$ 228,431	\$ 228,431	\$ 228,431	\$ 66,990	41.49%
Internet Connectivity	\$ 158,806	\$ 20,156	\$ 11,723	\$ 11,723	\$ 11,723	\$ (8,432)	-41.84%
Advertising	\$ 17,955	\$ 30,800	\$ 26,000	\$ 26,000	\$ 26,000	\$ (4,800)	-15.58%
Printing/Binding	\$ 43,771	\$ 79,384	\$ 23,030	\$ 23,030	\$ 23,030	\$ (56,354)	-70.99%
Photocopying	\$ 149,913	\$ 157,800	\$ 162,336	\$ 162,336	\$ 162,336	\$ 4,536	2.87%
Total Ops & Comm Contracted Services	\$ 4,995,278	\$ 3,170,008	\$ 2,958,370	\$ 3,077,801	\$ 3,077,801	\$ (92,207)	-2.91%
Insurance & Legal							
Insurance - General Liability	\$ 642,565	\$ 819,509	\$ 839,334	\$ 839,334	\$ 839,334	\$ 19,825	2.42%
Legal Services	\$ 318,542	\$ 278,211	\$ 303,900	\$ 303,900	\$ 303,900	\$ 25,689	9.23%
Total Ins & Legal Contracted Services	\$ 961,107	\$ 1,097,720	\$ 1,143,234	\$ 1,143,234	\$ 1,143,234	\$ 45,514	4.15%
Facilities							
Alarms	\$ 4,950	\$ 4,325	\$ 4,636	\$ 4,636	\$ 4,636	\$ 311	7.19%
Architect/Engineering - NSA	\$ -	\$ 20,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ (10,000)	-50.00%
Water	\$ 55,565	\$ 51,928	\$ 52,364	\$ 52,364	\$ 52,364	\$ 436	0.84%
Sewer	\$ 145,333	\$ 166,415	\$ 166,000	\$ 166,000	\$ 166,000	\$ (415)	-0.25%
Waste Disposal Services	\$ 125,860	\$ 127,332	\$ 135,000	\$ 135,000	\$ 135,000	\$ 7,668	6.02%
Recycling Services	\$ 123,025	\$ 132,040	\$ 132,000	\$ 132,000	\$ 132,000	\$ (40)	-0.03%
Hazard Waste Disposal	\$ 15,616	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ -	0.00%
Repair and Maintenance Services	\$ 779,706	\$ 1,341,077	\$ 1,018,300	\$ 1,018,300	\$ 1,018,300	\$ (322,777)	-24.07%
HVAC Maintenance	\$ 586,638	\$ 595,514	\$ 765,159	\$ 765,159	\$ 765,159	\$ 169,645	28.49%
Mowing/Plowing/Field Maintenance	\$ 514,422	\$ 827,040	\$ 700,000	\$ 700,000	\$ 700,000	\$ (127,040)	-15.36%
Pest Management Services	\$ 21,081	\$ 22,385	\$ 22,967	\$ 22,967	\$ 22,967	\$ 582	2.60%
Fire Extinguisher Maintenance Services	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.00%
Asbestos/Mold Services	\$ 110,402	\$ 40,000	\$ 41,040	\$ 41,040	\$ 41,040	\$ 1,040	2.60%
Vehicle & Equipment Repair	\$ 40,974	\$ 33,000	\$ 32,000	\$ 32,000	\$ 32,000	\$ (1,000)	-3.03%
Rentals	\$ 592,323	\$ 805,972	\$ 442,204	\$ 442,204	\$ 442,204	\$ (363,768)	-45.13%
Total Ops & Comm Contracted Services	\$ 3,115,894	\$ 4,185,028	\$ 3,539,669	\$ 3,539,669	\$ 3,539,669	\$ (645,358)	-15.42%
Transportation							
Student Transportation Services	\$ 907	\$ 250	\$ -	\$ -	\$ -	\$ (250)	-100.00%
Student Transportation Purchase/Private (Sped OOD and Homeless)	\$ 914,242	\$ 839,500	\$ 603,591	\$ 603,591	\$ 603,591	\$ (235,909)	-28.10%
Total Transport Contracted Services	\$ 915,148	\$ 839,750	\$ 603,591	\$ 603,591	\$ 603,591	\$ (236,159)	-28.12%
TOTAL CONTRACTED SERVICES	\$ 15,311,282	\$ 14,799,002	\$ 13,522,448	\$ 13,641,879	\$ 13,641,879	\$ (1,157,123)	-7.82%
SUPPLIES							
Academic							
General Supplies	\$ 1,150,266	\$ 1,183,482	\$ 1,861,069	\$ 1,861,069	\$ 1,861,069	\$ 677,587	57.25%

Portland Public Schools
FY2025 Expenditure Summary Budget - All Funds
Board of Education Recommended Budget
April 9, 2024

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Instructional Supplies	\$ 605,101	\$ 773,406	\$ 597,600	\$ 597,600	\$ 597,600	\$ (175,806)	-22.73%
Books Periodicals	\$ 666,457	\$ 9,928,363	\$ 88,645	\$ 88,645	\$ 88,645	\$ (9,839,718)	-99.11%
Tech Related Supplies	\$ 711,754	\$ 630,598	\$ 115,490	\$ 115,490	\$ 115,490	\$ (515,108)	-81.69%
Software Licenses	\$ 56,063	\$ 2,265	\$ 268,299	\$ 268,299	\$ 268,299	\$ 266,034	11745.43%
Audiovisual Supplies	\$ 3,169	\$ 4,900	\$ 1,000	\$ 1,000	\$ 1,000	\$ (3,900)	-79.59%
CTE Minor Equipment	\$ 36,759	\$ 80,889	\$ 74,418	\$ 74,418	\$ 74,418	\$ (6,471)	-8.00%
Total Academic Supplies	\$ 3,229,570	\$ 12,603,903	\$ 3,006,522	\$ 3,006,522	\$ 3,006,522	\$ (9,597,381)	-76.15%
Operations							
Custodial Supplies	\$ 277,065	\$ 248,987	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,013	0.41%
Energy	\$ -	\$ 45,000	\$ -	\$ -	\$ -	\$ (45,000)	-100.00%
Natural Gas	\$ 798,474	\$ 1,047,200	\$ 800,000	\$ 800,000	\$ 800,000	\$ (247,200)	-23.61%
Electricity	\$ 802,908	\$ 1,172,190	\$ 950,000	\$ 950,000	\$ 950,000	\$ (222,190)	-18.96%
Bottled Gas	\$ 14,600	\$ 4,158	\$ 4,500	\$ 4,500	\$ 4,500	\$ 342	8.23%
Oil	\$ 80,285	\$ 66,400	\$ 67,462	\$ 67,462	\$ 67,462	\$ 1,062	1.60%
Gasoline	\$ 262,139	\$ 261,523	\$ 255,000	\$ 255,000	\$ 255,000	\$ (6,523)	-2.49%
Food	\$ 1,983,256	\$ 1,857,307	\$ 2,142,000	\$ 2,142,000	\$ 2,142,000	\$ 284,693	15.33%
Non-Food Supplies	\$ 176,518	\$ 162,716	\$ 200,000	\$ 227,820	\$ 227,820	\$ 65,104	40.01%
Total Operations Supplies	\$ 4,395,246	\$ 4,865,481	\$ 4,668,962	\$ 4,696,782	\$ 4,696,782	\$ (168,699)	-3.47%
TOTAL SUPPLIES	\$ 7,624,816	\$ 17,469,384	\$ 7,675,483	\$ 7,703,303	\$ 7,703,303	\$ (9,766,081)	-55.90%
MISCELLANEOUS							
Dues and Fees	\$ 214,008	\$ 200,451	\$ 236,967	\$ 236,967	\$ 236,967	\$ 36,516	18.22%
Bank Fees	\$ 10,012	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Maine State Billing Fees	\$ 15,967	\$ 30,000	\$ -	\$ -	\$ -	\$ (30,000)	-100.00%
School Board Conference Fees	\$ 1,967	\$ 2,000	\$ -	\$ -	\$ -	\$ (2,000)	-100.00%
Judgments Against SAU	\$ 85,800	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Field Trip Transportation	\$ 301,219	\$ 350,139	\$ 10,000	\$ 10,000	\$ 10,000	\$ (340,139)	-97.14%
Miscellaneous Expenditures	\$ 15,750	\$ 37,253	\$ 21,086	\$ 21,086	\$ 21,086	\$ (16,167)	-43.40%
Other Items	\$ 14,600	\$ 108,000	\$ 22,709	\$ 22,709	\$ 22,709	\$ (85,291)	-78.97%
Fund Transfers Out	\$ 286	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 659,609	\$ 727,842	\$ 290,762	\$ 290,762	\$ 290,762	\$ (437,081)	-60.05%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$ 87,365	\$ 206,300	\$ 580,170	\$ 580,170	\$ 580,170	\$ 373,870	181.23%
Equipment Less Than \$10,000	\$ 75,469	\$ 30,910	\$ 65,000	\$ 65,000	\$ 65,000	\$ 34,090	110.29%
Vehicles (Non-Student)	\$ 47,700	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Tech Related Equip Greater Than \$10,000	\$ 40,861	\$ 298,730	\$ -	\$ -	\$ -	\$ (298,730)	-100.00%
Tech Related Equipment Less Than \$10,000	\$ 125,975	\$ 79,027	\$ 123,020	\$ 123,020	\$ 123,020	\$ 43,993	55.67%
Student Transportation Vehicles	\$ 122,167	\$ 759,000	\$ -	\$ -	\$ -	\$ (759,000)	-100.00%
TOTAL CAPITAL EQUIPMENT	\$ 499,537	\$ 1,373,967	\$ 768,190	\$ 768,190	\$ 768,190	\$ (605,777)	-44.09%
DEBT SERVICE							
Principal	\$ 5,801,860	\$ 8,478,861	\$ 8,992,170	\$ 8,992,170	\$ 8,992,170	\$ 513,309	6.05%
Interest	\$ 3,036,045	\$ 3,974,166	\$ 4,083,054	\$ 4,083,054	\$ 4,083,054	\$ 108,888	2.74%
TOTAL DEBT SERVICE	\$ 8,837,905	\$ 12,453,027	\$ 13,075,224	\$ 13,075,224	\$ 13,075,224	\$ 622,197	5.00%
TOTAL NON SALARY AND BENEFITS	\$ 32,933,149	\$ 46,823,222	\$ 35,332,107	\$ 35,479,358	\$ 35,479,358	\$ (11,343,865)	-24.23%
TOTAL EXPENDITURES	\$ 148,857,475	\$ 163,129,659	\$ 161,044,129	\$ 161,972,572	\$ 161,416,245	\$ (1,713,415)	-1.05%

**Portland Public Schools
FY2025 Tax Rate Computation
Board of Education Recommended Budget
April 9, 2024**

							<u>March 5, 2024</u>	<u>April 1, 2024</u>
	FY2020	FY2021	FY2022*	FY2023	FY2024	FY2025	FY2025	FY2025
Tax Levy	\$ 93,345,138	\$ 94,338,744	\$ 99,083,251	\$ 103,851,071	\$ 110,850,008	\$ 119,402,624	\$ 119,402,624	\$ 119,402,624
\$ Increase	\$ 5,341,707	\$ 993,606	\$ 4,744,507	\$ 4,767,820	\$ 6,998,937	\$ 8,552,616	\$ 8,552,616	\$ 8,552,616
% Increase	6.07%	1.06%	5.03%	4.81%	6.74%	7.72%	7.72%	7.72%
Valuation	\$ 7,985,000,000	\$ 8,070,000,000	\$ 8,155,000,000	\$ 14,729,000,000	\$ 14,879,000,000	\$ 14,999,519,900	\$ 15,029,000,000	\$ 15,029,000,000
\$ Increase	\$ 85,000,000	\$ 85,000,000	\$ 85,000,000	\$ 93,364,697	\$ 150,000,000	\$ 120,519,900	\$ 150,000,000	\$ 150,000,000
% Increase	1.08%	1.06%	1.05%	1.14%	1.02%	0.81%	1.01%	1.01%
Tax Rate (per \$1000)	\$ 11.69	\$ 11.69	\$ 12.15	\$ 7.05	\$ 7.45	\$ 7.96	\$ 7.94	\$ 7.94
\$ Increase	\$ 0.55	\$ (0.00)	\$ 0.46	\$ 0.28	\$ 0.40	\$ 0.51	\$ 0.49	\$ 0.49
% Increase	4.9%	0.0%	3.9%	4.1%	5.7%	6.9%	6.6%	6.6%

*FY 22 Had a property re-evaluation. This also impacted Tax Rate Increases in FY 23. They have been adjusted to account for the change in evaluation and the rate adjustment as a result.

Portland Public Schools
FY2025 Comparative Tax Levy Summary
Board of Education Recommended Budget
April 9, 2024

	FY22 ACTUAL	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
Food Service								
Expenditures	\$ 3,823,131	\$ 4,025,130	\$ 4,300,391	\$ 5,573,876	\$ 5,573,876	\$ 5,573,876	\$ 1,273,485	29.61%
Revenue/Other sources	\$ (3,637,008)	\$ (4,020,552)	\$ (4,300,391)	\$ (5,573,876)	\$ (5,573,876)	\$ (5,573,876)	\$ (1,273,485)	29.61%
Food Service Tax Levy	\$ 186,123	\$ 4,578	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Adult Education								
Expenditures	\$ 2,575,752	\$ 2,637,938	\$ 2,732,531	\$ 3,070,168	\$ 3,070,168	\$ 3,070,168	\$ 337,637	12.36%
Revenue/Other sources	\$ (792,239)	\$ (768,727)	\$ (810,791)	\$ (1,001,223)	\$ (1,001,223)	\$ (1,001,223)	\$ (190,432)	23.49%
Adult Education Tax Levy	\$ 1,783,513	\$ 1,869,211	\$ 1,921,740	\$ 2,068,945	\$ 2,068,945	\$ 2,068,945	\$ 147,205	7.66%
General Fund								
Expenditures	\$120,055,817	\$126,407,899	\$136,777,421	\$145,018,943	\$145,632,014	\$145,401,723	\$ 8,241,522	6.03%
Revenue	\$ (22,942,202)	\$ (24,430,617)	\$ (27,849,153)	\$ (27,685,264)	\$ (28,298,335)	\$ (28,068,044)	\$ 163,889	-0.59%
General Fund Tax Levy	\$ 97,113,615	\$101,977,282	\$108,928,268	\$117,333,679	\$117,333,679	\$117,333,679	\$ 8,405,411	7.72%
Total Fund								
Expenditures	\$126,454,700	\$133,070,967	\$143,810,343	\$153,662,987	\$154,276,058	\$154,045,767	\$ 9,852,644	6.85%
Revenue	\$ (27,371,449)	\$ (29,219,896)	\$ (32,960,335)	\$ (34,260,363)	\$ (34,873,434)	\$ (34,643,143)	\$ (1,300,028)	3.94%
TOTAL FUND TAX LEVY	\$ 99,083,251	\$103,851,071	\$110,850,008	\$119,402,624	\$119,402,624	\$119,402,624	\$ 8,552,616	7.72%

Portland Public Schools
FY2025 Five-Year Projection
Board of Education Recommended Budget
April 9, 2024

	FIVE-YEAR PROJECTION						NOTES
	FY 25 SUPT RECOMMNEED	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	
Local Funds							
Property Tax Levy	\$ 117,333,679						
Total Local Programming Revenue	\$ 478,000	\$ 492,340	\$ 507,110	\$ 522,324	\$ 537,993	\$ 554,133	3% incr
Total Local Grants	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	
TOTAL LOCAL FUNDS	\$ 117,861,679	\$ 542,340	\$ 557,110	\$ 572,324	\$ 587,993	\$ 604,133	
State Revenue							
State Share EPS (State Subsidy)	\$ 16,033,030	\$ 16,514,021	\$ 17,009,442	\$ 17,519,725	\$ 18,045,317	\$ 18,586,676	3% incr on EPS
Career & Technical Education Center Allocation	\$ 3,716,194	\$ 3,920,585	\$ 4,136,217	\$ 4,363,709	\$ 4,603,713	\$ 4,856,917	5.5% incr on CTE Alloc
Education Service Center Member Allocation	\$ 186,430	\$ 191,818	\$ 197,361	\$ 203,065	\$ 208,934	\$ 214,972	2.89% incr on Ed Svc Ctr Member Alloc
MulitiLingual Learner Hardship Funds	\$ 392,087	\$ 431,296	\$ 474,425	\$ 521,868	\$ 574,055	\$ 631,460	10% incr on ELL hardship
State Reimbursement Debt Service	\$ 3,108,476	\$ 3,005,897	\$ 2,906,702	\$ 2,810,781	\$ 2,718,025	\$ 2,628,330	-3% on State reimb of debt
State Agency Client	\$ 226,047	\$ 226,047	\$ 226,047	\$ 226,047	\$ 226,047	\$ 226,047	left flat
TOTAL STATE REVENUES	\$ 23,662,264	\$ 24,289,663	\$ 24,950,194	\$ 25,645,194	\$ 26,376,090	\$ 27,144,402	0.5% incr from State each year
STATE GRANTS	\$ 98,163	\$ 98,163	\$ 98,163	\$ 98,163	\$ 98,163	\$ 98,163	
Pre-K Expansion Grant	\$ -						
MLEH Grant	\$ -						
Total State Funds	\$ 23,760,427	\$ 24,387,826	\$ 25,048,357	\$ 25,743,357	\$ 26,474,253	\$ 27,242,565	
Federal Revenue							
MaineCare Medicaid Reimbursement	\$ 300,000	\$ 360,000	\$ 432,000	\$ 518,400	\$ 622,080	\$ 746,496	20% incr every year
Seed Withholding	\$ -						
Federal Impact Aid	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	
Total Federal	\$ 345,000	\$ 405,000	\$ 477,000	\$ 563,400	\$ 667,080	\$ 791,496	
Total Title Funds	\$ 3,394,587	\$ 3,462,479	\$ 3,531,728	\$ 3,602,363	\$ 3,674,410	\$ 3,747,898	Increase 2% each year
Federal Funds							
IDEA	\$ 2,213,694	\$ 2,257,968	\$ 2,303,127	\$ 2,349,190	\$ 2,396,174	\$ 2,444,097	
Perkins Federal	\$ 299,698	\$ 299,698	\$ 299,698	\$ 299,698	\$ 299,698	\$ 299,698	
ESSER Funds (COVID)	\$ 433,000	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Federal Grant Funds	\$ 2,946,392	\$ 2,557,666	\$ 2,602,825	\$ 2,648,888	\$ 2,695,872	\$ 2,743,795	
FEDERAL FUNDS	\$ 6,685,979	\$ 6,425,145	\$ 6,611,554	\$ 6,814,651	\$ 7,037,362	\$ 7,283,190	
CHILD DEVELOPMENT SERVICES	\$ 881,336	\$ 907,776	\$ 935,009	\$ 963,060	\$ 991,951	\$ 1,021,710	Increase 3% each year based on average increase in cost each year
TOTAL PREK-12 PROGRAMMING	\$ 149,189,421	\$ 32,263,087	\$ 33,152,030	\$ 34,093,391	\$ 35,091,559	\$ 36,151,598	
USE OF FUND BALANCE*	\$ 3,582,780	\$ 3,025,747	\$ 150,000	\$ 100,000		\$ -	*See next page for detail

Portland Public Schools
FY2025 Five-Year Projection
Board of Education Recommended Budget
April 9, 2024

	FIVE-YEAR PROJECTION						NOTES
	FY 25 SUPT RECOMMNEDED	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	
TOTAL PREK-12 PROGRAMMING AND FUND BALANCE	\$ 152,772,201	\$ 35,288,833	\$ 33,302,030	\$ 34,193,391	\$ 35,091,559	\$ 36,151,598	
TOTAL ADULT EDUCATION REVENUE	\$ 3,070,168	\$ 3,070,168	\$ 3,070,168	\$ 3,070,168	\$ 3,070,168	\$ 3,070,168	
TOTAL FOOD SERVICES REVENUE	\$ 5,573,876	\$ 5,741,092	\$ 5,913,325	\$ 6,090,725	\$ 6,273,447	\$ 6,461,650	
TOTAL REVENUE & OTHER FUNDING SOURCES	\$ 161,416,245	\$ 44,100,094	\$ 42,285,524	\$ 43,354,284	\$ 44,435,174	\$ 45,683,416	
SALARIES & BENEFITS							
<i>Regular Salaries</i>							
Professional Salary	\$ 60,029,799	\$ 62,130,842	\$ 64,305,422	\$ 66,556,111	\$ 68,885,575	\$ 71,296,570	
Instructional Aide/Asst	\$ 8,373,100	\$ 8,666,159	\$ 8,969,474	\$ 9,283,406	\$ 9,608,325	\$ 9,944,616	
Adminstration/Regular Support	\$ 22,252,423	\$ 23,031,258	\$ 23,837,352	\$ 24,671,659	\$ 25,535,167	\$ 26,428,898	
Total Regular Salaries	\$ 90,655,322	\$ 93,828,258	\$ 97,112,247	\$ 100,511,176	\$ 104,029,067	\$ 107,670,084	
<i>Temporary Salaries</i>							
Temporary Salary	\$ 1,330,962	\$ 1,337,616	\$ 1,344,304	\$ 1,351,026	\$ 1,357,781	\$ 1,364,570	
Tutor	\$ 65,618	\$ 67,915	\$ 70,292	\$ 72,752	\$ 75,298	\$ 77,934	
Substitute	\$ 964,845	\$ 998,615	\$ 1,033,566	\$ 1,069,741	\$ 1,107,182	\$ 1,145,934	
Teacher Additional Pay	\$ 116,502	\$ 120,579	\$ 124,800	\$ 129,168	\$ 133,688	\$ 138,368	
Regular Support Overtime	\$ 86,893	\$ 89,935	\$ 93,082	\$ 96,340	\$ 99,712	\$ 103,202	
Stipend/Differential	\$ 1,608,976	\$ 1,625,066	\$ 1,641,317	\$ 1,657,730	\$ 1,674,307	\$ 1,691,050	
Stipend-Retirement Sick	\$ 550,000	\$ 569,250	\$ 589,174	\$ 609,795	\$ 631,138	\$ 653,227	
Total Temporary Salaries	\$ 4,723,796	\$ 4,808,976	\$ 4,896,535	\$ 4,986,552	\$ 5,079,107	\$ 5,174,285	
Total Salaries	\$ 95,379,118	\$ 98,637,234	\$ 102,008,782	\$ 105,497,728	\$ 109,108,174	\$ 112,844,369	
<i>Benefits</i>							
Health Insurance	\$ 21,099,530	\$ 21,627,018	\$ 22,167,694	\$ 22,721,886	\$ 23,289,933	\$ 23,872,181	
Medicare	\$ 1,381,737	\$ 1,430,240	\$ 1,479,127	\$ 1,529,717	\$ 1,582,069	\$ 1,636,243	
Retirement	\$ 5,402,355	\$ 5,918,234	\$ 6,120,527	\$ 6,329,864	\$ 6,546,490	\$ 6,770,662	
Tuition Reimbursement	\$ 430,302	\$ 494,847	\$ 569,074	\$ 654,435	\$ 752,600	\$ 865,490	
Workers Compensation	\$ 512,861	\$ 530,381	\$ 548,510	\$ 567,270	\$ 586,684	\$ 606,774	
All Other	\$ 1,594,376	\$ 1,650,179	\$ 1,707,935	\$ 1,767,713	\$ 1,829,583	\$ 1,893,618	
PFML	\$ 136,608	\$ 986,372	\$ 1,020,088	\$ 1,054,977	\$ 1,091,082	\$ 1,128,444	
Total Benefits	\$ 30,557,769	\$ 32,637,271	\$ 33,612,955	\$ 34,625,862	\$ 35,678,441	\$ 36,773,413	
TOTAL SALARIES & BENEFITS	\$ 125,936,887	\$ 131,274,505	\$ 135,621,737	\$ 140,123,590	\$ 144,786,615	\$ 149,617,782	
CONTRACTED SERVICES							
<i>PreK - 12th</i>							
Total PreK-12th Contracted Services	\$ 1,295,193	\$ 1,327,573	\$ 1,360,762	\$ 1,394,781	\$ 1,429,651	\$ 1,465,392	@ 2.5% inc
Total SPED Contracted Services	\$ 3,954,390	\$ 3,974,162	\$ 3,994,032	\$ 4,014,003	\$ 4,034,073	\$ 4,054,243	State tuition @ .5% inc
Total Adult Ed Contracted Services	\$ 28,000	\$ 29,400	\$ 30,870	\$ 32,414	\$ 34,034	\$ 35,736	@ 1.5% inc
Total Ops & Comm Contracted Services	\$ 3,077,801	\$ 3,154,746	\$ 3,233,615	\$ 3,314,455	\$ 3,397,317	\$ 3,482,250	@ 2.5% inc
Total Ins & Legal Contracted Services	\$ 1,143,234	\$ 1,177,531	\$ 1,212,857	\$ 1,249,243	\$ 1,286,720	\$ 1,325,322	GL ins/legal @ 3%
Total Ops & Comm Contracted Services	\$ 3,539,669	\$ 3,610,463	\$ 3,682,672	\$ 3,756,326	\$ 3,831,452	\$ 3,908,081	Utilities/svc, maintenance @ 2%

Portland Public Schools
FY2025 Five-Year Projection
Board of Education Recommended Budget
April 9, 2024

	FY 25 SUPT RECOMMNEDED	FIVE-YEAR PROJECTION					NOTES
		FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	
Total Transport Contracted Services	\$ 603,591	\$ 618,681	\$ 634,148	\$ 650,001	\$ 666,252	\$ 682,908	@ 2.5% inc
TOTAL CONTRACTED SERVICES	\$ 13,641,879	\$ 13,892,556	\$ 14,148,957	\$ 14,411,222	\$ 14,679,498	\$ 14,953,931	Between 0.5% -3% SPED tuition to GL
TOTAL SUPPLIES	\$ 7,703,303	\$ 8,434,402	\$ 8,687,435	\$ 8,948,058	\$ 9,216,499	\$ 9,492,994	@ 3% inc
TOTAL MISCELLANEOUS	\$ 290,762	\$ 298,031	\$ 305,482	\$ 313,119	\$ 320,947	\$ 328,970	@ 2.5% inc
TOTAL CAPITAL EQUIPMENT	\$ 768,190	\$ 783,554	\$ 799,225	\$ 815,209	\$ 831,514	\$ 848,144	Equip @ 2% incr
TOTAL DEBT SERVICE	\$ 13,075,224	\$ 13,436,662	\$ 10,289,348	\$ 8,819,588	\$ 8,525,938	\$ 8,169,306	
TOTAL NON SALARY AND BENEFITS	\$ 35,479,358	\$ 36,845,204	\$ 34,230,445	\$ 33,307,196	\$ 33,574,395	\$ 33,793,346	
TOTAL EXPENDITURES	\$ 161,416,245	\$ 168,119,709	\$ 169,852,182	\$ 173,430,786	\$ 178,361,010	\$ 183,411,128	
FUNDS NEEDED TO BALANCE	\$ -	\$ (124,019,615)	\$ (127,566,659)	\$ (130,076,502)	\$ (133,925,836)	\$ (137,727,712)	
Percentage increase over the prior year		4.15%	2.86%	1.97%	2.96%	2.84%	

NOTES:

Ed Tech & SEC Contract expires 2024

PEA Contract expires 2025

BASE & PAA Contract expire 2026

*Additional detail on next page

**Portland Public Schools
Five-Year Projection - Fund Balance Details
Board of Education Recommended Budget
April 9, 2024**

	FY25	FY26	FY27	FY28	FY29
STARTING BALANCE	\$ 10,923,311	\$ 7,340,531	\$ 4,314,784	\$ 4,164,784	\$ 4,064,784
Pension Obligation	\$ 2,518,778	\$ 2,675,747			
Priority #1: Equity					
Equity Training	\$ 10,000	Adult Ed Consultant \$ 50,000			
Priority #2: Achievement					
EL Reading & CKLA	\$ 60,000	Math Design \$ 50,000	Sci & Social Studies \$ 50,000		
Reading Intervention Training	\$ 37,497	HS Curriculum \$ 50,000	Math Implementation \$ 100,000	Math Intervention \$ 100,000	
HCOF Consultant	\$ 50,000				
Priority #3: Whole Student					
7 Mindsets	\$ 36,500	Community Schools \$ 50,000			
Priority #4: People					
Leadership Training	\$ 100,000	Leadership Training \$ 100,000			
Priority #5: Systems					
Data System Start-Up	\$ 80,000	Transportation \$ 50,000			
Other					
Scrubber	\$ 60,000				
Snowblowers	\$ 25,000				
PEA Negotiations	\$ 72,500				
eRate Component	\$ 100,000				
ADP Module Build	\$ 150,000				
Financial Fees/Penalties	\$ 100,000				
Operational Costs	\$ 182,505				
TOTAL FUND USE	\$ 3,582,780	\$ 3,025,747	\$ 150,000	\$ 100,000	

**Portland Public Schools
FY2025 Fund Balance Summary
Board of Education Recommended Budget
April 9, 2024**

	General Fund	Adult Ed	Food Service	Total Funds
Fund balances, beginning of FY 23:				
Nonspendable	-	-	\$ 131,173	\$ 131,173
Restricted for career and technical education	\$ 360,236	-	-	\$ 360,236
Restricted for subsequent years expenditures	-	-	\$ 1,275,826	\$ 1,275,826
Committed for capital expenditures	\$ 1,000,000	-	-	\$ 1,000,000
Committed for debt service	\$ 2,549,764	-	-	\$ 2,549,764
Committed for subsequent years expenditure:	\$ 2,326,442	\$ 20,000	-	\$ 2,346,442
Assigned	-	\$ 395,854	-	\$ 395,854
Unassigned	\$ 8,389,338	-	-	\$ 8,389,338
 Total fund balances, beginning of year	 \$ 14,625,780	 \$ 415,854	 \$ 1,406,999	 \$ 16,448,633
 Revenues and other financing sources less expenditures and other financing uses	 \$ 912,392	 \$ (55,931)	 \$ 845,184	 \$ 1,701,645
 Fund balance, end of year	 \$ 15,538,172	 \$ 359,923	 \$ 2,252,183	 \$ 18,150,278

Fund Balance, end of year:				
Nonspendable	\$ 1,475	-	\$ 131,173	\$ 132,648
Restricted for career and technical education	\$ 638,127	-	-	\$ 638,127
Restricted for subsequent years expenditures	-	-	\$ 2,121,010	\$ 2,121,010
Committed for capital expenditures	\$ 1,000,000	-	-	\$ 1,000,000
Committed for subsequent years expenditure:	\$ 3,614,861	\$ 35,418	-	\$ 3,650,279
Assigned	-	\$ 324,505	-	\$ 324,505
Unassigned	\$ 10,283,709	-	-	\$ 10,283,709
 Total fund balances, end of FY23	 \$ 15,538,172	 \$ 359,923	 \$ 2,252,183	 \$ 18,150,278

Reconciliation of Revenue and Expenditure Status Reports to Change in Fund Balance:

Revenue Status Report, Schedule B-1	\$ 125,221,197	\$ 2,571,186	\$ 5,036,918	\$ 132,829,301
Expenditure Status Report, Schedule B-2	\$ (124,308,805)	\$ (2,627,117)	\$ (4,191,734)	\$ (131,127,656)
 Net change in fund balance	 \$ 912,392	 \$ (55,931)	 \$ 845,184	 \$ 1,701,645
 Fund Balance, End of FY 23	 \$ 15,538,172	 \$ 359,923	 \$ 2,252,183	 \$ 18,150,278
Fund Balance Budgeted for FY24	\$ 3,614,861	\$ 35,418	\$ 250,000	\$ 3,900,279
Need to pay back funds to City for Capital expenditures	\$ (1,000,000)			
Anticipated Fund Balance End of FY24	\$ 10,923,311	\$ 324,505	\$ 2,002,183	\$ 14,249,999
 Budgeted Fund Balance FY25	 \$ 3,582,780	 \$ 100,000	 \$ 1,000,000	 \$ 4,682,780
CTE Fund Balance	\$ -			
 End of FY25 Fund Balance/Beginning of FY26	 \$ 7,340,531	 \$ 224,505	 \$ 1,002,183	 \$ 9,567,219

FY 2025 Enrollment Comparison

Portland Public Schools

	Cliff Island	Cliff Island	East End	East End	Longfellow	Longfellow	Lyseth	Lyseth	Ocean Ave	Ocean Ave	Peaks Island	Peaks Island	Presumpscot	Presumpscot	Reiche	Reiche
	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025
	23-24	2024-25	23-24	2024-25	23-24	2024-25	23-24	2024-25	23-24	2024-25	23-24	2024-25	23-24	2024-25	23-24	2024-25
	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected
PROJECTED ENROLLMENT																
4YO	0	0	31	31	15	15	32	32	0	0	9	9	45	45	63	63
KD	0	2	72	72	43	43	72	72	47	47	7	7	35	35	79	79
1	0	0	50	72	36	43	82	72	58	47	7	7	39	35	92	79
2	0	0	64	50	45	36	74	82	69	58	6	7	43	39	72	92
3	0	0	64	64	47	45	80	74	57	69	4	6	26	43	68	72
4	1	0	66	64	35	47	80	80	63	57	5	4	43	26	63	68
5	0	1	49	66	49	35	74	80	57	63	8	5	34	43	56	63
6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Enrollment	1	3	396	419	270	264	494	492	351	341	46	45	265	266	493	516
SPECIAL EDUCATION ENROLLMENT	Actual		Actual		Actual		Actual		Actual		Actual		Actual		Actual	
Resource Room (includes anticipated percent)	0	0	57	57	33	33	69	69	50	50	12	12	32	32	57	57
Specialized Program	0	0	14	14	6	6	0	0	12	12	0	0	0	0	0	0
Total Students with IEPs	0	0	71	71	39	39	69	69	62	62	12	12	32	32	57	57
Percent of Students with IEPs	0.00%	0.00%	16.92%	16.92%	14.83%	14.83%	13.97%	13.97%	18.28%	18.28%	27.56%	27.56%	11.91%	11.91%	10.97%	10.97%
MULTILINGUAL LEARNER ENROLLMENT	Actual		Actual		Actual		Actual		Actual		Actual		Actual		Actual	
Level 1	0	0	43	43	7	7	20	20	38	38	0	0	39	39	86	86
Level 2	0	0	37	37	0	0	27	27	15	15	2	2	16	16	46	46
Level 3	0	0	49	49	4	4	21	21	9	9	1	1	12	12	28	28
Level 4 (to 4.4)	0	0	10	10	0	0	11	11	9	9	0	0	5	5	9	9
Alt MLs or no 2023 ACCESS Scores	0	0	47	47	4	4	16	16	21	21	0	0	9	9	60	60
Monitoring (Exited)	0	0	11	11	2	2	5	5	8	8	1	1	5	5	6	6
Total Multilingual Learners	0	0	197	197	17	17	100	100	100	100	4	4	86	86	235	235
Percent of Multilingual Learners	0	0.00%	0	47.02%	0	6.44%	0	20.33%	0	29.33%	0	8.89%	0	32.33%	0	45.54%

FY 2025 Enrollment Comparison

Portland Public Schools

	Rowe	Rowe	Talbot	Talbot
	2024	2025	2024	2025
	23-24	2024-25	23-24	2024-25
	Current	Projected	Current	Projected
PROJECTED ENROLLMENT				
4YO	30	30	30	30
KD	80	80	59	59
1	83	80	52	59
2	64	83	69	52
3	78	64	54	69
4	79	78	58	54
5	68	79	47	58
6	0	0	0	0
7	0	0	0	0
8	0	0	0	0
9	0	0	0	0
10	0	0	0	0
11	0	0	0	0
12	0	0	0	0
Total Enrollment	482	494	369	381
SPECIAL EDUCATION ENROLLMENT	Actual		Actual	
Resource Room (includes anticipated percent)	76	76	66	66
Specialized Program	16	16	14	14
Total Students with IEPs	92	92	80	80
Percent of Students with IEPs	18.56%	18.56%	21.01%	21.01%
MULTILINGUAL LEARNER ENROLLMENT	Actual		Actual	
Level 1	48	48	40	40
Level 2	14	14	22	22
Level 3	25	25	19	19
Level 4 (to 4.4)	7	7	15	15
Alt MLs or no 2023 ACCESS Scores	28	28	42	42
Monitoring (Exited)	7	7	12	12
Total Multilingual Learners	129	129	150	150
Percent of Multilingual Learners	0	26.11%	0	39.37%

King Middle	King Middle	Lincoln Middle	Lincoln Middle	Moore Middle	Moore Middle
2024	2025	2024	2025	2024	2025
23-24	2024-25	23-24	2024-25	23-24	2024-25
Current	Projected	Current	Projected	Current	Projected
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
136	141	137	134	163	154
162	136	131	137	150	163
148	162	162	131	187	150
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
446	439	430	402	500	467
Actual		Actual		Actual	
63	63	62	62	65	65
16	16	13	13	18	18
79	79	75	75	83	83
18.04%	18.04%	18.53%	18.53%	17.85%	17.85%
Actual		Actual		Actual	
61	61	29	29	23	23
23	23	27	27	17	17
37	37	28	28	34	34
20	20	10	10	14	14
17	17	2	2	20	20
47	47	31	31	41	41
205	205	127	127	149	149
0	46.70%	0	31.59%	0	31.91%

Casco Bay High	Casco Bay High	Deering High	Deering High	Portland High	Portland High
2024	2025	2024	2025	2024	2025
23-24	2024-25	23-24	2024-25	23-24	2024-25
Current	Projected	Current	Projected	Current	Projected
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
96	100	189	225	200	181
96	96	220	189	249	200
95	96	196	220	272	249
94	95	251	196	253	272
381	387	856	830	974	902
Actual		Actual		Actual	
58	58	121	121	89	89
8	8	43	43	24	24
66	66	164	164	113	113
17.09%	17.09%	19.77%	19.77%	12.52%	12.52%
Actual		Actual		Actual	
6	6	92	92	107	107
9	9	54	54	51	51
27	27	73	73	73	73
12	12	20	20	21	21
7	7	55	55	47	47
17	17	34	34	40	40
78	78	328	328	339	339
0	20.16%	0	39.52%	0	37.58%

FY 2025 School Staffing Comparison

Portland Public Schools School Based Staff

	Cliff Island	Cliff Island	East End	East End	Longfellow	Longfellow	Lyseth	Lyseth	Ocean Ave	Ocean Ave	Peaks Island	Peaks Island	Presumpscot	Presumpscot	Reiche	Reiche	Rowe	Rowe	Talbot
	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024
	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current
Staffing Summaries																			
PAA (School Administration)	0.0	0.0	2.0	2.0	1.5	2.0	2.0	2.0	2.0	2.0	0.0	0.0	2.0	2.0	0.0	0.0	2.0	2.0	2.0
PEA (Teachers)	1.1	1.1	47.5	48.5	29.3	26.0	43.5	46.0	37.5	40.2	8.5	9.0	26.5	30.0	49.0	55.5	47.5	51.5	45.0
Education Technicians	0.0	0.0	20.5	17.0	8.5	8.0	14.8	10.8	20.8	18.8	2.0	2.0	15.5	13.0	15.0	12.2	17.0	17.0	23.0
SEC (ELO)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Base (Support Staff)	0.3	0.3	6.0	6.0	3.6	4.1	5.0	4.5	6.0	5.5	2.3	2.0	4.0	3.5	5.9	7.0	7.0	6.0	8.0
Non-Represented	0.0	0.0	3.0	3.0	1.0	1.0	3.0	2.0	2.0	2.0	2.0	1.0	2.0	1.0	3.0	2.0	2.0	2.0	3.0
TOTAL Staffing	1.4	1.4	79.0	76.5	43.9	41.1	68.3	65.3	68.3	68.5	14.8	14.0	50.0	49.5	72.9	76.7	75.5	78.5	81.0
INSTRUCTIONAL STAFFING ASSUMPTIONS																			
Instructional Staff:	1.00	1.00	27.00	28.00	21.30	18.50	31.00	32.50	24.00	24.50	5.10	5.60	18.50	19.50	31.00	34.50	29.50	31.50	25.00
Pre-K Teacher	0.00	0.00	2.00	2.00	1.00	1.00	2.00	2.00	0.00	0.00	1.00	1.00	4.00	4.00	4.00	4.00	2.00	2.00	2.00
Teacher	1.00	1.00	20.00	20.00	16.00	14.00	24.00	24.00	19.00	19.00	3.00	3.00	12.00	12.00	22.00	23.00	23.00	23.00	19.00
Specials Teachers	0.00	0.00	3.00	3.00	2.80	2.00	4.00	3.50	4.00	3.00	0.60	0.60	2.00	2.00	3.00	3.50	3.50	3.50	3.00
Librarian	0.00	0.00	1.00	1.00	0.50	0.50	1.00	1.00	1.00	1.00	0.50	0.50	0.50	0.50	1.00	1.00	1.00	1.00	1.00
Reading/Math Intervention Staff	0.00	0.00	1.00	2.00	1.00	1.00	0.00	2.00	0.00	1.50	0.00	0.50	0.00	1.00	1.00	3.00	0.00	2.00	0.00
Teacher Leaders	0.10	0.10	3.00	3.00	1.50	1.00	3.00	3.00	2.00	3.00	0.90	0.90	2.00	1.50	6.00	7.00	2.00	3.00	3.00
Teacher Leader	0.10	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.90	0.90	0.00	0.00	3.00	3.00	0.00	0.00	0.00
Instructional Coaches	0.00	0.00	2.00	1.00	1.50	0.50	2.00	1.00	2.00	1.00	0.00	0.00	2.00	1.00	1.00	1.00	2.00	1.00	3.00
Special Education Coordinator	0.00	0.00	0.00	1.00	0.00	0.50	0.00	1.00	0.00	1.00	0.00	0.00	0.00	0.50	0.00	1.00	0.00	1.00	0.00
School Culture Coordinator	0.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	0.00	1.00	0.00	0.00	0.00	0.00	2.00	2.00	0.00	1.00	0.00
Special Education Teachers	0.00	0.00	5.50	5.50	3.00	3.00	3.00	3.00	5.00	5.00	1.00	1.00	0.00	2.50	3.00	3.00	7.00	7.00	5.00
Resource Room Teacher	0.00	0.00	2.50	2.50	2.00	2.00	3.00	3.00	3.00	3.00	1.00	1.00	0.00	2.00	3.00	3.00	4.00	4.00	3.00
Specialized Programs Teacher	0.00	0.00	2.00	2.00	1.00	1.00	0.00	0.00	2.00	2.00	0.00	0.00	0.00	0.00	0.00	0.00	2.00	2.00	2.00
Pre-K Sped	0.00	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.00	0.00	1.00	1.00	0.00
Multilingual Teachers	0.00	0.00	8.00	8.00	1.50	1.50	4.50	4.50	3.00	3.20	0.00	0.00	4.00	4.00	7.00	8.00	5.00	5.00	6.00
ESOL Teachers	0.00	0.00	7.00	7.00	0.50	0.50	3.50	3.50	3.00	3.20	0.00	0.00	3.00	3.00	7.00	8.00	4.00	4.00	5.00
Pre-K ESOL Teacher	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	0.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00
Education Technicians	0.00	0.00	20.50	17.00	8.50	8.00	14.80	10.80	20.80	18.80	2.00	2.00	15.50	13.00	15.00	12.20	17.00	17.00	23.00
Ed Tech III	0.00	0.00	3.00	0.50	0.50	0.00	5.00	0.00	3.00	0.00	0.00	0.00	2.50	0.00	4.00	1.00	2.00	0.00	3.00
Pre-K Ed Tech III	0.00	0.00	2.00	2.00	1.00	1.00	2.00	2.00	0.00	0.00	0.00	0.00	4.00	4.00	5.00	4.00	2.00	2.00	2.00
Pre-K Sped Ed-Tech III	0.00	0.00	1.00	1.00	1.00	1.00	2.00	2.00	0.00	0.00	1.00	1.00	6.00	6.00	0.00	0.00	0.00	0.00	1.00
Sped Ed Tech III	0.00	0.00	13.00	12.00	5.00	5.00	5.00	6.00	17.00	18.00	1.00	1.00	2.00	2.00	4.00	5.00	12.00	14.00	17.00
ML Ed Tech III	0.00	0.00	1.50	1.50	0.00	0.00	0.00	0.00	0.80	0.80	0.00	0.00	1.00	1.00	2.00	2.00	1.00	1.00	0.00
Health Ed Tech III	0.00	0.00	0.00	0.00	1.00	1.00	0.80	0.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.20	0.00	0.00	0.00
School Leadership	0.00	0.00	2.00	2.00	1.50	2.00	2.00	2.00	2.00	2.00	0.00	0.00	2.00	2.00	0.00	0.00	2.00	2.00	2.00
Principal	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00
Assistant Principal	0.00	0.00	1.00	1.00	0.50	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00
Director Co-Curricular	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Administrative Staff	0.00	0.00	3.00	3.00	1.60	1.60	2.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.85	2.00	2.00	2.00	3.00
Secretary Lead - FY	0.00	0.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Secretary Lead - SY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

FY 2025 School Staffing Comparison

**Portland Public Schools
School Based Staff**

	Cliff Island	Cliff Island	East End	East End	Longfellow	Longfellow	Lyseth	Lyseth	Ocean Ave	Ocean Ave	Peaks Island	Peaks Island	Presumpscot	Presumpscot	Reiche	Reiche	Rowe	Rowe	Talbot
	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024
Secretary - FY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Secretary - SY	0.00	0.00	1.00	1.00	0.60	0.60	2.00	1.00	1.00	1.00	0.00	0.00	0.00	0.00	0.85	1.00	1.00	1.00	1.00
Community School Coordinator	0.00	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
Extended Learning Opportunities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Support Staff (Majority on Central Office)	0.00	0.00	4.00	4.00	2.00	2.00	2.00	3.00	3.50	4.50	1.50	1.50	2.00	2.50	2.00	3.00	4.00	5.00	6.00
Social Worker (general and specialized progs)	0.00	0.00	2.00	2.00	2.00	2.00	1.00	2.00	1.50	2.50	0.50	0.50	1.00	1.50	1.00	2.00	2.00	3.00	3.00
School Counselor	0.00	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	0.00
School Nurse	0.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Athletic Trainer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Specialized Program Speech	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
Psychologist	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Physical Therapy	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OCC Therapist	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
Coordinator Student Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Facilities	0.25	0.25	4.00	4.00	2.00	2.50	3.00	2.50	4.00	3.50	1.25	1.00	3.00	2.50	4.00	5.00	5.00	4.00	6.00
Building Custodian II - 1st Shift	0.25	0.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.25	0.00	2.00	1.00	0.00	0.00	0.00	0.00	0.00
Building Custodian II - 2nd Shift	0.00	0.00	2.00	2.00	2.00	1.50	2.00	1.50	2.00	1.50	0.00	0.00	0.00	0.50	2.00	3.00	3.00	3.00	4.00
Building Custodian III Head	0.00	0.00	0.00	0.00	0.00	1.00	0.00	0.00	1.00	0.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	0.00	1.00
Building Custodian III Shift Supervisor	0.00	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	0.00	0.00
Building Custodian IV Head	0.00	0.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	0.00	0.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00
Substitutes	0.00	0.00	2.00	2.00	1.00	1.00	3.00	2.00	2.00	2.00	2.00	1.00	2.00	1.00	3.00	2.00	2.00	2.00	2.00
Dedicated Sub	0.00	0.00	2.00	2.00	1.00	1.00	3.00	2.00	2.00	2.00	2.00	1.00	2.00	1.00	3.00	2.00	2.00	2.00	2.00

FY 2025 School Staffing Comparison

**Portland Public Schools
School Based Staff**

	Talbot	King Middle	King Middle	Lincoln Middle	Lincoln Middle	Moore Middle	Moore Middle	Casco Bay High	Casco Bay High	Deering High	Deering High	Portland High	Portland High	PATHS	PATHS	Additional FTE	Additional FTE	TOTAL STAFF	TOTAL STAFF
	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025
	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected	Current	Projected
Staffing Summaries																			
PAA (School Administration)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	4.0	4.0	4.0	4.0	1.0	1.0	0.0	0.0	30.5	31.0
PEA (Teachers)	48.0	54.0	53.5	50.5	48.5	51.5	50.5	35.2	34.5	83.0	80.0	81.5	79.0	20.0	22.5	0.0	1.0	711.1	725.3
Education Technicians	23.2	17.0	14.5	13.0	15.0	21.8	19.8	3.5	3.5	28.0	28.5	14.5	13.0	6.0	5.0	0.0	5.0	240.9	226.3
SEC (ELO)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0	1.0	1.0	0.0	0.0	0.0	0.0	2.0	2.0
Base (Support Staff)	7.0	6.0	6.0	8.0	6.5	8.5	6.5	2.0	2.8	12.0	11.5	14.0	11.5	9.0	8.2	0.0	0.0	107.5	98.9
Non-Represented	3.0	2.0	2.0	1.0	2.0	3.0	2.0	3.0	2.0	4.0	3.0	4.0	3.0	2.0	2.0	0.0	0.0	40.0	33.0
TOTAL Staffing	83.2	81.0	78.0	74.5	74.0	86.8	80.8	45.7	44.8	132.0	128.0	119.0	111.5	38.0	38.7	0.0	6.0	1131.9	1116.5
INSTRUCTIONAL STAFFING ASSUMPTIONS																			
Instructional Staff:	28.00	35.00	32.50	34.50	31.50	35.50	33.50	23.15	22.50	50.00	45.00	53.00	49.00	20.00	21.00	0.00	1.00	464.6	459.6
Pre-K Teacher	2.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			18.0	18.0
Teacher	19.00	33.50	30.00	34.00	29.00	34.00	32.00	23.15	22.00	49.00	44.00	52.00	48.00	20.00	21.00		1.00	404.7	385.0
Specials Teachers	3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			25.9	24.1
Librarian	1.00	0.50	0.50	0.50	0.50	0.50	0.50	0.00	0.50	1.00	1.00	1.00	1.00	0.00	0.00			11.0	11.5
Reading/Math Intervention Staff	3.00	1.00	2.00	0.00	2.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			5.0	21.0
Teacher Leaders	3.00	2.00	3.00	2.00	3.00	2.00	3.00	1.00	2.00	0.00	3.00	0.50	3.00	0.00	0.00	0.00	0.00	31.0	42.5
Teacher Leader	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			4.0	4.0
Instructional Coaches	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			18.5	10.5
Special Education Coordinator	1.00	0.00	1.00	0.00	1.00	0.00	1.00	0.00	1.00	0.00	1.00	0.00	1.00	0.00	0.00			0.0	13.0
School Culture Coordinator	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	2.00	0.50	2.00	0.00	0.00			8.5	15.0
Special Education Teachers	5.00	6.00	6.00	6.00	6.00	6.00	6.00	5.00	4.00	12.00	12.00	7.00	7.00	0.00	0.00	0.00	0.00	74.5	76.0
Resource Room Teacher	3.00	3.00	3.00	3.00	3.00	3.00	3.00	4.00	3.00	5.00	5.00	4.00	4.00	0.00	0.00			43.5	44.5
Specialized Programs Teacher	2.00	3.00	3.00	3.00	3.00	3.00	3.00	1.00	1.00	7.00	7.00	3.00	3.00	0.00	0.00			29.0	29.0
Pre-K Sped	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			2.0	2.5
Multilingual Teachers	6.00	6.00	6.00	3.00	3.00	3.00	3.00	2.00	2.00	10.00	9.00	10.00	9.00	0.00	1.00	0.00	0.00	73.0	73.2
ESOL Teachers	5.00	6.00	6.00	3.00	3.00	3.00	3.00	2.00	2.00	9.00	9.00	10.00	9.00	0.00	1.00			66.0	67.2
Pre-K ESOL Teacher	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00			7.0	6.0
Education Technicians	23.20	17.00	14.50	13.00	15.00	21.80	19.80	3.50	3.50	28.00	28.50	14.50	13.00	6.00	5.00	0.00	5.00	240.9	226.3
Ed Tech III	0.00	2.00	2.00	1.00	1.00	2.00	0.00	1.00	1.00	0.50	0.50	2.00	1.00	6.00	5.00		2.00	37.5	14.0
Pre-K Ed Tech III	2.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			18.0	17.0
Pre-K Sped Ed-Tech III	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			12.0	12.0
Sped Ed Tech III	20.00	13.00	11.00	11.00	13.00	18.00	18.00	2.50	2.50	25.00	26.00	10.00	10.00	0.00	0.00		3.00	155.5	166.5
ML Ed Tech III	0.00	2.00	1.50	1.00	1.00	1.00	1.00	0.00	0.00	1.50	1.50	1.50	1.50	0.00	0.00			13.3	12.8
Health Ed Tech III	0.20	0.00	0.00	0.00	0.00	0.80	0.80	0.00	0.00	1.00	0.50	1.00	0.50	0.00	0.00			4.6	4.0
School Leadership	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	4.00	4.00	4.00	4.00	1.00	1.00	0.00	0.00	30.5	31.0
Principal	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			14.0	14.0
Assistant Principal	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	2.00	2.00	2.00	2.00	0.00	0.00			14.5	15.0
Director Co-Curricular	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	1.00	1.00	0.00	0.00			2.0	2.0
Administrative Staff	3.00	2.00	2.00	2.50	2.00	2.50	2.00	2.00	2.00	4.00	3.00	4.00	3.00	2.00	2.00	0.00	0.00	36.5	33.6
Secretary Lead - FY	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			14.0	14.0
Secretary Lead - SY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			1.0	2.0

FY 2025 School Staffing Comparison

**Portland Public Schools
School Based Staff**

	Talbot	King Middle	King Middle	Lincoln Middle	Lincoln Middle	Moore Middle	Moore Middle	Casco Bay High	Casco Bay High	Deering High	Deering High	Portland High	Portland High	PATHS	PATHS	Additional FTE	Additional FTE	TOTAL STAFF	TOTAL STAFF
	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025
Secretary - FY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	3.00	1.00	3.00	1.00	0.00	0.00			7.0	2.0
Secretary - SY	1.00	1.00	1.00	1.50	1.00	1.50	1.00	0.00	1.00	0.00	1.00	0.00	1.00	1.00	1.00			12.5	13.6
Community School Coordinator	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			2.0	2.0
Extended Learning Opportunities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	1.00	1.00	0.00	0.00			2.0	2.0
Support Staff (Majority on Central Office)	6.00	5.00	6.00	5.00	5.00	5.00	5.00	4.00	4.00	11.00	11.00	11.00	11.00	1.00	1.50	0.00	0.00	69.0	75.0
Social Worker (general and specialized progs)	3.00	2.00	3.00	2.00	2.00	2.00	2.00	1.50	1.50	4.00	4.00	4.00	4.00	0.00	0.00			29.5	35.0
School Counselor	0.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	5.00	5.00	5.00	5.00	0.00	0.00			20.0	20.0
School Nurse	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.50	0.50	1.00	1.00	1.00	1.00	0.00	0.50			13.5	14.0
Athletic Trainer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	1.00	1.00	0.00	0.00			2.0	2.0
Specialized Program Speech	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			2.0	2.0
Psychologist	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.0	0.0
Physical Therapy	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.0	0.0
OCC Therapist	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			1.0	1.0
Coordinator Student Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00			1.0	1.0
Facilities	5.00	4.00	4.00	5.50	4.50	6.00	4.50	0.00	0.78	8.00	8.50	10.00	8.50	7.00	6.22	0.00	0.00	73.0	67.3
Building Custodian II - 1st Shift	0.00	0.00	0.00	0.00	0.00	1.00	1.00	0.00	0.00	1.00	2.00	1.00	1.00	0.00	0.00			5.5	5.3
Building Custodian II - 2nd Shift	3.00	2.00	2.00	3.50	2.50	4.00	2.50	0.00	0.78	6.00	4.50	7.00	5.50	5.00	4.22			44.5	38.0
Building Custodian III Head	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00			7.0	3.0
Building Custodian III Shift Supervisor	1.00	0.00	1.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00			5.0	9.0
Building Custodian IV Head	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	1.00	0.00	1.00			11.0	12.0
Substitutes	2.00	2.00	2.00	1.00	2.00	3.00	2.00	3.00	2.00	4.00	3.00	4.00	3.00	1.00	1.00	0.00	0.00	37.0	30.0
Dedicated Sub	2.00	2.00	2.00	1.00	2.00	3.00	2.00	3.00	2.00	4.00	3.00	4.00	3.00	1.00	1.00			37.0	30.0

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

School Based Budgets

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$51,754,412	\$ 51,116,744	\$ 55,600,483	\$ 55,759,121	\$ 55,729,121	\$ 4,612,377	9.02%
Instructional Aide/Asst	\$ 7,372,960	\$ 6,527,759	\$ 7,945,515	\$ 8,373,100	\$ 8,373,100	\$ 1,845,341	28.27%
Adminstration/Regular Support	\$ 9,493,652	\$ 9,514,256	\$ 10,435,968	\$ 10,343,570	\$ 10,343,570	\$ 829,314	8.72%
Total Regular Salaries	\$68,621,023	\$ 67,158,759	\$ 73,981,965	\$ 74,475,791	\$ 74,445,791	\$ 7,287,033	10.85%
Temporary Salaries							
Temporary Salary	\$ 1,575,597	\$ 834,905	\$ 822,499	\$ 822,499	\$ 822,499	\$ (12,405)	-1.49%
Tutor	\$ 6,507	\$ 48,498	\$ 44,618	\$ 44,618	\$ 44,618	\$ (3,880)	-8.00%
Substitute	\$ 1,983,562	\$ 880,162	\$ 964,845	\$ 964,845	\$ 964,845	\$ 84,683	9.62%
Teacher Additional Pay	\$ 198,134	\$ 76,328	\$ 70,222	\$ 70,222	\$ 70,222	\$ (6,106)	-8.00%
Regular Support Overtime	\$ 163,273	\$ 40,645	\$ 37,393	\$ 37,393	\$ 37,393	\$ (3,252)	-8.00%
Stipend/Differential	\$ 1,518,008	\$ 1,689,919	\$ 1,350,454	\$ 1,350,454	\$ 1,350,454	\$ (339,465)	-20.09%
Stipend-Retirement Sick	\$ 456,634	\$ 591,608	\$ -	\$ -	\$ -	\$ (591,608)	-100.00%
Total Temporary Salaries	\$ 5,901,715	\$ 4,162,064	\$ 3,290,032	\$ 3,290,032	\$ 3,290,032	\$ (872,032)	-20.95%
Total Salaries	\$74,522,739	\$ 71,320,823	\$ 77,271,997	\$ 77,765,823	\$ 77,735,823	\$ 6,415,000	8.99%
Benefits							
Health Insurance	\$15,745,378	\$ 15,424,116	\$ 18,361,181	\$ 18,283,649	\$ 17,631,464	\$ 2,207,348	14.31%
Medicare	\$ 1,057,860	\$ 1,037,784	\$ 1,120,119	\$ 1,127,062	\$ 1,126,627	\$ 88,843	8.56%
Retirement	\$ 3,949,038	\$ 3,600,392	\$ 4,112,271	\$ 4,143,602	\$ 4,142,240	\$ 541,847	15.05%
Tuition Reimbursement	\$ 276,167	\$ 253,658	\$ 321,383	\$ 323,644	\$ 323,520	\$ 69,862	27.54%
All Other	\$ 511,421	\$ 593,425	\$ 1,262,366	\$ 1,242,292	\$ 1,242,019	\$ 648,594	109.30%
PFML	\$ -	\$ -	\$ 386,135	\$ 93,583	\$ 93,583	\$ 93,583	0.00%
Total Benefits	\$21,539,863	\$ 20,909,375	\$ 25,563,456	\$ 25,213,833	\$ 24,559,453	\$ 3,650,078	17.46%
TOTAL SALARIES & BENEFITS	\$96,062,602	\$ 92,230,198	\$ 102,835,453	\$ 102,979,656	\$ 102,295,276	\$ 10,065,079	10.91%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 210,071	\$ 153,547	\$ 6,206	\$ 6,206	\$ 6,206	\$ (147,341)	-95.96%
EBooks & Online Subscriptions	\$ 59,382	\$ 71,728	\$ 33,620	\$ 33,620	\$ 33,620	\$ (38,108)	-53.13%
Software/Annual Subscription	\$ 148,116	\$ 220,348	\$ 14,358	\$ 14,358	\$ 14,358	\$ (205,989)	-93.48%
Tuition to Post-Secondary	\$ -	\$ 15,000	\$ -	\$ -	\$ -	\$ (15,000)	-100.00%
Staff Travel	\$ 82,014	\$ 165,624	\$ 59,380	\$ 59,380	\$ 59,380	\$ (106,244)	-64.15%
Security	\$ 33,834	\$ 34,199	\$ -	\$ -	\$ -	\$ (34,199)	-100.00%
Total PreK-12th Contracted Services	\$ 533,417	\$ 660,446	\$ 113,565	\$ 113,565	\$ 113,565	\$ (546,881)	-82.80%
Special Education							
Special Education Contracted Services	\$ 526,354	\$ 206,205	\$ 10,440	\$ 10,440	\$ 10,440	\$ (195,765)	-94.94%
Tuition To In-State SAU	\$ 106,700	\$ 206,479	\$ 3,950	\$ 3,950	\$ 3,950	\$ (202,529)	-98.09%
Total SPED Contracted Services	\$ 633,054	\$ 412,684	\$ 14,390	\$ 14,390	\$ 14,390	\$ (398,294)	-96.51%
Adult Education							
Adult Ed Contracted Services	\$ 3,890	\$ 500	\$ 3,000	\$ 3,000	\$ 3,000	\$ 2,500	500.00%
Adult Education Advertising	\$ 22,395	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ -	0.00%
Total Adult Ed Contracted Services	\$ 26,285	\$ 25,500	\$ 28,000	\$ 28,000	\$ 28,000	\$ 2,500	9.80%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

School Based Budgets

Ops and Comms

Purchased Prof & Technical Services	\$ 653,814	\$ 599,331	\$ 55,000	\$ 74,431	\$ 74,431	\$ (524,900)	-87.58%
Other Professional Services	\$ 187,745	\$ 41,000	\$ -	\$ -	\$ -	\$ (41,000)	-100.00%
Postage	\$ 17,946	\$ 21,545	\$ 16,000	\$ 16,000	\$ 16,000	\$ (5,545)	-25.74%
Phone	\$ 61,597	\$ 31,800	\$ 68,231	\$ 68,231	\$ 68,231	\$ 36,431	114.56%
Internet Connectivity	\$ 75,707	\$ 8,970	\$ 9,203	\$ 9,203	\$ 9,203	\$ 233	2.60%
Printing/Binding	\$ 22,137	\$ 24,831	\$ 7,130	\$ 7,130	\$ 7,130	\$ (17,701)	-71.29%
Photocopying	\$ 130,856	\$ 138,222	\$ 141,816	\$ 141,816	\$ 141,816	\$ 3,594	2.60%

Total Ops & Comm Contracted Services **\$ 1,149,801** **\$ 865,699** **\$ 297,380** **\$ 316,811** **\$ 316,811** **\$ (548,888)** **-63.40%**

Insurance & Legal

Insurance - General Liability	\$ 406,734	\$ 513,175	\$ 526,518	\$ 526,518	\$ 526,518	\$ 13,343	2.60%
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Total Ins & Legal Contracted Services **\$ 406,734** **\$ 513,175** **\$ 526,518** **\$ 526,518** **\$ 526,518** **\$ 13,343** **2.60%**

Facilities

Water	\$ 53,086	\$ 49,470	\$ 49,906	\$ 49,906	\$ 49,906	\$ 436	0.88%
Sewer	\$ 139,639	\$ 158,539	\$ 158,124	\$ 158,124	\$ 158,124	\$ (415)	-0.26%
Waste Disposal Services	\$ 118,658	\$ 120,930	\$ 128,598	\$ 128,598	\$ 128,598	\$ 7,668	6.34%
Repair and Maintenance Services	\$ 26,995	\$ 45,046	\$ -	\$ -	\$ -	\$ (45,046)	-100.00%
Rentals	\$ 554,122	\$ 570,082	\$ 440,704	\$ 440,704	\$ 440,704	\$ (129,378)	-22.69%

Total Ops & Comm Contracted Services **\$ 892,500** **\$ 944,067** **\$ 777,331** **\$ 777,331** **\$ 777,331** **\$ (166,736)** **-17.66%**

Transportation

Student Transportation Services	\$ 907	\$ 250	\$ -	\$ -	\$ -	\$ (250)	-100.00%
Student Transportation Purchase/Private (Sped OOD and Homeless)	\$ 133,717	\$ 3,500	\$ 3,591	\$ 3,591	\$ 3,591	\$ 91	2.60%

Total Transport Contracted Services **\$ 134,623** **\$ 3,750** **\$ 3,591** **\$ 3,591** **\$ 3,591** **\$ (159)** **-4.24%**

TOTAL CONTRACTED SERVICES

\$ 3,776,414 **\$ 3,425,321** **\$ 1,760,775** **\$ 1,780,206** **\$ 1,780,206** **\$ (1,645,115)** **-48.03%**

SUPPLIES

Academic

General Supplies	\$ 482,877	\$ 503,024	\$ 1,447,827	\$ 1,447,827	\$ 1,447,827	\$ 944,803	187.82%
Instructional Supplies	\$ 587,702	\$ 585,444	\$ 127,000	\$ 127,000	\$ 127,000	\$ (458,444)	-78.31%
Books Periodicals	\$ 348,797	\$ 385,687	\$ 70,000	\$ 70,000	\$ 70,000	\$ (315,687)	-81.85%
Tech Related Supplies	\$ 163,763	\$ 50,787	\$ 20,790	\$ 20,790	\$ 20,790	\$ (29,997)	-59.06%
Software Licenses	\$ 15,863	\$ 2,265	\$ -	\$ -	\$ -	\$ (2,265)	-100.00%
Audiovisual Supplies	\$ 2,140	\$ 3,900	\$ -	\$ -	\$ -	\$ (3,900)	-100.00%
CTE Minor Equipment	\$ 36,759	\$ 80,889	\$ 74,418	\$ 74,418	\$ 74,418	\$ (6,471)	-8.00%

Total Academic Supplies **\$ 1,637,901** **\$ 1,611,997** **\$ 1,740,035** **\$ 1,740,035** **\$ 1,740,035** **\$ 128,039** **7.94%**

Operations

Custodial Supplies	\$ 263,149	\$ 238,737	\$ 25,207	\$ 25,207	\$ 25,207	\$ (213,530)	-89.44%
Natural Gas	\$ 735,057	\$ 979,110	\$ 99,885	\$ 99,885	\$ 99,885	\$ (879,225)	-89.80%
Electricity	\$ 737,979	\$ 1,031,963	\$ 126,845	\$ 126,845	\$ 126,845	\$ (905,118)	-87.71%
Bottled Gas	\$ 14,329	\$ 4,158	\$ 3,240	\$ 3,240	\$ 3,240	\$ (918)	-22.08%
Oil	\$ 80,285	\$ 66,400	\$ 26,462	\$ 26,462	\$ 26,462	\$ (39,938)	-60.15%

Total Operations Supplies **\$ 1,830,799** **\$ 2,320,368** **\$ 281,639** **\$ 281,639** **\$ 281,639** **\$ (2,038,729)** **-87.86%**

TOTAL SUPPLIES

\$ 3,468,699 **\$ 3,932,365** **\$ 2,021,674** **\$ 2,021,674** **\$ 2,021,674** **\$ (1,910,691)** **-48.59%**

MISCELLANEOUS

Dues and Fees	\$ 94,046	\$ 105,185	\$ 16,907	\$ 16,907	\$ 16,907	\$ (88,278)	-83.93%
Field Trip Transportation	\$ 300,088	\$ 350,139	\$ 10,000	\$ 10,000	\$ 10,000	\$ (340,139)	-97.14%
Miscellaneous Expenditures	\$ 14,484	\$ 19,503	\$ 11,451	\$ 11,451	\$ 11,451	\$ (8,052)	-41.29%
Other Items	\$ -	\$ 2,000	\$ 2,052	\$ 2,052	\$ 2,052	\$ 52	2.60%
Fund Transfers Out	\$ 286	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

School Based Budgets

TOTAL MISCELLANEOUS	\$ 408,903	\$ 476,826	\$ 40,410	\$ 40,410	\$ 40,410	\$ (436,417)	-91.53%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$ 26,700	\$ 170,300	\$ 25,000	\$ 25,000	\$ 25,000	\$ (145,300)	-85.32%
Equipment Less Than \$10,000	\$ 44,991	\$ 20,910	\$ 30,000	\$ 30,000	\$ 30,000	\$ 9,090	43.47%
TOTAL CAPITAL EQUIPMENT	\$ 71,691	\$ 191,210	\$ 55,000	\$ 55,000	\$ 55,000	\$ (136,210)	-71.24%
DEBT SERVICE							
Principal	\$ 755,062	\$ 2,667,238	\$ 2,461,467	\$ 2,461,467	\$ 2,461,467	\$ (205,771)	-7.71%
Interest	\$ 1,441,305	\$ 1,720,386	\$ 1,553,082	\$ 1,553,082	\$ 1,553,082	\$ (167,304)	-9.72%
TOTAL DEBT SERVICE	\$ 2,196,367	\$ 4,387,624	\$ 4,014,550	\$ 4,014,550	\$ 4,014,550	\$ (373,074)	-8.50%
TOTAL NON SALARY AND BENEFITS	\$ 9,922,075	\$ 12,413,346	\$ 7,892,408	\$ 7,911,839	\$ 7,911,839	\$ (4,501,507)	-36.26%
TOTAL EXPENDITURES	\$105,984,677	\$104,643,544	\$ 110,727,861	\$ 110,221,126	\$ 110,207,116	\$ 5,563,572	5.32%
				\$ 104,711,076	\$ 104,697,065		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

School Based Budgets

Title Funds		IDEA Funds		CDS	
SALARIES & BENEFITS		SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries		Regular Salaries	
Professional Salary	\$ 1,951,253	Professional Salary	\$ -	Professional Salary	\$ 181,494
Instructional Aide/Asst	\$ 175,000	Instructional Aide/Asst	\$ 945,000	Instructional Aide/Asst	\$ 420,000
Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -
Total Regular Salaries	\$ 2,126,253	Total Regular Salaries	\$ 945,000	Total Regular Salaries	\$ 601,494
Total Salaries	\$ 2,126,253	Total Salaries	\$ 945,000	Total Salaries	\$ 601,494
Benefits		Benefits		Benefits	
Health Insurance	\$ 590,573	Health Insurance	\$ 258,509	Health Insurance	\$ 197,718
Medicare	\$ 34,383	Medicare	\$ 10,150	Medicare	\$ 8,722
Retirement	\$ 422,503	Retirement	\$ 125,650	Retirement	\$ 35,681
Tuition Reimbursement	\$ 5,712	Tuition Reimbursement	\$ 4,175	Tuition Reimbursement	\$ 3,257
All Other	\$ 49,135	All Other	\$ 51,070	All Other	\$ 32,365
PFML	\$ 2,100	PFML	\$ 3,500	PFML	\$ 2,100
Total Benefits	\$ 1,104,407	Total Benefits	\$ 453,054	Total Benefits	\$ 279,843
TOTAL SALARIES & BENEFITS	\$ 3,230,660	TOTAL SALARIES & BENEFITS	\$ 1,398,054	TOTAL SALARIES & BENEFITS	\$ 881,337

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Adult Education

		FY23	FY24	FY25 SUPT	FY25 Finance	FY25 Board	\$ +/(-) v	% +/- v
		ACTUAL	BUDGET	REC Mar 5	Comm Rev	Apr 1	FY24	FY24
						Apr 9		
SALARIES & BENEFITS								
Regular Salaries								
Professional Salary		\$ 1,671,206	\$ 1,208,244	\$ 444,150	\$ 444,150	\$ 444,150	\$ (764,094)	-63.2%
	410200	\$ -	\$ -	\$ -	\$ -	\$ -		
Adminstration/Regular Support		\$ 793,707	\$ 690,300	\$ 1,220,159	\$ 1,220,159	\$ 1,220,159	\$ 529,859	76.8%
Total Regular Salaries		\$ 2,464,913	\$ 1,898,544	\$ 1,664,309	\$ 1,664,309	\$ 1,664,309	\$ (234,235)	-12.3%
Temporary Salaries								
Temporary Salary		\$ 598,490	\$ 402,840	\$ 425,000	\$ 425,000	\$ 425,000	\$ 22,160	5.5%
	412000	\$ 598,490	\$ 402,840	\$ 425,000	\$ 425,000	\$ 425,000		
	412010	\$ -	\$ -	\$ -	\$ -	\$ -		
	412100	\$ -	\$ -	\$ -	\$ -	\$ -		
	412300	\$ -	\$ -	\$ -	\$ -	\$ -		
Teacher Additional Pay		\$ 1,200	\$ 9,000	\$ 8,280	\$ 8,280	\$ 8,280	\$ (720)	-8.0%
	413100	\$ 1,200	\$ 9,000	\$ 8,280	\$ 8,280	\$ 8,280		
Regular Support Overtime		\$ 1,100	\$ 500	\$ 460	\$ 460	\$ 460	\$ (40)	-8.0%
	413800	\$ 1,100	\$ 500	\$ 460	\$ 460	\$ 460		
Stipend/Differential		\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
	415000	\$ -	\$ -	\$ -	\$ -	\$ -		
	415100	\$ -	\$ -	\$ -	\$ -	\$ -		
	415600	\$ 1,500	\$ -	\$ -	\$ -	\$ -		
Stipend-Retirement Sick		\$ -	\$ 30,922	\$ -	\$ -	\$ -	\$ (30,922)	-100.0%
	415010	\$ -	\$ 30,922	\$ -	\$ -	\$ -		
	415900	\$ -	\$ -	\$ -	\$ -	\$ -		
Total Temporary Salaries		\$ 602,290	\$ 443,262	\$ 433,740	\$ 433,740	\$ 433,740	\$ (9,522)	-2.1%
Total Salaries		\$ 3,067,203	\$ 2,341,806	\$ 2,098,049	\$ 2,098,049	\$ 2,098,049	\$ (243,757)	-10.4%
Benefits								
Health Insurance		\$ 412,202	\$ 326,590	\$ 321,975	\$ 321,975	\$ 307,568	\$ (19,022)	-5.8%
	421000	\$ -	\$ -	\$ -	\$ -	\$ -		
	421100	\$ 237,472	\$ 154,971	\$ 104,281	\$ 104,281	\$ 98,779		
	421200	\$ -	\$ -	\$ -	\$ -	\$ -		
	421300	\$ 326	\$ -	\$ -	\$ -	\$ -		
	421400	\$ 33,255	\$ 39,142	\$ 174,862	\$ 174,862	\$ 167,709		
	421600	\$ 44,845	\$ 40,750	\$ -	\$ -	\$ -		
	421900	\$ 255	\$ -	\$ -	\$ -	\$ -		
	421800	\$ 96,048	\$ 91,727	\$ 42,832	\$ 42,832	\$ 41,080		
Medicare		\$ 56,299	\$ 33,959	\$ 30,415	\$ 30,415	\$ 30,415	\$ (3,544)	-10.4%
	422000	\$ 416	\$ 448	\$ -	\$ -	\$ -		
	422100	\$ 17,971	\$ 11,347	\$ 6,560	\$ 6,560	\$ 6,560		
	422110	\$ -	\$ -	\$ -	\$ -	\$ -		
	422200	\$ -	\$ -	\$ -	\$ -	\$ -		
	422300	\$ 8,808	\$ 5,842	\$ 6,163	\$ 6,163	\$ 6,163		
	422400	\$ 3,859	\$ 4,027	\$ 15,426	\$ 15,426	\$ 15,426		
	422600	\$ 5,265	\$ 6,304	\$ -	\$ -	\$ -		
	422900	\$ 13,025	\$ -	\$ -	\$ -	\$ -		
	422800	\$ 6,956	\$ 5,991	\$ 2,266	\$ 2,266	\$ 2,266		
Retirement		\$ 237,342	\$ 141,825	\$ 130,510	\$ 130,510	\$ 130,510	\$ (11,315)	-8.0%
	423000	\$ 67	\$ 1,738	\$ -	\$ -	\$ -		
	423100	\$ 129,357	\$ 33,885	\$ 20,540	\$ 20,540	\$ 20,540		
	423110	\$ -	\$ -	\$ -	\$ -	\$ -		
	423200	\$ -	\$ -	\$ -	\$ -	\$ -		
	423300	\$ 14,380	\$ 17,871	\$ 23,466	\$ 23,466	\$ 23,466		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Adult Education

		FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
	423400	\$ 13,100	\$ 14,786	\$ 71,173	\$ 71,173	\$ 71,173		
	423600	\$ 29,470	\$ 33,128	\$ -	\$ -	\$ -		
	423900	\$ 3,335	\$ -	\$ -	\$ -	\$ -		
	423800	\$ 47,634	\$ 40,417	\$ 15,331	\$ 15,331	\$ 15,331		
Tuition Reimbursement		\$ 13,970	\$ 6,309	\$ 11,433	\$ 11,433	\$ 11,433	\$ 5,124	81.2%
	425100	\$ 7,126	\$ 6,309	\$ 1,841	\$ 1,841	\$ 1,841		
	425110	\$ -	\$ -	\$ -	\$ -	\$ -		
	425200	\$ -	\$ -	\$ -	\$ -	\$ -		
	425400	\$ 1,550	\$ -	\$ 9,510	\$ 9,510	\$ 9,510		
	425800	\$ 5,294	\$ -	\$ 82	\$ 82	\$ 82		
Workers Compensation		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
	427000	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
All Other		\$ 15,922	\$ 15,484	\$ 15,514	\$ 14,879	\$ 14,879	\$ (605)	-3.9%
	420000	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
	420100	\$ 7,443	\$ 6,063	\$ 4,217	\$ 4,045	\$ 4,045		0.0%
	420110	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
	420200	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
	420300	\$ 111	\$ -	\$ -	\$ -	\$ -		0.0%
	420400	\$ 1,543	\$ 1,885	\$ 8,116	\$ 7,784	\$ 7,784		0.0%
	420600	\$ 2,480	\$ 2,679	\$ -	\$ -	\$ -		0.0%
	420800	\$ 4,346	\$ 4,857	\$ 3,181	\$ 3,051	\$ 3,051		0.0%
	426800	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
	429000	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
PFML		\$ -	\$ -	\$ 10,490	\$ 6,101	\$ 6,101	\$ 6,101	0.0%
Total Benefits		\$ 735,736	\$ 524,167	\$ 520,338	\$ 515,313	\$ 500,906	\$ (23,261)	-4.4%
TOTAL SALARIES & BENEFITS		\$ 3,802,939	\$ 2,865,973	\$ 2,618,387	\$ 2,613,362	\$ 2,598,955	\$ (267,018)	-9.3%
CONTRACTED SERVICES								
PreK - 12th								
	432000	\$ -	\$ -	\$ -	\$ -	\$ -		
Employee Train & Development Services		\$ 6,168	\$ 3,000	\$ -	\$ -	\$ -	\$ (3,000)	-100.0%
	433000	\$ 6,168	\$ 3,000	\$ -	\$ -	\$ -		
EBooks & Online Subscriptions		\$ 8,148	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
	453400	\$ 8,148	\$ -	\$ -	\$ -	\$ -		
Software/Annual Subscription		\$ 12,534	\$ 800	\$ -	\$ -	\$ -	\$ (800)	-100.0%
	453500	\$ 12,534	\$ 800	\$ -	\$ -	\$ -		
	456500	\$ -	\$ -	\$ -	\$ -	\$ -		
Staff Travel		\$ 2,356	\$ 26,450	\$ 6,000	\$ 6,000	\$ 6,000	\$ (20,450)	-77.3%
	458000	\$ 2,356	\$ 26,450	\$ -	\$ 6,000	\$ 6,000		
	434010	\$ -	\$ -	\$ -	\$ -	\$ -		
Total PreK-12th Contracted Services		\$ 29,206	\$ 30,250	\$ 6,000	\$ 6,000	\$ 6,000	\$ (24,250)	-80.2%
	434400	\$ -	\$ -	\$ -	\$ -	\$ -		
	456100	\$ -	\$ -	\$ -	\$ -	\$ -		
	456300	\$ -	\$ -	\$ -	\$ -	\$ -		
Adult Education								
Adult Ed Contracted Services		\$ 3,890	\$ 500	\$ 3,000	\$ 3,000	\$ 3,000	\$ 2,500	500.0%
	434300	\$ 3,890	\$ 500	\$ 3,000	\$ 3,000	\$ 3,000		
Adult Education Advertising		\$ 22,395	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ -	0.0%
	454300	\$ 22,395	\$ 25,000	\$ -	\$ 25,000	\$ 25,000		
	458300	\$ -	\$ -	\$ -	\$ -	\$ -		
Total Adult Ed Contracted Services		\$ 26,285	\$ 25,500	\$ 28,000	\$ 28,000	\$ 28,000	\$ 2,500	9.8%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Adult Education

		FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Ops and Comms								
Purchased Prof & Technical Services		\$ 116,155	\$ 77,350	\$ 25,000	\$ 44,431	\$ 44,431	\$ (32,919)	-42.6%
	430000	\$ 116,155	\$ 77,350	\$ 25,000	\$ 44,431	\$ 44,431		
	434000	\$ -	\$ -	\$ -	\$ -	\$ -		
	444300	\$ -	\$ -	\$ -	\$ -	\$ -		
	450000	\$ -	\$ -	\$ -	\$ -	\$ -		
	443200	\$ -	\$ -	\$ -	\$ -	\$ -		
	443300	\$ -	\$ -	\$ -	\$ -	\$ -		
Postage		\$ 14,345	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000	\$ -	0.0%
	453100	\$ 14,345	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000		
Phone		\$ 8,424	\$ 1,800	\$ 2,400	\$ 2,400	\$ 2,400	\$ 600	33.3%
	453200	\$ 8,424	\$ 1,800	\$ 2,400	\$ 2,400	\$ 2,400		
Internet Connectivity		\$ 72,523	\$ 3,000	\$ 3,078	\$ 3,078	\$ 3,078	\$ 78	2.6%
	453300	\$ 72,523	\$ 3,000	\$ 3,078	\$ 3,078	\$ 3,078		
	454000	\$ -	\$ -	\$ -	\$ -	\$ -		
Printing/Binding		\$ 1,343	\$ 500	\$ 2,000	\$ 2,000	\$ 2,000	\$ 1,500	300.0%
	455100	\$ 1,343	\$ 500	\$ 2,000	\$ 2,000	\$ 2,000		
Photocopying		\$ 4,003	\$ 5,086	\$ 5,218	\$ 5,218	\$ 5,218	\$ 132	2.6%
	455200	\$ 4,003	\$ 5,086	\$ -	\$ 5,218	\$ 5,218		
Total Ops & Comm Contracted Services		\$ 216,793	\$ 103,736	\$ 53,696	\$ 73,127	\$ 73,127	\$ (30,609)	-29.5%
Insurance & Legal								
Insurance - General Liability		\$ -	\$ 4,760	\$ 4,884	\$ 4,884	\$ 4,884	\$ 124	2.6%
	452000	\$ -	\$ 4,760	\$ 4,884	\$ 4,884	\$ 4,884		
	434500	\$ -	\$ -	\$ -	\$ -	\$ -		
Total Ins & Legal Contracted Services		\$ -	\$ 4,760	\$ 4,884	\$ 4,884	\$ 4,884	\$ 124	2.6%
Facilities								
	434020	\$ -	\$ -	\$ -	\$ -	\$ -		
	434200	\$ -	\$ -	\$ -	\$ -	\$ -		
Water		\$ 1,538	\$ 1,188	\$ 1,219	\$ 1,219	\$ 1,219	\$ 31	2.6%
	441100	\$ 1,538	\$ 1,188	\$ 1,219	\$ 1,219	\$ 1,219		
Sewer		\$ 2,558	\$ 3,806	\$ 3,905	\$ 3,905	\$ 3,905	\$ 99	2.6%
	441200	\$ 2,558	\$ 3,806	\$ 3,905	\$ 3,905	\$ 3,905		
Waste Disposal Services		\$ 1,907	\$ 1,948	\$ 1,999	\$ 1,999	\$ 1,999	\$ 51	2.6%
	443050	\$ 1,907	\$ 1,948	\$ 1,999	\$ 1,999	\$ 1,999		
	443060	\$ -	\$ -	\$ -	\$ -	\$ -		
	443070	\$ -	\$ -	\$ -	\$ -	\$ -		
Repair and Maintenance Services		\$ 1,014	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
	443000	\$ 1,014	\$ -	\$ -	\$ -	\$ -		
	443010	\$ -	\$ -	\$ -	\$ -	\$ -		
	443020	\$ -	\$ -	\$ -	\$ -	\$ -		
	443080	\$ -	\$ -	\$ -	\$ -	\$ -		
	443090	\$ -	\$ -	\$ -	\$ -	\$ -		
	443030	\$ -	\$ -	\$ -	\$ -	\$ -		
	443040	\$ -	\$ -	\$ -	\$ -	\$ -		
Rentals		\$ 180,045	\$ 182,000	\$ 216,000	\$ 216,000	\$ 216,000	\$ 34,000	18.7%
	444000	\$ 180,045	\$ 182,000	\$ 186,732	\$ 186,732	\$ 186,732		
Total Ops & Comm Contracted Services		\$ 187,062	\$ 188,942	\$ 223,122	\$ 223,122	\$ 223,122	\$ 34,180	18.1%
Transportation								
Student Transportation Services		\$ 907	\$ 250	\$ -	\$ -	\$ -	\$ (250)	-100.0%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Adult Education

		FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
	451000	\$ 907	\$ 250	\$ -	\$ -	\$ -		
	451400	\$ -	\$ -	\$ -	\$ -	\$ -		
Total Transport Contracted Services		\$ 907	\$ 250	\$ -	\$ -	\$ -	\$ (250)	-100.0%
TOTAL CONTRACTED SERVICES		\$ 460,253	\$ 353,438	\$ 315,702	\$ 335,133	\$ 335,133	\$ (18,305)	-5.2%
SUPPLIES								
Academic								
General Supplies		\$ -	\$ -	\$ 7,118	\$ 7,118	\$ 7,118	\$ 7,118	0.0%
	4	\$ -	\$ -	\$ 7,118	\$ 7,118	\$ 7,118		
Instructional Supplies		\$ 18,942	\$ 6,990	\$ 7,000	\$ 7,000	\$ 7,000	\$ 10	0.1%
	461000	\$ 18,942	\$ 6,990	\$ 7,000	\$ 7,000	\$ 7,000		
Books Periodicals		\$ 80,854	\$ 69,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ (9,000)	-13.0%
	464000	\$ 80,854	\$ 69,000	\$ 60,000	\$ 60,000	\$ 60,000		
Tech Related Supplies		\$ 142,371	\$ 5,000	\$ 20,790	\$ 20,790	\$ 20,790	\$ 15,790	315.8%
	465000	\$ 142,371	\$ 5,000	\$ 20,790	\$ 20,790	\$ 20,790		
Software Licenses		\$ 15,662	\$ 2,130	\$ -	\$ -	\$ -	\$ (2,130)	-100.0%
	465010	\$ 15,662	\$ 2,130					
	466000	\$ -	\$ -	\$ -	\$ -	\$ -		
	461500	\$ -	\$ -	\$ -	\$ -	\$ -		
Total Academic Supplies		\$ 257,829	\$ 83,120	\$ 94,908	\$ 94,908	\$ 94,908	\$ 11,788	14.2%
Operations								
Custodial Supplies		\$ 4,026	\$ 4,043	\$ 4,148	\$ 4,148	\$ 4,148	\$ 105	2.6%
	460400	\$ 4,026	\$ 4,043	\$ 4,148	\$ 4,148	\$ 4,148		
	462000	\$ -	\$ -	\$ -	\$ -	\$ -		
Natural Gas		\$ 16,181	\$ 14,982	\$ 15,372	\$ 15,372	\$ 15,372	\$ 390	2.6%
	462100	\$ 16,181	\$ 14,982	\$ 15,372	\$ 15,372	\$ 15,372		
Electricity		\$ 10,046	\$ 17,371	\$ 17,823	\$ 17,823	\$ 17,823	\$ 452	2.6%
	462200	\$ 10,046	\$ 17,371	\$ 17,823	\$ 17,823	\$ 17,823		
	462300	\$ -	\$ -	\$ -	\$ -	\$ -		
	462400	\$ -	\$ -	\$ -	\$ -	\$ -		
	462600	\$ -	\$ -	\$ -	\$ -	\$ -		
	463000	\$ -	\$ -	\$ -	\$ -	\$ -		
	463100	\$ -	\$ -	\$ -	\$ -	\$ -		
Total Operations Supplies		\$ 30,253	\$ 36,396	\$ 37,342	\$ 37,342	\$ 37,342	\$ 946	2.6%
TOTAL SUPPLIES		\$ 288,083	\$ 119,516	\$ 132,250	\$ 132,250	\$ 132,250	\$ 12,734	10.7%
MISCELLANEOUS								
Dues and Fees		\$ 11,082	\$ 2,000	\$ 1,777	\$ 1,777	\$ 1,777	\$ (223)	-11.2%
	481000	\$ 11,082	\$ 2,000	\$ 1,777	\$ 1,777	\$ 1,777		0.0%
	481100	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
	481200	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
	481400	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
	482000	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
	485000	\$ -	\$ -	\$ -	\$ -	\$ -		0.0%
Miscellaneous Expenditures		\$ 410	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
	489000	\$ 410	\$ -	\$ -	\$ -	\$ -		0.0%
Other Items		\$ -	\$ 2,000	\$ 2,052	\$ 2,052	\$ 2,052	\$ 52	2.6%
	490000	\$ -	\$ 2,000	\$ 2,052	\$ 2,052	\$ 2,052		0.0%
Fund Transfers Out		\$ 286	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
	491000	\$ 286	\$ -	\$ -	\$ -	\$ -		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Adult Education

		FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
	491200	\$ -	\$ -	\$ -	\$ -	\$ -		
TOTAL MISCELLANEOUS		\$ 11,777	\$ 4,000	\$ 3,829	\$ 3,829	\$ 3,829	\$ (171)	-4.3%
	473000	\$ -	\$ -	\$ -	\$ -	\$ -		
	473010	\$ -	\$ -	\$ -	\$ -	\$ -		
	473200	\$ -	\$ -	\$ -	\$ -	\$ -		
	473400	\$ -	\$ -	\$ -	\$ -	\$ -		
	473410	\$ -	\$ -	\$ -	\$ -	\$ -		
	473600	\$ -	\$ -	\$ -	\$ -	\$ -		
	483100	\$ -	\$ -	\$ -	\$ -	\$ -		
	483200	\$ -	\$ -	\$ -	\$ -	\$ -		
	483300	\$ -	\$ -	\$ -	\$ -	\$ -		
TOTAL NON SALARY AND BENEFITS		\$ 760,113	\$ 476,954	\$ 451,782	\$ 471,213	\$ 471,213	\$ (5,741)	-1.2%
TOTAL EXPENDITURES		\$ 4,563,052	\$ 3,342,927	\$ 3,070,169	\$ 3,084,575	\$ 3,070,168	\$ (272,759)	-8.2%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Casco Bay High

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 2,498,021	\$ 2,622,623	\$ 2,654,968	\$ 2,654,968	\$ 2,654,968	\$ 32,345	1.23%
Instructional Aide/Asst	\$ 90,327	\$ 41,797	\$ 92,500	\$ 129,500	\$ 129,500	\$ 87,703	209.83%
Adminstration/Regular Support	\$ 226,743	\$ 251,590	\$ 373,245	\$ 373,066	\$ 373,066	\$ 121,476	48.28%
Total Regular Salaries	\$ 2,815,090	\$ 2,916,010	\$ 3,120,713	\$ 3,157,533	\$ 3,157,533	\$ 241,523	8.28%
Temporary Salaries							
Temporary Salary	\$ 23,005	\$ 2,179	\$ 2,005	\$ 2,005	\$ 2,005	\$ (174)	-8.00%
Tutor	\$ 170	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Substitute	\$ 104,980	\$ 21,187	\$ 23,306	\$ 23,306	\$ 23,306	\$ 2,119	10.00%
Teacher Additional Pay	\$ 2,317	\$ 997	\$ 917	\$ 917	\$ 917	\$ (80)	-8.00%
Regular Support Overtime	\$ 5,329	\$ 340	\$ 313	\$ 313	\$ 313	\$ (27)	-8.00%
Stipend/Differential	\$ 59,229	\$ 85,822	\$ 69,535	\$ 69,535	\$ 69,535	\$ (16,287)	-18.98%
Stipend-Retirement Sick	\$ 45,453	\$ 16,280	\$ -	\$ -	\$ -	\$ (16,280)	-100.00%
Total Temporary Salaries	\$ 240,483	\$ 126,805	\$ 96,075	\$ 96,075	\$ 96,075	\$ (30,730)	-24.23%
Total Salaries	\$ 3,055,573	\$ 3,042,815	\$ 3,216,788	\$ 3,253,609	\$ 3,253,609	\$ 210,794	6.93%
Benefits							
Health Insurance	\$ 579,461	\$ 582,641	\$ 735,871	\$ 729,128	\$ 711,428	\$ 128,787	22.10%
Medicare	\$ 43,371	\$ 44,224	\$ 46,639	\$ 47,173	\$ 47,173	\$ 2,949	6.67%
Retirement	\$ 135,875	\$ 142,993	\$ 161,476	\$ 163,867	\$ 163,867	\$ 20,874	14.60%
Tuition Reimbursement	\$ 6,197	\$ 6,309	\$ 13,684	\$ 13,905	\$ 13,905	\$ 7,596	120.39%
Workers Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
All Other	\$ 18,624	\$ 21,702	\$ 36,634	\$ 37,721	\$ 37,721	\$ 16,019	73.81%
PFML	\$ -	\$ -	\$ 16,084	\$ 2,513	\$ 2,513	\$ 2,513	0.00%
Total Benefits	\$ 783,526	\$ 797,869	\$ 1,010,388	\$ 994,306	\$ 976,606	\$ 178,737	22.40%
TOTAL SALARIES & BENEFITS	\$ 3,839,099	\$ 3,840,684	\$ 4,227,176	\$ 4,247,915	\$ 4,230,215	\$ 389,531	10.14%
CONTRACTED SERVICES							
PreK - 12th							
Contractual Pre-K	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Employee Train & Development Services	\$ 19,800	\$ 22,910	\$ -	\$ -	\$ -	\$ (22,910)	-100.00%
EBooks & Online Subscriptions	\$ 567	\$ 447	\$ -	\$ -	\$ -	\$ (447)	-100.00%
Software/Annual Subscription	\$ 4,500	\$ 6,466	\$ -	\$ -	\$ -	\$ (6,466)	-100.00%
Tuition to Post-Secondary	\$ -	\$ 9,000	\$ -	\$ -	\$ -	\$ (9,000)	-100.00%
Staff Travel	\$ 1,844	\$ 1,720	\$ -	\$ -	\$ -	\$ (1,720)	-100.00%
Security	\$ -	\$ 900	\$ -	\$ -	\$ -	\$ (900)	-100.00%
Total PreK-12th Contracted Services	\$ 26,711	\$ 41,443	\$ -	\$ -	\$ -	\$ (41,443)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 107,120	\$ 4,600	\$ -	\$ -	\$ -	\$ (4,600)	-100.00%
Other Professional Services	\$ 3,581	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Postage	\$ 253	\$ 275	\$ -	\$ -	\$ -	\$ (275)	-100.00%
Phone	\$ 1,999	\$ 1,200	\$ 3,900	\$ 3,900	\$ 3,900	\$ 2,700	225.00%
Printing/Binding	\$ 3,137	\$ 3,000	\$ -	\$ -	\$ -	\$ (3,000)	-100.00%
Photocopying	\$ -	\$ 5,760	\$ 5,910	\$ 5,910	\$ 5,910	\$ 150	2.60%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Casco Bay High

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total Ops & Comm Contracted Services	\$ 116,090	\$ 14,835	\$ 9,810	\$ 9,810	\$ 9,810	\$ (5,025)	-33.87%
Insurance & Legal							
Insurance - General Liability	\$ 12,840	\$ 16,050	\$ 16,467	\$ 16,467	\$ 16,467	\$ 417	2.60%
Total Ins & Legal Contracted Services	\$ 12,840	\$ 16,050	\$ 16,467	\$ 16,467	\$ 16,467	\$ 417	2.60%
Facilities							
Water	\$ -	\$ 956	\$ 965	\$ 965	\$ 965	\$ 9	0.93%
Sewer	\$ -	\$ 3,061	\$ 3,039	\$ 3,039	\$ 3,039	\$ (22)	-0.71%
Waste Disposal Services	\$ 710	\$ 3,858	\$ 4,133	\$ 4,133	\$ 4,133	\$ 275	7.14%
Repair and Maintenance Services	\$ -	\$ 855	\$ -	\$ -	\$ -	\$ (855)	-100.00%
Rentals	\$ 250	\$ 1,920	\$ -	\$ -	\$ -	\$ (1,920)	-100.00%
Total Ops & Comm Contracted Services	\$ 960	\$ 10,650	\$ 8,137	\$ 8,138	\$ 8,138	\$ (2,512)	-23.59%
Transportation							
Student Transportation Purchase/Private (Sped OOD and Homeless)	\$ 7,395	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Transport Contracted Services	\$ 7,395	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CONTRACTED SERVICES	\$ 165,053	\$ 82,978	\$ 34,415	\$ 34,415	\$ 34,415	\$ (48,563)	-58.53%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 26,301	\$ 17,144	\$ 75,324	\$ 75,324	\$ 75,324	\$ 58,180	339.36%
Instructional Supplies	\$ 15,243	\$ 13,477	\$ -	\$ -	\$ -	\$ (13,477)	-100.00%
Books Periodicals	\$ 7,971	\$ 7,301	\$ -	\$ -	\$ -	\$ (7,301)	-100.00%
Tech Related Supplies	\$ 769	\$ 5,768	\$ -	\$ -	\$ -	\$ (5,768)	-100.00%
Audiovisual Supplies	\$ 1,099	\$ 1,500	\$ -	\$ -	\$ -	\$ (1,500)	-100.00%
Total Academic Supplies	\$ 51,382	\$ 45,190	\$ 75,324	\$ 75,324	\$ 75,324	\$ 30,134	66.68%
Operations							
Custodial Supplies	\$ 982	\$ 1,805	\$ -	\$ -	\$ -	\$ (1,805)	-100.00%
Natural Gas	\$ -	\$ 23,782	\$ -	\$ -	\$ -	\$ (23,782)	-100.00%
Electricity	\$ -	\$ 30,710	\$ -	\$ -	\$ -	\$ (30,710)	-100.00%
Total Operations Supplies	\$ 982	\$ 56,297	\$ -	\$ -	\$ -	\$ (56,297)	-100.00%
TOTAL SUPPLIES	\$ 52,365	\$ 101,487	\$ 75,324	\$ 75,324	\$ 75,324	\$ (26,163)	-25.78%
MISCELLANEOUS							
Dues and Fees	\$ 5,029	\$ 2,901	\$ -	\$ -	\$ -	\$ (2,901)	-100.00%
Field Trip Transportation	\$ 22,660	\$ 25,000	\$ -	\$ -	\$ -	\$ (25,000)	-100.00%
TOTAL MISCELLANEOUS	\$ 27,689	\$ 27,901	\$ -	\$ -	\$ -	\$ (27,901)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 245,107	\$ 212,366	\$ 109,739	\$ 109,739	\$ 109,739	\$ (102,627)	-48.33%
TOTAL EXPENDITURES	\$ 4,084,206	\$ 4,053,050	\$ 4,336,915	\$ 4,357,654	\$ 4,339,954	\$ 286,904	7.08%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Cliff Island

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 93,554	\$ 91,452	\$ 96,924	\$ 81,800	\$ 81,800	\$ (9,652)	-10.55%
Adminstration/Regular Support	\$ 15,689	\$ 11,416	\$ 11,431	\$ 11,431	\$ 11,431	\$ 15	0.13%
Total Regular Salaries	\$ 109,243	\$ 102,868	\$ 108,355	\$ 93,231	\$ 93,231	\$ (9,637)	-9.37%
Temporary Salaries							
Temporary Salary	\$ 88	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Substitute	\$ 7,136	\$ 1,136	\$ 1,250	\$ 1,250	\$ 1,250	\$ 114	10.00%
Stipend/Differential	\$ 1,412	\$ 4,036	\$ 2,620	\$ 2,620	\$ 2,620	\$ (1,416)	-35.08%
Stipend-Retirement Sick	\$ -	\$ 701	\$ -	\$ -	\$ -	\$ (701)	-100.00%
Total Temporary Salaries	\$ 8,636	\$ 5,873	\$ 3,870	\$ 3,870	\$ 3,870	\$ (2,003)	-34.11%
Total Salaries	\$ 117,878	\$ 108,741	\$ 112,225	\$ 97,101	\$ 97,101	\$ (11,640)	-10.70%
Benefits							
Health Insurance	\$ 23,067	\$ 17,320	\$ 25,905	\$ 25,905	\$ 21,209	\$ 3,889	22.45%
Medicare	\$ 1,456	\$ 1,522	\$ 1,627	\$ 1,408	\$ 1,408	\$ (114)	-7.49%
Retirement	\$ 5,414	\$ 5,591	\$ 5,734	\$ 5,047	\$ 5,047	\$ (544)	-9.73%
Tuition Reimbursement	\$ -	\$ 803	\$ 410	\$ 347	\$ 347	\$ (456)	-56.73%
Workers Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
All Other	\$ 621	\$ 802	\$ 1,149	\$ 965	\$ 965	\$ 163	20.28%
FLMA State	\$ -	\$ -	\$ 561	\$ 57	\$ 57	\$ 57	0.00%
Total Benefits	\$ 30,558	\$ 26,038	\$ 35,386	\$ 33,729	\$ 29,033	\$ 2,995	11.50%
TOTAL SALARIES & BENEFITS	\$ 148,437	\$ 134,779	\$ 147,611	\$ 130,830	\$ 126,133	\$ (8,646)	-6.41%
CONTRACTED SERVICES							
PreK - 12th							
Staff Travel	\$ 1,860	\$ 1,900	\$ 1,748	\$ 1,748	\$ 1,748	\$ (152)	-8.00%
Total PreK-12th Contracted Services	\$ 1,860	\$ 1,900	\$ 1,748	\$ 1,748	\$ 1,748	\$ (152)	-8.00%
Special Education							
Tuition To In-State SAU	\$ -	\$ 3,850	\$ 3,950	\$ 3,950	\$ 3,950	\$ 100	2.60%
Total SPED Contracted Services	\$ -	\$ 3,850	\$ 3,950	\$ 3,950	\$ 3,950	\$ 100	2.60%
Ops and Comms							
Phone	\$ -	\$ 600	\$ 300	\$ 300	\$ 300	\$ (300)	-50.00%
Photocopying	\$ 263	\$ 294	\$ 302	\$ 302	\$ 302	\$ 8	2.60%
Total Ops & Comm Contracted Services	\$ 263	\$ 894	\$ 602	\$ 602	\$ 602	\$ (292)	-32.70%
Insurance & Legal							
Insurance - General Liability	\$ 280	\$ 350	\$ 359	\$ 359	\$ 359	\$ 9	2.60%
Total Ins & Legal Contracted Services	\$ 280	\$ 350	\$ 359	\$ 359	\$ 359	\$ 9	2.60%
TOTAL CONTRACTED SERVICES	\$ 2,403	\$ 6,994	\$ 6,659	\$ 6,659	\$ 6,659	\$ (335)	-4.79%
SUPPLIES							
Academic							

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Cliff Island

	FY23	FY24	FY25 SUPT	FY25 Finance	FY25 Board	\$ +/(-) v	% +/- v
	ACTUAL	BUDGET	REC Mar 5	Comm Rev Apr 1	Apr 9	FY24	FY24
General Supplies - DISCRETIONARY HOLD	\$ 457	\$ 85	\$ 516	\$ 516	\$ 516	\$ 431	507.06%
Instructional Supplies	\$ 203	\$ 269	\$ -	\$ -	\$ -	\$ (269)	-100.00%
Books Periodicals	\$ -	\$ 150	\$ -	\$ -	\$ -	\$ (150)	-100.00%
Tech Related Supplies	\$ 112	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Academic Supplies	\$ 771	\$ 504	\$ 516	\$ 516	\$ 516	\$ 12	2.38%
Operations							
Custodial Supplies	\$ 211	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Electricity	\$ 1,404	\$ 674	\$ -	\$ -	\$ -	\$ (674)	-100.00%
Oil	\$ 7,709	\$ 2,400	\$ -	\$ -	\$ -	\$ (2,400)	-100.00%
Total Operations Supplies	\$ 9,324	\$ 3,074	\$ -	\$ -	\$ -	\$ (3,074)	-100.00%
TOTAL SUPPLIES	\$ 10,095	\$ 3,578	\$ 516	\$ 516	\$ 516	\$ (3,062)	-85.58%
MISCELLANEOUS							
Dues and Fees	\$ -	\$ 200	\$ -	\$ -	\$ -	\$ (200)	-100.00%
Field Trip Transportation	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Miscellaneous Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
Other Items	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
Fund Transfers Out	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
TOTAL MISCELLANEOUS	\$ -	\$ 300	\$ -	\$ -	\$ -	\$ (300)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 12,498	\$ 10,872	\$ 7,175	\$ 7,175	\$ 7,175	\$ (3,697)	-34.01%
TOTAL EXPENDITURES	\$ 160,934	\$ 145,651	\$ 154,786	\$ 138,005	\$ 133,308	\$ (12,343)	-8.47%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Deering High

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 5,088,180	\$ 5,466,758	\$ 6,025,734	\$ 6,088,552	\$ 6,088,552	\$ 621,794	11.37%
Instructional Aide/Asst	\$ 774,663	\$ 855,013	\$ 1,036,000	\$ 1,054,500	\$ 1,054,500	\$ 199,487	23.33%
Adminstration/Regular Support	\$ 1,111,750	\$ 1,167,265	\$ 1,027,802	\$ 1,027,802	\$ 1,027,802	\$ (139,463)	-11.95%
Total Regular Salaries	\$ 6,974,593	\$ 7,489,036	\$ 8,089,536	\$ 8,170,854	\$ 8,170,854	\$ 681,818	9.10%
Temporary Salaries							
Temporary Salary	\$ 523,823	\$ 41,303	\$ 37,999	\$ 37,999	\$ 37,999	\$ (3,304)	-8.00%
Tutor	\$ 706	\$ 28,659	\$ 26,366	\$ 26,366	\$ 26,366	\$ (2,293)	-8.00%
Substitute	\$ 232,497	\$ 85,989	\$ 94,588	\$ 94,588	\$ 94,588	\$ 8,599	10.00%
Teacher Additional Pay	\$ 21,295	\$ 3,161	\$ 2,908	\$ 2,908	\$ 2,908	\$ (253)	-8.00%
Regular Support Overtime	\$ 10,850	\$ 4,065	\$ 3,740	\$ 3,740	\$ 3,740	\$ (325)	-8.00%
Stipend/Differential	\$ 372,247	\$ 415,462	\$ 341,477	\$ 341,477	\$ 341,477	\$ (73,985)	-17.81%
Stipend-Retirement Sick	\$ 126,090	\$ 39,840	\$ -	\$ -	\$ -	\$ (39,840)	-100.00%
Total Temporary Salaries	\$ 1,287,508	\$ 618,479	\$ 507,078	\$ 507,078	\$ 507,078	\$ (111,401)	-18.01%
Total Salaries	\$ 8,262,101	\$ 8,107,515	\$ 8,596,614	\$ 8,677,932	\$ 8,677,932	\$ 570,417	7.04%
Benefits							
Health Insurance	\$ 1,542,115	\$ 1,761,193	\$ 2,032,239	\$ 2,013,613	\$ 1,950,273	\$ 189,080	10.74%
Medicare	\$ 114,947	\$ 118,187	\$ 124,597	\$ 125,776	\$ 125,776	\$ 7,588	6.42%
Retirement	\$ 391,180	\$ 425,493	\$ 459,084	\$ 465,129	\$ 465,129	\$ 39,636	9.32%
Tuition Reimbursement	\$ 34,444	\$ 38,092	\$ 35,174	\$ 35,320	\$ 35,320	\$ (2,772)	-7.28%
All Other	\$ 58,957	\$ 67,374	\$ 148,000	\$ 143,793	\$ 143,793	\$ 76,419	113.43%
PFML			\$ 42,983	\$ 10,412	\$ 10,412		
Total Benefits	\$ 2,141,643	\$ 2,410,339	\$ 2,842,077	\$ 2,794,042	\$ 2,730,702	\$ 320,363	13.29%
TOTAL SALARIES & BENEFITS	\$ 10,403,744	\$ 10,517,854	\$ 11,438,691	\$ 11,471,974	\$ 11,408,634	\$ 890,780	8.47%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 108,261	\$ 23,484	\$ -	\$ -	\$ -	\$ (23,484)	-100.00%
EBooks & Online Subscriptions	\$ 1,224	\$ 11,690	\$ -	\$ -	\$ -	\$ (11,690)	-100.00%
Software/Annual Subscription	\$ 18,816	\$ 46,569	\$ -	\$ -	\$ -	\$ (46,569)	-100.00%
Tuition to Post-Secondary	\$ -	\$ 3,000	\$ -	\$ -	\$ -	\$ (3,000)	-100.00%
Staff Travel	\$ 2,012	\$ 22,503	\$ -	\$ -	\$ -	\$ (22,503)	-100.00%
Security	\$ 10,964	\$ 15,276	\$ -	\$ -	\$ -	\$ (15,276)	-100.00%
Total PreK-12th Contracted Services	\$ 141,277	\$ 122,522	\$ -	\$ -	\$ -	\$ (122,522)	-100.00%
Special Education							
Special Education Contracted Services	\$ 110,416	\$ 139,258	\$ -	\$ -	\$ -	\$ (139,258)	-100.00%
Total SPED Contracted Services	\$ 110,416	\$ 139,258	\$ -	\$ -	\$ -	\$ (139,258)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 144,741	\$ 138,429	\$ -	\$ -	\$ -	\$ (138,429)	-100.00%
Other Professional Services	\$ 4,052	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Postage	\$ 267	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Phone	\$ 9,112	\$ 3,000	\$ 8,400	\$ 8,400	\$ 8,400	\$ 5,400	180.00%
Printing/Binding	\$ 7,084	\$ 8,158	\$ -	\$ -	\$ -	\$ (8,158)	-100.00%
Photocopying	\$ 12,977	\$ 14,697	\$ 15,079	\$ 15,079	\$ 15,079	\$ 382	2.60%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Deering High

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total Ops & Comm Contracted Services	\$ 178,233	\$ 164,284	\$ 23,479	\$ 23,479	\$ 23,479	\$ (140,805)	-85.71%
Insurance & Legal							
Insurance - General Liability	\$ 52,676	\$ 65,844	\$ 67,556	\$ 67,556	\$ 67,556	\$ 1,712	2.60%
Total Ins & Legal Contracted Services	\$ 52,676	\$ 65,844	\$ 67,556	\$ 67,556	\$ 67,556	\$ 1,712	2.60%
Facilities							
Water	\$ 4,650	\$ 4,259	\$ 4,299	\$ 4,299	\$ 4,299	\$ 40	0.94%
Sewer	\$ 19,064	\$ 13,650	\$ 13,606	\$ 13,606	\$ 13,606	\$ (44)	-0.33%
Waste Disposal Services	\$ 11,762	\$ 14,247	\$ 15,227	\$ 15,227	\$ 15,227	\$ 980	6.88%
Repair and Maintenance Services	\$ 3,840	\$ 2,970	\$ -	\$ -	\$ -	\$ (2,970)	-100.00%
Rentals	\$ 117,674	\$ 102,426	\$ -	\$ -	\$ -	\$ (102,426)	-100.00%
Total Ops & Comm Contracted Services	\$ 156,989	\$ 137,552	\$ 33,132	\$ 33,131	\$ 33,131	\$ (104,421)	-75.91%
Transportation							
Student Transportation Purchase/Private (Sped OOD and Homeless)	\$ 25,570	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Transport Contracted Services	\$ 25,570	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CONTRACTED SERVICES	\$ 665,162	\$ 629,460	\$ 124,166	\$ 124,166	\$ 124,166	\$ (505,294)	-80.27%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 67,813	\$ 60,767	\$ 292,261	\$ 292,261	\$ 292,261	\$ 231,494	380.95%
Instructional Supplies	\$ 82,414	\$ 70,775	\$ -	\$ -	\$ -	\$ (70,775)	-100.00%
Books Periodicals	\$ 17,131	\$ 46,138	\$ -	\$ -	\$ -	\$ (46,138)	-100.00%
Tech Related Supplies	\$ 1,206	\$ 4,743	\$ -	\$ -	\$ -	\$ (4,743)	-100.00%
Software Licenses	\$ 201	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Audiovisual Supplies	\$ 750	\$ 300	\$ -	\$ -	\$ -	\$ (300)	-100.00%
Total Academic Supplies	\$ 169,516	\$ 182,723	\$ 292,261	\$ 292,261	\$ 292,261	\$ 109,538	59.95%
Operations							
Custodial Supplies	\$ 23,012	\$ 29,282	\$ -	\$ -	\$ -	\$ (29,282)	-100.00%
Natural Gas	\$ 109,793	\$ 107,217	\$ -	\$ -	\$ -	\$ (107,217)	-100.00%
Electricity	\$ 89,914	\$ 81,094	\$ -	\$ -	\$ -	\$ (81,094)	-100.00%
Total Operations Supplies	\$ 222,720	\$ 217,593	\$ -	\$ -	\$ -	\$ (217,593)	-100.00%
TOTAL SUPPLIES	\$ 392,236	\$ 400,316	\$ 292,261	\$ 292,261	\$ 292,261	\$ (108,055)	-26.99%
MISCELLANEOUS							
Dues and Fees	\$ 21,168	\$ 27,816	\$ -	\$ -	\$ -	\$ (27,816)	-100.00%
Field Trip Transportation	\$ 92,540	\$ 74,098	\$ -	\$ -	\$ -	\$ (74,098)	-100.00%
Miscellaneous Expenditures	\$ 6,151	\$ 170	\$ -	\$ -	\$ -	\$ (170)	-100.00%
TOTAL MISCELLANEOUS	\$ 119,859	\$ 102,084	\$ -	\$ -	\$ -	\$ (102,084)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 1,177,257	\$ 1,131,860	\$ 416,427	\$ 416,427	\$ 416,427	\$ (715,433)	-63.21%
TOTAL EXPENDITURES	\$ 11,581,001	\$ 11,649,715	\$ 11,855,119	\$ 11,888,401	\$ 11,825,062	\$ 175,347	1.51%
			\$ 11,566,856	\$ 11,600,138	\$ 11,536,798		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Deering High

IDEA Funds

SALARIES & BENEFITS

Regular Salaries

Professional Salary	\$	-
Instructional Aide/Asst	\$	175,000
Administration/Regular Support	\$	-

Total Regular Salaries \$ 175,000

Total Salaries \$ 175,000

Benefits

Health Insurance	\$	64,627
Medicare	\$	2,538
Retirement	\$	31,413
Tuition Reimbursement	\$	1,044
All Other	\$	12,767
PFML	\$	875

Total Benefits \$ 113,263

TOTAL SALARIES &
BENEFITS \$ 288,263

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

East End

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 3,314,611	\$ 2,924,610	\$ 3,710,018	\$ 3,738,067	\$ 3,738,067	\$ 813,457	27.81%
Instructional Aide/Asst	\$ 684,949	\$ 531,147	\$ 647,500	\$ 629,000	\$ 629,000	\$ 97,853	18.42%
Adminstration/Regular Support	\$ 523,847	\$ 522,333	\$ 664,837	\$ 610,826	\$ 610,826	\$ 88,493	16.94%
Total Regular Salaries	\$ 4,523,407	\$ 3,978,090	\$ 5,022,355	\$ 4,977,893	\$ 4,977,893	\$ 999,803	25.13%
Temporary Salaries							
Temporary Salary	\$ 23,128	\$ 34,865	\$ 32,076	\$ 32,076	\$ 32,076	\$ (2,789)	-8.00%
Tutor	\$ 860	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Substitute	\$ 121,418	\$ 66,020	\$ 72,622	\$ 72,622	\$ 72,622	\$ 6,602	10.00%
Teacher Additional Pay	\$ 4,099	\$ 2,381	\$ 2,191	\$ 2,191	\$ 2,191	\$ (190)	-8.00%
Regular Support Overtime	\$ 9,980	\$ 3,370	\$ 3,100	\$ 3,100	\$ 3,100	\$ (270)	-8.00%
Stipend/Differential	\$ 22,378	\$ 28,045	\$ 17,960	\$ 17,960	\$ 17,960	\$ (10,085)	-35.96%
Stipend-Retirement Sick	\$ -	\$ 45,574	\$ -	\$ -	\$ -	\$ (45,574)	-100.00%
Total Temporary Salaries	\$ 181,863	\$ 180,255	\$ 127,949	\$ 127,949	\$ 127,949	\$ (52,306)	-29.02%
Total Salaries	\$ 4,705,270	\$ 4,158,345	\$ 5,150,304	\$ 5,105,842	\$ 5,105,842	\$ 947,497	22.79%
Benefits							
Health Insurance	\$ 1,200,385	\$ 1,029,205	\$ 1,267,498	\$ 1,255,881	\$ 1,187,545	\$ 158,340	15.38%
Medicare	\$ 64,509	\$ 60,628	\$ 74,634	\$ 73,990	\$ 73,990	\$ 13,362	22.04%
Retirement	\$ 296,174	\$ 204,508	\$ 275,554	\$ 272,681	\$ 272,681	\$ 68,173	33.33%
Tuition Reimbursement	\$ 14,578	\$ 14,512	\$ 21,522	\$ 21,233	\$ 21,233	\$ 6,721	46.31%
All Other	\$ 34,835	\$ 35,879	\$ 93,075	\$ 87,152	\$ 87,152	\$ 51,273	142.90%
PFML	\$ -	\$ -	\$ 25,752	\$ 6,199	\$ 6,199	\$ 6,199	0.00%
Total Benefits	\$ 1,610,481	\$ 1,344,732	\$ 1,758,035	\$ 1,717,135	\$ 1,648,799	\$ 304,067	22.61%
TOTAL SALARIES & BENEFITS	\$ 6,315,751	\$ 5,503,077	\$ 6,908,339	\$ 6,822,977	\$ 6,754,641	\$ 1,251,564	22.74%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 567	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
EBooks & Online Subscriptions	\$ 1,020	\$ 962	\$ -	\$ -	\$ -	\$ (962)	-100.00%
Software/Annual Subscription	\$ 8,225	\$ 9,517	\$ -	\$ -	\$ -	\$ (9,517)	-100.00%
Total PreK-12th Contracted Services	\$ 10,347	\$ 10,579	\$ -	\$ -	\$ -	\$ (10,579)	-100.00%
Special Education							
Special Education Contracted Services	\$ 17,586	\$ 165	\$ -	\$ -	\$ -	\$ (165)	-100.00%
Total SPED Contracted Services	\$ 17,586	\$ 165	\$ -	\$ -	\$ -	\$ (165)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 17,717	\$ 13,285	\$ -	\$ -	\$ -	\$ (13,285)	-100.00%
Other Professional Services	\$ 27,546	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
Postage	\$ 540	\$ 200	\$ -	\$ -	\$ -	\$ (200)	-100.00%
Phone	\$ 3,347	\$ 1,800	\$ 3,600	\$ 3,600	\$ 3,600	\$ 1,800	100.00%
Photocopying	\$ 5,436	\$ 7,286	\$ 7,475	\$ 7,475	\$ 7,475	\$ 189	2.60%
Total Ops & Comm Contracted Services	\$ 54,585	\$ 22,571	\$ 11,075	\$ 11,075	\$ 11,075	\$ (11,496)	-50.93%
Insurance & Legal							
Insurance - General Liability	\$ 20,637	\$ 25,796	\$ 26,467	\$ 26,467	\$ 26,467	\$ 671	2.60%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

East End

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total Ins & Legal Contracted Services	\$ 20,637	\$ 25,796	\$ 26,467	\$ 26,467	\$ 26,467	\$ 671	2.60%
Facilities							
Water	\$ 3,538	\$ 5,078	\$ 5,115	\$ 5,115	\$ 5,115	\$ 37	0.72%
Sewer	\$ 8,284	\$ 16,275	\$ 16,215	\$ 16,215	\$ 16,215	\$ (60)	-0.37%
Waste Disposal Services	\$ 7,894	\$ 8,948	\$ 9,562	\$ 9,562	\$ 9,562	\$ 614	6.86%
Repair and Maintenance Services	\$ 379	\$ 399	\$ -	\$ -	\$ -	\$ (399)	-100.00%
Total Ops & Comm Contracted Services	\$ 20,095	\$ 30,700	\$ 30,892	\$ 30,892	\$ 30,892	\$ 192	0.62%
TOTAL CONTRACTED SERVICES	\$ 124,115	\$ 89,811	\$ 68,433	\$ 68,434	\$ 68,434	\$ (21,377)	-23.80%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 24,513	\$ 16,695	\$ 56,565	\$ 56,565	\$ 56,565	\$ 39,870	238.81%
Instructional Supplies	\$ 14,096	\$ 17,777	\$ -	\$ -	\$ -	\$ (17,777)	-100.00%
Books Periodicals	\$ 16,425	\$ 19,050	\$ -	\$ -	\$ -	\$ (19,050)	-100.00%
Audiovisual Supplies	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Total Academic Supplies	\$ 55,034	\$ 54,522	\$ 56,565	\$ 56,565	\$ 56,565	\$ 2,043	3.75%
Operations							
Custodial Supplies	\$ 14,854	\$ 14,342	\$ -	\$ -	\$ -	\$ (14,342)	-100.00%
Natural Gas	\$ 52,083	\$ 49,665	\$ -	\$ -	\$ -	\$ (49,665)	-100.00%
Electricity	\$ 50,623	\$ 91,075	\$ -	\$ -	\$ -	\$ (91,075)	-100.00%
Total Operations Supplies	\$ 117,559	\$ 155,082	\$ -	\$ -	\$ -	\$ (155,082)	-100.00%
TOTAL SUPPLIES	\$ 172,594	\$ 209,604	\$ 56,565	\$ 56,565	\$ 56,565	\$ (153,039)	-73.01%
MISCELLANEOUS							
Dues and Fees	\$ 1,559	\$ 6,135	\$ -	\$ -	\$ -	\$ (6,135)	-100.00%
Field Trip Transportation	\$ 971	\$ 3,500	\$ -	\$ -	\$ -	\$ (3,500)	-100.00%
TOTAL MISCELLANEOUS	\$ 2,530	\$ 9,635	\$ -	\$ -	\$ -	\$ (9,635)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 299,238	\$ 309,050	\$ 124,999	\$ 124,999	\$ 124,999	\$ (184,051)	-59.55%
TOTAL EXPENDITURES	\$ 6,614,989	\$ 5,812,127	\$ 7,033,338	\$ 6,947,976	\$ 6,879,640	\$ 1,067,513	18.37%
			\$ 6,320,475	\$ 6,235,112	\$ 6,166,776		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

East End

Title Funds	IDEA Funds	CDS
SALARIES & BENEFITS	SALARIES & BENEFITS	SALARIES & BENEFITS
<i>Regular Salaries</i>	<i>Regular Salaries</i>	<i>Regular Salaries</i>
Professional Salary \$ 311,162	Professional Salary \$ -	Professional Salary \$ 72,598
Instructional Aide/Asst \$ -	Instructional Aide/Asst \$ 70,000	Instructional Aide/Asst \$ 35,000
Administration/Regular Support \$ -	Administration/Regular Support \$ -	Administration/Regular Support \$ -
Total Regular Salaries \$ 311,162	Total Regular Salaries \$ 70,000	Total Regular Salaries \$107,598
Total Salaries \$ 311,162	Total Salaries \$ 70,000	Total Salaries \$107,598
<i>Benefits</i>	<i>Benefits</i>	<i>Benefits</i>
Health Insurance \$ 73,057	Health Insurance \$ 25,851	Health Insurance \$ 29,970
Medicare \$ 4,512	Medicare \$ 1,015	Medicare \$ 1,560
Retirement \$ 55,854	Retirement \$ 12,565	Retirement \$ 5,674
Tuition Reimbursement \$ 1,290	Tuition Reimbursement \$ 417	Tuition Reimbursement \$ 510
All Other \$ 2,955	All Other \$ 5,107	All Other \$ 3,243
PFML \$ -	PFML \$ 350	PFML \$ 175
Total Benefits \$ 137,667	Total Benefits \$ 45,305	Total Benefits \$ 41,132
TOTAL SALARIES & BENEFITS \$ 448,829	TOTAL SALARIES & BENEFITS \$ 115,305	TOTAL SALARIES & BENEFITS \$148,729

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

King Middle

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 3,719,940	\$ 3,839,365	\$ 4,042,173	\$ 4,042,173	\$ 4,042,173	\$ 202,808	5.28%
Instructional Aide/Asst	\$ 284,069	\$ 386,916	\$ 388,500	\$ 536,500	\$ 536,500	\$ 149,584	38.66%
Adminstration/Regular Support	\$ 591,336	\$ 576,519	\$ 537,923	\$ 553,859	\$ 553,859	\$ (22,660)	-3.93%
Total Regular Salaries	\$4,595,345	\$4,802,800	\$4,968,596	\$ 5,132,532	\$ 5,132,532	\$ 329,732	6.87%
Temporary Salaries							
Temporary Salary	\$ 8,016	\$ 16,174	\$ 14,880	\$ 14,880	\$ 14,880	\$ (1,294)	-8.00%
Tutor	\$ 555	\$ 10,932	\$ 10,057	\$ 10,057	\$ 10,057	\$ (875)	-8.00%
Substitute	\$ 112,308	\$ 62,693	\$ 68,962	\$ 68,962	\$ 68,962	\$ 6,269	10.00%
Teacher Additional Pay	\$ 8,047	\$ 908	\$ 835	\$ 835	\$ 835	\$ (73)	-8.00%
Regular Support Overtime	\$ 13,743	\$ 2,700	\$ 2,484	\$ 2,484	\$ 2,484	\$ (216)	-8.00%
Stipend/Differential	\$ 100,382	\$ 122,344	\$ 108,218	\$ 108,218	\$ 108,218	\$ (14,126)	-11.55%
Stipend-Retirement Sick	\$ 48,091	\$ 26,860	\$ -	\$ -	\$ -	\$ (26,860)	-100.00%
Total Temporary Salaries	\$ 291,141	\$ 242,611	\$ 205,437	\$ 205,437	\$ 205,437	\$ (37,174)	-15.32%
Total Salaries	\$4,886,487	\$5,045,411	\$5,174,033	\$ 5,337,970	\$ 5,337,970	\$ 292,559	5.80%
Benefits							
Health Insurance	\$ 985,140	\$1,054,399	\$1,216,674	\$ 1,205,523	\$ 1,212,242	\$ 157,843	14.97%
Medicare	\$ 69,199	\$ 73,483	\$ 74,987	\$ 77,365	\$ 77,365	\$ 3,882	5.28%
Retirement	\$ 220,453	\$ 243,247	\$ 265,893	\$ 277,091	\$ 277,091	\$ 33,844	13.91%
Tuition Reimbursement	\$ 21,103	\$ 16,783	\$ 21,288	\$ 22,179	\$ 22,179	\$ 5,396	32.15%
All Other	\$ 32,802	\$ 41,232	\$ 74,750	\$ 82,359	\$ 82,359	\$ 41,127	99.74%
PFML			\$ 25,870	\$ 5,452	\$ 5,452		
Total Benefits	\$1,328,696	\$1,429,144	\$1,679,463	\$ 1,669,968	\$ 1,676,687	\$ 247,543	17.32%
TOTAL SALARIES & BENEFITS	\$6,215,183	\$6,474,555	\$6,853,496	\$ 7,007,938	\$ 7,014,657	\$ 540,102	8.34%
CONTRACTED SERVICES							
PreK - 12th							
EBooks & Online Subscriptions	\$ 5,708	\$ 6,449	\$ -	\$ -	\$ -	\$ (6,449)	-100.00%
Software/Annual Subscription	\$ 10,294	\$ 11,330	\$ -	\$ -	\$ -	\$ (11,330)	-100.00%
Tuition to Post-Secondary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Staff Travel	\$ 2,506	\$ 8,621				\$ (8,621)	-100.00%
Total PreK-12th Contracted Services	\$ 42,908	\$ 50,101	\$ -	\$ -	\$ -	\$ (50,101)	-100.00%
Special Education							
Special Education Contracted Services	\$ 21,908	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total SPED Contracted Services	\$ 21,908	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 5,708	\$ 9,900	\$ -	\$ -	\$ -	\$ (9,900)	-100.00%
Postage	\$ 750	\$ 500	\$ -	\$ -	\$ -	\$ (500)	-100.00%
Phone	\$ 3,055	\$ 1,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 3,000	166.67%
Printing/Binding	\$ 798	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Photocopying	\$ 13,425	\$ 14,830	\$ 15,216	\$ 15,216	\$ 15,216	\$ 386	2.60%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

King Middle

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total Ops & Comm Contracted Services	\$ 23,736	\$ 27,030	\$ 20,016	\$ 20,016	\$ 20,016	\$ (7,014)	-25.95%
Insurance & Legal							
Insurance - General Liability	\$ 24,563	\$ 30,703	\$ 31,501	\$ 31,501	\$ 31,501	\$ 798	2.60%
Total Ins & Legal Contracted Services	\$ 24,563	\$ 30,703	\$ 31,501	\$ 31,501	\$ 31,501	\$ 798	2.60%
Facilities							
Water	\$ 3,588	\$ 3,726	\$ 3,760	\$ 3,760	\$ 3,760	\$ 34	0.91%
Sewer	\$ 13,480	\$ 11,944	\$ 11,899	\$ 11,899	\$ 11,899	\$ (45)	-0.37%
Waste Disposal Services	\$ 8,651	\$ 6,320	\$ 6,760	\$ 6,760	\$ 6,760	\$ 440	6.95%
Repair and Maintenance Services	\$ 1,370	\$ 1,500	\$ -	\$ -	\$ -	\$ (1,500)	-100.00%
Rentals	\$ -	\$ 17,500	\$ -	\$ -	\$ -	\$ (17,500)	-100.00%
Total Ops & Comm Contracted Services	\$ 27,089	\$ 40,990	\$ 22,419	\$ 22,419	\$ 22,419	\$ (18,571)	-45.31%
Transportation							
Student Transportation Purchase/Private (Sped OOD and Homeless)	\$ 19,942	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Transport Contracted Services	\$ 19,942	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CONTRACTED SERVICES	\$ 160,146	\$ 148,824	\$ 73,936	\$ 73,936	\$ 73,936	\$ (74,888)	-50.32%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 20,725	\$ 12,503	\$ 99,949	\$ 99,949	\$ 99,949	\$ 87,446	699.40%
Instructional Supplies	\$ 23,728	\$ 40,948	\$ -	\$ -	\$ -	\$ (40,948)	-100.00%
Books Periodicals	\$ 12,441	\$ 17,548	\$ -	\$ -	\$ -	\$ (17,548)	-100.00%
Tech Related Supplies	\$ 745	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Total Academic Supplies	\$ 57,640	\$ 71,999	\$ 99,949	\$ 99,949	\$ 99,949	\$ 27,950	38.82%
Operations							
Custodial Supplies	\$ 13,401	\$ 13,642	\$ -	\$ -	\$ -	\$ (13,642)	-100.00%
Natural Gas	\$ 60,370	\$ 69,762	\$ -	\$ -	\$ -	\$ (69,762)	-100.00%
Electricity	\$ 46,442	\$ 50,192	\$ -	\$ -	\$ -	\$ (50,192)	-100.00%
Total Operations Supplies	\$ 120,213	\$ 133,596	\$ -	\$ -	\$ -	\$ (133,596)	-100.00%
TOTAL SUPPLIES	\$ 177,853	\$ 205,595	\$ 99,949	\$ 99,949	\$ 99,949	\$ (105,646)	-51.39%
MISCELLANEOUS							
Dues and Fees	\$ 2,464	\$ 3,450	\$ -	\$ -	\$ -	\$ (3,450)	-100.00%
Field Trip Transportation	\$ 20,004	\$ 34,626	\$ -	\$ -	\$ -	\$ (34,626)	-100.00%
TOTAL MISCELLANEOUS	\$ 22,468	\$ 38,076	\$ -	\$ -	\$ -	\$ (38,076)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 360,466	\$ 392,495	\$ 173,885	\$ 173,885	\$ 173,885	\$ (218,610)	-55.70%
TOTAL EXPENDITURES	\$6,575,649	\$6,867,050	\$7,027,381	\$ 7,181,823	\$ 7,188,542	\$ 321,492	4.68%
			\$6,738,874	\$ 6,893,316	\$ 6,900,034		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

King Middle

Title Funds		IDEA Funds	
SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries	
Professional Salary	\$ 40,544	Professional Salary	\$ -
Instructional Aide/Asst	\$ 70,000	Instructional Aide/Asst	\$ 70,000
Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -
Total Regular Salaries	\$ 110,544	Total Regular Salaries	\$ 70,000
Total Salaries	\$ 110,544	Total Salaries	\$ 70,000
Benefits		Benefits	
Health Insurance	\$ 35,370	Health Insurance	\$ 25,851
Medicare	\$ 1,603	Medicare	\$ 1,015
Retirement	\$ 19,843	Retirement	\$ 12,565
Tuition Reimbursement	\$ -	Tuition Reimbursement	\$ 417
All Other	\$ 5,492	All Other	\$ 5,107
PFML	\$ 350	PFML	\$ 350
Total Benefits	\$ 62,658	Total Benefits	\$ 45,305
TOTAL SALARIES & BENEFITS	\$ 173,202	TOTAL SALARIES & BENEFITS	\$ 115,305

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Lincoln Middle

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 3,684,723	\$ 3,780,127	\$ 3,680,702	\$ 3,680,702	\$ 3,680,702	\$ (99,425)	-2.63%
Instructional Aide/Asst	\$ 327,194	\$ 306,507	\$ 481,000	\$ 555,000	\$ 555,000	\$ 248,493	81.07%
Adminstration/Regular Support	\$ 691,276	\$ 598,128	\$ 576,016	\$ 576,016	\$ 576,016	\$ (22,112)	-3.70%
Total Regular Salaries	\$ 4,703,193	\$ 4,684,762	\$ 4,737,718	\$ 4,811,718	\$ 4,811,718	\$ 126,956	2.71%
Temporary Salaries							
Temporary Salary	\$ 15,449	\$ 3,870	\$ 3,560	\$ 3,560	\$ 3,560	\$ (310)	-8.00%
Tutor	\$ 683	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Substitute	\$ 97,996	\$ 53,717	\$ 59,089	\$ 59,089	\$ 59,089	\$ 5,372	10.00%
Teacher Additional Pay	\$ 37,338	\$ 7,254	\$ 6,674	\$ 6,674	\$ 6,674	\$ (580)	-8.00%
Regular Support Overtime	\$ 2,847	\$ 2,700	\$ 2,484	\$ 2,484	\$ 2,484	\$ (216)	-8.00%
Stipend/Differential	\$ 67,047	\$ 118,983	\$ 108,218	\$ 108,218	\$ 108,218	\$ (10,765)	-9.05%
Stipend-Retirement Sick	\$ -	\$ 11,756	\$ -	\$ -	\$ -	\$ (11,756)	-100.00%
Total Temporary Salaries	\$ 221,360	\$ 198,280	\$ 180,025	\$ 180,025	\$ 180,025	\$ (18,255)	-9.21%
Total Salaries	\$ 4,924,552	\$ 4,883,042	\$ 4,917,743	\$ 4,991,743	\$ 4,991,743	\$ 108,701	2.23%
Benefits							
Health Insurance	\$ 1,079,218	\$ 1,032,753	\$ 1,176,436	\$ 1,165,654	\$ 1,144,283	\$ 111,530	10.80%
Medicare	\$ 67,537	\$ 71,071	\$ 71,271	\$ 72,344	\$ 72,344	\$ 1,273	1.79%
Retirement	\$ 229,583	\$ 242,612	\$ 257,789	\$ 262,607	\$ 262,607	\$ 19,995	8.24%
Tuition Reimbursement	\$ 19,907	\$ 19,308	\$ 20,359	\$ 20,800	\$ 20,800	\$ 1,492	7.73%
All Other	\$ 35,395	\$ 41,113	\$ 78,845	\$ 80,797	\$ 80,797	\$ 39,684	96.53%
PFML			\$ 24,589	\$ 5,655	\$ 5,655		
Total Benefits	\$ 1,431,640	\$ 1,406,857	\$ 1,629,289	\$ 1,607,857	\$ 1,586,486	\$ 179,629	12.77%
TOTAL SALARIES & BENEFITS	\$ 6,356,193	\$ 6,289,899	\$ 6,547,032	\$ 6,599,600	\$ 6,578,229	\$ 288,330	4.58%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 420	\$ 4,725	\$ -	\$ -	\$ -	\$ (4,725)	-100.00%
EBooks & Online Subscriptions	\$ 524	\$ 1,327	\$ -	\$ -	\$ -	\$ (1,327)	-100.00%
Software/Annual Subscription	\$ 10,101	\$ 21,386	\$ -	\$ -	\$ -	\$ (21,386)	-100.00%
Staff Travel	\$ 61	\$ 3,496	\$ -	\$ -	\$ -	\$ (3,496)	-100.00%
Security	\$ -	\$ 723	\$ -	\$ -	\$ -	\$ (723)	-100.00%
Total PreK-12th Contracted Services	\$ 11,106	\$ 31,657	\$ -	\$ -	\$ -	\$ (31,657)	-100.00%
Special Education							
Special Education Contracted Services	\$ 29,080	\$ 4,843	\$ -	\$ -	\$ -	\$ (4,843)	-100.00%
Total SPED Contracted Services	\$ 29,080	\$ 4,843	\$ -	\$ -	\$ -	\$ (4,843)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 18,910	\$ 22,200	\$ -	\$ -	\$ -	\$ (22,200)	-100.00%
Other Professional Services	\$ 544	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Postage	\$ 103	\$ 500	\$ -	\$ -	\$ -	\$ (500)	-100.00%
Phone	\$ 2,707	\$ 1,800	\$ 4,200	\$ 4,200	\$ 4,200	\$ 2,400	133.33%
Printing/Binding	\$ 360	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Photocopying	\$ 8,073	\$ 9,613	\$ 9,863	\$ 9,863	\$ 9,863	\$ 250	2.60%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Lincoln Middle

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total Ops & Comm Contracted Services	\$ 30,696	\$ 34,113	\$ 14,063	\$ 14,063	\$ 14,063	\$ (20,050)	-58.78%
Insurance & Legal							
Insurance - General Liability	\$ 28,374	\$ 35,467	\$ 36,389	\$ 36,389	\$ 36,389	\$ 922	2.60%
Total Ins & Legal Contracted Services	\$ 28,374	\$ 35,467	\$ 36,389	\$ 36,389	\$ 36,389	\$ 922	2.60%
Facilities							
Water	\$ 2,399	\$ 1,884	\$ 1,903	\$ 1,903	\$ 1,903	\$ 19	0.99%
Sewer	\$ 4,096	\$ 6,038	\$ 6,021	\$ 6,021	\$ 6,021	\$ (17)	-0.27%
Waste Disposal Services	\$ 10,085	\$ 7,998	\$ 8,550	\$ 8,550	\$ 8,550	\$ 552	6.90%
Rentals	\$ -	\$ 18,000	\$ 18,468	\$ 18,468	\$ 18,468	\$ 468	2.60%
Total Ops & Comm Contracted Services	\$ 16,580	\$ 33,920	\$ 34,942	\$ 34,942	\$ 34,942	\$ 1,022	3.01%
Transportation							
Student Transportation Purchase/Private (Sped OOD and Homeless)	\$ 26,676	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Transport Contracted Services	\$ 26,676	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CONTRACTED SERVICES	\$ 142,512	\$ 140,000	\$ 85,394	\$ 85,394	\$ 85,394	\$ (54,607)	-39.00%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 20,566	\$ 15,440	\$ 94,140	\$ 94,140	\$ 94,140	\$ 78,700	509.72%
Instructional Supplies	\$ 34,438	\$ 24,639	\$ -	\$ -	\$ -	\$ (24,639)	-100.00%
Books Periodicals	\$ 8,403	\$ 15,182	\$ -	\$ -	\$ -	\$ (15,182)	-100.00%
Tech Related Supplies	\$ 361	\$ 1,900	\$ -	\$ -	\$ -	\$ (1,900)	-100.00%
Total Academic Supplies	\$ 63,768	\$ 57,161	\$ 94,140	\$ 94,140	\$ 94,140	\$ 36,979	64.69%
Operations							
Custodial Supplies	\$ 23,138	\$ 13,642	\$ -	\$ -	\$ -	\$ (13,642)	-100.00%
Natural Gas	\$ 60,331	\$ 74,745	\$ -	\$ -	\$ -	\$ (74,745)	-100.00%
Electricity	\$ 30,928	\$ 57,966	\$ -	\$ -	\$ -	\$ (57,966)	-100.00%
Total Operations Supplies	\$ 114,398	\$ 146,353	\$ -	\$ -	\$ -	\$ (146,353)	-100.00%
TOTAL SUPPLIES	\$ 178,165	\$ 203,514	\$ 94,140	\$ 94,140	\$ 94,140	\$ (109,374)	-53.74%
MISCELLANEOUS							
Dues and Fees	\$ 2,594	\$ 3,806	\$ -	\$ -	\$ -	\$ (3,806)	-100.00%
Field Trip Transportation	\$ 10,455	\$ 23,644	\$ -	\$ -	\$ -	\$ (23,644)	-100.00%
TOTAL MISCELLANEOUS	\$ 13,049	\$ 27,450	\$ -	\$ -	\$ -	\$ (27,450)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 333,726	\$ 370,964	\$ 179,534	\$ 179,534	\$ 179,534	\$ (191,431)	-51.60%
TOTAL EXPENDITURES	\$ 6,689,919	\$ 6,660,863	\$ 6,726,565	\$ 6,779,134	\$ 6,757,763	\$ 96,900	1.45%
			\$ 6,495,502	\$ 6,548,071	\$ 6,526,700		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Lincoln Middle

Title Funds		IDEA Funds	
SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries	
Professional Salary	\$ 40,544	Professional Salary	\$ -
Instructional Aide/Asst	\$ 35,000	Instructional Aide/Asst	\$ 70,000
Administration/Regular Support	\$ -	Administration/Regular Support	\$ -
Total Regular Salaries	\$ 75,544	Total Regular Salaries	\$ 70,000
Total Salaries	\$ 75,544	Total Salaries	\$ 70,000
Benefits		Benefits	
Health Insurance	\$ 22,445	Health Insurance	\$ 25,851
Medicare	\$ 1,095	Medicare	\$ 1,015
Retirement	\$ 13,560	Retirement	\$ 12,565
Tuition Reimbursement	\$ -	Tuition Reimbursement	\$ 417
All Other	\$ 2,938	All Other	\$ 5,107
PFML	\$ 175	PFML	\$ 350
Total Benefits	\$ 40,214	Total Benefits	\$ 45,305
TOTAL SALARIES & BENEFITS	\$ 115,758	TOTAL SALARIES & BENEFITS	\$ 115,305

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Longfellow

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 1,896,365	\$1,826,148	\$ 2,025,969	\$ 1,950,098	\$ 1,950,098	\$ 123,950	6.79%
Instructional Aide/Asst	\$ 195,273	\$ 81,214	\$ 296,000	\$ 296,000	\$ 296,000	\$ 214,786	264.47%
Adminstration/Regular Support	\$ 326,453	\$ 360,879	\$ 462,650	\$ 445,818	\$ 445,818	\$ 84,939	23.54%
Total Regular Salaries	\$ 2,418,091	\$2,268,241	\$ 2,784,619	\$ 2,691,915	\$ 2,691,915	\$ 423,674	18.68%
Temporary Salaries							
Temporary Salary	\$ 44,069	\$ 24,794	\$ 22,810	\$ 22,810	\$ 22,810	\$ (1,984)	-8.00%
Tutor	\$ 782	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Substitute	\$ 158,430	\$ 34,634	\$ 38,097	\$ 38,097	\$ 38,097	\$ 3,463	10.00%
Teacher Additional Pay	\$ 15,072	\$ 6,210	\$ 5,713	\$ 5,713	\$ 5,713	\$ (497)	-8.00%
Regular Support Overtime	\$ 9,051	\$ 1,350	\$ 1,242	\$ 1,242	\$ 1,242	\$ (108)	-8.00%
Stipend/Differential	\$ 8,299	\$ 18,439	\$ 12,720	\$ 12,720	\$ 12,720	\$ (5,719)	-31.02%
Stipend-Retirement Sick	\$ 9,924	\$ 17,753	\$ -	\$ -	\$ -	\$ (17,753)	-100.00%
Total Temporary Salaries	\$ 245,627	\$ 103,180	\$ 80,583	\$ 80,583	\$ 80,583	\$ (22,597)	-21.90%
Total Salaries	\$ 2,663,719	\$2,371,421	\$ 2,865,202	\$ 2,772,498	\$ 2,772,498	\$ 401,077	16.91%
Benefits							
Health Insurance	\$ 532,560	\$ 503,552	\$ 686,793	\$ 680,499	\$ 631,751	\$ 128,199	25.46%
Medicare	\$ 36,120	\$ 34,557	\$ 41,527	\$ 40,183	\$ 40,183	\$ 5,626	16.28%
Retirement	\$ 149,548	\$ 115,045	\$ 153,821	\$ 148,725	\$ 148,725	\$ 33,680	29.28%
Tuition Reimbursement	\$ 13,468	\$ 11,539	\$ 12,339	\$ 12,016	\$ 12,016	\$ 477	4.13%
All Other	\$ 16,908	\$ 18,666	\$ 47,325	\$ 44,369	\$ 44,369	\$ 25,703	137.70%
PFML	\$ -	\$ -	\$ 14,326	\$ 3,709	\$ 3,709	\$ 3,709	0.00%
Total Benefits	\$ 748,604	\$ 683,359	\$ 956,132	\$ 929,502	\$ 880,754	\$ 197,395	28.89%
TOTAL SALARIES & BENEFITS	\$ 3,412,323	\$3,054,780	\$ 3,821,334	\$ 3,702,000	\$ 3,653,252	\$ 598,472	19.59%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 1,534	\$ 650	\$ -	\$ -	\$ -	\$ (650)	-100.00%
EBooks & Online Subscriptions	\$ 845	\$ 1,080	\$ -	\$ -	\$ -	\$ (1,080)	-100.00%
Software/Annual Subscription	\$ 7,405	\$ 7,750	\$ -	\$ -	\$ -	\$ (7,750)	-100.00%
Total PreK-12th Contracted Services	\$ 9,789	\$ 9,480	\$ -	\$ -	\$ -	\$ (9,480)	-100.00%
Special Education							
Special Education Contracted Services	\$ 33,241	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total SPED Contracted Services	\$ 33,241	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 8	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Postage	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Phone	\$ 2,350	\$ 1,800	\$ 3,000	\$ 3,000	\$ 3,000	\$ 1,200	66.67%
Photocopying	\$ 5,355	\$ 6,176	\$ 6,337	\$ 6,337	\$ 6,337	\$ 161	2.60%
Total Ops & Comm Contracted Services	\$ 7,713	\$ 8,176	\$ 9,337	\$ 9,337	\$ 9,337	\$ 1,161	14.19%
Insurance & Legal							

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Longfellow

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Insurance - General Liability	\$ 11,768	\$ 14,710	\$ 15,092	\$ 15,092	\$ 15,092	\$ 382	2.60%
Total Ins & Legal Contracted Services	\$ 11,768	\$ 14,710	\$ 15,092	\$ 15,092	\$ 15,092	\$ 382	2.60%
Facilities							
Water	\$ 2,116	\$ 1,351	\$ 1,364	\$ 1,364	\$ 1,364	\$ 13	0.93%
Sewer	\$ 2,509	\$ 4,331	\$ 4,315	\$ 4,315	\$ 4,315	\$ (16)	-0.36%
Waste Disposal Services	\$ 5,953	\$ 4,926	\$ 5,264	\$ 5,264	\$ 5,264	\$ 338	6.86%
Repair and Maintenance Services	\$ 118	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Total Ops & Comm Contracted Services	\$ 10,696	\$ 10,708	\$ 10,943	\$ 10,943	\$ 10,943	\$ 235	2.19%
TOTAL CONTRACTED SERVICES	\$ 73,206	\$ 43,074	\$ 35,372	\$ 35,372	\$ 35,372	\$ (7,702)	-17.88%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 13,530	\$ 76,964	\$ 35,640	\$ 35,640	\$ 35,640	\$ (41,324)	-53.69%
Instructional Supplies	\$ 5,566	\$ 7,198	\$ -	\$ -	\$ -	\$ (7,198)	-100.00%
Books Periodicals	\$ 18,453	\$ 14,528	\$ -	\$ -	\$ -	\$ (14,528)	-100.00%
Tech Related Supplies	\$ 1,223	\$ 3,800	\$ -	\$ -	\$ -	\$ (3,800)	-100.00%
Total Academic Supplies	\$ 38,773	\$ 102,490	\$ 35,640	\$ 35,640	\$ 35,640	\$ (66,850)	-65.23%
Operations							
Custodial Supplies	\$ 9,199	\$ 9,227	\$ -	\$ -	\$ -	\$ (9,227)	-100.00%
Natural Gas	\$ -	\$ 23,529	\$ -	\$ -	\$ -	\$ (23,529)	-100.00%
Electricity	\$ 22,276	\$ 17,083	\$ -	\$ -	\$ -	\$ (17,083)	-100.00%
Bottled Gas	\$ 6,112	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Operations Supplies	\$ 37,588	\$ 49,839	\$ -	\$ -	\$ -	\$ (49,839)	-100.00%
TOTAL SUPPLIES	\$ 76,361	\$ 152,329	\$ 35,640	\$ 35,640	\$ 35,640	\$ (116,689)	-76.60%
MISCELLANEOUS							
Field Trip Transportation	\$ 3,053	\$ 3,341	\$ -	\$ -	\$ -	\$ (3,341)	-100.00%
TOTAL MISCELLANEOUS	\$ 3,053	\$ 3,341	\$ -	\$ -	\$ -	\$ (3,341)	-100.00%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$ -	\$ 101,000	\$ -	\$ -	\$ -	\$ (101,000)	-100.00%
TOTAL CAPITAL EQUIPMENT	\$ -	\$ 101,000	\$ -	\$ -	\$ -	\$ (101,000)	-100.00%
DEBT SERVICE							
Principal	\$ -	\$ 505,225	\$ 436,635	\$ 436,635	\$ 436,635	\$ (68,590)	-13.58%
Interest	\$ 316,667	\$ 327,583	\$ 291,008	\$ 291,008	\$ 291,008	\$ (36,575)	-11.17%
Bond Issuance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL DEBT SERVICE	\$ 316,667	\$ 832,808	\$ 727,643	\$ 727,643	\$ 727,643	\$ (105,165)	-12.63%
TOTAL NON SALARY AND BENEFITS	\$ 469,286	\$1,132,552	\$ 798,655	\$ 798,655	\$ 798,655	\$ (333,897)	-29.48%
TOTAL EXPENDITURES	\$ 3,881,609	\$4,187,332	\$ 4,619,989	\$ 4,500,655	\$ 4,451,907	\$ 264,575	6.32%
			\$ 4,450,374	\$ 4,331,040	\$ 4,282,292		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Longfellow

Title Funds		IDEA Funds		CDS	
SALARIES & BENEFITS		SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries		Regular Salaries	
Professional Salary	\$ 40,544	Professional Salary	\$ -	Professional Salary	\$ -
Instructional Aide/Asst	\$ -	Instructional Aide/Asst	\$ 35,000	Instructional Aide/Asst	\$ 35,000
Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -	dminstration/Regular Support	\$ -
Total Regular Salaries	\$ 40,544	Total Regular Salaries	\$ 35,000	Total Regular Salaries	\$ 35,000
Total Salaries	\$ 40,544	Total Salaries	\$ 35,000	Total Salaries	\$ 35,000
Benefits		Benefits		Benefits	
Health Insurance	\$ 9,519	Health Insurance	\$ 12,925	Health Insurance	\$ 12,925
Medicare	\$ 588	Medicare	\$ 508	Medicare	\$ 508
Retirement	\$ 7,278	Retirement	\$ 6,283	Retirement	\$ 2,279
Tuition Reimbursement	\$ -	Tuition Reimbursement	\$ 209	Tuition Reimbursement	\$ 209
All Other	\$ 385	All Other	\$ 2,553	All Other	\$ 2,553
PFML	\$ -	PFML	\$ 175	PFML	\$ 175
Total Benefits	\$ 17,770	Total Benefits	\$ 22,653	Total Benefits	\$ 18,649
TOTAL SALARIES & BENEFITS	\$ 58,314	TOTAL SALARIES & BENEFITS	\$ 57,653	TOTAL SALARIES & BENEFITS	\$53,649

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Lyseth

	FY25 Finance						
	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
<i>Regular Salaries</i>							
Professional Salary	\$ 3,169,278	\$ 3,087,480	\$ 3,564,823	\$ 3,485,243	\$ 3,485,243	\$ 397,763	12.88%
Instructional Aide/Asst	\$ 449,560	\$ 316,901	\$ 399,600	\$ 399,600	\$ 399,600	\$ 82,699	26.10%
Adminstration/Regular Support	\$ 523,740	\$ 461,911	\$ 529,542	\$ 529,242	\$ 529,242	\$ 67,331	14.58%
Total Regular Salaries	\$ 4,142,578	\$ 3,866,292	\$ 4,493,965	\$ 4,414,085	\$ 4,414,085	\$ 547,793	14.17%
<i>Temporary Salaries</i>							
Temporary Salary	\$ 73,803	\$ 30,205	\$ 27,789	\$ 27,789	\$ 27,789	\$ (2,416)	-8.00%
Tutor	\$ -	\$ 3,605	\$ 3,317	\$ 3,317	\$ 3,317	\$ (288)	-8.00%
Substitute	\$ 135,178	\$ 57,122	\$ 62,834	\$ 62,834	\$ 62,834	\$ 5,712	10.00%
Teacher Additional Pay	\$ 7,290	\$ 976	\$ 898	\$ 898	\$ 898	\$ (78)	-8.00%
Regular Support Overtime	\$ 2,505	\$ 1,350	\$ 1,242	\$ 1,242	\$ 1,242	\$ (108)	-8.00%
Stipend/Differential	\$ 25,844	\$ 27,879	\$ 20,200	\$ 20,200	\$ 20,200	\$ (7,679)	-27.54%
Stipend-Retirement Sick	\$ 54,743	\$ 74,942	\$ -	\$ -	\$ -	\$ (74,942)	-100.00%
Total Temporary Salaries	\$ 299,363	\$ 196,079	\$ 116,279	\$ 116,279	\$ 116,279	\$ (79,800)	-40.70%
Total Salaries	\$ 4,441,941	\$ 4,062,371	\$ 4,610,245	\$ 4,530,364	\$ 4,530,364	\$ 467,994	11.52%
<i>Benefits</i>							
Health Insurance	\$ 893,357	\$ 880,673	\$ 1,104,822	\$ 1,094,696	\$ 1,031,906	\$ 151,233	17.17%
Medicare	\$ 62,331	\$ 58,913	\$ 66,831	\$ 65,672	\$ 65,672	\$ 6,759	11.47%
Retirement	\$ 233,345	\$ 202,416	\$ 239,029	\$ 235,387	\$ 235,387	\$ 32,971	16.29%
Tuition Reimbursement	\$ 18,010	\$ 11,989	\$ 19,371	\$ 19,041	\$ 19,041	\$ 7,052	58.82%
All Other	\$ 27,900	\$ 38,103	\$ 70,856	\$ 67,227	\$ 67,227	\$ 29,124	76.44%
PFML			\$ 23,051	\$ 4,644	\$ 4,644		
Total Benefits	\$ 1,234,943	\$ 1,192,094	\$ 1,523,961	\$ 1,486,668	\$ 1,423,877	\$ 231,783	19.44%
TOTAL SALARIES & BENEFITS	\$ 5,676,884	\$ 5,254,465	\$ 6,134,206	\$ 6,017,032	\$ 5,954,242	\$ 699,777	13.32%
CONTRACTED SERVICES							
<i>PreK - 12th</i>							
Employee Train & Development Services	\$ 948	\$ 1,550	\$ -	\$ -	\$ -	\$ (1,550)	-100.00%
EBooks & Online Subscriptions	\$ 839	\$ 1,197	\$ -	\$ -	\$ -	\$ (1,197)	-100.00%
Software/Annual Subscription	\$ 8,853	\$ 14,354	\$ -	\$ -	\$ -	\$ (14,354)	-100.00%
Staff Travel	\$ 12	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total PreK-12th Contracted Services	\$ 10,651	\$ 17,101	\$ -	\$ -	\$ -	\$ (17,101)	-100.00%
<i>Special Education</i>							
Special Education Contracted Services	\$ 13,818	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total SPED Contracted Services	\$ 13,818	\$ -	\$ -	\$ -	\$ -	\$ -	10.94%
<i>Ops and Comms</i>							
Purchased Prof & Technical Services	\$ 6,935	\$ 4,816	\$ -	\$ -	\$ -	\$ (4,816)	-100.00%
Phone	\$ 2,954	\$ 1,800	\$ 3,600	\$ 3,600	\$ 3,600	\$ 1,800	100.00%
Printing/Binding	\$ 725	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Photocopying	\$ 8,603	\$ 8,504	\$ 8,725	\$ 8,725	\$ 8,725	\$ 221	2.60%
Total Ops & Comm Contracted Services	\$ 19,218	\$ 15,120	\$ 12,325	\$ 12,325	\$ 12,325	\$ (2,795)	-18.48%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Lyseth

	FY25 Finance							
	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24	
Insurance & Legal								
Insurance - General Liability	\$ 13,889	\$ 17,361	\$ 17,812	\$ 17,812	\$ 17,812	\$ 451	2.60%	
Total Ins & Legal Contracted Services	\$ 13,889	\$ 17,361	\$ 17,812	\$ 17,812	\$ 17,812	\$ 451	2.60%	
Facilities								
Water	\$ -	\$ 2,272	\$ 2,292	\$ 2,292	\$ 2,292	\$ 20	0.89%	
Sewer	\$ -	\$ 7,282	\$ 7,254	\$ 7,254	\$ 7,254	\$ (28)	-0.38%	
Waste Disposal Services	\$ 6,982	\$ 7,921	\$ 8,467	\$ 8,467	\$ 8,467	\$ 546	6.89%	
Repair and Maintenance Services	\$ 1,192	\$ 400	\$ -	\$ -	\$ -	\$ (400)	-100.00%	
Total Ops & Comm Contracted Services	\$ 8,174	\$ 17,875	\$ 18,014	\$ 18,014	\$ 18,014	\$ 139	0.78%	
TOTAL CONTRACTED SERVICES	\$ 65,750	\$ 67,457	\$ 48,151	\$ 48,151	\$ 48,151	\$ (19,306)	-28.62%	
SUPPLIES								
Academic								
General Supplies - DISCRETIONARY HOLD	\$ 32,496	\$ 27,826	\$ 66,420	\$ 66,420	\$ 66,420	\$ 38,594	138.70%	
Instructional Supplies	\$ 8,281	\$ 9,620	\$ -	\$ -	\$ -	\$ (9,620)	-100.00%	
Books Periodicals	\$ 29,111	\$ 31,493	\$ -	\$ -	\$ -	\$ (31,493)	-100.00%	
Tech Related Supplies	\$ 36	\$ 6,400	\$ -	\$ -	\$ -	\$ (6,400)	-100.00%	
Total Academic Supplies	\$ 69,923	\$ 75,339	\$ 66,420	\$ 66,420	\$ 66,420	\$ (8,919)	-11.84%	
Operations								
Custodial Supplies	\$ 15,227	\$ 12,238	\$ -	\$ -	\$ -	\$ (12,238)	-100.00%	
Natural Gas	\$ -	\$ 51,689	\$ -	\$ -	\$ -	\$ (51,689)	-100.00%	
Electricity	\$ 28,086	\$ 30,422	\$ -	\$ -	\$ -	\$ (30,422)	-100.00%	
Bottled Gas	\$ 150	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%	
Total Operations Supplies	\$ 43,462	\$ 94,349	\$ -	\$ -	\$ -	\$ (94,349)	-100.00%	
TOTAL SUPPLIES	\$ 113,386	\$ 169,688	\$ 66,420	\$ 66,420	\$ 66,420	\$ (103,268)	-60.86%	
MISCELLANEOUS								
Dues and Fees	\$ 75	\$ 1,350	\$ -	\$ -	\$ -	\$ (1,350)	-100.00%	
Field Trip Transportation	\$ 5,724	\$ 5,496	\$ -	\$ -	\$ -	\$ (5,496)	-100.00%	
Miscellaneous Expenditures	\$ 1,795	\$ 7,262	\$ 7,451	\$ 7,451	\$ 7,451	\$ 189	2.60%	
TOTAL MISCELLANEOUS	\$ 7,594	\$ 14,108	\$ 7,451	\$ 7,451	\$ 7,451	\$ (6,657)	-47.19%	
DEBT SERVICE								
Principal	\$ 755,062	\$ 757,691	\$ 757,691	\$ 757,691	\$ 757,691	\$ 0	0.00%	
Interest	\$ 491,305	\$ 455,436	\$ 417,551	\$ 417,551	\$ 417,551	\$ (37,885)	-8.32%	
TOTAL DEBT SERVICE	\$ 1,246,367	\$ 1,213,127	\$ 1,175,242	\$ 1,175,242	\$ 1,175,242	\$ (37,885)	-3.12%	
TOTAL NON SALARY AND BENEFITS	\$ 1,433,096	\$ 1,464,380	\$ 1,297,264	\$ 1,297,264	\$ 1,297,264	\$ (167,116)	-11.41%	
TOTAL EXPENDITURES	\$ 7,109,981	\$ 6,718,845	\$ 7,431,470	\$ 7,314,296	\$ 7,251,506	\$ 532,661	7.93%	
			\$ 7,080,567	\$ 6,963,393	\$ 6,900,603			

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Lyseth

Title Funds		IDEA Funds		CDS	
SALARIES & BENEFITS		SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries		Regular Salaries	
Professional Salary	\$ 129,288	Professional Salary	\$ -	Professional Salary	\$ -
Instructional Aide/Asst	\$ -	Instructional Aide/Asst	\$ 35,000	Instructional Aide/Asst	\$ 70,000
Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -
Total Regular Salaries	\$ 129,288	Total Regular Salaries	\$ 35,000	Total Regular Salaries	\$ 70,000
Total Salaries	\$ 129,288	Total Salaries	\$ 35,000	Total Salaries	\$ 70,000
Benefits		Benefits		Benefits	
Health Insurance	\$ 30,355	Health Insurance	\$ 12,925	Health Insurance	\$ 25,851
Medicare	\$ 1,875	Medicare	\$ 508	Medicare	\$ 1,015
Retirement	\$ 23,207	Retirement	\$ 6,283	Retirement	\$ 4,557
Tuition Reimbursement	\$ -	Tuition Reimbursement	\$ 209	Tuition Reimbursement	\$ 417
All Other	\$ 1,228	All Other	\$ 2,553	All Other	\$ 5,107
PFML	\$ -	PFML	\$ 175	PFML	\$ 350
Total Benefits	\$ 56,665	Total Benefits	\$ 22,653	Total Benefits	\$ 37,297
TOTAL SALARIES & BENEFITS	\$ 185,953	TOTAL SALARIES & BENEFITS	\$ 57,653	TOTAL SALARIES & BENEFITS	\$107,297

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Moore Middle

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 4,125,899	\$ 4,239,152	\$ 3,825,897	\$ 3,900,968	\$ 3,870,968	\$ (368,184)	-8.69%
Instructional Aide/Asst	\$ 754,464	\$ 700,011	\$ 602,982	\$ 732,600	\$ 732,600	\$ 32,589	4.66%
Adminstration/Regular Support	\$ 624,865	\$ 588,376	\$ 551,836	\$ 567,772	\$ 567,772	\$ (20,604)	-3.50%
Total Regular Salaries	\$ 5,505,227	\$ 5,527,539	\$ 4,980,715	\$ 5,201,340	\$ 5,171,340	\$ (356,199)	-6.44%
Temporary Salaries							
Temporary Salary	\$ 4,072	\$ 5,181	\$ 4,767	\$ 4,767	\$ 4,767	\$ (414)	-8.00%
Substitute	\$ 134,931	\$ 74,615	\$ 82,077	\$ 82,077	\$ 82,077	\$ 7,462	10.00%
Teacher Additional Pay	\$ 1,559	\$ 380	\$ 350	\$ 350	\$ 350	\$ (30)	-8.00%
Regular Support Overtime	\$ 10,227	\$ 1,350	\$ 1,242	\$ 1,242	\$ 1,242	\$ (108)	-8.00%
Stipend/Differential	\$ 149,957	\$ 133,066	\$ 108,218	\$ 108,218	\$ 108,218	\$ (24,848)	-18.67%
Stipend-Retirement Sick	\$ -	\$ 45,551	\$ -	\$ -	\$ -	\$ (45,551)	-100.00%
Total Temporary Salaries	\$ 300,746	\$ 260,143	\$ 196,653	\$ 196,653	\$ 196,653	\$ (63,490)	-24.41%
Total Salaries	\$ 5,805,974	\$ 5,787,682	\$ 5,177,368	\$ 5,397,993	\$ 5,367,993	\$ (419,689)	-7.25%
Benefits							
Health Insurance	\$ 1,413,862	\$ 1,322,870	\$ 1,248,947	\$ 1,237,500	\$ 1,250,445	\$ (72,425)	-5.47%
Medicare	\$ 83,139	\$ 84,306	\$ 75,054	\$ 78,253	\$ 77,818	\$ (6,488)	-7.70%
Retirement	\$ 295,849	\$ 281,980	\$ 270,999	\$ 284,408	\$ 283,046	\$ 1,066	0.38%
Tuition Reimbursement	\$ 10,974	\$ 16,783	\$ 21,676	\$ 22,768	\$ 22,644	\$ 5,861	34.92%
All Other	\$ 42,988	\$ 48,779	\$ 88,631	\$ 95,070	\$ 94,796	\$ 46,017	94.34%
PFML	\$ -	\$ -	\$ 25,887	\$ 6,502	\$ 6,502	\$ 6,502	0.00%
Total Benefits	\$ 1,846,811	\$ 1,754,718	\$ 1,731,193	\$ 1,724,501	\$ 1,735,251	\$ (19,467)	-1.11%
TOTAL SALARIES & BENEFITS	\$ 7,652,785	\$ 7,542,400	\$ 6,908,561	\$ 7,122,494	\$ 7,103,244	\$ (439,156)	-5.82%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 1,544	\$ 5,750	\$ -	\$ -	\$ -	\$ (5,750)	-100.00%
EBooks & Online Subscriptions	\$ 1,544	\$ 6,444	\$ -	\$ -	\$ -	\$ (6,444)	-100.00%
Software/Annual Subscription	\$ 13,719	\$ 17,324	\$ -	\$ -	\$ -	\$ (17,324)	-100.00%
Staff Travel	\$ 34	\$ 1,221	\$ -	\$ -	\$ -	\$ (1,221)	-100.00%
Total PreK-12th Contracted Services	\$ 16,840	\$ 30,740	\$ -	\$ -	\$ -	\$ (30,740)	-100.00%
Special Education							
Special Education Contracted Services	\$ 21,833	\$ 10,175	\$ 10,440	\$ 10,440	\$ 10,440	\$ 265	2.60%
Total SPED Contracted Services	\$ 21,833	\$ 10,175	\$ 10,440	\$ 10,440	\$ 10,440	\$ 265	2.60%
Ops and Comms							
Purchased Prof & Technical Services	\$ 17,346	\$ 16,731	\$ -	\$ -	\$ -	\$ (16,731)	-100.00%
Other Professional Services	\$ 84,028	\$ 41,000	\$ -	\$ -	\$ -	\$ (41,000)	-100.00%
Postage	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Phone	\$ 2,778	\$ 1,800	\$ 4,200	\$ 4,200	\$ 4,200	\$ 2,400	133.33%
Photocopying	\$ 11,139	\$ 10,882	\$ 11,165	\$ 11,165	\$ 11,165	\$ 283	2.60%
Total Ops & Comm Contracted Services	\$ 115,291	\$ 71,413	\$ 15,365	\$ 15,365	\$ 15,365	\$ (56,048)	-78.48%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Moore Middle

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
Insurance & Legal							
Insurance - General Liability	\$ 28,733	\$ 35,916	\$ 36,850	\$ 36,850	\$ 36,850	\$ 934	2.60%
Total Ins & Legal Contracted Services	\$ 28,733	\$ 35,916	\$ 36,850	\$ 36,850	\$ 36,850	\$ 934	2.60%
Facilities							
Water	\$ 9,105	\$ 3,707	\$ 3,742	\$ 3,742	\$ 3,742	\$ 35	0.94%
Sewer	\$ 16,064	\$ 11,881	\$ 11,842	\$ 11,842	\$ 11,842	\$ (39)	-0.33%
Waste Disposal Services	\$ 6,165	\$ 5,032	\$ 5,382	\$ 5,382	\$ 5,382	\$ 350	6.95%
Repair and Maintenance Services	\$ -	\$ 1,300	\$ -	\$ -	\$ -	\$ (1,300)	-100.00%
Rentals	\$ -	\$ 18,700	\$ -	\$ -	\$ -	\$ (18,700)	-100.00%
Total Ops & Comm Contracted Services	\$ 31,335	\$ 40,620	\$ 20,966	\$ 20,966	\$ 20,966	\$ (19,654)	-48.39%
Transportation							
Student Transportation Purchase/Private (Sped OOD and Homeless)	\$ 15,537	\$ 3,500	\$ 3,591	\$ 3,591	\$ 3,591	\$ 91	2.60%
Total Transport Contracted Services	\$ 15,537	\$ 3,500	\$ 3,591	\$ 3,591	\$ 3,591	\$ 91	2.60%
TOTAL CONTRACTED SERVICES	\$ 229,568	\$ 192,364	\$ 87,211	\$ 87,211	\$ 87,211	\$ (105,153)	-54.66%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 55,055	\$ 55,655	\$ 104,345	\$ 104,345	\$ 104,345	\$ 48,690	87.49%
Instructional Supplies	\$ 12,915	\$ 19,087	\$ -	\$ -	\$ -	\$ (19,087)	-100.00%
Books Periodicals	\$ 11,388	\$ 11,132	\$ -	\$ -	\$ -	\$ (11,132)	-100.00%
Tech Related Supplies	\$ 7,546	\$ 9,632	\$ -	\$ -	\$ -	\$ (9,632)	-100.00%
Total Academic Supplies	\$ 86,904	\$ 95,506	\$ 104,345	\$ 104,345	\$ 104,345	\$ 8,839	9.25%
Operations							
Custodial Supplies	\$ 12,920	\$ 13,642	\$ -	\$ -	\$ -	\$ (13,642)	-100.00%
Natural Gas	\$ 97,906	\$ 84,337	\$ -	\$ -	\$ -	\$ (84,337)	-100.00%
Electricity	\$ 35,073	\$ 51,344	\$ -	\$ -	\$ -	\$ (51,344)	-100.00%
Bottled Gas	\$ 854	\$ 918	\$ -	\$ -	\$ -	\$ (918)	-100.00%
Total Operations Supplies	\$ 146,753	\$ 150,241	\$ -	\$ -	\$ -	\$ (150,241)	-100.00%
TOTAL SUPPLIES	\$ 233,657	\$ 245,747	\$ 104,345	\$ 104,345	\$ 104,345	\$ (141,402)	-57.54%
MISCELLANEOUS							
Dues and Fees	\$ 2,303	\$ 6,900	\$ -	\$ -	\$ -	\$ (6,900)	-100.00%
Field Trip Transportation	\$ 32,647	\$ 39,430	\$ -	\$ -	\$ -	\$ (39,430)	-100.00%
Miscellaneous Expenditures	\$ 1,709	\$ 332	\$ -	\$ -	\$ -	\$ (332)	-100.00%
TOTAL MISCELLANEOUS	\$ 36,659	\$ 46,662	\$ -	\$ -	\$ -	\$ (46,662)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 499,884	\$ 484,773	\$ 191,556	\$ 191,556	\$ 191,556	\$ (293,217)	-60.49%
TOTAL EXPENDITURES	\$8,152,669	\$8,027,173	\$ 7,100,117	\$ 7,314,050	\$ 7,294,800	\$ (732,373)	-9.12%
			\$ 6,811,401	\$ 7,025,334	\$ 7,006,084		

Portland Public Schools
 FY2025 Expenditure Summary
 Board of Education Recommended Budget
 April 9, 2024

Moore Middle

Title Funds		IDEA Funds	
SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries	
Professional Salary	\$ 40,544	Professional Salary	\$ -
Instructional Aide/Asst	\$ 35,000	Instructional Aide/Asst	\$ 105,000
Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -
Total Regular Salaries	\$ 75,544	Total Regular Salaries	\$ 105,000
Total Salaries	\$ 75,544	Total Salaries	\$ 105,000
Benefits		Benefits	
Health Insurance	\$ 22,445	Health Insurance	\$ 38,776
Medicare	\$ 1,095	Medicare	\$ 1,523
Retirement	\$ 13,560	Retirement	\$ 18,848
Tuition Reimbursement	\$ -	Tuition Reimbursement	\$ 626
All Other	\$ 2,938	All Other	\$ 7,660
PFML	\$ 175	PFML	\$ 525
Total Benefits	\$ 40,214	Total Benefits	\$ 67,958
TOTAL SALARIES & BENEFITS	\$ 115,758	TOTAL SALARIES & BENEFITS	\$ 172,958

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Ocean Ave

	FY25 Finance						
	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 2,737,781	\$ 2,757,946	\$ 3,069,409	\$ 3,065,160	\$ 3,065,160	\$ 307,214	11.14%
Instructional Aide/Asst	\$ 678,422	\$ 664,738	\$ 693,750	\$ 695,600	\$ 695,600	\$ 30,862	4.64%
Adminstration/Regular Support	\$ 548,629	\$ 540,107	\$ 561,844	\$ 577,780	\$ 577,780	\$ 37,673	6.98%
Total Regular Salaries	\$ 3,964,832	\$ 3,962,791	\$ 4,325,003	\$ 4,338,540	\$ 4,338,540	\$ 375,749	9.48%
Temporary Salaries							
Temporary Salary	\$ 43,636	\$ 34,232	\$ 31,493	\$ 31,493	\$ 31,493	\$ (2,739)	-8.00%
Tutor	\$ 272	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Substitute	\$ 85,527	\$ 60,641	\$ 66,705	\$ 66,705	\$ 66,705	\$ 6,064	10.00%
Teacher Additional Pay	\$ 9,571	\$ 4,514	\$ 4,153	\$ 4,153	\$ 4,153	\$ (361)	-8.00%
Regular Support Overtime	\$ 14,137	\$ 2,370	\$ 2,180	\$ 2,180	\$ 2,180	\$ (190)	-8.00%
Stipend/Differential	\$ 20,976	\$ 26,005	\$ 17,960	\$ 17,960	\$ 17,960	\$ (8,045)	-30.94%
Stipend-Retirement Sick	\$ 16,963	\$ 20,485	\$ -	\$ -	\$ -	\$ (20,485)	-100.00%
Total Temporary Salaries	\$ 191,083	\$ 148,247	\$ 122,492	\$ 122,492	\$ 122,492	\$ (25,755)	-17.37%
Total Salaries	\$ 4,155,915	\$ 4,111,038	\$ 4,447,495	\$ 4,461,032	\$ 4,461,032	\$ 349,994	8.51%
Benefits							
Health Insurance	\$ 971,656	\$ 1,030,769	\$ 1,105,946	\$ 1,095,810	\$ 1,056,040	\$ 25,271	2.45%
Medicare	\$ 56,885	\$ 59,903	\$ 64,457	\$ 64,653	\$ 64,653	\$ 4,750	7.93%
Retirement	\$ 220,915	\$ 203,068	\$ 239,109	\$ 240,599	\$ 240,599	\$ 37,531	18.48%
Tuition Reimbursement	\$ 24,309	\$ 8,833	\$ 19,089	\$ 19,090	\$ 19,090	\$ 10,257	116.13%
All Other	\$ 28,738	\$ 36,722	\$ 88,270	\$ 85,061	\$ 85,061	\$ 48,339	131.63%
PFML	\$ -	\$ -	\$ 22,237	\$ 6,367	\$ 6,367	\$ 6,367	0.00%
Total Benefits	\$ 1,302,503	\$ 1,339,295	\$ 1,539,108	\$ 1,511,581	\$ 1,471,811	\$ 132,516	9.89%
TOTAL SALARIES & BENEFITS	\$ 5,458,418	\$ 5,450,333	\$ 5,986,603	\$ 5,972,613	\$ 5,932,843	\$ 482,510	8.85%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 2,909	\$ 11,340	\$ -	\$ -	\$ -	\$ (11,340)	-100.00%
EBooks & Online Subscriptions	\$ 498	\$ 140	\$ -	\$ -	\$ -	\$ (140)	-100.00%
Software/Annual Subscription	\$ 7,772	\$ 8,568	\$ -	\$ -	\$ -	\$ (8,568)	-100.00%
Staff Travel	\$ 868	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total PreK-12th Contracted Services	\$ 12,046	\$ 20,048	\$ -	\$ -	\$ -	\$ (20,048)	-100.00%
Special Education							
Special Education Contracted Services	\$ 58,554	\$ 922	\$ -	\$ -	\$ -	\$ (922)	-100.00%
Total SPED Contracted Services	\$ 58,554	\$ 922	\$ -	\$ -	\$ -	\$ (922)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 16,093	\$ 16,036	\$ -	\$ -	\$ -	\$ (16,036)	-100.00%
Postage	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Phone	\$ 2,325	\$ 1,800	\$ 3,300	\$ 3,300	\$ 3,300	\$ 1,500	83.33%
Photocopying	\$ 6,530	\$ 6,196	\$ 6,357	\$ 6,357	\$ 6,357	\$ 161	2.60%
Total Ops & Comm Contracted Services	\$ 24,949	\$ 24,132	\$ 9,657	\$ 9,657	\$ 9,657	\$ (14,475)	-59.98%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Ocean Ave

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Insurance & Legal							
Insurance - General Liability	\$ 19,348	\$ 24,185	\$ 24,814	\$ 24,814	\$ 24,814	\$ 629	2.60%
Total Ins & Legal Contracted Services	\$ 19,348	\$ 24,185	\$ 24,814	\$ 24,814	\$ 24,814	\$ 629	2.60%
Facilities							
Water	\$ 2,294	\$ 1,597	\$ 1,613	\$ 1,613	\$ 1,613	\$ 16	0.99%
Sewer	\$ 3,887	\$ 5,119	\$ 5,104	\$ 5,104	\$ 5,104	\$ (15)	-0.30%
Waste Disposal Services	\$ 5,478	\$ 5,382	\$ 5,759	\$ 5,759	\$ 5,759	\$ 377	7.00%
Repair and Maintenance Services	\$ 379	\$ 399	\$ -	\$ -	\$ -	\$ (399)	-100.00%
Total Ops & Comm Contracted Services	\$ 12,038	\$ 12,497	\$ 12,475	\$ 12,475	\$ 12,475	\$ (22)	-0.17%
TOTAL CONTRACTED SERVICES	\$ 128,665	\$ 81,784	\$ 46,946	\$ 46,946	\$ 46,946	\$ (34,838)	-42.60%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 28,150	\$ 29,929	\$ 46,035	\$ 46,035	\$ 46,035	\$ 16,106	53.82%
Instructional Supplies	\$ 8,654	\$ 7,629	\$ -	\$ -	\$ -	\$ (7,629)	-100.00%
Books Periodicals	\$ 37,299	\$ 15,492	\$ -	\$ -	\$ -	\$ (15,492)	-100.00%
Tech Related Supplies	\$ 100	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Software Licenses	\$ -	\$ 135	\$ -	\$ -	\$ -	\$ (135)	-100.00%
Total Academic Supplies	\$ 74,203	\$ 53,185	\$ 46,035	\$ 46,035	\$ 46,035	\$ (7,150)	-13.44%
Operations							
Custodial Supplies	\$ 16,206	\$ 14,043	\$ -	\$ -	\$ -	\$ (14,043)	-100.00%
Natural Gas	\$ 27,129	\$ 39,556	\$ -	\$ -	\$ -	\$ (39,556)	-100.00%
Electricity	\$ 31,034	\$ 55,758	\$ -	\$ -	\$ -	\$ (55,758)	-100.00%
Total Operations Supplies	\$ 74,369	\$ 109,357	\$ -	\$ -	\$ -	\$ (109,357)	-100.00%
TOTAL SUPPLIES	\$ 148,572	\$ 162,542	\$ 46,035	\$ 46,035	\$ 46,035	\$ (116,507)	-71.68%
MISCELLANEOUS							
Dues and Fees	\$ 9,254	\$ 9,437	\$ -	\$ -	\$ -	\$ (9,437)	-100.00%
Field Trip Transportation	\$ 1,722	\$ 4,511	\$ -	\$ -	\$ -	\$ (4,511)	-100.00%
TOTAL MISCELLANEOUS	\$ 10,976	\$ 13,948	\$ -	\$ -	\$ -	\$ (13,948)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 288,212	\$ 258,274	\$ 92,981	\$ 92,981	\$ 92,981	\$ (165,293)	-64.00%
TOTAL EXPENDITURES	\$ 5,746,630	\$ 5,708,607	\$ 6,079,584	\$ 6,065,594	\$ 6,025,824	\$ 317,217	5.56%
			\$ 5,738,525	\$ 5,724,535	\$ 5,684,765		

Portland Public Schools
 FY2025 Expenditure Summary
 Board of Education Recommended Budget
 April 9, 2024

Ocean Ave

Title Funds		IDEA Funds	
SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries	
Professional Salary	\$ 116,876	Professional Salary	\$ -
Instructional Aide/Asst	\$ -	Instructional Aide/Asst	\$ 105,000
Administration/Regular Support	\$ -	Administration/Regular Support	\$ -
Total Regular Salaries	\$ 116,876	Total Regular Salaries	\$ 105,000
Total Salaries	\$ 116,876	Total Salaries	\$ 105,000
Benefits		Benefits	
Health Insurance	\$ 27,441	Health Insurance	\$ 38,776
Medicare	\$ 1,695	Medicare	\$ 1,523
Retirement	\$ 20,979	Retirement	\$ 18,848
Tuition Reimbursement	\$ -	Tuition Reimbursement	\$ 626
All Other	\$ 1,110	All Other	\$ 7,660
PFML	\$ -	PFML	\$ 525
Total Benefits	\$ 51,225	Total Benefits	\$ 67,958
TOTAL SALARIES & BENEFITS	\$ 168,101	TOTAL SALARIES & BENEFITS	\$ 172,958

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

PATHS

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 1,600,365	\$ 1,639,429	\$ 1,692,053	\$ 1,741,237	\$ 1,741,237	\$ 101,808	6.21%
Instructional Aide/Asst	\$ 175,492	\$ 238,991	\$ 185,000	\$ 185,000	\$ 185,000	\$ (53,991)	-22.59%
Adminstration/Regular Support	\$ 522,003	\$ 555,776	\$ 591,446	\$ 548,708	\$ 548,708	\$ (7,068)	-1.27%
Total Regular Salaries	\$ 2,297,859	\$ 2,434,196	\$ 2,468,499	\$ 2,474,945	\$ 2,474,945	\$ 40,749	1.67%
Temporary Salaries							
Temporary Salary	\$ 1,991	\$ 3,035	\$ 2,792	\$ 2,792	\$ 2,792	\$ (243)	-8.00%
Substitute	\$ 42,445	\$ 18,516	\$ 10,000	\$ 10,000	\$ 10,000	\$ (8,516)	-45.99%
Teacher Additional Pay	\$ 1,197	\$ 6,023	\$ 1,200	\$ 1,200	\$ 1,200	\$ (4,823)	-80.08%
Regular Support Overtime	\$ 15,188	\$ 1,680	\$ 1,546	\$ 1,546	\$ 1,546	\$ (134)	-8.00%
Stipend/Differential	\$ 56,784	\$ 65,995	\$ 12,000	\$ 12,000	\$ 12,000	\$ (53,995)	-81.82%
Stipend-Retirement Sick	\$ 19,786	\$ 31,041	\$ -	\$ -	\$ -	\$ (31,041)	-100.00%
Total Temporary Salaries	\$ 137,391	\$ 126,290	\$ 27,538	\$ 27,538	\$ 27,538	\$ (98,752)	-78.19%
Total Salaries	\$ 2,435,250	\$ 2,560,486	\$ 2,496,038	\$ 2,502,482	\$ 2,502,482	\$ (58,004)	-2.27%
Benefits							
Health Insurance	\$ 538,221	\$ 531,655	\$ 620,573	\$ 620,573	\$ 615,647	\$ 83,992	15.80%
Medicare	\$ 35,646	\$ 37,225	\$ 37,259	\$ 37,259	\$ 37,259	\$ 34	0.09%
Retirement	\$ 125,362	\$ 145,869	\$ 148,812	\$ 148,812	\$ 148,812	\$ 2,943	2.02%
Tuition Reimbursement	\$ 6,073	\$ 12,492	\$ 9,570	\$ 9,570	\$ 9,570	\$ (2,922)	-23.39%
All Other	\$ 15,612	\$ 21,094	\$ 41,102	\$ 41,102	\$ 41,102	\$ 20,008	94.85%
PFML			\$ 12,555	\$ 3,669	\$ 3,669		
Total Benefits	\$ 720,915	\$ 748,335	\$ 869,871	\$ 860,985	\$ 856,059	\$ 107,724	14.40%
TOTAL SALARIES & BENEFITS	\$ 3,156,165	\$ 3,308,821	\$ 3,365,909	\$ 3,363,467	\$ 3,358,541	\$ 49,720	1.50%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 13,375	\$ 6,746	\$ 6,206	\$ 6,206	\$ 6,206	\$ (540)	-8.00%
EBooks & Online Subscriptions	\$ 30,776	\$ 36,544	\$ 33,620	\$ 33,620	\$ 33,620	\$ (2,924)	-8.00%
Software/Annual Subscription	\$ 9,020	\$ 15,607	\$ 14,358	\$ 14,358	\$ 14,358	\$ (1,249)	-8.00%
Staff Travel	\$ 6,259	\$ 1,000	\$ 920	\$ 920	\$ 920	\$ (80)	-8.00%
Total PreK-12th Contracted Services	\$ 59,429	\$ 59,897	\$ 55,104	\$ 55,105	\$ 55,105	\$ (4,792)	-8.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 44,193	\$ 52,703	\$ 30,000	\$ 30,000	\$ 30,000	\$ (22,703)	-43.08%
Postage	\$ 120	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Phone	\$ 1,300	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ -	0.00%
Internet Connectivity	\$ 3,183	\$ 5,970	\$ 3,000	\$ 3,000	\$ 3,000	\$ (2,970)	-49.75%
Printing/Binding	\$ 3,851	\$ 4,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ (2,000)	-50.00%
Photocopying	\$ 14,046	\$ 5,900	\$ 6,053	\$ 6,053	\$ 6,053	\$ 153	2.60%
Total Ops & Comm Contracted Services	\$ 66,693	\$ 69,773	\$ 42,253	\$ 42,253	\$ 42,253	\$ (27,520)	-39.44%
Insurance & Legal							
Insurance - General Liability	\$ 46,043	\$ 57,554	\$ 59,050	\$ 59,050	\$ 59,050	\$ 1,496	2.60%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

PATHS

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total Ins & Legal Contracted Services	\$ 46,043	\$ 57,554	\$ 59,050	\$ 59,050	\$ 59,050	\$ 1,496	2.60%
Facilities							
Water	\$ 4,948	\$ 3,385	\$ 3,385	\$ 3,385	\$ 3,385	\$ 0	0.00%
Sewer	\$ 15,458	\$ 10,852	\$ 10,852	\$ 10,852	\$ 10,852	\$ -	0.00%
Waste Disposal Services	\$ 12,271	\$ 8,837	\$ 8,837	\$ 8,837	\$ 8,837	\$ -	0.00%
Repair and Maintenance Services	\$ 14,540	\$ 20,000	\$ -	\$ -	\$ -	\$ (20,000)	-100.00%
Rentals	\$ 1,264	\$ 2,631	\$ 2,699	\$ 2,699	\$ 2,699	\$ 68	2.60%
Total Ops & Comm Contracted Services	\$ 48,480	\$ 45,705	\$ 25,773	\$ 25,773	\$ 25,773	\$ (19,932)	-43.61%
TOTAL CONTRACTED SERVICES	\$ 220,645	\$ 232,929	\$ 182,180	\$ 182,182	\$ 182,182	\$ (50,747)	-21.79%
SUPPLIES							
Academic							
General Supplies	\$ 36,071	\$ 27,370	\$ 30,000	\$ 30,000	\$ 30,000	\$ 2,630	9.61%
Instructional Supplies	\$ 190,509	\$ 154,374	\$ 120,000	\$ 120,000	\$ 120,000	\$ (34,374)	-22.27%
Books Periodicals	\$ 4,353	\$ 17,150	\$ 10,000	\$ 10,000	\$ 10,000	\$ (7,150)	-41.69%
CTE Minor Equipment	\$ 36,759	\$ 80,889	\$ 80,000	\$ 80,000	\$ 80,000	\$ (889)	-1.10%
Total Academic Supplies	\$ 267,693	\$ 279,784	\$ 240,000	\$ 240,000	\$ 240,000	\$ (39,784)	-14.22%
Operations							
Custodial Supplies	\$ 27,977	\$ 21,059	\$ 21,059	\$ 21,059	\$ 21,059	\$ -	0.00%
Natural Gas	\$ 83,036	\$ 84,513	\$ 84,513	\$ 84,513	\$ 84,513	\$ -	0.00%
Electricity	\$ 78,220	\$ 109,022	\$ 109,022	\$ 109,022	\$ 109,022	\$ -	0.00%
Bottled Gas	\$ 591	\$ 3,240	\$ 3,240	\$ 3,240	\$ 3,240	\$ -	0.00%
Oil	\$ 33,021	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ -	0.00%
Total Operations Supplies	\$ 222,844	\$ 241,834	\$ 241,834	\$ 241,834	\$ 241,834	\$ -	0.00%
TOTAL SUPPLIES	\$ 490,537	\$ 521,618	\$ 481,834	\$ 481,834	\$ 481,834	\$ (39,784)	-7.63%
MISCELLANEOUS							
Dues and Fees	\$ 11,828	\$ 16,425	\$ 15,130	\$ 15,130	\$ 15,130	\$ (1,295)	-7.88%
Field Trip Transportation	\$ 9,194	\$ 15,027	\$ 10,000	\$ 10,000	\$ 10,000	\$ (5,027)	-33.45%
Miscellaneous Expenditures	\$ 4,080	\$ 7,798	\$ 4,000	\$ 4,000	\$ 4,000	\$ (3,798)	-48.70%
TOTAL MISCELLANEOUS	\$ 25,102	\$ 39,250	\$ 29,130	\$ 29,130	\$ 29,130	\$ (10,120)	-25.78%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$ 26,700	\$ 69,300	\$ 25,000	\$ 25,000	\$ 25,000	\$ (44,300)	-63.92%
Equipment Less Than \$10,000	\$ 44,991	\$ 20,910	\$ 30,000	\$ 30,000	\$ 30,000	\$ 9,090	43.47%
TOTAL CAPITAL EQUIPMENT	\$ 71,691	\$ 90,210	\$ 55,000	\$ 55,000	\$ 55,000	\$ (35,210)	-39.03%
TOTAL NON SALARY AND BENEFITS	\$ 807,976	\$ 884,007	\$ 748,144	\$ 748,146	\$ 748,146	\$ (135,860)	-15.37%
TOTAL EXPENDITURES	\$3,964,141	\$4,192,828	\$ 4,157,284	\$ 4,123,769	\$ 4,118,843	\$ (73,985)	-1.76%
NON LOCAL EXPENSES - PERKINS GRANT							

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

PATHS

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Professional Salary			\$ 163,731	\$ 163,731	\$ 163,731		
Instructional Supplies			\$ 120,000	\$ 120,000	\$ 120,000		
General Supplies			\$ 30,000	\$ 30,000	\$ 30,000		
Equipment Greater Than \$10,000			\$ 25,000	\$ 25,000	\$ 25,000		
Equipment Less Than \$10,000			\$ 30,000	\$ 30,000	\$ 30,000		
Dues and Fees			\$ 15,130	\$ 15,130	\$ 15,130		
Field Trip Transportation			\$ 10,000	\$ 10,000	\$ 10,000		
Miscellaneous Expenditures			\$ 4,000	\$ 4,000	\$ 4,000		
TOTAL NON LOCAL - PERKINS GRANT			\$ 395,861	\$ 397,861	\$ 397,861		
			\$ 3,761,423	\$ 3,725,908	\$ 3,720,982		

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Peaks Island

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 521,844	\$ 477,462	\$ 770,720	\$ 719,902	\$ 719,902	\$ 242,440	50.78%
Instructional Aide/Asst	\$ 54,874	\$ 67,902	\$ 111,000	\$ 74,000	\$ 74,000	\$ 6,098	8.98%
Adminstration/Regular Support	\$ 121,202	\$ 136,924	\$ 113,585	\$ 113,585	\$ 113,585	\$ (23,339)	-17.04%
Total Regular Salaries	\$ 697,920	\$ 682,288	\$ 995,305	\$ 907,487	\$ 907,487	\$ 225,199	33.01%
Temporary Salaries							
Temporary Salary	\$ 520	\$ 1,565	\$ 1,440	\$ 1,440	\$ 1,440	\$ (125)	-8.00%
Substitute	\$ 79,190	\$ 11,723	\$ 12,895	\$ 12,895	\$ 12,895	\$ 1,172	10.00%
Teacher Additional Pay	\$ 7,960	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Regular Support Overtime	\$ -	\$ 340	\$ 313	\$ 313	\$ 313	\$ (27)	-8.00%
Stipend/Differential	\$ 18,741	\$ 18,639	\$ 17,240	\$ 17,240	\$ 17,240	\$ (1,399)	-7.51%
Stipend-Retirement Sick	\$ -	\$ 5,111	\$ -	\$ -	\$ -	\$ (5,111)	-100.00%
Total Temporary Salaries	\$ 106,411	\$ 37,378	\$ 31,888	\$ 31,888	\$ 31,888	\$ (5,490)	-14.69%
Total Salaries	\$ 804,332	\$ 719,666	\$ 1,027,193	\$ 939,375	\$ 939,375	\$ 219,709	30.53%
Benefits							
Health Insurance	\$ 128,789	\$ 134,359	\$ 253,354	\$ 251,032	\$ 216,431	\$ 82,072	61.08%
Medicare	\$ 11,596	\$ 10,493	\$ 14,890	\$ 13,616	\$ 13,616	\$ 3,123	29.77%
Retirement	\$ 44,729	\$ 36,401	\$ 55,140	\$ 50,424	\$ 50,424	\$ 14,023	38.52%
Tuition Reimbursement	\$ 5,183	\$ 5,678	\$ 3,919	\$ 3,487	\$ 3,487	\$ (2,191)	-38.58%
All Other	\$ 4,474	\$ 6,068	\$ 17,725	\$ 13,948	\$ 13,948	\$ 7,880	129.86%
PFML	\$ -	\$ -	\$ 5,136	\$ 938	\$ 938	\$ 938	0.00%
Total Benefits	\$ 194,771	\$ 192,999	\$ 350,162	\$ 333,445	\$ 298,844	\$ 105,845	54.84%
TOTAL SALARIES & BENEFITS	\$ 999,102	\$ 912,665	\$ 1,377,356	\$ 1,272,820	\$ 1,238,219	\$ 325,554	35.67%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
EBooks & Online Subscriptions	\$ 40	\$ 400	\$ -	\$ -	\$ -	\$ (400)	-100.00%
Software/Annual Subscription	\$ -	\$ 722	\$ -	\$ -	\$ -	\$ (722)	-100.00%
Staff Travel	\$ 39,671	\$ 46,500	\$ 42,780	\$ 42,780	\$ 42,780	\$ (3,720)	-8.00%
Total PreK-12th Contracted Services	\$ 39,711	\$ 48,622	\$ 42,780	\$ 42,780	\$ 42,780	\$ (5,842)	-12.02%
Special Education							
Special Education Contracted Services	\$ 415	\$ 4,725	\$ -	\$ -	\$ -	\$ (4,725)	-100.00%
Total SPED Contracted Services	\$ 415	\$ 4,725	\$ -	\$ -	\$ -	\$ (4,725)	-100.00%
Ops and Comms							
Postage	\$ -	\$ 120	\$ -	\$ -	\$ -	\$ (120)	-100.00%
Phone	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ -	0.00%
Photocopying	\$ 1,003	\$ 1,246	\$ 1,278	\$ 1,278	\$ 1,278	\$ 32	2.60%
Total Ops & Comm Contracted Services	\$ 2,203	\$ 2,566	\$ 2,478	\$ 2,478	\$ 2,478	\$ (88)	-3.41%
Insurance & Legal							
Insurance - General Liability	\$ 3,623	\$ 4,529	\$ 4,647	\$ 4,647	\$ 4,647	\$ 118	2.60%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Peaks Island

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total Ins & Legal Contracted Services	\$ 3,623	\$ 4,529	\$ 4,647	\$ 4,647	\$ 4,647	\$ 118	2.60%
Facilities							
Water	\$ 410	\$ 410	\$ 412	\$ 412	\$ 412	\$ 2	0.55%
Sewer	\$ 852	\$ 1,300	\$ 1,290	\$ 1,290	\$ 1,290	\$ (10)	-0.75%
Waste Disposal Services	\$ -	\$ 455	\$ 483	\$ 483	\$ 483	\$ 28	6.11%
Total Ops & Comm Contracted Services	\$ 1,262	\$ 2,165	\$ 2,185	\$ 2,185	\$ 2,185	\$ 20	0.94%
TOTAL CONTRACTED SERVICES	\$ 47,213	\$ 62,607	\$ 52,090	\$ 52,091	\$ 52,091	\$ (10,516)	-16.80%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 2,136	\$ 2,800	\$ 11,610	\$ 11,610	\$ 11,610	\$ 8,810	314.64%
Instructional Supplies	\$ 2,918	\$ 2,038	\$ -	\$ -	\$ -	\$ (2,038)	-100.00%
Books Periodicals	\$ 486	\$ 3,420	\$ -	\$ -	\$ -	\$ (3,420)	-100.00%
Tech Related Supplies	\$ 1,290	\$ 600	\$ -	\$ -	\$ -	\$ (600)	-100.00%
Audiovisual Supplies	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Total Academic Supplies	\$ 6,830	\$ 8,958	\$ 11,610	\$ 11,610	\$ 11,610	\$ 2,652	29.60%
Operations							
Custodial Supplies	\$ 3,293	\$ 5,019	\$ -	\$ -	\$ -	\$ (5,019)	-100.00%
Electricity	\$ 5,104	\$ 4,990	\$ -	\$ -	\$ -	\$ (4,990)	-100.00%
Oil	\$ 39,555	\$ 40,000	\$ -	\$ -	\$ -	\$ (40,000)	-100.00%
Total Operations Supplies	\$ 47,952	\$ 50,009	\$ -	\$ -	\$ -	\$ (50,009)	-100.00%
TOTAL SUPPLIES	\$ 54,782	\$ 58,967	\$ 11,610	\$ 11,610	\$ 11,610	\$ (47,357)	-80.31%
MISCELLANEOUS							
Dues and Fees	\$ 200	\$ 525		\$ -	\$ -	\$ (525)	-100.00%
Field Trip Transportation	\$ 1,043	\$ 1,500		\$ -	\$ -	\$ (1,500)	-100.00%
TOTAL MISCELLANEOUS	\$ 1,243	\$ 2,025	\$ -	\$ -	\$ -	\$ (2,025)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 103,238	\$ 123,599	\$ 63,700	\$ 63,701	\$ 63,701	\$ (59,898)	-48.46%
TOTAL EXPENDITURES	\$ 1,102,340	\$ 1,036,264	\$ 1,441,056	\$ 1,336,521	\$ 1,301,919	\$ 265,655	25.64%
			\$ 1,387,407	\$ 1,282,872	\$ 1,248,271		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Peaks Island

CDS

SALARIES & BENEFITS

Regular Salaries

Professional Salary	\$	-
Instructional Aide/Asst	\$35,000	
Administration/Regular Support	\$	-
Total Regular Salaries	\$35,000	

Total Salaries \$35,000

Benefits

Health Insurance	\$12,925
Medicare	\$ 508
Retirement	\$ 2,279
Tuition Reimbursement	\$ 209
All Other	\$ 2,553
PFML	\$ 175

Total Benefits \$18,649

TOTAL SALARIES &
BENEFITS \$53,649

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Portland High

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 5,682,877	\$ 5,744,811	\$ 5,953,137	\$ 6,015,955	\$ 6,015,955	\$ 271,144	4.72%
Instructional Aide/Asst	\$ 494,068	\$ 548,032	\$ 481,000	\$ 481,000	\$ 481,000	\$ (67,032)	-12.23%
Adminstration/Regular Support	\$ 1,077,468	\$ 1,125,551	\$ 1,028,097	\$ 1,028,097	\$ 1,028,097	\$ (97,454)	-8.66%
Total Regular Salaries	\$ 7,254,412	\$ 7,418,394	\$ 7,462,233	\$ 7,525,051	\$ 7,525,051	\$ 106,657	1.44%
Temporary Salaries							
Temporary Salary	\$ 28,013	\$ 21,690	\$ 19,955	\$ 19,955	\$ 19,955	\$ (1,735)	-8.00%
Substitute	\$ 184,361	\$ 76,703	\$ 84,373	\$ 84,373	\$ 84,373	\$ 7,670	10.00%
Teacher Additional Pay	\$ 7,280	\$ 8,256	\$ 7,596	\$ 7,596	\$ 7,596	\$ (660)	-8.00%
Regular Support Overtime	\$ 20,695	\$ 4,740	\$ 4,361	\$ 4,361	\$ 4,361	\$ (379)	-8.00%
Stipend/Differential	\$ 474,100	\$ 422,822	\$ 366,653	\$ 366,653	\$ 366,653	\$ (56,169)	-13.28%
Stipend-Retirement Sick	\$ 52,876	\$ 48,845	\$ -	\$ -	\$ -	\$ (48,845)	-100.00%
Total Temporary Salaries	\$ 769,345	\$ 583,056	\$ 482,937	\$ 482,937	\$ 482,937	\$ (100,119)	-17.17%
Total Salaries	\$ 8,023,756	\$ 8,001,450	\$ 7,945,171	\$ 8,007,989	\$ 8,007,989	\$ 6,539	0.08%
Benefits							
Health Insurance	\$ 1,600,146	\$ 1,626,591	\$ 1,810,766	\$ 1,794,170	\$ 1,731,522	\$ 104,931	6.45%
Medicare	\$ 113,547	\$ 116,129	\$ 115,142	\$ 116,053	\$ 116,053	\$ (76)	-0.07%
Retirement	\$ 368,181	\$ 394,035	\$ 418,341	\$ 423,182	\$ 423,182	\$ 29,147	7.40%
Tuition Reimbursement	\$ 20,600	\$ 31,675	\$ 31,563	\$ 31,598	\$ 31,598	\$ (77)	-0.24%
All Other	\$ 52,607	\$ 61,914	\$ 106,825	\$ 103,008	\$ 103,008	\$ 41,094	66.37%
PFML			\$ 39,726	\$ 7,545	\$ 7,545		
Total Benefits	\$ 2,155,081	\$ 2,230,344	\$ 2,522,363	\$ 2,475,556	\$ 2,412,908	\$ 182,564	8.19%
TOTAL SALARIES & BENEFITS	\$ 10,178,838	\$ 10,231,794	\$ 10,467,534	\$ 10,483,545	\$ 10,420,897	\$ 189,103	1.85%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 1,550	\$ 4,842	\$ -	\$ -	\$ -	\$ (4,842)	-100.00%
EBooks & Online Subscriptions	\$ 3,366	\$ 1,049	\$ -	\$ -	\$ -	\$ (1,049)	-100.00%
Software/Annual Subscription	\$ 9,379	\$ 24,882	\$ -	\$ -	\$ -	\$ (24,882)	-100.00%
Tuition to Post-Secondary	\$ -	\$ 3,000	\$ -	\$ -	\$ -	\$ (3,000)	-100.00%
Staff Travel	\$ 19,511	\$ 46,734	\$ -	\$ -	\$ -	\$ (46,734)	-100.00%
Security	\$ 22,870	\$ 17,300	\$ -	\$ -	\$ -	\$ (17,300)	-100.00%
Total PreK-12th Contracted Services	\$ 56,677	\$ 97,807	\$ -	\$ -	\$ -	\$ (97,807)	-100.00%
Special Education							
Special Education Contracted Services	\$ 17,246	\$ 30,705	\$ -	\$ -	\$ -	\$ (30,705)	-100.00%
Total SPED Contracted Services	\$ 17,246	\$ 30,705	\$ -	\$ -	\$ -	\$ (30,705)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 88,675	\$ 70,400	\$ -	\$ -	\$ -	\$ (70,400)	-100.00%
Other Professional Services	\$ 1,538	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Postage	\$ 1,104	\$ 1,900	\$ -	\$ -	\$ -	\$ (1,900)	-100.00%
Phone	\$ 8,608	\$ 3,000	\$ 8,400	\$ 8,400	\$ 8,400	\$ 5,400	180.00%
Printing/Binding	\$ 3,984	\$ 7,973	\$ -	\$ -	\$ -	\$ (7,973)	-100.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Portland High

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
Photocopying	\$ 15,065	\$ 16,712	\$ 17,147	\$ 17,147	\$ 17,147	\$ 435	2.60%
Total Ops & Comm Contracted Services	\$ 118,974	\$ 99,985	\$ 25,547	\$ 25,547	\$ 25,547	\$ (74,438)	-74.45%
Insurance & Legal							
Insurance - General Liability	\$ 68,949	\$ 86,186	\$ 88,427	\$ 88,427	\$ 88,427	\$ 2,241	2.60%
Total Ins & Legal Contracted Services	\$ 68,949	\$ 86,186	\$ 88,427	\$ 88,427	\$ 88,427	\$ 2,241	2.60%
Facilities							
Water	\$ 4,412	\$ 3,686	\$ 3,719	\$ 3,719	\$ 3,719	\$ 33	0.90%
Sewer	\$ 11,584	\$ 11,813	\$ 11,770	\$ 11,770	\$ 11,770	\$ (43)	-0.36%
Waste Disposal Services	\$ 12,669	\$ 14,094	\$ 15,074	\$ 15,074	\$ 15,074	\$ 980	6.95%
Repair and Maintenance Services	\$ 2,744	\$ 16,100	\$ -	\$ -	\$ -	\$ (16,100)	-100.00%
Rentals	\$ 239,393	\$ 226,905	\$ 232,805	\$ 232,805	\$ 232,805	\$ 5,900	2.60%
Total Ops & Comm Contracted Services	\$ 270,803	\$ 272,598	\$ 263,368	\$ 263,368	\$ 263,368	\$ (9,230)	-3.39%
Transportation							
Student Transportation Purchase/Private (Sped OO	\$ 35,136	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Transport Contracted Services	\$ 35,136	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CONTRACTED SERVICES	\$ 567,785	\$ 587,281	\$ 377,342	\$ 377,341	\$ 377,341	\$ (209,940)	-35.75%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 47,948	\$ 39,026	\$ 304,209	\$ 304,209	\$ 304,209	\$ 265,183	679.50%
Instructional Supplies	\$ 116,212	\$ 119,113	\$ -	\$ -	\$ -	\$ (119,113)	-100.00%
Books Periodicals	\$ 25,615	\$ 31,302	\$ -	\$ -	\$ -	\$ (31,302)	-100.00%
Tech Related Supplies	\$ 4,254	\$ 8,044	\$ -	\$ -	\$ -	\$ (8,044)	-100.00%
Audiovisual Supplies	\$ 291	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Total Academic Supplies	\$ 194,320	\$ 198,485	\$ 304,209	\$ 304,209	\$ 304,209	\$ 105,724	53.27%
Operations							
Custodial Supplies	\$ 22,814	\$ 23,972	\$ -	\$ -	\$ -	\$ (23,972)	-100.00%
Natural Gas	\$ 72,102	\$ 123,816	\$ -	\$ -	\$ -	\$ (123,816)	-100.00%
Electricity	\$ 93,914	\$ 128,407	\$ -	\$ -	\$ -	\$ (128,407)	-100.00%
Total Operations Supplies	\$ 188,831	\$ 276,195	\$ -	\$ -	\$ -	\$ (276,195)	-100.00%
TOTAL SUPPLIES	\$ 383,151	\$ 474,680	\$ 304,209	\$ 304,209	\$ 304,209	\$ (170,471)	-35.91%
MISCELLANEOUS							
Dues and Fees	\$ 22,262	\$ 19,930	\$ -	\$ -	\$ -	\$ (19,930)	-100.00%
Field Trip Transportation	\$ 80,248	\$ 84,060	\$ -	\$ -	\$ -	\$ (84,060)	-100.00%
Miscellaneous Expenditures	\$ 340	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 102,850	\$ 103,990	\$ -	\$ -	\$ -	\$ (103,990)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 1,053,785	\$ 1,165,951	\$ 681,550	\$ 681,550	\$ 681,550	\$ (484,401)	-41.55%
TOTAL EXPENDITURES	\$11,232,623	\$11,397,745	\$ 11,149,084	\$ 11,165,095	\$ 11,102,447	\$ (295,298)	-2.59%
			\$ 11,033,779	\$ 11,049,790	\$ 10,987,142		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Portland High

IDEA Funds

SALARIES & BENEFITS		
Regular Salaries		
Professional Salary	\$	-
Instructional Aide/Asst	\$	70,000
Administration/Regular Support	\$	-
Total Regular Salaries	\$	70,000

Total Salaries **\$ 70,000**

Benefits		
Health Insurance	\$	25,851
Medicare	\$	1,015
Retirement	\$	12,565
Tuition Reimbursement	\$	417
All Other	\$	5,107
PFML	\$	350

Total Benefits **\$ 45,305**

TOTAL SALARIES & BENEFITS **\$ 115,305**

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Presumpscot

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$1,995,646	\$1,951,495	\$ 2,296,477	\$ 2,248,765	\$ 2,248,765	\$ 297,270	15.23%
Instructional Aide/Asst	\$ 277,069	\$ 129,225	\$ 481,000	\$ 481,000	\$ 481,000	\$ 351,775	272.22%
Administration/Regular Support	\$ 267,333	\$ 321,558	\$ 498,521	\$ 456,440	\$ 456,440	\$ 134,882	41.95%
Total Regular Salaries	\$2,540,048	\$2,402,278	\$ 3,275,997	\$ 3,186,206	\$ 3,186,206	\$ 783,928	32.63%
Temporary Salaries							
Temporary Salary	\$ 49,851	\$ 45,241	\$ 41,622	\$ 41,622	\$ 41,622	\$ (3,619)	-8.00%
Substitute	\$ 128,532	\$ 54,081	\$ 59,489	\$ 59,489	\$ 59,489	\$ 5,408	10.00%
Teacher Additional Pay	\$ 9,522	\$ 1,212	\$ 1,115	\$ 1,115	\$ 1,115	\$ (97)	-8.00%
Regular Support Overtime	\$ 2,709	\$ 1,680	\$ 1,546	\$ 1,546	\$ 1,546	\$ (134)	-8.00%
Stipend/Differential	\$ 8,288	\$ 17,336	\$ 12,720	\$ 12,720	\$ 12,720	\$ (4,616)	-26.63%
Stipend-Retirement Sick	\$ 20,383	\$ 7,130	\$ -	\$ -	\$ -	\$ (7,130)	-100.00%
Total Temporary Salaries	\$ 219,285	\$ 126,680	\$ 116,491	\$ 116,491	\$ 116,491	\$ (10,189)	-8.04%
Total Salaries	\$2,759,332	\$2,528,958	\$ 3,392,488	\$ 3,302,697	\$ 3,302,697	\$ 773,739	30.60%
Benefits							
Health Insurance	\$ 604,236	\$ 556,019	\$ 828,455	\$ 820,862	\$ 766,483	\$ 210,464	37.85%
Medicare	\$ 39,203	\$ 36,936	\$ 49,169	\$ 47,867	\$ 47,867	\$ 10,931	29.59%
Retirement	\$ 149,474	\$ 122,227	\$ 183,675	\$ 177,382	\$ 177,382	\$ 55,155	45.12%
Tuition Reimbursement	\$ 13,358	\$ 13,251	\$ 14,583	\$ 14,363	\$ 14,363	\$ 1,112	8.39%
All Other	\$ 18,298	\$ 20,054	\$ 64,120	\$ 60,241	\$ 60,241	\$ 40,187	200.40%
PFML	\$ -	\$ -	\$ 16,962	\$ 4,687	\$ 4,687	\$ 4,687	0.00%
Total Benefits	\$ 824,569	\$ 748,487	\$ 1,156,965	\$ 1,125,402	\$ 1,071,023	\$ 322,536	43.09%
TOTAL SALARIES & BENEFITS	\$3,583,901	\$3,277,445	\$ 4,549,453	\$ 4,428,099	\$ 4,373,720	\$1,096,275	33.45%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 17,690	\$ 22,050	\$ -	\$ -	\$ -	\$ (22,050)	-100.00%
EBooks & Online Subscriptions	\$ 631	\$ 134	\$ -	\$ -	\$ -	\$ (134)	-100.00%
Software/Annual Subscription	\$ 3,800	\$ 7,015	\$ -	\$ -	\$ -	\$ (7,015)	-100.00%
Total PreK-12th Contracted Services	\$ 22,134	\$ 29,199	\$ -	\$ -	\$ -	\$ (29,199)	-100.00%
Special Education							
Special Education Contracted Services	\$ 9,062	\$ 158	\$ -	\$ -	\$ -	\$ (158)	-100.00%
Total SPED Contracted Services	\$ 9,062	\$ 158	\$ -	\$ -	\$ -	\$ (158)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 14,836	\$ 14,879	\$ -	\$ -	\$ -	\$ (14,879)	-100.00%
Other Professional Services	\$ 1,594	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Postage	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Phone	\$ 1,500	\$ 1,200	\$ 2,700	\$ 2,700	\$ 2,700	\$ 1,500	125.00%
Printing/Binding	\$ 24	\$ 1,000	\$ 1,026	\$ 1,026	\$ 1,026	\$ 26	2.60%
Photocopying	\$ 3,748	\$ 4,139	\$ 4,247	\$ 4,247	\$ 4,247	\$ 108	2.60%
Total Ops & Comm Contracted Services	\$ 21,702	\$ 21,318	\$ 7,973	\$ 7,973	\$ 7,973	\$ (13,345)	-62.60%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Presumpscot

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
Insurance & Legal							
Insurance - General Liability	\$ 6,974	\$ 8,717	\$ 8,944	\$ 8,944	\$ 8,944	\$ 227	2.60%
Total Ins & Legal Contracted Services	\$ 6,974	\$ 8,717	\$ 8,944	\$ 8,944	\$ 8,944	\$ 227	2.60%
Facilities							
Water	\$ 1,764	\$ 1,188	\$ 1,201	\$ 1,201	\$ 1,201	\$ 13	1.05%
Sewer	\$ 3,629	\$ 3,806	\$ 3,799	\$ 3,799	\$ 3,799	\$ (7)	-0.18%
Waste Disposal Services	\$ 7,804	\$ 8,376	\$ 8,950	\$ 8,950	\$ 8,950	\$ 574	6.85%
Repair and Maintenance Services	\$ -	\$ 129	\$ -	\$ -	\$ -	\$ (129)	-100.00%
Rentals	\$ 15,497	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Ops & Comm Contracted Services	\$ 28,694	\$ 13,499	\$ 13,950	\$ 13,950	\$ 13,950	\$ 451	3.34%
Transportation							
Student Transportation Purchase/Private (Sped OO	\$ 865	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Transport Contracted Services	\$ 865	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CONTRACTED SERVICES	\$ 89,431	\$ 72,891	\$ 30,866	\$ 30,866	\$ 30,866	\$ (42,025)	-57.65%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 8,437	\$ 6,066	\$ 35,910	\$ 35,910	\$ 35,910	\$ 29,844	491.99%
Instructional Supplies	\$ 16,052	\$ 13,080	\$ -	\$ -	\$ -	\$ (13,080)	-100.00%
Books Periodicals	\$ 8,286	\$ 10,943	\$ -	\$ -	\$ -	\$ (10,943)	-100.00%
Tech Related Supplies	\$ 217	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Academic Supplies	\$ 32,992	\$ 30,089	\$ 35,910	\$ 35,910	\$ 35,910	\$ 5,821	19.35%
Operations							
Custodial Supplies	\$ 14,261	\$ 9,728	\$ -	\$ -	\$ -	\$ (9,728)	-100.00%
Natural Gas	\$ 21,883	\$ 18,249	\$ -	\$ -	\$ -	\$ (18,249)	-100.00%
Electricity	\$ 29,048	\$ 19,674	\$ -	\$ -	\$ -	\$ (19,674)	-100.00%
Bottled Gas	\$ 1,304	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Operations Supplies	\$ 66,495	\$ 47,651	\$ -	\$ -	\$ -	\$ (47,651)	-100.00%
TOTAL SUPPLIES	\$ 99,487	\$ 77,740	\$ 35,910	\$ 35,910	\$ 35,910	\$ (41,830)	-53.81%
MISCELLANEOUS							
Field Trip Transportation	\$ 4,985	\$ 2,000	\$ -	\$ -	\$ -	\$ (2,000)	-100.00%
TOTAL MISCELLANEOUS	\$ 4,985	\$ 2,000	\$ -	\$ -	\$ -	\$ (2,000)	-100.00%
DEBT SERVICE							
Principal	\$ -	\$ 861,000	\$ 792,410	\$ 792,410	\$ 792,410	\$ (68,590)	-7.97%
Interest	\$ 316,667	\$ 582,488	\$ 528,124	\$ 528,124	\$ 528,124	\$ (54,364)	-9.33%
TOTAL DEBT SERVICE	\$ 316,667	\$1,443,488	\$ 1,320,534	\$ 1,320,534	\$ 1,320,534	\$ (122,954)	-8.52%
TOTAL NON SALARY AND BENEFITS	\$ 510,571	\$1,596,119	\$ 1,387,310	\$ 1,387,310	\$ 1,387,310	\$ (208,809)	-13.08%
TOTAL EXPENDITURES	\$4,094,472	\$4,873,564	\$ 5,936,763	\$ 5,815,409	\$ 5,761,030	\$ 887,466	18.21%
			\$ 5,342,554	\$ 5,221,200	\$ 5,166,821		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Presumpscot

Title Funds		CDS	
SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries	
Professional Salary	\$ 268,217	Professional Salary	\$ 36,299
Instructional Aide/Asst	\$ -	Instructional Aide/Asst	\$105,000
Administration/Regular Support	\$ -	Administration/Regular Support	\$ -
Total Regular Salaries	\$ 268,217	Total Regular Salaries	\$141,299
 Total Salaries		 Total Salaries	
Benefits		Benefits	
Health Insurance	\$ 62,974	Health Insurance	\$ 47,299
Medicare	\$ 3,889	Medicare	\$ 2,049
Retirement	\$ 48,145	Retirement	\$ 8,483
Tuition Reimbursement	\$ -	Tuition Reimbursement	\$ 777
All Other	\$ 2,547	All Other	\$ 8,005
PFML	\$ -	PFML	\$ 525
Total Benefits	\$ 117,555	Total Benefits	\$ 67,138
TOTAL SALARIES & BENEFITS	\$ 385,772	TOTAL SALARIES & BENEFITS	\$208,437

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

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	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 3,624,536	\$ 3,377,474	\$ 4,238,668	\$ 4,247,528	\$ 4,247,528	\$ 870,054	25.76%
Instructional Aide/Asst	\$ 424,321	\$ 308,036	\$ 469,900	\$ 451,400	\$ 451,400	\$ 143,364	46.54%
Adminstration/Regular Support	\$ 421,589	\$ 461,943	\$ 439,354	\$ 439,354	\$ 439,354	\$ (22,589)	-4.89%
Total Regular Salaries	\$ 4,470,446	\$ 4,147,453	\$ 5,147,923	\$ 5,138,283	\$ 5,138,282	\$ 990,829	23.89%
Temporary Salaries							
Temporary Salary	\$ 24,503	\$ 39,479	\$ 36,321	\$ 36,321	\$ 36,321	\$ (3,158)	-8.00%
Substitute	\$ 110,406	\$ 49,609	\$ 54,570	\$ 54,570	\$ 54,570	\$ 4,961	10.00%
Teacher Additional Pay	\$ 6,985	\$ 2,340	\$ 2,153	\$ 2,153	\$ 2,153	\$ (187)	-8.00%
Regular Support Overtime	\$ 22,321	\$ 6,080	\$ 5,594	\$ 5,594	\$ 5,594	\$ (486)	-8.00%
Stipend/Differential	\$ 56,768	\$ 81,289	\$ 48,960	\$ 48,960	\$ 48,960	\$ (32,329)	-39.77%
Stipend-Retirement Sick	\$ 28,743	\$ 45,516	\$ -	\$ -	\$ -	\$ (45,516)	-100.00%
Total Temporary Salaries	\$ 249,726	\$ 224,313	\$ 147,597	\$ 147,596	\$ 147,597	\$ (76,716)	-34.20%
Total Salaries	\$ 4,720,171	\$ 4,371,766	\$ 5,295,520	\$ 5,285,879	\$ 5,285,879	\$ 914,113	20.91%
Benefits							
Health Insurance	\$ 976,936	\$ 948,770	\$ 1,289,971	\$ 1,278,148	\$ 1,220,797	\$ 272,027	28.67%
Medicare	\$ 65,623	\$ 63,637	\$ 76,704	\$ 76,564	\$ 76,564	\$ 12,927	20.31%
Retirement	\$ 288,992	\$ 220,756	\$ 274,066	\$ 273,264	\$ 273,264	\$ 52,508	23.79%
Tuition Reimbursement	\$ 17,991	\$ 11,609	\$ 20,604	\$ 20,531	\$ 20,531	\$ 8,922	76.85%
All Other	\$ 32,858	\$ 36,262	\$ 83,469	\$ 78,840	\$ 78,840	\$ 42,578	117.42%
PFML	\$ -	\$ -	\$ 26,478	\$ 4,454	\$ 4,454	\$ 4,454	0.00%
Total Benefits	\$ 1,382,399	\$ 1,281,034	\$ 1,771,292	\$ 1,731,801	\$ 1,674,450	\$ 393,416	30.71%
TOTAL SALARIES & BENEFITS	\$ 6,102,571	\$ 5,652,800	\$ 7,066,811	\$ 7,017,679	\$ 6,960,330	\$ 1,307,530	23.13%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 2,365	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
EBooks & Online Subscriptions	\$ 602	\$ 258	\$ -	\$ -	\$ -	\$ (258)	-100.00%
Software/Annual Subscription	\$ 7,130	\$ 10,826	\$ -	\$ -	\$ -	\$ (10,826)	-100.00%
Staff Travel	\$ 136	\$ 195	\$ -	\$ -	\$ -	\$ (195)	-100.00%
Total PreK-12th Contracted Services	\$ 10,233	\$ 12,279	\$ -	\$ -	\$ -	\$ (12,279)	-100.00%
Special Education							
Special Education Contracted Services	\$ 31,943	\$ 6,340	\$ -	\$ -	\$ -	\$ (6,340)	-100.00%
Tuition To In-State SAU	\$ 106,700	\$ 202,629	\$ -	\$ -	\$ -	\$ (202,629)	-100.00%
Total SPED Contracted Services	\$ 138,643	\$ 208,969	\$ -	\$ -	\$ -	\$ (208,969)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 14,369	\$ 49,085	\$ -	\$ -	\$ -	\$ (49,085)	-100.00%
Postage	\$ 20	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Phone	\$ 3,190	\$ 2,400	\$ 5,200	\$ 5,200	\$ 5,200	\$ 2,800	116.67%
Photocopying	\$ 6,603	\$ 7,281	\$ 7,470	\$ 7,470	\$ 7,470	\$ 189	2.60%
Total Ops & Comm Contracted Services	\$ 24,182	\$ 58,866	\$ 12,670	\$ 12,670	\$ 12,670	\$ (46,196)	-78.48%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

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	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Insurance & Legal							
Insurance - General Liability	\$ 24,484	\$ 30,605	\$ 31,401	\$ 31,401	\$ 31,401	\$ 796	2.60%
Total Ins & Legal Contracted Services	\$ 24,484	\$ 30,605	\$ 31,401	\$ 31,401	\$ 31,401	\$ 796	2.60%
Facilities							
Water	\$ 4,171	\$ 5,283	\$ 5,332	\$ 5,332	\$ 5,332	\$ 49	0.93%
Sewer	\$ 10,914	\$ 16,931	\$ 16,874	\$ 16,874	\$ 16,874	\$ (57)	-0.33%
Waste Disposal Services	\$ 8,800	\$ 8,376	\$ 8,950	\$ 8,950	\$ 8,950	\$ 574	6.85%
Repair and Maintenance Services	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Total Ops & Comm Contracted Services	\$ 23,885	\$ 30,690	\$ 31,156	\$ 31,156	\$ 31,156	\$ 466	1.52%
TOTAL CONTRACTED SERVICES	\$ 221,427	\$ 341,409	\$ 75,227	\$ 75,227	\$ 75,227	\$ (266,182)	-77.97%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 24,894	\$ 11,865	\$ 69,660	\$ 69,660	\$ 69,660	\$ 57,795	487.12%
Instructional Supplies	\$ 10,747	\$ 14,730	\$ -	\$ -	\$ -	\$ (14,730)	-100.00%
Books Periodicals	\$ 15,832	\$ 27,102	\$ -	\$ -	\$ -	\$ (27,102)	-100.00%
Tech Related Supplies	\$ 403	\$ 500	\$ -	\$ -	\$ -	\$ (500)	-100.00%
Total Academic Supplies	\$ 51,876	\$ 54,197	\$ 69,660	\$ 69,660	\$ 69,660	\$ 15,463	28.53%
Operations							
Custodial Supplies	\$ 20,260	\$ 17,951	\$ -	\$ -	\$ -	\$ (17,951)	-100.00%
Natural Gas	\$ 52,117	\$ 83,743	\$ -	\$ -	\$ -	\$ (83,743)	-100.00%
Electricity	\$ 54,639	\$ 75,336	\$ -	\$ -	\$ -	\$ (75,336)	-100.00%
Bottled Gas	\$ 5,317	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Operations Supplies	\$ 132,333	\$ 177,030	\$ -	\$ -	\$ -	\$ (177,030)	-100.00%
TOTAL SUPPLIES	\$ 184,208	\$ 231,227	\$ 69,660	\$ 69,660	\$ 69,660	\$ (161,567)	-69.87%
MISCELLANEOUS							
Dues and Fees	\$ 1,742	\$ 2,000	\$ -	\$ -	\$ -	\$ (2,000)	-100.00%
Field Trip Transportation	\$ 3,537	\$ 5,500	\$ -	\$ -	\$ -	\$ (5,500)	-100.00%
TOTAL MISCELLANEOUS	\$ 5,278	\$ 7,500	\$ -	\$ -	\$ -	\$ (7,500)	-100.00%
DEBT SERVICE							
Principal	\$ -	\$ 543,322	\$ 474,732	\$ 474,732	\$ 474,732	\$ (68,590)	-12.62%
Interest	\$ 316,666	\$ 354,879	\$ 316,399	\$ 316,399	\$ 316,399	\$ (38,480)	-10.84%
TOTAL DEBT SERVICE	\$ 316,666	\$ 898,201	\$ 791,130	\$ 791,130	\$ 791,130	\$ (107,071)	-11.92%
TOTAL NON SALARY AND BENEFITS	\$ 727,579	\$ 1,478,337	\$ 936,018	\$ 936,018	\$ 936,018	\$ (542,319)	-36.68%
TOTAL EXPENDITURES	\$6,830,150	\$7,131,137	\$8,002,829	\$ 7,953,697	\$ 7,896,347	\$ 765,210	10.73%
			\$7,256,311	\$ 7,207,179	\$ 7,149,829		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Reiche

Title Funds		IDEA Funds		CDS	
SALARIES & BENEFITS		SALARIES & BENEFITS		SALARIES & BENEFITS	
Regular Salaries		Regular Salaries		Regular Salaries	
Professional Salary	\$ 403,187	Professional Salary	\$ -	Professional Salary	\$ -
Instructional Aide/Asst	\$ -	Instructional Aide/Asst	\$ 35,000	Instructional Aide/Asst	\$ 70,000
Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -	Adminstration/Regular Support	\$ -
Total Regular Salaries	\$ 403,187	Total Regular Salaries	\$ 35,000	Total Regular Salaries	\$ 70,000
Total Salaries	\$ 403,187	Total Salaries	\$ 35,000	Total Salaries	\$ 70,000
Benefits		Benefits		Benefits	
Health Insurance	\$ 94,663	Health Insurance	\$ 12,925	Health Insurance	\$ 25,851
Medicare	\$ 5,846	Medicare	\$ 508	Medicare	\$ 1,015
Retirement	\$ 72,372	Retirement	\$ 6,283	Retirement	\$ 4,557
Tuition Reimbursement	\$ 1,671	Tuition Reimbursement	\$ 209	Tuition Reimbursement	\$ 417
All Other	\$ 3,828	All Other	\$ 2,553	All Other	\$ 5,107
PFML	\$ -	PFML	\$ 175	PFML	\$ 350
Total Benefits	\$ 178,381	Total Benefits	\$ 22,653	Total Benefits	\$ 37,297
TOTAL SALARIES & BENEFITS	\$ 581,568	TOTAL SALARIES & BENEFITS	\$ 57,653	TOTAL SALARIES & BENEFITS	\$107,297

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Rowe

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 3,064,918	\$ 2,921,420	\$ 3,889,996	\$ 3,889,996	\$ 3,889,996	\$ 968,576	33.15%
Instructional Aide/Asst	\$ 691,886	\$ 547,296	\$ 703,000	\$ 629,000	\$ 629,000	\$ 81,704	14.93%
Adminstration/Regular Support	\$ 527,150	\$ 538,125	\$ 597,137	\$ 613,074	\$ 613,074	\$ 74,949	13.93%
Total Regular Salaries	\$ 4,283,953	\$ 4,006,841	\$ 5,190,133	\$ 5,132,069	\$ 5,132,069	\$ 1,125,228	28.08%
Temporary Salaries							
Temporary Salary	\$ 51,094	\$ 51,069	\$ 46,983	\$ 46,983	\$ 46,983	\$ (4,086)	-8.00%
Substitute	\$ 109,623	\$ 61,700	\$ 67,870	\$ 67,870	\$ 67,870	\$ 6,170	10.00%
Teacher Additional Pay	\$ 4,661	\$ 732	\$ 673	\$ 673	\$ 673	\$ (59)	-8.00%
Regular Support Overtime	\$ 12,107	\$ 1,680	\$ 1,546	\$ 1,546	\$ 1,546	\$ (134)	-8.00%
Stipend/Differential	\$ 52,651	\$ 75,613	\$ 20,200	\$ 20,200	\$ 20,200	\$ (55,413)	-73.29%
Stipend-Retirement Sick	\$ 23,487	\$ 59,728	\$ -	\$ -	\$ -	\$ (59,728)	-100.00%
Stipend/Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Temporary Salaries	\$ 253,623	\$ 250,522	\$ 137,273	\$ 137,273	\$ 137,273	\$ (113,249)	-45.21%
Total Salaries	\$ 4,537,577	\$ 4,257,363	\$ 5,327,406	\$ 5,269,342	\$ 5,269,342	\$ 1,011,979	23.77%
Benefits							
Health Insurance	\$ 1,031,458	\$ 999,498	\$ 1,311,738	\$ 1,299,716	\$ 1,225,214	\$ 225,716	22.58%
Medicare	\$ 63,316	\$ 61,645	\$ 77,225	\$ 76,383	\$ 76,383	\$ 14,738	23.91%
Retirement	\$ 242,514	\$ 217,217	\$ 281,319	\$ 278,065	\$ 278,065	\$ 60,848	28.01%
Tuition Reimbursement	\$ 16,386	\$ 12,170	\$ 22,564	\$ 22,131	\$ 22,131	\$ 9,961	81.85%
Workers Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
All Other	\$ 33,844	\$ 37,946	\$ 97,455	\$ 88,601	\$ 88,601	\$ 50,655	133.49%
PFML	\$ -	\$ -	\$ 26,637	\$ 6,210	\$ 6,210	\$ 6,210	0.00%
Total Benefits	\$ 1,387,518	\$ 1,328,476	\$ 1,816,937	\$ 1,771,105	\$ 1,696,604	\$ 368,129	27.71%
TOTAL SALARIES & BENEFITS	\$ 5,925,095	\$ 5,585,839	\$ 7,144,343	\$ 7,040,447	\$ 6,965,946	\$ 1,380,108	24.71%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 5,856	\$ 16,150	\$ -	\$ -	\$ -	\$ (16,150)	-100.00%
EBooks & Online Subscriptions	\$ 736	\$ 534	\$ -	\$ -	\$ -	\$ (534)	-100.00%
Software/Annual Subscription	\$ 6,840	\$ 10,161	\$ -	\$ -	\$ -	\$ (10,161)	-100.00%
Staff Travel	\$ 818	\$ 2,155	\$ -	\$ -	\$ -	\$ (2,155)	-100.00%
Total PreK-12th Contracted Services	\$ 14,250	\$ 29,000	\$ -	\$ -	\$ -	\$ (29,000)	-100.00%
Special Education							
Special Education Contracted Services	\$ 51,530	\$ 7,088	\$ -	\$ -	\$ -	\$ (7,088)	-100.00%
Total SPED Contracted Services	\$ 51,530	\$ 7,088	\$ -	\$ -	\$ -	\$ (7,088)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 24,816	\$ 82,605	\$ -	\$ -	\$ -	\$ (82,605)	-100.00%
Other Professional Services	\$ 3,281	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Postage	\$ 443	\$ 500	\$ -	\$ -	\$ -	\$ (500)	-100.00%
Phone	\$ 2,900	\$ 1,800	\$ 4,200	\$ 4,200	\$ 4,200	\$ 2,400	133.33%
Printing/Binding	\$ 457	\$ 0	\$ -	\$ -	\$ -	\$ (0)	-100.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Rowe

				FY25 Finance				
	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24	
Photocopying	\$ 7,802	\$ 6,100	\$ 6,259	\$ 6,259	\$ 6,259	\$ 159	2.60%	
Total Ops & Comm Contracted Services	\$ 39,699	\$ 91,005	\$ 10,459	\$ 10,459	\$ 10,459	\$ (80,547)	-88.51%	
Insurance & Legal								
Insurance - General Liability	\$ 14,868	\$ 18,586	\$ 19,069	\$ 19,069	\$ 19,069	\$ 483	2.60%	
Total Ins & Legal Contracted Services	\$ 14,868	\$ 18,586	\$ 19,069	\$ 19,069	\$ 19,069	\$ 483	2.60%	
Facilities								
Water	\$ 2,424	\$ 1,474	\$ 1,486	\$ 1,486	\$ 1,486	\$ 12	0.81%	
Sewer	\$ 5,230	\$ 4,725	\$ 4,702	\$ 4,702	\$ 4,702	\$ (23)	-0.48%	
Waste Disposal Services	\$ 4,787	\$ 5,382	\$ 5,759	\$ 5,759	\$ 5,759	\$ 377	7.00%	
Repair and Maintenance Services	\$ 1,020	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%	
Total Ops & Comm Contracted Services	\$ 13,461	\$ 11,581	\$ 11,947	\$ 11,947	\$ 11,947	\$ 366	3.16%	
TOTAL CONTRACTED SERVICES	\$ 133,808	\$ 157,260	\$ 41,475	\$ 41,475	\$ 41,475	\$ (115,785)	-73.63%	
SUPPLIES								
Academic								
General Supplies - DISCRETIONARY HOLD	\$ 28,419	\$ 51,603	\$ 66,690	\$ 66,690	\$ 66,690	\$ 15,087	29.24%	
Instructional Supplies	\$ 21,268	\$ 39,684	\$ -	\$ -	\$ -	\$ (39,684)	-100.00%	
Books Periodicals	\$ 32,219	\$ 28,516	\$ -	\$ -	\$ -	\$ (28,516)	-100.00%	
Tech Related Supplies	\$ -	\$ 1	\$ -	\$ 0	\$ 0	\$ (0)	-8.00%	
Total Academic Supplies	\$ 81,905	\$ 119,804	\$ 66,690	\$ 66,690	\$ 66,690	\$ (53,113)	-44.33%	
Operations								
Custodial Supplies	\$ 15,545	\$ 14,043	\$ -	\$ -	\$ -	\$ (14,043)	-100.00%	
Natural Gas	\$ 32,211	\$ 38,302	\$ -	\$ -	\$ -	\$ (38,302)	-100.00%	
Electricity	\$ 42,112	\$ 49,136	\$ -	\$ -	\$ -	\$ (49,136)	-100.00%	
Total Operations Supplies	\$ 89,868	\$ 101,481	\$ -	\$ -	\$ -	\$ (101,481)	-100.00%	
TOTAL SUPPLIES	\$ 171,773	\$ 221,285	\$ 66,690	\$ 66,690	\$ 66,690	\$ (154,594)	-69.86%	
MISCELLANEOUS								
Dues and Fees	\$ 1,500	\$ 1,500	\$ -	\$ -	\$ -	\$ (1,500)	-100.00%	
Field Trip Transportation	\$ 5,332	\$ 10,824	\$ -	\$ -	\$ -	\$ (10,824)	-100.00%	
TOTAL MISCELLANEOUS	\$ 6,832	\$ 12,324	\$ -	\$ -	\$ -	\$ (12,324)	-100.00%	
TOTAL NON SALARY AND BENEFITS	\$ 312,413	\$ 390,869	\$ 108,165	\$ 108,165	\$ 108,165	\$ (282,703)	-72.33%	
TOTAL EXPENDITURES	\$ 6,237,507	\$ 5,976,707	\$ 7,252,508	\$ 7,148,612	\$ 7,074,112	\$ 1,097,404	18.36%	
			\$ 6,630,133	\$ 6,526,237	\$ 6,451,737			

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Rowe

Title Funds	IDEA Funds	CDS
SALARIES & BENEFITS	SALARIES & BENEFITS	SALARIES & BENEFITS
Regular Salaries	Regular Salaries	Regular Salaries
Professional Salary \$ 217,011	Professional Salary \$ -	Professional Salary \$ 72,598
Instructional Aide/Asst \$ 35,000	Instructional Aide/Asst \$ 105,000	Instructional Aide/Asst \$ -
Adminstration/Regular Support \$ -	Adminstration/Regular Support \$ -	Adminstration/Regular Support \$ -
Total Regular Salaries \$ 252,011	Total Regular Salaries \$ 105,000	Total Regular Salaries \$ 72,598
Total Salaries \$ 252,011	Total Salaries \$ 105,000	Total Salaries \$ 72,598
Benefits	Benefits	Benefits
Health Insurance \$ 48,769	Health Insurance \$ 38,776	Health Insurance \$ 17,045
Medicare \$ 3,654	Medicare \$ 1,523	Medicare \$ 1,053
Retirement \$ 45,236	Retirement \$ 18,848	Retirement \$ 3,296
Tuition Reimbursement \$ -	Tuition Reimbursement \$ 626	Tuition Reimbursement \$ 301
Workers Compensation \$ -	Workers Compensation \$ -	Workers Compensation \$ -
All Other \$ 4,591	All Other \$ 7,660	All Other \$ 689
PFML \$ 175	PFML \$ 525	PFML \$ -
Total Benefits \$ 102,425	Total Benefits \$ 67,958	Total Benefits \$ 22,384
TOTAL SALARIES & BENEFITS \$354,435	TOTAL SALARIES & BENEFITS \$ 172,958	TOTAL SALARIES & BENEFITS \$94,981

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

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	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$3,264,670	\$3,160,748	\$ 3,618,661	\$ 3,691,259	\$ 3,691,259	\$ 530,511	16.78%
Instructional Aide/Asst	\$1,015,935	\$ 804,033	\$ 876,782	\$ 858,400	\$ 858,400	\$ 54,367	6.76%
Adminstration/Regular Support	\$ 578,873	\$ 605,555	\$ 650,542	\$ 650,542	\$ 650,542	\$ 44,987	7.43%
Total Regular Salaries	\$4,859,478	\$4,570,336	\$ 5,145,986	\$ 5,200,202	\$ 5,200,201	\$ 629,865	13.78%
Temporary Salaries							
Temporary Salary	\$ 62,050	\$ 77,182	\$ 71,008	\$ 71,008	\$ 71,008	\$ (6,175)	-8.00%
Tutor	\$ 459	\$ 5,302	\$ 4,878	\$ 4,878	\$ 4,878	\$ (424)	-8.00%
Substitute	\$ 138,604	\$ 90,076	\$ 99,084	\$ 99,084	\$ 99,084	\$ 9,008	10.00%
Teacher Additional Pay	\$ 52,741	\$ 21,984	\$ 20,225	\$ 20,225	\$ 20,225	\$ (1,759)	-8.00%
Regular Support Overtime	\$ 10,485	\$ 4,350	\$ 4,002	\$ 4,002	\$ 4,002	\$ (348)	-8.00%
Stipend/Differential	\$ 21,404	\$ 28,144	\$ 16,840	\$ 16,840	\$ 16,840	\$ (11,304)	-40.16%
Stipend-Retirement Sick	\$ 10,094	\$ 63,573	\$ -	\$ -	\$ -	\$ (63,573)	-100.00%
Total Temporary Salaries	\$ 295,837	\$ 290,611	\$ 216,036	\$ 216,035	\$ 216,036	\$ (74,575)	-25.66%
Total Salaries	\$5,155,315	\$4,860,947	\$ 5,362,022	\$ 5,416,237	\$ 5,416,237	\$ 555,290	11.42%
Benefits							
Health Insurance	\$1,232,567	\$1,085,259	\$ 1,323,217	\$ 1,311,090	\$ 1,268,808	\$ 183,549	16.91%
Medicare	\$ 73,133	\$ 70,965	\$ 77,691	\$ 78,477	\$ 78,477	\$ 7,512	10.59%
Retirement	\$ 314,106	\$ 255,110	\$ 291,920	\$ 294,019	\$ 294,019	\$ 38,909	15.25%
Tuition Reimbursement	\$ 19,616	\$ 15,523	\$ 22,237	\$ 22,428	\$ 22,428	\$ 6,905	44.48%
All Other	\$ 40,038	\$ 44,231	\$ 108,621	\$ 103,552	\$ 103,552	\$ 59,321	134.12%
PFML	\$ -	\$ -	\$ 26,810	\$ 7,545	\$ 7,545	\$ 7,545	0.00%
Total Benefits	\$1,679,461	\$1,471,088	\$ 1,850,496	\$ 1,817,112	\$ 1,774,829	\$ 303,741	20.65%
TOTAL SALARIES & BENEFITS	\$6,834,775	\$6,332,035	\$ 7,212,518	\$ 7,233,349	\$ 7,191,066	\$ 859,031	13.57%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 2,684	\$ 4,550	\$ -	\$ -	\$ -	\$ (4,550)	-100.00%
EBooks & Online Subscriptions	\$ 2,315	\$ 3,073	\$ -	\$ -	\$ -	\$ (3,073)	-100.00%
Software/Annual Subscription	\$ 9,729	\$ 7,070	\$ -	\$ -	\$ -	\$ (7,070)	-100.00%
Staff Travel	\$ 3,512	\$ 3,128	\$ -	\$ -	\$ -	\$ (3,128)	-100.00%
Total PreK-12th Contracted Services	\$ 18,241	\$ 17,821	\$ -	\$ -	\$ -	\$ (17,821)	-100.00%
Special Education							
Special Education Contracted Services	\$ 108,666	\$ 1,826	\$ -	\$ -	\$ -	\$ (1,826)	-100.00%
Total SPED Contracted Services	\$ 108,666	\$ 1,826	\$ -	\$ -	\$ -	\$ (1,826)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 16,192	\$ 26,212	\$ -	\$ -	\$ -	\$ (26,212)	-100.00%
Other Professional Services	\$ 61,583	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Postage	\$ -	\$ 150	\$ -	\$ -	\$ -	\$ (150)	-100.00%
Phone	\$ 3,847	\$ 1,800	\$ 3,600	\$ 3,600	\$ 3,600	\$ 1,800	100.00%
Printing/Binding	\$ 376	\$ 200	\$ -	\$ -	\$ -	\$ (200)	-100.00%
Photocopying	\$ 6,785	\$ 7,520	\$ 7,716	\$ 7,716	\$ 7,716	\$ 196	2.60%
Total Ops & Comm Contracted Services	\$ 88,782	\$ 35,882	\$ 11,316	\$ 11,316	\$ 11,316	\$ (24,566)	-68.46%
Insurance & Legal							

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Talbot

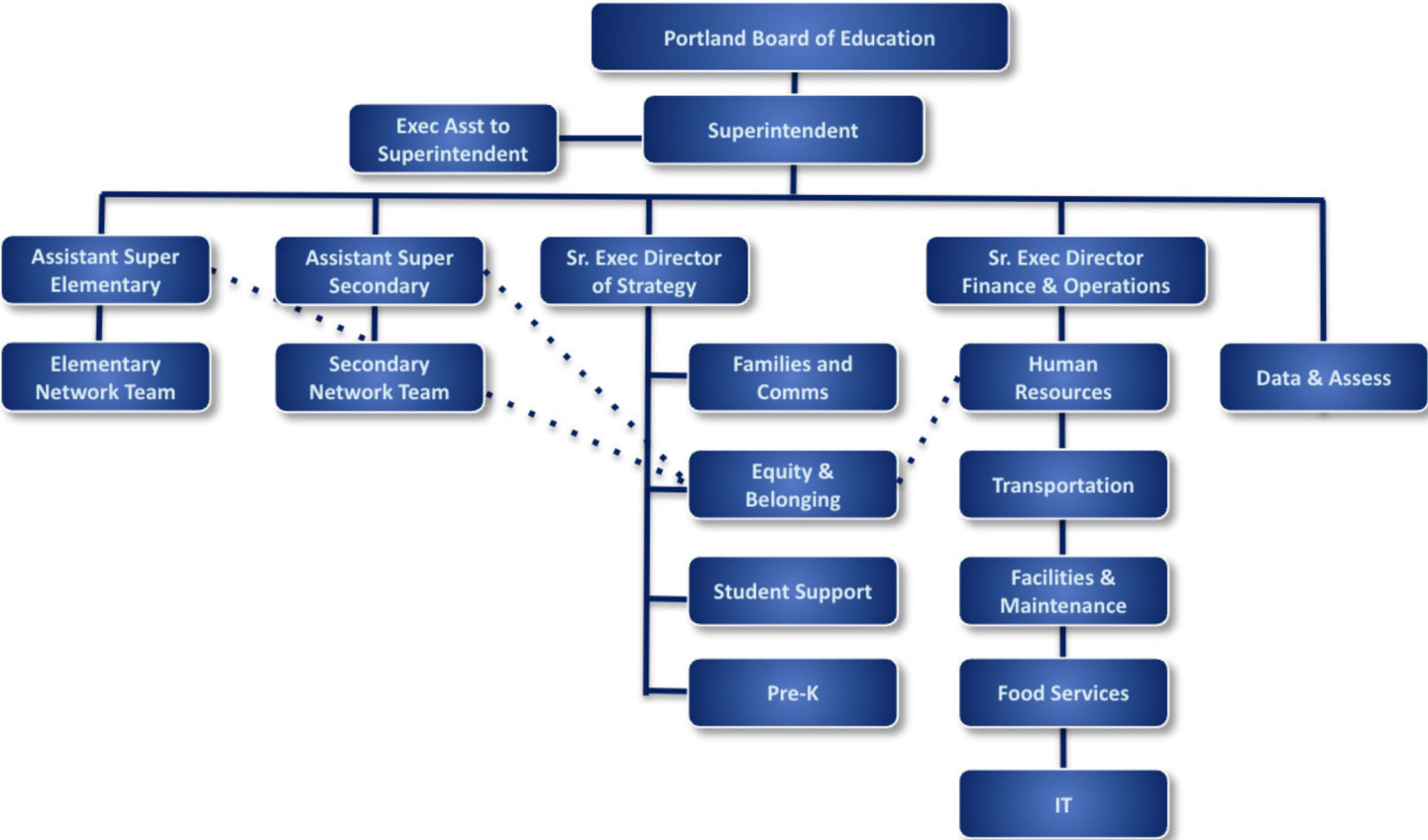
	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Insurance - General Liability	\$ 28,685	\$ 35,856	\$ 36,788	\$ 36,788	\$ 36,788	\$ 932	2.60%
Total Ins & Legal Contracted Services	\$ 28,685	\$ 35,856	\$ 36,788	\$ 36,788	\$ 36,788	\$ 932	2.60%
Facilities							
Water	\$ 5,728	\$ 8,026	\$ 8,100	\$ 8,100	\$ 8,100	\$ 74	0.92%
Sewer	\$ 22,031	\$ 25,725	\$ 25,634	\$ 25,634	\$ 25,634	\$ (91)	-0.35%
Waste Disposal Services	\$ 6,740	\$ 8,830	\$ 9,445	\$ 9,445	\$ 9,445	\$ 615	6.96%
Repair and Maintenance Services	\$ 399	\$ 794	\$ -	\$ -	\$ -	\$ (794)	-100.00%
Total Ops & Comm Contracted Services	\$ 34,898	\$ 43,375	\$ 43,179	\$ 43,179	\$ 43,179	\$ (196)	-0.45%
TOTAL CONTRACTED SERVICES	\$ 279,273	\$ 134,760	\$ 91,282	\$ 91,282	\$ 91,282	\$ (43,477)	-32.26%
SUPPLIES							
Academic							
General Supplies - DISCRETIONARY HOLD	\$ 45,366	\$ 51,286	\$ 51,435	\$ 51,435	\$ 51,435	\$ 149	0.29%
Instructional Supplies	\$ 5,515	\$ 24,015	\$ -	\$ -	\$ -	\$ (24,015)	-100.00%
Books Periodicals	\$ 22,530	\$ 20,240	\$ -	\$ -	\$ -	\$ (20,240)	-100.00%
Tech Related Supplies	\$ 3,131	\$ 3,400	\$ -	\$ -	\$ -	\$ (3,400)	-100.00%
Total Academic Supplies	\$ 76,542	\$ 98,942	\$ 51,435	\$ 51,435	\$ 51,435	\$ (47,507)	-48.01%
Operations							
Custodial Supplies	\$ 25,822	\$ 21,059	\$ -	\$ -	\$ -	\$ (21,059)	-100.00%
Natural Gas	\$ 49,916	\$ 91,223	\$ -	\$ -	\$ -	\$ (91,223)	-100.00%
Electricity	\$ 89,117	\$ 161,709	\$ -	\$ -	\$ -	\$ (161,709)	-100.00%
Total Operations Supplies	\$ 164,854	\$ 273,991	\$ -	\$ -	\$ -	\$ (273,991)	-100.00%
TOTAL SUPPLIES	\$ 241,397	\$ 372,933	\$ 51,435	\$ 51,435	\$ 51,435	\$ (321,498)	-86.21%
MISCELLANEOUS							
Dues and Fees	\$ 987	\$ 810	\$ -	\$ -	\$ -	\$ (810)	-100.00%
Field Trip Transportation	\$ 5,973	\$ 17,482	\$ -	\$ -	\$ -	\$ (17,482)	-100.00%
Miscellaneous Expenditures	\$ -	\$ 3,941	\$ -	\$ -	\$ -	\$ (3,941)	-100.00%
TOTAL MISCELLANEOUS	\$ 6,960	\$ 22,233	\$ -	\$ -	\$ -	\$ (22,233)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 527,629	\$ 529,925	\$ 142,717	\$ 142,717	\$ 142,717	\$ (387,208)	-73.07%
TOTAL EXPENDITURES	\$7,362,405	\$6,861,960	\$ 7,355,236	\$ 7,376,067	\$ 7,333,784	\$ 471,823	6.88%
			\$ 6,648,232	\$ 6,669,063	\$ 6,626,780		

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Talbot

Title Funds	IDEA Funds	CDS
SALARIES & BENEFITS	SALARIES & BENEFITS	SALARIES & BENEFITS
Regular Salaries	Regular Salaries	Regular Salaries
Professional Salary \$ 343,336	Professional Salary \$ -	Professional Salary \$ -
Instructional Aide/Asst \$ -	Instructional Aide/Asst \$ 70,000	Instructional Aide/Asst \$ 70,000
Administration/Regular Support \$ -	Administration/Regular Support \$ -	Administration/Regular Support \$ -
Total Regular Salaries \$ 343,336	Total Regular Salaries \$ 70,000	Total Regular Salaries \$ 70,000
Total Salaries \$ 343,336	Total Salaries \$ 70,000	Total Salaries \$ 70,000
Benefits	Benefits	Benefits
Health Insurance \$ 73,057	Health Insurance \$ 25,851	Health Insurance \$ 25,851
Medicare \$ 4,978	Medicare \$ 1,015	Medicare \$ 1,015
Retirement \$ 58,492	Retirement \$ 12,565	Retirement \$ 4,557
Tuition Reimbursement \$ 1,290	Tuition Reimbursement \$ 417	Tuition Reimbursement \$ 417
All Other \$ 3,249	All Other \$ 5,107	All Other \$ 5,107
PFML \$ -	PFML \$ 350	PFML \$ 350
Total Benefits \$ 141,066	Total Benefits \$ 45,305	Total Benefits \$ 37,297
TOTAL SALARIES & BENEFITS \$ 484,401	TOTAL SALARIES & BENEFITS \$ 115,305	TOTAL SALARIES & BENEFITS \$107,297

Portland Public Schools
FY2025 Central Office Organizational Chart
Finance Committee Recommended Budget
April 1, 2024



**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

CENTRAL OFFICE SUMMARY

	FY23 ACTUAL	FY24 BUDGET	FY25 Supt REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 2,471,801	\$ 1,907,622	\$ 3,892,875	\$ 4,226,128	\$ 4,300,678	\$ 2,393,056	125.45%
Instructional Aide/Asst	\$ 218,935	\$ 934,975	\$ -	\$ -	\$ -	\$ (934,975)	-100.00%
Adminstration/Regular Support	\$ 10,794,744	\$ 10,840,244	\$ 11,616,093	\$ 11,908,853	\$ 11,908,853	\$ 1,068,609	9.86%
Total Regular Salaires	\$ 13,485,480	\$ 13,682,841	\$ 15,508,968	\$ 16,134,981	\$ 16,209,531	\$ 2,526,690	18.47%
Temporary Salaries							
Temporary Salary	\$ 377,639	\$ 261,166	\$ 508,462	\$ 508,462	\$ 508,462	\$ 247,296	94.69%
Tutor	\$ -	\$ -	\$ 21,000	\$ 21,000	\$ 21,000	\$ 21,000	0.00%
Substitute	\$ 29,781	\$ 19,838	\$ -	\$ -	\$ -	\$ (19,838)	-100.00%
Teacher Additional Pay	\$ 127,628	\$ 110,552	\$ 46,280	\$ 46,280	\$ 46,280	\$ (64,272)	-58.14%
Regular Support Overtime	\$ 95,001	\$ 129,235	\$ 49,500	\$ 49,500	\$ 49,500	\$ (79,735)	-61.70%
Stipend/Differential	\$ 747,340	\$ 480,117	\$ 258,522	\$ 258,522	\$ 258,522	\$ (221,595)	-46.15%
Stipend-Retirement Sick	\$ 61,038	\$ 48,392	\$ 550,000	\$ 550,000	\$ 550,000	\$ 501,608	1036.55%
Stipend/Other	\$ 3,288	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Temporary Salaries	\$ 1,441,716	\$ 1,049,300	\$ 1,433,764	\$ 1,433,764	\$ 1,433,764	\$ 384,464	36.64%
Total Salaries	\$ 14,927,197	\$ 14,732,141	\$ 16,942,732	\$ 17,568,745	\$ 17,643,295	\$ 2,911,154	19.76%
Benefits							
Health Insurance	\$ 2,503,347	\$ 2,663,509	\$ 3,420,014	\$ 3,420,014	\$ 3,468,066	\$ 804,557	30.21%
Medicare	\$ 215,068	\$ 196,659	\$ 244,952	\$ 254,029	\$ 255,110	\$ 58,451	29.72%
Retirement	\$ 1,367,588	\$ 1,369,508	\$ 1,214,668	\$ 1,256,731	\$ 1,260,115	\$ (109,392)	-7.99%
Tuition Reimbursement	\$ 79,387	\$ 75,998	\$ 102,797	\$ 106,473	\$ 106,782	\$ 30,784	40.51%
Workers Compensation	\$ 422,227	\$ 499,865	\$ 512,861	\$ 512,861	\$ 512,861	\$ 12,996	2.60%
All Other	\$ 476,422	\$ 798,375	\$ 354,010	\$ 351,678	\$ 352,356	\$ (446,019)	-55.87%
PFML			\$ 84,536	\$ 43,024	\$ 43,024		
Total Benefits	\$ 5,064,039	\$ 5,603,914	\$ 5,933,838	\$ 5,944,810	\$ 5,998,316	\$ 394,402	7.04%
TOTAL SALARIES & BENEFITS	\$ 19,991,236	\$ 20,336,055	\$ 22,876,570	\$ 23,513,555	\$ 23,641,611	\$ 3,305,556	16.25%
CONTRACTED SERVICES							
PreK - 12th							
Contractual Pre-K	\$ 136,269	\$ 154,990	\$ 175,000	\$ 175,000	\$ 175,000	\$ 20,010	12.91%
Employee Train & Development Services	\$ 401,310	\$ 239,367	\$ 408,900	\$ 408,900	\$ 408,900	\$ 169,533	70.83%
EBooks & Online Subscriptions	\$ 6,985	\$ 5,140	\$ -	\$ -	\$ -	\$ (5,140)	-100.00%
Software/Annual Subscription	\$ 596,676	\$ 725,792	\$ 539,627	\$ 539,627	\$ 539,627	\$ (186,165)	-25.65%
Tuition to Post-Secondary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Staff Travel	\$ 44,858	\$ 101,297	\$ 58,101	\$ 58,101	\$ 58,101	\$ (43,196)	-42.64%
Security	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total PreK-12th Contracted Services	\$ 1,186,098	\$ 1,226,586	\$ 1,181,628	\$ 1,181,628	\$ 1,181,628	\$ (44,958)	-3.67%
Special Education							
Special Education Contracted Services	\$ 138,734	\$ 49,896	\$ 630,000	\$ 630,000	\$ 630,000	\$ 580,104	1162.63%
Tuition To In-State SAU	\$ 8,694	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Tuition to Private Source	\$ 2,308,998	\$ 2,679,000	\$ 3,310,000	\$ 3,310,000	\$ 3,310,000	\$ 631,000	23.55%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

CENTRAL OFFICE SUMMARY

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total SPED Contracted Services	\$ 2,456,426	\$ 2,728,896	\$ 3,940,000	\$ 3,940,000	\$ 3,940,000	\$ 1,211,104	44.38%
Ops and Comms							
Purchased Prof & Technical Services	\$ 3,218,332	\$ 1,751,280	\$ 2,010,226	\$ 2,110,226	\$ 2,110,226	\$ 358,946	20.50%
Other Professional Services	\$ 5,210	\$ 15,997	\$ 11,000	\$ 11,000	\$ 11,000	\$ (4,997)	-31.24%
Computer Lease	\$ 46,000	\$ 46,000	\$ 126,824	\$ 126,824	\$ 126,824	\$ 80,824	175.70%
Other Purchased Services	\$ 598	\$ 1,483	\$ 1,600	\$ 1,600	\$ 1,600	\$ 117	7.89%
Tech Related Repairs and Maintenance	\$ 54,642	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Software Maintenance	\$ 122,094	\$ 138,457	\$ 265,000	\$ 265,000	\$ 265,000	\$ 126,543	91.40%
Postage	\$ 22,914	\$ 47,263	\$ 21,200	\$ 21,200	\$ 21,200	\$ (26,063)	-55.14%
Phone	\$ 183,795	\$ 129,242	\$ 160,200	\$ 160,200	\$ 160,200	\$ 30,958	23.95%
Internet Connectivity	\$ 83,099	\$ 11,186	\$ 2,520	\$ 2,520	\$ 2,520	\$ (8,666)	-77.47%
Advertising	\$ 17,955	\$ 30,800	\$ 26,000	\$ 26,000	\$ 26,000	\$ (4,800)	-15.58%
Printing/Binding	\$ 21,634	\$ 52,980	\$ 15,900	\$ 15,900	\$ 15,900	\$ (37,080)	-69.99%
Photocopying	\$ 19,057	\$ 19,578	\$ 20,520	\$ 20,520	\$ 20,520	\$ 942	4.81%
Total Ops & Comm Contracted Services	\$ 3,795,330	\$ 2,244,266	\$ 2,660,990	\$ 2,760,990	\$ 2,760,990	\$ 516,724	23.02%
Insurance & Legal							
Insurance - General Liability	\$ 235,831	\$ 306,334	\$ 312,817	\$ 312,817	\$ 312,817	\$ 6,483	2.12%
Legal Services	\$ 318,542	\$ 278,211	\$ 303,900	\$ 303,900	\$ 303,900	\$ 25,689	9.23%
Total Ins & Legal Contracted Services	\$ 554,373	\$ 584,545	\$ 616,717	\$ 616,717	\$ 616,717	\$ 32,172	5.50%
Facilities							
Alarms	\$ 4,950	\$ 4,325	\$ 4,636	\$ 4,636	\$ 4,636	\$ 311	7.19%
Architect/Engineering - NSA	\$ -	\$ 20,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ (10,000)	-50.00%
Water	\$ 2,479	\$ 2,458	\$ 2,458	\$ 2,458	\$ 2,458	\$ -	0.00%
Sewer	\$ 5,694	\$ 7,876	\$ 7,876	\$ 7,876	\$ 7,876	\$ -	0.00%
Waste Disposal Services	\$ 7,202	\$ 6,402	\$ 6,402	\$ 6,402	\$ 6,402	\$ -	0.00%
Recycling Services	\$ 123,025	\$ 132,040	\$ 132,000	\$ 132,000	\$ 132,000	\$ (40)	-0.03%
Hazard Waste Disposal	\$ 15,616	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ -	0.00%
Repair and Maintenance Services	\$ 752,712	\$ 1,100,133	\$ 1,018,300	\$ 1,018,300	\$ 1,018,300	\$ (81,833)	-7.44%
HVAC Maintenance	\$ 586,638	\$ 595,514	\$ 765,159	\$ 765,159	\$ 765,159	\$ 169,645	28.49%
Mowing/Plowing/Field Maintenance	\$ 514,422	\$ 863,040	\$ 700,000	\$ 700,000	\$ 700,000	\$ (163,040)	-18.89%
Pest Management Services	\$ 21,081	\$ 22,385	\$ 22,967	\$ 22,967	\$ 22,967	\$ 582	2.60%
Fire Extinguisher Maintenance Services	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.00%
Asbestos/Mold Services	\$ 110,402	\$ 40,000	\$ 41,040	\$ 41,040	\$ 41,040	\$ 1,040	2.60%
Vehicle & Equipment Repair	\$ 40,974	\$ 33,000	\$ 32,000	\$ 32,000	\$ 32,000	\$ (1,000)	-3.03%
Rentals	\$ 38,201	\$ 230,040	\$ 1,500	\$ 1,500	\$ 1,500	\$ (228,540)	-99.35%
Total Ops & Comm Contracted Services	\$ 2,223,394	\$ 3,075,213	\$ 2,762,338	\$ 2,762,338	\$ 2,762,338	\$ (312,875)	-10.17%
Transportation							
Student Transportation Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Student Transportation Purchase/Private (Sped OO	\$ 780,525	\$ 836,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ (236,000)	-28.23%
Total Transport Contracted Services	\$ 780,525	\$ 836,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ (236,000)	-28.23%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

CENTRAL OFFICE SUMMARY

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
TOTAL CONTRACTED SERVICES	\$ 10,996,146	\$ 10,695,505	\$ 11,761,673	\$ 11,861,673	\$ 11,861,673	\$ 1,166,167	10.90%
SUPPLIES							
Academic							
General Supplies	\$ 636,503	\$ 615,902	\$ 413,242	\$ 413,242	\$ 413,242	\$ (202,660)	-32.90%
Instructional Supplies	\$ 16,478	\$ 106,800	\$ 470,600	\$ 470,600	\$ 470,600	\$ 363,800	340.64%
Books Periodicals	\$ 318,582	\$ 91,768	\$ 18,645	\$ 18,645	\$ 18,645	\$ (73,123)	-79.68%
Tech Related Supplies	\$ 547,991	\$ 579,069	\$ 94,700	\$ 94,700	\$ 94,700	\$ (484,369)	-83.65%
Software Licenses	\$ 40,200	\$ -	\$ 268,299	\$ 268,299	\$ 268,299	\$ 268,299	0.00%
Audiovisual Supplies	\$ 1,029	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -	0.00%
Total Academic Supplies	\$ 1,560,783	\$ 1,394,539	\$ 1,266,486	\$ 1,266,486	\$ 1,266,486	\$ (128,053)	-9.18%
Operations							
Custodial Supplies	\$ 13,916	\$ 10,250	\$ 224,793	\$ 224,793	\$ 224,793	\$ 214,543	2093.10%
Energy	\$ -	\$ 45,000	\$ -	\$ -	\$ -	\$ (45,000)	-100.00%
Natural Gas	\$ 63,417	\$ 68,090	\$ 700,115	\$ 700,115	\$ 700,115	\$ 632,025	928.22%
Electricity	\$ 64,929	\$ 140,227	\$ 823,155	\$ 823,155	\$ 823,155	\$ 682,928	487.02%
Bottled Gas	\$ 271	\$ -	\$ 1,260	\$ 1,260	\$ 1,260	\$ 1,260	0.00%
Oil	\$ -	\$ -	\$ 41,000	\$ 41,000	\$ 41,000	\$ 41,000	0.00%
Gasoline	\$ 262,139	\$ 261,523	\$ 255,000	\$ 255,000	\$ 255,000	\$ (6,523)	-2.49%
Food	\$ 1,983,256	\$ 1,857,307	\$ 2,142,000	\$ 2,142,000	\$ 2,142,000	\$ 284,693	15.33%
Non-Food Supplies	\$ 176,518	\$ 162,716	\$ 200,000	\$ 227,820	\$ 227,820	\$ 65,104	40.01%
Total Operations Supplies	\$ 2,564,447	\$ 2,545,113	\$ 4,387,323	\$ 4,415,143	\$ 4,415,143	\$ 1,870,030	73.48%
TOTAL SUPPLIES	\$ 4,125,230	\$ 3,939,652	\$ 5,653,809	\$ 5,681,629	\$ 5,681,629	\$ 1,741,977	44.22%
MISCELLANEOUS							
Dues and Fees	\$ 119,963	\$ 95,266	\$ 220,060	\$ 220,060	\$ 220,060	\$ 124,794	131.00%
Bank Fees	\$ 10,012	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Maine State Billing Fees	\$ 15,967	\$ 30,000	\$ -	\$ -	\$ -	\$ (30,000)	-100.00%
School Board Conference Fees	\$ 1,967	\$ 2,000	\$ -	\$ -	\$ -	\$ (2,000)	-100.00%
Judgments Against SAU	\$ 85,800	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Field Trip Transportation	\$ 1,131	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Miscellaneous Expenditures	\$ 1,266	\$ 17,750	\$ 9,635	\$ 9,635	\$ 9,635	\$ (8,115)	-45.72%
Other Items	\$ 14,600	\$ 106,000	\$ 20,657	\$ 20,657	\$ 20,657	\$ (85,343)	-80.51%
Fund Transfers Out	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 250,706	\$ 251,016	\$ 250,352	\$ 250,352	\$ 250,352	\$ (664)	-0.26%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$ 60,665	\$ -	\$ 555,170	\$ 555,170	\$ 555,170	\$ 555,170	0.00%
Equipment Less Than \$10,000	\$ 30,478	\$ 10,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 25,000	250.00%
Vehicles (Non-Student)	\$ 47,700	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Tech Related Equip Greater Than \$10,000	\$ 40,861	\$ 298,730	\$ -	\$ -	\$ -	\$ (298,730)	-100.00%
Tech Related Equipment Less Than \$10,000	\$ 125,975	\$ 79,027	\$ 123,020	\$ 123,020	\$ 123,020	\$ 43,993	55.67%
Student Transportation Vehicles	\$ 122,167	\$ 759,000	\$ -	\$ -	\$ -	\$ (759,000)	-100.00%
TOTAL CAPITAL EQUIPMENT	\$ 427,846	\$ 1,146,757	\$ 713,190	\$ 713,190	\$ 713,190	\$ (433,567)	-37.81%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

CENTRAL OFFICE SUMMARY

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
DEBT SERVICE							
Principal	\$ 5,046,798	\$ 5,811,623	\$ 6,530,703	\$ 6,530,703	\$ 6,530,703	\$ 719,080	12.37%
Interest	\$ 1,594,740	\$ 2,253,780	\$ 2,529,972	\$ 2,529,972	\$ 2,529,972	\$ 276,192	12.25%
Bond Issuance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL DEBT SERVICE	\$ 6,641,538	\$ 8,065,403	\$ 9,060,674	\$ 9,060,674	\$ 9,060,674	\$ 995,271	12.34%
TOTAL NON SALARY AND BENEFITS	\$ 22,441,467	\$ 24,098,334	\$ 27,439,698	\$ 27,567,518	\$ 27,567,518	\$ 3,469,185	14.40%
TOTAL EXPENDITURES	\$ 42,432,702	\$ 44,434,389	\$ 50,316,268	\$ 51,081,073	\$ 51,209,129	\$ 6,774,741	15.25%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Academics (Elementary & Secondary Teams)

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 419,180	\$ 490,488	\$ 303,522	\$ 456,700	\$ 531,250	\$ 40,762	8.31%
Adminstration/Regular Support	\$ 523,770	\$ 533,327	\$ 1,104,631	\$ 1,179,181	\$ 1,179,181	\$ 645,854	121.10%
Total Regular Salaries	\$ 942,949	\$ 1,023,815	\$ 1,408,153	\$ 1,635,881	\$ 1,710,431	\$ 686,616	67.06%
Temporary Salaries							
Teacher Additional Pay	\$ 15,577	\$ 43,595	\$ -	\$ -	\$ -	\$ (43,595)	-100.00%
Stipend/Differential	\$ 267,611	\$ 226,064	\$ -	\$ -	\$ -	\$ (226,064)	-100.00%
Stipend-Retirement Sick	\$ -	\$ 11,076	\$ -	\$ -	\$ -	\$ (11,076)	-100.00%
Total Temporary Salaries	\$ 283,189	\$ 280,735	\$ -	\$ -	\$ -	\$ (280,735)	-100.00%
Total Salaries	\$ 1,226,138	\$ 1,304,550	\$ 1,408,153	\$ 1,635,881	\$ 1,710,431	\$ 405,881	31.11%
Benefits							
Health Insurance	\$ 163,812	\$ 190,404	\$ 252,826	\$ 252,826	\$ 361,287	\$ 170,883	89.75%
Medicare	\$ 18,238	\$ 19,705	\$ 20,418	\$ 23,720	\$ 24,801	\$ 5,096	25.86%
Retirement	\$ 65,630	\$ 76,992	\$ 87,680	\$ 105,774	\$ 109,159	\$ 32,167	41.78%
Tuition Reimbursement	\$ 5,240	\$ -	\$ 11,132	\$ 12,434	\$ 12,743	\$ 12,743	0.00%
All Other	\$ 7,363	\$ 8,447	\$ 11,309	\$ 12,787	\$ 13,466	\$ 5,019	59.41%
PFML			\$ 7,041	\$ 5,896	\$ 5,896	\$ 5,896	0.00%
Total Benefits	\$ 260,284	\$ 295,548	\$ 390,406	\$ 413,437	\$ 527,351	\$ 231,803	78.43%
TOTAL SALARIES & BENEFITS	\$ 1,486,422	\$ 1,600,098	\$ 1,798,559	\$ 2,049,318	\$ 2,237,783	\$ 637,685	39.85%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 118,339	\$ 59,549	\$ 260,000	\$ 260,000	\$ 260,000	\$ 200,451	336.62%
EBooks & Online Subscriptions	\$ 6,500	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Software/Annual Subscription	\$ 140,245	\$ 280,304	\$ 128,142	\$ 128,142	\$ 128,142	\$ (152,162)	-54.28%
Staff Travel	\$ 4,585	\$ 14,200	\$ 4,000	\$ 4,000	\$ 4,000	\$ (10,200)	-71.83%
Total PreK-12th Contracted Services	\$ 269,668	\$ 354,053	\$ 392,142	\$ 392,142	\$ 392,142	\$ 38,089	10.76%
Ops and Comms							
Purchased Prof & Technical Services	\$ 124,312	\$ 132,991	\$ 638,000	\$ 638,000	\$ 638,000	\$ 505,009	379.73%
Printing/Binding	\$ 10,549	\$ 17,100	\$ -	\$ -	\$ -	\$ (17,100)	-100.00%
Total Ops & Comm Contracted Services	\$ 140,027	\$ 150,091	\$ 638,000	\$ 638,000	\$ 638,000	\$ 487,909	325.08%
Facilities							
Repair and Maintenance Services	\$ 9,449	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ -	0.00%
Rentals	\$ 500	\$ 4,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ (3,000)	-66.67%
Total Ops & Comm Contracted Services	\$ 9,949	\$ 13,500	\$ 10,500	\$ 10,500	\$ 10,500	\$ (3,000)	-22.22%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Academics (Elementary & Secondary Teams)

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
TOTAL CONTRACTED SERVICES	\$ 419,645	\$ 517,644	\$ 1,040,642	\$ 1,040,642	\$ 1,040,642	\$ 522,998	101.03%
SUPPLIES							
Academic							
General Supplies	\$ 45,160	\$ 20,775	\$ 3,500	\$ 3,500	\$ 3,500	\$ (17,275)	-83.15%
Instructional Supplies	\$ -	\$ -	\$ 300,217	\$ 300,217	\$ 300,217	\$ 300,217	0.00%
Books Periodicals	\$ 216,745	\$ 67,810	\$ 5,000	\$ 5,000	\$ 5,000	\$ (62,810)	-92.63%
Tech Related Supplies	\$ 9,590	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Software Licenses	\$ 39,624	\$ -	\$ 253,683	\$ 253,683	\$ 253,683	\$ 253,683	0.00%
TOTAL SUPPLIES	\$ 311,118	\$ 88,585	\$ 562,400	\$ 562,400	\$ 562,400	\$ 473,815	534.87%
MISCELLANEOUS							
Dues and Fees	\$ 2,852	\$ 15,800	\$ 39,000	\$ 39,000	\$ 39,000	\$ 23,200	146.84%
TOTAL MISCELLANEOUS	\$ 2,852	\$ 15,800	\$ 39,000	\$ 39,000	\$ 39,000	\$ 23,200	146.84%
TOTAL NON SALARY AND BENEFITS	\$ 733,615	\$ 622,029	\$ 1,642,042	\$ 1,642,042	\$ 1,642,042	\$ 1,020,013	163.98%
TOTAL EXPENDITURES	\$ 2,220,036	\$ 2,222,127	\$ 3,440,601	\$ 3,691,360	\$ 3,879,825	\$ 1,657,697	74.60%
NON-LOCAL EXPENSES (TITLE)							
Administration/Regular Support	\$ -	\$ -	\$ 75,042	\$ 75,042	\$ 75,042	\$ 75,042	0.00%
Benefits							
Health Insurance	\$ -	\$ -	\$ 12,334	\$ 12,334	\$ 12,334	\$ 12,334	0.00%
Medicare	\$ -	\$ -	\$ 1,088	\$ 1,088	\$ 1,088	\$ 1,088	0.00%
Retirement	\$ -	\$ -	\$ 13,409	\$ 13,409	\$ 13,409	\$ 13,409	0.00%
All Other	\$ -	\$ -	\$ 572	\$ 572	\$ 572	\$ 572	0.00%
PFML			\$ 375	\$ 375	\$ 375	\$ 375	0.00%
Total Salary and Benefits	\$ -	\$ -	\$ 102,445	\$ 102,445	\$ 102,445	\$ 102,445	0.00%
Employee Train & Development Services	\$ -	\$ -	\$ 65,619	\$ 65,619	\$ 65,619	\$ 65,619	0.00%
Instructional Supplies	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	0.00%
TOTAL NON-LOCAL (TITLE) EXPENSES	\$ -	\$ -	\$ 218,064	\$ 218,064	\$ 218,064	\$ 218,064	0.00%
MINUS:							
NON-LOCAL EXPENSES (ESSER)							
Purchased Prof & Technical Services	\$ -	\$ -	\$ 433,000	\$ 433,000	\$ 433,000	\$ 433,000	0.00%
NON-LOCAL EXPENSES (RREV)							
Purchased Prof & Technical Services			\$ 40,000	\$ 40,000	\$ 40,000		
Books Periodicals			\$ 10,000	\$ 10,000	\$ 10,000		
TOTAL NON LOCAL EXPENSES	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	0.00%
			\$ 2,739,537	\$ 2,990,296	\$ 3,178,760		

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Elementary & Secondary

	Item	Cost	Description
PreK-12th Contracted Services			
Employee Training & Development Services			
	EL Reading and CKLA	\$ 60,000	Additional Training and Supporting New Schools Relay or another training for principals and principal supervisors
	Leadership Training	\$ 100,000	
	Reading Intervention Train	\$ 100,000	Training for Reading Specialists
Software/Annual Subscription			
	Newsela	\$ 13,652	
	Phys Sci K-5	\$ 4,125	
	Generation Genius	\$ 11,000	
	Pivot Interactives	\$ 8,547	
	Phys Sci K-5 Notebooks	\$ 4,580	
	Lexia Core 5 and Power Up	\$ 47,982	
	Lexia	\$ 21,000	
	Classify & Centerpoint	\$ 17,256	
Staff Travel			
	Reimbursement	\$ 4,000	Reimbursement for music teacher mileage
PreK-12th Contracted Services Total		\$ 392,142	
Ops and Comms			
Purchased Professional & Technical Services			
	Wabanki Consultans	\$ 10,000	
	Black History Consultants	\$ 10,000	
	Soc Stud Consultants	\$ 3,000	
	Fieldwork Contracts	\$ 10,000	
	Maine Audubon	\$ 7,000	
	Classify Training	\$ 1,000	
	EL Contracts	\$ 60,000	Contracts for Presumpscot, Casco Bay HS and King with Expeditionary Learning Jobs for Maine Partnership. Results in 3 FTE between Deering and Portland HS
	JMG	\$ 54,000	
	HSOF Consultant	\$ 50,000	
	Summer School Hold	\$ 433,000	
Ops and Comms Total		\$ 638,000	
Facilities			
Repair & Maintenance Services			
	Music Instrument Repair	\$ 9,000	
Rentals			
	Rental Space	\$ 1,500	District Math Meets
Facilities Total		\$ 10,500	
Supplies - Academic			
General Supplies			
	Supplies	\$ 3,500	
Instructional Supplies			
	ALEKS for HS	\$ 6,417	
	Second Step Replacement	\$ 1,000	
	7 Mindsets	\$ 36,500	
	Math Curriculum	\$ 202,000	
	Science Curriculum	\$ 4,300	
	Reading Specialist Materials	\$ 50,000	
Books Periodicals			
	Black History	\$ 5,000	Books for Black History Curriculum
Software Licenses			

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Elementary & Secondary

	Item	Cost	Description
	Early Bird Screener License	\$ 22,660	
	Early Bird PD	\$ 3,600	
	AP Exams	\$ 8,500	
	mClass Licenses	\$ 12,150	
	mClass PD	\$ 5,000	
	WE Video	\$ 9,000	
	Sora	\$ 6,000	
	Follett/Destiny	\$ 25,573	
	Encyclopedia Britannica	\$ 3,500	
	PebbleGo	\$ 10,700	
	Naviance	\$ 14,000	
	New Data Tool	\$ 125,000	Start up costs of 80k and annual costs of 45k
	SWIS License Renewal	\$ 8,000	
Supplies - Academic Total		\$ 562,400	
Miscellaneous			
	Dues & Fees		
	SAT/PSAT	\$ 35,000	
	Music Fees	\$ 4,000	
Miscellaneous Total		\$ 39,000	
Total Non Salary and Benefits		\$ 1,642,042	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Asst Supt/School Mgmt

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Adminstration/Regular Support	\$ 272,519	\$ 201,042	\$ -	\$ -	\$ -	\$ (201,042)	-100.00%
Total Regular Salaries	\$ 272,519	\$ 201,042	\$ -	\$ -	\$ -	\$ (201,042)	-100.00%
Temporary Salaries							
Regular Support Overtime	\$ 579	\$ 1,500	\$ -	\$ -	\$ -	\$ (1,500)	-100.00%
Stipend/Differential	\$ 13,213	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Temporary Salaries	\$ 13,791	\$ 1,500	\$ -	\$ -	\$ -	\$ (1,500)	-100.00%
Total Salaries	\$ 286,311	\$ 202,542	\$ -	\$ -	\$ -	\$ (202,542)	-100.00%
Benefits							
Health Insurance	\$ 38,439	\$ 35,927	\$ -	\$ -	\$ -	\$ (35,927)	-100.00%
Medicare	\$ 4,056	\$ 2,938	\$ -	\$ -	\$ -	\$ (2,938)	-100.00%
Retirement	\$ 15,035	\$ 11,050	\$ -	\$ -	\$ -	\$ (11,050)	-100.00%
All Other	\$ 1,858	\$ 1,881	\$ -	\$ -	\$ -	\$ (1,881)	-100.00%
PFML	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Benefits	\$ 59,388	\$ 51,796	\$ -	\$ -	\$ -	\$ (51,796)	-100.00%
TOTAL SALARIES & BENEFITS	\$ 345,699	\$ 254,338	\$ -	\$ -	\$ -	\$ (254,338)	-100.00%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 14,036	\$ 8,000	\$ -	\$ -	\$ -	\$ (8,000)	-100.00%
Staff Travel	\$ 2,375	\$ 1,500	\$ -	\$ -	\$ -	\$ (1,500)	-100.00%
Total PreK-12th Contracted Services	\$ 16,411	\$ 9,500	\$ -	\$ -	\$ -	\$ (9,500)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 561	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Phone	\$ 2,047	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Printing/Binding	\$ 110	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Ops & Comm Contracted Services	\$ 2,718	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Facilities							
Rentals	\$ -	\$ 3,668	\$ -	\$ -	\$ -	\$ (3,668)	-100.00%
Total Ops & Comm Contracted Services	\$ -	\$ 3,668	\$ -	\$ -	\$ -	\$ (3,668)	-100.00%
TOTAL CONTRACTED SERVICES	\$ 19,129	\$ 13,168	\$ -	\$ -	\$ -	\$ (13,168)	-100.00%
SUPPLIES							
Academic							
General Supplies	\$ 13,764	\$ 10,970	\$ -	\$ -	\$ -	\$ (10,970)	-100.00%
Books Periodicals	\$ 540	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Tech Related Supplies	\$ -	\$ 3,000	\$ -	\$ -	\$ -	\$ (3,000)	-100.00%
TOTAL SUPPLIES	\$ 14,303	\$ 14,970	\$ -	\$ -	\$ -	\$ (14,970)	-100.00%
MISCELLANEOUS							
Dues and Fees	\$ 1,149	\$ 1,200	\$ -	\$ -	\$ -	\$ (1,200)	-100.00%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Asst Supt/School Mgmt								
	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24	
TOTAL MISCELLANEOUS	\$ 1,149	\$ 1,200	\$ -	\$ -	\$ -	\$ (1,200)	-100.00%	
TOTAL NON SALARY AND BENEFITS	\$ 34,581	\$ 29,338	\$ -	\$ -	\$ -	\$ (29,338)	-100.00%	
TOTAL EXPENDITURES	\$380,280	\$283,676	\$ -	\$ -	\$ -	\$ (283,676)	-100.00%	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Breathe

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 155,742	\$ 154,402	\$ -	\$ -	\$ -	\$ (154,402)	-100.00%
Instructional Aide/Asst	\$ 293	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Regular Salaries	\$ 156,034	\$ 154,402	\$ -	\$ -	\$ -	\$ (154,402)	-100.00%
Temporary Salaries							
Temporary Salary	\$ -	\$ 1,565	\$ -	\$ -	\$ -	\$ (1,565)	-100.00%
Substitute	\$ 3,513	\$ 19,838	\$ -	\$ -	\$ -	\$ (19,838)	-100.00%
Teacher Additional Pay	\$ 250	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Regular Support Overtime	\$ -	\$ 340	\$ -	\$ -	\$ -	\$ (340)	-100.00%
Stipend/Differential	\$ 14,505	\$ 36,000	\$ -	\$ -	\$ -	\$ (36,000)	-100.00%
Stipend-Retirement Sick	\$ -	\$ 1,769	\$ -	\$ -	\$ -	\$ (1,769)	-100.00%
Total Temporary Salaries	\$ 18,268	\$ 59,512	\$ -	\$ -	\$ -	\$ (59,512)	-100.00%
Total Salaries	\$ 174,302	\$ 213,914	\$ -	\$ -	\$ -	\$ (213,914)	-100.00%
Benefits							
Health Insurance	\$ 38,375	\$ 39,152	\$ -	\$ -	\$ -	\$ (39,152)	-100.00%
Medicare	\$ 2,515	\$ 3,199	\$ -	\$ -	\$ -	\$ (3,199)	-100.00%
Retirement	\$ 6,829	\$ 9,967	\$ -	\$ -	\$ -	\$ (9,967)	-100.00%
Tuition Reimbursement	\$ 11,489	\$ 7,618	\$ -	\$ -	\$ -	\$ (7,618)	-100.00%
All Other	\$ 1,178	\$ 1,158	\$ -	\$ -	\$ -	\$ (1,158)	-100.00%
PFML			\$ -	\$ -	\$ -	\$ -	0.00%
Total Benefits	\$ 60,385	\$ 61,094	\$ -	\$ -	\$ -	\$ (61,094)	-100.00%
TOTAL SALARIES & BENEFITS	\$ 234,687	\$ 275,008	\$ -	\$ -	\$ -	\$ (275,008)	-100.00%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 2,250	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
EBooks & Online Subscriptions	\$ 485	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total PreK-12th Contracted Services	\$ 2,735	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CONTRACTED SERVICES	\$ 2,735	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
SUPPLIES							
Academic							
General Supplies	\$ 7,129	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Instructional Supplies	\$ 5,525	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Books Periodicals	\$ 1,720	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Academic Supplies	\$ 14,374	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL SUPPLIES	\$ 14,374	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Breathe

	FY23	FY24	FY25 SUPT	FY25 Finance	FY25 Board	\$ +/(-) v	% +/- v
	ACTUAL	BUDGET	REC Mar 5	Comm Rev Apr 1	Apr 9	FY24	FY24
MISCELLANEOUS							
Dues and Fees	\$ 340	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Field Trip Transportation	\$ 1,015	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Miscellaneous Expenditures	\$ 1,266	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 2,622	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL NON SALARY AND BENEFITS	\$ 19,731	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL EXPENDITURES	\$254,418	\$275,008	\$ -	\$ -	\$ -	\$ (275,008)	-100.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Communications

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 9,700	\$ 10,895	\$ -	\$ -	\$ -	\$ (10,895)	-100.00%
Adminstration/Regular Support	\$ 220,012	\$ 231,319	\$ 124,551	\$ 124,551	\$ 124,551	\$ (106,768)	-46.16%
Total Regular Salaries	\$ 229,712	\$ 242,214	\$ 124,551	\$ 124,551	\$ 124,551	\$ (117,663)	-48.58%
Temporary Salaries							
Temporary Salary	\$ 513	\$ 534	\$ 2,300	\$ 2,300	\$ 2,300	\$ 1,766	330.71%
Regular Support Overtime	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Stipend/Differential	\$ -	\$ 2,576	\$ -	\$ -	\$ -	\$ (2,576)	-100.00%
Total Temporary Salaries	\$ 513	\$ 4,110	\$ 2,300	\$ 2,300	\$ 2,300	\$ (1,810)	-44.04%
Total Salaries	\$ 230,225	\$ 246,324	\$ 126,851	\$ 126,851	\$ 126,851	\$ (119,473)	-48.50%
Benefits							
Health Insurance	\$ 29,110	\$ 24,482	\$ 20,472	\$ 20,472	\$ 19,634	\$ (4,848)	-19.80%
Medicare	\$ 3,193	\$ 3,571	\$ 1,839	\$ 1,839	\$ 1,839	\$ (1,732)	-48.49%
Retirement	\$ 13,991	\$ 15,444	\$ 8,459	\$ 8,459	\$ 8,459	\$ (6,985)	-45.22%
Tuition Reimbursement	\$ -	\$ -	\$ 1,113	\$ 1,113	\$ 1,113	\$ 1,113	0.00%
All Other	\$ 1,827	\$ 2,086	\$ 950	\$ 911	\$ 911	\$ (1,175)	-56.31%
PFML			\$ 634	\$ 623	\$ 623	\$ 623	0.00%
Total Benefits	\$ 48,120	\$ 45,583	\$ 33,467	\$ 33,418	\$ 32,581	\$ (13,002)	-28.52%
TOTAL SALARIES & BENEFITS	\$ 278,345	\$ 291,907	\$ 160,318	\$ 160,269	\$ 159,432	\$ (132,475)	-45.38%
CONTRACTED SERVICES							
PreK - 12th							
Staff Travel	\$ -	\$ 600	\$ 600	\$ 600	\$ 600	\$ -	0.00%
Total PreK-12th Contracted Services	\$ -	\$ 600	\$ 600	\$ 600	\$ 600	\$ -	0.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 33,603	\$ 32,100	\$ 50,301	\$ 50,301	\$ 50,301	\$ 18,201	56.70%
Postage	\$ -	\$ 200	\$ -	\$ -	\$ -	\$ (200)	-100.00%
Phone	\$ 1,097	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Printing/Binding	\$ 32	\$ 2,349	\$ 2,300	\$ 2,300	\$ 2,300	\$ (49)	-2.09%
Total Ops & Comm Contracted Services	\$ 34,732	\$ 34,649	\$ 52,601	\$ 52,601	\$ 52,601	\$ 17,952	51.81%
Facilities							
Repair and Maintenance Services	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Total Ops & Comm Contracted Services	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
TOTAL CONTRACTED SERVICES	\$ 34,732	\$ 36,249	\$ 53,201	\$ 53,201	\$ 53,201	\$ 16,952	46.77%
SUPPLIES							
Academic							

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Communications

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
General Supplies	\$ 525	\$ 1,000	\$ 500	\$ 500	\$ 500	\$ (500)	-50.00%
Tech Related Supplies	\$ 1,481	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ -	0.00%
Audiovisual Supplies	\$ 1,029	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -	0.00%
Total Academic Supplies	\$ 3,036	\$ 4,000	\$ 3,500	\$ 3,500	\$ 3,500	\$ (500)	-12.50%
TOTAL SUPPLIES	\$ 3,036	\$ 4,000	\$ 3,500	\$ 3,500	\$ 3,500	\$ (500)	-12.50%
MISCELLANEOUS							
Dues and Fees	\$ 940	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 940	\$ 1,250	\$ 1,250	\$ 1,250	\$ 1,250	\$ -	0.00%
TOTAL NON SALARY AND BENEFITS	\$ 38,708	\$ 41,499	\$ 57,951	\$ 57,951	\$ 57,951	\$ 16,452	39.64%
TOTAL EXPENDITURES	\$ 317,053	\$ 333,406	\$ 218,269	\$ 217,383	\$ 217,383	\$ (116,023)	-34.80%

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Communications

	Item	Cost	Description
PreK-12th Contracted Services			
	Staff Travel		
	Reimbursement	\$ 600	Reimbursement for staff travel
	Security		
PreK-12th Contracted Services Total		\$ 600	
Ops and Comms			
Purchased Professional & Technical Services			
	Reach My Teach	\$ 18,201	
	Foster Grandparents	\$ 32,100	
	Printing/Binding		
	Flyers	\$ 2,300	Flyers for campaigns
Ops and Comms Total		\$ 52,601	
Supplies - Academic			
	General Supplies		
	Supplies	\$ 500	
	Tech Related Supplies		
	Supplies	\$ 2,000	TV supplies
	Audiovisual Supplies		
	Supplies	\$ 1,000	AV Supplies
	CTE Minor Equipment		
Supplies - Academic Total		\$ 3,500	
Miscellaneous			
	Dues & Fees		
	Fees	\$ 1,250	For TV Channel
Miscellaneous Total		\$ 1,250	
Total Non Salary and Benefits		\$ 57,951	

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Debt Service

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
DEBT SERVICE							
Principal	\$ 3,575,430	\$ 4,479,243	\$ 6,496,394	\$ 6,496,394	\$ 6,496,394	\$ 2,017,151	45.03%
Interest	\$ 1,050,278	\$ 1,531,320	\$ 2,527,028	\$ 2,527,028	\$ 2,527,028	\$ 995,708	65.02%
TOTAL DEBT SERVICE	\$ 4,625,708	\$ 6,010,563	\$ 9,023,422	\$ 9,023,422	\$ 9,023,422	\$ 3,012,859	50.13%
TOTAL NON SALARY AND BENEFITS	\$ 4,625,708	\$ 6,010,563	\$ 9,023,422	\$ 9,023,422	\$ 9,023,422	\$ 3,012,859	50.13%
TOTAL EXPENDITURES	\$ 4,625,708	\$ 6,010,563	\$ 9,023,422	\$ 9,023,422	\$ 9,023,422	\$ 3,012,859	50.13%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Operations (Strategy)

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Adminstration/Regular Support	\$ 50,346	\$ 153,452	\$ 246,994	\$ 246,994	\$ 246,994	\$ 93,542	60.96%
Total Regular Salaries	\$ 50,346	\$ 153,452	\$ 246,994	\$ 246,994	\$ 246,994	\$ 93,542	60.96%
Total Salaries	\$ 50,406	\$ 153,452	\$ 246,994	\$ 246,994	\$ 246,994	\$ 93,542	60.96%
Benefits							
Health Insurance	\$ 5,925	\$ 18,689	\$ 40,597	\$ 40,597	\$ 38,936	\$ 20,247	108.34%
Medicare	\$ 701	\$ 2,225	\$ 3,581	\$ 3,581	\$ 3,581	\$ 1,356	60.96%
Retirement	\$ 5,141	\$ 15,652	\$ 16,524	\$ 16,524	\$ 16,524	\$ 872	5.57%
Tuition Reimbursement	\$ -	\$ -	\$ 2,208	\$ 2,208	\$ 2,208	\$ 2,208	0.00%
All Other	\$ 385	\$ 1,462	\$ 1,884	\$ 1,807	\$ 1,807	\$ 345	23.61%
PFML	\$ -	\$ -	\$ 1,235	\$ 1,235	\$ 1,235	\$ 1,235	0.00%
Total Benefits	\$ 12,153	\$ 38,028	\$ 66,029	\$ 65,952	\$ 64,292	\$ 26,264	69.06%
TOTAL SALARIES & BENEFITS	\$ 62,559	\$ 191,480	\$ 313,023	\$ 312,946	\$ 311,285	\$ 119,805	62.57%
TOTAL EXPENDITURES	\$ 62,559	\$ 191,480	\$ 313,023	\$ 312,946	\$ 311,285	\$ 119,805	62.57%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Dept of Language Development

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 58,056	\$ 65,637	\$ -	\$ -	\$ -	\$ (65,637)	-100.00%
Total Regular Salaries	\$ 58,056	\$ 65,637	\$ -	\$ -	\$ -	\$ (65,637)	-100.00%
Temporary Salaries							
Teacher Additional Pay	\$ -	\$ -	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	0.00%
Stipend-Retirement Sick	\$ 20,118	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Temporary Salaries	\$ 20,118	\$ -	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	0.00%
Total Salaries	\$ 78,174	\$ 65,637	\$ 35,000	\$ 35,000	\$ 35,000	\$ (30,637)	-46.68%
Benefits							
Health Insurance	\$ 19,524	\$ 19,576	\$ -	\$ -	\$ -	\$ (19,576)	-100.00%
Medicare	\$ 1,018	\$ 952	\$ 508	\$ 508	\$ 508	\$ (445)	-46.69%
Retirement	\$ 2,962	\$ 2,934	\$ 1,589	\$ 1,589	\$ 1,589	\$ (1,345)	-45.84%
Tuition Reimbursement	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	0.00%
All Other	\$ 501	\$ 579	\$ -	\$ -	\$ -	\$ (579)	-100.00%
PFML			\$ 175	\$ -	\$ -	\$ -	0.00%
Total Benefits	\$ 24,005	\$ 24,041	\$ 32,272	\$ 32,097	\$ 32,097	\$ 8,056	33.51%
TOTAL SALARIES & BENEFITS	\$102,179	\$ 89,678	\$ 67,272	\$ 67,097	\$ 67,097	\$ (22,582)	-25.18%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 49,456	\$ 72,500	\$ 5,000	\$ 5,000	\$ 5,000	\$ (67,500)	-93.10%
Software/Annual Subscription	\$ -	\$ -	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000	0.00%
Staff Travel	\$ 423	\$ 500	\$ 460	\$ 460	\$ 460	\$ (40)	-8.00%
Total PreK-12th Contracted Services	\$ 49,879	\$ 73,000	\$ 60,460	\$ 60,460	\$ 60,460	\$ (12,540)	-17.18%
Ops and Comms							
Purchased Prof & Technical Services	\$ 28,410	\$ 30,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ (19,000)	-63.33%
Phone	\$ 589	\$ 242	\$ -	\$ -	\$ -	\$ (242)	-100.00%
Printing/Binding	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
Total Ops & Comm Contracted Services	\$ 28,999	\$ 30,342	\$ 11,000	\$ 11,000	\$ 11,000	\$ (19,342)	-63.75%
Facilities							
Rentals	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
Total Ops & Comm Contracted Services	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
TOTAL CONTRACTED SERVICES	\$ 80,378	\$103,342	\$ 71,460	\$ 71,460	\$ 71,460	\$ (31,882)	-30.85%
SUPPLIES							
Academic							
General Supplies	\$ 3,054	\$ 658	\$ 500	\$ 500	\$ 500	\$ (158)	-24.06%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Dept of Language Development

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Instructional Supplies	\$ -	\$ -	\$ 33,500	\$ 33,500	\$ 33,500	\$ 33,500	0.00%
Total Academic Supplies	\$ 3,054	\$ 658	\$ 34,000	\$ 34,000	\$ 34,000	\$ 33,342	5064.03%
TOTAL SUPPLIES	\$ 3,054	\$ 658	\$ 34,000	\$ 34,000	\$ 34,000	\$ 33,342	5064.03%
MISCELLANEOUS							
Dues and Fees	\$ 24,165	\$ 11,000	\$ -	\$ -	\$ -	\$ (11,000)	-100.00%
TOTAL MISCELLANEOUS	\$ 24,165	\$ 11,000	\$ -	\$ -	\$ -	\$ (11,000)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$107,597	\$115,000	\$ 105,460	\$ 105,460	\$ 105,460	\$ (9,540)	-8.30%
TOTAL EXPENDITURES	\$209,775	\$204,678	\$ 172,732	\$ 172,557	\$ 172,557	\$ (32,122)	-15.69%

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
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Language Development

	Item	Cost	Description
PreK-12th Contracted Services			
Employee Training & Development Services			
	Conference Reg	\$ 5,000	Conference/Workshop Registration, PD, FLAME Conference, Guest Speaker Stipend, WIDA Conference, N. NE TESOL
Software/Annual Subscription			
	ELlevation	\$ 55,000	Software to manage Lau plan and professional development for staff
Staff Travel			
	Reimbursement	\$ 460	Travel reimbursement
Security			
PreK-12th Contracted Services Total		\$ 60,460	
Ops and Comms			
Purchased Professional & Technical Services			
	Host Family	\$ 2,000	Cultural assistant fees to host family
	Visa Fees	\$ 9,000	Visiting teacher visa fees
Ops and Comms Total		\$ 11,000	
Supplies - Academic			
General Supplies			
	Supplies	\$ 500	
Instructional Supplies			
	RAZ Plus	\$ 10,000	Materials to support ESOL instruction. RAZ Plus,
	National Geographic	\$ 3,500	National Geographic, Books
	Books	\$ 20,000	
Supplies - Academic Total		\$ 34,000	
Total Non Salary and Benefits		\$ 105,460	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

District-wide Pre-K

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ -	\$ 50,448	\$ 260,536	\$ 260,536	\$ 260,536	\$ 210,088	416.44%
Instructional Aide/Asst	\$ 45	\$ 30,745	\$ -	\$ -	\$ -	\$ (30,745)	-100.00%
Adminstration/Regular Support	\$ 143,085	\$ 176,924	\$ 181,200	\$ 181,200	\$ 181,200	\$ 4,276	2.42%
Total Regular Salaries	\$ 143,130	\$ 258,117	\$ 441,736	\$ 441,736	\$ 441,736	\$ 183,619	71.14%
Temporary Salaries							
Temporary Salary	\$ 23,987	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Substitute	\$ 2,389	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Teacher Additional Pay	\$ 2,085	\$ 5,280	\$ 5,280	\$ 5,280	\$ 5,280	\$ -	0.00%
Regular Support Overtime	\$ -	\$ 2,800	\$ -	\$ -	\$ -	\$ (2,800)	-100.00%
Total Temporary Salaries	\$ 28,461	\$ 8,080	\$ 5,280	\$ 5,280	\$ 5,280	\$ (2,800)	-34.65%
Total Salaries	\$ 171,591	\$ 266,197	\$ 447,016	\$ 447,016	\$ 447,016	\$ 180,819	67.93%
Benefits							
Health Insurance	\$ 3,691	\$ 46,740	\$ 98,613	\$ 98,613	\$ 93,853	\$ 47,113	100.80%
Medicare	\$ 2,713	\$ 3,820	\$ 6,482	\$ 6,482	\$ 6,482	\$ 2,662	69.68%
Retirement	\$ 15,065	\$ 21,911	\$ 26,368	\$ 26,368	\$ 26,368	\$ 4,457	20.34%
Tuition Reimbursement	\$ -	\$ -	\$ 2,112	\$ 2,112	\$ 2,112	\$ 2,112	0.00%
Workers Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
All Other	\$ 589	\$ 2,543	\$ 4,745	\$ 4,551	\$ 4,551	\$ 2,008	78.94%
PFML			\$ 2,235	\$ 906	\$ 906		
Total Benefits	\$ 22,058	\$ 75,014	\$ 140,555	\$ 139,031	\$ 134,271	\$ 59,257	79.00%
TOTAL SALARIES & BENEFITS	\$ 193,649	\$ 341,211	\$ 587,571	\$ 586,047	\$ 581,287	\$ 240,076	70.36%
CONTRACTED SERVICES							
PreK - 12th							
Contractual Pre-K	\$ 96,039	\$ 154,990	\$ 175,000	\$ 175,000	\$ 175,000	\$ 20,010	12.91%
Employee Train & Development Services	\$ 27,796	\$ 2,775	\$ 2,775	\$ 2,775	\$ 2,775	\$ -	0.00%
Software/Annual Subscription	\$ 3,908	\$ 4,752	\$ 4,752	\$ 4,752	\$ 4,752	\$ -	0.00%
Staff Travel	\$ -	\$ 750	\$ 750	\$ 750	\$ 750	\$ -	0.00%
Total PreK-12th Contracted Services	\$ 127,743	\$ 163,267	\$ 183,277	\$ 183,277	\$ 183,277	\$ 20,010	12.26%
Ops and Comms							
Phone	\$ 808	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Printing/Binding	\$ -	\$ -	\$ 2,800	\$ 2,800	\$ 2,800	\$ 2,800	0.00%
Total Ops & Comm Contracted Services	\$ 808	\$ -	\$ 2,800	\$ 2,800	\$ 2,800	\$ 2,800	0.00%
TOTAL CONTRACTED SERVICES	\$ 128,551	\$ 163,267	\$ 186,077	\$ 186,077	\$ 186,077	\$ 22,810	13.97%
SUPPLIES							
Academic							

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
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District-wide Pre-K

	FY23	FY24	FY25	FY25 Finance	FY25 Board	\$ +/(-) v	% +/- v
	ACTUAL	BUDGET	SUPT REC Mar 5	Comm Rev Apr 1	Apr 9	FY24	FY24
General Supplies	\$ 9,437	\$ 23,500	\$ 5,000	\$ 5,000	\$ 5,000	\$ (18,500)	-78.72%
Instructional Supplies	\$ 2,249	\$ 23,092	\$ 16,000	\$ 16,000	\$ 16,000	\$ (7,092)	-30.71%
Books Periodicals	\$ 1,522	\$ 7,500	\$ 6,000	\$ 6,000	\$ 6,000	\$ (1,500)	-20.00%
TOTAL SUPPLIES	\$ 13,208	\$ 54,092	\$ 27,000	\$ 27,000	\$ 27,000	\$ (27,092)	-50.09%
TOTAL NON SALARY AND BENEFITS	\$ 141,759	\$ 217,359	\$ 213,077	\$ 213,077	\$ 213,077	\$ (4,282)	-1.97%
TOTAL EXPENDITURES	\$ 335,409	\$ 558,570	\$ 800,648	\$ 799,124	\$ 794,364	\$ 235,794	42.21%

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
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PreK

	Item	Cost	Description
PreK-12th Contracted Services			
	Contractual Pre-K		
	Partner MOUs	\$ 175,000	Provides 64 preK seats in 5 classrooms
Employee Training & Development Services			
	Training	\$ 2,775	Training for all employees on Teachign Strategies Gold and Class
Software/Annual Subscription			
	Subscription	\$ 4,752	Teaching Strategies Gold - State requirement
Staff Travel			
	Reimbursement	\$ 750	Staff travel
PreK-12th Contracted Services Total		\$ 183,277	
Special Education			
	Printing/Binding		
	Visual Aids	\$ 2,800	Visual aids for special populations
Ops and Comms Total		\$ 2,800	
Supplies - Academic			
	General Supplies		
	Supplies	\$ 5,000	Replenish required supplies (ie rest mats)
Instructional Supplies			
	Supplies	\$ 16,000	Replenish required supplies
Books Periodicals			
	Texts	\$ 6,000	Provide multiple texts, increase representation
Supplies - Academic Total		\$ 27,000	
Total Non Salary and Benefits		\$ 213,077	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Facilities

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Adminstration/Regular Support	\$ 725,453	\$ 858,886	\$ 773,504	\$ 773,504	\$ 773,504	\$ (85,382)	-9.94%
Total Regular Salaries	\$ 725,453	\$ 858,886	\$ 773,504	\$ 773,504	\$ 773,504	\$ (85,382)	-9.94%
Temporary Salaries							
Temporary Salary	\$ 35,925	\$ 10,600	\$ -	\$ -	\$ -	\$ (10,600)	-100.00%
Regular Support Overtime	\$ 8,299	\$ 3,675	\$ -	\$ -	\$ -	\$ (3,675)	-100.00%
Stipend/Differential	\$ 7,773	\$ 6,369	\$ -	\$ -	\$ -	\$ (6,369)	-100.00%
Stipend-Retirement Sick	\$ 18,105	\$ 5,626	\$ -	\$ -	\$ -	\$ (5,626)	-100.00%
Total Temporary Salaries	\$ 70,102	\$ 26,270	\$ -	\$ -	\$ -	\$ (26,270)	-100.00%
Total Salaries	\$ 795,555	\$ 885,156	\$ 773,504	\$ 773,504	\$ 773,504	\$ (111,652)	-12.61%
Benefits							
Health Insurance	\$ 188,370	\$ 179,732	\$ 190,391	\$ 190,391	\$ 182,602	\$ 2,870	1.60%
Medicare	\$ 11,473	\$ 12,837	\$ 11,216	\$ 11,216	\$ 11,216	\$ (1,621)	-12.63%
Retirement	\$ 69,721	\$ 84,752	\$ 69,735	\$ 69,735	\$ 69,735	\$ (15,017)	-17.72%
Tuition Reimbursement	\$ -	\$ -	\$ 2,061	\$ 2,061	\$ 2,061	\$ 2,061	0.00%
All Other	\$ 5,809	\$ 8,591	\$ 13,239	\$ 12,697	\$ 12,697	\$ 4,106	47.79%
PFML			\$ 3,868	\$ 3,868	\$ 3,868		
Total Benefits	\$ 275,374	\$ 285,912	\$ 290,510	\$ 289,967	\$ 282,178	\$ (3,734)	-1.31%
TOTAL SALARIES & BENEFITS	\$ 1,070,929	\$ 1,171,068	\$ 1,064,014	\$ 1,063,471	\$ 1,055,682	\$ (115,386)	-9.85%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 1,628	\$ 8,250	\$ 2,000	\$ 2,000	\$ 2,000	\$ (6,250)	-75.76%
Software/Annual Subscription	\$ 13,618	\$ 14,600	\$ 10,773	\$ 10,773	\$ 10,773	\$ (3,827)	-26.21%
Staff Travel	\$ 3,580	\$ 11,600	\$ 6,000	\$ 6,000	\$ 6,000	\$ (5,600)	-48.28%
Total PreK-12th Contracted Services	\$ 18,825	\$ 34,450	\$ 18,773	\$ 18,773	\$ 18,773	\$ (15,677)	-45.51%
Ops and Comms							
Purchased Prof & Technical Services	\$ 293,963	\$ 238,875	\$ 385,563	\$ 385,563	\$ 385,563	\$ 146,688	61.41%
Postage	\$ 22	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Phone	\$ 123,001	\$ 116,760	\$ 118,800	\$ 118,800	\$ 118,800	\$ 2,040	1.75%
Advertising	\$ 177	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Ops & Comm Contracted Services	\$ 417,163	\$ 355,635	\$ 504,363	\$ 504,363	\$ 504,363	\$ 148,728	41.82%
Insurance & Legal							
Insurance - General Liability	\$ 32,709	\$ 40,889	\$ 41,952	\$ 41,952	\$ 41,952	\$ 1,063	2.60%
Total Ins & Legal Contracted Services	\$ 32,709	\$ 40,889	\$ 41,952	\$ 41,952	\$ 41,952	\$ 1,063	2.60%
Facilities							
Alarms	\$ 4,950	\$ 4,325	\$ 4,636	\$ 4,636	\$ 4,636	\$ 311	7.19%
Architect/Engineering - NSA	\$ -	\$ 20,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ (10,000)	-50.00%
Water	\$ 1,354	\$ 1,229	\$ 1,229	\$ 1,229	\$ 1,229	\$ -	0.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
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Facilities

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Sewer	\$ 2,779	\$ 3,938	\$ 3,938	\$ 3,938	\$ 3,938	\$ -	0.00%
Waste Disposal Services	\$ 1,062	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Recycling Services	\$ 123,025	\$ 132,040	\$ 132,000	\$ 132,000	\$ 132,000	\$ (40)	-0.03%
Hazard Waste Disposal	\$ 15,616	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ -	0.00%
Repair and Maintenance Services	\$ 469,175	\$ 644,475	\$ 532,000	\$ 532,000	\$ 532,000	\$ (112,475)	-17.45%
HVAC Maintenance	\$ 586,638	\$ 595,514	\$ 765,159	\$ 765,159	\$ 765,159	\$ 169,645	28.49% *
Mowing/Plowing/Field Maintenance	\$ 510,230	\$ 858,040	\$ 700,000	\$ 700,000	\$ 700,000	\$ (158,040)	-18.42%
Pest Management Services	\$ 21,081	\$ 22,385	\$ 22,967	\$ 22,967	\$ 22,967	\$ 582	2.60%
Fire Extinguisher Maintenance Services	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.00%
Asbestos/Mold Services	\$ 110,402	\$ 40,000	\$ 41,040	\$ 41,040	\$ 41,040	\$ 1,040	2.60%
Vehicle & Equipment Repair	\$ 22,906	\$ 21,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ (1,000)	-4.76%
Rentals	\$ 34,739	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Ops & Comm Contracted Services	\$ 1,903,955	\$ 2,360,946	\$ 2,250,969	\$ 2,250,969	\$ 2,250,969	\$ (109,977)	-4.66%
TOTAL CONTRACTED SERVICES	\$ 2,372,652	\$ 2,791,920	\$ 2,816,057	\$ 2,816,057	\$ 2,816,057	\$ 24,137	0.86%
SUPPLIES							
Academic							
General Supplies	\$ 211,399	\$ 233,869	\$ 225,000	\$ 225,000	\$ 225,000	\$ (8,869)	-3.79%
Tech Related Supplies	\$ 2,334	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Academic Supplies	\$ 213,733	\$ 233,869	\$ 225,000	\$ 225,000	\$ 225,000	\$ (8,869)	-3.79%
Operations							
Custodial Supplies	\$ 13,916	\$ 10,250	\$ 224,793	\$ 224,793	\$ 224,793	\$ 214,543	2093.10% *
Natural Gas	\$ 46,551	\$ 48,433	\$ 680,458	\$ 680,458	\$ 680,458	\$ 632,025	1304.95% *
Electricity	\$ 23,930	\$ 90,035	\$ 780,065	\$ 780,065	\$ 780,065	\$ 690,030	766.40% *
Bottled Gas	\$ 271	\$ -	\$ 1,260	\$ 1,260	\$ 1,260	\$ 1,260	0.00%
Oil	\$ -	\$ -	\$ 41,000	\$ 41,000	\$ 41,000	\$ 41,000	0.00%
Gasoline	\$ 294	\$ 9,300	\$ -	\$ -	\$ -	\$ (9,300)	-100.00%
Total Operations Supplies	\$ 84,962	\$ 158,018	\$ 1,727,576	\$ 1,727,576	\$ 1,727,576	\$ 1,569,558	993.28%
TOTAL SUPPLIES	\$ 298,695	\$ 391,887	\$ 1,952,576	\$ 1,952,576	\$ 1,952,576	\$ 1,560,689	398.25%
MISCELLANEOUS							
Dues and Fees	\$ 3,005	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
TOTAL MISCELLANEOUS	\$ 3,005	\$ 100	\$ -	\$ -	\$ -	\$ (100)	-100.00%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$ 49,790	\$ -	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	0.00%
Equipment Less Than \$10,000	\$ 22,239	\$ -	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	0.00%
TOTAL CAPITAL EQUIPMENT	\$ 119,729	\$ -	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000	0.00%
DEBT SERVICE							
Principal	\$ 1,454,559	\$ 1,315,571	\$ 17,500	\$ 17,500	\$ 17,500	\$ (1,298,071)	-98.67%
Interest	\$ 534,580	\$ 716,049	\$ -	\$ -	\$ -	\$ (716,049)	-100.00%
TOTAL DEBT SERVICE	\$ 1,989,139	\$ 2,031,620	\$ 17,500	\$ 17,500	\$ 17,500	\$ (2,014,120)	-99.14%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

Facilities

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
TOTAL NON SALARY AND BENEFITS	\$ 4,783,220	\$ 5,215,527	\$ 4,871,133	\$ 4,871,133	\$ 4,871,133	\$ (344,394)	-6.60%
TOTAL EXPENDITURES	\$ 5,854,149	\$ 6,386,595	\$ 5,935,147	\$ 5,934,604	\$ 5,926,815	\$ (459,780)	-7.20%

Note:
 * Need to redistribute costs to schools and departments

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Facilities

	Item	Cost	Description
PreK-12th Contracted Services			
Employee Training & Development Services	Training	\$ 2,000	Fall training, lift training
Software/Annual Subscription	Work Order System	\$ 10,773	Software subscription - Work Order System
Staff Travel	Reimbursement	\$ 6,000	Staff Travel
PreK-12th Contracted Services Total		\$ 18,773	
Ops and Comms			
Purchased Professional & Technical Services	Red Cap	\$25,000.00	Red Cap Staffing Services
	Sprinkler Inspections	\$10,000.00	Quarterly Fire Sprinkler System inspections Burglary alarm system monitoring 17 @ \$240
	Burglary Alarm	\$4,313.00	plus 1 @ 300 and 2 @ 600
	Fire Alarm monitoring	\$12,000.00	Fire Alarm monitoring
	Fire system inspections	\$25,000.00	Fire alarm system inspections
	Fire pump testing	\$450.00	Fire pump testing
	Fire hydrant inspections	\$900.00	Fire hydrant inspections
	Hood inspection	\$5,000.00	Kitchen hood inspections and cleaning
	Fire Suppression Inspect	\$5,000.00	Kitchen fire suppression system inspection Elevator inspections - 20 elevators and lifts plus
	Elevator Inspect	\$21,600.00	fire support (smoke test) and repairs
	Elevator Certification	\$1,800.00	Elevator Certification
	Backflow inspections	\$1,000.00	Backflow preventor inspections
	Bleacher inspections	\$13,000.00	Bleacher inspections
	Basketball hoop inspect	\$20,000.00	Basketball hoop inspections
	AHERA	\$22,000.00	AHERA six month surveillance/3 Year inspections
	AHERA awareness training	\$1,500.00	AHERA awareness training
	AHERA Designated official	\$10,000.00	AHERA Designated official
	IEQ Inspections	\$20,000.00	IEQ Inspections CHO/HAZCOM support - annual audit, plan review, regulatory interpretation and disposal
	CHO/HAZCOM support	\$6,000.00	processing
	Secuirty Cameras	\$44,000.00	Minuteman security camera system agreement
	Lead in water testing	\$5,000.00	Lead in water testing
	PFAs in water testing	\$32,000.00	PFAs in water testing
	Radon Testing	\$100,000.00	Radon Testing
	Phone		
	Cell Phone Stipend	\$ 10,800	
	Copper Landlines	\$ 108,000	
Ops and Comms Total		\$ 504,363	
Insurance & Legal			
Insurance - General Liability	Insurance	\$ 41,952	Facilities portion of insurance
Insurance & Legal Total		\$ 41,952	
Facilities			
Architect/Engineering	Architecture Support	\$ 10,000	For outstanding projects
Water	Water	\$ 51,167	Will be costed out to all departments
Sewer	Sewer	\$ 147,305	Will be costed out to all departments
Waste Disposal Services	Waste Disposal	\$ 117,762	Will be costed out to all departments
Recycling Services	Recycling	\$ 132,000	Will be costed out to all departments
Hazard Waste Disposal			

Portland Public Schools
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Facilities

	Item	Cost	Description
	Hazardous Waste Disposal	\$ 8,000	
Repair & Maintenance Services	Electrical	\$200,000.00	
	Plumbing	\$200,000.00	
	Alarm system repair	\$7,000.00	
	Security System	\$20,000.00	
	Elevator sevice contract	\$30,000.00	
	Intercom	\$10,000.00	
	Roof repairs	\$25,000.00	
	Masonry repairs	\$20,000.00	
	Refinish wooden gym floors	\$20,000.00	
	UV Light Service	\$0.00	
HVAC Maintenance	City Contract	\$ 765,159	
Mowing/Plowing/Field Maintenance	Paving repairs/ striping/	\$ 10,000	
	Forestry Services	\$ 10,000	Provided by city
	Winter Ops	\$ 94,000	Winter operations/ snow removal provided by the city, including school walking routes sidewalk clearing - should reflect real costs Athletic Fields/ playground maintenance provided by the city (no charges during COVID, but ramping up per latest email
	Field Maintenancce	\$ 200,000	
	Contracted mowing	\$ 110,000	
	Contracted Snow Removal	\$ 226,000	
	PAE snow removal	\$ 5,000	
	Grounds Maintenance	\$ 45,000	
Pest Management Services	Pest Managemetn	\$ 22,967	
Fire Extinguisher Maintenance Services	Inspections and Repairs	\$ 10,000	
Asbestos/Mold Services	Abatement Services	\$ 41,040	
Vehicle & Equipment Repair	Repairs and Maintenance	\$ 20,000	
	Rentals		
Facilities Total		\$ 2,557,400	
Supplies - Academic			
	General Supplies		
	Supplies	\$ 225,000	Maintenance repairs (light bulbs, paint, drywall, ceiling tiles, etc.)
Supplies - Academic Total		\$ 225,000	
Supplies - Operations			
	Custodial Supplies		
	Supplies	\$ 224,793	Will be costed out to all departments
	Natural Gas		
	Natural Gass	\$ 680,458	Will be costed out to all departments
	Electricity		
	Electricity	\$ 780,065	Electricity (20 buildings + DHS memorial field, Talbot sign, site lighting and flashers)
	Bottled Gas		
	Bottled Gas	\$ 1,260	Will be costed out to all departments
	Oil		
	Oil	\$ 41,000	
	Non-Food Supplies		
Supplies - Operations Total		\$ 1,727,576	
Capital Equipment			

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
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Facilities

	Item	Cost	Description
Equipment Greater Than \$10,000			
	Scrubber	\$ 60,000	autonomous scrubber
Equipment Less Than \$10,000			
	Snowblowers	\$ 25,000	snow blowers
Capital Equipment Total		\$ 85,000	
Debt Service			
	Principal		
	Principal	\$ 17,500	
Debt Service Total		\$ 17,500	
Total Non Salary and Benefits		\$ 5,177,564	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
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Finance

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Adminstration/Regular Support	\$ 639,537	\$ 799,307	\$ 769,347	\$ 856,642	\$ 856,642	\$ 57,335	7.17%
Total Regular Salaries	\$ 639,537	\$ 799,307	\$ 769,347	\$ 856,642	\$ 856,642	\$ 57,335	7.17%
Temporary Salaries							
Temporary Salary	\$ 9,230	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Regular Support Overtime	\$ 24,176	\$ 16,000	\$ -	\$ -	\$ -	\$ (16,000)	-100.00%
Stipend/Differential	\$ 77,100	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Stipend-Retirement Sick	\$ 12,560	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Temporary Salaries	\$ 123,067	\$ 16,000	\$ -	\$ -	\$ -	\$ (16,000)	-100.00%
Total Salaries	\$ 762,603	\$ 815,307	\$ 769,347	\$ 856,642	\$ 856,642	\$ 41,335	5.07%
Benefits							
Health Insurance	\$ 104,252	\$ 152,888	\$ 126,454	\$ 126,454	\$ 135,042	\$ (17,846)	-11.67%
Medicare	\$ 10,645	\$ 11,880	\$ 11,156	\$ 12,421	\$ 12,421	\$ 541	4.56%
Retirement	\$ 61,277	\$ 78,211	\$ 51,469	\$ 57,309	\$ 57,309	\$ (20,902)	-26.72%
Tuition Reimbursement	\$ -	\$ 720	\$ 6,877	\$ 7,657	\$ 7,657	\$ 6,937	963.54%
Workers Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
All Other	\$ 4,839	\$ 6,995	\$ 5,869	\$ 6,268	\$ 6,268	\$ (727)	-10.40%
PFML			\$ 3,847	\$ 4,283	\$ 4,283		
Total Benefits	\$ 181,013	\$ 250,694	\$ 205,672	\$ 214,393	\$ 222,981	\$ (27,713)	-11.05%
TOTAL SALARIES & BENEFITS	\$ 943,616	\$ 1,066,00	\$ 975,019	\$ 1,071,035	\$ 1,079,623	\$ 13,622	1.28%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ -	\$ 3,900	\$ 4,500	\$ 4,500	\$ 4,500	\$ 600	15.38%
Staff Travel	\$ -	\$ 500	\$ 500	\$ 500	\$ 500	\$ -	0.00%
Total PreK-12th Contracted Services	\$ -	\$ 4,400	\$ 5,000	\$ 5,000	\$ 5,000	\$ 600	13.64%
Ops and Comms							
Purchased Prof & Technical Services	\$ 459,752	\$ 445,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ (295,000)	-66.29%
Software Maintenance	\$ 109,203	\$ 126,457	\$ 250,000	\$ 250,000	\$ 250,000	\$ 123,543	97.70%
Postage	\$ 20,802	\$ 38,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ (18,000)	-47.37%
Printing/Binding	\$ 4,679	\$ 5,650	\$ 2,000	\$ 2,000	\$ 2,000	\$ (3,650)	-64.60%
Photocopying	\$ 16,845	\$ 14,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 1,000	7.14%
Total Ops & Comm Contracted Services	\$ 613,508	\$ 629,107	\$ 437,000	\$ 437,000	\$ 437,000	\$ (192,107)	-30.54%
Insurance & Legal							
Insurance - General Liability	\$ 1,237	\$ 6,200	\$ 6,361	\$ 6,361	\$ 6,361	\$ 161	2.60%
Total Ins & Legal Contracted Services	\$ 1,237	\$ 6,200	\$ 6,361	\$ 6,361	\$ 6,361	\$ 161	2.60%
TOTAL CONTRACTED SERVICES	\$ 614,745	\$ 639,707	\$ 448,361	\$ 448,361	\$ 448,361	\$ (191,346)	-29.91%

SUPPLIES**Academic**

General Supplies	\$ 4,035	\$ 11,155	\$ 5,000	\$ 5,000	\$ 5,000	\$ (6,155)	-55.18%
Tech Related Supplies	\$ 4,918	\$ 8,850	\$ 10,000	\$ 10,000	\$ 10,000	\$ 1,150	12.99%
Software Licenses	\$ 96	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL SUPPLIES	\$ 9,048	\$ 20,005	\$ -	\$ 15,000	\$ 15,000	\$ (5,005)	-25.02%

MISCELLANEOUS

Dues and Fees	\$ 9,690	\$ 2,722	\$ 100,000	\$ 100,000	\$ 100,000	\$ 97,278	3573.77%
Bank Fees	\$ 10,012	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 19,702	\$ 2,722	\$ 100,000	\$ 100,000	\$ 100,000	\$ 97,278	3573.77%

TOTAL NON SALARY AND BENEFITS	\$ 643,496	\$ 662,434	\$ 548,361	\$ 563,361	\$ 563,361	\$ (99,073)	-14.96%
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TOTAL EXPENDITURES	\$ 1,587,112	\$ 1,728,43	\$ 1,523,380	\$ 1,634,396	\$ 1,642,984	\$ (85,451)	-4.94%
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Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Finance

	Item	Cost	Description
PreK-12th Contracted Services			
	Employee Training & Development Services		
	Financial Training	\$ 4,500	Training for new staff members to understand financial systems
	Staff Travel		
	Staff Travel Reimbursement	\$ 500	Reimbursement for staff travel
PreK-12th Contracted Services Total		\$ 5,000	
Ops and Comms			
	Purchased Professional & Technical Services		
	ADP Module	\$ 150,000	Potential module in ADP to improve system
	Software Maintenance		
	Software	\$ 250,000	ADP and Help Desk
	Postage		
	Postage	\$ 20,000	
	Printing/Binding		
	Printing	\$ 2,000	1099 forms and envelopes
	Photocopying		
	Photocopying lease	\$ 15,000	District copiers
Ops and Comms Total		\$ 437,000	
Insurance & Legal			
	Insurance - General Liability		
	Insurance	\$ 6,361	Finance portion of insurance
	Legal Services		
Insurance & Legal Total		\$ 6,361	
Supplies - Academic			
	General Supplies		
	Supplies	\$ 5,000	
	Tech Related Supplies		
	Computers	\$ 10,000	PC Computers for finance team
Supplies - Academic Total		\$ 15,000	
Miscellaneous			
	Dues & Fees		
	Fees/Penalties	\$ 100,000	Possible remaining fees/penalties from IRS/other agencies (\$190k in FY2024)
Miscellaneous Total		\$ 100,000	
Total Non Salary and Benefits		\$ 563,361	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Food Services

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Adminstration/Regular Support	\$ 1,313,182	\$ 1,404,803	\$ 1,713,235	\$ 1,713,235	\$ 1,713,235	\$ 308,432	21.96%
Total Regular Salaries	\$ 1,313,182	\$ 1,404,803	\$ 1,713,235	\$ 1,713,235	\$ 1,713,235	\$ 308,432	21.96%
Temporary Salaries							
Temporary Salary	\$ 58,855	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ -	0.00%
Regular Support Overtime	\$ 12,856	\$ 11,000	\$ -	\$ -	\$ -	\$ (11,000)	-100.00%
Stipend-Retirement Sick	\$ -	\$ 6,052	\$ -	\$ -	\$ -	\$ (6,052)	-100.00%
Total Temporary Salaries	\$ 71,711	\$ 77,052	\$ 60,000	\$ 60,000	\$ 60,000	\$ (17,052)	-22.13%
Total Salaries	\$ 1,384,894	\$ 1,481,855	\$ 1,773,235	\$ 1,773,235	\$ 1,773,235	\$ 291,380	19.66%
Benefits							
Health Insurance	\$ 268,995	\$ 375,684	\$ 451,102	\$ 451,102	\$ 432,647	\$ 56,963	15.16%
Medicare	\$ 19,785	\$ 21,489	\$ 25,712	\$ 25,712	\$ 25,712	\$ 4,223	19.65%
Retirement	\$ 127,462	\$ 141,998	\$ 166,132	\$ 166,132	\$ 166,132	\$ 24,134	17.00%
Tuition Reimbursement	\$ -	\$ -	\$ 2,308	\$ 2,308	\$ 2,308	\$ 2,308	#DIV/0!
All Other	\$ 11,791	\$ 20,023	\$ 32,733	\$ 31,394	\$ 31,394	\$ 11,371	56.79%
PFML			\$ 8,866	\$ 839	\$ 839		
Total Benefits	\$ 428,033	\$ 559,194	\$ 686,853	\$ 677,486	\$ 659,032	\$ 99,838	17.85%
TOTAL SALARIES & BENEFITS	\$ 1,812,926	\$ 2,041,049	\$ 2,460,088	\$ 2,450,722	\$ 2,432,267	\$ 391,218	19.17%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 435	\$ 3,075	\$ 7,075	\$ 7,075	\$ 7,075	\$ 4,000	130.08%
Software/Annual Subscription	\$ -	\$ 20,986	\$ 25,700	\$ 25,700	\$ 25,700	\$ 4,714	22.46%
Staff Travel	\$ 3,276	\$ 7,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 1,000	14.29%
Total PreK-12th Contracted Services	\$ 3,711	\$ 31,061	\$ 40,775	\$ 40,775	\$ 40,775	\$ 9,714	31.27%
Ops and Comms							
Purchased Prof & Technical Services	\$ 25,045	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	#DIV/0!
Other Purchased Services	\$ 598	\$ 1,483	\$ 1,600	\$ 1,600	\$ 1,600	\$ 117	7.89%
Software Maintenance	\$ 10,771	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
Postage	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ (5,000)	-100.00%
Phone	\$ 3,198	\$ 3,000	\$ 1,800	\$ 1,800	\$ 1,800	\$ (1,200)	-40.00%
Internet Connectivity	\$ 1,773	\$ 2,520	\$ 2,520	\$ 2,520	\$ 2,520	\$ -	0.00%
Advertising	\$ 240	\$ 500	\$ 500	\$ 500	\$ 500	\$ -	0.00%
Printing/Binding	\$ -	\$ 4,000	\$ -	\$ -	\$ -	\$ (4,000)	-100.00%
Photocopying	\$ 1,298	\$ 1,720	\$ 1,720	\$ 1,720	\$ 1,720	\$ -	0.00%
Total Ops & Comm Contracted Services	\$ 42,923	\$ 18,223	\$ 38,140	\$ 38,140	\$ 38,140	\$ 19,917	109.30%
Insurance & Legal							
Insurance - General Liability	\$ 5,195	\$ 6,494	\$ 6,663	\$ 6,663	\$ 6,663	\$ 169	2.60%

Total Ins & Legal Contracted Services	\$ 5,195	\$ 6,494	\$ 6,663	\$ 6,663	\$ 6,663	\$ 169	2.60%
Facilities							
Water	\$ 1,125	\$ 1,229	\$ 1,229	\$ 1,229	\$ 1,229	\$ -	0.00%
Sewer	\$ 2,915	\$ 3,938	\$ 3,938	\$ 3,938	\$ 3,938	\$ -	0.00%
Waste Disposal Services	\$ 6,140	\$ 6,402	\$ 6,402	\$ 6,402	\$ 6,402	\$ -	0.00%
Repair and Maintenance Services	\$ 71,671	\$ 57,500	\$ 70,000	\$ 70,000	\$ 70,000	\$ 12,500	21.74%
Mowing/Plowing/Field Maintenance	\$ 4,192	\$ 5,000	\$ -	\$ -	\$ -	\$ (5,000)	-100.00%
Vehicle & Equipment Repair	\$ 18,068	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ -	0.00%
Total Ops & Comm Contracted Services	\$ 104,111	\$ 86,069	\$ 93,569	\$ 93,569	\$ 93,569	\$ 7,500	8.71%
TOTAL CONTRACTED SERVICES	\$ 155,940	\$ 141,847	\$ 179,147	\$ 179,147	\$ 179,147	\$ 37,300	26.30%
SUPPLIES							
Academic							
General Supplies	\$ 4,579	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.00%
Tech Related Supplies	\$ -	\$ 7,700	\$ 7,700	\$ 7,700	\$ 7,700	\$ -	0.00%
Natural Gas	\$ 16,866	\$ 19,657	\$ 19,657	\$ 19,657	\$ 19,657	\$ -	0.00%
Electricity	\$ 40,417	\$ 43,090	\$ 43,090	\$ 43,090	\$ 43,090	\$ -	0.00%
Gasoline	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	0.00%
Food	\$ 1,983,256	\$ 1,857,307	\$ 2,142,000	\$ 2,142,000	\$ 2,142,000	\$ 284,693	15.33%
Non-Food Supplies	\$ 176,518	\$ 162,716	\$ 200,000	\$ 227,820	\$ 227,820	\$ 65,104	40.01%
TOTAL SUPPLIES	\$2,221,636	\$2,105,470	\$ -	\$ 2,455,267	\$ 2,455,267	\$ 349,797	16.61%
MISCELLANEOUS							
Dues and Fees	\$ 1,231	\$ 2,025	\$ 2,025	\$ 2,025	\$ 2,025	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 1,231	\$ 2,025	\$ 2,025	\$ 2,025	\$ 2,025	\$ -	0.00%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$ -	\$ -	\$ 495,170	\$ 495,170	\$ 495,170	\$ 495,170	#DIV/0!
Equipment Less Than \$10,000	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	0.00%
TOTAL CAPITAL EQUIPMENT	\$ -	\$ 10,000	\$ 505,170	\$ 505,170	\$ 505,170	\$ 495,170	4951.70%
TOTAL NON SALARY AND BENEFITS	\$2,378,808	\$2,259,342	\$3,113,789	\$ 3,141,609	\$ 3,141,609	\$ 882,267	39.05%
TOTAL EXPENDITURES	\$4,191,734	\$4,300,391	\$5,573,877	\$ 5,592,330	\$ 5,573,876	\$1,273,485	29.61%

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Food Service

	Item	Cost	Description
PreK-12th Contracted Services			
Employee Training & Development Services			
	ANC Conference	\$ 7,075	Director, Managers, Chef to attend ANC in Boston
Software/Annual Subscription			
	Software	\$ 25,700	Software for point of sale, nutrition and temperature controls
Staff Travel			
	Hotel & Transporta	\$ 8,000	Travel to ANC Conference in Boston
PreK-12th Contracted Services Total		\$ 40,775	
Ops and Comms			
Purchased Professional & Technical Services			
	Consultant	\$ 30,000	Consultant for upcoming audit. See spend down plan for details
Other Purchased Services			
	Ferry Fees	\$ 1,600	Food to Cliff and Peaks Islands
Phone			
	Cell Stipends	\$ 1,800	Cell stipends based on contracts
Internet Connectivity			
	Internet	\$ 2,520	Portion of the internet costs that are attributed to food services
Advertising			
	Bids	\$ 500	Advertising for bids
Photocopying			
	Photocopying	\$ 1,720	Annual lease costs for pinters
Ops and Comms Total		\$ 38,140	
Insurance & Legal			
Insurance - General Liability			
	Insurance	\$ 6,663	Food service portion of insurance
Legal Services			
Insurance & Legal Total		\$ 6,663	
Facilities			
	Water		
	Water	\$ 1,229	Food service portion
	Sewer		
	Sewer	\$ 3,938	Food service portion
Waste Disposal Services			
	Waste Disposal Ser	\$ 6,402	Food service portion
Repair & Maintenance Services			
	Repairs	\$ 70,000	Repairs of Kitchen Equipment. Increased as food services purchases more equipment and looks to spend down the fund balance.
Vehicle & Equipment Repair			
	Truck Repairs	\$ 12,000	Aligned to average costs for repair and maintenance of vehicles
	Rentals		
Facilities Total		\$ 93,569	
Supplies - Academic			
General Supplies			
	Supplies	\$ 10,000	About half is paper, office supplies for central and school kitchens; green trays
Tech Related Supplies			

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Food Service

	Item	Cost	Description
	Computer and Poin	\$ 7,700	Computers and point of sale monitors
CTE Minor Equipment			
Supplies - Academic Total		\$ 17,700	
Supplies - Operations			
	Natural Gas		
	Natural Gas	\$ 19,657	Holding value for food service portion
	Electricity		
	Electricity	\$ 43,090	Holding value for food service portion
	Gasoline		
	Gasoline	\$ 5,000	Gas Cards for Food Trucks
	Food		
	Food	\$ 2,142,000	Food for student meals
Non-Food Supplies			
	Plasticware	\$ 200,000	Plasticware; pods for elementary schools; trays, napkins.
Supplies - Operations Total		\$ 2,409,747	
Miscellaneous			
	Dues & Fees		
	State License	\$ 2,025	State license fees for kitchens
Miscellaneous Total		\$ 2,025	
Capital Equipment			
Equipment Greater Than \$10,000			
	Kitchen Equipment	\$ 495,170	Kitchen equipment, generator and truck. Based on fund spend down plan
Equipment Less Than \$10,000			
	Kitchen Items	\$ 10,000	Small kitchen items like immersion blender, roboku
Capital Equipment Total		\$ 505,170	
Total Non Salary and Benefits		\$ 3,113,789	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

HR and People & Equity

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ -	\$ 96,082	\$ 100,885	\$ 100,885	\$ 100,885	\$ 4,803	5.00%
Instructional Aide/Asst	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Adminstration/Regular Support	\$ 834,206	\$ 1,069,224	\$ 834,698	\$ 834,698	\$ 834,698	\$ (234,526)	-21.93%
Total Regular Salaries	\$ 834,206	\$ 1,165,306	\$ 935,583	\$ 935,584	\$ 935,584	\$ (229,722)	-19.71%
Temporary Salaries							
Temporary Salary	\$ 13,678	\$ 35,000	\$ -	\$ -	\$ -	\$ (35,000)	-100.00%
Regular Support Overtime	\$ 92	\$ 2,000	\$ -	\$ -	\$ -	\$ (2,000)	-100.00%
Stipend/Differential	\$ 20,470	\$ 86,740	\$ 170,250	\$ 170,250	\$ 170,250	\$ 83,510	96.28%
Stipend-Retirement Sick	\$ -	\$ -	\$ 550,000	\$ 550,000	\$ 550,000	\$ 550,000	0.00% *
Total Temporary Salaries	\$ 34,240	\$ 123,740	\$ 720,250	\$ 720,250	\$ 720,250	\$ 596,510	482.07%
Total Salaries	\$ 868,445	\$ 1,289,046	\$ 1,655,833	\$ 1,655,834	\$ 1,655,834	\$ 366,788	28.45%
Benefits							
Health Insurance	\$ 133,929	\$ 190,037	\$ 173,802	\$ 173,802	\$ 166,412	\$ (23,625)	-12.43%
Medicare	\$ 12,298	\$ 18,909	\$ 24,010	\$ 24,010	\$ 24,010	\$ 5,101	26.97%
Retirement	\$ 81,626	\$ 112,063	\$ 102,135	\$ 102,135	\$ 102,135	\$ (9,928)	-8.86%
Tuition Reimbursement	\$ 55,742	\$ 60,720	\$ 7,880	\$ 7,880	\$ 7,880	\$ (52,840)	-87.02%
Workers Compensation	\$ 422,227	\$ 499,865	\$ 512,861	\$ 512,861	\$ 512,861	\$ 12,996	2.60%
All Other	\$ 382,061	\$ 164,920	\$ 166,359	\$ 166,059	\$ 166,059	\$ 1,139	0.69%
PFML	\$ -	\$ -	\$ 8,279	\$ 4,173	\$ 4,173	\$ 4,173	0.00%
Total Benefits	\$ 1,087,882	\$ 1,046,514	\$ 995,326	\$ 990,920	\$ 983,529	\$ (62,985)	-6.02%
TOTAL SALARIES & BENEFITS	\$ 1,956,327	\$ 2,335,560	\$ 2,651,159	\$ 2,646,753	\$ 2,639,363	\$ 303,803	13.01%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 19,138	\$ 13,241	\$ 10,000	\$ 10,000	\$ 10,000	\$ (3,241)	-24.48%
Software/Annual Subscription	\$ 86,650	\$ 109,559	\$ 104,559	\$ 104,559	\$ 104,559	\$ (5,000)	-4.56%
Staff Travel	\$ 588	\$ 10,150	\$ 4,000	\$ 4,000	\$ 4,000	\$ (6,150)	-60.59%
Total PreK-12th Contracted Services	\$ 106,375	\$ 132,950	\$ 118,559	\$ 118,559	\$ 118,559	\$ (14,391)	-10.82%
Ops and Comms							
Purchased Prof & Technical Services	\$ 122,147	\$ 94,825	\$ 71,600	\$ 71,600	\$ 71,600	\$ (23,225)	-24.49%
Other Professional Services	\$ 4,552	\$ 15,997	\$ 11,000	\$ 11,000	\$ 11,000	\$ (4,997)	-31.24%
Postage	\$ 9	\$ 75	\$ -	\$ -	\$ -	\$ (75)	-100.00%
Phone	\$ 8,864	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Advertising	\$ 17,537	\$ 29,800	\$ 25,000	\$ 25,000	\$ 25,000	\$ (4,800)	-16.11%
Printing/Binding	\$ 126	\$ 11,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ (6,000)	-54.55%
Total Ops & Comm Contracted Services	\$ 153,235	\$ 151,697	\$ 112,600	\$ 112,600	\$ 112,600	\$ (39,097)	-25.77%
Insurance & Legal							
Legal Services	\$ 89,681	\$ 92,500	\$ 100,000	\$ 100,000	\$ 100,000	\$ 7,500	8.11%
Total Ins & Legal Contracted Services	\$ 89,681	\$ 92,500	\$ 100,000	\$ 100,000	\$ 100,000	\$ 7,500	8.11%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

HR and People & Equity

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
Facilities							
Repair and Maintenance Services	\$ -	\$ 500	\$ 500	\$ 500	\$ 500	\$ -	0.00%
Rentals	\$ -	\$ 750	\$ -	\$ -	\$ -	\$ (750)	-100.00%
Total Ops & Comm Contracted Services	\$ -	\$ 1,250	\$ 500	\$ 500	\$ 500	\$ (750)	-60.00%
TOTAL CONTRACTED SERVICES	\$ 349,291	\$ 378,397	\$ 331,659	\$ 331,659	\$ 331,659	\$ (46,738)	-12.35%
SUPPLIES							
Academic							
General Supplies	\$ 43,885	\$ 34,400	\$ 29,000	\$ 29,000	\$ 29,000	\$ (5,400)	-15.70%
Tech Related Supplies	\$ 4,740	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL SUPPLIES	\$ 48,625	\$ 34,400	\$ 29,000	\$ 29,000	\$ 29,000	\$ (5,400)	-15.70%
MISCELLANEOUS							
Dues and Fees	\$ 46,953	\$ 23,419	\$ 20,000	\$ 20,000	\$ 20,000	\$ (3,419)	-14.60%
TOTAL MISCELLANEOUS	\$ 46,953	\$ 23,419	\$ 20,000	\$ 20,000	\$ 20,000	\$ (3,419)	-14.60%
TOTAL NON SALARY AND BENEFITS	\$ 444,869	\$ 436,216	\$ 380,659	\$ 380,659	\$ 380,659	\$ (55,557)	-12.74%
TOTAL EXPENDITURES	\$2,401,197	\$2,771,776	\$3,031,818	\$ 3,027,412	\$ 3,020,022	\$ 248,246	8.96%

Note:

* Need to redistribute costs to schools and departments

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

HR Equity

	Item	Cost	Description
PreK-12th Contracted Services			
Employee Training & Development Services			
	Equity Training	\$ 10,000	
Software/Annual Subscription			
	Frontline Evaluation TEVAL	\$ 30,569	
	Frontline AESOP	\$ 17,228	
	Frontline AppliTracker	\$ 21,762	
	Vector PD	\$ 35,000	
Staff Travel			
	Reimbursement	\$ 4,000	Recruiting and conferences
PreK-12th Contracted Services Total		\$ 118,559	
Ops and Comms			
Purchased Professional & Technical Services			
	Employee Assistance	\$ 9,000	Transcript evalaution and translation live
	TNTP Survey	\$ 62,600	Staff survey
Other Professional Services			
	Physicals/Drug Testign	\$ 6,000	
	Ergonomic Assessments	\$ 5,000	
Advertising			
	Advertising	\$ 25,000	Indeed, School Spring, Serving Schools, Direct Outreach
Printing/Binding			
	Printing	\$ 5,000	Contracts, Equity Hiring Toolkit, Recruiting Materials
Ops and Comms Total		\$ 112,600	
Insurance & Legal			
	Legal Services		
	Legal - Negotiations	\$ 72,500	
	Legal - Investigations	\$ 20,000	
	Legal - Immigration	\$ 7,500	
Insurance & Legal Total		\$ 100,000	
Facilities			
Repair & Maintenance Services			
	Badge machine	\$ 500	
Facilities Total		\$ 500	
Supplies - Academic			
	General Supplies		
	Background checks	\$ 4,000	
	Supplies	\$ 25,000	Employee recognition, office supplies, ergonomic supplies, retirement gifts
Supplies - Academic Total		\$ 29,000	
Miscellaneous			
	Dues & Fees		
	Dues and Fees	\$ 20,000	Admin Renewal Fees, MSMA Fees, ICMA, HR and ITIXA membership, recruiting and job fairs
Miscellaneous Total		\$ 20,000	
Total Non Salary and Benefits		\$ 380,659	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

IT and Data & Assessment

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Administration/Regular Support	\$ 827,289	\$ 958,136	\$ 1,040,507	\$ 1,133,122	\$ 1,133,122	\$ 174,986	18.26%
Total Regular Salaries	\$ 827,289	\$ 958,136	\$ 1,040,507	\$ 1,133,122	\$ 1,133,122	\$ 174,986	18.26%
Temporary Salaries							
Temporary Salary	\$ 456	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Regular Support Overtime	\$ 517	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Stipend-Retirement Sick	\$ -	\$ 238	\$ -	\$ -	\$ -	\$ (238)	-100.00%
Total Temporary Salaries	\$ 973	\$ 238	\$ -	\$ -	\$ -	\$ (238)	-100.00%
Total Salaries	\$ 828,262	\$ 958,374	\$ 1,040,507	\$ 1,133,122	\$ 1,133,122	\$ 174,748	18.23%
Benefits							
Health Insurance	\$ 171,166	\$ 193,040	\$ 211,194	\$ 211,194	\$ 217,154	\$ 24,114	12.49%
Medicare	\$ 10,760	\$ 13,896	\$ 15,087	\$ 16,430	\$ 16,430	\$ 2,534	18.24%
Retirement	\$ 76,511	\$ 90,888	\$ 81,034	\$ 87,230	\$ 87,230	\$ (3,658)	-4.03%
Tuition Reimbursement	\$ 1,687	\$ 1,262	\$ 6,219	\$ 7,046	\$ 7,046	\$ 5,784	458.36%
Workers Compensation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
All Other	\$ 6,494	\$ 7,976	\$ 12,598	\$ 12,760	\$ 12,760	\$ 4,784	59.98%
PFML			\$ 5,203	\$ 5,666	\$ 5,666		
Total Benefits	\$ 266,619	\$ 307,062	\$ 331,335	\$ 340,326	\$ 346,286	\$ 39,224	12.77%
TOTAL SALARIES & BENEFITS	\$ 1,094,881	\$ 1,265,436	\$ 1,371,842	\$ 1,473,448	\$ 1,479,408	\$ 213,972	16.91%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 10,018	\$ 17,235	\$ 11,000	\$ 11,000	\$ 11,000	\$ (6,235)	-36.18%
Software/Annual Subscription	\$ 194,306	\$ 292,891	\$ 210,701	\$ 210,701	\$ 210,701	\$ (82,190)	-28.06%
Staff Travel	\$ 6,853	\$ 13,550	\$ 6,000	\$ 6,000	\$ 6,000	\$ (7,550)	-55.72%
Total PreK-12th Contracted Services	\$ 211,177	\$ 323,676	\$ 227,701	\$ 227,701	\$ 227,701	\$ (95,975)	-29.65%
Ops and Comms							
Purchased Prof & Technical Services	\$ 27,654	\$ 20,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ (5,000)	-25.00%
Computer Lease	\$ 46,000	\$ 46,000	\$ 126,824	\$ 126,824	\$ 126,824	\$ 80,824	175.70%
Tech Related Repairs and Maintenance	\$ 53,134	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Phone	\$ 10,438	\$ 6,840	\$ 3,000	\$ 3,000	\$ 3,000	\$ (3,840)	-56.14%
Total Ops & Comm Contracted Services	\$ 137,226	\$ 72,840	\$ 144,824	\$ 144,824	\$ 144,824	\$ 71,984	98.82%
Insurance & Legal							
Insurance - General Liability	\$ 56,089	\$ 57,000	\$ 57,000	\$ 57,000	\$ 57,000	\$ -	0.00%
Total Ins & Legal Contracted Services	\$ 56,089	\$ 57,000	\$ 57,000	\$ 57,000	\$ 57,000	\$ -	0.00%
Facilities							
Repair and Maintenance Services	\$ 18,364	\$ 166,577	\$ 206,800	\$ 206,800	\$ 206,800	\$ 40,223	24.15%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

IT and Data & Assessment

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Total Ops & Comm Contracted Services	\$ 18,364	\$ 166,577	\$ 206,800	\$ 206,800	\$ 206,800	\$ 40,223	24.15%
TOTAL CONTRACTED SERVICES	\$ 422,856	\$ 620,093	\$ 636,325	\$ 636,325	\$ 636,325	\$ 16,232	2.62%
SUPPLIES							
Academic							
General Supplies	\$ 1,268	\$ 1,455	\$ 1,455	\$ 1,455	\$ 1,455	\$ -	0.00%
Tech Related Supplies	\$ 49,166	\$ 207,000	\$ 52,000	\$ 52,000	\$ 52,000	\$ (155,000)	-74.88%
TOTAL SUPPLIES	\$ 50,433	\$ 208,455	\$ 53,455	\$ 53,455	\$ 53,455	\$ (155,000)	-74.36%
MISCELLANEOUS							
Dues and Fees	\$ 50	\$ 150	\$ 150	\$ 150	\$ 150	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 50	\$ 150	\$ 150	\$ 150	\$ 150	\$ -	0.00%
CAPITAL EQUIPMENT							
Tech Related Equip Greater Than \$10,000	\$ 10,500	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Tech Related Equipment Less Than \$10,000	\$ 125,975	\$ 79,027	\$ 123,020	\$ 123,020	\$ 123,020	\$ 43,993	55.67%
TOTAL CAPITAL EQUIPMENT	\$ 136,475	\$ 79,027	\$ 123,020	\$ 123,020	\$ 123,020	\$ 43,993	55.67%
DEBT SERVICE							
Interest	\$ 5,958	\$ 3,465	\$ 1,125	\$ 1,125	\$ 1,125	\$ (2,340)	-67.53%
TOTAL DEBT SERVICE	\$ 5,958	\$ 3,465	\$ 1,125	\$ 1,125	\$ 1,125	\$ (2,340)	-67.53%
TOTAL NON SALARY AND BENEFITS	\$ 615,772	\$ 911,190	\$ 814,075	\$ 814,075	\$ 814,075	\$ (97,115)	-10.66%
TOTAL EXPENDITURES	\$ 1,710,653	\$ 2,176,626	\$ 2,185,917	\$ 2,287,523	\$ 2,293,483	\$ 116,857	5.37%

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Info Technology

	Item	Cost	Description
PreK-12th Contracted Services			
Employee Training & Development Services			
			Just Another Management Framework (JAMF) and A+
	Certifications	\$ 5,000	Certification for technicians
	Infinite Campus	\$ 6,000	IC Training
Software/Annual Subscription			
	Group Link	\$ 7,300	Transportation and Central Registration help desk
	Help Desk	\$ 5,500	IT and Payroll Help Desk
	Website	\$ 15,000	
	LaserFiche	\$ 5,700	Secure document storage for student intake
	Go Daddy for Website	\$ 2,000	
	Anti-Virus	\$ 14,364	
	VMWear	\$ 12,000	Server licenses in data center
	Securely Webfilter	\$ 19,500	
	Virtue	\$ 8,100	Incripted emails
	Adobe	\$ 4,000	
	SmartBoard Licenses	\$ 1,910	
	Syslog	\$ 150	All login information for all switches
	Zoom	\$ 7,600	
	Infinite Campus	\$ 34,577	
	JAMF	\$ 41,000	Management framework for mac computers
	Google Workspace	\$ 32,000	
Staff Travel			
	Reimbursement	\$ 6,000	Reimbursement for staff travel
Security			
PreK-12th Contracted Services Total		\$ 227,701	
Ops and Comms			
Purchased Professional & Technical Services			
			Ensures our software selections are protective of student
	Student Privacy Alliance	\$ 5,000	information
	Contracted Services	\$ 10,000	For needs beyond skill level of team
Computer Lease			
			400 Lease Devices, All K-6 Teaching Staff. Computer,
			Case, Maintenance. Plus 40 non K-6 staff devices (288
	Computers	\$ 126,824	per device)
Phone			
	Cell Phone Stipends	\$ 3,000	Contractually required
Photocopying			
Ops and Comms Total		\$ 144,824	
Insurance & Legal			
Insurance - General Liability			
	Insurance	\$ 57,000	IT portion of insurance
Legal Services			
Insurance & Legal Total		\$ 57,000	
Facilities			
Repair & Maintenance Services			
	WebX	\$ 80,000	Phone system
	Firewall licensing	\$ 37,342	
	Network Maintenance	\$ 55,458	
	Dell Backup	\$ 34,000	
Facilities Total		\$ 206,800	
Supplies - Academic			
General Supplies			
	Supplies	\$ 1,455	

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Info Technology

	Item	Cost	Description
	Tech Related Supplies		
	Repair Parts and Supplies	\$ 20,000	
	Monitors and Peripherals	\$ 12,000	
	Data Center Hardware	\$ 20,000	
Supplies - Academic Total		\$ 53,455	
Miscellaneous			
	Dues & Fees		
	ACTEM and METDA	\$ 150	
Miscellaneous Total		\$ 150	
Capital Equipment			
	Tech Related Equip Greater Than \$10,000		
	Projectors	\$ 15,000	40 projectors at \$375 per
	Printer	\$ 3,020	
	Sysco Phones	\$ 5,000	
	eRate	\$ 100,000	eRate contribution from the District. Covers 20% of overall replacement
Capital Equipment Total		\$ 123,020	
Debt Service			
	Interest		
	Interest	\$ 1,125	
Debt Service Total		\$ 1,125	
Total Non Salary and Benefits		\$ 814,075	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

MultiLingual

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 177,061	\$ 252,792	\$ 149,100	\$ 186,375	\$ 186,375	\$ (66,417)	-26.27%
Adminstration/Regular Support	\$ 988,086	\$ 1,106,213	\$ 1,698,455	\$ 1,736,755	\$ 1,736,755	\$ 630,542	57.00%
Total Regular Salaries	\$ 1,165,147	\$ 1,359,005	\$ 1,847,555	\$ 1,923,130	\$ 1,923,130	\$ 564,125	41.51%
Temporary Salaries							
Temporary Salary	\$ 23,792	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ -	0.00%
Teacher Additional Pay	\$ 6,378	\$ 16,000	\$ -	\$ -	\$ -	\$ (16,000)	-100.00%
Regular Support Overtime	\$ 732	\$ 2,840	\$ 2,500	\$ 2,500	\$ 2,500	\$ (340)	-11.97%
Stipend/Differential	\$ 6,175	\$ 6,243	\$ -	\$ -	\$ -	\$ (6,243)	-100.00%
Stipend-Retirement Sick	\$ -	\$ 692	\$ -	\$ -	\$ -	\$ (692)	-100.00%
Total Temporary Salaries	\$ 37,077	\$ 36,775	\$ 13,500	\$ 13,500	\$ 13,500	\$ (23,275)	-63.29%
Total Salaries	\$ 1,202,223	\$ 1,395,780	\$ 1,861,055	\$ 1,936,630	\$ 1,936,630	\$ 540,850	38.75%
Benefits							
Health Insurance	\$ 212,317	\$ 268,458	\$ 388,230	\$ 388,230	\$ 390,281	\$ 121,823	45.38%
Medicare	\$ 17,033	\$ 20,238	\$ 26,949	\$ 28,045	\$ 28,045	\$ 7,807	38.58%
Retirement	\$ 96,271	\$ 116,156	\$ 142,063	\$ 147,512	\$ 147,512	\$ 31,356	26.99%
Tuition Reimbursement	\$ 1,855	\$ 5,678	\$ 10,118	\$ 10,292	\$ 10,292	\$ 4,614	81.27%
All Other	\$ 8,732	\$ 14,634	\$ 22,963	\$ 23,111	\$ 23,111	\$ 8,477	57.93%
PFML	\$ -	\$ -	\$ 9,305	\$ 8,684	\$ 8,684	\$ 8,684	0.00%
Total Benefits	\$ 336,208	\$ 425,164	\$ 599,628	\$ 605,874	\$ 607,925	\$ 182,761	42.99%
TOTAL SALARIES & BENEFITS	\$ 1,538,431	\$ 1,820,944	\$ 2,460,683	\$ 2,542,504	\$ 2,544,555	\$ 723,611	39.74%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 3,427	\$ 2,300	\$ -	\$ -	\$ -	\$ (2,300)	-100.00%
Software/Annual Subscription	\$ 2,988	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Staff Travel	\$ 10,502	\$ 6,300	\$ 6,300	\$ 6,300	\$ 6,300	\$ -	0.00%
Total PreK-12th Contracted Services	\$ 16,917	\$ 8,600	\$ 6,300	\$ 6,300	\$ 6,300	\$ (2,300)	-26.74%
Ops and Comms							
Purchased Prof & Technical Services	\$ 45,772	\$ 59,800	\$ 75,000	\$ 75,000	\$ 75,000	\$ 15,200	25.42%
Postage	\$ -	\$ 400	\$ -	\$ -	\$ -	\$ (400)	-100.00%
Phone	\$ 10,225	\$ -	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	0.00%
Printing/Binding	\$ 1,858	\$ 6,900	\$ 3,000	\$ 3,000	\$ 3,000	\$ (3,900)	-56.52%
Photocopying	\$ -	\$ 1,322	\$ 1,300	\$ 1,300	\$ 1,300	\$ (22)	-1.66%
Total Ops & Comm Contracted Services	\$ 57,855	\$ 68,422	\$ 88,300	\$ 88,300	\$ 88,300	\$ 19,878	29.05%
Facilities							
Rentals	\$ 954	\$ 500	\$ -	\$ -	\$ -	\$ (500)	-100.00%
Total Ops & Comm Contracted Services	\$ 954	\$ 500	\$ -	\$ -	\$ -	\$ (500)	-100.00%
TOTAL CONTRACTED SERVICES	\$ 75,726	\$ 77,522	\$ 94,600	\$ 94,600	\$ 94,600	\$ 17,078	22.03%

SUPPLIES**Academic**

General Supplies	\$ 22,549	\$ 16,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ (1,000)	-6.25%
Books Periodicals	\$ 365	\$ 4,500	\$ 1,000	\$ 1,000	\$ 1,000	\$ (3,500)	-77.78%
Tech Related Supplies	\$ 6,719	\$ 8,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ (6,000)	-75.00%
TOTAL SUPPLIES	\$ 29,633	\$ 28,500	\$ 18,000	\$ 18,000	\$ 18,000	\$ (10,500)	-36.84%

MISCELLANEOUS

Dues and Fees	\$ 1,657	\$ 5,293	\$ 2,000	\$ 2,000	\$ 2,000	\$ (3,293)	-62.21%
TOTAL MISCELLANEOUS	\$ 1,657	\$ 5,293	\$ 2,000	\$ 2,000	\$ 2,000	\$ (3,293)	-62.21%

TOTAL NON SALARY AND BENEFITS	\$ 107,016	\$ 111,315	\$ 114,600	\$ 114,600	\$ 114,600	\$ 3,285	2.95%
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TOTAL EXPENDITURES	\$ 1,645,447	\$ 1,932,259	\$ 2,575,283	\$ 2,657,104	\$ 2,659,155	\$ 726,896	37.62%
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Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

MultiLingual

	Item	Cost	Description
PreK-12th Contracted Services			
	Staff Travel		
	Reimbursement	\$ 6,300	Reimbursement for staff travel
PreK-12th Contracted Services Total		\$ 6,300	
Ops and Comms			
	Purchased Professional & Technical Services		
	Translation	\$ 20,000	Translation services
	Vista and Speakers	\$ 55,000	Vista Staff Member and Speakers for Parent U
	Phone		
	Cell Phone Stipends	\$ 9,000	Cell phone stipends
	Printing/Binding		
	Printing	\$ 3,000	Flyers
	Photocopying		
	Photocopying Lease	\$ 1,300	
Ops and Comms Total		\$ 88,300	
Supplies - Academic			
	General Supplies		
	Supplies	\$ 15,000	
	Books Periodicals		
	Books	\$ 1,000	Professional Development Materials
	Tech Related Supplies		
	Replacement Supplies	\$ 2,000	Replacement supplies for lost chargers, etc.
Supplies - Academic Total		\$ 18,000	
Miscellaneous			
	Dues & Fees		
	Dues	\$ 2,000	
Miscellaneous Total		\$ 2,000	
Total Non Salary and Benefits		\$ 114,600	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Other

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 1,018,769	\$ 168,461	\$ -	\$ -	\$ -	\$ (168,461)	-100.00%
Instructional Aide/Asst	\$ 217,030	\$ 904,230	\$ -	\$ -	\$ -	\$ (904,230)	-100.00%
Adminstration/Regular Support	\$ 1,352,508	\$ 376,235	\$ -	\$ -	\$ -	\$ (376,235)	-100.00%
Total Regular Salaries	\$ 2,588,307	\$ 1,448,926	\$ -	\$ -	\$ -	\$ (1,448,926)	-100.00%
Temporary Salaries							
Temporary Salary	\$ 84,848	\$ 6,540	\$ -	\$ -	\$ -	\$ (6,540)	-100.00%
Substitute	\$ 2,075	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Teacher Additional Pay	\$ 72,111	\$ 28,440	\$ -	\$ -	\$ -	\$ (28,440)	-100.00%
Regular Support Overtime	\$ 675	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Stipend/Differential	\$ 179,831	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Temporary Salaries	\$ 339,540	\$ 34,980	\$ -	\$ -	\$ -	\$ (34,980)	-100.00%
Total Salaries	\$ 2,927,848	\$ 1,483,906	\$ -	\$ -	\$ -	\$ (1,483,906)	-100.00%
Benefits							
Health Insurance	\$ 389,171	\$ 40,248	\$ -	\$ -	\$ -	\$ (40,248)	-100.00%
Medicare	\$ 42,807	\$ 3,508	\$ -	\$ -	\$ -	\$ (3,508)	-100.00%
Retirement	\$ 400,101	\$ 257,898	\$ -	\$ -	\$ -	\$ (257,898)	-100.00%
Tuition Reimbursement	\$ 1,290	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
All Other	\$ 17,088	\$ 519,904	\$ -	\$ -	\$ -	\$ (519,904)	-100.00%
PFML			\$ -	\$ -	\$ -		
Total Benefits	\$ 850,457	\$ 821,558	\$ -	\$ -	\$ -	\$ (821,558)	-100.00%
TOTAL SALARIES & BENEFITS	\$ 3,778,304	\$ 2,305,464	\$ -	\$ -	\$ -	\$ (2,305,464)	-100.00%
CONTRACTED SERVICES							
PreK - 12th							
Contractual Pre-K	\$ 40,230	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Employee Train & Development Services	\$ 120,646	\$ 35,332	\$ -	\$ -	\$ -	\$ (35,332)	-100.00%
EBooks & Online Subscriptions	\$ -	\$ 5,140	\$ -	\$ -	\$ -	\$ (5,140)	-100.00%
Software/Annual Subscription	\$ 128,785	\$ 2,700	\$ -	\$ -	\$ -	\$ (2,700)	-100.00%
Tuition to Post-Secondary	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Staff Travel	\$ 3,753	\$ 23,581	\$ -	\$ -	\$ -	\$ (23,581)	-100.00%
Total PreK-12th Contracted Services	\$ 293,414	\$ 66,753	\$ -	\$ -	\$ -	\$ (66,753)	-100.00%
Special Education							
Special Education Contracted Services	\$ 138,734	\$ 49,896	\$ -	\$ -	\$ -	\$ (49,896)	-100.00%
Total SPED Contracted Services	\$ 138,734	\$ 49,896	\$ -	\$ -	\$ -	\$ (49,896)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 1,484,930	\$ 186,520	\$ -	\$ -	\$ -	\$ (186,520)	-100.00%
Tech Related Repairs and Maintenance	\$ 1,508	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Software Maintenance	\$ 2,120	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Phone	\$ 4,471	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Internet Connectivity	\$ 81,326	\$ 8,666	\$ -	\$ -	\$ -	\$ (8,666)	-100.00%
Printing/Binding	\$ 3,180	\$ 1,987	\$ -	\$ -	\$ -	\$ (1,987)	-100.00%
Total Ops & Comm Contracted Services	\$ 1,577,535	\$ 198,173	\$ -	\$ -	\$ -	\$ (198,173)	-100.00%
Facilities							
Repair and Maintenance Services	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ (5,000)	-100.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Other

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/- v FY24	% +/- v FY24
Rentals	\$ 508	\$ 200,000	\$ -	\$ -	\$ -	\$ (200,000)	-100.00%
Total Ops & Comm Contracted Services	\$ 508	\$ 205,000	\$ -	\$ -	\$ -	\$ (205,000)	-100.00%
Transportation							
Student Transportation Purchase/Private (Sped OC	\$ 19,313	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Transport Contracted Services	\$ 19,313	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CONTRACTED SERVICES	\$ 2,029,504	\$ 519,821	\$ -	\$ -	\$ -	\$ (519,821)	-100.00%
SUPPLIES							
Academic							
General Supplies	\$ 225,724	\$ 208,665	\$ -	\$ -	\$ -	\$ (208,665)	-100.00%
Instructional Supplies	\$ 8,370	\$ 83,708	\$ -	\$ -	\$ -	\$ (83,708)	-100.00%
Books Periodicals	\$ 96,247	\$ 8,660	\$ -	\$ -	\$ -	\$ (8,660)	-100.00%
Tech Related Supplies	\$ 467,930	\$ 328,119	\$ -	\$ -	\$ -	\$ (328,119)	-100.00%
Total Academic Supplies	\$ 798,271	\$ 629,152	\$ -	\$ -	\$ -	\$ (629,152)	-100.00%
Operations							
Energy	\$ -	\$ 45,000	\$ -	\$ -	\$ -	\$ (45,000)	-100.00%
Total Operations Supplies	\$ -	\$ 45,000	\$ -	\$ -	\$ -	\$ (45,000)	-100.00%
TOTAL SUPPLIES	\$ 798,271	\$ 674,152	\$ -	\$ -	\$ -	\$ (674,152)	-100.00%
MISCELLANEOUS							
Dues and Fees	\$ 1,420	\$ 600	\$ -	\$ -	\$ -	\$ (600)	-100.00%
Field Trip Transportation	\$ 116	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Miscellaneous Expenditures	\$ -	\$ 10,050	\$ -	\$ -	\$ -	\$ (10,050)	-100.00%
TOTAL MISCELLANEOUS	\$ 1,536	\$ 10,650	\$ -	\$ -	\$ -	\$ (10,650)	-100.00%
CAPITAL EQUIPMENT							
Equipment Greater Than \$10,000	\$ 10,875	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Equipment Less Than \$10,000	\$ 8,239	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Tech Related Equip Greater Than \$10,000	\$ 30,361	\$ 298,730	\$ -	\$ -	\$ -	\$ (298,730)	-100.00%
Student Transportation Vehicles	\$ 90,061	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
TOTAL CAPITAL EQUIPMENT	\$ 139,536	\$ 298,730	\$ -	\$ -	\$ -	\$ (298,730)	-100.00%
TOTAL NON SALARY AND BENEFITS	\$ 2,968,847	\$ 1,503,353	\$ -	\$ -	\$ -	\$ (1,503,353)	-100.00%
TOTAL EXPENDITURES	\$ 6,747,151	\$ 3,808,817	\$ -	\$ -	\$ -	\$ (3,808,817)	-100.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Special Education/Student Support Service

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Regular Salaries							
Professional Salary	\$ 519,296	\$ 521,124	\$ 2,828,556	\$ 2,971,356	\$ 2,971,356	\$ 2,450,232	470.18%
Instructional Aide/Asst	\$ 1,568	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Adminstration/Regular Support	\$ 571,348	\$ 674,748	\$ 422,699	\$ 422,699	\$ 422,699	\$ (252,049)	-37.35%
Total Regular Salaries	\$ 1,092,212	\$ 1,195,872	\$ 3,251,255	\$ 3,394,055	\$ 3,394,055	\$ 2,198,183	183.81%
Temporary Salaries							
Temporary Salary	\$ 23,758	\$ 40,927	\$ 328,500	\$ 328,500	\$ 328,500	\$ 287,573	702.65%
Tutor	\$ -	\$ -	\$ 21,000	\$ 21,000	\$ 21,000	\$ 21,000	0.00%
Substitute	\$ 21,805	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Teacher Additional Pay	\$ 31,227	\$ 17,237	\$ 6,000	\$ 6,000	\$ 6,000	\$ (11,237)	-65.19%
Regular Support Overtime	\$ 4,889	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	0.00%
Stipend/Differential	\$ 18,757	\$ 39,616	\$ 7,500	\$ 7,500	\$ 7,500	\$ (32,116)	-81.07%
Stipend-Retirement Sick	\$ -	\$ 7,653	\$ -	\$ -	\$ -	\$ (7,653)	-100.00%
Stipend/Other	\$ 3,288	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Temporary Salaries	\$ 103,725	\$ 105,433	\$ 368,000	\$ 368,000	\$ 368,000	\$ 262,567	249.04%
Total Salaries	\$ 1,195,936	\$ 1,301,305	\$ 3,619,255	\$ 3,762,055	\$ 3,762,055	\$ 2,460,750	189.10%
Benefits							
Health Insurance	\$ 196,202	\$ 238,311	\$ 733,721	\$ 733,721	\$ 727,574	\$ 489,263	205.30%
Medicare	\$ 16,913	\$ 18,804	\$ 52,407	\$ 54,477	\$ 54,477	\$ 35,673	189.71%
Retirement	\$ 52,422	\$ 65,711	\$ 176,699	\$ 183,182	\$ 183,182	\$ 117,471	178.77%
Tuition Reimbursement	\$ 2,085	\$ -	\$ 15,503	\$ 16,095	\$ 16,095	\$ 16,095	0.00%
All Other	\$ 6,607	\$ 9,260	\$ 30,083	\$ 30,153	\$ 30,153	\$ 20,893	225.62%
PFML			\$ 18,096	\$ 2,113	\$ 2,113		
Total Benefits	\$ 274,229	\$ 332,086	\$ 1,026,509	\$ 1,019,742	\$ 1,013,595	\$ 681,509	205.22%
TOTAL SALARIES & BENEFITS	\$ 1,470,165	\$ 1,633,391	\$ 4,645,764	\$ 4,781,797	\$ 4,775,650	\$ 3,142,259	192.38%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 13,689	\$ 9,270	\$ 43,750	\$ 43,750	\$ 43,750	\$ 34,480	371.95%
Staff Travel	\$ 1,985	\$ 4,066	\$ 6,000	\$ 6,000	\$ 6,000	\$ 1,934	47.57%
Total PreK-12th Contracted Services	\$ 15,674	\$ 13,336	\$ 49,750	\$ 49,750	\$ 49,750	\$ 36,414	273.05%
Special Education							
Special Education Contracted Services	\$ 538,721	\$ 346,079	\$ 630,000	\$ 630,000	\$ 630,000	\$ 283,921	82.04%
Tuition To In-State SAU	\$ 8,694	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Tuition to Private Source	\$ 2,308,998	\$ 2,679,000	\$ 3,310,000	\$ 3,310,000	\$ 3,310,000	\$ 631,000	23.55%
Total SPED Contracted Services	\$ 2,856,413	\$ 3,025,079	\$ 3,940,000	\$ 3,940,000	\$ 3,940,000	\$ 914,921	30.24%
Ops and Comms							
Purchased Prof & Technical Services	\$ 6,708	\$ 22,300	\$ 100,700	\$ 100,700	\$ 100,700	\$ 78,400	351.57%
Postage	\$ 900	\$ 1,988	\$ 1,200	\$ 1,200	\$ 1,200	\$ (788)	-39.64%
Phone	\$ 8,647	\$ 1,400	\$ -	\$ -	\$ -	\$ (1,400)	-100.00%
Advertising	\$ -	\$ 500	\$ 500	\$ 500	\$ 500	\$ -	0.00%
Printing/Binding	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

Special Education/Student Support Service

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Photocopying	\$ -	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ -	0.00%
Total Ops & Comm Contracted Services	\$ 16,255	\$ 28,688	\$ 103,900	\$ 103,900	\$ 103,900	\$ 75,212	262.17%
Insurance & Legal							
Legal Services	\$ 99,321	\$ 35,711	\$ 50,000	\$ 50,000	\$ 50,000	\$ 14,289	40.01%
Total Ins & Legal Contracted Services	\$ 99,321	\$ 35,711	\$ 50,000	\$ 50,000	\$ 50,000	\$ 14,289	40.01%
Facilities							
Repair and Maintenance Services	\$ -	\$ 200	\$ -	\$ -	\$ -	\$ (200)	-100.00%
Total Ops & Comm Contracted Services	\$ -	\$ 200	\$ -	\$ -	\$ -	\$ (200)	-100.00%
TOTAL CONTRACTED SERVICES	\$2,987,663	\$3,103,014	\$4,143,650	\$ 4,143,650	\$ 4,143,650	\$1,040,636	33.54%
SUPPLIES							
General Supplies	\$ 4,977	\$ 19,888	\$ 98,475	\$ 98,475	\$ 98,475	\$ 78,587	395.15%
Instructional Supplies	\$ -	\$ -	\$ 120,686	\$ 120,686	\$ 120,686	\$ 120,686	0.00%
Books Periodicals	\$ -	\$ 2,298	\$ 4,500	\$ 4,500	\$ 4,500	\$ 2,202	95.82%
Tech Related Supplies	\$ 1,114	\$ 9,400	\$ 21,000	\$ 21,000	\$ 21,000	\$ 11,600	123.40%
Software Licenses	\$ -	\$ -	\$ 14,616	\$ 14,616	\$ 14,616	\$ 14,616	0.00%
TOTAL SUPPLIES	\$ 6,091	\$ 31,586	\$ 259,277	\$ 259,277	\$ 259,277	\$ 227,691	720.86%
MISCELLANEOUS							
Dues and Fees	\$ 925	\$ 1,650	\$ 31,150	\$ 31,150	\$ 31,150	\$ 29,500	1787.88%
Maine State Billing Fees	\$ 15,967	\$ 30,000	\$ -	\$ -	\$ -	\$ (30,000)	-100.00%
Judgments Against SAU	\$ 85,800	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Miscellaneous Expenditures	\$ -	\$ 7,700	\$ 9,635	\$ 9,635	\$ 9,635	\$ 1,935	25.13%
TOTAL MISCELLANEOUS	\$ 102,692	\$ 39,350	\$ 40,785	\$ 40,785	\$ 40,785	\$ 1,435	3.65%
TOTAL NON SALARY AND BENEFITS	\$3,096,446	\$3,173,950	\$4,443,712	\$ 4,443,712	\$ 4,443,712	\$1,269,762	40.01%
TOTAL EXPENDITURES	\$4,566,611	\$4,807,341	\$9,089,476	\$ 9,225,509	\$ 9,219,362	\$4,412,021	91.78%
NON-LOCAL EXPENSES (IDEA)							
Special Education Contracted Services			\$ 630,000	\$ 630,000	\$ 630,000	\$ 630,000	0.00%
Instructional Supplies			\$ 27,072	\$ 27,072	\$ 27,072	\$ 27,072	0.00%
TOTAL NON-LOCAL (IDEA) EXPENSES			\$ 657,072	\$ 657,072	\$ 657,072	\$ 657,072	0.00%
GENERAL FUND EXPENDITURE TOTAL			\$8,432,404	\$ 8,568,437	\$ 8,562,290		

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
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Special Education

	Item	Cost	Description
PreK-12th Contracted Services			
Employee Training & Development Services			
	De-Escalation Training	\$ 30,000	CPI/De-Escalation Training - Salaries/Benefits
			Administrators, Special Educators, Special Ed Staff- Director's Academy , Fall Conference, Special Education Law, Behavioral Health Webinar , BHP First Aid training & other miscellaneous management
	Misc Training	\$ 6,000	workshops)
	Psychologist MASP Conf	\$ 2,000	School Psychologists Staff Development -Annual MASP Conference
	OT PT Speech PD Website	\$ 2,250	OT, PT, Speech Professional Development Website Funding for staff development to ensure nursing staff is prepared to meet students' medical needs - elementary
	Nursing PD	\$ 3,000	schools
	Chap 104 Conference	\$ 500	Chapter 104 - Conference Registration (MEGAT)
Staff Travel			
			Special Education staff travel including teachers, psych staff, OT, PT & Speech therapists, social workers,
	Travel Reimbursement	\$ 3,500	administrators, etc.
	Travel Reimbursement	\$ 1,000	Nurses staff travel - elementary schools
	Travel Reimbursement	\$ 1,500	Chapter 104 - Staff Travel
PreK-12th Contracted Services Total		\$ 49,750	
Special Education			
Special Education Contracted Services			
	Contracte BHP & BCBA	\$ 630,000	Contracted BHP & BCBA services for special education students in accordance with IEPs
Tuition to Private Source			
	Tuition for Students	\$ 3,310,000	
Special Education Total		\$ 3,940,000	
Ops and Comms			
Purchased Professional & Technical Services			
	Strive TOPS	\$ 80,700	Strive TOPS Program (Regular year is \$8,616 per student and \$1,773 per student for ESY)
	Contracted Nursing	\$ 20,000	Contracted Services to cover nursing needs. ProCare \$73 per hour
Postage			
	Postage	\$ 1,200	
Advertising			
	Advertising	\$ 500	Advertising (child find obligation)
Photocopying			
	Photocopying	\$ 1,500	
Ops and Comms Total		\$ 103,900	
Insurance & Legal			
Legal Services			
	Legal Fees	\$ 50,000	
Insurance & Legal Total		\$ 50,000	
Supplies - Academic			
General Supplies			
	General Supplies	\$ 17,000	General Supplies-Elementary, Middle & High School Resource Rooms
	Administrative Supplies	\$ 7,000	Administrative Office Supplies

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
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Special Education

	Item	Cost	Description
	Nurse Supplies	\$ 975	Nurses-calibration of audiometers, sphygmometers etc - elementary schools
	General Nurse Supplies	\$ 17,000	General nursing supplies in addition to purchasing epi vials (est \$2,000), albuterol (Est \$100) and replacing 2 audiometers (hearing screening estimated at \$1,500 each) for the district - Elementary Schools
	AED Replacements	\$ 50,000	AED
	Administrative Services	\$ 2,000	Administrative services to support compliance with 504/ADA Plans - services for students and parent reimbursement resulting from due process
	General Supplies	\$ 1,500	General Supplies (administrative & classroom) used to support instruction for 504 students - Elementary Schools
	General Supplies	\$ 1,500	General Supplies (administrative & classroom) used to support instruction for 504 students - Middle Schools
	General Supplies	\$ 1,500	General Supplies (administrative & classroom) used to support instruction for 504 students - High Schools
Instructional Supplies	Speech Purchases	\$ 500	Speech related purchased professional services including fees for phonak
	Misc Subscriptions	\$ 5,000	Miscellaneous subscriptions/e-books special educators incorporate into curriculum
	Ultimate Speech	\$ 1,057	Ultimate Speech for Elementary & Middle Schools
	ASEBA renewal	\$ 300	ASEBA Renewal with eunits for psychologists
	Every Day Speech	\$ 4,922	Every Day Speech Annual subscription for elementary,Middle, High school
	IXL Subscription	\$ 4,677	IXL Subscription Middle & High School Resource
	Read Naturally	\$ 175	Read Naturally License/annual subscription Ocean
	Read Naturally	\$ 175	Read Naturally License/annual subscription Deering
	Academic Programs	\$ 9,016	IXL, Learning A-Z, News2You/Unique Learning for Functional Academics, RISE Program & Life Skills
	DALS Software	\$ 22,000	DALS Software for Psychological Assessments
	Psych Supplies	\$ 2,000	Elementary School Level Psychological Supplies
	Psych Supplies	\$ 2,000	Middle School Level Psychological Supplies
	Psych Supplies	\$ 2,000	High School Level Psychological Supplies
	Speech Supplies	\$ 3,000	Elementary School Level Speech Supplies
	Speech Supplies	\$ 1,000	Middle School Level Speech Supplies
	Speech Supplies	\$ 1,000	High School Level Speech Supplies
	Occ Therapy Supplies	\$ 6,000	Elementary School Level Occupational Therapy Supplies
	Occ Therapy Supplies	\$ 5,000	Middle School Level Occupational Therapy Supplies
	Occ Therapy Supplies	\$ 5,000	High School Level Occupational Therapy Supplies
	PT Supplies	\$ 2,000	Elementary School Level Physical Therapy Supplies
	PT Supplies	\$ 1,000	Middle School Level Physical Therapy Supplies
	PT Supplies	\$ 1,000	High School Level Physical Therapy Supplies
	Elem Resource Supplies	\$ 33,500	Instructional Supplies-Elementary Schools resource classes
	504 Elem Supplies	\$ 1,940	Instructional Supplies (administrative & classroom) used to support instruction for 504 students - Elementary Schools
	504 Middle Supplies	\$ 1,212	Instructional Supplies (administrative & classroom) used to support instruction for 504 students - Middle Schools
	504 High Supplies	\$ 1,212	Instructional Supplies (administrative & classroom) used to support instruction for 504 students - High Schools
	Chap 104	\$ 4,000	Chapter 104 - Instructional Supplies

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Special Education

	Item	Cost	Description
	Books Periodicals		
	Books	\$ 4,500	
	Tech Related Supplies		
	Tech Supplies	\$ 12,000	Technology Related Supplies-Resource staff and students
	504 Plans - Elem	\$ 3,000	Allocation to purchase technology-related supplies including computers, printers, software etc to help carry out 504 Plans - Elementary Schools
	504 Plans - Sec	\$ 3,000	Allocation to purchase technology-related supplies including computers, printers, software etc to help carry out 504 Plans - Middle Schools
	504 - High	\$ 3,000	Allocation to purchase technology-related supplies including computers, printers, software etc to help carry out 504 Plans - High Schools
	Software Licenses		
	IEP Software	\$ 14,616	Web-based special education management system/IEP development/progress monitoring program .
Supplies - Academic Total		\$ 259,277	
Miscellaneous			
	Dues & Fees		
	MADSEC	\$ 650	Memberships in professional organizations including MADSEC
	Medicaid Reimbursement	\$ 30,000	Fees associated with billing for Medicaid reimbursement
	Chap 104 Testing	\$ 500	Chapter 104 - Dues & Fees (Test scoring)
	Miscellaneous Expenditures		
	Sped Field Trip Elem	\$ 5,000	Special Education community field trips Elementary Schools
	Entry Fees	\$ 4,000	Field Trip Entry Fees -Regular Academic Year -The Bridge and Life Skills programs include a focus on developing daily living skills. Trips into the community are an important component of this type of programming.
	ESY Entry Fees	\$ 635	Entry Fees-ESY community field trips for Bridge and Life Skills
Miscellaneous Total		\$ 40,785	
Total Non Salary and Benefits		\$ 4,443,712	

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

School Board

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Temporary Salaries							
Stipend/Differential	\$ 69,906	\$ 68,781	\$ 68,772	\$ 68,772	\$ 68,772	\$ (9)	-0.01%
Total Temporary Salaries	\$ 69,906	\$ 68,781	\$ 68,772	\$ 68,772	\$ 68,772	\$ (9)	-0.01%
Total Salaries	\$ 69,906	\$ 68,781	\$ 68,772	\$ 68,772	\$ 68,772	\$ (9)	-0.01%
Benefits							
Health Insurance	\$ 41,198	\$ 45,824	\$ 1,234	\$ 1,234	\$ 1,183	\$ (44,641)	-97.42%
Medicare	\$ 808	\$ 997	\$ 997	\$ 997	\$ 997	\$ 0	0.02%
Retirement	\$ 1,420	\$ 5,159	\$ 3,983	\$ 3,983	\$ 3,983	\$ (1,176)	-22.80%
PFML	\$ -	\$ -	\$ 344	\$ 344	\$ 344	\$ -	0.00%
Total Benefits	\$ 43,427	\$ 51,980	\$ 6,558	\$ 6,558	\$ 6,507	\$ (45,473)	-87.48%
TOTAL SALARIES & BENEFITS	\$ 113,333	\$ 120,761	\$ 75,330	\$ 75,330	\$ 75,279	\$ (45,482)	-37.66%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 50	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Staff Travel	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Total PreK-12th Contracted Services	\$ 50	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 58,614	\$ 16,922	\$ 10,000	\$ 10,000	\$ 10,000	\$ (6,922)	-40.91%
Printing/Binding	\$ -	\$ 800	\$ 800	\$ 800	\$ 800	\$ -	0.00%
Total Ops & Comm Contracted Services	\$ 58,614	\$ 17,722	\$ 10,800	\$ 10,800	\$ 10,800	\$ (6,922)	-39.06%
Insurance & Legal							
Insurance - General Liability	\$ 106,902	\$ 153,627	\$ 157,621	\$ 157,621	\$ 157,621	\$ 3,994	2.60%
Legal Services	\$ 1,379	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Total Ins & Legal Contracted Services	\$ 108,281	\$ 153,627	\$ 157,621	\$ 157,621	\$ 157,621	\$ 3,994	2.60%
TOTAL CONTRACTED SERVICES	\$ 166,945	\$ 172,349	\$ 168,421	\$ 168,421	\$ 168,421	\$ (3,928)	-2.28%
SUPPLIES							
Academic							
General Supplies	\$ 5,072	\$ 7,467	\$ 5,000	\$ 5,000	\$ 5,000	\$ (2,467)	-33.04%
TOTAL SUPPLIES	\$ 5,072	\$ 7,467	\$ 5,000	\$ 5,000	\$ 5,000	\$ (2,467)	-33.04%
MISCELLANEOUS							
Dues and Fees	\$ 18,057	\$ 22,222	\$ 18,000	\$ 18,000	\$ 18,000	\$ (4,222)	-19.00%
School Board Conference Fees	\$ 1,967	\$ 2,000	\$ -	\$ -	\$ -	\$ (2,000)	-100.00%
Other Items	\$ -	\$ 86,000	\$ -	\$ -	\$ -	\$ (86,000)	-100.00%
TOTAL MISCELLANEOUS	\$ 20,024	\$ 110,222	\$ 18,000	\$ 18,000	\$ 18,000	\$ (92,222)	-83.67%
TOTAL NON SALARY AND BENEFITS	\$ 192,041	\$ 290,038	\$ 191,421	\$ 191,421	\$ 191,421	\$ (98,617)	-34.00%
TOTAL EXPENDITURES	\$ 305,373	\$ 410,799	\$ 266,751	\$ 266,751	\$ 266,700	\$ (144,099)	-35.08%

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

School Board

	Item	Cost	Description
Ops and Comms			
	Purchased Professional & Technical Services		
	Consulting Support	\$ 10,000	
	Misc Printing/Binding	\$ 800	
Ops and Comms Total		\$ 10,800	
Insurance & Legal			
	Insurance - General Liability		
	General Liability	\$ 157,621	Board portion of liability insurance
Insurance & Legal Total		\$ 157,621	
Supplies - Academic			
	General Supplies		
	Misc Supplies	\$ 5,000	
Supplies - Academic Total		\$ 5,000	
Miscellaneous			
	Dues & Fees		
	MSBA Dues	\$ 18,000	Dues for Maine School Boards Association
Miscellaneous Total		\$ 18,000	
Total Non Salary and Benefits		\$ 191,421	

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

(Funded by Title grant)

Spurwink

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
CONTRACTED SERVICES							
Ops and Comms							
Purchased Prof & Technical Services	\$ 1,085	\$ -	\$ 1,614	\$ 1,614	\$ 1,614	\$ 1,614	0.00%
TOTAL CONTRACTED SERVICES	\$ 1,085	\$ -	\$ 1,614	\$ 1,614	\$ 1,614	\$ 1,614	0.00%
TOTAL NON SALARY AND BENEFITS	\$ 1,085	\$ -	\$ 1,614	\$ 1,614	\$ 1,614	\$ 1,614	0.00%
TOTAL EXPENDITURES	\$ 1,085	\$ -	\$ 1,614	\$ 1,614	\$ 1,614	\$ 1,614	0.00%

Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024

St Brigid

(Funded by Title grant)

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 19,383	\$ -	\$ 28,825	\$ 28,825	\$ 28,825	\$ 28,825	0.00%
Total Regular Salaries	\$ 19,383	\$ -	\$ 28,825	\$ 28,825	\$ 28,825	\$ 28,825	0.00%
Temporary Salaries							
Temporary Salary	\$ 4,480	\$ -	\$ 6,662	\$ 6,662	\$ 6,662	\$ 6,662	0.00%
Total Temporary Salaries	\$ 4,480	\$ -	\$ 6,662	\$ 6,662	\$ 6,662	\$ 6,662	0.00%
Total Salaries	\$ 23,863	\$ -	\$ 35,487	\$ 35,487	\$ 35,487	\$ 35,487	0.00%
Benefits							
Medicare	\$ 346	\$ -	\$ 515	\$ 515	\$ 515	\$ 515	0.00%
Retirement	\$ 3,520	\$ -	\$ 5,234	\$ 5,234	\$ 5,234	\$ 5,234	0.00%
PFML			\$ -	\$ -	\$ -		
Total Benefits	\$ 3,866	\$ -	\$ 5,749	\$ 5,749	\$ 5,749	\$ 5,749	0.00%
TOTAL SALARIES & BENEFITS	\$ 27,729	\$ -	\$ 41,236	\$ 41,236	\$ 41,236	\$ 41,236	0.00%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 298	\$ -	\$ 443	\$ 443	\$ 443	\$ 443	0.00%
Total PreK-12th Contracted Services	\$ 298	\$ -	\$ 443	\$ 443	\$ 443	\$ 443	0.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 20,160	\$ -	\$ 29,980	\$ 29,980	\$ 29,980	\$ 29,980	0.00%
Total Ops & Comm Contracted Services	\$ 20,160	\$ -	\$ 29,980	\$ 29,980	\$ 29,980	\$ 29,980	0.00%
TOTAL CONTRACTED SERVICES	\$ 20,458	\$ -	\$ 30,423	\$ 30,423	\$ 30,423	\$ 30,423	0.00%
SUPPLIES							
Academic							
Instructional Supplies	\$ 133	\$ -	\$ 197	\$ 197	\$ 197	\$ 197	0.00%
Books Periodicals	\$ 737	\$ -	\$ 1,095	\$ 1,095	\$ 1,095	\$ 1,095	0.00%
TOTAL SUPPLIES	\$ 869	\$ -	\$ 1,293	\$ 1,293	\$ 1,293	\$ 1,293	0.00%
TOTAL NON SALARY AND BENEFITS	\$ 21,327	\$ -	\$ 31,716	\$ 31,716	\$ 31,716	\$ 31,716	0.00%
TOTAL EXPENDITURES	\$ 49,056	\$ -	\$ 72,952	\$ 72,952	\$ 72,952	\$ 72,952	0.00%

**Portland Public Schools
FY2025 Expenditure Summary
Board of Education Recommended Budget
April 9, 2024**

(Funded by Title grant)

St Elizabeth

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 9,107	\$ -	\$ 13,543	\$ 13,543	\$ 13,543	\$ 13,543	0.00%
Staff Travel	\$ 1,541	\$ -	\$ 2,291	\$ 2,291	\$ 2,291	\$ 2,291	0.00%
Total PreK-12th Contracted Services	\$ 10,648	\$ -	\$ 15,834	\$ 15,834	\$ 15,834	\$ 15,834	0.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 1,660	\$ -	\$ 2,469	\$ 2,469	\$ 2,469	\$ 2,469	0.00%
Total Ops & Comm Contracted Services	\$ 1,660	\$ -	\$ 2,469	\$ 2,469	\$ 2,469	\$ 2,469	0.00%
TOTAL CONTRACTED SERVICES	\$ 12,308	\$ -	\$ 18,303	\$ 18,303	\$ 18,303	\$ 18,303	0.00%
SUPPLIES							
Books Periodicals	\$ 706	\$ -	\$ 1,050	\$ 1,050	\$ 1,050	\$ 1,050	0.00%
TOTAL SUPPLIES	\$ 706	\$ -	\$ 1,050	\$ 1,050	\$ 1,050	\$ 1,050	0.00%
TOTAL NON SALARY AND BENEFITS	\$ 13,013	\$ -	\$ 19,352	\$ 19,352	\$ 19,352	\$ 19,352	0.00%
TOTAL EXPENDITURES	\$ 13,013	\$ -	\$ 19,352	\$ 19,352	\$ 19,352	\$ 19,352	0.00%

**Portland Public Schools
FY2025 Expenditure Summary Budget
Board of Education Recommended Budget
April 9, 2024**

Superintendent

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Professional Salary	\$ 94,615	\$ 97,293	\$ 221,451	\$ 221,451	\$ 221,451	\$ 124,158	127.61%
Adminstration/Regular Support	\$ 362,534	\$ 228,455	\$ 269,823	\$ 269,823	\$ 269,823	\$ 41,368	18.11%
Total Regular Salaires	\$ 457,149	\$ 325,748	\$ 491,274	\$ 491,273	\$ 491,273	\$ 165,525	50.81%
Temporary Salaries							
Stipend/Differential	\$ -	\$ -	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	0.00%
Total Temporary Salaries	\$ 2,943	\$ -	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	0.00%
Total Salaries	\$ 460,092	\$ 325,748	\$ 503,274	\$ 503,273	\$ 503,273	\$ 177,525	54.50%
Benefits							
Health Insurance	\$ 51,286	\$ 38,257	\$ 91,940	\$ 91,940	\$ 88,179	\$ 49,922	130.49%
Medicare	\$ 6,718	\$ 4,723	\$ 7,297	\$ 7,297	\$ 7,297	\$ 2,574	54.51%
Retirement	\$ 59,277	\$ 36,492	\$ 39,085	\$ 39,085	\$ 39,085	\$ 2,593	7.10%
Tuition Reimbursement	\$ -	\$ -	\$ 1,824	\$ 1,824	\$ 1,824	\$ 1,824	0.00%
All Other	\$ 2,585	\$ 2,992	\$ 4,970	\$ 4,767	\$ 4,767	\$ 1,775	59.32%
PFML			\$ 2,516	\$ 1,349	\$ 1,349		
Total Benefits	\$ 119,866	\$ 82,464	\$ 147,632	\$ 146,262	\$ 142,501	\$ 60,037	72.80%
TOTAL SALARIES & BENEFITS	\$ 579,957	\$ 408,212	\$ 650,906	\$ 649,536	\$ 645,775	\$ 237,563	58.20%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 2,394	\$ 2,500	\$ 38,300	\$ 38,300	\$ 38,300	\$ 35,800	1432.00%
Staff Travel	\$ 3,016	\$ 2,500	\$ 9,700	\$ 9,700	\$ 9,700	\$ 7,200	288.00%
Total PreK-12th Contracted Services	\$ 5,410	\$ 5,000	\$ 48,000	\$ 48,000	\$ 48,000	\$ 43,000	860.00%
Ops and Comms							
Purchased Prof & Technical Services	\$ 192,297	\$ 41,800	\$ 30,000	\$ 130,000	\$ 130,000	\$ 88,200	211.00%
Postage	\$ 60	\$ 400	\$ -	\$ -	\$ -	\$ (400)	-100.00%
Phone	\$ 1,420	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Printing/Binding	\$ 475	\$ 1,094	\$ -	\$ -	\$ -	\$ (1,094)	-100.00%
Total Ops & Comm Contracted Services	\$ 194,253	\$ 43,294	\$ 30,000	\$ 130,000	\$ 130,000	\$ 86,706	200.27%
Insurance & Legal							
Legal Services	\$ 128,162	\$ 150,000	\$ 153,900	\$ 153,900	\$ 153,900	\$ 3,900	2.60%
Total Ins & Legal Contracted Services	\$ 128,162	\$ 150,000	\$ 153,900	\$ 153,900	\$ 153,900	\$ 3,900	2.60%
TOTAL CONTRACTED SERVICES	\$ 327,825	\$ 198,294	\$ 231,900	\$ 331,900	\$ 331,900	\$ 133,606	67.38%
SUPPLIES							
Academic							
General Supplies	\$ 27,919	\$ 11,100	\$ 10,212	\$ 10,212	\$ 10,212	\$ (888)	-8.00%

Portland Public Schools
FY2025 Expenditure Summary Budget
Board of Education Recommended Budget
April 9, 2024

Superintendent

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
TOTAL SUPPLIES	\$ 28,399	\$ 11,100	\$ 10,212	\$ 10,212	\$ 10,212	\$ (888)	-8.00%
MISCELLANEOUS							
Dues and Fees	\$ 7,353	\$ 7,660	\$ 6,310	\$ 6,310	\$ 6,310	\$ (1,350)	-17.62%
Other Items	\$ 14,600	\$ 20,000	\$ 20,657	\$ 20,657	\$ 20,657	\$ 657	3.29%
TOTAL MISCELLANEOUS	\$ 21,953	\$ 27,660	\$ 26,967	\$ 26,967	\$ 26,967	\$ (693)	-2.51%
TOTAL NON SALARY AND BENEFITS	\$378,177	\$237,054	\$ 269,079	\$ 369,079	\$ 369,079	\$ 132,025	55.69%
TOTAL EXPENDITURES	\$958,134	\$645,266	\$ 919,985	\$ 1,018,615	\$ 1,014,854	\$ 369,588	57.28%

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Superintendent

	Item	Cost	Description
PreK-12th Contracted Services			
Employee Training & Development Services			
	Superintendent Conference	\$ 2,300	Conference at Harvard for Exec Team to focus on execution of strategic plan
	Public Ed Leader Conf	\$ 36,000	
Staff Travel			
	Travel Reimbursement	\$ 2,300	Travel and accommodations for PELP Conference
	Public Ed Leader Conf	\$ 6,400	
	Travel Reimbursement	\$ 1,000	Superintendent Conference
PreK-12th Contracted Services Total		\$ 48,000	
Ops and Comms			
Purchased Professional & Technical Services			
	Redistricting/School Ops	\$ 100,000	One year only cost for redistricting & school operations
	Communications Consult	\$ 30,000	Consultant to support proactive communication
Ops and Comms Total		\$ 130,000	
Insurance & Legal			
Legal Services			
	Legal	\$ 153,900	Superintendent Portion of Legal Expenses
Insurance & Legal Total		\$ 153,900	
Supplies - Academic			
General Supplies			
	Office Supplies	\$ 10,212	
Supplies - Academic Total		\$ 10,212	
Miscellaneous			
Dues & Fees			
	MSSA	\$ 3,700	Maine School Superintendent Aassociation
	AASA	\$ 2,425	School Superintendent Association
	NEASS	\$ 185	New England Association of School Superintendents
Other Items			
	Reserve	\$ 20,657	Reserve for unanticipated expenses
Miscellaneous Total		\$ 26,967	
Total Non Salary and Benefits		\$ 369,079	

Portland Public Schools
FY2025 Expenditure Summary Budget
Board of Education Recommended Budget
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Transportation

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
SALARIES & BENEFITS							
Regular Salaries							
Adminstration/Regular Support	\$ 1,970,869	\$ 2,068,173	\$2,436,450	\$ 2,436,450	\$ 2,436,450	\$ 368,277	17.81%
Total Regular Salaries	\$ 1,970,869	\$ 2,068,173	\$2,436,450	\$ 2,436,450	\$ 2,436,450	\$ 368,277	17.81%
Temporary Salaries							
Temporary Salary	\$ 98,116	\$ 95,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 5,000	5.26%
Regular Support Overtime	\$ 42,125	\$ 88,080	\$ 42,000	\$ 42,000	\$ 42,000	\$ (46,080)	-52.32%
Stipend/Differential	\$ 72,000	\$ 7,728	\$ -	\$ -	\$ -	\$ (7,728)	-100.00%
Stipend-Retirement Sick	\$ 7,312	\$ 15,286	\$ -	\$ -	\$ -	\$ (15,286)	-100.00%
Total Temporary Salaries	\$ 219,553	\$ 206,094	\$ 142,000	\$ 142,000	\$ 142,000	\$ (64,094)	-31.10%
Total Salaries	\$ 2,190,422	\$ 2,274,267	\$2,578,450	\$ 2,578,450	\$ 2,578,450	\$ 304,183	13.37%
Benefits							
Health Insurance	\$ 447,586	\$ 566,060	\$ 639,441	\$ 639,441	\$ 613,281	\$ 47,221	8.34%
Medicare	\$ 33,049	\$ 32,968	\$ 36,779	\$ 36,779	\$ 36,779	\$ 3,811	11.56%
Retirement	\$ 213,326	\$ 226,230	\$ 236,479	\$ 236,479	\$ 236,479	\$ 10,249	4.53%
Tuition Reimbursement	\$ -	\$ -	\$ 3,442	\$ 3,442	\$ 3,442	\$ 3,442	0.00%
All Other	\$ 16,713	\$ 24,924	\$ 46,309	\$ 44,414	\$ 44,414	\$ 19,490	78.20%
PFML	\$ -	\$ -	\$ 12,892	\$ 3,046	\$ 3,046	\$ 3,046	0.00%
Total Benefits	\$ 710,674	\$ 850,182	\$ 975,342	\$ 963,600	\$ 937,440	\$ 87,258	10.26%
TOTAL SALARIES & BENEFITS	\$ 2,901,096	\$ 3,124,449	\$3,553,792	\$ 3,542,050	\$ 3,515,890	\$ 391,441	12.53%
CONTRACTED SERVICES							
PreK - 12th							
Employee Train & Development Services	\$ 492	\$ 1,440	\$ -	\$ -	\$ -	\$ (1,440)	-100.00%
Software/Annual Subscription	\$ 26,178	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
Staff Travel	\$ 2,382	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500	\$ -	0.00%
Total PreK-12th Contracted Services	\$ 29,051	\$ 4,940	\$ 3,500	\$ 3,500	\$ 3,500	\$ (1,440)	-29.15%
Ops and Comms							
Purchased Prof & Technical Services	\$ 291,658	\$ 430,147	\$ 409,000	\$ 409,000	\$ 409,000	\$ (21,147)	-4.92%
Software Maintenance	\$ -	\$ 12,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 3,000	25.00%
Postage	\$ 918	\$ 1,200	\$ -	\$ -	\$ -	\$ (1,200)	-100.00%
Phone	\$ 1,800	\$ -	\$ 27,600	\$ 27,600	\$ 27,600	\$ 27,600	0.00%
Printing/Binding	\$ 626	\$ 1,000	\$ -	\$ -	\$ -	\$ (1,000)	-100.00%
Photocopying	\$ 914	\$ 1,036	\$ 1,000	\$ 1,000	\$ 1,000	\$ (36)	-3.47%
Total Ops & Comm Contracted Services	\$ 296,574	\$ 445,383	\$ 452,600	\$ 452,600	\$ 452,600	\$ 7,217	1.62%
Insurance & Legal							
Insurance - General Liability	\$ 33,699	\$ 42,124	\$ 43,219	\$ 43,219	\$ 43,219	\$ 1,095	2.60%
Total Ins & Legal Contracted Services	\$ 33,699	\$ 42,124	\$ 43,219	\$ 43,219	\$ 43,219	\$ 1,095	2.60%
Facilities							
Repair and Maintenance Services	\$ 184,052	\$ 215,881	\$ 200,000	\$ 200,000	\$ 200,000	\$ (15,881)	-7.36%

Portland Public Schools
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Board of Education Recommended Budget
April 9, 2024

Transportation

	FY23 ACTUAL	FY24 BUDGET	FY25 SUPT REC Mar 5	FY25 Finance Comm Rev Apr 1	FY25 Board Apr 9	\$ +/(-) v FY24	% +/- v FY24
Rentals	\$ -	\$ 20,622	\$ -	\$ -	\$ -	\$ (20,622)	-100.00%
Total Ops & Comm Contracted Services	\$ 184,052	\$ 236,503	\$ 200,000	\$ 200,000	\$ 200,000	\$ (36,503)	-15.43%
Transportation							
Student Transportation Purchase/Private (Sped OO	\$ 761,212	\$ 836,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ (236,000)	-28.23%
Total Transport Contracted Services	\$ 761,212	\$ 836,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ (236,000)	-28.23%
TOTAL CONTRACTED SERVICES	\$ 1,304,589	\$ 1,564,950	\$ 1,299,319	\$ 1,299,319	\$ 1,299,319	\$ (265,631)	-16.97%
SUPPLIES							
Academic							
General Supplies	\$ 6,029	\$ 5,000	\$ 4,600	\$ 4,600	\$ 4,600	\$ (400)	-8.00%
Tech Related Supplies	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ (5,000)	-100.00%
Total Academic Supplies	\$ 6,029	\$ 10,000	\$ 4,600	\$ 4,600	\$ 4,600	\$ (5,400)	-54.00%
Operations							
Electricity	\$ 582	\$ 7,102	\$ -	\$ -	\$ -	\$ (7,102)	-100.00%
Gasoline	\$ 261,846	\$ 247,223	\$ 250,000	\$ 250,000	\$ 250,000	\$ 2,777	1.12%
Total Operations Supplies	\$ 262,428	\$ 254,325	\$ 250,000	\$ 250,000	\$ 250,000	\$ (4,325)	-1.70%
TOTAL SUPPLIES	\$ 268,457	\$ 264,325	\$ 254,600	\$ 254,600	\$ 254,600	\$ (9,725)	-3.68%
MISCELLANEOUS							
Dues and Fees	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ -	0.00%
TOTAL MISCELLANEOUS	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ -	0.00%
CAPITAL EQUIPMENT							
Student Transportation Vehicles	\$ 32,106	\$ 759,000	\$ -	\$ -	\$ -	\$ (759,000)	-100.00%
TOTAL CAPITAL EQUIPMENT	\$ 32,106	\$ 759,000	\$ -	\$ -	\$ -	\$ (759,000)	-100.00%
DEBT SERVICE							
Principal	\$ 16,809	\$ 16,809	\$ 16,809	\$ 16,809	\$ 16,809	\$ (0)	0.00%
Interest	\$ 3,924	\$ 2,946	\$ 1,819	\$ 1,819	\$ 1,819	\$ (1,127)	-38.26%
TOTAL DEBT SERVICE	\$ 20,733	\$ 19,755	\$ 18,627	\$ 18,627	\$ 18,627	\$ (1,128)	-5.71%
TOTAL NON SALARY AND BENEFITS	\$ 1,626,059	\$ 2,608,205	\$ 1,572,721	\$ 1,572,722	\$ 1,572,722	\$ (1,035,483)	-39.70%
TOTAL EXPENDITURES	\$ 4,527,155	\$ 5,732,654	\$ 5,126,513	\$ 5,114,771	\$ 5,088,612	\$ (644,042)	-11.23%

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Transportation

	Item	Cost	Description
PreK-12th Contracted Services			
	Staff Travel		
	Tolls	\$ 3,500	For buses
PreK-12th Contracted Services Total		\$ 3,500	
Ops and Comms			
	Purchased Professional & Technical Services		
	Bush Wash	\$ 6,000	
	Pest Control	\$ 3,000	
	Crossing Guards	\$ 400,000	Contracted Crossing Guards
	Software Maintenance		
	Tyler Tech	\$ 15,000	Traversa routing and trips software
	Phone		
	Cell Phone Stipend	\$ 27,600	Contracted cell phone stipends
	Photocopying		
	Photocopy lease	\$ 1,000	
Ops and Comms Total		\$ 452,600	
Insurance & Legal			
	Insurance - General Liability		
	Insurance	\$ 43,219	Transportation portion of insurance
Insurance & Legal Total		\$ 43,219	
Facilities			
	Repair & Maintenance Services		
			Contract for South Portland to maintenance and
	South Portland Contract	\$ 125,000	repairs on fleet
	Additional Service	\$ 75,000	For buses no longer under warranty
Facilities Total		\$ 200,000	
Transportation			
ation Purchase/Private (Sped OOD and Homeless)			
	Casco Bay and Metro	\$ 300,000	
	Safecare	\$ 100,000	Non-Sped Transportation
			Currently spending per week \$4520 w/ CC and \$5634
	Contracted Busses	\$ 200,000	w/ Safecare Eliminate CC and cut SC in 1/2 = \$127K
Transportation Total		\$ 600,000	
Supplies - Academic			
	General Supplies		
	Supplies	\$ 4,600	Includes \$ for generator to keep radios/phones up during power outages
Supplies - Academic Total		\$ 4,600	
Supplies - Operations			
	Gasoline		
	Gas	\$ 250,000	
	Non-Food Supplies		
Supplies - Operations Total		\$ 250,000	
Miscellaneous			
	Dues & Fees		
	MAPT Dues	\$ 175	
Miscellaneous Total		\$ 175	

Portland Public Schools
FY2025 Non-Personnel Budget
Board of Education Recommended Budget
April 9, 2024

Transportation

	Item	Cost	Description
Debt Service			
	Principal		
	Principal	\$ 16,809	
	Interest		
	Interest	\$ 1,819	
Debt Service Total		\$ 18,628	
Total Non Salary and Benefits		\$ 1,572,722	

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 11, 2024

SUBJECT: Order 153-23/24 Approving the Service Contract between the Maine Historic Preservation Commission and the City of Portland and Accepting and Appropriating a Pass-through Grant in the Amount of \$9,153 to the Lions Club of Peaks Island - Sponsored by Danielle P. West, City Manager

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

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

**Final
Action**

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

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

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

I. SUMMARY

II. AGENDA DESCRIPTION

On November 8, 2023 the City of Portland was awarded a Certified Local Government (CLG) grant by the Maine Historic Preservation Commission (MHPC). This order authorizes the City Manager to enter into a Service Contract with the MHPC, which will allow the City to administer the grant as a pass through grant in the amount of \$9,153 for the Lions Club of Peaks Island to complete a condition assessment of the Greenwood Gardens Playhouse. The Lions will provide \$6,102 in matching funds.

This item must be read on two separate days. It received its first reading on March 18 and was postponed to April 22 on April 8. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Background information that will not appear in the Agenda Description

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

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

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order Approving The Service Contract Between The State Of Maine And The City Of Portland To Provide A \$9,153 Pass-Through Grant To The Lions Club Of P
2. Portland 2023 CLG Greenwood Gardens Service Contract
3. Peaks Island Lions Club - Memo to City Council
4. Peaks Island Lions Greenwood Garden Playhouse - CLG Grant Application
5. Garden Pl, 32 (Greenwood Garden Playhouse) - National Register Nomination

Prepared by:

Date: 04/11/2024

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

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER APPROVING THE SERVICE CONTRACT BETWEEN THE MAINE
HISTORIC PRESERVATION COMMISSION AND THE CITY OF PORTLAND AND
ACCEPTING AND APPROPRIATING A PASS-THROUGH GRANT IN THE AMOUNT
OF \$9,153 TO THE LIONS CLUB OF PEAKS ISLAND**

ORDERED, that a \$9,153 grant from the Maine Historic Preservation Commission is hereby accepted and that amount appropriated for a subgrant for the Lions Club of Peaks Island for a building conditions assessment; and

BE IT FURTHER ORDERED, that the attached Service Contract between the Maine Historic Preservation Commission and the City of Portland to provide a \$9,153 pass-through grant to the Lions Club of Peaks Island is hereby approved in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Manager or designee is hereby authorized to execute the Service Contract and whatever documents are necessary or convenient to effect the intent and purpose of this order.



SERVICE CONTRACT

DATE: 11/14/2023	CONTRACT AMOUNT: \$9,153.00
ADVANTAGE CONTRACT #: 20231114*1383	
DEPARTMENT AGREEMENT #: ME-23-10017	
START DATE: 10/27/2023	END DATE: 3/15/2025

This Contract is between the following State of Maine Department and Provider:

STATE OF MAINE DEPARTMENT		
DEPARTMENT NAME: Maine Historic Preservation Commission		
ADDRESS: 55 Capitol Street		
CITY: Augusta	STATE: Maine	ZIP CODE: 04333-0065
PROVIDER		
PROVIDER NAME: City of Portland		
ADDRESS: 389 Congress Street		
CITY: Portland	STATE: Maine	ZIP CODE: 04101
PROVIDER'S VENDOR CUSTOMER #: VC0000259476		

Each signatory below represents that the person has the requisite authority to enter into this Contract. The parties sign and cause this Contract to be executed.

MHPC Representative:

City of Portland Representative:

Kirk F. Mohnhey 11/28/23
BY: Kirk F. Mohnhey, Director Date

BY: Date

Upon final approval by the Division of Procurement Services, a case details page will be made part of this contract.

DEPARTMENT AND PROVIDER POINT OF CONTACT

CONTRACT ADMINISTRATOR: The following person is designated as the Contract Administrator on behalf of the Department for this Contract. All financial reports, invoices, correspondence and related submissions from the Provider as outlined in Rider A, Reports, shall be submitted to:

NAME: Christi A. Chapman-Mitchell		
EMAIL: christi.chapman-mitchell@maine.gov	TELEPHONE: 207-287-1453	
ADDRESS: 55 Capitol Street		
CITY: Augusta	STATE: Maine	ZIP CODE: 04333-0065

PROGRAM ADMINISTRATOR: (Program Administrator section is optional.)

The following person is designated as the Program Administrator. This person will be able to respond to routine questions pertaining to the Contract; they will not be able to alter the scope of the Contract.

NAME:		
EMAIL:	TELEPHONE:	
ADDRESS:		
CITY:	STATE:	ZIP CODE:

PROVIDER CONTACT: The following person is designated as the Contact Person on behalf of the Provider for this Contract. All contractual correspondence from the Department shall be submitted to:

NAME: Evan Schueckler		
EMAIL: evans@portlandmaine.gov	TELEPHONE: 207-874-8726	
ADDRESS: 389 Congress Street, 4 th Floor		
CITY: Portland	STATE: Maine	ZIP CODE: 04101

RIDERS

The following riders are hereby incorporated into this Contract and made part of it by reference. *(Riders A, B, and G are required. Check all others that apply.)*

☒	Funding Rider
☒	Rider A – Scope of Work
☒	Rider B – Terms and Conditions
☒	Rider C - Exceptions
☒	Rider D – Specifications of Work and compliance Information
☒	Rider E – Attachments
☒	Rider F – Budget and Detailed Payment Instructions
☒	Rider G – Identification of Country in Which Contracted Work will be Performed
☐	Business Associate Agreement – Included at Department's Discretion
☐	Other – Included at Department's Discretion

FUNDING RIDER

Internal Purposes Only

CODING: (Departments - Attach separate sheet as needed for additional coding.)

LINE TOTAL	FUND	DEPT	UNIT	SUB UNIT	OBJ	PROGRAM	PROGRAM PERIOD	APPR FUNDING	FISCAL YEAR
9,153.00	013	94p	1655	26	6401	1655G	F2023		

LINE TOTAL	FUND	DEPT	UNIT	SUB UNIT	OBJ	PROGRAM	PROGRAM PERIOD	APPR FUNDING	FISCAL YEAR
\$									

LINE TOTAL	FUND	DEPT	UNIT	SUB UNIT	OBJ	PROGRAM	PROGRAM PERIOD	APPR FUNDING	FISCAL YEAR
\$									

FUNDING TOTAL: \$ 9,153.00

The sources of funds and compliance requirements for this Contract follow:

State General Fund	\$
Dedicated/Special Revenue	\$
Federal Funds	\$ 9,153.00

RIDER A: SCOPE OF WORK

TABLE OF CONTENTS

- I. Acronyms
- II. Introduction/Overview
- III. Deliverables
- IV. Performance Measures
- V. Reports

I. ACRONYMS/DEFINITIONS:

The following terms and acronyms shall have the meaning indicated below as referenced in this Contract:

COMMONLY KNOWN ACRONYMS AND DEPARTMENT ABBREVIATIONS	
BAA	Business Associate Agreement
Contract	Formal and legal binding agreement
Department	Maine Historic Preservation Commission
Provider	City of Portland
State	State of Maine
Commission	Maine Historic Preservation Commission
CLG	Certified Local Government

II. INTRODUCTION/OVERVIEW:

The purpose of this Contract is to provide a pass-through grant to the City of Portland in order to provide financial support for a Building Conditions Assessment at the Greenwood Gardens Playhouse on Peaks Island.

The Provider shall enter into a contract with the Lions Club of Peaks Island to provide them with funding to undertake a Building Conditions Assessment at the property they own, Greenwood Gardens Playhouse.

The funding for this grant originates in the Historic Preservation Fund (HPF), a National Park Service, Department of the Interior grant-in-aid, and is awarded as a sub-grant to Certified Local Governments (CLG). Portland, Maine is a CLG.

The Department will pay the Provider as follows:

On a reimbursement basis up to the contract amount with documentation of allowable expenditures made and sufficient Provider match amount per reimbursement request.

Payments are subject to the Provider's compliance with all items set forth in this Agreement and subject to the availability of funds. The Department will process approved payments

STATE OF MAINE | SERVICE CONTRACT

within 30 days. See Rider F for additional payment details.

Scope of Work:

The Building Conditions Assessment project will be undertaken in accordance with the Provider's 2023 CLG Grant Application as submitted to the Commission.

In addition, the Provider agrees to ensure that the Lion's Club of Peaks Island:

1. Contract with a qualified firm or personnel (architect or historic architect) meeting the minimum professional credentials in 36 CFR 61;
2. Provide a draft of the conditions assessment report to the Maine Historic Preservation Commission to review for conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Draft to be submitted by January 15, 2025;
3. Complete and submit interim reports and the final report as per the timetable below; and
4. Understand that the stipulated scope of work and products can only be changed by means of prior written approval by the Commission.

III. DELIVERABLES:

The Provider shall perform all services and maintain all standards and requirements for services provided under this Contract in accordance with the below:

1. Final conditions assessment, in digital and hard copy (1) formats;
2. Interim reports;
3. Copy of press release/website posting acknowledging HPF funding;
4. Completed final report for the grant; and
5. Photographs as jpgs (if applicable).

IV. PERFORMANCE MEASURES: N/A

A. Required Reports

The Provider shall track and record all data/information necessary to complete the reports listed in the table below:

	Name of Report	Description or Appendix #:
1.	Interim Reports	Rider D, Program Specific item 18
2.	Final Report	Reporting form provided

A. Reporting Schedule for Above Listed Required Reports

The Provider shall submit all of the reports listed below to the Commission in accordance with the deadlines stated:

Beginning Date

Date of Approved Contract

STATE OF MAINE | SERVICE CONTRACT

First Interim Progress Report	January 15, 2024
Second Interim Progress Report	April 15, 2024
Third Interim Progress Report	July 15, 2024
Fourth Interim Progress Report	October 15, 2024
Fifth Interim Progress Report	January 15, 2025
Final Billing and All Project Products Due	March 15, 2025

This interim reporting schedule can be changed only by prior written approval by the Commission. Interim reporting forms will be provided to grant recipients for their use.

The Provider understands that the reports are due within the timeframes established and that the Department will not make subsequent payment installments under this Contract until such reports are received, reviewed and accepted.

The Provider further agrees to submit such other data and reports as may be requested by the Agreement Administrator. The Provider shall submit all data and reports to the Agreement Administrator listed in section "DEPARTMENT AND PROVIDER POINT OF CONTACTS" of this Agreement.

RIDER B: TERMS AND CONDITIONS

1. **INVOICES AND PAYMENT:** Department will pay the Provider as follows: Payment terms are net 30 days from the date the State receives an error-free invoice with all necessary and complete supporting documents. Provider shall submit detailed invoices, itemizing all work performed during the invoice period, including the dates of service, rates of pay, hours of work performed, and any other information and/or documentation appropriate and sufficient to substantiate the amount invoiced for payment by the State. All invoices must include the Department and Advantage Contract numbers for this contract.
2. **BENEFITS AND DEDUCTIONS.** If the Provider is an individual, the Provider understands and agrees that he/she is an independent contractor for whom no Federal or State Income Tax will be deducted by the Department, and for whom no retirement benefits, survivor benefit insurance, group life insurance, vacation and sick leave, and similar benefits available to State employees will accrue. The Provider further understands that annual information returns, as required by the Internal Revenue Code or State of Maine Income Tax Law, will be filed by the State Controller with the Internal Revenue Service and the State of Maine Bureau of Revenue Services, copies of which will be furnished to the Provider for his/her Income Tax records.
3. **INDEPENDENT CAPACITY.** In the performance of this Contract, the parties hereto agree that the Provider, and any agents and employees of the Provider, shall act in the capacity of an independent contractor and not as officers or employees or agents of the State.
4. **DEPARTMENT'S REPRESENTATIVE.** The Contract Administrator shall be the Department's representative during the period of this Contract. He/she has authority to curtail services if necessary to ensure proper execution. He/she shall certify to the Department when payments under the Contract are due and the amounts to be paid. He/she shall make decisions on all claims of the Provider, subject to the approval of the Commissioner of the Department.
5. **CHANGES IN THE WORK.** The Department may order changes in the work, the Contract Amount being adjusted accordingly. Any monetary adjustment or any substantive change in the work shall be in the form of an amendment, signed by both parties and approved by the State Purchases Review Committee. Said amendment must be effective prior to execution of the work.
6. **SUB-AGREEMENTS.** Unless provided for in this Contract, no arrangement shall be made by the Provider with any other party for furnishing any of the services herein contracted for without the consent and approval of the Contract Administrator. Any sub-agreement hereunder entered into subsequent to the execution of this Contract must be annotated "approved" by the Contract Administrator before it is reimbursable hereunder. This provision will not be taken as requiring the approval of contracts of employment between the Provider and its employees assigned for services thereunder.
7. **SUBLETTING, ASSIGNMENT OR TRANSFER.** The Provider shall not sublet, sell, transfer, assign or otherwise dispose of this Contract or any portion thereof, or of its right, title or interest therein, without written request to and written consent of the Contract Administrator. No subcontracts or transfer of Contract shall in any case release the Provider of its liability under this Contract.

8. EQUAL EMPLOYMENT OPPORTUNITY. During the performance of this Contract, the Provider agrees as follows:

- a. The Provider shall not discriminate against any employee or applicant for employment relating to this Contract because of race, color, religious creed, sex, national origin, ancestry, age, physical or mental disability, or sexual orientation, unless related to a bona fide occupational qualification. The Provider shall take affirmative action to ensure that applicants are employed and employees are treated during employment, without regard to their race, color, religion, sex, age, national origin, physical or mental disability, or sexual orientation.

Such action shall include but not be limited to the following: employment, upgrading, demotions, or transfers; recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; and selection for training including apprenticeship. The Provider agrees to post in conspicuous places available to employees and applicants for employment notices setting forth the provisions of this nondiscrimination clause.

- b. The Provider shall, in all solicitations or advertising for employees placed by or on behalf of the Provider relating to this Contract, state that all qualified applicants shall receive consideration for employment without regard to race, color, religious creed, sex, national origin, ancestry, age, physical or mental disability, or sexual orientation.
- c. The Provider shall send to each labor union or representative of the workers with which it has a collective bargaining Contract, or other Contract or understanding, whereby it is furnished with labor for the performance of this Contract a notice to be provided by the contracting agency, advising the said labor union or workers' representative of the Provider's commitment under this section and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- d. The Provider shall inform the contracting Department's Equal Employment Opportunity Coordinator of any discrimination complaints brought to an external regulatory body (Maine Human Rights Commission, EEOC, Office of Civil Rights) against their agency by any individual as well as any lawsuit regarding alleged discriminatory practice.
- e. The Provider shall comply with all aspects of the Americans with Disabilities Act (ADA) in employment and in the provision of service to include accessibility and reasonable accommodations for employees and clients.
- f. Providers and subcontractors with Contracts in excess of \$50,000 shall also pursue in good faith affirmative action programs, which programs must conform with applicable state and federal laws, rules and regulations.
- g. The Provider shall cause the foregoing provisions to be inserted in any subcontract for any work covered by this Contract so that such provisions shall be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

9. EMPLOYMENT AND PERSONNEL. The Provider shall not engage on a full-time, part-time or other basis during the period of this Contract, any (a) state employee or (b) any former state employee who participated in any way in the solicitation, award or administration of this

Agreement. This restriction shall not apply to regularly retired employees or any employee who has been out of state employment for a period of twelve (12) months.

10. WARRANTY. The Provider warrants that it has not employed or contracted with any company or person, other than for assistance with the normal study and preparation of a proposal, to solicit or secure this Contract and that it has not paid, or agreed to pay, any company or person, other than a bona fide employee working solely for the Provider, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon, or resulting from the award for making this Contract. For breach or violation of this warranty, the Department shall have the right to annul this Contract without liability or, in its discretion to otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.
11. ACCESS TO RECORDS. As a condition of accepting an Contract for services under this section, a Provider must agree to treat all records, other than proprietary information, relating to personal services work performed under the Contract as public records under the freedom of access laws to the same extent as if the work were performed directly by the Department or agency. For the purposes of this subsection, "proprietary information" means information that is a trade secret or commercial or financial information, the disclosure of which would impair the competitive position of the Provider and would make available information not otherwise publicly available. Information relating to wages and benefits of the employees performing the personal services work under the Contract and information concerning employee and Contract oversight and accountability procedures and systems are not proprietary information. The Provider shall maintain all books, documents, payrolls, papers, accounting records and other evidence pertaining to this Contract and make such materials available at its offices at all reasonable times during the period of this Contract and for such subsequent period as specified under Maine Uniform Accounting and Auditing Practices for Community Agencies (MAAP) rules. The Provider shall allow inspection of pertinent documents by the Department or any authorized representative of the State of Maine or Federal Government, and shall furnish copies thereof, if requested. This subsection applies to contracts, contract extensions and contract amendments executed on or after October 1, 2009.
12. TERMINATION. (a) The performance of work under the Contract may be terminated by the Department whenever for any reason the Contract Administrator shall determine that such termination is in the best interest of the Department. Any such termination shall be affected by delivery to the Provider of a Notice of Termination specifying the date on which such termination becomes effective. Upon such termination, the Department shall pay the Provider for work performed by the Provider prior to the date of Notice of Termination. (b) Either party may terminate this Agreement for cause by providing a written notice of termination stating the reason for the termination. Upon receipt of the notice of termination, the defaulting party shall have fifteen (15) business days to cure the default. If the default is of such a nature that it cannot be cured within fifteen (15) business days, the defaulting party shall have such additional time, as the parties may agree to, to cure the default, provided the defaulting party has taken steps to cure the default with the initial 15 days.
13. GOVERNMENTAL REQUIREMENTS. The Provider warrants and represents that it will comply with all governmental ordinances, laws and regulations.
14. GOVERNING LAW. This Contract shall be governed in all respects by the laws, statutes, and regulations of the United States of America and of the State of Maine. Any legal proceeding against the State regarding this Contract shall be brought in State of Maine administrative or

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judicial forums. The Provider consents to personal jurisdiction in the State of Maine.

15. STATE HELD HARMLESS. The Provider shall indemnify and hold harmless the Department and its officers, agents, and employees from and against any and all third party claims, liabilities, and costs, including reasonable attorney fees, for any or all injuries to persons or property or claims for money damages, including claims for violation of intellectual property rights, arising from the negligent acts or omissions of the Provider, its employees or agents, officers or Subcontractors in the performance of work under this Agreement; provided, however, the Provider shall not be liable for claims arising out of the negligent acts or omissions of the Department, or for actions taken in reasonable reliance on written instructions of the Department.
16. NOTICE OF CLAIMS. The Provider shall give the Contract Administrator immediate notice in writing of any legal action or suit filed that is related in any way to the Contract or which may affect the performance of duties under the Contract, and prompt notice of any claim made against the Provider by any subcontractor which may result in litigation related in any way to the Contract or which may affect the performance of duties under the Contract.
17. APPROVAL. This Contract must have the approval of the State Controller and the State Purchases Review Committee before it can be considered a valid, enforceable document.
18. INSURANCE. The Provider shall keep in force a liability policy issued by a company fully licensed or designated as an eligible surplus line insurer to do business in this State by the Maine Department of Professional & Financial Regulation, Bureau of Insurance, which policy includes the activity to be covered by this Contract with adequate liability coverage to protect itself and the Department from suits. Providers insured through a "risk retention group" insurer prior to July 1, 1991, may continue under that arrangement. Prior to or upon execution of this Contract, the Provider shall furnish the Department with written or photocopied verification of the existence of such liability insurance policy.
19. NON-APPROPRIATION. Notwithstanding any other provision of this Contract, if the State does not receive sufficient funds to fund this Contract and other obligations of the State, if funds are de-appropriated, or if the State does not receive legal authority to expend funds from the Maine State Legislature or Maine courts, then the State is not obligated to make payment under this Contract.
20. SEVERABILITY. The invalidity or unenforceability of any particular provision, or part thereof, of this Contract shall not affect the remainder of said provision or any other provisions, and this Contract shall be construed in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
21. ORDER OF PRECEDENCE. In the event of a conflict between the documents comprising this Agreement, the Order of Precedence shall be:

- Rider C Exceptions
- Rider B Terms and Conditions
- Rider A Scope of Work
- Funding Rider
- Rider D Included at Department's Discretion
- Rider E Included at Department's Discretion
- Rider F Included at Department's Discretion

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Rider G Identification of Country in which contracted work will be performed
Business Associate Agreement included at Department's Discretion
Other Included at Department's Discretion

22. FORCE MAJEURE. The performance of an obligation by either party shall be excused in the event that performance of that obligation is prevented by an act of God, act of war, riot, fire, explosion, flood or other catastrophe, sabotage, severe shortage of fuel, power or raw materials, change in law, court order, national defense requirement, or strike or labor dispute, provided that any such event and the delay caused thereby is beyond the control of, and could not reasonably be avoided by, that party.
23. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any monies due to the Provider under this Contract up to any amounts due and owing to the State with regard to this Contract, any other Contract, any other Contract with any State department or agency, including any Contract for a term commencing prior to the term of this Contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Controller.
24. ENTIRE CONTRACT. This document contains the entire Contract of the parties, and neither party shall be bound by any statement or representation not contained herein. No waiver shall be deemed to have been made by any of the parties unless expressed in writing and signed by the waiving party. The parties expressly agree that they shall not assert in any action relating to the Contract that any implied waiver occurred between the parties, which is not expressed in writing. The failure of any party to insist in any one or more instances upon strict performance of any of the terms or provisions of the Contract, or to exercise an option or election under the Contract, shall not be construed as a waiver or relinquishment for the future of such terms, provisions, option or election, but the same shall continue in full force and effect, and no waiver by any party of any one or more of its rights or remedies under the Contract shall be deemed to be a waiver of any prior or subsequent rights or remedy under the Contract or at law.
25. AMENDMENT: No changes, modifications, or amendments in the terms and conditions of this Contract shall be effective unless reduced to writing, numbered and signed by the duly authorized representative of the State and Provider.
26. DEBARMENT, PERFORMANCE, AND NON-COLLUSION CERTIFICATION: By signing this Contract, the Provider certifies to the best of Provider's knowledge and belief that the aforementioned organization, its principals and any subcontractors named in this Contract:
- a. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.
 - b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:
 - i. Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.

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- ii. Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
 - iv. Have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default.
- c. Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above-mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.

RIDER C: EXCEPTIONS

The following exceptions to Standard Rider B are hereby incorporated into this Agreement:

1. Add the following to Section 12 "TERMINATION":

The Provider may terminate this Agreement, in whole or in part, for good cause, including but not limited to, loss of personnel or funding to provide the services hereunder, upon no less than thirty (30) days prior written notice to the Department.

2. Add the following to the beginning of the first sentence of Section 15 "STATE HELD HARMLESS".

Subject to and within the defenses, immunities and limitation of liability available to the State and/or to the Provider under the Maine Tort Claims Act, 14 M.R.S.A. Sec. 8101 et. seq. or other applicable law, [continue with existing Section 15]

3. Add the following to Section 18 "INSURANCE".

Provider is fully self-insured pursuant to the Maine Tort Claims Act and shall provide the Department with a letter certifying its self- insured status upon request.

EXCEPTIONS TO RIDER D

The following contract clauses in Rider D do not apply to this contract:

1. Program Specific Requirement #11 does not apply.
2. Program Specific Requirement #21 does not apply.

RIDER D:

SPECIFICATIONS OF WORK TO BE PERFORMED AND COMPLIANCE INFORMATION

In addition to what is noted on the cover page of this contract, the Maine Historic Preservation Commission is also hereby referred to as the "Commission" or the "Grantee" and the Provider is also hereby referred to as the "Recipient" or "Subrecipient". The Commission and the Provider mutually agree as follows:

The Provider has been awarded a U.S. Department of the Interior Historic Preservation Fund (HPF) grant-in-aid in an amount not to exceed the dollar value shown on the cover page of this contract, for the purpose of sub-granting financial support to Lions Club of Peaks Island to undertake a Building Conditions Assessment at the Greenwood Gardens Playhouse on Peaks Island in accordance with the scope of work, and timetable provided with this contract. These federal funds must be matched by a minimum of \$6,102.00.

This grant award is made pursuant to, and recipients must adhere to the Department of the Interior Standard Terms and Conditions located at <https://www.doi.gov/grants/doi-standard-terms-and-conditions>.

ARTICLES

1. Department of the Interior Standard Terms and Conditions 2 CFR 200, 2 CFR 1402

Recipients must comply with all applicable federal statutes, regulations, executive orders (EOs), Office of Management and Budget (OMB) circulars. Any inconsistency or conflict in Standard Terms and Conditions, Program-Specific Terms and Conditions, and any Special Award Conditions of this Award will be resolved according to the following order of precedence: federal laws, Executive Orders, federal regulations, applicable notices published in the Federal Register, OMB circulars, Treasury's Standard Terms and Conditions, Program-Specific Terms and Conditions, and any Special Award Conditions. DOI terms and regulatory requirements are located at:

- <https://www.doi.gov/grants/doi-standard-terms-and-conditions>
- eCFR :: 2 CFR Part 200 -- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- eCFR :: 2 CFR Part 1402 -- Financial Assistance Interior Regulation, Supplementing the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

2. Responsibilities of the Parties

The Recipient agrees to:

- a. Carry out the Statement of Work in accordance with the terms and conditions stated herein. The recipient shall adhere to Federal, state, and local laws, regulations, and codes, as applicable.
- b. Perform work in accordance with the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* in the assigned mandatory program areas as defined by the National Historic Preservation Act.
- c. Ensure subrecipients understand they are subject to the requirements of 2 CFR 200.1 "Subaward", 200.101 Applicability, and 200.331 Requirements for pass-through entities.
- d. Record their procurement of qualified consultants and contracts in accordance with 2 CFR 200.317.

3. Cost-Share Requirement

Non-Federal cost-share is required for costs incurred under this Agreement, as identified in the attached project budget.

4. Recipient Cost Share or Match.

Any non-Federal share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal share. Exceptions to this requirement may be granted by the Commission based on sufficient documentation demonstrating previously determined plans for or later commitment of cash or in-kind contributions. In any case, the Recipient must meet their cost share commitment over the life of the award.

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5. Prior Approval

The Recipient shall obtain prior approval for budget and program revisions, in accordance with 2 CFR 200.308.

6. Modification, Remedies For Noncompliance Termination

- a. This Agreement may be modified at any time, prior to the expiration date, only by a written instrument executed by the Commission.
- b. Additional conditions may be imposed by Commission if it is determined that the Recipient is non-compliant to the terms and conditions of this agreement. Remedies for Noncompliance can be found in 2 CFR 200.338.
- c. This Agreement may be terminated consistent with applicable termination provisions for Agreements found in 2 CFR 200.340 through 200.343.

7. BUILD AMERICA, BUY AMERICA

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

As applicable, recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- a. all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- b. all manufactured products used in the project are produced in the United States —this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- c. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit “Buy America” Domestic Sourcing Guidance and Waiver Process for DOI Financial Assistance Agreements | U.S. Department of the Interior. Additional information can also be found at the White House Made in America Office website: Made In America | OMB | The White House.

Waivers

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements, subject to review by the Made in America Office. The DOI may waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

- a. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
- b. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or

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- c. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at: Approved DOI General Applicability Waivers | U.S. Department of the Interior.

If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.

If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance awarding officer in writing. Waiver requests shall include the below information. The waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver request. Waiver requests will be posted to "Buy America" Domestic Sourcing Guidance and Waiver Process for DOI Financial Assistance Agreements | U.S. Department of the Interior and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office.

- a. Type of waiver requested (non-availability, unreasonable cost, or public interest).
- b. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
- c. Department of Interior Bureau or Office who issued the award.
- d. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
- e. Financial assistance title of project (reference block 8 on DOI Notice of Award).
- f. Federal Award Identification Number (FAIN).
- g. Federal funding amount (reference block 11.m. on DO Notice of Award).
- h. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).Infrastructure project description(s) and location(s) (to the extent known).
- i. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant PSC or NAICS code for each.
- j. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
- k. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
- l. Anticipated impact if no waiver is issued. Approved waivers will be posted at Approved Buy America
- m. Requests | U.S. Department of the Interior (doi.gov); recipients requesting a waiver will be notified of their waiver request determination by an awarding officer.

Questions pertaining to waivers should be directed to the financial assistance awarding officer.

Definitions

"Construction materials" includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;

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- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

"Construction Materials" does not include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

"Domestic content procurement preference" means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

"Infrastructure" includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

"Project" means the construction, alteration, maintenance, or repair of infrastructure in the United States

8. Ensuring The Future Is Made In All Of America By All Of America's Workers Per E.O. 14005 (Dated January 25, 2021).

Per Executive Order 14005, entitled "Ensuring the Future is Made in All of America by All of America's Workers" the Recipient shall maximize the use of goods, products and materials produced in, and services offered in, the United States, and whenever possible, procure goods, products, materials, and services from sources that will help American businesses compete in strategic industries and help America's workers thrive.

9. Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. §794 (d))

While the requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d), do not apply to financial assistance agreements, the NPS is subject to the Act's requirements that all documents posted on an NPS or NPS-hosted website comply with the accessibility standards of the Act. Accordingly, final deliverable reports prepared under this agreement and submitted in electronic format must be submitted in a format whereby NPS can easily meet the requirements of Section 508 of the Rehabilitation Act of 1973, as amended. *NOTE: Interim progress reports and financial reports are not considered final deliverables and therefore the following requirements do not apply.*

All electronic documents prepared under this Agreement must meet the requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The Act requires that all electronic products prepared for the Federal Government be accessible to persons with disabilities, including those with vision, hearing, cognitive, and mobility impairments. View Section 508 of the Rehabilitation Act, Standards and Guidelines for detailed information (<https://www.access-board.gov/guidelines-andstandards/communications-and-it/about-the-ict-refresh/final-rule/text-of-the-standards-and-guidelines>).

The following summarizes some of the requirements for preparing NPS reports in conformance with Section 508 for eventual posting by NPS to an NPS-sponsored website. For specific detailed guidance and checklists for creating accessible digital content, please go to <https://section508.gov/create>. All accessible digital content must conform to the requirements and techniques of the Web Content Accessibility Guidelines (WCAG) 2.0 or later (<https://www.w3.org/WAI/standards-guidelines/wcag/>), Level AA Success Criteria.

a. Electronic documents with images

Provide a text equivalent for every non-text element (including photographs, charts and equations) in all publications prepared in electronic format. Use descriptions such as "alt" and "longdesc" for all non-text images or place them in element content. For all documents prepared, vendors must prepare one standard HTML format as described in this statement of work AND one text format that includes descriptions for all non-text images. "Text equivalent" means text sufficient to reasonably describe the image. Images that are merely decorative require only a very brief "text equivalent" description. However, images that convey information that is important to the content of the report require text sufficient to reasonably describe that image and its purpose within the context of the report.

b. Electronic documents with complex charts or data tables

When preparing tables that are heavily designed, prepare adequate alternate information so that assistive technologies can read them out. Identify row and column headers for data tables. Provide the information in a

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non-linear form. Markups will be used to associate data cells and header cells for data tables that have two or more logical levels of row and column headers.

c. **Electronic documents with forms**

When electronic forms are designed to be completed on-line, the form will allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

10. Lobbying Prohibition.

18 U.S.C. §1913, Lobbying with Appropriated Moneys, as amended by Public Law 107–273, Nov. 2, 2002 Violations of this section shall constitute violations of section 1352(a) of title 31. In addition, the related restrictions on the use of appropriated funds found in Div. F, § 402 of the Omnibus Appropriations Act of 2008 (P.L. 110–161) also apply.

11. Anti-Deficiency Act.

Pursuant to 31 U.S.C. §1341 nothing contained in this Agreement shall be construed as binding the NPS to expend in any one fiscal year any sum in excess of appropriations made by Congress, for the purposes of this Agreement for that fiscal year, or other obligation for the further expenditure of money in excess of such appropriations.

12. Assignment.

No part of this Agreement shall be assigned to any other party without prior written approval of the NPS and the Assignee.

13. Member of Congress.

Pursuant to 41 U.S.C. § 22, no Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or adopted by or on behalf of the United States, or to any benefit to arise thereupon.

14. Agency.

The Recipient is not an agent or representative of the United States, the Department of the Interior, NPS, or the Park, nor will the Recipient represent its self as such to third parties. NPS employees are not agents of the Recipient and will not act on behalf of the Recipient.

15. Non-Exclusive Agreement.

This Agreement in no way restricts the Recipient or NPS from entering into similar agreements, or participating in similar activities or arrangements, with other public or private agencies, organizations, or individuals.

16. Partial Invalidity.

If any provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to the parties or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

17. No Employment Relationship.

This Agreement is not intended to and shall not be construed to create an employment relationship between NPS and Recipient or its representatives. No representative of Recipient shall perform any function or make any decision properly reserved by law or policy to the Federal government.

18. No Third-Party Rights.

This Agreement creates enforceable obligations between only NPS and Recipient. Except as expressly provided herein, it is not intended nor shall it be construed to create any right of enforcement by or any duties or obligation in favor of persons or entities not a party to this Agreement.

19. Rights in Data.

The Recipient must grant the United States of America a royalty-free, non-exclusive and irrevocable license to publish, reproduce and use, and dispose of in any manner and for any purpose without limitation, and to authorize or ratify publication, reproduction or use by others, of all copyrightable material first produced or composed under this Agreement by the Recipient, its employees or any individual or concern **specifically employed or assigned to originate and prepare such material.**

20. Conflict of Interest

a. Applicability.

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1. This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.
2. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.
- b. Requirements.
 1. Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.
 2. In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or subrecipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last one (1) year, participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or subrecipient or in development of the requirement leading to the funding announcement.
 3. No actual or prospective recipient or subrecipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.
- c. Notification.
 1. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112, Conflicts of interest..
- d. Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.
- e. Restrictions on Lobbying. Non-Federal entities are strictly prohibited from using funds under this grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR Part 18 and 31 USC 1352.
- f. Review Procedures. The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it. Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the Government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

21. Geospatial Data

Geospatial Data Act of 2018, Pub. L. 115-254, Subtitle F – Geospatial Data, §§ 751-759C, codified at 43 U.S.C. §§2801-2811 – Federal recipient collection of geospatial data through the use of the Department of the Interior financial assistance funds requires a due diligence search at the GeoPlatform.gov list of datasets to discover whether the needed geospatial-related data, products, or services already exist. If the required data set already exists, the recipient must use it. If the required data is not already available, the recipient must produce the proposed geospatial data, products, or services in compliance with applicable proposed guidance and standards established by the Federal Geospatial Data Committee (FGDC) posted at www.fgdc.gov.

22. Patents and Inventions

Recipients of agreements which support experimental, developmental, or research work shall be subject to applicable regulations governing patents and inventions, including the governmentwide regulations issued by the Department of Commerce at 37 CFR 401, Rights to Inventions Made by Non-profit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements. These regulations do not apply to any agreement made primarily for educational purposes.

23. General And Special Provisions

- a. **OMB Circulars and Other Regulations.** The following Federal regulations are incorporated by reference into this Agreement (full text can be found at <http://www.ecfr.gov>):
 - i. Administrative Requirements:

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- 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- ii. Determination of Allowable Costs:
 - 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart E; and
- iii. Audit Requirements:
 - 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart F.
- iv. Code of Federal Regulations/Regulatory Requirements:
 - [2 CFR Part 182 & 1401 "Government-wide Requirements for a Drug-Free Workplace"](#);
 - 2 CFR Part 180 & 1400, "Non-Procurement Debarment and Suspension", previously located at 43 CFR Part 42, "Government wide Debarment and Suspension (NonProcurement)";
 - [43 CFR 18. "New Restrictions on Lobbying"](#);
 - [2 CFR Part 175, "Trafficking Victims Protection Act of 2000"](#);
 - FAR Clause 52.203-12, Paragraphs (a) and (b), Limitation on Payments to Influence Certain Federal Transactions;
 - 2 CFR Part 25, System for Award Management (www.SAM.gov) and Data Universal Numbering System (DUNS); and
 - 2 CFR Part 170, "Reporting Subawards and Executive Compensation".
- b. **Non-Discrimination.** All activities pursuant to this Agreement shall be in compliance with the requirements of Executive Order 11246, as amended; Title VI of the Civil Rights Act of 1964, as amended, (78 Stat. 252; 42 U.S.C. §§2000d et seq.); Title V, Section 504 of the Rehabilitation Act of 1973, as amended, (87 Stat. 394; 29 U.S.C. §794); the Age Discrimination Act of 1975 (89 Stat. 728; 42 U.S.C. §§6101 et seq.); and with all other federal laws and regulations prohibiting discrimination on grounds of race, color, sexual orientation, national origin, disabilities, religion, age, or sex.
- c. **Minority Business Enterprise Development.** Pursuant to Executive Order 12432 it is national policy to award a fair share of contracts to small and minority firms. NPS is strongly committed to the objectives of this policy and encourages all recipients of its Cooperative Agreements to take affirmative steps to ensure such fairness by ensuring procurement procedures are carried out in accordance with the Executive Order.
- d. **Survival.** Any and all provisions which, by themselves or their nature, are reasonably expected to be performed after the expiration or termination of this Agreement shall survive and be enforceable after the expiration or termination of this Agreement. Any and all liabilities, actual or contingent, which have arisen during the term of and in connection with this Agreement shall survive expiration or termination of this Agreement.
- e. **Captions and Headings:** The captions, headings, article numbers and paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and in no way shall be construed as defining or limiting the scope or intent of the provision of this Agreement nor in any way affecting this Agreement.

PROGRAM SPECIFIC REQUIREMENTS

1. **Retention and Access Requirements for Records.**

All Recipient financial and programmatic records, supporting documents, statistical records, and other grants-related records shall be maintained and available for access in accordance with 2 CFR Part 200.333-200.337 and the Historic Preservation Fund Grants Manual.
2. **NAGPRA Costs Are Unallowable**

Cost related to Native American Graves Protection and Repatriation Act (NAGPRA) activities are unallowable under this agreement. Funds for NAGPRA activities are available through the NPS National NAGPRA Program.
3. **Allowable and Eligible Costs.**

Expenses charged against awards under the Agreement may not be incurred prior to the beginning of the Start Date of the Agreement, and may be incurred only as necessary to carry out the approved objectives, scope of work and budget with prior approval from the Commission. The Recipient shall not incur costs or obligate funds for any purpose pertaining to the operation of the project, program, or activities beyond the expiration date stipulated in the award.

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Eligible costs under this award are as described in this Notice, 2 CFR 200, and the Historic Preservation Fund Grants Manual (HPF Manual).

For this program eligible costs also include:

- a. Projects under the eligible program areas as defined by the National Historic Preservation Act (NHPA): Administration, Local Government Certification, Development/Covenants, National Register, Planning, Review & Compliance, Survey & Inventory, and Tax Incentives;
- b. Administrative costs necessary to complete and administer the grant requirements;
- c. Rehabilitation of properties;
 - i. Eligible properties include historic districts, buildings, sites, structures and objects listed in the National Register of Historic Places or applicable Tribal Register;
 - ii. All work must meet the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation; and
 - iii. All projects receiving repair assistance must enter into a preservation agreement/covenant/easement
- d. Survey and Inventory of historic resources to determine eligibility;
- e. Cost for administering an easement/covenant for the property;
- f. Cost for any required audits or financial requests;
- g. Cost for the production of project signs;
- h. Costs for public notice of grant opportunities;
- i. Costs associated with required training or reporting; and/
- j. Any other costs as determined eligible by the NPS in accordance with the OMB circulars, NPS policies, and the Historic Preservation Fund Grants Manual.

4. Publicity & Press Releases

Press releases about this project must acknowledge the grant assistance provided by the Historic Preservation Fund and the National Park Service, and copies of the press releases must be provided to the NPS. The Recipient must transmit notice of any public ceremonies planned to publicize funded or related projects in a timely enough manner so that the NPS, Department of the Interior, Congressional or other Federal officials can attend if desired. All publicity and press releases related to activities funded with this award should include a statement that funding for the activity was provided (in part or in whole) by the Historic Preservation Fund (HPF) administered by the National Park Service.

5. Requirement for Project Sign & Public Notification

As stipulated in 36 CFR Part 800, public views and comments regarding all Federally-funded undertakings on historic properties must be sought and considered by the authorizing Federal agency. Therefore, the grantee is required to post a public notification regarding the undertaking under this grant in one or more of the major newspapers or news sources that cover the area affected by the project within 30 days of obligating any contracts or subgrants. A copy of the posted release must be submitted to NPS within 30 days of the posting.

HPF funded development projects must create public notification of the project in the form of a project sign, website posting, and proper credit for announcements and publications as appropriate. The sign/notification must be of reasonable and adequate design and construction to withstand weather exposure (if appropriate); be of a size that can be easily read from the public right-of-way; and be accessible to the public throughout the project term as stipulated in this Grant Agreement. At a minimum, all notifications must contain the following statement:

"[Project Name] is being supported in part by the Historic Preservation Fund administered by the National Park Service, Department of the Interior and the Maine Historic Preservation Commission."

Additional information briefly identifying the historical significance of the property and recognizing other contributors is encouraged and permissible. The NPS arrowhead logo may only be used in conjunction with the HPF approved signage format that can be provided upon request. Any other use of the logo is prohibited.

6. Funding Acknowledgement

The grantee must include acknowledgment of grant support from the Historic Preservation Fund of the National Park Service, Department of Interior, in all deliverables and publications concerning NPS grant supported activities as referenced in the Statement of Work.

All deliverables must contain the following disclaimer and acknowledgement:

"This material was produced with assistance from the Historic Preservation Fund, administered by the National Park Service, Department of the Interior under Grant Number [insert grant number] (and HPF Online Project Number, if applicable). Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the Department of the Interior."

- a. Deliverables/publications include but are not limited to grant project reports; books, pamphlets, brochures or magazines; video or audio files; documentation of events, including programs; invitations and photos; websites; mobile apps; exhibits; and interpretive signs.
- b. All digital copies must follow the file naming convention:

SHPO_2023_ME_City of Portland and Greenwood Gardens_23AF00780_description of file

Refer to the attached guidance document for instructions on creating, naming and submitting digital copies of deliverables/publications.

- c. All consultants hired by the grantee must be informed of this requirement.
- d. Grantees, subgrantees, contractors may not use the NPS Arrowhead in any form without written permission.

7. Consultants & Contractors

The Provider must submit documentation of responses to its competitive selection process, along with its justification and resume(s) for which consultant(s) selected for grant-assisted work, to the Commission for approval. The consultant(s) must have requisite experience and training in historic preservation to oversee any construction work to be performed and to manage this complex project. All consultants must be competitively selected and documentation of this selection must be maintained by the Provider and be made readily available for examination by the Commission. **Maximum hourly rates charged to this grant may not exceed 120% of a Federal Civil Service GS-15, step 10 salary.** Current salary tables can be found on the Office of Personnel and Management website: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>.

8. Requirement for NEPA Compliance

All HPF funded grants are subject to the requirements of the National Environmental Policy Act (NEPA) of 1969, as amended. This Act requires Federal agencies to consider the reasonably foreseeable environmental consequences of all grant-supported activities. As part of the NPS implementation of NEPA, grantees are required to notify the NPS of any reasonably foreseeable impacts to the environment from grant-supported activities, or to certify that no such impacts will arise upon receipt of a grant award. In addition, the NPS has determined that most HPF grant funds are not expected to individually or cumulatively have a significant impact on the environment, unless the activity involves development (construction) or archeology.

9. Compliance with Section 106

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the NPS, the Subrecipient, and the Commission must complete the consultation process stipulated in the regulations issued by the Advisory

Council on Historic Preservation (ACHP) in 36 CFR 800 **prior** to the commencement of all grant assisted construction or ground disturbance on the property.

10. Compliance with Section 110

Section 110 of The National Historic Preservation Act identifies the responsibility of the federal agency in their treatment of historic properties. Section 110(f) (54 USC 306107) clarifies the responsibility of the agency to protect National Historic Landmarks (NHL) from harm. See this agreement for submission requirements regarding NHL properties. In addition, Section 110(k) (54 USC 306113) prohibits the NPS from funding any grantee or subgrantee that attempts to avoid the requirements of Section 106. Grantees must make every effort to fund preservation projects that do no harm or adverse effects to NHL properties. Should it be discovered a grantee has deliberately damaged a property (e.g., pre-emptive demolition) to avoid requirements, the NPS must be notified to determine, in consultation with the ACHP, if the project can proceed.

11. NPS Review of Planning/Design Documents for National Historic Landmarks

The grantee must submit the following:

- a. a site plan that has the north direction clearly marked;
- b. a city/county map with the site of the property clearly labeled;
- c. set of plans and specifications for the project;
- d. digital images of all exterior elevations of the building or site, with views identified and oriented and keyed to the site plan;
- e. digital images of all interior major rooms and those involved in the project, labeled and keyed to a floor plan;
- f. for NHL Districts include overall views of the district from the project area; and
- g. any additional information that will better enable a technical review of the project to be completed.

The grantee must submit documents for the entire undertaking to the NPS for its review and approval to ensure conformance with the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation*, Historic Preservation Fund Grant Manual, and with the conditions listed in this Grant Agreement, **prior** to the beginning of grant-assisted work. Work that does not comply with these Standards in the judgment of the NPS will not be reimbursed, and may cause the grant to be terminated and funds deobligated.

Plans & specifications for the project must be marked on the cover with this statement:

The {name of property} is designated a National Historic Landmark for its architectural and historic significance. It is considered to have irreplaceable cultural, material, and aesthetic value. The work is funded in part by the Historic Preservation Fund, administered by the National Park Service, Department of the Interior. The funding of which is subject to having all work items meet The Secretary of the Interior's Standards for the Treatment of Historic Properties.

12. GIS Spatial Data Transfer Standards

All GIS data collected with HPF funds shall be in compliance with the NPS Cultural Resource Spatial Data Transfer Standards with complete feature level metadata. Template GeoDatabases and guidelines for creating GIS data in the NPS cultural resource spatial data transfer standards can be found at the NPS Cultural Resource GIS Facility webpage: https://www.nps.gov/crgis/crgis_standards.htm

Technical assistance to meet the NPS Cultural Resource Spatial Data Transfer Standard specifications will be made available if requested. Execution of a Data Sharing Agreement between the NPS and the Recipient shall take place prior to collection of GIS data using HPF funds, as applicable.

13. Commission Review of Planning/Design Documents for Conformance to the Secretary of the Interior's Standards. If plans or specifications have changed from those submitted with the Subrecipients' application for an CLG/HPF grant, the Subrecipient must submit revised construction documents to the Grantee for its review and approval to ensure conformance with the Secretary of the Interior's *Standards for Historic Preservation and Archeology*, and with the conditions listed in this Grant Agreement, prior to the beginning of grant-assisted repair

work on the property. Work that does not comply with these *Standards* in the judgment of the Commission will not be reimbursed, and may cause the grant to be terminated and funds deobligated. .

14. Equipment Purchases

Each item of equipment purchased under this award must be approved specifically and in writing by the NPS prior to purchase to confirm the allowability of the costs. Approval of the application is not approval of equipment included within the application. Equipment is defined by 2 CFR 200.1 as tangible personal property (including information technology systems) having a useful life of more than one year and a perunit acquisition cost which equals or exceeds the lesser of the capitalization level established by the nonfederal entity for financial statement purposes, or \$5,000.

Limitations on Administrative and Indirect Costs. Administrative costs charged to the subgrant may not exceed 25 percent of the total grant award. This limitation applies to the sum of the direct costs of administration and any indirect costs charged by the Subrecipients pursuant to a current Federally approved indirect cost rate.

Administrative costs are those costs defined in the HPF Grants Manual, Chapter 6, Section F.1, and in Chapter 7, Exhibit 7-B.Retention and Access Requirements for Records. All Recipient financial and programmatic records, supporting documents, statistical records, and other grants-related records shall be maintained and available for access in accordance with 2 CFR Part 200.333-200.337 and the Historic Preservation Fund Grants Manual.

15. Catalog of Federal Domestic Assistance/Assistance listing Inclusion in Single Audit

Non-Federal entities receiving financial assistance through the Historic Preservation fund must include the appropriate Catalog of Federal Domestic Assistance (CFDA) number in the Schedule of Expenditures of Federal Award in their Single-Audit. The DFDA number applicable to this award is 15.904 – Historic Preservation Fund Grants-in-Aid.

16. Notice of Financial Management Review

As part of government-wide efforts to improve coordination of financial management and increase financial accountability and transparency in the receipt and use of federal funding, the grantee is hereby notified that this award may be subject to higher scrutiny. This may include a requirement to submit additional reporting documentation.

17. Unanticipated Discovery Protocols

At a minimum, unanticipated discovery protocols for subgrants or contracts shall require the sub-grantee or contractor to immediately stop construction in the vicinity of the affected historic resource and take reasonable measures to avoid and minimize harm to the resource until the SHPO or THPO, sub-grantee or contractor, and Indian Tribes, as appropriate, have determined a suitable course of action within 15 calendar days. With the express permission of the SHPO and/or THPO, the sub-grantee or contractor may perform additional measures to secure the jobsite if the sub-grantee or contractor determines that unfinished work in the vicinity of the affected historic property would cause safety or security concerns.

18. Demonstration of Effort – Performance Goals

In order to ensure the timely and successful completion of all HPF grant awards, the NPS requires acceptable demonstration of effort by the grantee on project work supported by all HPF funded grants. Demonstration of effort means acceptable performance by undertaking meaningful progress on grant supported activities and complying with award terms and conditions.

Demonstration of effort will be recorded on Interim Reporting forms as per the schedule in this contract.

19. Funding for Use of Unmanned Aircraft Systems (UAS) (AKA Drones)

HPF funding for unmanned aircraft systems (UAS) usage is eligible only in the contracting of an experienced, licensed contractor of UAS who possesses the appropriate license, certifications, and training to operate UAS. The contractor is required to provide proof of liability insurance in the operation of UAS for commercial use.

If HPF funding is provided to a state, tribal, local, or territorial government, or other non-profit organization for the use of UAS as part of their scope of work, the recipient must have in place policies and procedures to safeguard individuals' privacy, civil rights, and civil liberties prior to expending such funds.

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20. Nonfederal Matching Share. At least \$6,102.00 in eligible nonfederal matching contributions that are allowable and properly documented in accordance with 43 CFR 12.64 must be used by the Subrecipients during the grant period to share the costs for this grant. Failure to use the required non-Federal matching share will result in the disallowance of costs reimbursed, and/or the de-obligation of remaining unexpended funds.

21. Easement/Covenant Requirement for development projects

As per Section 54 USC 302902 of the National Historic Preservation Act requires Historic Preservation Fund grantees to assume, after the completion of the project, the total cost of continued maintenance, repair and administration of the grant-assisted property in a manner satisfactory to the Secretary of the Interior.

Accordingly, the _____, as owner of the _____ must execute a Preservation Agreement with the Commission. The term of the Agreement must run for _____ years from the end date of the last executed Preservation Agreement. The Easement must be executed by registering it with the deed of the property.

All preservation easements must be executed by registering it with the deed of the property. Baseline documentation of the character defining features of the site must be documented prior to construction through photographs. The preservation easement must document the grant assisted condition of the site and the historic character defining features as part of the document registered with the deed.

22. Copyright

Per 2 CFR 200.315(b), the NPS reserves a royalty-free right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so, any materials produced under this grant. All photos included as part of the interim & final reporting and deliverables/publication will be considered released to the NPS for future official use. Photographer, date, and caption should be identified on each photo, so NPS may provide proper credit for use.

A digital copy of all deliverables must be available for public access. Sensitive information may be redacted from the public access copy.

All consultants hired by the Recipient must be informed of this requirement.

23. Compliance with the Americans with Disabilities Act and the Architectural Barriers Act

The use of federal funds to improve public buildings, to finance services or programs contained in public buildings, or alter any building or facility financed in whole or in part with Federal funds (except privately owned residential structures), requires compliance with the 1990 Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and the Architectural Barriers Act (ABA). Work done to alter the property should be in compliance with all applicable regulations and guidance.

24. Additional Department Requirements

- a. Provide the Commission with copies of all contracts entered into in connection with the project.
- b. Ensure that no member, officer, or employee of the Maine Historic Preservation Commission, including Commission members and staff, will benefit financially from the project, except that such persons may provide technical, consultative, or oversight assistance in a voluntary capacity.

RIDER E: ATTACHMENTS

The following documents are attached to and made a part of this Agreement:

1. Provider's 2023 CLG Grant Application; and
2. Publications/Deliverables Submission Guidelines, below

A. What do I need to submit?

Provide one digital copy of each deliverable/publication. Deliverables/publications include, but are not limited to: grant project reports; books, pamphlets and magazines; video/audio files; event documentation, including programs and photos, websites, mobile apps, exhibits, and interpretive signs.

For development (construction) grants only:

- **Submit photos of all work completed under the grant, including at least three views of the overall structure and all elements of the scope of work.** Refer to "Documenting Historic Places on Film" for more information on photographing a variety of historic environments and buildings: nps.gov/nr/publications/bulletins/photobul/pt3.htm.
- **Ensure that a fully executed, recorded copy of the preservation easement/covenant has been sent to the Commission.**

Include the following disclaimer and acknowledgement with all deliverables/publications: "This material was produced with assistance from the Historic Preservation Fund, administered by the National Park Service, Department of the Interior and the Maine Historic Preservation Commission. Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the Department of the Interior."

B. How should I save submissions?

Name each file as follows:

SHPO_2023_ME_City of Portland and Greenwood Gardens_23AF00780_description of file

- For "Description," create a short (less than 50 characters) and unique description that would help someone to easily and quickly identify the file.
- Do not use spaces or special characters (#, %, &, ?) in filenames. If files are part of a series, append the number 001, 002, 003, etc. to the end of the description.

Required file formats and resolution:

- Reports and publications: PDFs at 300 pixels per inch, at 100 percent of the size of the original document. When possible, convert original publication files to PDF (for example, from Word or InDesign files). Otherwise, use high-quality scans of printed materials.
- Photos: JPEGs or TIFFs at a minimum resolution of 3000 x 2000 pixels (or 6 megapixels).
- Videos: MP4 files at a resolution of 1280 by 720 pixels. Include a transcript of each video in a Word document.
- Audio files: uncompressed WAV files. Include a transcript of each file in a Word document.
- For more information about other types of deliverables or publications, consult the National Archives' transfer guidance tables (<https://www.archives.gov/records-mgmt/policy/transfer-guidance-tables.html>). Submit all files in formats that either "preferred" or "accepted" by the National Archives.

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How do I submit submissions?

Contact the Commission's grant coordinator to discuss options for submitting the digital files

What information should be included with my submissions?

Include an index for all deliverables/publications as a Word document. Include the following information for each deliverable/publication:

- Grant Number (P23AF00780)
- Subgrant # ME-23-10018
- Title of Product
- Filename
- Creator (give full names and their roles in creating the product/deliverable)
- Date Completed
- Extent (pages, length, number of slides; use when applicable)
- Description (up to 200 words)

Save the index file as a Microsoft Word document using the following naming convention:

SHPO_23_ME_City of Portland and Greenwood Gardens_P23AF00780_Index.docx

RIDER F: BUDGET AND DETAILED PAYMENT INSTRUCTIONS

Budget

Understand that the budget items and figures above will be adhered to, unless the Commission provides prior written approval of amendments.

PROJECT BUDGET

A Service/Action/Item	B By Whom	C Hours or quantity	D Cost per	Total Cost (C X D)	Notes
Architectural Scope	TBD Architectural Consultant/Architect			\$4,600	Based on estimate
Life Safety Scope	TBD Architectural Consultant/Architect			\$2,000	Based on estimate
Architectural/Life safety ROM Cost Estimate	TBD Architectural Consultant/Architect			\$1,100	Based on estimate
Other consultants (structural, electrical, plumbing, mechanical)	Coordinated TBD Architect/Architectural Consultant			\$6,300	Based on estimate
Reimbursables	TBD Architectural Consultant/Architect			\$150.00	Based on estimate
Project Administration	C. Ian Stevenson	10 hours	\$85	\$850	estimated
Developing the RFP, publicizing the award	C. Ian Stevenson	3 hours	\$85	\$255	Estimated
TOTAL				\$15,255	

PROJECT FUNDING

Service/Action/Item	Donor	Source	Kind	Amount	Notes
Building Condition Assessment	Peaks Island Lions Club	Operating funds	Cash	\$4,997	
Building Condition Assessment	MHPC	CLG Grant	Cash	\$9,153	
Project Administration and assistance	C. Ian Stevenson		In-kind labor	\$1,105	
Total				\$15,255	

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MATCH SUMMARY

Total in-kind:	\$1,105
Total Donation	\$0
Total Cash	\$4,997
Total Volunteer	\$0
Total Match	\$

GRANT SUMMARY

Total Grant Request:	\$9,153
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Detailed Payment Instructions

The Department will pay the Provider as follows:

On a reimbursement basis up to the contract amount with documentation of allowable expenditures made and sufficient Provider match amount per reimbursement request. Payments are subject to the Provider's compliance with all items set forth in this Agreement and subject to the availability of funds. The Department will process approved payments within 30 days.

Required documentation for Reimbursement Requests

1. Invoice on Letterhead, containing the following information:
 - a. amount of reimbursement requested;
 - b. the project cost for this request;
 - c. the amount of match expended for this request; and
 - d. the contract number.
2. All expenses, including matching share, must be documented with copies of bills and photocopies of both sides of canceled checks.
3. Time sheets signed by the employee or volunteer and supervisor are required for volunteer and in-kind services, showing the Commission pre-approved rate and total dollar value of the donated or in-kind time.
4. The dollar value of donated equipment and donated space must also be documented for approval as match.
5. All project products must be received and approved by the Commission prior to final reimbursement. For development projects a final project report is required in addition to any technical report which may be a grant product before final reimbursement.

See Sample Reimbursement Request below

YOUR LETTER HEAD	
INVOICE # _____	Date _____
RE: Contract # _____	
Dear Ms. Chapman-Mitchell:	
On behalf of the _____, I am requesting a (partial) (full) reimbursement of \$ _____ for expenses incurred between _____ and _____, 2025 in conjunction with the CLG funded project _____.	
Project expenses are documented on the following enclosed items:	
<i>Signed Value of Donated Labor Forms for _____</i>	
<i>Signed Timesheet/paystub/journal for _____</i>	
<i>Invoice(s) from _____</i>	
<i>Cancelled check # _____ to _____ (copied front and back)</i>	
<i>Documentation in the form of _____ for in-kind contributions of materials/venues/equipment.</i>	
The total cost reflected in this request is \$ _____, of which \$ _____ is match and \$ _____ is requested as reimbursement.	
Sincerely,	

RIDER G: IDENTIFICATION OF COUNTRY IN WHICH CONTRACTED WORK WILL BE PERFORMED

Please identify the country in which the services purchased through this contract will be performed:

- ☐ **United States. Please identify state: Maine**
- ☐ **Other. Please identify country: Enter Country**

Notification of Changes to the Information:

The Provider agrees to notify the Division of Procurement Services of any changes to the information provided above.



MEMO

To: Portland City Council

Cc: Evan Schueckler, HP Program Manager; Christi Chapman-Mitchell, MHPC

From: C. Ian Stevenson, PhD, Preservation Consultant and Member, Peaks Island Lions Club

Date: April 10, 2024

Dear Mayor Dion and Members of the Portland City Council:

In fall 2023, the Peaks Island Lions Club applied for a Certified Local Government (CLG) Preservation Grant from the Maine Historic Preservation Commission (MHPC) via the city of Portland's Historic Preservation Program. The purpose of this grant is to secure funding (partially matched by the Peaks Island Lions Club) to undertake a building condition assessment of our c. 1909 Greenwood Garden Playhouse, listed on the National Register of Historic Places, in order to understand and prioritize sensitive restoration of this community structure. I completed the application on behalf of this organization as a) a professional historic preservationist; b) a member of the Peaks Island Lions Club; and c) a resident of Peaks Island. In November 2023, the Club was fortunate enough to be awarded this "pass-through" grant, meaning that while the city would initially send funds to the Club, it would be reimbursed by the state and thus incur no actual costs.

I understand that at the public hearing on Monday, April 8, 2024, the Council tabled the vote to authorize the contract finalizing this grant after hearing public comment questioning the validity of the Peaks Island Lions Club, its charitable and community contributions, and even the significance of the Greenwood Garden Playhouse as a historic structure. I hope this memo satisfies any concerns by the Council to hold your vote.

The Lions Club of Peaks Island is a 501c4 non-profit corporation (under Title 13-B) in good standing, chartered with the State of Maine (Charter Number 19530000ND) in 1953. It is an official club of District 41 of the service organization Lions Clubs International, founded in 1917 with over 49,000 clubs worldwide (<https://www.mainelions.org/mainelionsclubs>). The Club also maintains a separate foundation, a 501c3 non-profit corporation (under Title 13-B) in good standing, chartered with the State of Maine (Charter Number 20210338ND), founded in 2021. The purpose of the foundation is to better distribute charitable funds (described below). Excess revenue from rentals not held in reserve for property maintenance is transferred to this foundation and then disbursed.

Since its founding in 1953, the Lions Club of Peaks Island has been served entirely by volunteers, a mix of year-round islanders and seasonal homeowners. We currently have thirty-two active members, some of whom have served for several decades. In fact, the Peaks Island Lions have a legacy of generations of families, so that, for instance, our current vice president's grandfather served, which is a tradition we foster. At present, our president is Joseph Whalen, our Vice President

is Elizabeth Samsom, our Recording Secretary is Peter Anderson, our Corresponding Secretary is Peter Sisa, and our Treasurers are Christine Cassidy and Christopher Broadhurst.

We are the owners and stewards of a historic, two-acre property established in the late nineteenth century as the amusement grove “Greenwood Gardens.” At its heyday, this property contained an observation tower, skating rink, carousel, and summer stock theater playhouse. Of this infrastructure, only the playhouse remains. Aware of the significance of this building as a rare survivor of an important era of Peaks Island’s history, members of the Club approached the Maine Historic Preservation Commission to pursue nomination on the National Register of Historic Places. A two-person committee from the Club worked with the state to provide the requisite research and documentation, leading to formal nomination in 2021 that the National Park Service approved later that year. This made the Playhouse just the fourth listing on the National Register of Historic Places on Peaks (joined earlier this year with a fifth designation), which showcases the Club’s resolve at the forefront of historic preservation efforts on the island and its sincere desire to protect and honor this specific building. Relatedly, the Club would like to sensitively restore the Playhouse and applied for this grant to contract preservation professionals to provide a comprehensive building assessment to prioritize projects.

In addition to being caretakers for this historic property, the Club is committed to charitable and community-focused endeavors. The mission of Lions Clubs International is “to empower Lions clubs, volunteers and partners to improve health and wellbeing, strengthen communities, and support those in need through humanitarian service and grants that impact lives globally, and encourage peace and international understanding. And we fulfill it every day, everywhere we serve.” For our Club, this manifests in three concrete ways. First, we distribute scholarships for college students from Peaks Island who maintain good grades and who in exchange perform community service hours. In 2023, this amounted to \$30,500 for sixteen recipients; in 2022, \$51,475 for eighteen. Second, we provide grants to other Peaks Island non-profits to support their causes, which in 2023 totaled \$36,447 for seven organizations. This included the Children’s Workshop (daycare center), Island Transportation Service (low-cost taxi for islanders without vehicles), St. Christopher’s Catholic Church for restoring its sanctuary, the Fifth Maine Museum for installing safety railings, and a children’s athletic summer camp. Third, we both host and donate the space for free events designed to enhance the well-being of the Peaks Island community and visitors. In 2023, this included a Variety Show (held annually since 1949 before the Lions Club was formed); an Independence Day race; community theater performances; a Halloween haunted house, games, and children’s costume contest; a memorial service for the untimely death of an islander; and Holiday gift distribution for all students at the Peaks Island School and Children’s Workshop. When not in use for events, the grounds of the Lions Club are open to the public for picnics, strolls, games, etc. and therefore functions akin to a public park. In addition, the Peaks Island Lions Club donates money directly to state, national, and international charitable fundraising campaigns organized by Lions Clubs International, such as wellness packages for Maine’s unhoused and disaster relief after hurricanes and earthquakes.

We can undertake these charitable activities through the income we generate by renting our property for weddings and lobster bakes and through volunteer-run community fundraisers, such as burger nights. One of the most critical components of our property is the Greenwood Garden Playhouse, a building over a century old and in need of restoration. It is a central facility for the entire community and a rare vestige of the island’s history as the “Coney Island of Maine” era in which we were a

popular tourist destination. While the building may appear unremarkable aesthetically, I assure you it is a treasure and one we see ourselves as stewarding for future generations. As a small seasonal organization with just a few dozen volunteer members, we are lacking a prominent public face outside of the island community and have been working to develop an ample website, which we anticipate launching later this year. I understand this lack of visibility beyond the island community has contributed to confusion over our status and activities.

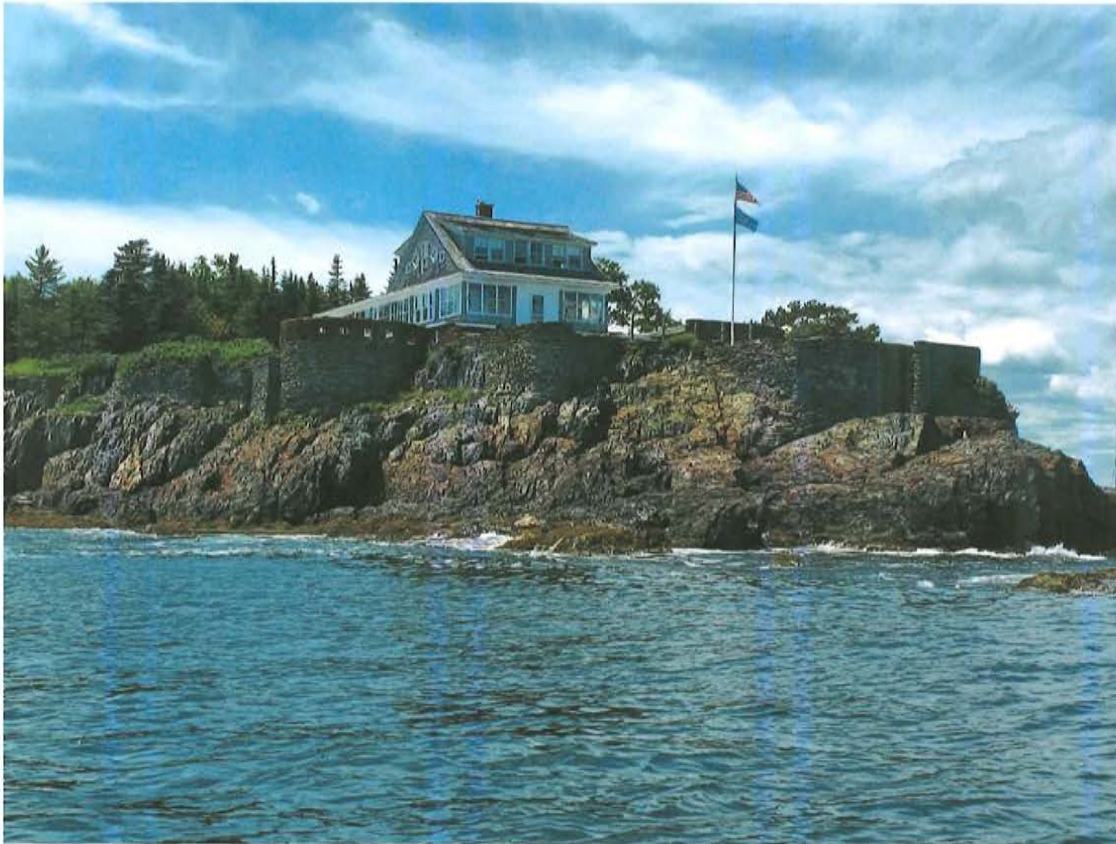
Lastly, we applied for this grant to allow us to maintain the Greenwood Garden Playhouse by not diverting funds that would otherwise go to students and island charities. The application was vetted by the city's Historic Preservation Program as well as the Maine Historic Preservation Commission. The Peaks Island Lions are committed to a partial match of the awarded funds. We hope you will vote affirmatively to approve the contract.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Ian Stevenson', with a stylized flourish at the end.

C. Ian Stevenson, PhD
cis@bu.edu

CERTIFIED LOCAL GOVERNMENT GRANT APPLICATION



Eagle Island National Historic Landmark, Harpswell. Photograph by MHPC.

FY 2023

**Development, Education, Planning, Survey, National
Register Listing and Archaeology Projects**

Maine Historic Preservation Commission
55 Capitol Street, 65 State House Station
Augusta, Maine 04333-0065
207-287-2132
www.maine.gov/mhpc/grant

APPLICATIONS DUE SEPTEMBER 25, 2023

Certified Local Government Grant Application

DEVELOPMENT, EDUCATION, PLANNING, SURVEY, NATIONAL REGISTER LISTING AND ARCHAEOLOGY PROJECTS

IMPORTANT APPLICATION INSTRUCTIONS

Applications will be submitted electronically via Dropbox. To submit the application send an email to Christi.chapman-mitchell@maine.gov with the subject line "CLG Grant Application Submission". You will then receive an email with detailed instructions for uploading the complete application into a Dropbox folder.

A COMPLETE APPLICATION CONTAINS EACH OF THE FOLLOWING:

- A. Application Form, signed and notarized.** Submit as a .docx or .pdf file.
- B. Assurance and Screening Forms**
 - 1. Survey (Architectural or Archaeological), Planning, Public Education or National Register projects:** Standard Form 424B (Rev. 7-97), Assurances – Non-Construction Programs. This form must be signed and dated and saved as a PDF.
 - 2. Development, Pre-development, and Archaeological Stabilization projects**
 - a.** Standard Form 424D (Rev.7-97), Assurances – Construction Programs. This form must be signed and dated and saved as a PDF.
 - b.** Environmental Screening Worksheet (NEPA). Complete as fully as possible. This form must be signed and dated and saved as a PDF.
- C. Supplementary documentation, submitted as PDFs**
 - 1. Estimates from contractors, consultants.
 - 2. Resume's for volunteer labor.
 - 3. Resume's for contracted labor (if known).
 - 4. Maps showing location of the project.
 - 5. Copies of completed pre-development plans and specifications, or historic structure reports if appropriate.
- D. Photographs of the historic property or proposed project area, submitted as .jpgs**
- E. Signed and Completed Application Checklist, submitted as a PDF**

The Complete application must be uploaded to Dropbox by 5:00 p.m., September 25, 2023
Optional draft applications are due September 11, 2023.

APPLICATION FORM

Certified Local Government Grants, 2023

IF COMPLETING THIS FORM IN MICROSOFT WORD PLACE ANSWERS IN THE GRAY BOXES.

Project Name: Greenwood Garden Playhouse Building Condition Assessment

Location: 32 Garden Place, Peaks Island, ME 04108

Applicant Organization: City of Portland / Peaks Island Lions Club

Contact Person: Evan Schueckler (Portland) / C. Ian Stevenson (Lions)

Mailing Address: City of Portland, Planning and Urban Development Department, 389 Congress Street, 4th Floor, Portland, ME 04101

Telephone Number: 207-874-8726 (Evan) / 914-643-1075 (Ian)

E-mail Address: evans@portlandmaine.gov (Evan) / cis@bu.edu (Ian)

Project Type (see grant manual for project descriptions)

- | | | |
|---|--|---|
| ☐ Architectural Survey | ☐ Archaeological Survey | ☐ Administrative Support |
| ☐ National Register Nomination | ☐ Public Education | |
| ☐ Planning | ☐ Archaeological Stabilization | |
| ☒ Pre-development | ☐ Development If yes, have plans and specifications been prepared? ☐ No ☐ Yes (submit copies) | |

Is this a pooled (multi-CLG) application? ☒ No ☐ Yes If yes, contact christi.chapman-mitchell@maine.gov for additional requirements.

Grant Amount Requested (60% maximum) \$9,153

Match Amount (40% minimum) \$6,102

Match Source Peaks Island Lions Club

Total Project Cost (100%) \$15,255

ATTACH ALL ESTIMATES USED TO CALCULATE PROJECT COST.

REFER TO THE 2023 CERTIFIED LOCAL GOVERNMENT GRANT MANUAL WHEN COMPLETING THIS APPLICATION.

APPLICATION FORM

Certified Local Government Grants, 2023

PLEASE COMPLETE ALL THE FOLLOWING QUESTIONS. ENTER TEXT IN THE GRAY BOXES.

- 1) Is this a continuing project that the Commission has previously funded? ☐ Yes ☒ No

- 2) Is the subject property listed in the National Register of Historic Places? ☒ Yes ☐ No

- 3) Project Summary:
 Provide a project **summary statement** that describes this project. Example: "The 1860 Smith House, owned by the George Historical Society and located in Smith, Maine is requesting support to: repair a roof, insulate the entry and upgrade wall insulation." (60 words maximum).
The Lions Club of Peaks Island (a club of the international service organization) is requesting support to fund a building assessment report for its c.1909 Greenwood Garden Playhouse, listed on the National Register (2021), located on Peaks Island, part of the City of Portland. The report will be used to guide the Club to make appropriate repairs, upgrade systems, etc.

- 4) Focus:
 A. What is the focus of the project? (i.e "historic neighborhood" or "historical museum" or "archaeological site").
Historic playhouse owned by the non-profit Peaks Island Lions Club, used as a community gathering site for such events as the annual variety show (dates to 1949), amateur theater, Halloween costume contests, as well as a rentable event venue for weddings, etc. (the latter used as fundraisers for maintenance of the overall historic excursion grove/amusement park property as well as funding the island scholarship fund).

 B. Does the project reflect the funding priorities in Chapter 2 of the Grant Manual?
Yes, under the Education priority, it serves to partner with local educators (such as Peaks Island School) to develop place-based curricula; align documentation with public programming to increasing participation on the island for considering other properties for nomination to the National Register by showcasing the benefits; using the Lions Club's social media, on-island audience, and rental parties to showcase the value of the National Register and preservation to modern venues; and to lessen misconceptions about preservation and designation through outreach and programming to an audience that is already visiting the facility. Also, the Predevelopment, and eventually Development Priorities by providing funding for pre-development restoration and to forestall leadership of the Lions in inadvertently undertaking historically insensitive restoration work. Also, Planning inasmuch as supporting the efforts of Portland as a CLG.

C. For Survey projects only: estimate number of acres to be surveyed

E. For Development projects only: Is there going to be any ground disturbance that will require archaeological testing? Have plans and specifications, or site plans been completed for the project? Have they been reviewed by MHPC staff to determine if they meet the Secretary of the Interior's Standards for the Treatment of Historic Properties?

N/A

F. For Archaeological Survey projects only: What are the research goals? Utilizing limited testing, how is the project designed to collect sufficient information to identify a resource and to assess its eligibility for listing in the National Register of Historic Places?

N/A

G. For Archaeological Projects (Development or Stabilization) only: Provide a research design that includes an explicit statement of the problem to be addressed, a summary of previous research, and outline how this project fits into prior or ongoing historical or structural documentation or other treatments. Refer to Appendix H in the Grant Manual for additional guidance.

N/A

5) Methodology:

A. What is the project methodology (the "why," "by whom," and "how" of the project)? Be specific in terms of the timeline and sequence of activities to be undertaken. For archaeological projects, describe the amount and kinds of information required to address the documentation objectives and the methods to be used to find the information. Be specific regarding proposed field methods.

The Lions Club already actively uses this building, and while it is in generally good repair, at the most recent amateur theater production, the lighting systems tripped the circuits, raising the desire for a building assessment. The Club would like to thoroughly document the building conditions and from there prioritize repair/restoration projects to honor the building's history and its recent inclusion on the National Register. The project will also identify historic fabric, materials, and design as distinct from non-historic features. The Lions propose to use the matching funding to hire a professional firm or consultant who meets SOIS Professional Qualifications to prepare the building assessment so that the membership (who would need to be consulted to fund actual work on the building) understands the correct sequence and how to do such work in a historically sensitive manner. Thus, the report will simultaneously create a roadmap for maintaining the building and prevent inadvertent but well-meaning projects that could jeopardize its integrity. The Club plans to approach potential vendors during its "off-season" (from Nov.-Apr.) to do the research/assessment and prepare the report to inform projects to be undertaken later in 2024 and beyond. The report will be prepared under the supervision of the Club's leadership (president, vice president, and secretary) as well as general member C. Ian Stevenson, a Peaks Island resident with an MA in Preservation Studies and PhD in American & New England Studies from Boston University, who has served as an independent historic preservation consultant, Director of Advocacy for Greater Portland Landmarks, and teaches in Boston University's preservation studies master's program.

The application is being made via the city of Portland as a pass-through grant. Ian Stevenson will administer the grant on behalf of the Lions Club, and the Lions Club will pay the chosen vendor for the

services rendered, submitting to the city of Portland for reimbursement. The city will then seek reimbursement from the MHPC.

B. Are any architects, consultants, contractors, archaeologists or tradespeople already under contract for this project?

No. See above for donated labor by C. Ian Stevenson.

C. Which of the Secretary of the Interior's Standards for the Treatment of Historic Properties apply to this project? (Choose all that apply; click on the highlighted text to view the standards.)

- ☐ Standards for [Restoration](#) ☐ Standards for [Identification](#) (survey projects)
☒ Standards for [Preservation](#) ☐ Standard for [Preservation Planning](#)
☐ Standards for [Archaeology Documentation](#)

6) Products

Describe what the project will accomplish. Be specific and provide details. What will be the product of the project? (i.e "preservation plan" or "repaired siding" or "archaeological survey report"). Will the products be publicly available or visible?

As described above, the singular goal is the delivery of a professional building assessment report detailing the physical condition of this historic resource, including its architectural integrity, life safety scope, and mechanical, plumbing, and electrical systems, with suggested prioritization for work to be done on the building subsequently. While the product itself, the report, will not be publicly visible, the subsequent work it informs will be, on a building already widely accessible to the community.

7) Public Benefit

Describe how the public will benefit from the project funded by this grant.

The playhouse is owned by a nonprofit organization dedicated to improving the community of year-round and seasonal residents as well as visitors and guests. The building is all that remains above ground of the historic Greenwood Garden excursion grove/amusement park as thus serves as a tangible reminder to the community and visitors of the island's past as "Coney Island of Maine." At the same time as acting as a museum, the building actively hosts free community events, such as the annual Variety Show, theatrical performances, and Halloween costume contest for island children. As well, it acts as a fund-raising vehicle for the Lions to support their mission as stewards of the overall publicly-accessible property and to subsidize the organization's scholarship fund for island students, open to the public.

8) Project Personnel:

Attach resumes and a description of professional expertise relative to the methodology of the project for all professionals known at the time of the application who would be conducting the project. Professionals must meet the minimum qualifications as set forth in Appendix B. Be aware that a competitive process must be used to select consultants/contractors for the project. Also attach resumes for all persons to be valued for match purposes at more than the federal minimum wage.

See attached CV for C. Ian Stevenson.

9) Estimated Project Schedule

CLG Grant Application, 2023

Provide an estimated project schedule based on a March 15, 2025 completion date. Note: this is a hard date. All project work must be completed, including billing and reporting, by this date. No extensions will be given.

If the grant is awarded in November 2023, the Lions will by the end of calendar year solicit bids for the work, with the plan to choose a vendor in January and commence work before the season begins in April 2024, so that the report can be delivered in the spring of 2024, thus completing the grant requirement before or at the start of summer 2024.

10) Administration

a. Will the person administering the grant be the person conducting the project?

Yes. As described above, Ian Stevenson will administer the grant on behalf of the Lions Club, and the Lions Club will pay the chosen vendor for the services rendered, submitting to the city of Portland for reimbursement. The city will then seek reimbursement from the MHPC.

b. Please list up to five prior grant projects administered by this organization and address the following for each project: 1. Was it completed on schedule? 2. Was it completed within the approved budget? 3. Provide a reference with email or phone number.

N/A

11) Availability of Match:

Do you already have all the required match for this project?

☒ Yes

☐ No

If the answer is "no" what percentage of the match is already in hand?

%

Please describe how any remaining match will be raised.

12) Budget:

Describe what steps you have taken to determine the project budget and ensure its accuracy. See Chapter 8 in the 2022 Grant Manual for more information.

See the attached estimate provided by Barba + Wheelock.

Estimated Project Budget:

Grant Request: \$9,153

Total Project Cost: \$15,255

In the table below provide an estimated budget for the project. The budget should include each major work element for the entire project or project phase. Items elements may include personnel, supplies, equipment, travel, printing, administration, support services, donated labor, indirect costs (if applicable), etc. Use separate lines for materials and labor. If the budget includes "contractual services," indicate what the contract is for in the notes. The estimated budget must be detailed. Each individual involved must be listed by name and function, with hourly rate and total salary. Indicate if the service/action/item is based on an estimate. Add additional rows as necessary.

PROJECT COSTS

A Service/Action/Item	B By Whom	C Hours or quantity	D Cost per	Total Cost (C X D)	Notes
Architectural Scope	TBD Architectural Consultant			\$4,600	From estimate
Life Safety Scope	TBD Architectural Consultant			\$2,000	From estimate
Architectural/life safety ROM Cost Estimate	TBD Architectural Consultant			\$1,100	From estimate
Other consultants (structural, electrical, plumbing, mechanical)	Coordinated TBD Architectural Consultant			\$6,300	From estimate
Reimbursable	TBD Architectural Consultant			\$150	From estimate
Project Administration	C. Ian Stevenson	10 hrs	\$85	\$850	estimated
Developing the RFP, publicizing the awarded grant	C. Ian Stevenson	3 hrs	\$85	\$255	estimated
TOTAL				\$15,255	

Project Funding

In the table below indicate how the project will be paid for, including both non-federal match, the requested grant funds, and any additional funding. Match must be on a 60/40 basis to the grant request: if the project is estimated at \$10,000 then the grant request would be \$6,000.00 and the match would be at least \$4,000.00. Attach resumes for all persons to be valued for match purposes at more than the federal minimum wage.

A. Service/Action/Item: copy this from the project budget. Items can be combined as needed.

B. Donor: list the names of funding sources for each budget item. For example: "Kennebec University".

b. Source: indicate where the funds are coming from (.e.g., "private donation", "capital funds"). The Commission will review source to ensure that it is eligible for non-federal match.

c. Kind: indicate the kind of funding. Choose from the following: grant, cash, cash match, in-kind, in-kind match, or indirect costs match. Please note that each kind of funding requires a separate breakout.

PROJECT FUNDING

A. Service/Action/Item	Donor	Source	Kind (cash match, in-kind match, volunteer match, grant)	Amount	Notes
Building Condition assessment	Peaks Island Lions Club	operating funds	cash	\$4,997	Peaks Island Lions Club will use some of its cash reserves to self-fund the portion of its 40% match that is not coming from in-kind services donated
Building Condition assessment	MHPC	CLG Grant	cash grant	\$9,153	City of Portland will reimburse Lions, and then seek reimbursement from MHPC.
Project administration/developing RPF & publicizing grant	C. Ian Stevenson		in-kind labor	\$1,105	
Total				\$15,255	

MATCH SUMMARY

In-kind match **\$1,105**
 Cash match **\$4,997**
 Other match \$

Total Match **\$6,102**

GRANT SUMMARY

CLG grant request **\$9153**

OTHER FUNDING SOURCES

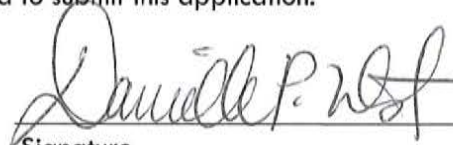
(List names and amounts)

Total Other Sources \$

APPLICATION FORM

Certified Local Government Grants, 2023

In making this application for Federal assistance under the provisions of the National Historic Preservation Act of 1966, I hereby acknowledge my familiarity with the requirements listed in the *Maine Historic Preservation Commission Grants Manual*. I agree that should I receive the Federal assistance herein requested, I will carry out the project according to Federal and State requirements. I certify that I am authorized to submit this application.


Signature 
Date

Danielle P. West, City Manager
City of Portland, Maine

Name & Title (Typed or Printed)
Applicant Organization

In Witness Whereof


Notary Public NANCY L. ENGLISH
NOTARY PUBLIC
State of Maine
My Commission Expires
October 19, 2024

Reminder: The signed federal Assurances – Non-construction 424B and Construction Programs 424-D forms must accompany this application when it is e-mailed to the Commission.

CERTIFICATION (if principal personnel are not yet selected [i.e., consultants]):

This is to certify that the applicant understands that, if funded, this project will be directed by personnel meeting the minimum professional credentials for the relevant disciplines stipulated in 36 CFR Part 61.



Signature 9/13/23
Date

APPLICATION CHECKLIST

Certified Local Government Grants, 2023

APPLICANT MUST INITIAL EACH BULLET POINT TO ACKNOWLEDGE THAT THEY HAVE READ THESE INSTRUCTIONS OR REMINDERS. RETURN THIS PAGE WITH THE APPLICATION.

1. Project expenses incurred before the execution of a contract between the Applicant and the State are not reimbursable and cannot be used for match. ERS (initials)
2. Consultants or contractors cannot be hired before the grant has been awarded. Once the grant has been awarded by the Commission, the procurement of services form must be filled out for any consultant or contractor. This form requires that three consultants or contractors are invited to submit proposals for a project. If only one party responds, the Applicant must show that they contacted at least two other parties. ERS (initials)
3. All project expenses must be thoroughly accounted for in the application. For example, you must break down the cost estimate into pay per hour for each party involved and outline exactly what tasks they will be doing. If estimates are available from contractors, include copies with the application. Please include administrative time in the grant application. ERS (initials)
4. Check the math. The 60/40 federal/local match must be correct on the applications. For a \$10,000 project, a request for \$6,000 federal share requires a minimum of \$4,000 in local match. ERS (initials)
5. Regarding local match, CDBG funds are the only federal funds which may be used in combination with HPF funds. ERS (initials)
6. Has the applicant signed all signature lines on the grant applications? _____ (initials)
7. The applicant must designate one person to be the point of contact with our office. We require that grant products be sent directly to us from the local point of contact, not from the consultants who prepared them. ERS (initials)
8. If applicable, has the town's historic preservation commission been consulted regarding this grant application?
Yes ☐ No ☒ ERS (initials)
9. Publicity. There is a special paragraph which MUST be used in all authorized publications and other forms of publicity connected with projects that receive federal grants. The paragraph begins: "This publication has been financed in part with Federal funds from the National Park Service...." ERS (initials)
10. Grant Orientation Meeting. For certain grant projects, our office may require a meeting to confirm the budget and the timetable for completion, and discuss procurement requirements and reimbursement procedures. ERS (initials)

ASSURANCES – CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capabilities (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) which, prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

Standard Form 424D (Rev. 7-97)

Previous Edition Usable

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11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a and 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuming compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1966 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  Danielle P. West	TITLE City Manager
APPLICANT ORGANIZATION City of Portland, Maine	DATE SUBMITTED 9/25/2023

Standard Form 424D (Rev. 7-97) Back

ASSURANCES – NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capabilities (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) which, prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.

11. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
12. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
13. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
14. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
15. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
16. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-554, as amended, 7 U.S.C. §§2132 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
17. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) Which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1966 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  Danielle P. West	TITLE City Manager
APPLICANT ORGANIZATION City of Portland, Maine	DATE SUBMITTED 9/25/23

Standard Form 424B (Rev. 7-97) Back

The National Park Service's In
State, Tribal, and Local Plans & Grants
Environmental Screening Worksheet

FOR DEVELOPMENT, PRE-DEVELOPMENT AND ARCHAEOLOGY PROJECTS ONLY

This worksheet should be completed as fully as possible and returned to the Maine Historic Preservation Commission. It will then be signed by the SHPO/THPO office funding the project work and forwarded to the National Park Service for final review. The Categorical Exclusion Form (if applicable) will be reviewed and signed by the National Park Service.

A. PROJECT INFORMATION

Project Name: Greenwood Garden Playhouse Building Assessment

Project Address: 32 Garden Place, Peaks Island, ME 04108

Project Originator/Coordinator: Peaks Island Lions Club/C. Ian Stevenson

Subgrantee/Owner: [Click here to enter text.](#)

National Register Status: Individually listed, 2021

B. PROJECT DESCRIPTION/LOCATION

Describe the project The Lions Club of Peaks Island (a club of the international service organization) is requesting support to fund a building assessment report for its 1884 Greenwood Garden Playhouse, listed on the National Register (2021), located on Peaks Island, part of the City of Portland. The report will be used to guide the club to make appropriate repairs, upgrade systems, etc.

C. AREA OF POTENTIAL EFFECTS

Define your Area of Potential Effects. These are the geographic or spatial limits of the project impacts, including staging areas and adjacent properties that might be affected by a change in viewshed or project noise or vibration, for example. : N/A

D. RESOURCE EFFECTS TO CONSIDER

Consider the context, duration and intensity of effects on resources.

Are any measurable impacts possible on the following physical, natural or cultural resources?

Yes? No? Data Needed to Determine?

- | | | | |
|--|------------------------------|--|--------------------------------------|
| 1. Geological resources – soils, bedrock, streambeds, etc. | ☐ Yes | ☒ No | ☐ Data Needed |
| 2. Air quality | ☐ Yes | ☒ No | ☐ Data Needed |
| 3. Soundscapes | ☐ Yes | ☒ No | ☐ Data Needed |
| 4. Water quality or quantity | ☐ Yes | ☒ No | ☐ Data Needed |
| 5. Streamflow characteristics | ☐ Yes | ☒ No | ☐ Data Needed |
| 6. Marine or estuarine resources | ☐ Yes | ☒ No | ☐ Data Needed |

7. Floodplains or wetlands	☐ Yes	☒ No	☐ Data Needed
8. Land use, including occupancy, income, type of use	☐ Yes	☒ No	☐ Data Needed
9. Rare or unusual vegetation, old growth timber, riparian	☐ Yes	☒ No	☐ Data Needed
10. Species of special concern (plant/animal/state or Federal listed or proposed for listing) or habitat	☐ Yes	☒ No	☐ Data Needed
11. Unique ecosystems, biosphere reserves, World Heritage	☐ Yes	☒ No	☐ Data Needed
12. Unique or important wildlife or wildlife habitat	☐ Yes	☒ No	☐ Data Needed
13. Unique or important fish or fish habitat	☐ Yes	☒ No	☐ Data Needed
14. Introduction/promotion of non-native species	☐ Yes	☒ No	☐ Data Needed
15. Recreation resources, including supply, demand, visitation, activities, etc.	☐ Yes	☒ No	☐ Data Needed
16. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	☐ Yes	☒ No	☐ Data Needed
17. Minority and low-income populations, ethnography, size, migration patterns, etc.	☐ Yes	☒ No	☐ Data Needed
18. Energy resources	☐ Yes	☒ No	☐ Data Needed
19. Other agency, or tribal, land use plans or policies	☐ Yes	☒ No	☐ Data Needed
20. Resource, including energy, conservation potential	☐ Yes	☒ No	☐ Data Needed

E. MANDATORY CRITERIA: If implemented, would the proposal?

1. Have material adverse effects on public health or safety?	☐ Yes	☒ No	☐ Data Needed
2. Have adverse effects on such unique characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; or ecologically significant or critical areas, including those listed on the National Register or Natural Landmarks?	☐ Yes	☒ No	☐ Data Needed
3. Have highly controversial environmental effects?	☐ Yes	☒ No	☐ Data Needed
4. Have highly uncertain and potentially negative environmental effects or involve unique or unknown environmental risks?	☐ Yes	☒ No	☐ Data Needed
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	☐ Yes	☒ No	☐ Data Needed
6. Be directly related to other actions with individually insignificant, but cumulatively significant, environmental effects?	☐ Yes	☒ No	☐ Data Needed
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?	☐ Yes	☒ No	☐ Data Needed

8. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species? ☐ Yes ☒ No ☐ Data Needed
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment? ☐ Yes ☒ No ☐ Data Needed
10. Have a disproportionate, significant adverse effect on low income or minority populations (EO 12898)? ☐ Yes ☒ No ☐ Data Needed
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 130007)? ☐ Yes ☒ No ☐ Data Needed
12. Contribute to the introduction, continued existence, or spread of federally listed noxious weeds (Federal Noxious Weed Control Act). Contribute to the introduction, continued existence, or spread of non-native invasive species or actions that may promote the introduction, growth or expansion of the range of nonnative invasive species (EO 13112)? ☐ Yes ☒ No ☐ Data Needed

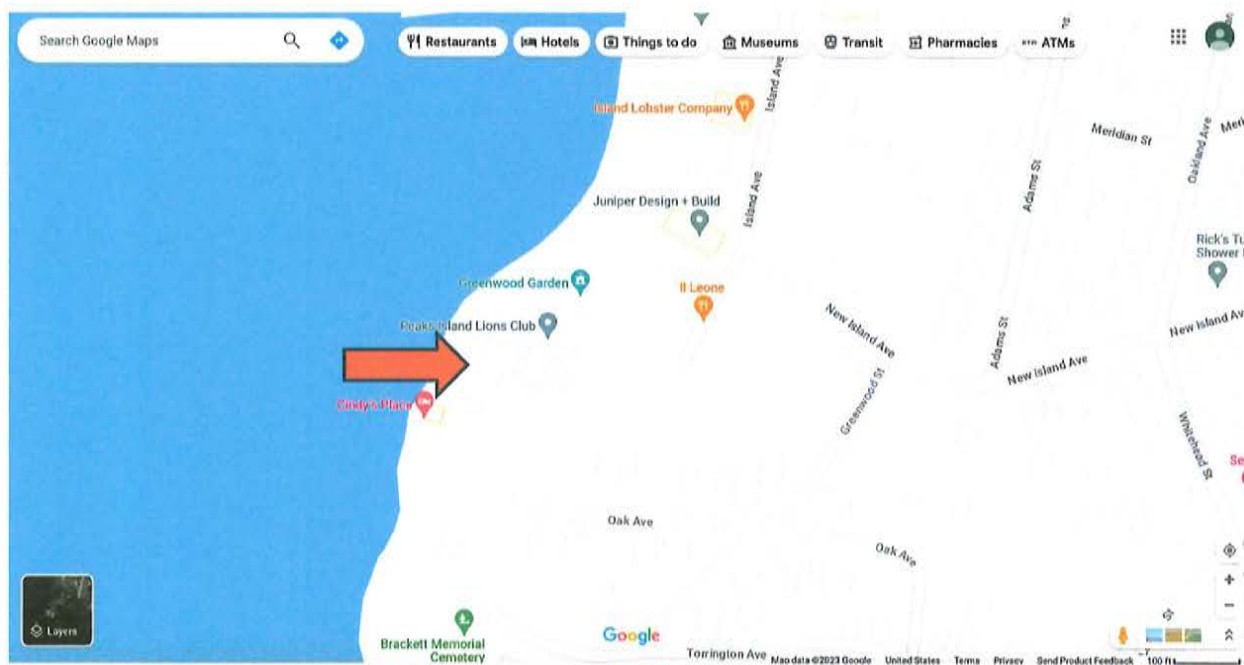
*****If you check "YES" to any of the above listed criteria you cannot claim a CE and must complete either an EA or EIS for your project to proceed. Please answer the following question:**

F. SITE VISIT

Is the person preparing this form familiar with the site, and/or has a site visit been conducted?
☒ Yes ☐ No



Greenwood Garden Playhouse location on Peaks Island, indicated with arrow.



Greenwood Garden Playhouse location on Peaks Island, indicated with arrow.





Greenwood Gardens Playhouse - Condition Assessment ROM Fees for Grant Proposal

Elizabeth Reynolds <ereynolds@barbawheelock.com>

Mon 9/11/2023 3:19 PM

To:Stevenson, Ian <cis@bu.edu>

Cc:Nancy Barba <nbarba@barbawheelock.com>; Cynthia Wheelock <cwheelock@barbawheelock.com>

Good Morning Ian,

We discussed the project internally again on Friday and I've put together the following adjusted rough fee for inclusion in the grant proposal, having seen the building and understanding the needs of the Lions further:

- Architectural Scope: \$4,600
- Life Safety Scope, at a minimum (billed hourly if this minimum is exceeded): \$2,000
- Architectural/life safety ROM Cost Estimate: \$1,100
- Other consultants (structural, mechanical, electrical, plumbing) and B+W consultant coordination: \$6,300
- B+W Reimbursables: \$150

SUM: \$14,150

Some assumptions on the fees above:

- I've estimated consultants based on past projects (haven't engaged anyone yet) but I bumped up the number slightly to accommodate all that goes along with taking the ferry out there and back in addition to normal travel. If/when the grant is awarded, I will coordinate consultant scope and fees and confirm those fees for you.
- I am assuming a minimum fee for the life safety analysis, which includes measuring the building on site, drawing up base plans, code analysis by our Senior Architect, a meeting with the state fire marshal, and associated follow up. As mentioned on site and over the phone, life safety analyses can end up opening a lot of questions that the Lions may want us to follow up on with the fire marshal or may require additional analysis and discussion with yourself/the lion board. For that reason, we would bill anything over this initial minimum hourly. We do think it would be valuable information for the Lions to have, given the building's intended use and nature of the events on site.
- I assumed one (long) day on site for myself to do the assessment and take measurements of the building for the life safety drawings. I assumed a 10 hour day including the ferry, architectural assessment, and on site measurement, so that I wouldn't need to factor in another trip on the ferry. There is always a chance that a follow-up visit may be necessary if we need confirmation of certain items.

Please let me know if this all makes sense/if you have any additional questions. I hope all goes well with the grant application!

Liz Reynolds

Director of Preservation

ME, VA, Professional Engineer

barba + wheelock

Architecture, Sustainability, Preservation
456 Capric Street / Portland, Maine 04102
C: 207.636.7692
W: 207.772.2722 x-405

Charles Ian Stevenson

CURRICULUM VITAE

cianstevensonphd@gmail.com · www.cianstevenson.com · Peaks Island, ME 04108

EDUCATION

Ph.D., American & New England Studies, Boston University (2019)

Dissertation: *"This Summer-Home of the Survivors": The Civil War Vacation in Architecture and Landscape, 1878-1918*

Committee: William D. Moore, Keith N. Morgan, Nina Silber, Sarah T. Phillips, and Louis P. Nelson

M.A., Preservation Studies, Boston University (2013)

Master's Thesis: *Creating a Maine Railroad Landscape, 1890-1897: Architecture of the Portland & Rumford Falls Railway and the Rumford Falls & Rangeley Lakes Railroad*

B.A., American History, *Cum Laude*, Bates College (2003)

PUBLICATIONS

Book

The Summer Homes of the Survivors: Buildings and Landscapes of the Civil War Vacation, 1878-1918 (under contract with the University of Virginia Press)

Refereed Journal Articles

"Introducing Environmental History into Vernacular Architecture: Considerations from New England's Historic Dams," *Buildings & Landscapes: Journal of the Vernacular Architecture Forum* 24, no. 2 (Fall 2017): 1-21

"Vacationing with the Civil War: Maine's Regimental Summer Cottages," *Civil War History* 63, no. 2 (June 2017): 151-180

"Proving Preservation: Boston Subway Construction Photography, 1894-1897," *Future Anterior* 10, no. 2 (Winter 2013): 16-31

Refereed Book Chapters

"Restoration's Dark Side: Gentrification and Daylighting the Saw Mill River in Yonkers, New York," in Greg Gordon, ed., *Rewilding the Urban Frontier: River Conservation in the Anthropocene* (Lincoln: University of Nebraska Press, forthcoming 2023)

Refereed Encyclopedia Entries

"Atwood-Higgins House" (Wellfleet); "Salt Pond Visitor Center" (Eastham); "The Dome" (Falmouth); "Hancock Shaker Village" (Hancock); "172-174 Pine Street Three-Deckers" (Attleboro); "Ames Free Library" (Easton); "Cathedral of Saint Mary of the Assumption"

(Fall River); "House of the Seven Gables" (Salem); "Beauport" (Gloucester); "November Club" (Andover); "Old Deerfield Historic District" (Deerfield); "Dorsey-Jones House" (Northampton); "Quabbin Reservoir" (Belchertown); "Quabbin Reservoir Administration Complex" (Belchertown); "Quabbin Aqueduct and Headhouses" (Belchertown); "Quabbin Park Cemetery" (Ware); "Boott Cotton Mills" (Lowell); "Nantucket Historic District" (Nantucket); "Independence Fire Engine Company Station" (Cohasset); "Brockton City Hall" (Brockton); "Scituate Light" (Scituate); "Union Station" (Worcester); "The Publick House" (Sturbridge); "Clara Barton Homestead" (Oxford); "Indian Hill Neighborhood" (Worcester); "Liberty Farm" (Worcester); "Chestnut Hill Meetinghouse" (Millville); and "Overview of Massachusetts" (with Aaron Ahlstrom) in *SAH Archipedia: Buildings of Massachusetts*, eds. Gabrielle Esperdy and Karen Kingsley, Charlottesville: University of Virginia Press (2019)

Book Reviews

War Matters: Material Culture in the Civil War Era edited by Joan E. Cashin (University of North Carolina Press, 2018), *Material Culture: Journal of the Pioneer America Society* 53, no. 1 (Spring 2020): 68-70

Heading Out: A History of American Camping by Terence Young (Cornell University Press, 2017), *Material Culture: Journal of the Pioneer America Society* 50, no. 2 (Fall 2018): 75-77

Edited Volumes

2023 Vernacular Architecture Forum Conference Guidebook, May 2023 (editor/designer)

Manuscripts in Preparation

Destination "Magic Town": Capitalism, Corporate Branding, and the Trackside Architecture of the Portland & Rumford Falls Railway, 1890-1897 [article]

"This is Not a Wilderness Area": Cape Cod National Seashore, the National Park Service, and Hybridity [article]

Web-Based Publications

"The past, present and future of the NPS," Boston University Public Relations "Expert Commentary," August 2016 (<https://medium.com/boston-university-pr/the-past-present-and-future-of-the-nps-3586b1316b70#.7l5unf2je>)

Guest Commentary, "Dwelling in Landscape" by Daniel Bluestone, Friends of Fairsted Lecture Series, December 2014 (<http://friendsoffairsted.org/dec-2014-commentary/>)

Other Publications

"Union Veterans and the Making of Weirs Beach," *The Weirs Times* 28, no. 32 (August 8, 2019)

"The Saw Mill River: An Environmental History," *Westchester Historian* 88, no. 4 (Fall 2012): 100-129

"The Old Hilltop: The Story of Yonkers Raceway," *Westchester Historian* 79, no. 1 (Winter 2003): 4-11

"From Rail to Trail: The Transformation of the 'Old Put' to a Recreational Byway," *Westchester Historian* 77, no. 4 (Fall 2001): 112-121

AWARDS AND HONORS

- 2019 Keith N. Morgan Dissertation Prize, Boston University Department of History of Art & Architecture
- 2017 PhD Qualifying Exam passed with distinction, Boston University American & New England Studies Program
- 2016 Richard E. Greenwood Young Scholar Award, Vernacular Architecture Forum, New England Chapter

FELLOWSHIPS AND GRANTS

- 2022 Opler Membership Grant for Emerging Scholars and Professionals, Society of Architectural Historians
- 2020 Robert Rettig Fellowship, Society of Architectural Historians, New England Chapter
- 2018 Research Fellowship, New England Regional Fellowship Consortium
- 2018 Summer Research Fellowship, Boston University Graduate School of Arts & Sciences
- 2018 National Endowment for the Humanities Summer Scholar, Visual Culture of the American Civil War and Its Aftermath, Graduate Center, City University of New York
- 2018 John Coolidge Research Fellowship, Society of Architectural Historians, New England Chapter
- 2017 Orlando Ridout V Fieldwork Fellowship, Vernacular Architecture Forum
- 2016 Pamela H. Simpson Presenter's Fellowship, Vernacular Architecture Forum
- 2013 Student Ambassador Award, Vernacular Architecture Forum

CONFERENCE ACTIVITY/PARTICIPATION

Papers Presented

- 2022 "Rockville, South Carolina's Confederate Vacation Home: A Case Study of Vernacular Architecture without the Building," Vernacular Architecture Forum Annual Meeting, May 21, San Antonio, TX
- 2021 "Destination 'Magic Town': Capitalism, Corporate Branding, and the Trackside Architecture of the Portland & Rumford Falls Railway, 1890-1897," Vernacular Architecture Forum Annual Meeting, May 22 [virtual]
- 2020 "Destination 'Magic Town': Capitalism, Corporate Branding, and the Trackside Architecture of the Portland & Rumford Falls Railway, 1890-1897," Vernacular Architecture Forum, New England Chapter, Annual Meeting, November 7 [virtual]
- 2020 "Race, Memory, and Leisure at the Mexia, Texas, Confederate Reunion Grounds," Vernacular Architecture Forum Annual Meeting, May 9 [virtual]
- 2019 "Enshrining the Civil War Vacation: Union Veterans, Familial Legacy, and the 103rd

- OVI Campus at Sheffield Lake, Ohio," Vernacular Architecture Forum Annual Meeting, Philadelphia, PA, June 1
- 2019 "Camp Benson and the 'GAR Camps': Recreational Landscapes of Civil War Memory in Maine, 1886-1910," Boston Seminar on Environmental History, Massachusetts Historical Society, Boston, MA, January 15
- 2018 "Surveilling the Civil War Vacation: Architecture of the New Hampshire Veterans Association Campus at Weirs Beach, 1878-1900," Ninth Biennial Urban History Association Conference: "Cities at the Crossroads," Columbia, SC, October 20
- 2018 "Camp Benson and the 'GAR Camps': Commercialized Landscapes of Civil War Memory in New England, 1886-1916," Popular Culture Association/American Culture Association Annual Meeting, Indianapolis, IN, March 30
- 2018 "Camp Benson and the 'GAR Camps': Commercialized Landscapes of Civil War Memory in New England, 1886-1916," Vernacular Architecture Forum, New England Chapter, Annual Meeting, Sturbridge, MA, March 24
- 2018 "'Eight Acres of Heaven': Civil War Memory, Leisure, and the New Hampshire Veterans Association Campus at Weirs Beach, 1878-1898," Wellesley-Deerfield Symposium: "Monumental Narratives," Wellesley College, Wellesley, MA, March 10
- 2017 "From 'America's Oldest Park' to America's First Subway: Hidden Histories of Boston Common," Boston's Hidden Histories Symposium, Boston University Initiative on Cities, Boston, MA, November 14
- 2017 "'This is Not a Wilderness Area': Cape Cod National Seashore, the National Park Service, and Hybridity," New Perspectives in Environmental History Conference, Yale University, New Haven, CT, April 22
- 2017 "Where 'Army Tales Told While the Pot Boiled': Civil War Veteran Summer Cottages, 1880-1910," Nineteenth Century Studies Association Annual Conference, Charleston, SC, February 4
- 2016 "'This is Not a Wilderness Area': Cape Cod National Seashore, the National Park Service, and Hybridity," Paul Lucas Graduate Student Conference: "Reframing the Landscape: Historical Visions of Place," Indiana University, Bloomington, October 7
- 2016 "Fraternity, Furlough, and Family: Maine's Civil War Veteran Summer Cottages," Vernacular Architecture Forum Annual Meeting, Durham, NC, June 4
- 2016 "Fraternity, Furlough, and Family: Maine's Civil War Veteran Summer Cottages," Vernacular Architecture Forum, New England Chapter, Annual Meeting, Sturbridge, MA, April 2
- 2016 "'This is Not a Wilderness Area': Cape Cod National Seashore and Redefining the National Park Service," 8th Annual Graduate Student Conference: "Region, Space, and Place in American History," American Political History Institute, Boston University, Boston, MA, April 1
- 2015 "Vacationing with the Civil War: Maine's Regimental Summer Cottages," Objects as Subjects: Material Cultures of the Civil War Era Conference, West Virginia University, Morgantown, WV, October 17
- 2015 "Contesting Dams: Cultural Preservation vs. Natural Conservation," Vernacular Architecture Forum Annual Meeting, Chicago, IL, June 6
- 2014 "The American Underground Frontier: Boston Subway Construction and Photography, 1894-1897," Graduate Student Association Conference: "New England

- and the World," American & New England Studies Program, Boston University, Boston, MA, October 24
- 2013 "Creating a Maine Railroad Landscape, 1890-1897: Architecture of the Portland & Rumford Falls Railway and the Rumford Falls & Rangeley Lakes Railroad," 35th Annual Student Symposium, Society of Architectural Historians, New England Chapter, Harvard University, Cambridge, MA, February 23

Conferences/Symposia Co-Organized

- 2023 Vernacular Architecture Forum Annual Meeting, Plymouth, MA, May 17-20
- 2016 38th Annual Student Symposium, Society of Architectural Historians, New England Chapter (Hosted by the History of Art & Architecture Department, Boston University), Boston, MA, February 13

Panels Organized

- 2021 "Beyond Words: A Workshop on Material Culture and the American Civil War," Society of Civil War Historians Biennial Meeting, June 18 (with James Broomall) [virtual]
- 2020 "Reconsidering the Architecture of the Vacation, 1865-1945," Society of Architectural Historians Annual Meeting, April 30 (with Willie Granston) [virtual]
- 2019 "Environmental Histories of non-Green Topics" Roundtable, Organization of American Historians Annual Meeting, Philadelphia, PA, April 6, 2019 (with Zachary Nowak)
- 2018 "Citizenship, Authority, and Refining the Nineteenth-Century Urban Panopticon," Ninth Biennial Urban History Association Conference: "Cities at the Crossroads," Columbia, SC, October 20

Discussant

- 2023 "Constructing Race and Labor," Vernacular Architecture Forum Annual Meeting, Plymouth, MA, May 20
- 2023 "Adapting to Sea Level Rise in Southern Maine's Historic Waterfront Communities," Keeping History Above Water Conference, Portsmouth, NH, May 9
- 2021 "Beyond Words: A Workshop on Material Culture and the American Civil War," Society of Civil War Historians Biennial Meeting, June 18 [virtual]
- 2019 "Environmental Histories of non-Green Topics" Roundtable, Organization of American Historians Annual Meeting, Philadelphia, PA, April 6, 2019
- 2018 Panel Chair, "Field Notes," Vernacular Architecture Forum Annual Meeting, Alexandria, VA, May 5

INVITED TALKS AND TOURS

- 2022 Panelist, "Preservation Studies Round Table: Entering Careers and Internships in Historic Preservation," Boston University, Boston, MA, November 9
- 2021 Keynote Talk, "The Fifth Maine and the Civil War Vacation," Fifth Maine Museum, Annual Meeting, Peaks Island, ME, August 19, 2021

- 2021 Lecture, "Destination 'Magic Town': Capitalism, Corporate Branding, and the Trackside Architecture of the Portland & Rumford Falls Railway, 1890-1895," Directors Night, New England Chapter, Society of Architectural Historians, January 25 [virtual]
- 2019 Lecture, "Camp Benson and the Civil War Vacation," Newport Cultural Center, Newport, ME, October 26
- 2019 Lecture, "Leisure, Landscape, and Legacy at the NH Veterans Association Campus," Laconia Historical and Museum Society, Laconia, NH, September 16
- 2019 Lecture, "Leisure, Landscape, and Legacy at the NH Veterans Association Campus," Lake Winnepesaukee Historical Society, Laconia, NH, August 14
- 2019 Guest Speaker, Crime and Deviance in the American Civil War Course, Bates College, Lewiston, ME, May 22
- 2019 Field Report, "'This Summer-Home of the Survivors': The Civil War Vacation in Architecture & Landscape, 1878-1918," Boston Athenaeum, Boston, MA, March 18
- 2018 Lecture, "Union Veterans, Family Legacy, and the Architecture of the 103rd OVI Campus at Sheffield Lake, Ohio," Directors Night, New England Chapter, Society of Architectural Historians, Trinity Church, Boston, MA, November 28
- 2018 Brown Bag Talk, "'This Summer-Home of the Survivors': The Civil War Vacation in Architecture & Landscape, 1878-1910," Massachusetts Historical Society, Boston, MA, September 12
- 2018 Lecture, "'Eight Acres of Heaven': Civil War Memory, Leisure, and the New Hampshire Veterans Association Campus at Weirs Beach, 1878-1898," New Hampshire Historical Society, Concord, NH, June 6
- 2017 Tour, Commonwealth Avenue Mall, Consortium of American Material Culture, Boston University, Boston, MA, May 15
- 2016 Guest Speaker, Writing Program Faculty Seminar on Experiential Learning with an Emphasis on Outside-of-Classroom Learning, Boston University, Boston, MA, November 10
- 2016 Tour, 5th and 8th Maine Memorial Halls, Peaks Island, ME, Vernacular Architecture Forum, New England Chapter, June 11

PODCAST/RADIO APPEARANCES

- 2022 ["Rewilding,"](#) *Under the Radar with Callie Crossley*, WGBH Radio, October 7
- 2021 ["Veterans and the Making of Vacationland,"](#) *Mainely History* (Interviewed by Dr. Ian Saxine), August 17

TEACHING EXPERIENCE

Boston University, Boston, MA

Preservation Studies

Places of Memory: Historic Preservation Theory and Practice (Fall 2023)

Places of Memory: Historic Preservation Theory and Practice (Fall 2022)

American Studies

A Walk in the Park: Understanding Greater Boston through Green Space (Summer 2016)

Architectural History

History of World Architecture (Teaching Fellow, Fall 2016)

Introduction to World Architecture and Urbanism (Teaching Fellow, Fall 2015)

American History

The United States Since 1865 (Teaching Fellow, Spring 2016)

Clark University, Worcester, MA

Art History

Introduction to American Material Culture (Spring 2024)

Introduction to American Material Culture (Fall 2021)

Introduction to American Material Culture (Fall 2019)

MEDIA COVERAGE

Joel Brown, "One Class, One Day: Reading Mount Auburn Cemetery. Going outdoors to study Boston through green spaces," *BU Today*, June 21, 2016

SERVICE TO PROFESSION

Vernacular Architecture Forum

Board Member (2017-2020)

Chair of Publications Committee (2017-2020)

Chair of Branding and Communications Ad-Hoc Committee (2018-2020)

2023 Plymouth Conference Committee Member and Conference Guidebook Editor (2019-2023)

Nominating Committee Member (2020)

Illustration Editor, *Buildings & Landscapes: Journal of the Vernacular Architecture Forum* (2019-2022)

Editorial Assistant, *Buildings & Landscapes: Journal of the Vernacular Architecture Forum* (2017)

Bibliographer (2013-2017)

Society of Architectural Historians, New England Chapter

Secretary (2020-2022)

Board Member (2018-2022)

Graduate Student Liaison (2015-2016)

Boston University American & New England Studies Program Graduate Student Association

Dissertation Writing Workshop Coordinator (2018-2019)

Social Chair (2015-2016)

Fifth Maine Museum

Board Member (2020-present)

Chair, Collections Committee

Member, Museum Re-envisioning Committee

HISTORIC PRESERVATION EXPERIENCE

Greater Portland Landmarks, Portland, ME

Director of Advocacy (2022-2023)

Falmouth (MA) Town Planning Office

Preservation Consultant, List of Significant Buildings (2019)

Medford (MA) Historical Society

Preservation Consultant, Peter Tufts House (2014-2015)

Maine Preservation

Summer Fellow (2012)

NONACADEMIC WORK

Harvard University Press, Cambridge, MA

Assistant Editor for the Humanities; Administrator of the Loeb Classical Library and I Tatti Renaissance Library (2012-2014)

Assistant Editor in the Humanities (2009-2012)

Editorial Assistant in the Humanities (2006-2009)

Editorial Department Assistant (2005-2006)

PROFESSIONAL MEMBERSHIPS

American Society for Environmental History

International Society for Landscape, Place and Material Culture

National Council on Public History

Organization of American Historians

Society for Industrial Archaeology (Northern New England Chapter)

Society of Architectural Historians (National, Landscape, and New England Chapters)

Society of Civil War Historians

Urban History Association

Vernacular Architecture Forum (National and New England Chapters)

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

1. Name of Property

Historic name: Greenwood Garden Playhouse

Other names/site number: N/A

Name of related multiple property listing: N/A

(Enter "N/A" if property is not part of a multiple property listing)

2. Location

Street & number: 32 Garden Place

City or town: Portland

State: Maine

County: Cumberland

Not For Publication: N/A

Vicinity: N/A

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this X nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property X meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

 national

 statewide

X local

Applicable National Register Criteria:

X A

 B

 C

 D

<u>Kirk F. Mahoney, SHPO</u>	<u>8/4/2021</u>
Signature of certifying official/Title:	Date
MAINE HISTORIC PRESERVATION COMMISSION State or Federal agency/bureau or Tribal Government	
In my opinion, the property <u> </u> meets <u> </u> does not meet the National Register criteria.	
Signature of commenting official:	Date
Title	State or Federal agency/bureau or Tribal Government

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4. National Park Service Certification

I hereby certify that this property is:

- ☐ entered in the National Register
☐ determined eligible for the National Register
☐ determined not eligible for the National Register
☐ removed from the National Register
☐ other (explain:) _____

Signature of the Keeper**Date of Action****5. Classification****Ownership of Property**

(Check as many boxes as apply.)

- Private ☒
Public – Local ☐
Public – State ☐
Public – Federal ☐

Category of Property(Check only **one** box.)

- Building(s) ☒
District ☐
Site ☐
Structure ☐
Object ☐

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Number of Resources within Property

(Do not include previously listed resources in the count)

Contributing

Noncontributing

1 _____2 _____

buildings

sites

1 _____

structures

objects

1 _____3 _____

Total

Number of contributing resources previously listed in the National Register 0 _____**6. Function or Use****Historic Functions**

(Enter categories from instructions.)

Recreation and Culture/theater

Current Functions

(Enter categories from instructions.)

Recreation and Culture/theaterRecreation and Culture/outdoor recreationSocial/civicOther/storage

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7. Description**Architectural Classification**

(Enter categories from instructions.)

Other/summer theater

Materials: (enter categories from instructions.)Principal exterior materials of the property: Foundation: concrete; Walls: wood-shingle, asphalt, concrete; Roofing: asphalt, metal-steel.**Narrative Description**

(Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

Summary Paragraph

Greenwood Garden Playhouse is a large wood frame building on Peaks Island in Casco Bay. The small mile long island has year-round residents, but there are also many summer cottages. The island is relatively flat with many mature trees and is primarily residential with relatively few commercial buildings and no industry. Greenwood Garden Playhouse is forty feet from the water on a flat lot at the southwest side of the island. Also on the property are an open pavilion, concrete block building and one frame building which are non-contributing, but functionally related to the current use of the Playhouse. The Playhouse has a pier foundation that supports the wood frame of heavy posts and trusses. The relatively plain exterior is wood shingled with few windows, but the asphalt shingled gambrel roof has modest overhangs with decorative bargeboards. The façade has four windows and two entry doors with porch roofs sheltering them. The interior is primarily one large open room with a stage at the south end, a dressing room behind the stage, and three service rooms at the north end. While the property has had fenestration changes, siding changes and some changes to interior walls, overall it retains its character defining features with the stage, large open auditorium, and the barnlike quality of the flexible space, and retains sufficient integrity of design, materials and workmanship. The location is original, and the setting is similar to the historic setting. Integrity of feeling and association are intact.

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Narrative Description**Setting**

Peaks Island is roughly one square mile in size and is located three miles east of Portland, Maine. The island is relatively flat with residential scale wood frame buildings and the feel of a small village. Access is by ferry or private boat. The primary concentration of the limited number of commercial buildings is along a short stretch of Island Avenue which is near the wharf on the west side of the island. The Playhouse is at the south end of Island Avenue. It is accessed by Garden Place a gravel lane that runs south from Island Avenue through a stand of mature deciduous trees. The building is at the southwest corner of the lot with three buildings to its east, water to the west, and a large open lawn to the north. The two-acre lot is flat except for the steep slope at the west edge where it meets the water. Next to the playhouse are a 1995 roofed pavilion, a 1988 kitchen and a small ca. 1960 wood frame storage building. These three buildings were constructed outside the period of significance and none of them contribute to the theater related significance; however they do evoke the historic setting of the overall property. What were originally large recreational grounds to the east of the property are now covered with mature deciduous trees where they were historically largely open lawn.

Playhouse, ca. 1909, Contributing Building**Exterior**

The façade of the side gable, gambrel roof building faces east. The 85' x 55' building has a regular, rectangular footprint except at the south side which has several additions. The building's height suggests a one-and-one-half or two-story building, but it is a single-story with a 17' ceiling height. The wood frame walls rest on piers and there is a partial crawlspace. The sidewalls are wood shingled from grade to the underside of the roof sheathing with flat narrow cornerboards and window trim. The moderate roof overhang has a scalloped bargeboard on all sides. The roofing is three-tab asphalt shingles.

The façade is five bays wide with double doors at each end and one-over-one, double-hung windows in between. (See Photo 2.) The center bay is a pair of windows while the other two are single. Over each window is a hinged, rectangular section of wall that can be opened like a transom to allow additional ventilation. Each door has a wide shed roof covering it and a short ramp to the threshold. The roof of the northernmost door extends to cover a 3' x 5' ticket booth addition. (See Photo 3.) At the south end of the building, the sidewalls of the additions attached to the south wall are visible. These consist of a full height, gable side section and a short, shed-roof section. Both are recessed from the main wall plane of the façade. (See Photo 4.)

The south side of the building is near the property line and has a six feet tall solid fence within three feet of the building. (See Photo 5.) At the center of this side is a tall, narrow, gable front projection which appears to be two stories from the exterior. There are windows placed high on the wall and a wooden staircase descends easterly from a single side door. To the east of this

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section is a one-story addition with a shed roof. This section is not as long as the center section. West of the center section is another one-story shed roof addition. This addition extends south and west to the wall plane on the primary wall on each side. The shingle walls, trim and other details are similar to those previously described. (See Photo 5.)

The west side of the building has a higher sidewall due to the slope of the lot toward the west. The lower four feet of the wall is vertical board siding. The wall above is wood shingled and four bays wide. There are three bays centered in the wall and another bay in the one-story, shed roof addition to the south. The addition has a single double-hung window and a roof that is lower than the eave of the main roof. The three bays of the main wall are replacement windows. Each window consists of a large center sash flanked by one-over-one, double-hung windows. The wood shingles, trim and roofing are as previously described.

The north side of the building is a wide gable front with a low wood deck stretching across two-thirds of its width. A double door is roughly centered in the wall. The location is original, but the doors are recent replacements. The wall is largely an unbroken expanse of wood shingles under the unusually proportioned gambrel roof. At the top of the wall are two quarter-circle windows. Above the windows is a square louvered vent. The same style scalloped bargeboards extend along the roof edge. (See Photo 2).

Interior

The interior of the building is predominately unfinished with exposed framing. It is composed of one large central room with a stage to the south and a balcony to the north with smaller rooms beneath it. Both east side double-doors open into the main hall which has a five feet wide side aisle on the east and west sides. The aisle is created by a row of 5½"x3½" wood posts supporting the roof trusses. The room is 17' tall to the bottom chord of the trusses and has exposed roof framing. The trusses are in a Pratt truss configuration with 4"x4" wood members and 5/8" steel rod vertical members. Two runs of common rafters support the gambrel roof, with the change in slope aligning with the aisle posts. (See Photo 6.) The center of the room has hardwood strip flooring while the aisles are wider boards. The interior of the east and west walls is finished with vertical beadboard and painted white. The north end of the hall has a row of rooms with a balcony above them. (See Photo 9.) The ten feet deep balcony is reached by a set of stairs along the west wall. The balcony has exposed framing. The eight feet tall wall creating the rooms under the balcony is finished in wallboard. The rooms from west to east include a bar, a hallway to an exit door, a women's toilet, and a men's toilet, accessed via the hallway. Each room is roughly 10'x15' with an 8'x10' hall. The bar has a large pass-through window. Interior finishes for these rooms are painted wallboard with flat trim.

The south, proscenium wall has wall board to the east and west sides of the raised stage opening with beadboard from the floor to the four feet stage height. (See Photo 7.) Above the proscenium a historic painted harbor scene has been painted on the wall. (See Photo 8.) The stage is four feet above the main floor and has wood strip flooring. The exterior walls are unfinished on the interior and show exposed framing. The sound and light controls are in the east wing with storage in the west wing. (See Photo 10.) The only room backstage is the dressing room at the southwest corner. The 9'x9' room is at the main floor level. It has board sidewalls and exposed roof framing all of which are painted. (See Photo 11.)

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Pavilion, 1995, Non-contributing Structure

The pavilion is a 36' x 48' gable front structure with open sidewalls. The building is four bays wide and five bays deep. Posts set in the earth support the low sloped truss roof which has corrugated metal roofing. The gable end trusses have vertical board siding, narrow overhangs, and a flat stock eave board. The sidewalls have retractable plastic sheeting that can be lowered on all sides to create an enclosed environment. (See Photo 14.)

Kitchen, 1988, Non-contributing Building

The 18' x 38' building has concrete block sidewalls and an east sloping asphalt shingled shed roof. The west wall has two wood shuttered pass through windows. The south wall has a steel entry door and the other sides are uninterrupted block. (See Photo 13.)

Storage Building, ca. 1960, Non-contributing Building

This 14' x 14' wood frame storage building has a steep side gable roof with three-tab asphalt shingle siding and roofing. There is a vertical board door on the west side and a horizontal board panel covering a centered opening on the north side. The other sides are unrelieved siding. (See Photo 12.)

Integrity

The location, form, and plan of the Playhouse date to ca. 1909, when it was constructed. The exterior siding and the west windows have changed since the period of significance, but the main character defining features of the building are the open auditorium space and the stage. The stage and backstage area are largely unchanged since the period of significance and retain all aspects of integrity. The open auditorium space also has had few changes since 1957. These two spaces reflect the significance for entertainment/recreation that relates to past uses as a playhouse, movie theater, dance hall, and other indoor recreational uses requiring a large open gathering space. The window changes on the west side altered the design, materials and workmanship as did the interior side wall changes, but these changes have less impact overall on the integrity of the open, rustic theater space. The open flexible floor space without fixed seating, the open framing and barn like feel, and the stage / backstage area remain unchanged and these defining features retain integrity. The overall integrity must also be compared to similar resources on the island or in the Portland area. On Peaks Island in particular, the other historic theaters have been destroyed and most other historic recreational resources have been greatly altered or demolished.

The nominated property is not the full extent of the historic Greenwood Gardens property. The eastern section was subdivided, and several houses built. The nominated property contains a large portion of the historic property and retains its park like feel which is an important setting for the playhouse. Greenwood Gardens in general has a history of being open green space with a variety of buildings and structures that move frequently. Since the construction of the Playhouse in ca. 1909 that same pattern has continued. There have historically been smaller

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buildings near the Playhouse and around the edges of the property. Though non-contributing the current buildings along with the large open lawn in the center of the lot provide a setting that retains integrity to the period of significance.

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8. Statement of Significance**Applicable National Register Criteria**

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☒ A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B. Property is associated with the lives of persons significant in our past.
- ☐ C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ D. Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

- ☐ A. Owned by a religious institution or used for religious purposes
- ☐ B. Removed from its original location
- ☐ C. A birthplace or grave
- ☐ D. A cemetery
- ☐ E. A reconstructed building, object, or structure
- ☐ F. A commemorative property
- ☐ G. Less than 50 years old or achieving significance within the past 50 years

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Areas of Significance (Enter categories from instructions.)Entertainment/Recreation

Period of Significanceca 1909 - 1957

Significant DatesN/A

Significant Person (Complete only if Criterion B is marked above.)N/A

Cultural AffiliationN/A

Architect/Builderunknown

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Statement of Significance Summary Paragraph

(Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.) (Refer to photographs)

Greenwood Garden Playhouse in Portland, Cumberland County, Maine is located on Peaks Island in Casco Bay. The ca. 1909 wood frame building is a summer theater and entertainment venue constructed as part of Greenwood Gardens recreation area. The building is locally significant under Criterion A Entertainment / Recreation. As one of the last remaining historic recreation buildings on the island, it represents the island's historic role as a summer recreation destination for Portland residents. As the last remaining building on the island used for summer theater, it reflects the importance of that entertainment type locally. The larger Greenwood Garden complex is otherwise no longer intact and does not have integrity as a district. The nominated property includes a broad lawn typical of the historic setting and three smaller non-contributing, but functionally-related buildings. The island as a whole has many summer cottages and is still a summer destination, but few commercial recreational buildings remain. Other public theaters, amusement rides, bowling alleys, carousels, bandstands and game buildings have burned, been demolished or altered significantly. The period of significance is from ca. 1909 to 1957 which represents the date the building was constructed as a multi-purpose entertainment venue through its last use as a summer stock playhouse.

Narrative Statement of Significance (Provide at least **one** paragraph for each area of significance.)

Entertainment / Recreation

Greenwood Garden Playhouse is significant as one of the few historic recreational buildings remaining on Peaks Island that has the integrity to convey the character of the Island's late-nineteenth and early-twentieth century entertainment and tourism industry. The building is the last remnant of the Greenwood Garden entertainment complex which along with other island theatres, games, rides, carousels, and entertainment venues provided summer recreation and entertainment for year-round residents, summer residents, and local day trippers. The island developed as a year-round residential island initially but began to focus on recreation after the Civil War when summer tourism began to increase along the New England Coast. Greenwood Garden Playhouse is not the largest nor the most famous of the island's entertainment venues, but it is the best remaining example of that type of entertainment property which played a large role in Peaks Island's economy and image. The Playhouse is the only extant theatre on the island and the most intact historic entertainment venue. It retains sufficient integrity to convey the importance of recreation to an Island occasionally identified as "Maine's Coney Island" in the late nineteenth and early twentieth century.¹

¹ *Casco Bay Breeze*. "A New Coney." 6/24/1909.

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Peaks Island

Tourism on Peaks Island follows a general pattern throughout Maine and New England. Particularly after the Civil War, increased production and technological advances resulted in increased leisure time for middle and professional class individuals and families. Coinciding with increased leisure time was improved transportation systems which lessened travel time. With the combination of more leisure time, faster travel, and disposable income, day trips to the countryside outside the city as well as longer vacations to more remote locations became more and more common. Peaks Island was able to take advantage of both short- and long-term vacationers. The proximity to Portland and quick ferry service allowed for vacation day trips. The location and quaintness of the island also attracted longer term vacationers which were accommodated at boarding houses, hotels and private summer cottages.

Peaks Island was owned by a few families in the early to mid-1800s: Bracketts, Trotts, Sterlings, Trefethens, Skillings, Parsons and Woodburys. As fishing, subsistence farming and shipping became a more difficult livelihood for these year-round residents, interest in catering to tourists increased. By 1850, Horatio Cook operated a steamboat to Peaks Island during the three summer months. The boat only carried 100 passengers, but it is an indication of increasing summer visitation. Henry Brackett opened a summer garden space for picnicking, camping and day tripping in the 1850s. The 1857 Map of Cumberland County shows a "Summer Retreat" and the "Peaks Island House" in the area which was later known as Greenwood Garden. Further north on the island the map shows a building labeled 'Jones' Restorator Saloon'.

Recreation on Peaks Island

By 1871 there were two competing ferry companies and year-round service was offered.² In Edward Elwell's *Portland and Vicinity* published in 1876, he notes six boarding houses, sixty-nine permanent residences, five summer cottages, and a variety of swings, bowling alleys, and other amusements. Jones' Union House is described as a twenty-five-year-old boarding house favored by Canadian visitors. James Brackett's boarding house and Greenwood Saloon are also named. Summer visitation is quoted as averaging 1,290 boarders a year and 400 campers.

Tourism on the island grew from there. James Brackett expanded the Greenwood property into the Greenwood Garden with an opera house, observatory and restaurant. At various times the Garden also offered carousel rides, band stand concerts, a miniature zoo, bowling, games, movies and roller skating. In 1883 Brackett leased the Garden to Charles H. Knowlton for five years at \$300 per year. The lease required Knowlton to build a bicycle track, skating rink, animal cages and a dance hall.³ Brackett retained the rights to profits from provisions, refreshments, and cigars on the premises.⁴ Knowlton also operated a ferry service that included admission to Greenwood Gardens in the price of the roundtrip ticket to the island.

² Nathan Gould. *A History of Peaks Island and Its People: Also a Short History of House Island, Portland, Maine*. Portland, Me: Lakeside Press. 1897. P 41-44.

³ In the early 1880s a building similar to the current Playhouse was present on the property. That building was in a different location and was later removed.

⁴ Cumberland County Registry of Deeds. Book 509 / page 187.

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A variety of buildings existed on the picnic grounds that became Greenwood Garden. Shown on early and more recent maps, buildings of different sizes and shapes are represented. The changes were due to fire, changes in ownership, changes in public interest, and limited durability of construction. Brackett owned the property and operated it as Greenwood Garden either directly or under management until 1908 when he sold the property to Walter Trefethen and Sydney Noyes. The deed for that sale stipulated that all buildings on the property were retained by Brackett and would be removed by 1909.⁵ The Sanborn Fire Insurance Map of 1909 reflects this as the few buildings shown on the map have locations completely different from the 1896 Sanborn Map. As the deed stated, it appears buildings were removed and new ones built. The 1909 Sanborn Map together with the *Richards Standard Atlas of the City of Portland* of 1914 indicate the current Greenwood Playhouse was constructed between those years. The building is labeled as showing motion pictures on the 1914 *Richards Atlas*, but it served many functions over its lifetime.

The current Greenwood Playhouse was constructed as part of a rebuilding of the earlier complex in a similar vein. The Casco Bay Breeze article of June 24, 1909, "A New Coney," heralds the new buildings as a rebirth. The developer of the property W. T. Stevens is credited with revitalizing the shaded grass covered garden with a carousel, circus, playground, a mid-way, theatre, and bandstand with full concert band. The birds eye views of 1891 and 1909 as well as other maps and historic photos reflect a similar carnival appearance over time with similar buildings in varied locations and sizes. While similar theater or entertainment halls were present since the beginning of Greenwood Garden, a building in the current location and configuration was not present until ca. 1909.

The many buildings that have been on the Greenwood Garden property housed a wide variety of entertainments over time much like the Playhouse. Musical performances, dance halls, movies, vaudeville, and theater were provided through the years to meet public demand and profitable entertainment trends. Identified in 1914 as a movie theater, in 1915 as a playhouse, and in 1924 as a dance hall the Playhouse continued to support varied uses.

At the same time Greenwood Garden was flourishing, the Gem and Pavilion Theatres were also operating. The Gem was built as the Forest City roller skating rink in 1884 and in 1898 was converted to a 1,500-seat theatre. In addition to stage performances, it showed movies for part of its existence before burning in 1934. The Pavilion was built in 1898 and burned in 1921. While these other two theaters were present on the island, the Playhouse was mostly used for events other than theater, but by the time both other theatres on the island had burned, Greenwood Garden Playhouse was poised to be the leading theater on the island. Few other large venues existed, and no more were built. The depression intervened and the Playhouse spent much of the 1930s with infrequent use. Sydney Noyes sold the Playhouse to Anthon Jensen in 1932. Jensen was a grocer on Peaks Island and held the property until 1946. While the depression reduced the demand for theater on Peaks Island, with the other two theaters gone, when theater picked up again in 1941 on the island it was at the Playhouse, with a summer stock company.

⁵ Cumberland County Registry of Deeds. Book 832 / page 1908.

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Theater on Peaks Island mirrored theater trends across the nation. Bartley McCullum is credited with the first theater on Peaks Island in 1887. His five hundred seat McCullum's Theater initially employed local actors but by the second season hired professionals. McCullum's Peaks Island venue lasted until 1898, but he later created the Cape Cottage Theater in Cape Elizabeth, Maine, as part of a trolley park that also included a Casino and other amusements. Other island theaters, such as the Gem and Pavilion, filled the gap after McCullum's closed. Theaters developing at the end of the nineteenth- and beginning of the twentieth- centuries were often located at entertainment areas remote from a city center and owned or managed by trolley lines or other transportation companies. Summer theaters that provided summer entertainment to vacationers at more remote summer resorts were common across the nation at the same time they were developing and flourishing on Peaks Island.

As on Peaks Island, theaters across the nation used a wide variety of venues from an improvised barn to a purpose-built theater fit for Broadway. The early theaters on Peaks Island were large purpose-built, or heavily remodeled in the case of the Gem, with no aspect of the improvised barn feel of the Greenwood Garden Playhouse. An important period for the Playhouse was from ca. 1940 to 1957 when a summer stock company was in residence.⁶ Before 1940 the building hosted plays periodically as noted in various advertisements and playbills, but the actors were not identified as resident professionals

The history of summer theater in the United States includes several subcategories that are often collectively referred to by the general population as summer theater. The little theater movement which later became known as community theater and used local amateur actors was one example. Summer stock on the other hand is a resident troupe of actors and stage personnel that present several different plays in a periodic repertory and are in a permanent house or town from June to September. Summer theater in general also includes outdoor drama, Chautauqua drama performances, theater in a tent and other variations.

A "Greenwood Equity Company" associated with the theater was identified in *Blueprint for Summer Theater* in 1948, and in a June 13, 1949, *Portland Press Herald* article.⁷ The significance of the "equity" company is that equity companies were made up of professional union actors and stage personnel. This level of professionalism suggests a high level of production quality. For Summer Stock theaters which typically had union personnel, there is a direct connection to summer resorts. The Broadway season was on hold for the summer, so actors took work in summer resort communities as a sort of working vacation, but mostly the actors were there to work and refine their abilities. Actors known to perform at the Greenwood Garden Playhouse in the 1940s and '50s include: Jean Stapleton, Ephraim Zimbalist Jr., Rod Stieger, Diana Barrymore, and Miriam Hopkins.⁸ In some cases, the actors were already well known like Miriam Hopkins who in an August, 2, 1949, *Bridgton News* advertisement and

⁶ LoMonaco, Martha Schmoeyer. *Summer Stock!: An American Theatrical Phenomenon*. New York: Palgrave Macmillan. 2004. Also supported by Ephemera held at the Portland Public Library, and *Portland Press Herald*. June 13, 1949.

⁷ Beckhard, Richard, and John Effrat. *Blueprint for Summer Theatre*. New York: John Richard Press, 1948. Both resources mention the equity company briefly. No other sources with additional information on the company were uncovered.

⁸ Boyce, Alice. *A Glimpse Of Old Peaks Island: Through Rose-Colored Glasses*. [Place of publication not identified]: Xlibris Corp. 2009, p. 123.

Greenwood Garden Playhouse

Name of Property

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other flyers was noted as making a single appearance at the Playhouse. Her star status was highlighted in the ads along with the limited chance to see her. In many cases like that of Jean Stapleton in her 1941 three play season with the Playhouse, the actors were still developing their craft and hoping for a breakthrough.⁹

The flexibility of Greenwood Playhouse served it well as vacation patterns changed and Peaks Island's residential patterns changed as a result. The early tourism on Peaks relied on ferry service to bring day trippers as well as longer-term boarders. That pattern held from the island's early development of tourism to the early twentieth century. Island population in 1876 and 1896 was 303 and 343 respectively with summer populations swelled by tourists staying at hotels and boarding houses. In the early twentieth century the island was growing with both summer cottages and year-round residents. With the availability of automobile travel day-trippers or vacationers no longer relied on trolley or ferries to get them to recreation destinations and these complexes declined in visitorship. For a period in the 1920s and 1930s the existing ferry service to the island and the growth of Portland made Peaks Island practical as a residential neighborhood and as a nearby summer cottage option. However, during World War II there were more soldiers on the island (900) than residents (700) and the soldiers provided a captive population looking for entertainment on the island during the war. After the war vacationers returned in even larger numbers. Both year-round and temporary visitors allowed for the success of the Greenwood Garden Playhouse.

The Playhouse changed hands six times between 1946 and 1951. The owners continued with the theater use in the summer season until the last summer stock season in 1957. In 1954 the building was purchased by the local Lions Club. Since 1957 the building has continued in its historic use as a multipurpose entertainment venue. The Lions Club continued to sponsor a theater production or two each year like the 1965 performance of *Arsenic and Old Lace*. In addition to the occasional staging of plays, the Lions hold an annual variety show each summer, use the hall for community events, and rent it for private functions. The adjacent Pavilion, Kitchen building and storage building support these uses. The Playhouse continues as an adaptable community hall capable of supporting a wide variety of functions. As such, it reflects the entertainment and recreational history of Peaks Island. The property is called a Playhouse, but the Greenwood Garden portion of its name is an acknowledgement of its current and historical entertainment significance. The Playhouse continues in that tradition with its basic flexibility that supports dances, plays, meetings, weddings and community functions - something for everyone.

Developmental history/additional historic context information (If appropriate.)

Three Playhouses in Maine have been listed in the National Register: the Ogunquit Playhouse (NRIS# 95001458), the Lakewood Theater in Madison (NRIS# 75000111), and Deertrees

⁹ "NATIONAL MUSEUM OF AMERICAN HISTORY RECEIVES JEAN STAPLETON DONATIONS." *States News Service*, 5 Feb. 2018. *Gale OneFile: News*, link.gale.com/apps/doc/A526365358/STND?u=maine&sid=STND&xid=22a0d52c. Accessed 12 Apr. 2021.

Greenwood Garden Playhouse

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Theater in Harrison (NRIS# 88003002). These theaters are closely related in being purpose built or extensively remodeled for theater use. Each of these theaters also has a strong and long-term connection to summer theater performed by well known stars. Greenwood Garden Playhouse falls well short of the status or the amenities of these theaters. The Playhouse has more in common with many of the other Maine summer theaters which were active during the period: Surry Playhouse (1929-1950s), the Kennebunkport Country Playhouse (1950s), Camden (1940s), Bar Harbor (1930s-50s), and the Boothbay Playhouse (1937-present). Even with these theater companies, the Playhouse is a different type of resource. It most directly compares to the multi-use facilities on Peaks Island which have burned or been altered. Theater is an important component of the Playhouse's history, but the other varied mixed uses set it apart from the other listed theater resources. The property remaining on Peaks Island that has similarities with the Playhouse is the Trefethen-Evergreen Improvement Association. The organization developed as a village improvement association and purchased a former casion building for its clubhouse. The association is a membership club as opposed to the minimalist, mixed-use facility that the Greenwood Garden Playhouse has always been

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Greenwood Garden Playhouse

Name of Property

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Previous documentation on file (NPS):

- ☐ preliminary determination of individual listing (36 CFR 67) has been requested
- ☐ previously listed in the National Register
- ☐ previously determined eligible by the National Register
- ☐ designated a National Historic Landmark
- ☐ recorded by Historic American Buildings Survey # _____
- ☐ recorded by Historic American Engineering Record # _____
- ☐ recorded by Historic American Landscape Survey # _____

Primary location of additional data:

- ☒ State Historic Preservation Office
- ☐ Other State agency
- ☐ Federal agency
- ☐ Local government
- ☐ University
- ☐ Other

Name of repository: _____

Historic Resources Survey Number (if assigned): 357-2397

10. Geographical Data

Acreage of Property 1.94 acres

Use either the UTM system or latitude/longitude coordinates

Latitude/Longitude Coordinates

Datum if other than WGS84:

(enter coordinates to 6 decimal places)

- | | |
|--------------|------------|
| 1. Latitude: | Longitude: |
| 2. Latitude: | Longitude: |
| 3. Latitude: | Longitude: |
| 4. Latitude: | Longitude: |

Or

UTM References

Greenwood Garden Playhouse

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Datum (indicated on USGS map):

☐

NAD 1927 or

☒

NAD 1983

1. Zone: 19	Easting: 403290	Northing: 4834108
2. Zone:	Easting:	Northing:
3. Zone:	Easting:	Northing:
4. Zone:	Easting:	Northing:

Verbal Boundary Description (Describe the boundaries of the property.)

The boundaries of the property nominated are represented by the City of Portland property tax map 084 lot R-31.

Boundary Justification (Explain why the boundaries were selected.)

The boundaries as described above reflect the current limits of the property historically associated with Greenwood Gardens that retains integrity to reflect the historic setting. Property that was historically part of Greenwood Gardens but has been subdivided and lost integrity is not included within the boundary.

11. Form Prepared By

name/title: Michael Goebel-Bain/Architectural Historian
organization: Maine Historic Preservation Commission
street & number: 55 Capitol Street, 65 State House Station
city or town: Augusta state: Maine zip code: 04333
e-mail: michael.w.goebel-bain@maine.gov
telephone: 207 287-5435
date: January 4, 2021

Additional Documentation

Greenwood Garden Playhouse

Name of Property

Cumberland County, Maine

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Submit the following items with the completed form:

- **Maps:** A **USGS map** or equivalent (7.5 or 15 minute series) indicating the property's location.
- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- **Additional items:** (Check with the SHPO, TPO, or FPO for any additional items.)

Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

Photo Log

Name of Property: Greenwood Garden Playhouse

City or Vicinity: Portland

County: Cumberland State: Maine

Photographer: Michael Goebel-Bain

Date Photographed: July 29, 2020

Description of Photograph(s) and number, include description of view indicating direction of camera:

1 of 14 ME_Cumberland County_Greenwood Garden Playhouse_0001.tif
View from the northeast corner lot looking southwest. Visible from left to right are the kitchen, pavilion, and Playhouse.

2 of 14 ME_Cumberland County_Greenwood Garden Playhouse_0002.tif

Greenwood Garden Playhouse

Cumberland County, Maine

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Closer view of the Playhouse north and east sides, from the northeast looking southwest.

- | | |
|----------|---|
| 3 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_0003.tif
Detail view of Playhouse entry, facing northwest. |
| 4 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_0004.tif
View across Square from northwest corner, facing southeast. |
| 5 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_0005.tif
View of the south and west sides of the Playhouse, facing northeast. |
| 6 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_0006.tif
View from the balcony, facing south at the stage. |
| 7 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_0007.tif
View from the floor, facing south at the stage. |
| 8 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_0008.tif
View of the historic mural over the stage, facing south. |
| 9 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_0009.tif
View of the balcony and utility rooms, facing north. |
| 10 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_00010.tif
View backstage, facing east. |
| 11 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_00011.tif
View of the dressing room at the southwest corner backstage, facing south. |
| 12 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_00012.tif
View of storage shed, facing southeast. |
| 13 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_00013.tif
View of the kitchen, facing east. |
| 14 of 14 | ME_Cumberland County_Greenwood Garden Playhouse_00014.tif
View of the pavilion, facing south. |

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 460 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 100 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.

Greenwood Garden Playhouse

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Figure 1 General location map.



Figure 2 Map with approximate boundary.

Greenwood Garden Playhouse

Name of Property

Cumberland County, Maine

County and State



Figure 3 Tax map showing nominated portion of tax parcel in white.

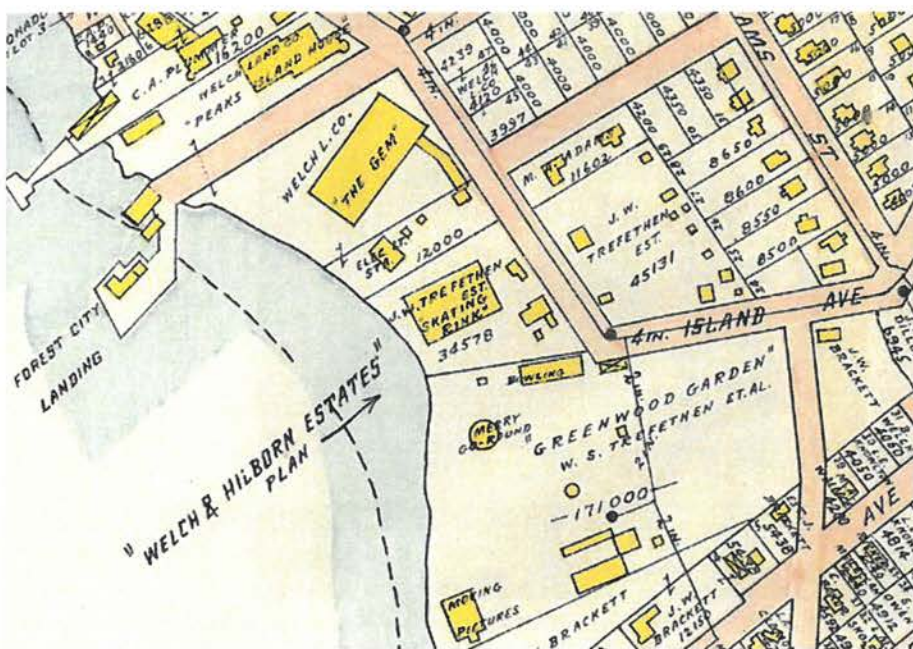


Figure 4 Richards Standard Atlas of the City of Portland, 1914.

Greenwood Garden Playhouse

Name of Property

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Figure 5 Greenwood Garden Playhouse, ca. 1930.



Figure 6 Theater interior, ca. 1940.

MEMORANDUM
City Council Agenda Item

FROM: Melissa Graffam
DATE: April 10, 2024
SUBJECT: Order 165-23/24 Approving the Agreement Between the Maine Department of Transportation, Portland Area Comprehensive Transportation System, and Portland RE: Improvements to Canco Road - Sponsored by Danielle P. West, City Manager
SPONSOR: Danielle P. West, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st Reading 4/8/2024

Final
Action 4/22/2024

Can action be taken at a later date: No This agreement must be approved by City Council and signed by the City Manager prior to the project going out to bid. Historically with an earlier bid date bid pricing will be improved.

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

PRESENTATION: N/A

I. SUMMARY

City Council is being asked to approve the attached Portland Area Comprehensive Transportation System (PACTS) Municipal Partnership Initiative Agreement, which would allow the City to move ahead with its plans to improve and pave Canco Road between Read Street and Washington Avenue, a total of approximately 0.67 miles. The agreement obligates the City and PACTS to share the project costs at a 70/30 split.

II. AGENDA DESCRIPTION

This project is part of the Municipal Partnership Initiative (MPI) Program; the City administers the project and typically receives a portion of funding from the state MPO. By signing the partnership agreement, it enables the City to proceed with the project and obligates PACTS to pay \$250,000 or 30% and the City to pay for 70% of the original estimated project cost; the City share is estimated to be \$580,000 and will come from FY 2025 budget.

This item must be read on two separate days. It received its first reading on April 8. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Canco Road paving project is part of MaineDOT's 2024 work plan. The scope of the MPI project work includes a 1.5" mill and fill, substantial new and reset curb work, sidewalk work – including completion of a new sidewalk near a heavily trafficked trail system, ADA ramp reconstruction, and re-striping after final paving. Drainage work will also be completed as part of this project and will be paid for from a separate water resources account. We are anticipating the project to go out to bid in May 2024 with construction following after. This project is classified as a pavement preservation project and is part of the MPI Program. The City will be responsible for 70% of the project cost, or \$580,000 and 100% of any overages to the original estimate.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The Canco Road Improvements project will improve the pavement surface, drainage, and ride quality on a regionally important major collector. The project will replace poor sidewalk, install new sidewalk where it is

missing, and update ADA ramps for a better and safer pedestrian experience. PACTS will pay for a portion of the project costs.

V. FINANCIAL IMPACT

The City is obligated to pay 70% of the estimated project cost, or \$580,000 and 100% of any overages due to added scope or unforeseen conditions in the project area. PACTS is obligated to pay \$250,000. The total City cost of this project, estimated to be \$580,000, would be paid from FY25 CIP account established for this project, which is in the process of being approved by City Council. Please see the attached fiscal impact note for additional information.

VI. STAFF ANALYSIS AND BACKGROUND

This is a Major Collector in the City of Portland with an AADT of ~3600 vehicles, is an important road utilized by commuters as well as the city's operational teams, and has a large pedestrian presence due to trail networks near the road. This area of Canco Road was ranked 54/100 which is considered a 'Poor' Pavement Condition Index when it was last evaluated in 2022. Without this project, the road will continue to decline.

VII. RECOMMENDATION

The Department of Public Works recommends approving and signing the subject agreement to allow the City to improve Canco Road between Read Street and Washington Avenue in 2024.

VIII. LIST ATTACHMENTS

1. State of Maine DOT - PACTS-Municipal Partnership Agreement.proposed improvements to Canco Road.docx
2. Canco_Rd_PACTS_MPI_Paving Location Map
3. Canco Road MPI - Fiscal Impact Note
4. Portland PACTS MPI Canco Road WIN 27770.00

Prepared by:

Melissa Graffam

Date: 04/10/2024

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

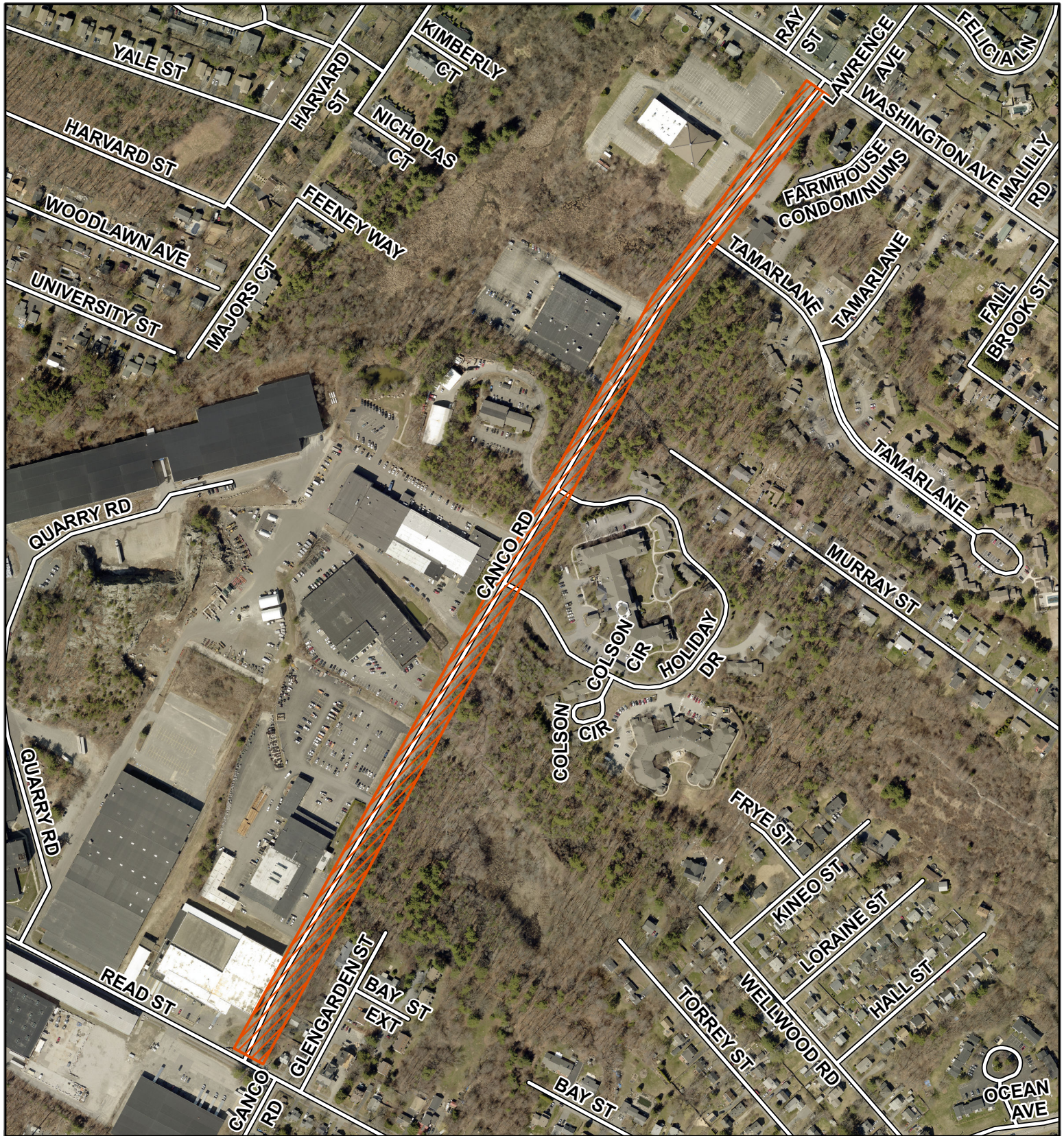
**CITY OF PORTLAND
IN THE CITY COUNCIL**

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER APPROVING THE AGREEMENT BETWEEN THE MAINE
DEPARTMENT OF TRANSPORTATION, PORTLAND AREA COMPREHENSIVE
TRANSPORTATION SYSTEM, AND PORTLAND
RE: IMPROVEMENTS TO CANCO ROAD**

ORDERED, that the Agreement between the Maine Department of Transportation, the Portland Area Comprehensive Transportation System, and the City of Portland for Improvements to Canco Road, state Work Identification Number 027770.00, is hereby approved in substantially the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or designee to execute said documents and any other related documents necessary or convenient to carry out the intent of said documents and this Order.



Public
Works

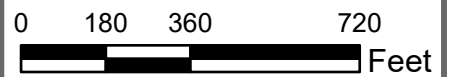
CITY OF PORTLAND, MAINE
DEPT. OF PUBLIC WORKS
212 CANCO RD. PORTLAND, MAINE 04103
PHONE (207) 874-8846 FAX (207) 874-8852

PACTS MPI Paving Canco Road

Read St. to Washington Ave



March 2024



FISCAL IMPACT NOTE New Program Cost Data:	Year 1		Year 2		Year 3	
	City Rate	City / Sch Combined Rate	City Rate	City / Sch Combined Rate	City Rate	City / Sch Combined Rate
Example:						
ADD: NEW ITEM ANNUAL EXPENDITURES		\$0		\$43,500		\$43,500
LESS: TOTAL NEW ITEM ANNUAL REVENUES		\$0		\$0		\$0
=NEW ITEM NET TAX RATE IMPACT PROJECTION	\$0	\$0	\$43,500	\$43,500	\$43,500	\$43,500
New Program Impact to the Mil Rate	\$0.0000	\$0.0000	\$0.0055	\$0.0055	\$0.0055	\$0.0055
New Program % Impact on Mil Rate	0.0000%	0.0000%	0.0486%	0.0486%	0.0486%	0.0486%
Mil Rate Including New Program	\$11.3400	\$22.4800	\$11.3455	\$22.4855	\$11.3455	\$22.4855

Notes: The CIP impact will begin in 2024 and remain for the 20 year life of the bond.



MaineDOT use only

TEDOCS #:

CTM #:

CSN #:

PROGRAM: Bureau of Planning

State of Maine
DEPARTMENT OF TRANSPORTATION

Portland Area Comprehensive Transportation System
Municipal Partnership Initiative Agreement

Proposed Improvements to Canco Road

(Payable to Municipality)

MaineDOT Use Only

Project Location: Portland

Estimated Project Amount: \$830,000.00

State WIN: 027770.00

MPO Share: \$250,000.00

PACTS ID#: PACTS

Municipal Share: \$580,000.00

Municipality Id#: VC1000073472

Agreement Begin Date: Upon MaineDOT Signature

Agreement End Date: 5 years from date of full execution

This Cooperative Agreement (the “Agreement”) is entered into by and between the Maine Department of Transportation (MaineDOT), an agency of state government, the City of Portland (the “Municipality”), a municipality in the State of Maine, and the Portland Area Comprehensive Transportation System, the designated Metropolitan Planning Organization for the Portland Urbanized Area (PACTS), and Greater Portland Council of Governments (GPCOG), a fiduciary agent for PACTS. (MaineDOT, the Municipality, PACTS, and GPCOG) are collectively referred to as the “Parties”).

RECITALS

- A.** MaineDOT, through its partnership with Maine’s Metropolitan Planning Organizations (MPOs), is charged with managing and dispersing state and federal funds to support capital improvement projects programmed by the MPOs. PACTS is MaineDOT’s MPO partner for the Portland Urbanized Area.
- B.** PACTS has created and administers a Municipal Partnership Initiative program (the “PACTS MPI Program”), the purpose of which is to participate in the funding of approved collector and/or arterial roadway projects (the “MPI Project(s)”) with the intention of restoring substandard State and State Aid highways to MaineDOT and PACTS minimum standards.

- C. MPI Projects are administered by the municipality in which the project is being constructed. PACTS' participation in an MPI Project is accomplished through its acceptance of the Project into the PACTS MPI Program, and the contribution of state funds allocated to PACTS and disbursed by MaineDOT to the administering municipality on PACTS' behalf (the "PACTS Share"). MPI Project costs not paid by the PACTS Share are paid by the administering municipality.
- D. The work that is the subject of this Agreement consists of a mill and fill on Canco Road, beginning at Read Street and extending north 0.67 of a mile to Washington Avenue, in Portland, Maine (the "Project"), and is generally outlined in **Appendix A**, made a part herewith.
- E. PACTS has selected the Project for inclusion in the 2023-2024-2025 MaineDOT Work Plan, using state capital improvement funding allocated by MaineDOT.
- F. The Municipality has approved the Project and supports the decision by MaineDOT and PACTS to program the Project, and is prepared to administer and fund the Project in accordance with the terms of this Agreement.
- G. The Parties have a mutual interest in ensuring that the Project is delivered on a reasonable schedule and within the programmed budget, using a process that maximizes communication and cooperation between the Parties.
- H. This Agreement is intended to cover the roles and responsibilities of the Parties through full Project development and construction, and to establish the financial obligations of each Party.

AGREEMENT

NOW, THEREFORE, in accordance with the foregoing, the Parties agree as follows:

1. Appendices:

The following appendices are hereby incorporated into this Agreement:

- ☒ Appendix A - PACTS Letter to MaineDOT Outlining Scope and Cost of MPI Project
- ☐ Check if no appendices attached

2. Project Cost Sharing and Payment Schedule:

a. Financial Obligations:

i. Total Project Costs.

- 1. PACTS and the Municipality agree to share in all costs associated with all phases of the Project through construction (the "Total Project Costs") in accordance with the allocations outlined below (the "Party Shares") unless otherwise negotiated by mutual agreement of the Parties.

- a. **PACTS Share** (provided through PACTS' state allocation and disbursed by MaineDOT) - 50% of eligible Project costs, up to a maximum of \$250,000.00.
 - b. **Municipal Share** (provided through the Municipality's obligation of funds) - 50% of eligible Project costs, plus 100% of any and all remaining Project Costs once the PACTS Share has been exhausted (the "Overage").
2. The estimated Total Project Costs are \$830,000.00 (the "Estimated Total Project Costs"), and are allocated in the table below. If the Estimated Total Project Costs are adjusted to reflect updated costs, the Municipality will consult with PACTS before such adjustments are approved and implemented.

Total Project Costs	PACTS Share (State MPO Funds) 50% (Max. \$250,000.00)	Municipality's Share 50% + Overage	Estimated Total Cost
Estimated Total Project Costs: <u>\$ 830,000.00</u>			
Estimated Allocated Shares	\$250,000.00	\$250,000.00 +\$330,000.00	\$830,000.00
Total Party Share of Estimated Total Project Costs	\$250,000.00	\$580,000.00	\$830,000.00

- b. **Payment Schedule:** The Municipality shall be the sole administrator of the Project contract(s) and shall pay up front all Project costs, subject to cost sharing by the Municipality and PACTS as specified above.
- i. The Municipality may begin invoicing PACTS for the PACTS Share of eligible Project costs upon 1/3 Project completion. Invoices shall be submitted no more than monthly with a maximum number of invoice submittals not to exceed five (5) invoices for the total Project.
 - ii. The Municipality shall submit to PACTS for reimbursement detailed invoice(s) documenting actual amounts incurred for Project related costs, together with evidence of such invoices having been paid by the Municipality, and identifying PACTS' share of each invoice submitted.
 - iii. Each invoice shall include the Municipality's certification that all amounts claimed are correct, and not previously claimed.
 - iv. PACTS shall review each such invoice and, upon approval, shall forward each invoice to MaineDOT for payment to the Municipality out of PACTS'

allocated state MPO funds. MaineDOT shall reimburse the Municipality accordingly within thirty (30) days of its receipt of such approved invoice(s) in an aggregate amount not to exceed the total PACTS Share.

- v. The Municipality shall submit all invoices for reimbursement to PACTS no later than twelve (12) months after the date upon which the Municipality has certified to MaineDOT that the Project is complete. PACTS retains the right, at its sole discretion, to reject any invoices received after that time.

3. Project Milestones: The Municipality agrees to share information about the Project with PACTS and MaineDOT at the following milestones, as appropriate:

- Project kickoff/initial team meeting/formal public contact;
- Horizontal/Vertical Alignment Complete (HVAC);
- Preliminary public meeting;
- Preliminary Design Report (PDR) complete;
- Formal public meeting(s);
- Plan Impacts Complete (PIC);
- Peer reviews;
- Plans, Specifications and Estimate (PS&E) complete;
- Changes in the Project schedule or engineer's estimate of costs.

4. Project Design, Construction Plans and Specifications:

- a. The Municipality shall prepare, or cause to be prepared, all plans, specifications, engineer's estimates and contract documents for the Project within the scope of work identified above, using a standard project development process to ensure adherence to federal and state regulations (the "Preliminary Project Development Materials").
- b. The Municipality shall retain a Professional Engineer licensed in the State of Maine to oversee all Project activities (the "Project Engineer").
- c. The Project must be designed by a Professional Engineer licensed in the State of Maine (the "Design Engineer") and in compliance with MaineDOT's design standards (the "Design Standards").
 - i. The Design Engineer shall provide certification to the Parties that, in his/her professional opinion, the Project will provide a smooth ride and not reduce the safety, mobility or structural quality of the affected State and/or State Aid Highway.
 - ii. All design documents must be stamped and signed by the Design Engineer in accordance with the provisions of this Section.
- d. MaineDOT reserves the right to review and comment on all plans and specifications with the focus on ensuring that the Project will achieve the anticipated benefits and will not degrade safety.

- e. The Municipality, through its Project Engineer, shall obtain written approval from MaineDOT for any exceptions to the “Design Standards”. Submitted documentation shall compare the proposed design to the existing conditions for each proposed exception. Any and all exceptions shall be listed on the cover sheet accompanying the Project plans and submitted to MaineDOT, accompanied by a request for acceptance of the Project’s design exceptions. All such requests must include the signature and professional stamp of the Professional Engineer responsible for the design of the Project.
- f. In developing the Project, the Municipality shall ensure that the following elements are satisfied:
 - i. The Project improvements must have a minimum useful life of ten (10) years;
 - ii. The safety of the corridor and the life of the resulting structural and design elements shall be equal to or better than the existing conditions and design;
 - iii. The structures, roadways and design features affected by the Project work shall, at a minimum, be of equal dimensions to the existing features or structures and shall be of improved quality in terms of materials and utility;
 - iv. The Project shall not introduce any unanticipated safety hazards to the traveling public;
 - v. The Project shall retain the same level or an improved level of mobility of travel within the corridor;
 - vi. The Project shall not in any manner decrease the life expectancy of the affected component(s) of Maine’s transportation system;
 - vii. The Project shall meet the most recent Americans with Disabilities Act of 1990 (ADA) design requirements;
 - viii. Traffic control and the safety of pedestrians, bicyclists and the traveling public shall be provided for at all times.
- g. The Municipality shall coordinate with affected utilities to identify existing utility locations and/or any utility relocation impacts that may be created by the development of the Project.
- h. It is expected that the Project can be constructed within the existing right-of-way limits. If that is not the case, the Municipality must provide MaineDOT with a detailed explanation of the property rights required for the Project and shall acquire any such property rights in accordance with all applicable state and federal laws. The PACTS Share may only be applied to costs associated with the acquisition of property rights required for the implementation of the Project.

- i. The Municipality shall perform all necessary federal, state and local permitting activities required in connection with the Project.
- j. Project construction must commence within twelve (12) months and must be certified as complete within twenty-four (24) months of the date of execution of this Agreement. If this timeline is not met, and the Municipality cannot show that it has made a good faith effort to meet this timeline, PACTS retains the right to withdraw any unpaid portion of the PACTS Share and reallocate its remaining funding to other eligible projects in its service area.
- k. Upon completion of Project construction, the Municipality shall provide certification to MaineDOT from the Project Engineer stating that the Project is complete and has been constructed in accordance with the plans and specifications.

5. Public Involvement:

The Municipality shall be responsible for implementing and leading any and all required public involvement processes and activities, including those required by Maine's Sensible Transportation Policy Act, and any necessary media coordination associated with the any phases of the Project covered by this Agreement.

6. Changes to Project Scope:

The Municipality will consult with MaineDOT and PACTS before implementing any adjustments to the Project scope.

7. Termination:

- a. In the event the Municipality decides to terminate the Project for any reason prior to the award of a contract to construct the Project and that termination under this clause is not directed by MaineDOT and PACTS, the Municipality shall be responsible for covering all Project costs incurred up to the time of termination.
- b. This Agreement may be terminated at any time by mutual written agreement of all Parties.
- c. In no event, shall any such action taken under this subsection be deemed a breach of contract, nor shall it represent any individual Party's waiver of claims for breach of contract or its right to any other remedy it may have pursuant to this Agreement, or at law or in equity.
- d. In the event of Project termination, all provisions of this Agreement shall become null and void except for the financial obligations set forth herein, as well as those provisions to this Agreement that by their very nature are intended to survive.

8. Miscellaneous Provisions:

- a. Quality of Work. PACTS reserves the right to require the Municipality to refund all reimbursements made and to repay PACTS fully for all Projects costs incurred if the work is found to be unsatisfactory.
- b. Reprogramming of Remaining PACTS Funds. Any state MPO funds allocated to the Project that remain unspent following payment of the final invoice and reconciliation of the Project shall be made available to PACTS for reprogramming once the Project is closed out.
- c. Indemnification. To the extent permitted by law, the Municipality and PACTS shall each individually indemnify, defend and hold harmless MaineDOT, its officers, agents and employees from all claims, suits or liabilities arising from the indemnifying Party's own negligent or wrongful acts, errors or omissions or by that Party's officials, employees, agents, consultants or contractors. Nothing herein shall waive any defense immunity or limitation of liability that may be available under the Maine Tort Claims Act (14 M.R.S. Section 8101 et seq.) or any other privileges or immunities provided by law. This provision shall survive the termination or expiration of the Project.
- d. Assumption of Responsibility. The Municipality hereby assumes responsibility for all damage to public or private property of any kind resulting from any act, omission, neglect or misconduct of the Municipality, its employees, agents or representatives, and shall ensure that its contractor(s) assume the same responsibility for all damage to public or private property of any kind resulting from any act, omission, neglect or misconduct of its own employees, agents or representatives. This assumption of responsibility shall also include damage to vehicles passing through the Project limits.
- e. Obligation of State Funds. Notwithstanding anything herein to the contrary, the Municipality and PACTS acknowledge and agree that, although the execution of this Agreement by MaineDOT manifests its intent to honor its terms and to seek funding to fulfill any obligations arising hereunder, by law any such obligations are subject to available budgetary appropriations by the Maine Legislature and, therefore, this Agreement does not create any obligation on behalf of MaineDOT in excess of such appropriations.
- f. Performance. The Parties will avoid hindering each other's performance; fulfill all obligations diligently; and cooperate in achievement of the intent of this Agreement.
- g. Obligation of Municipal Funds. The Municipality represents that it has received all necessary approvals or authorizations by its governing authorities to approve the Project and enter into this Agreement, and that it has obligated the necessary funds to satisfy its Municipal Share of the Project Costs set out herein.
- h. State of Maine's Rights of Set-Off. MaineDOT shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State of Maine's option to withhold for the purposes of set-off monies due the Municipality under a specific project contract up to any amounts due and owed to

MaineDOT with regard to this Agreement, and any other agreement/contract with any State of Maine department or agency, including any agreement/contract for a term commencing prior to the term of this Agreement, plus any amounts due and owed to the State of Maine for any reason including without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. MaineDOT shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by MaineDOT, its representatives, or the State Controller.

- i. Assignment. No assignment of this agreement is contemplated, and in no event, shall any assignment be made without the express written permission of the Parties.
- j. Independent Capacity. The Municipality and PACTS, their respective employees, agents, representatives, consultants and contractors shall not act as officers, employees or agents of MaineDOT.
- k. Governing Law. This Agreement shall be construed under the laws of the State of Maine. Additionally, all activities under this Agreement shall be performed in accordance with applicable federal laws and regulations, including without limitation Title 23 in the U.S. Code (USC) for statutory law, Title 23 in the Code of Federal Regulations (CFR) for administrative law, and Title 2 CFR, Part 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.”
- l. Binding Effect. The Parties shall be bound by the terms of this Agreement. This provision shall apply to the Agreement’s executors, their successors, administrators and legal representatives.
- m. Notice. Any communications, requests or notices required or appropriate to be given under this Agreement shall be in writing and mailed via U.S. Mail, Certified or Registered, Return Receipt Requested or sent via a recognized commercial carrier such as, but not limited to Federal Express, that requires a return receipt delivered to the sending party. Alternatively, communication may be sent via email and shall satisfy the delivery requirements of this section through express acknowledgement of receipt by the receiving party. Said communications, requests or notices shall be sent to the other party as follows:

MaineDOT: Maine Department of Transportation
 16 State House Station
 Augusta, ME 04333-0016
 Attn.: Darryl Belz, PE, Statewide Planning Engineer
 Email: darryl.belz@maine.gov

Municipality: City of Portland
 250 Canco Road
 Portland, ME 04103
 Attn.: Lauren Anderson, PE, Senior Engineer
 Email: landerson@portlandmaine.gov

PACTS: Portland Area Comprehensive Transportation System
970 Baxter Boulevard, Suite 201
Portland, ME 04103
Attn.: Elizabeth Roberts, PE, Transportation Engineer
Email: eroberts@GPCOG.org

Each Party agrees to promptly notify all other Parties of any changes to the above referenced contact information.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement effective on the day and date last signed.

Date _____
Kristina Egan, Executive Director *
Greater Portland Council of Governments and
For Portland Area Comprehensive Transportation System
Duly authorized

Date _____
Danielle West, City Manager *
Municipality of Portland
Duly authorized

Date _____
Dale F. Doughty, Director, Bureau of Planning *
Maine Department of Transportation
Duly authorized

** I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to myself; (c) is capable of verification; and (d) is under the sole control of myself.*

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: March 25, 2024

SUBJECT: Order 179-23/24 Approving a Substantial Amendment to the Home American Rescue Plan Allocation Plan - Sponsored by the Housing and Economic Development Committee, Council Pious Ali, Chair

SPONSOR: The Housing and Economic Development Committee, Councilor Pious Ali, Chair. The Housing and Economic Development Committee met on March 19, 2024, and voted 3-0 (Phillips absent) to recommend approval by the City Council.

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/22/2024

Final

Action 4/22/2024

Can action be taken at a later date: No The City of Portland's HUD Citizen Participation Plan requires a Public Notice and 30-Day Public Comment Period. The notice was published in the Portland Press Herald.

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

PRESENTATION: Mary Davis will be available to provide a brief presentation and answer any questions

I. SUMMARY

The proposed Substantial Amendment to the HOME-ARP Allocation Plan would better align the distribution of HOME-ARP funds in accordance with the priority needs of individuals and families who are experiencing or at risk of experiencing homelessness.

II. AGENDA DESCRIPTION

The Housing and Economic Development Committee met on March 19, 2024, and voted 3-0 (Phillips absent) to recommend City Council approval of the Substantial Amendment to the HOME-ARP Allocation Plan. The Health and Human Services & Public Safety Committee met on March 26 and received a presentation on the proposed amendment. No action was taken by the Health and Human Services & Public Safety Committee.

The American Rescue Plan (ARP) appropriated funds for the U.S. Department of Housing and Urban Development (HUD) to distribute under the HOME Investment Partnership Program (HOME). The Cumberland County HOME Consortium, a partnership between the City of Portland and Cumberland County, received a \$3,594,143 allocation from the HOME-ARP program. The HOME-ARP program is intended to provide affordable rental housing, tenant-based rental assistance, supportive housing services, and non-congregate shelter development, and other resources to folks experiencing homelessness and other vulnerable populations. The City of Portland and Cumberland County's HOME-ARP Allocation Plan was approved by HUD on May 1, 2023.

The primary objective of the HOME-ARP Substantial Amendment is to better align the distribution of HOME-ARP funds in accordance with the priority needs of individuals and families who are experiencing or at risk of experiencing homelessness. Changes included in the Substantial Amendment will ensure that these one-time funds are used to provide housing, resources, and support to those experiencing homelessness in Cumberland County and the City of Portland. The HOME-ARP Substantial Amendment first, incorporates a preference for

folks experiencing homelessness (Qualifying Population 1) for the Development of Affordable Rental Housing; second, defines a referral method for these new rental units created with HOME-ARP funding; and third, reallocates funding from the Acquisition and Development of Non-Congregate Shelter to Supportive Services.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Cumberland County HOME Consortium received \$3,594,143 in HOME-ARP funding. The City is the lead entity in the consortium and assumes all the required administrative tasks for the consortium. The Allocation Plan, approved by both the Portland City Council (3/20/23) and the County Commissioners (3/13/23), as well as by the U.S. Department of Housing and Urban Development (5/1/23), adopted Supportive Services, Acquisition & Development of Non-Congregate Shelter, Development of Affordable Rental Housing and Administration and Planning as eligible funding categories.

Housing and Community Development Staff along with Cumberland County Community Development staff have been working with technical assistance (TA) providers made available through the U.S. Department of Housing and Urban Development (the same TA providers that have supported the Encampment Crisis Response Team) to fine tune our HOME-ARP allocation plan. Staff wanted to make sure that the funds would be used to assist the most vulnerable within the community, specifically, the unhoused, those staying in encampments or staying in shelters. The proposed Substantial Amendment will make three changes to the original approved allocation plan.

(1) The approved allocation plan did not include any preferences on qualifying populations that would benefit from the use of the funds. The substantial amendment would identify a preference in the development of affordable rental housing category for the individuals who are homeless (Qualifying Population 1).

There are four Qualifying Populations in the HOME-ARP program - (homeless, at risk of homelessness, fleeing or attempting to flee domestic violence and other populations).

(2) Shift funding (\$250,000) from the category of acquisition of non-congregate shelter to support services. This will increase the funding available for supportive services to (\$1,013,756). Supportive service funding can be used for any of the Qualifying Populations (homeless, at risk of homelessness, fleeing or attempting to flee domestic violence and other populations). The RFP/application process to allocate these funds will award extra points to services provided to homeless persons residing in the new housing created with the HOME-ARP grant.

Supportive Services - \$1,013,756
Acquisition and Development of Non-Congregate Shelters - \$0
Tenant Based Rental Assistance (TBRA) - \$0
Development of Affordable Rental Housing - \$2,041,266.
Non-Profit Operating - \$0
Non-Profit Capacity Building - \$0
Administration and Planning - \$539,121
Total: \$3,594,143 (No bottom-line change; redistribution only)

(3) To ensure that any new units created under the grant are made available to individuals who are homeless, unhoused or living in a shelter, the RFP/application process will include a referral method using the state-wide coordinated entry process and other local partners working with this population.

The substantial amendment will be submitted to HUD after the completion of a 30-day public comment period and approval by the County Commissioners and the Portland City Council.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The proposed Substantial Amendment will assist in meeting one of the 2024 Council Common Goals to "The Council will significantly impact the housing affordability crisis in the short term and long term by working on regulations, financing, and coordination." In addition the Substantial Amendment will increase collaboration with local and regional partners by seeking to identify regional solutions for issues such as homelessness.

V. FINANCIAL IMPACT

N/A

VI. STAFF ANALYSIS AND BACKGROUND

Staff believe the proposed Substantial Amendment will ensure that the valuable, one-time resources available through the HOME-ARP Program will better align the distribution of funds in accordance with the priority needs of individuals and families who are experiencing or at risk of experiencing homelessness. Changes included in the Substantial Amendment will ensure that these one-time funds are used to provide housing, resources, and support to those experiencing homelessness in Cumberland County and the City of Portland.

VII. RECOMMENDATION

Recommend City Council Approval of the Substantial Amendment to the HOME-ARP Allocation Plan.

VIII. LIST ATTACHMENTS

1. HOME ARP Substantial Amendment 3.19.24

Prepared by:

Mary Davis, Division Director

Date: 03/25/2024

NOTICE OF PUBLIC HEARINGS and PUBLIC COMMENT PERIOD

Cumberland County

Commissioner Meeting: Monday, April 8, 2024 at 5:30pm

142 Federal St, Portland, ME - Cumberland County Courthouse, Feeney Room

City of Portland

Housing & Economic Development Committee: Tuesday, March 19, 2024 at 5:30pm (remote)

Health & Human Services/Public Safety Committee: Tuesday, March 26, 2024 at 5:30 pm (remote)

City Council Meeting: Monday, April 22, 2024 at 5:00 pm

389 Congress St, Portland, ME - City Hall, Council Chambers or remotely as allowed in the City of Portland Remote Meeting Policy

30 DAY PUBLIC COMMENT PERIOD

CITY OF PORTLAND, MAINE / CUMBERLAND COUNTY HOME CONSORTIUM

Tuesday, March 19, 2024 through Friday, April 19, 2024

389 Congress Street, Portland City Hall, Room 312

Lauren Bowen@portlandmaine.gov, 207-756-8246

HOME-ARP ALLOCATION PLAN - SUBSTANTIAL AMENDMENT

The City of Portland and the County of Cumberland will hold two public hearings to consider the HOME-ARP Substantial Amendment outlining the use of funds received by the Cumberland County HOME Consortium from the U.S. Department of Housing and Urban Development (HUD). Public comments on the proposed Amendment will be accepted in writing or verbally from Tuesday, March 19, 2024 to Friday, April 19, 2024.

To submit written public comment for the public hearing, please send an email to LBowen@portlandmaine.gov by midnight on Friday, April 19, 2024. All submissions must include the commenter's name and legal address. Verbal public comments will be accepted during the Public Hearings held on the dates and times noted above or by calling 207-756-8246 during the 30-day public comment period.

The primary objective of the HOME-ARP Substantial Amendment is to better align the distribution of HOME-ARP funds in accordance with the priority needs of individuals and families who are experiencing or at risk of experiencing homelessness. Changes included in the Substantial Amendment will ensure that these one-time funds are used to provide housing, resources, and support to those experiencing homelessness in Cumberland County and the City of Portland.

The draft HOME-ARP Substantial Amendment and original Allocation Plan can be viewed at <https://portlandmaine.gov/1203/Plans-and-Reports-Accepting-Public-Comme> and [Cumberlandcountymaine.gov/HOME-ARP](https://cumberlandcountymaine.gov/HOME-ARP) starting on March 19, 2024.

Translation, interpretation, and other accommodations will be available for materials and meetings upon request.

Please contact the following person to request an interpreter or accommodation for the meeting: Lauren Bowen@portlandmaine.gov, 207-756-8246.

Fadlan la xiriir qofkan hoose si aad u condsato turjumaan ama tixgelin xiliga shirka: Lauren Bowen@portlandmaine.gov, 207-756-8246.

Por favor entre em contato com a seguinte pessoa para solicitar um intérprete ou acomodação para a reunião: Lauren Bowen@portlandmaine.gov, 207-756-8246.

Lauren Bowen@portlandmaine.gov, 207-756-8246:

يرجى الاتصال بالشخص التالي لطلب مترجم فوري أو تسهيلات لحضور الاجتماع: الاسم، البريد الإلكتروني، رقم الهاتف

Pour obtenir un interprète ou faciliter une réunion, veuillez contacter la personne suivante: Lauren Bowen@portlandmaine.gov, 207-756-8246.

Para solicitar un intérprete o una adaptación especial para la reunión, comuníquese con esta persona: Lauren Bowen@portlandmaine.gov, 207-756-8246.

Leka na ko benga moto oyo soki oza na bosenga ya interprete to ya bosalisi pona rendez-vous na yo: Lauren Bowen@portlandmaine.gov, 207-756-8246.

CITY OF PORTLAND /CUMBERLAND COUNTY
HOME CONSORTIUM

HOME – ARP ALLOCATION PLAN
Draft Substantial Amendment #1



Substantial Amendment #1 Summary

The US Department of Housing and Urban Development (HUD) requires Project Jurisdictions (PJs) to formally amend their HOME Investment Partnership Program American Rescue Plan (HOME-ARP) Allocation Plan when it proposes a change in the method of distributing funds; to carry out an activity not previously described in the plan; to change the purpose, scope, location, or beneficiaries of an activity, including new preferences not previously described in the plan; or if the proposed change triggers a substantial amendment under the PJ's Citizen's Participation Plan (CPP).

The City of Portland / Cumberland County HOME Consortium (CCHC) proposes to amend its HUD-approved FY 2021 HOME-ARP Allocation Plan in order to, first, incorporate a preference for Qualifying Population (QP) 1 for the Development of Affordable Rental Housing; second, to define a referral method for these new rental units; and third, to reallocate funding from the Acquisition and Development of Non-Congregate Shelter to Supportive Services. These amendments are found on pages 3-5 of this document and are highlighted in yellow herein. All other aspects of CCHC's HOME-ARP Allocation Plan remain unchanged.

By providing a preference, CCHC is establishing the order in which individuals and families are admitted to or selected by subrecipients, service providers, and owner/developers for HOME-ARP housing and supportive services. Preferences do not change who is eligible for HOME-ARP assistance, nor do preferences exclude an individual or family that is part of another QP from applying for HOME-ARP housing, shelter, or services.

By reallocating the funding allotments, CCHC intends to provide more resources, support, and housing navigation services to those in our community who need it most.

The changes made to CCHC's HOME-ARP Allocation Plan will allow the PJ to better serve HOME-ARP QPs, while also advancing our mission to end homelessness. Recognizing the dire need for housing for people experiencing homelessness, CCHC's revised HOME-ARP Allocation Plan will now focus on ensuring HOME-ARP funds serve the most vulnerable in our community.

HOME-ARP ALLOCATION PLAN
FOR HOME-AMERICAN RESCUE PLAN PROGRAM
DRAFT Substantial Amendment #1

PREFERENCES

Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:

Preferences (ORIGINAL HOME-ARP Allocation Plan Page 31)

The City of Portland / Cumberland County HOME Consortium does not plan to give preference to one or more qualifying populations or subpopulations for any eligible activity or project. If it is determined that the only viable project would require a preference, a substantial amendment, including the required public participation process will be submitted.

Preferences (REVISED HOME-ARP Allocation Plan)

The City of Portland / Cumberland County HOME Consortium will give preference to proposals for the development of affordable housing serving HOME-ARP Qualifying Population (QP) 1.

If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or category of qualifying population, consistent with the PJ's needs assessment and gap analysis:

These preferences offer our most vulnerable population the quickest access to achieving housing stability, while at the same time achieving the goals set forth in the Allocation Plan. These preferences, along with the allocations to the HOME-ARP activities, allow for the greatest positive impacts to our community.

CCHC will ensure that selected projects comply with all applicable fair housing, civil rights, and non-discrimination requirements, including but not limited to requirements listed in 24 CFR 5.105(a). In accordance with federal and Maine Fair Housing laws, no housing or services will be denied to persons based on race, color, family status, disability, sex, national origin, religion, marital status, ancestry, source of income, sexual orientation, age and the status as a victim of domestic abuse, sexual assault or stalking.

If a preference was identified, describe how the PJ will use HOME-ARP funds to address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the preference:

As detailed in the needs assessment, Cumberland County, which encompasses the City of Portland, has significant shortages of housing for households in each of the HOME- ARP QPs. The shortage of housing units is most apparent for individuals and families experiencing homelessness, particularly those who are chronically homeless. While there will be a preference for people experiencing homelessness, who may themselves fall into other qualifying population categories, HOME- ARP units would not exclude any QP or subpopulation from a waitlist.

REFERRAL METHODS

Identify the referral methods that the PJ intends to use for its HOME-ARP projects and activities. PJ's may use multiple referral methods in its HOME-ARP program. (Optional):

Referral Methods (ORIGINAL HOME-ARP Allocation Plan Page 31)

At this time the City of Portland / Cumberland County HOME Consortium have not defined a referral method. A referral method will be defined during the RFP process for selecting projects, programs, or services.

Referral Methods (REVISED HOME-ARP Allocation Plan)

As CCHC is implementing a preference for the development of affordable housing serving QP 1, the PJ intends to use referrals from Coordinated Entry (CE). Qualifying populations that are not served through CE will be served through other referral methods that are developed through coordination with service providers who serve those QPs.

Use of HOME-ARP Funding (ORIGINAL HOME-ARP Allocation Plan Page 29)

CCHC's original HOME-ARP Allocation Plan described needs and gaps in shelter, housing, supportive services, and the PJ's planned use of \$3,594,143.00 in HOME-ARP funding. CCHC originally received approval for its HOME-ARP Allocation Plan from HUD on May 1, 2023, which showed how much funding CCHC would appropriate to each of the following activities:

Supportive Services - \$763,756

Acquisition and Development of Non-Congregate Shelters - \$250,000

Tenant Based Rental Assistance (TBRA) - \$0

Development of Affordable Rental Housing - \$2,041,266
Non-Profit Operating - \$0
Non-Profit Capacity Building - \$0
Administration and Planning - \$539,121
Total: \$3,594,143

Use of HOME-ARP Funding (REVISED HOME-ARP Allocation Plan)

CCHC proposes to revise the HOME-ARP Allocation Plan to redistribute funding from the Acquisition and Development of Non-Congregate Shelters to Supportive Services, as shown below:

Supportive Services - \$1,013,756
Acquisition and Development of Non-Congregate Shelters - \$0
Tenant Based Rental Assistance (TBRA) - \$0
Development of Affordable Rental Housing - \$2,041,266.
Non-Profit Operating - \$0
Non-Profit Capacity Building - \$0
Administration and Planning - \$539,121
Total: \$3,594,143 (No bottom-line change; redistribution only)

CUMBERLAND COUNTY HOME CONSORTIUM

HOME – ARP PY21 Allocation Plan

Adopted by the Cumberland County Commissioners on March 13, 2023
Adopted by the Portland City Council on March 20, 2023



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HOME-ARP ALLOCATION PLAN

INTRODUCTION

The American Rescue Plan (ARP) Act, which was the most recent federal relief package created to assist states, counties, and local governments to address the negative economic effects of the Coronavirus pandemic, appropriated funds for the U.S. Department of Housing and Urban Development (HUD) to distribute under the HOME Investment Partnership Program (HOME) in Federal Fiscal Year 2021. The City of Portland / Cumberland County HOME Consortium Participating Jurisdiction (PJ) received a total allocation of \$3,594,143 in HOME-American Rescue Plan (HOME-ARP) funds. These funds are to be distributed by the City of Portland / Cumberland County HOME Consortium in accordance with this Allocation Plan.

This plan was created utilizing the HUD CPD template provided, including questions and tables, as well as the requirements for the HOME-ARP allocation plan, as described in Notice CPD-21-10: *Requirements of the Use of Funds in the HOME-American Rescue Plan Program*, unless noted as optional. Also submitted with this plan are the SF-424, and the related certifications. References to “ARP” mean the HOME-ARP statute at section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2).

The HOME-ARP program is intended to serve four types of qualifying populations: 1. Homeless; 2. At-Risk of Homelessness; 3. Fleeing Domestic Violence, Dating Violence, Stalking or Assault; 4. Other populations. More information on the four qualifying populations will be described within this Allocation Plan but the complete definitions can be found in HUD CPD Notice 21-10.

The HOME-ARP program can be used to fund the following eligible activities: Rental housing development, tenant based rental assistance, supportive housing services, non-congregate shelter development, operating and capacity building expenses for non-profits undertaking HOME-ARP activities, and administration expenses related to implementing HOME-ARP funded programs. A description of each of these activities can be found in HUD CPD Notice 21-10.

The following Allocation Plan will describe the City of Portland / Cumberland County HOME Consortium’s process for consulting with required groups, impacted populations, service providers, public agencies, and other organizations. This plan will also summarize information gained from these consultations, review the current conditions, and assess the needs and gaps for qualifying populations within Cumberland County. Finally, this plan will describe the process for determining the most effective uses of the HOME-ARP allocation. The allocation of these funds to specific projects or programs requires first posting a draft of the plan for public comment and submitting the HOME-ARP Allocation Plan to the U.S. Department of Housing and Urban Development (HUD) for review and approval. Once approved by HUD, the City of Portland / Cumberland County HOME Consortium will release one or more RFPs for specific types of projects and/or programs needed to address the identified needs.

CONSULTATION

Before developing the Allocation Plan, the City of Portland and Cumberland County consulted with a diverse group of organizations and stakeholders serving the qualifying populations. As required under HUD CPD Notice 21-10, Section V.A, the City of Portland and Cumberland County's consultations included the following:

- Maine Statewide Continuum of Care
- Homeless Service Providers
- Domestic Violence Service Providers
- Veterans Groups
- Public Housing Authorities
- Public Agencies that Address the Needs of Qualifying Populations
- Public or Private Organizations that Address Civil Rights and Fair Housing
- Public or Private Organizations that Address the Needs of Persons with Disabilities

The Greater Portland Area is known state-wide as the hub for services addressing the needs of many HOME-ARP qualifying populations. Because of this, MaineHousing asked the City of Portland/Cumberland County HOME Consortium to jointly participate in a series of six virtual HOME-ARP stakeholder meetings. Each meeting was designed to ensure that all required consultations were included and all qualifying populations were covered. In addition to these six meetings, the City of Portland and Cumberland County conducted an additional three virtual stakeholder meetings specifically to discuss the qualifying populations in Cumberland County. Each meeting included an overview of the HOME-ARP program parameters, expected allocation, and projected timeline. In an effort to include the general public, the City of Portland and Cumberland County held a virtual meeting open to all interested parties. Finally, the City of Portland and Cumberland County held one on one discussions via email and telephone with the Maine Continuum of Care, Homeless Service Providers, Domestic Violence Service Providers, and Public Housing Agencies in an effort to ensure all required information was collected. All consultations, whether in a group setting or one-on-one encouraged an open dialogue about the needs, gaps, and suggested best uses of the HOME-ARP funds to address these needs for specific qualifying populations.

The following table includes a list of all formal consultations, type of agency, consultation method, and feedback:

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Maine Shelter Network	The Network is currently composed of 20 or so active participating agencies. Participants are Executive Directors of single adult shelters, family shelters, shelters for	10/19/2021 Virtual Meeting	More units of affordable housing split between supportive and non-supportive units. Non-supportive units are needed. Mixed use of affordable housing comprised both of permanent supportive units and non-congregate shelters. There is a need for more non-profit housing providers. Create

	domestic violence families, substance use shelters and youth shelters.		more transitional housing. More S.R.O.s are needed. Additional supportive units for youths sharing space with a roommate (a best practice). Additional medium tiered housing. More shelter beds in rural areas. More navigators. Tiny homes that are handicap accessible. Additional low barrier units. Additional workforce housing.
Maine Continuum of Care (MCoC)	Continuum of Care	10-21-2021 Virtual meeting with 59 people attending	Continue with rental assistance. Fund Security Deposit Assistance. Landlord outreach to address landlord fear. Supplement income gaps with rental assistance. LIHTC Housing that is welcoming to the homeless population and voucher holders. More affordable housing units are needed. Fund Rapid Re-Housing and wrap around services with additional funds for more outreach workers. Use funds to rehab buildings. Fund housing for low income population with relaxed criteria.
Advocates and People with Lived Experience	Group of people with lived experience of homelessness and their advocates.	10-22-2021 Virtual meeting with 13 people attending	Work with local landlords to repair and bring units to code. Purchase hotels in different areas of the state, add cooking ability to each room making it an efficiency. Create supportive and emergency housing units. Need additional warming centers. Look for old schools, stores and other empty buildings that can be quickly renovated. Hire temp staff to help shelters advocate for the homeless. Fund Rapid Re-Housing. Implement and enforce that landlords can't discriminate against voucher holders. Use funds to help with cost for applying for rentals, background checks and credit checks. More navigators. Help with funds for required paperwork for HCVs (birth

			certificates, ID cards and other documents). More houses that people can afford to rent and maybe someday buy.
Developers and Community Action Agencies	Mixed group of people representing developers, providers and Community Action Agencies	10-27-2021 Virtual meeting with 24 people attending	Need more affordable units; develop additional LIHTC units. Build shelters with more capacity, provide additional training for shelter staff. Increase the amount of PSM in areas where there are no shelters, especially the rural areas of the state. Create housing for long term stayers (who tend to be single adults). There is a need for larger units for multi-generational living and large families.
Homeless Veterans Action Committee	Homeless Veterans Action Committee is the Veterans Committee of the Maine Continuum of Care (MCOC)	11-2-2021 Virtual meeting with 20 people attending	Use funding to combat the lack of affordable units. Construct affordable, safe and quality housing. Purchase hotels. Develop a project that has units accepting VASH and people with mixed incomes for Veterans. Use funding for a project that has a portion of the units accepting project-based vouchers, a portion for people who need support services and a portion that provides non-congregant shelter beds.
Public Housing Authorities	Public Housing Authorities from across the State of Maine representing both urban and rural areas.	11-5-2021 Virtual meeting with 20 people attending	Create more supportive housing with low barriers and access to services. Assist with operating costs of long-term tax credit development projects. Create housing that provides an interim stage/setting for people between shelters and permanent housing that provides support and assist in helping people become ready for permanent housing. Use funding for housing stability-more funding for wrap around services and housing navigation. Invest money into a statewide network for eviction prevention and diversion. Low interest loans to PHAs to assist in the purchase of 4-

			8 unit buildings. More PHA loan subsidies to assist with their buying units for VASH tenants.
Emergency Shelter Assessment Committee (ESAC)	ESAC is a collaborative of service providers, consumers, local and state governmental representatives, advocates, and other interested community members working to ensure the safety and well-being of people who are homeless in Portland.	12-6-2021 Virtual meeting with 20 people attending	While the presentation largely focused on explaining the HOME-ARP funds, eligible uses, and qualifying populations, there was opportunity for general feedback and there was specific interest in using these funds for housing and supportive services.
Maine Continuum of Care/Advocates for the Homeless/Maine Shelter Network	Service providers and representatives from local and state agencies.	1-11-2022 Virtual meeting with 12 people attending	Need more rapid re-housing initiatives to secure housing. Should develop some type of family housing with supportive services. Housing that remains affordable is needed. The populations of individuals that struggle with substance use and mental health issues are struggling with finding housing. These longest-term stayers would benefit from low barrier non-congregate care. Build or acquire housing with support services. Permanent housing is the ideal. Renovating hotels may be quicker and would be a low barrier solution. Emergency hotels are an absolute critical need. Renovate hotels with cooking facilities. Housing for the homeless is a critical need. Support creation of affordable housing for people with disabilities
The Opportunity Alliance	Emergency Shelter Provider	1-11-2022 Email	Interim motel or shelter supports for emergency shelter placement when necessary and no other resources are readily available. Programs such and Emergency Rent Relief and General Assistance are experience extremely high volume of housing emergencies and there are times

			when there are no other options for shelter at the moment – and there needs to be another ‘emergency access’ from anywhere from 1 night to 30 days to give time to secure other potential resources, when no other exists. Fund more hands-on housing navigators to help work with and support housing stability work. There are way too many in need to sustain housing and not enough to help navigate.
Developers and Advocates for Public Housing	Mixed group of people representing developers, service providers, public housing authority and representatives from local and state agencies.	1-14-2022 Virtual meeting with 18 people attending	There are no units available. Need supportive services. Need mental health centers. Best way forward is to pair it with LIHTC for Homeless units/Mental Health Services. This is an opportunity to support programs such as workforce housing and housing first. Need more housing units.
Publicly noticed meeting facilitated by the Cumberland County HOME Consortium	Participating Jurisdiction	2-8-2022 Virtual public meeting with 35 people attending	The biggest barrier is finding landlords that will accept Section 8 vouchers. Need wrap around services. Need supportive services for behavioral health issues as well as outreach services. Need to provide services for people who are resistant to aggregate care. Need to move people out of hotels and into: (1) tiny houses, mobile homes, and shipping containers; (2) housing in unused buildings that would need retrofits (empty malls, military bases or condemned property). Should provide a safe and supportive environment where people can transition away from addiction and grow toward developing a meaningful and productive life for themselves. Would like to see supportive housing (with mental health services). Need permanent housing. Need for production is acute.
City of Portland	Social Services Division of Health	9-16-2022	Provided data consisting of: project type, organization name, project

	and Human Services Department	Email	name, year-round beds, and overflow bed data regarding emergency shelter, transitional housing, rapid re-housing, and permanent supportive housing in Cumberland County.
Through These Doors	Domestic Violence Shelter	10-28-2022 Email	Provided qualifying population demographics regarding emergency shelter and transitional housing programs offered by Through These Doors.
MaineHousing		11-1-2022 Email	Provided qualifying population demographics regarding emergency shelter, transitional housing, rapid re-housing, and permanent supportive housing in Cumberland County. Provided PIT demographics for Cumberland County.
Preble Street		11-9-2022 11-18-2022 Email	Confirmed bed count and provided gap number of beds needed for adults and youths. Also provided the age range, average age, gender ID ratio, and race/ethnicity status per property. Noted, the most striking trend is the increase in asylum-seeking youth from African countries.
Community Housing of Maine		11-17-2022 Email	Provided data consisting of: property location, apartment size, family size, adult/children count, sex, and gap in service delivery per property.
Portland Housing Authority	Public Housing Authority	11-22-2022 12-6-22 Email	Provided data regarding PBV and HCV. Also noted; we do have unmet needs for Households exiting Homelessness – from the Applicant stage to Lease-up. At Application: It is very challenging for folks to get on our waitlist and not be purged from the list due to not being able to locate them. At Intake: For the small number that make it off the list and to our Intake we have found a very small number of them are able to complete our basic eligibility process. At lease-up: If we are able to find them and get the Voucher to

			them – they now have to find a unit in a highly competitive market. Although we have generous eligibility requirements for the Voucher, landlords can select out these folks in three typically ways – all of which are significantly exaggerated when homeless. Once Leased: Should the Individual make it through all of these hurdles to this point – they are now moving into a unit without furnishings, have a disproportionate likelihood of bringing pest issues – many times from the Homeless Shelter, to fairly and consistently provide affordable housing to the unhoused population we need funding for staff to walk them through each of these processes listed above. We need funding for staff and flex funding to make utilization of these Vouchers happen. If not – the individuals who are less needy in many ways end up being the ones that are able to utilize them. We have tested this theory with FYI and EHV Vouchers and have been very successful. When staff and flex funds are allocated we have more success. We find this only works when the staff are working under the Housing Authority
Milestone-Recovery	Provides outreach and community support to individuals experiencing homelessness concurrent with substance use or mental health disorders; operates Substance Use Homeless Shelter along with a program to transition	12-6-2022 Email	The most urgent unmet need of Milestone’s qualifying population is emergency homeless shelter capacity. Our emergency shelter is currently operating at full capacity of 36 beds per night, and still experiences significantly higher demand than we can meet. In the last several months we have been forced to turn away an average of 10-15 qualified individuals seeking shelter each night, and the need is only expected to intensify as we move into the depths of winter.

	clients out of chronic homelessness and into permanent, stable housing; and offers treatment programs directed at low-income individuals, including those experiencing homelessness.		Most broadly, the largest unmet systemic need for the Housing Navigator Program is the short supply of affordable housing in the community, especially housing programs that employ a housing-first model to substance use.
Shalom House		12-9-2022 Email	Confirmed property locations and headcount.
Westbrook Housing	Public Housing Authority	12-21-2022 In-Person Meeting	Need for more housing across all income levels and age groups. There is a need for funds to pay for ongoing supportive services, not just when the housing is first built but for many years to come. It's harder to find ways to build this type of housing than to build senior or even family affordable housing units. It's harder to build supportive housing outside of the Greater Portland area because the supportive services just aren't accessible by the tenants.
Tedford Housing	Provides emergency homeless shelter, supportive housing for previously homeless families and individuals as well as homeless prevention services.	1-23-2023 Email	There is a need for more support and emergency housing (shelters). We are all straining to serve clients and there are very few revenue streams, including ARPA funds, to support emergency housing. Lots of money is being thrown at supportive housing, but where are people supposed to go in the meantime. Funding for hotel rooms could have been put into real solutions to assist people experiencing homelessness or at risk, like support for shelters, case management, facility renovation and new construction for emergency, transitional and permanent supportive housing.
City of Portland	Social Services	1-25-2023	Simply put, there are not enough

	Division of Health and Human Services Department	Email	affordable units to meet the number of individuals seeking permanent housing. Many hotels are not interested in working with GA offices for temporary emergency shelter for a number of reasons. Many hotels require security deposits that GA typically cannot assist with, and many hotels require valid ID's and credit cards to make reservations which are not something that most have. Priorities needs include shelter/housing/rental assistance, food and non-food items, medications, and assistance with utilities. This program of last resort has met many, many people's basic needs throughout the pandemic, but the needs are growing as more new arrivals present, and as inflation/rent rises so do the number of applications with our GA office.
United Way of Southern Maine	Social Services Agency	1-27-2023 Email	Provided ERA data within Cumberland County
Westbrook Housing Authority	Public Housing Authority	1-30-2023 Email	Provided PBV and HCV program numbers for the City of Westbrook

Summary of Feedback

Through the City of Portland and Cumberland County's HOME-ARP consultation process, there were several reoccurring themes across multiple type of agencies working with various qualifying populations. The most common theme was the need for permanent housing. The types of housing needed included permanent supportive housing, housing for hard-to house populations such as individuals with felony records and substance use disorders, housing for specific populations such as veterans, DV victims, seniors, families, and persons with mental and physical disabilities. Affordable housing across all family sizes and income levels is needed. In addition to the need for more affordable housing units, the need for increased capacity in the level of supportive services being offered throughout Cumberland County, particularly in the Greater Portland Area, was a common theme.

Based on the feedback provided through the consultation process, the City of Portland and Cumberland County HOME Consortium have concluded that there is not enough evidence available to justify offering preferences or prioritizing of one HOME-ARP qualifying population over another. At this time a clear referral process has not been identified and

the CoC coordinated entry system has been eliminated as the referral method without modification to remove embedded prioritization. The City and County are committed to ensuring that all proposed projects and activities are open to all HOME-ARP qualifying populations. If in the selection of a specific project or activity, a preference or limitation of eligibility is required, a substantial amendment of the HOME-ARP Allocation Plan will be submitted to HUD for review and approval.

PUBLIC PARTICIPATION

Summary of Public Participation Process

In accordance with Section V.B of the Notice, The City of Portland / Cumberland County HOME Consortium provided for and encouraged citizens to participate in the development of the HOME-ARP allocation plan. Before submitting the HOME-ARP Allocation Plan, the HOME Consortium provided Cumberland County residents with reasonable notice and multiple opportunities to comment on the proposed HOME-ARP allocation plan. The City of Portland and Cumberland County ensured that the public comment period and public hearings adhered to the City and County's respective citizen participation plans. The following public participation process was followed:

- Public Notice: Portland Press Herald 2/3/2023 and correction notice on 2/7/2023
- Public Comment Period: 2/8/2023 through 3/10/2023 – 30 Days
- Public Hearings:
 - Cumberland County Commissioners Meeting- 2/13/23- 5:30pm (In-person)
 - City Housing & Economic Dev. Committee 2/21/23 – 5:30pm (Remote)
 - Cumberland County Commissioners Meeting – 3/13/23 5:30pm (In-person)
 - City of Portland City Council Meeting- 3/20/23 5:00pm (In-person and Remote)

Please see Appendix B for a copy of the public notices and images of the public notices posted in various locations.

Efforts to Broaden Public Participation

As mentioned above, before the creation the HOME-ARP Allocation Plan, the City and County began to engage with citizens in the preparation of this Allocation Plan. The Portland Press Herald, the largest newspaper in Maine ran a story to help spread the word that the City and County are seeking public input. Additionally, the Press Herald highlighted the City and County's virtual public listening session under their list of events happening in Cumberland County.

Once the Allocation Plan was created, the City and County made efforts to promote the plan beyond the required public notice in the newspaper. The full draft of the HOME-ARP Allocation Plan was made available on the City of Portland and Cumberland County's Community Development pages, under a labeled section called "Plans and Reports". Both the City of Portland and Cumberland County promoted the report through social media pages. The City of Portland promoted the report through a listserv "CityNews"

blast with 5,500 subscribers. The County promoted the Allocation Plan through a County Newsletter that is delivered to 60 elected officials, Town/City Managers, and interested parties throughout all 27 Cumberland County municipalities. **Additionally, an email forwarding a copy of the Allocation Plan was sent to all organizations that contributed data and information used in the plan.**

Please see Appendix B for screen shots and copies off public outreach.

Summary of Comments and Recommendations

At the two City of Portland Public Hearings, there was only one public comment at the March 20 City Council meeting. The public comment was received and accepted but did not require any revisions or further action. A summary of the public comment is included in Appendix B. Although public comment was invited during the County Commissioners meetings, no public comment was received at either of the two meetings.

Summary of Comments or Recommendations not accepted

All public comment was accepted.

NEEDS ASSESSMENT AND GAP ANALYSIS

Qualifying Population Size and Demographics

A full description of each qualifying population can be found starting on page 3, under Section IV. of the HUD CPD Notice 21-10.

<https://www.hud.gov/sites/dfiles/OCHCO/documents/2021-10cpdn.pdf>

The following is only a brief description of the four qualifying populations follows:

- Homeless
 - lacking fixed/regular and adequate nighttime residence
 - Nighttime residence is not designed for ordinary sleeping accommodations
 - Living in public/private shelter or commercial lodging
 - Will lose nighttime residence:
 - Within 14 days
 - Lacks support network needed to obtain new housing
 - Unaccompanied youth (under 25) or families with children which:
 - Defined by HUD as Runaway, DV or McKinney-Vento
 - Not had lease or ownership in permanent housing within 60 days
- At-Risk of Homelessness
 - Annual income below 30%AMI as defined by HUD
 - Not had lease or ownership in permanent housing within 60 days
 - Has been notified in writing of eviction
- Fleeing or attempting to flee Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking
- Other Populations
 - Families requiring services or housing assistance to prevent homelessness

- At greatest risk of homelessness
- Annual income less than 30%AMI
- Cost burden of 50% monthly household income
- Veterans and families that include a veteran family member

In accordance with Section V.C.1 of the Notice, the following sections will describe the size and demographic composition of all four qualifying populations within the geographic boundaries of the City of Portland / Cumberland County HOME Consortium. The City and County made great efforts to use current data, such as the point in time count, housing inventory counts, and data available through the CoC and MaineHousing in the creation of the following sections.

Homeless as defined in 24 CFR 91.5

On December 8, 2022, MaineHousing confirmed 1,921 people in Cumberland County were counted as either receiving general assistance from the City of Portland, receiving Emergency Rental Assistance, or included in the Maine HMIS (Homeless Management Information System) database. The following demographics were identified for the subcategories; (A) Household with children and Households without children receiving general assistance to pay for hotels/motels; (B) Households with children and Households without children receiving rental assistance; and (C) Households with children and Households without children in shelters.

	Households with Children				Households without Children		
	A	B	C		A	B	C
Households	187	154	30		209	126	284
people	647	509	84		250	147	284
under 18	334	270	38		0	0	0
18 to 24	15	36	5		23	12	35
over 24	298	203	41		227	135	249
Female	337	283	48		85	41	76
Male	310	224	35		149	10	199
non-binary	0	3	1		0	2	5
Transgender	0	0	0		0	1	4
Questioning	0	0	0		16	1	0

NonHispanic	647	488	84		239	141	270
Hispanic	0	21	0		11	6	14
Total	647	509	84		150	147	284
Am Indian/Indigenous	0	3	0		3	2	4
Asian/Asian Am	0	0	0		2	1	4
Black/Af Am/African	647	168	64		36	21	71
Hawaiian/Pacific	0	0	-		1	1	0
White	0	300	18		198	117	201
Multiple	0	39	2		9	5	4
Total	647	509	84		249	147	284
Chronic Hh	0	28	1				
Chronic persons	0	103	2		0	42	79

Source: MaineHousing 12-8-22

Within the homeless population of Cumberland County, people of color are significantly over-represented. In a county where people of all races other than white make up only 14% of the overall population, people of color represent approximately 57% of the homeless population in Cumberland County. This is especially true in the case of black individuals who account for about 52% of individuals experiencing homelessness. There has been a fairly significant increase in the percentage of black individuals within the homeless system during the past few years, partially due to an influx of African Asylum-seeking families who have been served through the homeless response system.

At Risk of Homelessness as defined in 23 CFR 91.5

Those most at risk of homelessness in Maine are renter households within 30% of Area Median Income. There are an estimated 23,726 renter households within this income range. The following charts include the demographics of this group of renters.

Renter-Households- Race/Ethnicity	At-Risk of Homelessness: 0% - 30% AMI Renter HH w/ 1 or more severe housing problems		Cumberland County	
	#	%	#	%
Total Renter Households	23,726	8.3%	37,027	33.3%
White alone, non-	18,220	7.0%	32,764	88.5%

Hispanic				
Black or African American alone, non-Hispanic	2,858	33.5%	2,206	6.0%
Asian alone, non-Hispanic	886	13.9%	912	2.5%
American Indian or Alaska Native alone, non-Hispanic	127	15.7%	132	0.4%
Pacific Islander alone, non-Hispanic	0	0.0%	6	0.0%
Hispanic, any race	793	13.4%	781	2.1%

Source: 2020 ACS 5-year estimate S1701; 2016-2020 ACS 5-year estimate S2502

Poverty, housing instability, and cost burden are characteristics of Maine's low-income families most at risk of becoming homeless. The Maine Continuum of Care has identified the following factors associated with housing instability and increased risk of homelessness: insufficient rental assistance options; eviction; family conflict; unemployment; behavioral health challenges, including substance use disorder; and lack of affordable units. Among single individuals, mental and physical disabilities combined with chronic health conditions and addictions are a much larger factor in a person's risk for becoming homeless.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking as defined by HUD in CPD Notice 21-10

From October 1, 2021 through September 30, 2022, Through These Doors Domestic Violence Shelter served 78 adults and 37 children for a total of 115 individuals in Cumberland County. The following chart provides demographic information for this group. However, it is important to note that Through These Doors had 500 requests for shelter. The numbers on the below chart only capture those who were able to secure a bed through the domestic violence shelter.

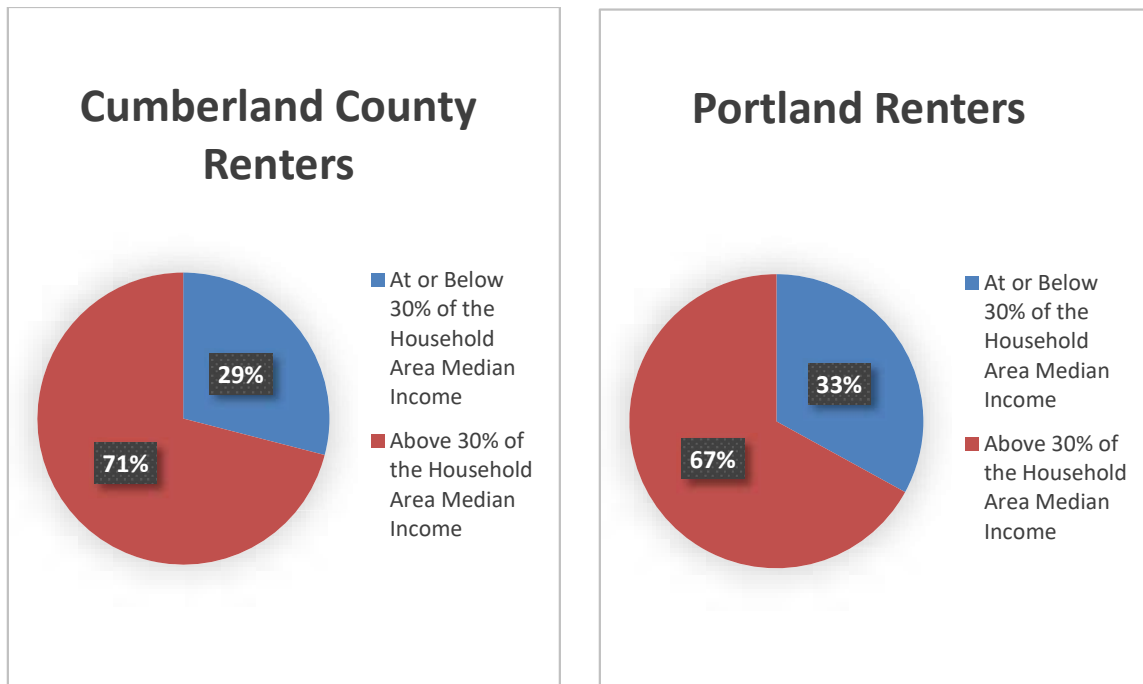
	Family Beds		
	Adult	Children	Total
Adults Total	78	37	115
Beds Total	78	37	115
Age			
0-6		22	22
7-12		11	11
13-17		4	4
18-24	3		13
25-29	70		70

60+	5		5
Gender			
Female	72	17	89
Male		19	19
Transgender	1	1	2
Questioning gender	1		1
Unknown	4		4
Race			
Black or African American	6	10	16
American Indian/Alaska Native	1	1	2
Asian	1	1	2
Hispanic or Latino		7	7
Native Hawaiian/ Other Pacific	3		3
White	42	16	58
Unknown / Other	25	2	27

Source: Through These Doors Domestic Violence Shelter 10-1-21 - 9-30-22

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice

Defining the size and demographic of the ‘Other populations’ category is a difficult task. A common characteristic among many individuals requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability is often income level. According to Comprehensive Housing Affordability Strategy (CHAS) data, utilizing 2015-2019 ACS data, 33% of Portland renters and 29% of Cumberland County renters have household incomes less than or equal to 30% of the household area median family income. Twenty-two percent (22%) of Portland renters and 21% of Cumberland County renters spend between 30% and 50% of their household income on housing costs.



Milestone Recovery operates a program called the Homeless Outreach and Mobile Engagement (HOME) Team, which provides outreach and community support to individuals experiencing homelessness concurrent with substance use or mental health disorders in Portland and South Portland. Milestone also operates Southern Maine's only Substance Use Homeless Shelter, along with a Housing Navigator Program to transition clients out of chronic homelessness and into permanent, stable housing, along with both short-term and long-term substance use treatment programs directed at low-income individuals, including those experiencing homelessness.

The following charts provide demographic information for the HOME Team as of December 20, 2022.

	Number	Percentage
Female	108	22.6%
Male	366	76.6%
non-binary	0	
Transgender	3	.6%
Client Refused	1	.2%
Total	478	100%
Non-Hispanic/Non-Latino	462	96.66%

Hispanic/Latino	13	2.71%
Client does not know	2	.42%
Client refused	1	.21%
Total	478	100%
Am Indian/Indigenous	12	2.50%
Asian/Asian Am	0	0.00%
Black/Af Am/African	43	9.00%
Hawaiian/Pacific	5	1.00%
White	411	86.00%
Client does not know	6	1.30%
Client Refuses	1	.20%
Total	478	100%

Source: Milestone Recovery HOME (Homeless Outreach and Mobile Engagement)

Identification and consideration of current resources available to assist qualifying populations under congregate and non-congregate shelter units, support services, TBRA, and affordable and permanent supportive rental housing.

Congregate & Non-Congregate Shelter Units

- The City of Portland's Health and Human Services Department, Social Services Division operates the Oxford Street Shelter and Family Shelter. The Oxford Street Shelter (OSS), the largest emergency shelter in the State of Maine, is open 24 hours, 365 days a year, and provides safe, temporary, low-barrier housing for homeless adults. OSS served 612 men, 200 women, and 6 transgender individuals for a total of 818 unduplicated individuals in PY2020. The Family Shelter is the largest shelter for families in the State of Maine. The Family Shelter provides temporary housing to families with children under the age of 18, offering both preventative services for families at risk of experiencing homelessness and support services to assist families in locating housing and achieving stability. The Family Shelter provided shelter for 98 families consisting of 327 individuals for a total of 30,028 bed nights. In addition to operating the OSS, the Family Shelter, temporary emergency shelter, a non-congregate hotel for overflow emergency shelter, and providing assistance to area hotels for those referred to General Assistance, the Social Service Division also operated a quarantine shelter for all other Greater Portland Shelters. The City of Portland has 152 year-round emergency shelter beds for adults and children; 134 emergency shelter beds for adult-only households; and 24 shelter beds for unaccompanied youth. An

additional 164 voucher/seasonal overflow emergency shelter beds are available in Portland for households with only adults.

- Tedford Housing in Brunswick operates an adult and family shelter with a capacity of 12 adults and 6 households respectively. During fiscal year 2021-2022, 55 individuals and 58 family members were sheltered by Tedford. Their homeless prevention services assisted 145 individuals and family members while 79 individuals and family members were provided supportive housing. 234 individuals and family members were provided with emergency home heating assistance by Tedford Housing's Warm Thy Neighbor program. In May of 2022, Tedford Housing purchased land in Brunswick for a new emergency housing facility for adults and families. The new building will include twenty-four adult guest beds and ten apartment-style units. The proposed single new facility incorporates separate, secure wings for the adult and family emergency housing facilities with a total of 64 emergency housing beds. The family apartment units will contain four beds each, as well as living and dining spaces in each unit. The adult wing will include shared dormitory spaces that will provide beds for a maximum of 24 individuals. The building will provide a kitchen, dining area and living room for guests in the dormitory style rooms. The new building will replace existing aging facilities.
- With homelessness defined as an emergency under General Assistance statutes, 1,514 unduplicated householders were placed into area hotels utilizing General Assistance vouchers. There are 180 families totaling 607 individuals currently residing in GA funded hotels who are experiencing homelessness. Due to the large number of people presenting for shelter, individuals are immediately sheltered in hotels paid by General Assistance before moving into the Family Shelter as space becomes available. The ESG program has an estimated five-year plan (minus administration) of \$757,636.

Supportive Services

The Portland Community Health Center offers an Integrated Behavioral Health program that is designed to bring adults into treatment who are experiencing homelessness and are suffering from co-occurring mental health and substance use disorders. The City has also added a full-time case manager to work with families experiencing homelessness, resulting in locating permanent housing placements with follow up case management and tenant education services. Preble Street Support Services receives funding from the Veterans Administration to prevent and end homelessness among veterans. Tedford Housing provides permanent supportive services through three locations within Cumberland County that serve a total of thirteen adults and six families. Milestone Recovery operates a program called the Homeless Outreach and Mobile Engagement (HOME) Team which provides outreach and community support to individuals experiencing homelessness concurrent with substance use or mental health disorders in Portland and South Portland. Milestone also operates Southern Maine's only Substance Use Homeless Shelter, along with a Housing Navigator Program to transition clients out of chronic homelessness and into permanent, stable housing, along with both short-term and long-term substance use treatment programs directed at low-income individuals, including those experiencing homelessness. Amistad, a Portland-based nonprofit organization, and Portland Downtown (a 501c4) have created a Peer Outreach Worker program. This program will allow a peer outreach worker to connect with clients that live with mental illness, oftentimes co-occurring substance-use disorders, and oftentimes experiencing

homelessness. The outreach worker will then collaborate with the Milestone Recovery, the City's shelters, local hospitals, and Portland Downtown businesses to get the client the services they need. The Preble Street Joe Kreisler Teen Shelter provides 16-24 beds unaccompanied youth ages 12-20. The shelter provides safe, clean overnight accommodations in a secure building, showers, bathrooms, laundry facilities, towels, and personal hygiene products, community living areas, light breakfast and snacks. Additionally, staff responds to the crisis that lead to homelessness, provides referrals, and links youth to necessary services including substance use, counseling and medical facilities.

Affordable Rental Housing- Portland and Cumberland County have formed a HOME Consortium to receive an annual allocation of HOME Investment funds through the U.S. Department of Housing and Urban Development. HOME funds are used for the creation of affordable housing development throughout Cumberland County and within Portland. Since 2011, \$2,574,887 has been allocated for the construction of 563 low-income rental housing units within Cumberland County. Since 2000, \$10,509,084 in HOME funds, \$1,384,359 in CDBG funds, and \$2,963,584 from the local Jill C. Duson Housing Trust Fund have been allocated for the construction of 1,361 units of low-income housing and 38 single-occupancy units in Portland. Eleven units (six in Portland and five additional units within Cumberland County) are affordable to low-income households through the assistance of HUD Project Based Rental Assistance (PBRA). 74 units (thirty-nine in Portland, and thirty-five in Cumberland County) make use of the Low-Income Housing Tax Credit Program (LIHTC). In 22-23, \$136,392 of HOME funding was earmarked to support 96 individuals at risk for homelessness through tenant-based rental assistance.

Homelessness Diversion Services- In 2022, 500 persons were assisted through Homeless Prevention services in Greater Portland. The Oxford Street Shelter, through the Emergency Shelter Grant, prevented eight individuals from becoming homeless. In PY2020, 190 individuals received a wide range of comprehensive housing related services, including full assessments to identify barriers to housing and housing stability, connection to appropriate mainstream resources in the community, employment and training opportunities, and at least three months of follow-up services after housing placement. Of the 152 individuals enrolled in the program this year, 30 individuals were rapidly re-housed, 49 families or 152 individuals received essential services, and eight individuals were prevented from becoming homeless.

Rapid Rehousing Services- The goals of the ESG program are 1) to help people who become homeless by quickly moving them into permanent housing and 2) to prevent individuals and families becoming homeless. By using ESG in the shelters and community it helps ensure individuals and families do not become Long Term Stayers. Of 152 individuals enrolled in the program, 30 were rapidly re-housed, 49 received essential services, and 8 individuals were prevented from becoming homeless. The Oxford Street Shelter staff located permanent housing for 102 homeless individuals (79 men and 23 women, including six Veterans and 37 chronically homeless individuals). The Family Shelter placed 73 families into permanent housing without a subsidy, reunified six families with other family members, secured a Shelter+Care Subsidy for 8 families, and secured four families a Housing Choice Subsidy.

Emergency Rental Assistance- One of the goals of the City of Portland's Emergency Solutions Grant program is to provide prevention services to individuals facing homelessness in the

community. PY 20/21 allocated \$16,363 in homeless prevention for the Oxford Street Shelter. The projected annual goal for Oxford Street Shelter is to serve six people who are at risk of homelessness. The Family Shelter has \$30,412 for homeless prevention and \$52,065 for Essential Services. The goal for the Family Shelter is to serve 10 families who are at risk of homelessness. Due to the large number of people presenting for shelter, individuals are immediately sheltered in hotels paid by General Assistance before moving into the Family Shelter as space becomes available.

General Assistance is a locally and state-funded program administered by municipalities that helps families and individuals pay for housing (among other needs). In March 2021, MaineHousing funded an Emergency Rental Assistance Program through federal Covid-19 relief money. The state reimburses 70% of applicable GA expenses, as long as municipalities process applications within 24 hours. Since its inception, Cumberland County municipalities have received \$78,594,903 in ERA benefits (as of 12-7-22). The Opportunity Alliance administered the ERA program within Cumberland County assisting 20,894 participants/10,213 households with \$45-50 million in funds distributed during January 2022 through December 2022. Over \$70 million has been distributed since January 2021. Of that funding an estimated \$22 million was distributed to support individuals in hotels/motels since January 2022. An estimated 700 to 1,000 unduplicated individuals were served in hotels/motels since January 2021. During their December 15, 2022 meeting, the Emergency Shelter Assessment Committee announced Emergency Rental Assistance funding has run out (but rent is paid through December). Per MaineHousing, the demand for the program increased in 2022 due to a combination of rising rents, the housing shortage and financial repercussions from the continuing pandemic. MaineHousing tried to reduce demand by changing eligibility from 80% AMI to 50% AMI and capping the amount paid to hotels. As of January, 2023, hotels in Freeport, Scarborough and South Portland are currently in the process of evicting their residents. Per the Opportunity Alliance, about 2,000 people will not have secure funding for housing heading into 2023.

Victims of Domestic Violence- Since 2013, Preble Street Anti-Trafficking Services (ATS) has supported more than 600 victims, enrolling over 300 in intensive case management and housing support services. Safe housing is often one of the most expensive costs in supporting survivors of human trafficking. Through These Doors operates an Emergency Shelter for women and children who are experiencing domestic violence. They have sixteen available beds at any given time, which may be occupied by either families or single adults. Through These Doors also provides shelter in hotels as funding permits. From October 1, 2021 through September 30, 2022, Through These Doors provided emergency shelter to 115 individuals and allowed access to basic necessities like food, clothing and personal care items. Residents are offered in-house education programs, individual advocacy, case management and safety planning. Community Housing of Maine (CHOM) operates three permanent supportive housing units serving a total of seven people, and two transitional housing units currently home to 6 people fleeing from domestic violence.

Other Families Requiring Services or Housing Assistance to Prevent Homelessness - The Long-Term Stayers Initiative is a State-wide effort to end homelessness for those who have been homeless 180 days or more during the year. The City of Portland's Oxford Street Shelter uses Emergency Shelter Grants to prevent individuals from becoming homeless by quickly

moving them into permanent housing. By using ESG in the shelters and community it helps ensure individuals and families do not become Long Term Stayers. In PY2020, 190 individuals received a wide range of housing related services; of 152 enrolled in the program, 30 were rapidly re-housed, 49 received essential services and 8 individuals were prevented from becoming homeless. Portland's Health and Human Services Department and Housing and Community Development Division coordinates with other members of the Emergency Shelter Assessment Committee (ESAC) and the United Way of Greater Portland to monitor shelter bed usage for single adults, adolescents and families. ESAC members include shelter providers, supported housing providers, mental health service providers, substance use service providers, health service providers and general services including day shelter providers for the homeless population. ESAC also produces monthly and quarterly statistics on shelter usage and provides a forum to discuss new programs, resource availability, emerging trends and to resolve problems within the continuum that may arise from time to time. In the City of Portland, 33% of CDBG funds support social service agency programs while 70% of CDBG funding is used to benefit persons of low and moderate income. City staff meet with the agencies throughout the year to provide technical assistance and ensure they are meeting HUD guidelines and regulations. Staff also assists in monitoring their progress and makes recommendations for more efficient services. In the calendar year 2021, the Family Shelter in Portland welcomed 295 asylum seeking families totaling 974 individuals presenting for emergency shelter. Due to limited Covid capacity, families were provided access to hotel rooms (through the U.S. Treasury Emergency Rental Assistance program or Maine State General Assistance Funding) as overflow for four to five months prior to entry to shelters where they receive housing navigation. Because asylum seekers do not have Refugee status they are ineligible for most federal rental assistance programs – with the exception of the Emergency Rental Assistance program.

At Greatest Risk of Housing Instability- The City of Portland and Cumberland County collaborate extensively with the four housing authorities within the County. Efforts include development of affordable housing, recreational activities for at-risk youth, self-sufficiency programs, and vouchers for families, unhoused individuals, and disabled persons. Staff from both the County and City of Portland also participate in the Maine Affordable Housing Coalition, which is a collaborative group of developers, Community Action agencies, public housing authorities, investors, housing and service providers, advocates, and others working to increase the supply of quality, affordable housing throughout Maine. In 2019, all Public Housing Authorities and the Maine State Housing Authority created a statewide Combined Wait List (CWL) for the Housing Choice Voucher program. The CWL has an option for individuals in some communities to choose a preference area based on where they live and work. The Portland Housing Authority pays for 357 housing choice vouchers (191 project-based vouchers and 166 tenant-based vouchers) used in 14 housing projects. Of those vouchers, 191 PBVs are for individuals who qualify as homeless, 88 for Veterans Affairs Supportive Housing, 21 Emergency Housing, 37 Mainstream, and 20 Foster Youth Initiatives. The City of Portland's Oxford Street Sheltered used the Emergency Shelter Grant to prevent individuals from becoming homeless. While the city-wide eviction moratorium was in place due to the Covid-19 pandemic, Oxford Street worked with individuals and landlords to mitigate homelessness or return to homelessness. In contrast to the Oxford Street Shelter, the Family Shelter saw a drastic reduction in evictions due to the moratorium and moved prevention funding to essential services to aid with housing placements. The Family shelter placed 73 families into permanent housing without a subsidy, six families were reunified with

other family, eight families secured a Shelter+Care Subsidy, four families secured a Housing Choice Subsidy, and seven families left the shelter of their own accord, due to noncompliance with the program, or due to DHHS involvement. Likewise, the Oxford Street Shelter staff located permanent housing for 102 homeless individuals (79 men and 23 women, including 6 Veterans and 37 chronically homeless individuals). The City of Portland and Cumberland County are partners in the HOME consortium. The two entities work collaboratively to distribute resources and address affordable housing needs for residents of Portland and Cumberland County. Since 2019, the city of Portland has subsidized 416 units of affordable housing including units set aside for long term shelter stayers and 38 single-room occupancy units for women experiencing homelessness, addiction, and related challenges. Cumberland County, through the Cumberland County HOME Consortium, has funded 146 units of low-income housing during this same time. The City of Portland utilizes 33% of CDBG funds for social service supports, including housing programs, homeless services, crisis management services, childcare, family support services, substance use disorder services, youth and adolescent support services, senior services, neighborhood-based programs and projects, and health care for the homeless. Preble Street provides permanent supportive housing for thirty individuals at Huston Commons, and another thirty individuals at Logan Place while Community Housing of Maine (CHOM) provides permanent supportive housing for twenty-eight people within eight units located throughout three buildings. Preble Street provides emergency shelter to forty individuals at Elena's Way, twenty-four teens at Joe Kreisler Teen Shelter, and twenty-five women at Florence House. Preble Street also provides transitional housing to seventeen youth. Shalom House helps adults living with severe mental illness through an array of community-based mental health services and affordable housing. Residential treatment is provided in group living and supportive apartments. Shalom House operates two transitional buildings in Portland with a total of thirteen units and three permanent supportive housing buildings also in Portland with a total of twenty-five units.

The Westbrook Housing Authority reports they currently provide eighty-three residents with Project Based Vouchers at Riverview Terrace and Larrabee Woods, of which seventeen are designated for homeless. Larrabee Commons has thirty-nine vouchers, eighteen of which are PBV and five designated for homeless. And Robert Harnois Apartments has sixty-one PBVs of which thirteen are designated for homeless. For their Housing Choice Voucher Program, they report one hundred thirteen mainstream MS811 vouchers, thirty-five designated for homeless; ten chronically homeless vouchers, and five VASH vouchers for designated homeless veterans. Three chronically homeless and two VASH voucher holders are looking for housing.

The Portland Housing Authority reports a total of three hundred fifty-seven total vouchers set aside for homeless. These are in the form of Vouchers (166) and Project Based Vouchers (191). Vouchers include; VAHS (88), EHV (21), Mainstream (37), and Foster Youth Initiatives (20). PHA pays for the Vouchers that fund the PBV Units. PBV are currently benefiting households in fourteen different housing development projects including those managed by Community Housing of Maine and Preble Street.

The South Portland Housing Authority provides one hundred and twenty-five PBV. SPHA is in the process of converting their Public Housing units to the Section 8 program. By the end of the year, SPHA will have a total of 375 PBVs. There are approximately 646 applicants on waiting lists.

Unmet Housing and Service Needs of Qualifying Populations:

Homeless as defined in 24 CFR 91.5

The shelter system in Portland is beyond capacity. Staff and local organizations struggle to deal with overflow strategies to meet increasing needs. Data from 2019 showed that 79% of the shelter consumers were new consumers with the average length of stay at the shelter under 60 days. Additionally, increased case management is needed for those who have mental illness and substance use issues to help them navigate the service delivery system. The City's Family Shelter has been experiencing an unprecedented volume of clients. Data from 2021 indicated the Family Shelter welcomed 295 asylum seeking families totaling 974 individuals presenting for emergency shelter. As asylum seekers, this designation adds to the complex nature of moving clients out of the shelter and into permanent housing. Overall, Portland homeless shelters had an average of 345 individuals per night last year. This number exceeded bed capacity among all shelters by over 35 individuals and excludes hotels provided by General Assistance. During 2022, 16,173 applications were submitted to the City of Portland for GA assistance for emergency shelter in hotels (a total of 1,168 applications were denied). One hundred percent of upfront costs are covered by the City of Portland/residents. Then seventy percent of the funding is sought through reimbursement from the State of Maine/Office for Family Independence, thirty percent is the responsibility of the issuing municipality. The City of Portland is seeking funding reimbursement from FEMA for its thirty percent responsibility. Despite having seven workers (two openings at the present moment) to process the applications full time (one staff also working on the weekends), the demand for GA remains since the pandemic onset very high. Many people/applicants are seeking emergency shelter, assistance with medications, food and non- food items, rent, as well as utilities.

The town of Brunswick has one 16 bed shelter, Tedford Housing; other than that, there are no additional shelters outside of Portland in Cumberland County. During fiscal year 2021-2022, Tedford Housing turned away 452 adults and 108 families due to a lack of a shelter bed. The family shelter waitlist is about 125 families as of January 2023. The Opportunity Alliance (TOA) is the Community Action Agency for Cumberland County. TOA supports low-income, at-risk individuals and families, refugees and New Mainers, individuals with disabilities, people experiencing mental health and substance use disorders, and individuals and families on the brink, or in the midst of crisis. As reported in the ERA 2022 Point in Time, TOA assisted 154 households with children (509 people of which 270 were under 18; 168 Black/Af Am/African, 300 White, 39 Multiple, and 3 Am Indian/Indigenous), and 126 households without children (147 people of which 2 Am Indian/Indigenous, 1 Asian/Asian Am, 21 Black/Af Am/African, 1 Hawaiian/Pacific, 117 White, and 5 Multiple). Due to the high number of "couch surfers", families who are "doubled up", and individuals residing in cars or tents in secluded rural areas, the number of rural unsheltered is difficult to estimate. Anecdotally, we know that rural homelessness is on the rise, and a study will be underway soon to identify the nature and extent of rural homelessness within Cumberland County.

At Risk of Homelessness as defined in 23 CFR 91.5

In 2021, there were an estimated 14,623 rental units needed for the Portland Metro Area; this demand is projected to increase to 15,064 units by 2026. The pent-up demand for affordable rental units is demonstrated by (1) the high average occupancy of 99% for LIHTC and subsidized properties; (2) the reported waitlists at affordable properties that exceeds 100

households or 2 years; and (3) 40% (or 13,892) of the current renter households in the Portland Metro Area are rent overburdened. Housing prices have risen significantly in the past five years for both renters and owners. As Portland becomes increasingly unaffordable, low- to moderate-income households are being forced to relocate to communities outside of greater Portland, which can make it difficult to access services and employment. Another repercussion of increasing unaffordability in Portland is the increase in rents and housing prices in these communities. The median rent in Cumberland County in 2020, according to MaineHousing's affordability index, was \$1,888, a 42% increase from 2017. Median renter incomes have only increased 22% during the same period. The median home price in Cumberland County has increased by 34%, and homeowner median incomes have increased 20%. Out of 4,034 homes purchased in Cumberland County in 2021, only 19% were considered affordable or attainable.

The 2016-2020 American Community Survey reported of the 145,838 total housing units in Cumberland County, 43,931 or 30.1 percent are rental units. Of the 37,027 households reporting, 32.9 percent pay more than 35 percent of their household income towards rent, and 19.5 percent pay more than 50 percent of their household income towards rent. Portland has 34,187 total housing units of which 63.2 percent or 21,605 are rental units. Of the 16,868 reporting households, 34.8 percent pay more than 35 percent of their household income towards rent, and 20.2 percent pay more than 50 percent of their household income towards rent. Within Cumberland County 24.9 percent of all housing units were built prior to 1939; 58.1 percent were built prior to 1980. In Portland, 47.7 percent of all housing units were built prior to 1939; 77.9 percent were built prior to 1980.

According to the South Portland Housing Authority, as of May 2022, there were 2,027 individuals and families awaiting housing assistance. Due to the high demand and low supply, the waiting lists for many of SPHA's buildings are currently closed. Community Housing of Maine commissioned a market study by The Signal Group (TSG), an affiliate of the National Housing & Rehabilitation Association, to determine the market need, occupancy, turnover and absorption data for the Portland Metro Area. The study found that there is a significant shortfall in the number of affordable units with demand currently exceeding supply by 1,126 housing units. Predictions show that demand will continue to grow and will exceed supply by 1,168 by 2024. The TSG study surveyed 26 Tax Credit developments in the Portland Metro Area, consisting of 1,038 units, and found a 100% occupancy rate. Reported waitlists are up to 5 years for LIHTC properties. TSG's study of the market showed an absorption period of four months, by leasing units at a rate of 10 per month. This rate is consistent with CHOM's experience at other affordable rental properties it owns in the Portland area. Portland has approximately 33,785 housing units (rental and homeownership). The majority (61%) of Portland residents live in duplex and apartment buildings. Almost 40% of Portland's residential housing stock is comprised of three-family or more buildings. Almost 50% (16,260) of those units were built before 1939, 70% (23,761) were built before 1970.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

Through These Doors, a domestic violence resource center serving Cumberland County, reports 500 annual requests for shelter, which includes folks who made multiple requests. Unfortunately, the organization was able to shelter only 78 adults and 37 children from

October 1, 2021 through September 30, 2022 with a gap in service of 396 beds (145 adults and 251 children). There is also a need for child care; connection to mental health or substance use support; case managers; workforce training and support; financial assistance to transition to permanent housing; as well as culturally and linguistically competent services for the increasing asylum seeker and refugee population in Maine. Community Housing of Maine (CHOM) reports needing long term case management, section 8 vouchers and mental health services for the families they serve.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice

Formerly homeless people with both substance use disorder and mental illness are the most difficult to house permanently because of poor rental histories and the need for lengthy cultural acclimation to non-shelter living. Over the past twelve years, there have been statewide cuts to mental health services, hampering efforts to help those with mental illnesses find and maintain housing. Many treatment centers have long waiting lists and require the individual to travel away from both home and employment, something many simply cannot afford to do. Increased case management is needed for those who have mental illness and substance use issues to help them navigate the service delivery system. Milestone Recovery provides outreach and community support to individuals experiencing homelessness concurrent with substance use or mental health disorders. Milestone operates Southern Maine's only Substance Use Homeless Shelter, along with a Housing Navigation Program to transition clients out of chronic homelessness and into permanent, stable housing, along with both short-term and long-term substance use treatment programs directed at low-income individuals, including those experiencing homelessness. Shalom House provides residential treatment in group and apartment housing, supportive housing, and independent living for individuals with serious and prolonged mental illness. Shalom House currently has 516 people on the waitlist for housing they own and operate; 249 of those have reported being homeless or at risk of homelessness. Thirty-eight percent (38%) have been on the waitlist for at least four years; 30% have been on the list for two to four years; 17% have been on the list for one to two years and 15% have been on the list for a year or less. Shalom House has approximately 140 people approved for a rental voucher who have been unable to find housing. Most of these individuals are currently homeless. Shalom House reports that only about 25% of individuals with housing vouchers are able to find housing. At the Oxford Street Shelter, 13.02% experience a physical disability or illness. Portland's population has a higher incidence of disability than people in Cumberland County as a whole (13.5% and 11% respectively). 45.2% of the non-institutional population 65 years and over in Portland has a disability, including hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, and independent living difficulty.

Gaps within Shelter and Housing Inventory as well as the service delivery system:

From 2017-2021, housing prices have skyrocketed, exacerbating an already significant issue. Due to the Covid-19 pandemic, there has been less turnover of units and more competition for units as remote workers move to the area. Portland has also seen an increased number of asylum-seeking families arriving at the southern border who designate the Portland Family Shelter as their destination. In the calendar year 2021, the Family Shelter welcomed 295 asylum-seeking families totaling 974 individuals presenting for emergency shelter. Gaps within

the service delivery system include financing necessary to provide intervention to prevent homelessness; funding for substance use services; funding for mental health services; and funding for case management “navigators”. As noted above, gaps within the current shelter and housing inventory include beds for individuals seeking shelter; units for voucher holders; units for persons with disabilities; units for the elderly population; units for those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking; units for teens; and units to create stable affordable housing. Milestone Recovery’s most urgent unmet need for their qualifying population is emergency homeless shelter capacity. Milestone’s emergency shelter is currently operating at full capacity of 36 beds per night, and still experiences significantly higher demand than can be met. In the last several months Milestone has been forced to turn away an average of 10-15 qualified individuals seeking shelter each night, and the need is only expected to intensify moving into the depths of winter. Multiple other unmet life safety needs exist, including the need for winter clothing, access to medical care and substance use treatment, and food insecurity. Other unmet needs that do not fall under the blanket of life safety needs include access to affordable long-term housing and access to employment and employment training opportunities. The highest priority need is emergency shelter capacity.

The rental housing stock in Portland and throughout the Greater Portland Region is aging and reaching the end of useful life for housing. Rehabilitation of aging housing stock often involves extensive energy efficiency efforts because of severe winter weather. The cost involved with rehabilitating older housing can be cost prohibitive in a housing market that is already too expensive for many residents. Through our outreach, we know that rents in the area have skyrocketed since 2019, further exacerbating an already tenuous issue. There are 380 units of Section 8, 711 LIHTC units, and 90 HOME-assisted units whose affordability period is expected to expire between 2022 and 2027. The City’s affordable housing providers work with social service providers to move individuals out of homelessness and into affordable housing. Providers report that even with vouchers and assistance, units are difficult to obtain; therefore, increasing the number of units is critical. Milestone’s largest unmet systemic need for the Housing Navigator Program is the short supply of affordable housing in the community, especially housing programs that employ a housing-first model to substance use. In addition to this broad systemic problem, many Housing Navigator clients experience smaller, seemingly low-cost barriers that prevent them from obtaining and retaining housing. These include but are not limited to costs associated with the housing search process, including application fees, security deposits, costs of obtaining state identification, passes for public transportation, and phone cards to communicate with potential landlords. Milestone maintains a small assistance fund to help clients overcome these barriers, but this fund only covers a fraction of the need for hard to find affordable housing.

Preble Street, a provider of emergency service and permanent supportive housing has a gap in service of up to 500 adult emergency service beds, and up to 360 permanent supportive housing units. Community Housing of Maine (CHOM) needs additional long-term case management for each of the eight households they serve with permanent supportive housing. Portland Housing Authority requires additional staffing and flex funding to walk the unhoused population from homelessness into affordable housing. The complex nature of completing the basic eligibility paperwork, to finding a unit in a highly competitive market, to furnishing the unit while addressing the challenges of paying bills, keeping utilities in place, meeting medical and mental health needs is extremely daunting for many who are trying to rebuild their

lives, and sometimes do not have the ability to do so. Housing Authorities are not allocated funding to provide this level of service. Additionally, basic housekeeping services are needed as many individuals with intellectual, mental health, or physical disabilities require these services, which also benefits the entire community.

Under Section IV.4.2.ii.G of the HOME-ARP Notice, a PJ may provide additional characteristics associated with instability and increased risk of homelessness in their HOME-ARP allocation plan. These characteristics will further refine the definition of “other populations” that are “At Greatest Risk of Housing Instability,” as established in the HOME-ARP Notice. If including these characteristics, identify them here:

Portland has long been a desirable and welcoming community for immigrants, refugees, and asylum seekers. Unfortunately, the shortage of affordable housing options can be particularly difficult for individuals who may have larger families, limited English, and few resources. Many of the immigrant, refugee, and asylum-seeker families have been forced to seek housing options outside of the greater Portland area. As immigrants/refugees get pushed further away from Portland, they move geographically further away from the only support services who are linguistically equipped and culturally competent enough to identify needs and issues and provide appropriate, sensitive treatment or assistance. This is true also for individuals with disabilities, domestic violence victims, and other individuals who may have lower incomes who depend on services which may be more readily available, or only available, within the City of Portland.

Priority needs for qualifying populations:

The need to create affordable permanent supportive housing and provide ongoing support and technical assistance was reiterated throughout the consultation sessions. Therefore, our priority is to focus the majority of these funds on the creation of permanent supportive housing.

Although there were recommendations around rental assistance and services such as housing navigation, there are both new and ongoing funding sources that address those needs. And while the creation of additional vouchers would be helpful, for far too many current voucher holders, the difficulties of finding housing affordable with a voucher emphasizes the importance of building additional income-restricted rental housing.

Determination of the level of need and gaps in the shelter and housing inventory and service delivery systems based on the data presented in the plan:

The level of need and gaps in shelter, housing and service delivery systems were determined using data from the statewide Homeless Management Information System, Maine’s Point in Time and Housing Inventory Count, housing data from the 2019 American Community Survey (ACS) and the 2014-2018 Comprehensive Housing Affordability Strategy (CHAS), and a gaps analysis performed by the Corporation for Supportive Housing (CSH) as part of the Maine Homeless System Re-Design Initiative (Final Report and Recommendations June 2021). The determination of how to most effectively utilize this funding was determined through a series of stakeholder meetings.

HOME-ARP ACTIVITIES

Method(s) that will be used for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors:

Housing Production: Funding will be allocated through a competitive application process open to all eligible entities, including nonprofit housing organizations and for-profit developers. To be considered eligible for Program funds, recipients at a minimum will need to meet the following criteria: a) Make acceptable assurances that they will comply with the requirements of the HOME-ARP Program during the entire period that begins upon selection of the recipient and ending upon the conclusion of all HOME-ARP Program funded activities; b) Demonstrate the ability and financial capacity to undertake, comply, and manage the eligible activity; c) Demonstrate its familiarity with the requirements of other Federal, State, or local housing programs that may be used in conjunction with HOME-ARP Program funds to ensure compliance with all applicable requirements and regulations of such programs; d) Have demonstrated experience and capacity to conduct HOME-ARP Program eligible activities as evidenced by its ability to own, construct, or rehabilitate, and manage and operate an affordable multifamily rental housing development.

Describe whether the PJ will administer eligible activities directly:

The Cumberland County HOME Consortium will not use funding to directly create housing or provide services.

If any portion of the PJ's HOME-ARP administrative funds are provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:

The Cumberland County HOME Consortium did not appoint subrecipients or contractors for the development of the HOME-ARP allocation plan or administration of the HOME-ARP funds.

Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ 763,756		
Acquisition and Development of Non-Congregate Shelters	\$ 250,000		
Tenant Based Rental Assistance (TBRA)	\$ 0		
Development of Affordable Rental Housing	\$ 2,041,266		
Non-Profit Operating	\$ 0	0 %	5%
Non-Profit Capacity Building	\$ 0	0 %	5%
Administration and Planning	\$ 539,121	0 %	15%
Total HOME ARP Allocation	\$3,594,143		

Distribution of HOME-ARP funds in accordance with its priority needs identified in its need's assessment and gap analysis:

The distribution of the HOME-ARP funds is aligned with the priorities identified through public comment and consultation with organizations and agencies who provide support and assistance to the qualifying populations. The Development of Affordable Rental Housing category has been funded the most as we have evaluated this category as being most in demand.

A total of \$2,291,266 will be utilized for the Acquisition and Development of Non-Congregate Shelters and the Development of Affordable Rental Housing, with approximately 90% funding the Development of Affordable Rental Housing and approximately 10% funding the Acquisition and Development of Non-Congregate Shelters.

Supportive Services is the second largest funding category which again aligns with the priorities identified through public comment and consultation with organizations and agencies who provide support and assistance to the qualifying populations.

The funding amount for Administration and Planning is projected at \$539,121. Any funds not expended in this category may be reallocated to the funding amounts for Supportive Services, Acquisition and Development of Non-Congregate Shelters, and Development of Affordable Rental Housing.

Characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:

The need to create affordable permanent supportive housing and provide ongoing support and assistance was reiterated throughout the consultation sessions. Based on feedback provided it is apparent that the most significant need is to create affordable permanent housing and supportive housing units. The shelter system (only available in Portland and Brunswick) is operating at full capacity, turning away adults and families each night and struggles to deal with overflow strategies to meet unprecedented increasing housing and case management needs. An estimated 700 to 1,000 unduplicated individuals were served in hotels/motels from January 2021 to December 2022; the Emergency Rental Assistance used to pay for these units ran out in November 2022. Tenants are being evicted as of January, 2023.

In 2021, there were an estimated 14,623 rental units needed for the Portland Metro Area; this demand is projected to increase to 15,064 units by 2026. The pent-up demand for affordable rental units is demonstrated by (1) the high average occupancy of 99% for LIHTC and subsidized properties; (2) the reported waitlists at affordable properties that exceeds 100 households or 2 years; and (3) 40% (or 13,892) of the current renter households in the Portland Metro Area are rent overburdened. In Portland, 47.7 percent of all housing units were built prior to 1939. Due to high demand and low supply of affordable housing, wait lists for many buildings are closed. Providers report that even with vouchers and assistance, units are difficult to obtain; therefore, increasing the number of units is critical.

The domestic violence resource center serving Cumberland County reports a gap in service of 396 beds (145 adults and 251 children). There is also a need for case managers, and connects

to mental health or substance use support.

Formerly homeless people with both substance use disorder and mental illness are the most difficult to house permanently. Housing and increased case management is needed for those who have mental illness and substance use issues.

While the Cumberland County Consortium needs additional homeless diversion, rapid rehousing and rental assistance programs, without units to house people these programs will never be fully effective.

HOME-ARP PRODUCTION HOUSING GOALS

Estimated number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:

Cumberland County HOME Consortium anticipates that at least 10 units of affordable rental housing units for qualifying populations will be directly produced with HOME-ARP funds. However, the investment of HOME-ARP funding is estimated anticipated to leverage production of additional units utilizing other private and/or public funding resources.

Affordable rental housing production goal that the PJ hope to achieve and how the production goal will address the PJ's priority needs:

The Cumberland County HOME Consortium will prioritize projects that are able to be developed quickly and that can operate with sufficient operating and supportive service dollars to meet the needs of tenants. As noted above, it is anticipated that at least 10 units of affordable rental housing units will be developed. The units developed with HOME-ARP funds will meet the City of Portland and Cumberland County Consolidated Plan Priorities to Increase Housing Availability and Affordability, Address the Needs of the Growing Homeless Population and Provide Services to Special Populations Including Victims of Domestic Violence, Homeless Persons and Persons with Disabilities.

PREFERENCES

The City of Portland / Cumberland County HOME Consortium does not plan to give preference to one or more qualifying populations or subpopulations for any eligible activity or project. If it is determined that the only viable project would require a preference, a substantial amendment, including the required public participation process will be submitted.

Referral Methods

At this time the City of Portland / Cumberland County HOME Consortium have not defined a referral method. A referral method will be defined during the RFP process for selecting projects, programs, or services.

Limitations in a HOME-ARP Rental Housing or NCS Project

At this time the City of Portland / Cumberland County HOME Consortium has no intention to limit eligibility for a HOME-ARP rental housing or NCS project.

HOME-ARP REFINANCING

At this time the City of Portland / Cumberland County HOME Consortium has no intention to refinance existing debt secured by a multifamily rental housing that is being rehabilitated with HOME-ARP Funds.

Cumberland County HOME Consortium, HOME-ARP Allocation Plan

Appendix A: Consultation Participants, Survey Respondents and Written Comments

The Cumberland County HOME Consortium thanks the following individuals and organizations for their participation.

Public Agencies that Address the Needs of Qualifying Populations:

Awa Conteh	City of Bangor Public Health and Community Services
Chelsea Hoskins	City of Portland Family Shelter
Aaron Geyer	City of Portland Social Services
David Richmond	Maine Bureau of Veterans Services
Susan Gagnon	Maine Department of Corrections
Alice Preble	Maine Department of Health and Human Services
Ginny Dill	Maine Department of Health and Human Services
Sara Wade	Maine Department of Health and Human Services
Stacy Keenan	Maine Department of Health and Human Services
Amelia Lyons	Maine Department of Education
Leah Bruns	Portland Housing Authority
Arwen Agee	Veterans Administration
Jason Carter	Veterans Administration
Susan Sampson	Veterans Administration
Wendy Thomas-Blais	Veterans Administration
Sharon Jordan	Wabanaki Public Health Services

And all the Community Action Agency participants listed in the meeting titled Developers/Community Action Agencies, and in the meeting titled Emergency Shelter Assessment Committee.

Public or Private Organizations that Address Civil Rights and Fair Housing:

Bill Higgins	Homeless Advocacy for All
Susan Randall	Homeless Advocacy for All
Kate Easter	Maine Coalition to End Domestic Violence
Frank D'Alessandro	Maine Equal Justice Partners
Ben Martineau	Homeless Voices for Justice
Cheryl Hawkins	Homeless Voices for Justice
Leana Amaez	Maine Department of Health and Human Services
Fatima Saidi	Maine Immigrant Rights
Gia Drew	Equality Maine
Rachel Talbot Ross	Maine Black Caucus

Public/Private Organizations that Address the Needs of Persons with Disabilities:

Brianne Brasset	Community Health and Counseling Services
Meredith Smith	Community Health and Counseling Services
Sarah Derosier	Community Health and Counseling Services
Vickey Rand	Community Housing of Maine
Cullen Ryan	Community Housing of Maine
David McCluskey	Community Care
Tracey Allen	Kennebec Behavioral Health

Rich Romero
Charlotte Rogers
Katie Rutherford
John Wiinikka
Jill Grazia
Norm Maze
Paul Linet
Travis Drake
Nicole Frydrych
Rich Hooks Wayman
Tyra Parker
Benjamin Strick

OHI
Peabody Center
Peabody Center
Peabody Center
Shalom House
Shalom House
3iHOME
Volunteers of America Northern New England
Volunteers of America Northern New England
Volunteers of America Northern New England
Volunteers of America Northern New England
Spurwink Services

<i>Meeting Focus / Qualified Populations Served</i>	<i>Date</i>	<i>Attendees</i>
Maine Shelter Network	10-19-2021	Lauren Bustard, Betty LaBua, Steve McDermott (MaineHousing), Boyd Kronholm (BAHS), Jessica Wilson (City of Lewiston), Jenifer Needham, Chris Bicknell (New Beginnings), Kari Bradstreet (Hope and Justice Project), Jenny Stasio (Through These Doors), Noelle Coyne (Safe Voices), Terence Miller (Preble Street), Katie Spencer White (MMHS), Josh D'Alessio (PCHC), Victoria Volent (City of Portland), Mark Swan (Preble Street), Janice Daku (RCAM), Stephanie Primm (KCHC), Joe McNally (Milestone Recovery), Tracy Hair (HOME, Inc.), Kristin Styles (Cumberland County)
Maine Continuum of Care	10-21-2021	Abigail Smallwood (City of Biddeford), Ali Lovejoy, Erin Kelly, Dan Hodgkins (Preble Street), Alice Preble (Maine DHHS), Amelia Lyons (Maine Dept. of Ed.), Awa Conteh (City of Bangor), Meredith Smith, Sarah Derosier, Brianne Brasset (CHCS), Bill Higgins (Homeless Advocacy for All), Boyd Kronholm (BAHS), Bridge Semler, Chris Bicknell (New Beginnings), Christina Dingus, Lauren Bustard, Kelly Watson, Tara Hembree, Scott Tibbitts, Mike Shaughnessy Paula Weber, Betty LaBua (MSHA), Cullen Ryan, Vickey Rand (CHOM), David McCluskey (Community Care), Donna Kelly (Waldo CAP), Stephanie Primm (Knox County Homeless Coalition), Emily Flinkstrom (Fairtide), Ginny Dill (Maine DHHS), Janice Daku (RCAM), Janice Lara H (CC Maine), Jill Grazia (Shalom House), Joe McNally (Milestone Recovery), Josh D'Alessio (PCHC), Kari Bradstreet (HJP), Susan Randall (Homeless Advocacy for All), Katie Spencer White (MMHS), Kelsea Vincent (YAB), Victoria Volent, Aaron Geyer, (City

		of Portland), Marcie Dean (Next Step), Melanie Beaulieu (FVP), Molly Sirios (BOL), Noel Thibodeau (NHFW), Noelle Coyne (Safe Voices), Norm Maze (Shalom House), Rebecca Hobbs (ITD), Rebekah Paredes (NHFW), Rich Romero (OHI), Rota Knott (Tedford House), Sara Wade (Maine DHHS), Lisa McLaughlin (HSA), Sharon Jordan (Wabanaki Public Health Services), Susan Gagnon (Maine DOC), Tracy Allen (KBH), Melissa McEntee (RGH), Tyra Parker (VOANNE), Whitney Files (Knox County Homeless Coalition), Kelly Walsh (ITD), Kate Easter (MCEDV)
Advocates and People with Lived Experiences	10-22-2021	Lauren Bustard, Denise Lord, Betty LaBua, Steve McDermott (MSHA), Frank D'Alessandro (MEJP), Cheryl Hawkins (HVJ), Bill Higgins, Susan Randall (Homeless Advocacy for All), Ben Martineau (HJV), Victoria Volent, Heidi McCarthy (City of Portland), Anna Brewer (Preble Street), Jessica Wilson (City of Lewiston),
Developers/Community Action Agencies	10-27-2021	Heidi Leblanc, Jason Bird (Penquis), Denise Lord, Steve McDermott, Lauren Bustard, Paula Webber, Mark Wiesendanger, Betty LaBua (MSHA), Josh D'Alessio (PCHC), Ben Strick (Spurwink), Theresa Dow-Oleary, Jason Parent (ACAP), Shawn Yardley (Community Concepts), Barbara Crider (YCCAC), Donna Kelley (Waldo CAP), Claire Berkowitz (MMCA Corp), Mary Davis (City of Portland), Lincoln Jeffers (City of Lewiston), Zak Maher (City of Auburn), Rick Hooks Wayman (VOANNE), Boyd Kronholm (BAHS), Nate Libby, Megan Parks (Community Concepts), Deb Johnson (DEC), Sayre Savage (Four Directions Development), Bobbi Harris (Downeast Community Partners)
Homeless Veterans Action Committee	11-2-2021	Nicole Frydrych, Brian Bouthot (VOANNE), Arwen Agee, Jason Carter, Wendy Thomas-Blais, Susan Sampson (VA), Amy Holland, Dennis Michaud, Ray Michaud, Tom Pangborn (Veterans, Inc.), April Reed, Mary Wade, Lauren Bustard, Betty Labua (MSHA), Ellie Espling (Senator Susan Collins' Office), Heidi McCarthy (City of Portland), Dan Hodgkins (Preble Street), Kristin Styles (Cumberland County), David Richmond (Maine Bureau of Veteran's Services), Kim Rohn (Representative Jared Golden's Office), Bill Higgins (Homeless Advocacy for All), Mary Davis (City of Portland)
Public Housing Authorities	11-5-2021	Marty Szydlowski (Auburn Housing), Amanda Olsen (Augusta Housing), Mike Myatt (Bangor Housing), Deb

		Keller (Bath Housing), Lisa Plourde (Caribou Housing), Stacey Michaud (Ft Fairfield Housing), Chris Kilmurry (Lewiston Housing), Cheryl Sessions (Portland Housing), Chris Kilmurry (Presque Isle Housing), Laurie Miller (Old Town Housing), Mike Hulsey (South Portland Housing), Chris LaRoche (Westbrook Housing), Lauren Bustard, Denise Lord, Betty LaBua (MSHA), Kristin Styles (Cumberland County), Mary Davis, Victoria Volent (City of Portland),
Emergency Shelter Assessment Committee (ESAC)	12-16-2021	Mike Guthrie (CoP FS), Mailys Day (PHA), Ben Strick (Spurwink), Oliver Bradeen (Milestone Recovery), Vickey Rand, Cullen Ryan (CHOM), Hannah Brier, Dan Coyne (United Way), Brian Townsend (Amistad), Sara Michniewicz (BNA), Ben Martineau, Jim Devine (HVJ), Norm Maze (Shalom House), Bill Higgins, Suzanne Randall (HA4All), Mary Cook (TOA), Ginny Dill (Office of Behavioral Health), Amy Geren (Portland Downtown), Terence Miller (Preble Street), Jenny Stasio (Through These Doors), Aaron Geyer, Adam Harr, Victoria Volent (City of Portland)
Maine Continuum of Care/Advocates for the Homeless/Maine Shelter Network	1-11-2022	Terrace Miller (Preble Street), Brian Townsend (Amistad), Amy Holland, Michelle Lamm (Greater Portland Family Promise), Benjamin Strick (Spurwink Services), Val Fitzgerald, Christine Fecko (The Opportunity Alliance), Wendy Harmon (Southern Maine Landlord Association), Mailys Day (Portland Housing Authority), John Wiinikka (Peabody Center), Vickey Rand (Community Housing of Maine), Chelsea Hoskins (City of Portland)
Developers and Advocates for Public Housing	1-14-2022	Martha Stein (Hope Acts), Charlotte Rogers, Lorena Delcourt, Katie Rutherford (Peabody Center), Paul Linet (3iHOME), Nathan Szanton (The Szanton Company), Betsey Remage Healey (HomeStart), Robyn Wardell, Brian Kilgallen (Community Housing of Maine), Brian Sites (VOANNE), Rebecca Hatfield, Nathan Howes (Avesta), Brian Eng (Maine Cooperative Development Partners), Tara Hill (Habitat for Humanity), Laura Reading (Developers Collaborative), Jay Waterman (Portland Housing Authority), Tim Wells (Greater Portland Community Land Trust), James Vincent (Pharos House)
Publicly noticed meeting facilitated by the Cumberland County HOME Consortium	2-8-2022	Will Quenga, Nicole Hanson (Maine Prison Re-Entry Network), Jim Hall, Priscilla Bitencourt (Homeless liaison for Portland Public Schools), Frank Sanfilippo, Brian Eng, Liz Trice (Maine Cooperative Development Partners), Rob

		Korobkin (Courage House), Susannah Sanfilippo, Tim Wells (Greater Portland Community Land Trust), Sarah Michniewicz (President of Bayside Neighborhood), Christopher Stjohn, Christian MilNeil, Tobin Williamson, Mufalo Chitam (Maine Immigration Rights Coalition), Janice Murphy, Travis Drake (VOANNE), Karin Martin, Lado Lodoka (Center for Preventing Hate), Erin Kelly (Dir. Of Homeless Youth and Young Adult Svc), Lolan Lyne, Poppy Arford (Maine State Representative), Sean Murphy, Frank Rios, Erin Gorham, Juliana Bean, Kelly Fowler
Providers of emergency shelter, transitional shelter, permanent supportive housing, and safe havens.	October 2022 through January 2023	Rota Knott (Tedford Housing), Jenny Stasio (Through These Doors), Mary Wade, Scott Tibbitts (MaineHousing), Leah Bruns (Portland Housing Authority), Andrew Bove (Preble Street), Kyra Walker (Community Housing of Maine), Aaron Geyer, Adam Harr, Ryan Gorneau (City of Portland), Joseph McNally, Tom Doherty (Milestone Recovery), Val Fitzgerald (The Opportunity Alliance), Norm Maze (Shalom House), Anne-Marie Brown (United Way of Southern Maine), Laura Hebert (Westbrook Housing Authority), Brooks More, Nicole Bernier (South Portland Housing Authority)

Original Public Notice in the February 3rd 2023 edition of the Press Herald

Cumberland County Commissioner Meetings
Monday February 13, 2023 at 5:30pm
Monday March 13, 2023 at 5:30pm
142 Federal St, Portland, ME Cumberland County Courthouse Feeney Room

City of Portland
Housing & Economic Development Committee Tuesday February 21, 2023 at 5:30pm (remote)
City Council Monday, March 20, 2023 at 5:00 pm
389 Congress St, City Hall, Council Chambers or remotely as allowed in the City of Portland
Remote Meeting Policy.

389 Congress Street, Portland City Hall, Room 312

1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 26

Na zvešta persona: Victoria Wleri, vwozant@pentland.882-5628.
ga mola oyo noli owa na bawaga ya bawaga to ya
akoson na ya Victoria Wleri, vwozant@pentland.882-5628.

Corrected Public Notice in the February 7th 2023 edition of the Press Herald

CORRECTION

NOTICE OF PUBLIC HEARINGS AND PUBLIC COMMENT PERIOD

Cumberland County Commissioner Meetings

Monday February 13, 2023 at 5:30pm

Monday March 13, 2023 at 5:30pm

142 Federal St, Portland, ME Cumberland County Courthouse Feeney Room

City of Portland

Housing & Economic Development Committee Tuesday February 21, 2023 at 5:30pm (remote)

City Council Monday, March 20, 2023 at 5:00 pm

389 Congress St, City Hall, Council Chambers or remotely as allowed in the City of Portland Remote Meeting Policy.

30 DAY PUBLIC COMMENT PERIOD – Correction

CITY OF PORTLAND, MAINE / CUMBERLAND COUNTY HOME CONSORTIUM

February 8, 2023 to March 10, 2023

389 Congress Street, Portland City Hall, Room 312

HOME-ARP ALLOCATION PLAN, Funding available \$3,594,143

The City of Portland and the County of Cumberland will each hold two public hearings to consider the HOME-ARP Allocation Plan outlining the use of funds received by the Cumberland County HOME Consortium from the U.S. Department of Housing and Urban Development (HUD). Public comments on the proposed Plan will be accepted in writing or verbally from February 8, 2023 to March 10, 2023. To submit written public comment for the public hearing, please send an email to VVolent@portlandmaine.gov by midnight on March 10. All submissions must include the commenter's name and legal address. Verbal public comments will be accepted during the Public Hearings held on the dates and times noted above or by calling 482-5028 during the 30-day public comment period.

The primary objective of the HOME-ARP Allocation Plan is to outline a plan to help individuals and families who are homelessness or at risk of homelessness. The plan will include a proposed spending plan in these eligible areas: Administration and Planning; Development of Affordable Rental Housing; Supportive Services and Acquisition and Development of Non-Congregate Shelter.

The draft HOME-ARP Allocation Plan can be viewed at <https://portlandmaine.gov/1203/Plans-and-Reports> and <https://www.cumberlandcounty.org/170/Reports-Plans> starting on February 8, 2023.

Translation, interpretation, and other accommodations will be available for materials and meetings upon request.

Please contact the following person to request an interpreter or accommodation for the meeting: Victoria Volent, vvolent@portlandmaine.gov, 207-482-5028.

Fadlan la xirir qofkan hoose si aad u condato turjumaan ama tixgelin xiliga shirka: Victoria Volent, vvolent@portlandmaine.gov, 207-482-5028.

Por favor entre em contato com a seguinte pessoa para solicitar um intérprete ou acomodação para a reunião: Victoria Volent, vvolent@portlandmaine.gov, 207-482-5028.

Victoria Volent, vvolent@portlandmaine.gov, 207-482-5028:
يربي الاتصال بالشخص التالي لطالب مترجم فوري أو تسهيلات لظهور الإصغاء: الاسم، البريد الإلكتروني، رقم الهاتف

Pour obtenir un interprète ou faciliter une réunion, veuillez contacter la personne suivante: Victoria Volent, vvolent@portlandmaine.gov, 207-482-5028.

Para solicitar un intérprete o una adaptación especial para la reunión, comuníquese con esta persona: Victoria Volent, vvolent@portlandmaine.gov, 207-482-5028.

Leka na ko bengsa moto oyo soki oza na bosenga ya interprete to ya bosalisi pona rendez-vous na yo: Victoria Volent, vvolent@portlandmaine.gov, 207-482-5028.

SPORTS

Portland Press Herald • Monday, February 7, 2023 • D5

MLB NOTEBOOK

Red Sox sign pitcher Faria to minor league contract

Minor league report

By Tom Vecchione

February 7, 2023

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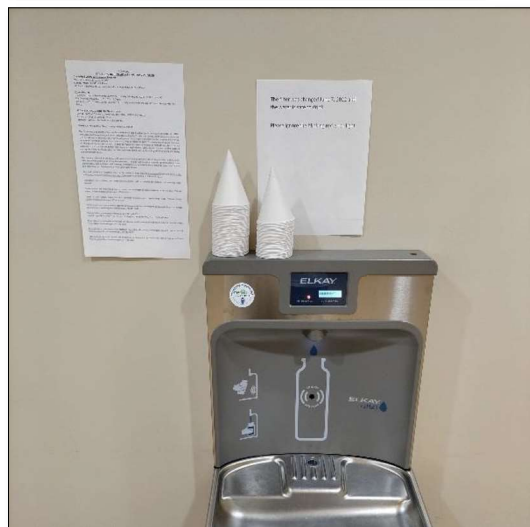
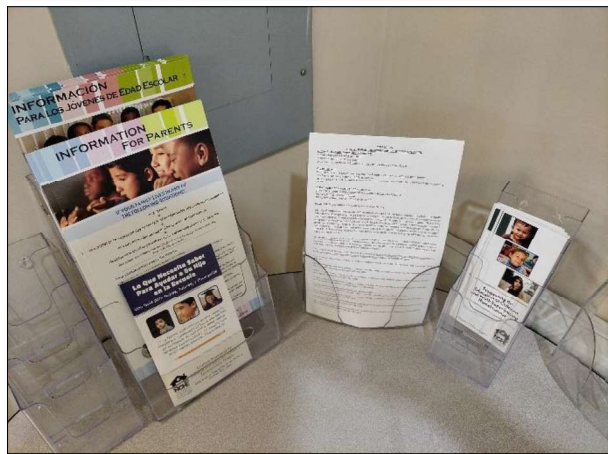
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Postings of Public Notice



Public Engagement

Promotion of public participation and community meetings:



FOR IMMEDIATE RELEASE

January 31, 2022

MEDIA CONTACT

Jessica Grondin
207.272.7885

City & County Soliciting Feedback on Community Housing Needs

Feedback will help guide plans to put federal funds to use

PORTLAND, Maine – On Tuesday, February 8, at 6:00 PM, the City of Portland and Cumberland County will co-host a [public meeting](#) to collect public feedback on reducing homelessness and increasing housing stability.

Cumberland County and the City of Portland have been awarded \$3,500,000 in HOME-ARP funding to provide housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability. The funding must primarily benefit qualifying individuals and families who are homeless, at risk of homelessness, or in a vulnerable population.

Public input will help guide the plan's recommendations and is a vital element in assessing the needs of and gathering input from the community.

Zoom Link: <https://us02web.zoom.us/j/82615536058>

Meeting ID: 826 1553 6058

Telephone Number: 646-558-8656

February 7th, 2022 News Article:

<https://www.pressherald.com/2022/02/07/more-pandemic-funding-targeted-to-address-homeless-housing-needs/>

February 8th, 2022 Events Page:

https://www.pressherald.com/forecaster/forecaster-calendar/?escaped_fragment=/show/?start=2020-04-16#!/details/Soliciting-Feedback-on-Community-Housing-Needs/9873353/2022-02-08T18

NEWS BUSINESS OPINION SPORTS A&E FOOD THINGS TO DO

workday

LOCAL & STATE

Posted February 7, 2022 | Updated February 7, 2022

More pandemic funding targeted to address homeless, housing needs

Portland and Cumberland County are seeking public input on how to spend \$3.6 million in ARPA funding to reduce homelessness and increase housing availability.

BY KELLEY BOUCHARD STAFF WRITER

EMAIL WRITER
207-791-6328

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21 COMMENTS

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VIRTUAL

Soliciting Feedback on Community Housing Needs

Tuesday, February 08, 2022, 6:00pm
[Add to Calendar](#)

Event Format
Virtual
[Learn More](#)

Originating Location
Cumberland County and the City of Portland have been awarded \$3,500,000 in HOME-ARP funding (see attachment) to provide housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability. On Tuesday, February 8, at 6:00 PM, the City of Portland and Cumberland County will co-host a public meeting to collect public feedback on reducing homelessness and increasing housing stability. Please join us via Zoom, public input will help guide Portland, ME

Price
\$0.00 to \$500.00

Notes
Virtual Event

Description
Tuesday, February 8, 2022

Page 561

CALL TO ORDER

The Board of Commissioners met for their regularly scheduled meeting at the Cumberland County Courthouse in the Peter Feeney Conference Room, the meeting was called to Order by Chair Neil Jamison at 5:35pm

Present:

Chair Neil Jamieson
Commissioner James Cloutier
Commissioner Susan Witonis
Commissioner Stephen Gorden

Excused:

Commissioner Patricia Smith

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

Meeting Minutes of January 13, 2023

A motion was made by Commissioner Witonis, seconded by Commissioner Cloutier, that the Minutes be adopted. The motion carried by a unanimous vote.

INFORMATIONAL REPORT/PRESENTATIONS

CCRCC 4th Quarter 2022 Newsletter

COMMENTS FROM THE PUBLIC

District Attorney Jacqueline Sartoris. D.A. Sartoris stated that she is honored to meet everyone and plans to work very hard over the next 4 years. She is focusing on addressing mental health issues and increasing efficiencies in the current system by building out a robust diversion program. On top of that she is focusing on reducing the backlog of cases that occurred as a result of the pandemic. The Commissioners welcomed DA Sartoris and congratulated her on new position.

Christopher DeCapua, Vice President of the Local 110, shared some general comments related to the staffing levels of the jail and hiring of corrections officers. The Union leadership would like to work with the Commissioners and come to a solution regarding intake and staffing. He agrees with the DA, the backlog of cases needs to be addressed but the jail needs capacity for when the backlog is addressed.

Recruiting, there is a common feeling that no one wants to be a corrections officer.

The best approach would be to target retired and current certified corrections officers as opposed to targeting new corrections officers. The Maine academy is also a hurdle in hiring. The State either runs the academy or the academy could be run in house and be completed in 3 weeks. The only thing that would be needed is shift coverage. Commissioner Witonis asked if they had enough staff, Mr. DeCapua responded that they did. He thanked the Commissioners' for their time and their attention to the current issues.

CONSENT AGENDA

- 23-006 Approval of the Sheriff's Office Commission's for October 2022 – December 2022.**
- 23-007 Authorization for the County Manager to enter into a contract between the County of Cumberland and the Town of Casco for County Assessing Services from July 1, 2022 to June 30, 2025.**
- 23-008 Confirmation of the appointment of Trustees Frank Clark, Lori Norman and Tom Tyler to the Cross Insurance Arena Board of Trustees.**

A motion was made by Commissioner Cloutier, seconded by Commissioner Witonis, that the Consent Agenda items be approved. The motion carried by a unanimous vote, 4-0.

ARPA BUSINESS

- 23-009 Award second tranche ARPA funds of \$500,000.00 to Preble Street for the Food Security Hub as recommended by the ARPA Advisory Committee and the County Manager.**

Preble Street Executive Director Mark Swann gave an overview of their request and answered questions from the Commissioners. He stated that last year Preble St was doing around 1,000 meals a day and now they're currently doing 2,000 meals a day. Part of that supplementing the boys and girls club, mile stones, YMCA and have reached capacity in their current space. They have list of non-profits who are also waiting to receive meals once the new space opens. Commissioner Jamieson asked what the projected open date would be, Executive Director Swann stated that they would break ground in the Spring 2023 and hopefully open next year. He also wanted to add Preble St is working on freezing meals as a backup. Commissioner Gorden asked about the availability of ARPA funds and the reallocation process. Compliance and Audit

Manager Sandra Warren stated that internal projects will take priority over the construction of newer projects. County Manager Gailey added that for the Jail Medical project is currently over budget because of inflation. Compliance and Audit Manager Warren stated that the Winchester Woods Development project did not go through and funds were available. Commissioner Witonis asked Executive Director Swann how much funding from the Governor and how much from the Legislature? Executive Director Swann stated that they're currently waiting to confirm the amount. Commissioner Witonis stated that she could not support the item because of the funds need for the County Jail project and that the second tranche was supposed to be for other projects, not previously funded ones.

Commissioner Cloutier stated that there are funds available for both projects. He recalled that the original request from Preble St was reduced because the Commissioners had asked Preble St to raise additional funds and it seems that they had. He also stated that the public is gaining a tremendous amount of services by funding the projects. The population that Preble St is serving is growing each day. He stated that he wholly supports the project and it's objective; the results will be immediate.

Commissioner Jamieson stated that he agreed with Commissioner Cloutier and that this project would be the biggest bang for their buck.

Commissioner Witonis asked two questions, about the design plan presented in the agenda packet; was it the most recent scaled down plan that aligned with their revised budget? The second question was how far out does Preble St services extend to in the County. Executive Director Swann confirmed that the plan was the most current as it has one loading dock instead of two. The services offered by Preble St are supported by a pilot by Door Dash to deliver directly to residences. Services are now extended to 26 towns. Good Shepard Food Bank is the biggest funder of the project and they will also be a customer once the project goes live and deliver to the food pantries to throughout the County and the State.

A motion was made by Commissioner Cloutier, seconded by Commissioner Gorden that additional ARPA funds be awarded to Preble Street for the Food Security Hub as recommended by the ARPA Advisory Committee and the County Manager. The motion passed, 3-1.

Yes: Commissioners' Cloutier, Gorden, Jamieson

No: Commissioner Witonis

NEW BUSINESS**23-010****First Reading and Public Hearing of the HOME-ARP Allocation Plan by Community Development. Second Reading on March 13, 2023.**

This Order Requiring a Public Hearing was accepted.

Community Director Kristin Styles spoke about the HOME-ARP Allocation Plan that was developed with the City of Portland and a series of stakeholder meetings. Based on the meetings and data collected, the plan had been developed with funding broken into four categories. \$2 Million is being allocated to the Development of Affordable Rental Housing and most likely will be creating the permanent housing and the Housing first Model. \$763,755 Supportive services to support those to remain successfully housed. \$250,000 is for the Acquisition and Development of Non-Congregate Shelter. \$539,121 into Administration and Planning, all unused funds will go back into the three previously listed funds. Commissioner Jamieson asked what the time period is to spend down the funds. Director Styles stated that there were 7 years to spend down funds from 2021.

A motion was made by Commissioner Cloutier, seconded by Commissioner Gorden to support the public hearing. The Vote was called and the motion carried by a unanimous vote, 4-0

23-011**Authorization for the County Manager to enter into a contract between the County of Cumberland and Developers Collaborative for the design, permitting, construction and lease of an administrative office building at 50 County Way, Portland, Maine.**

County Manager Gailey spoke about the space needs study that was conducted in 2018. The approach taken by staff was to locate a designer, to design, construct and lease back to the County.

Public Affairs Director Travis Kennedy stated that the RFQ was drafted in great detail and incorporated a lot of feedback from other Governments who had gone through a similar process. Two bids were received and the RFQ team crafted a list of questions for the submitters. It was very difficult to decide because the respondents did equally well in answering the questions. There was a second round of questions based on written answers. The Developers Collaborative was selected based on a vote of 5-1. County Manager Gailey added that they seemed to be the best fit.

Kevin Bunker from the Developers Collaborative stated that they were very excited to be selected and would like to do well. They want to use this project as part of their portfolio and want to be proud of it.

A motion was made by Commissioner Witonis, seconded by Commissioner Gorden for the County Manager to enter into a contract between the County of Cumberland and Developers Collaborative for the design, permitting, construction and lease of an administrative office building at 50 County Way, Portland, Maine. The vote was called and the motion carried by a unanimous vote, 4-0.

23-012 Resolution supporting the City of Portland applying for federal funding to dredge Portland Harbor's piers, docks and wharfs.

A motion was made by Commissioner Gorden, seconded by Commissioner Cloutier supporting the City of Portland applying for federal funding to dredge Portland Harbor's piers, docks and wharfs. The motion carried by a unanimous vote, 4-0.

COMMENTS FROM THE COUNTY MANAGER

The County Manager shared that he had received two requests to use the Community Corrections Center. One request was to house pregnant women that was presented at the December 2022 meeting. The other request was to use the center as a mental health treatment center. This would be discussed at the next workshop on March 13, 2023.

He stated that the Maine Mariners were seeing 500 more people each hockey game and some games are being sold out.

COMMENTS FROM THE EXECUTIVE STAFF

Deputy Admin and Finance Director Alex Kimball stated he had received budget books and they were available for anyone who wanted a copy. The tax warrants were sent out and went into more detail than usual. He wanted to give heads up in cases the Commissioners received questions from Towns or Cities. Regarding the tax warrant, the State Valuation jumped up, the smallest was 7% while the largest was 27%. The Town of Sebago received the biggest increase of 27%.

Admin and Special Projects Katharine Cahoon stated that the new Agenda Software is nearing its final implementation and will be tested at the next Commissioner

Meeting in March.

Public Affairs Director Kennedy stated that the EMS Collaboration is moving along and engaging with Communities about spending on EMS services.

COMMENTS FROM THE COUNTY COMMISSIONERS

Commissioner Gorden stated that the DOC presented their budget and it was flat funded last year and this year in flus. The MCCA is concerned about the State Police and Rural Patrol is still a concern with the costs being passed on to the counties.

EXECUTIVE SESSION

23-013 The County Commissioners will enter into Executive Session in accordance with 1 M.R.S.A §405 (6)(D) for the opportunity to discuss negotiations between the County and Law Enforcement Unit, Local 340.

A motion was made by Commissioner Gorden, seconded by Commissioner Witonis that the Commissioners enter into Executive Session. The motion carried by a unanimous vote, 4-0. The Commissioners went into Executive Session at 8:25 PM.

A motion was made by Commissioner Witonis, seconded by Commissioner Gorden that the Commissioners come out of into Executive Session. The motion carried by a unanimous vote, 4-0. The Commissioners came out of Executive Session at 8:55 PM.

ADJOURNMENT

A motion was made by Commissioner Gorden, seconded by Commissioner Cloutier, to adjourn the meeting. The meeting was adjourned at 8:55pm, the next scheduled meeting of the Board of Commissioners' is March 13, 2023.

Minutes

Remote Housing and Economic Development Committee

February 21, 2023

NOTE: This meeting was held via Zoom and can be viewed at this link:

<http://www.portlandmaine.gov/1695/Economic-Development-Committee> These

Minutes provide a record of those in attendance, general discussion taking place, and motions made.

A remote meeting of the Housing and Economic Development Committee (HEDC) of the Portland City Council was held on Tuesday, February 21, 2023, at 5:30 p.m. via Zoom. Present from the HED Committee were Chair Councilor Pious Ali, and members Councilors Mark Dion, Regina Phillips, and Roberto Rodriguez. Present from the City staff were Interim Housing and Economic Development Department Director Mary Davis, Acting Corporation Counsel Michael Goldman, Assistant City Manager Anne McGuire, Principal Administrative Officer Lori Paulette, and Housing Program Manager Victoria Volent.

Item #1: Review and accept Minutes of previous meeting held on January 17, 2023

On motion made by Councilor Dion, seconded by Councilor Rodriguez, the Committee voted unanimously (4-0) to accept the Minutes.

Item #2: Workshop- Responsibilities of the Housing and Economic Development Department

Ms. Davis gave a high-level overview of the Department noting that there are 16 full-time positions that, for one, assist with staffing 11 different committees. This while being down to 9 positions that are filled with 7 vacant. The Department consists of the Housing and Community Development Division, Economic Development, Office of Economic Opportunity, and Office of Creative Portland. (See attached presentation for more information.)

Councilor Rodriguez, noting the vast work of the Department, suggested that there be a good process in place when someone leaves or retires that their knowledge and institutional information does not get lost.

On another subject, Councilor Rodriguez apologized but he would need to leave this meeting at 6:00 p.m. for about a half hour and would then return. (Post note: he returned at 6:45 p.m.)

Seeing no further questions/comments, Chair Councilor Ali thanked Ms. Davis for the refresher on the work of the Department.

Item #3: Review letter from the Rental Housing Advisory Committee (RHAC)

Regan Sweeney, the Vice-Chair of the Rental Housing Advisory Committee presented this item by noting the RHAC is requesting a restatement/clarification of the charge and duties for the committee so that they can better serve the City and its citizens. Absent such revised guidance, the committee feels it is unable to take any meaningful action, and would recommend that the City Council disband the RHAC. The impetus for the request is in light of the recent expansion of the Rent Board's authority. The RHAC is separate from and independent of the Rent Board and its activities, and is seeking to avoid any duplication or otherwise redundant work. The RHAC also seeking a mechanism by which they can be effective and heard by the Housing and Economic Development Committee and City Council.

The HEDC and RHAC considered and discussed maintaining the RHAC with the charge of adopting policy that promotes solutions and enhances tenant safety (which is not under the Rent Board purview). Should however the RHAC be disbanded, the HEDC (with advice from Corporation Counsel) also discussed the procedure to amend the Ordinance (by the full Council) towards dismantling the Committee. The HEDC noted that as the oversight body, they should

provide leadership and focus on items of interest for the RHAC to address while the RHAC indicated they are looking for both a clear mission in which a tenant/landlord perspective would be of valuable input, as well as a mechanism in which to make recommendations to the Council. The HEDC will incorporate suggestions and feedback received during the discussion to formulate next steps.

Item #4: Public Hearing- Review and recommendation to the City Council- FY2024

Housing Program Budget

Ms. Davis presented 2023-2024 Housing Program Budget to the Committee. This is an annual budget for HEDC recommendation. The budget is then incorporated into the packet of Housing and Community Development items that are reviewed by the City Council in two public hearings in March and April. A brief history of the HOME Program was shared with the Committee followed by a more in-depth discussion of the Housing Program Budget which includes allocation of the HUD HOME funding, Lead Safe Housing program income and Housing Trust Fund. As HUD has not announced the 2023-2024 HOME funding, an estimated amount based on the previous year's allocation is in the budget proposal. The Lead Safe Housing Program Income is generated through repayment of loans given under prior Lead Safe Housing Grants. The City also has a Lead Hazard Reduction Grant of \$2,038,041 in funding for lead paint remediation and \$503,655 in funding to assist with code and life safety improvements. The Housing Trust Fund has a current balance of \$4,204,156. Staff recommends maintaining a minimum balance of \$500,000 which would allow an effective budget of \$3,704,156.

HUD has indicated the funding allocations for FY23-24 should be available on February 27. Subsequently, the adjusted Housing Program Budget will be available during the March and April City Council public hearings.

In response to the Committee's inquiry into the Lead Program, Ms. Davis noted the Lead Housing Program Manager position is now filled and the City is accepting applications for the five-year forgivable loans (the average loan is \$10,000 per unit but can go up to \$20,000 per unit). The lead grant is a county-wide program with a target area of Portland and Westbrook. Property owners who participate in the program agree to rent lead-safe units at certain affordability levels with priority to households with children under age six.

The Committee also asked clarifying questions regarding; the maintenance of a \$500,000 minimum balance in the Housing Trust fund to purchase a homeownership unit (to ensure the unit remains deed restricted for affordability) in case of foreclosure; the Municipal Oversight Committee (MOC) (which is made of representatives from each CDBG-County community); the role of the HEDC in determining policy goals and the mechanics for disbursement of funds from the Jill C. Duson Housing Trust Fund; the calculation of the administration budget (which is 10% of all total funding); the utilization of Tenant Based Rental Assistance to pay for security deposits and first-month's rental assistance for individuals and families residing in homeless shelters (program oversight and daily operations are based out of the City's Social Services Division); the Lead Hazard Program Income (the source of which is the repayment of previous loans and grants that does not allow for a steady stream of income that can be relied upon year to year as opposed to the actual three-year Lead Hazard Reduction Grant which has already been established); the assistance provided with completion of the *Affordable Housing Development and AHTIF Application* (staff is available and welcomes questions from applicants); if when determining funding, based on the requests received in the *Affordable Housing Development and AHTIF Application*, is there a priority for disenfranchised developers or is there a priority for specific type of housing units (funding is tied to affordability requirements of the household (not developer) for each program (HOME/HTF/AHTIF), however the Council could set parameters

around developer priority); can a priority be established to determine which households (such as asylum seekers) benefit from the HOME/HTF/AHTIF funding (the Fair Housing Act prohibits discrimination based on seven different protected categories, and prohibits discrimination on who is either eligible or ineligible for housing. Any priority determinations must take into consideration Fair Housing standards to avoid creating ineligibility criteria that discriminates); does the City try to appeal to developers who have the capacity to create large projects that would include ten or more units so that Inclusionary Zoning is triggered (the City does not fund projects to assist with meeting the requirements of Inclusionary Zoning (IZ).

HOME/HTF/AHTIF funding is for projects that go well above and beyond the affordability levels and IZ requirements); capacity is not about the anticipated margins for profit, but rather if the developer has access to technical resources and has demonstrated construction experience to complete a housing project; and who establishes the guidelines for the Jill C. Duson Housing Trust Fund (the Ordinance sets out the parameters on how the funds may be used. Staff creates an annual plan for review by the HEDC for approval and recommendation to the full Council for adoption. The annual plan establishes the funding parameters).

Chair Councilor Ali opened the meeting to public comment. Seeing no request to speak, the public comment period was closed.

On motion made by Councilor Phillips, seconded by Councilor Dion, the Committee voted unanimously (4-0) to forward the FY2024 Housing Program Budget to the City Council with a recommendation for approval.

Item #5: Public Hearing- Review and recommendation to the City Council- HOME-ARP Program Plan

Victoria Volent introduced the HOME ARP program which is intended to provide homelessness assistance and assistance to other vulnerable populations. Those vulnerable

populations include; the homeless; those at-risk of homelessness; those fleeing/attempting to flee domestic violence; and populations where assistance would prevent homelessness. The HOME ARP program provides assistance by; providing affordable rental housing; tenant based rental assistance; supportive services; and non-congregate shelter development. The Cumberland County Consortium, which is a partnership between the City of Portland and Cumberland County, received \$3,594,143 in HOME American Rescue Plan funding. To receive the funding, HUD requires the submission of an Allocation Plan describing the process undertaken by the Consortium for consultation by required groups, impacted populations, service providers, public agencies, and other organizations. The Allocation Plan is a summary of the information gathered from those consultations; it is a review of current conditions, and an assessment of the needs and gaps for qualifying populations within Cumberland County. The Allocation Plan describes the process for determining the most effective uses of the HOME ARP funding. This evening's meeting is an opportunity for review and public comment.

The Committee asked clarifying questions.

Chair Councilor Ali opened the meeting to public comment. Seeing no request to speak, the public comment period was closed.

On motion made by Councilor Rodriguez, seconded by Councilor Phillips, the Committee voted unanimously (4-0) to forward the HOME ARP Allocation Plan to the City Council with a recommendation for approval.

Item #6: Public Hearing- Review and recommendation to the City Council- Thames Street Purchase and Sale Agreement

Chair Councilor Ali asked if the Committee needed to go into executive session, and Mr. Goldman said that, at this time, it is not necessary. Should the Committee feel that it needs to

provide further direction on negotiations to staff, then it would be appropriate. The complete proposed Purchase and Sale Agreement (PSA) is in the packet for a recommendation to the City Council.

Ms. Davis said that this item has been before the Committee a few times, for the sale of the remaining portion of City-owned on Thames Street. The City Council previously approved of the Request for the Proposals for its sale, which resulted in one proposal being received. That proposal is the subject of the PSA.

Ms. Davis noted that the proposal for a mixed-use, multi-tenant office building, with the main tenant being WEX. The development is consistent with the Eastern Waterfront Master Plan to support development along Portland's waterfront adjacent to WEX's headquarters on Thames Street. The purchase price is \$1.1 Million, and the total value to the City for other in-kind contributions is \$2.69 Million. Those contributions include City ownership transfer of the Connector Road and access to 13 on-street parking spaces, cash for public restroom, easements for pedestrians through Mountfort Street Extension (from Thames to Fore Street) and Hancock Street to the Connector Road. In addition, the new construction will increase the City's tax base with an estimated \$170,000 annually in new property taxes, as well as the quality jobs for the construction and office tenant makeup. City staff recommends approval of the proposed PSA.

Councilor Phillips asked if the sales price will go to the City General Fund or to the Jill C. Dusen Housing Trust Fund.

Mr. Goldman noted that the funds are not yet ear-marked; this would be handled by the City Council as a separate item when the property sale closes.

Chair Councilor Ali opened the meeting for public comment. Seeing none, he then closed the public comment session.

A motion was then made by Councilor Phillips, seconded by Councilor Rodriguez, to forward the proposed PSA to the City Council for approval. A vote was then taken on the motion and it passed 4-0.

Item #7: Communication – No vote or public hearing required – 2023 Committee

Work Plan and Schedule.

Chair Councilor Ali noted this Communication and should Committee members have feedback to contact either him or Ms. Davis.

On motion then made by Councilor Phillips, seconded by Councilor Rodriguez, the Committee voted 4-0 to adjourn the meeting at approximately 7:35 p.m.

Respectfully, Lori Paulette and Victoria Volent

Cumberland County

142 Federal St
Portland, ME 04062



Agenda - Final

Monday, March 13, 2023

5:30 PM

Board of Commissioners

Chair Neil Jamieson, District 1

James Cloutier, District 5

Stephen Gorden, District 3

Patricia Smith, District 4

Susan Witonis, District 2

Meeting Location:
Feeney Conference Room

CALL TO ORDER**PLEDGE OF ALLEGIANCE****APPROVAL OF THE MINUTES**

1. Minutes for February 13, 2023 Meeting

Attachments: Minutes for February 2023

INFORMATIONAL REPORT/PRESENTATIONS

2. Accept the Safety and Health Award for Public Employers (SHAPE) awarded to Cumberland County Regional Communications Center from the State of Maine, Department of Labor.

COMMENTS FROM THE PUBLIC**CONSENT AGENDA**

3. [23-014](#) Authorization for the County Manager to award the bid for the purchase and install of High Density Mobile Shelving at the Registry of Deeds and enter into a contract between Cumberland County and WB Mason in the amount of \$143,737.56

Attachments: A- PP - Deeds Mobile Shelving 2023

Deeds - Bid Package High Density Mobile Shelving
DEEDS

Deeds - Scoring High Density Mobile Shelving DEEDS

Deeds - Submittal-Bid Form High Density Mobile
Shelving DEEDS

4. [23-015](#) Authorize the County Manager to submit a proposal to Department of Justice in response to a Request for Proposals for the Comprehensive Opioid, Stimulant, and Substance Use Site-based Program (COSSUP).

Attachments: PP - COSSUP Grant

Staff Memo on COSSUP Grant

5. [23-016](#) Authorize the County Manager to submit a proposal to the State of Maine Department of Public Safety in response to the FY 2023 Substance Use Disorder Assistance Program Request for Applications

Attachments: PP - Substance Use Disorder Assistance Program RFA
Staff Memo Substance Use Disorder Assistance Program
RFA

6. [23-017](#) Accepting the amounts of \$176,354.37, \$55,686.00 and \$49,189.97 from the Opioid Settlement Fund.

7. [23-018](#) Approve the allocation of \$40,000.00 in Opioid Settlement funding to cover rehabilitation services for March and April.

Attachments: PP - Allocating Opioid Funding for Treatment

ARPA BUSINESS

NEW BUSINESS

8. [23-010](#) Second Reading and Public Hearing of the HOME-ARP Allocation Plan by Community Development.

Attachments: 23-010 - b - Staff Report HOME ARP- First Reading (1)

9. [23-019](#) Executive Session Title 1 M.R.S.A. §405(6)(D) Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The discussion will be on the Teamsters #340 negotiations.

Attachments: PP - Executive Session Contract with Teamsters #340
CBA

10. [23-020](#) Authorize the County Manager to sign the 2023 Collective Bargaining Agreement between Teamsters Local #340 and the Cumberland County Commissioners.

11. [23-021](#) Executive Session under 1 M.R.S.A. §405(6)(A) for the discussion or consideration of the compensation of the newly Governor appointed Register of Probate.

Attachments: Register of Probate Salary Setting

12. [23-022](#) Approval of the annual salary for the Governor appointment of Susan G. Schwartz as the County Register of Probate.

Attachments: PP - Order to Set Register of Probate Salary

COMMENTS FROM THE COUNTY MANAGER

COMMENTS FROM THE EXECUTIVE STAFF

COMMENTS FROM THE COUNTY COMMISSIONERS

ADJOURNMENT



Cumberland County

142 Federal St
Portland, ME 04062

Staff Report

File #: 23-010

Agenda Date: 3/13/2023

Agenda #: 8.

Title For Agenda Item:

Second Reading and Public Hearing of the HOME-ARP Allocation Plan by Community Development.

Recommended Action:

Second Reading and Public Hearing of the HOME-ARP Allocation Plan by Community Development.

Background and Purpose of Request:

Second Reading and Public Hearing of the HOME-ARP Allocation Plan by Community Development.

Staff Contact: Kristen Styles, Community Development

Presentation: Yes

Fiscal Impact and Source:

See attached budget.

Effective Date if Applicable:

January 1, 2024



CUMBERLAND COUNTY COMMISSIONERS

INFORMATIONAL REPORT - STAFF UPDATE

From: Kristin Styles, Community Development Director

Date: February 6, 2023

Subject: HOME-ARP Allocation

HOME-ARP Allocation Plan Overview

In 2021, the HUD Office of Community Planning and Development announced the formula allocations for the HOME Investment Partnership Program-American Rescue Plan (HOME-ARP). HOME-ARP will provide \$5 billion nationwide to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations, by providing housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability across the county. The City of Portland/Cumberland County HOME Consortium will receive \$3,594,143 to use toward eligible activities for qualifying populations. A list of all eligible activities and qualifying populations are below:

Eligible Activities under HOME-ARP

- Development of Affordable Rental Housing
- Supportive Services - Homeless Prevention Services and Housing Counseling
- Acquisition and Development of Non-Congregate Shelter
- Non-profit Capacity of Building
- Non-profit Operating Costs
- Tenant Based Rental Assistance (TBRA)

Qualifying populations

The following is only a brief description of the four qualifying populations:

1. Homeless

- a. lacking fixed/regular and adequate nighttime residence
 - i. Nighttime residence is not designed for ordinary sleeping accommodations
 - ii. Living in public/private shelter or commercial lodging
- b. Will lose nighttime residence:
 - i. Within 14 days
 - ii. Lacks support network needed to obtain new housing
- c. Unaccompanied youth (under 25) or families with children which:
 - i. Defined by HUD as Runaway, DV or McKinney-Vento
 - ii. Not had lease or ownership in permanent housing within 60 days

2. At-Risk of Homelessness

- a. Annual income below 30% AMI as defined by HUD

Cumberland County

- b. Not had lease or ownership in permanent housing within 60 days
- c. Has been notified in writing of eviction

3. Fleeing or attempting to flee Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking

4. Other Populations

- a. Families requiring services or housing assistance to prevent homelessness
- b. At greatest risk of homelessness
- c. Annual income less than 30% AMI
- d. Cost burden of 50% monthly household income
- e. Veterans and families that include a veteran family member

Over the past year, the City of Portland/Cumberland County HOME Consortium followed the required consultation and public participation process before creating the proposed Allocation Plan. The consultation process included meetings with the following groups:

- Maine Statewide Continuum of Care
- Homeless Service Providers
- Domestic Violence Service Providers
- Veterans Groups
- Public Housing Authorities
- Public Agencies that Address the Needs of Qualifying Populations
- Public or Private Organizations that Address Civil Rights and Fair Housing
- Public or Private Organizations that Address the Needs of Persons with Disabilities
- General members of the public- a meeting soliciting HOME-ARP input

A full list of all consultations, including agency type, date, and feedback can be found in the draft HOME-ARP Allocation Plan, under the Consultation section and in Appendix A.

In addition to the consultations, the HOME Consortium used federal, state, and local data, including; the Point in Time Count, shelter bed nights, ACS, CHAS, CoC Coordinated entry, HMIS, and other data available through MaineHousing. Based on all of the information that was collected and guidance from HUD, the HOME Consortium has decided to allocate funds toward the following types of activities.

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ 763,755		
Acquisition/ Development of Non-Congregate Shelters	\$ 250,000		
Tenant Based Rental Assistance (TBRA)	\$ 0		
Development of Affordable Rental Housing	\$ 2,041,266		
Non-Profit Operating	\$ 0	0 %	5%
Non-Profit Capacity Building	\$ 0	0 %	5%
Administration and Planning	\$ 539,121	15 %	15%
Total HOME ARP Allocation	\$3,594,143		

The logo for Cumberland County, Maine, features the word "Maine" in a stylized orange script font above the words "Cumberland County" in a black sans-serif font.

Cumberland County

In an effort to encourage public participation, the HOME Consortium has asked service providers that work with the qualifying populations to post the public notice, including Cumberland County and City of Portland public hearing dates on community bulletin boards. The full plan is available on the City of Portland and Cumberland County's websites.

City of Portland:

<https://www.portlandmaine.gov/1203/Plans-and-Reports>

Cumberland County:

<https://www.cumberlandcounty.org/170/Reports-Plans>

Once all public comments are received and the plan has been reviewed and approved by the Cumberland County Commissioners and the City of Portland City Council, the Allocation Plan will be submitted to HUD for review and approval. Once approved, one or more RFPs will be released to qualified agencies and developers for the approved activity categories.

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



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

CITY COUNCIL MEETING - MARCH 20, 2023 AT 5:00 PM

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

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

REMOTE ACCESS INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

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

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/89911473409?pwd=NlIpZXRiWms3Nm9HQTNwaVZSWHlhZz09>

Passcode: 115765

Or One tap mobile :

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

Or Telephone:

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

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

Webinar ID: 899 1147 3409

Passcode: 115765

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

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

RECOGNITIONS:

Recognizing Pihcintu chorus' bronze award at the Anthem Awards - Pious Ali, Councilor

The Portland-based Pihcintu Multicultural Chorus, founded by Con Fullam, has been named a bronze award winner in the Education, Art & Culture category of the second annual Anthem Awards, an extension of the prestigious Webby Awards that are presented by the International Academy of Digital Arts and Sciences.

Recognizing Teresa Valliere, Founder of Friends of Woodfords Corner, as Maine Development Foundation's 2022 Downtown Hero - Kate Snyder, Mayor

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Minutes from the City Council Meeting of March 6, 2023

PROCLAMATIONS:

Proclamation 15-22/23 Recognizing April 2023 as Genocide Awareness and Prevention Month - Sponsored by Kate Snyder, Mayor

Proclamation 16-22/23 Recognizing April 2023 as Arab American Heritage Month - Sponsored by Kate Snyder, Mayor

Proclamation 17-22/23 Recognizing April 1-7, 2023 as The Week of the Young Child - Sponsored by Kate Snyder, Mayor

Proclamation 18-22/23 Recognizing April 3-9, 2023 as National Public Health Week - Sponsored by Kate Snyder, Mayor

CONSENT ITEMS:

Order 150-22/23 Declaring August 6 to 9, 2023 the Circus Smirkus at Payson Park Festival - Sponsored by Danielle P. West, Interim City Manager

Longtime local arts promoter Portland Ovations will be presenting Circus Smirkus in Payson Park with performances on August 7 and 8. The production will involve set-up and break-down on August 6 and 9.

Circus Smirkus is a New England-based touring circus that has been in business since 1987. Their 2023 Big Top Tour Troupers features young folks from the ages of 11-18 from all over the United States and Canada. There will be two performances on both August 7 and August 8 in the Circus Smirkus One Ring Tent. Each performance can seat up to 750 audience members, and there will be a charge for admission.

Order 151-22/23 Declaring June 11, 2023 the Resurgam Music Festival - Sponsored by Danielle P. West, Interim City Manager

The Maine Academy of Modern Music will present its second annual Resurgam Music Festival in Portland's waterfront, Amethyst Lot, Moon Tide Park, Ocean Gateway and Ocean Gateway Parking Lot and a portion of the queuing lanes, on Sunday June 11, 2023. Resurgam is an inclusive community-minded music and arts festival that will showcase Portland's creativity and youth. This event is free and open to the public.

Five affirmative votes are required for passage of the Consent Calendar after public comment.

LICENSES:

Order 152-22/23 Granting Municipal Officers' Approval of One City Wine Academy Inc, dba Citrus. Application for Class A Lounge with Indoor Entertainment and Outdoor Dining on Private Property at 1 City Center - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 3/1/23. New City and State applications. Establishment currently holds Class I FSE.

Five affirmative votes are required for passage after public comment.

Order 153-22/23 Granting Municipal Officers' Approval of Cera LLC, dba Cera. Application for Class III & IV FSE with Outdoor Dining on Public Property at 1 Monument Square, STE 103 - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 3/1/23. New City and State applications. Establishment currently holds FSE with Prep.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Communication 27-22/23 Regarding Staff Implementation of LD 2003 (An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions) - Christine Grimando, Director of Planning & Urban Development

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

RESOLUTIONS:

Resolution 7-22/23 Adopting the Fiscal Year 2023-2024 Housing and Community Development Annual Action Plan including Appropriations for the Community Development Block Grant, HOME, and Emergency Solutions Grant Programs and Certifications Pertaining Thereto - Sponsored by Danielle P. West, Interim City Manager

The 2023-2024 Housing and Community Development Program Annual Action Plan reports to the U.S Department of Housing and Urban Development (HUD) a total estimated budget of \$7,025,091 (Community Development Block Grant ("CDBG") Entitlement Funds \$1,843,198, \$30,000 Downtown TIF funding, \$20,000 Cotton St proceeds, HOME Program Grant \$1,037,237, Program Income and Recapture \$119,312; Lead Safe Housing Program Income \$13,827; local Housing Trust Fund \$3,704,156; \$162,241 Emergency Solutions Grant ("ESG") funds).

The CDBG Annual Allocation Committee, appointed by the City Council, reviewed each application and made funding recommendations that will be presented to the Council. The City Manager reviewed the Committee's recommendations and submitted her funding recommendations to the Council which include recommendations for CDBG-CV funding. The Housing and Economic Development Committee reviewed the Housing Program Budget at their meeting on February 22, 2023 and voted unanimously (4-0) to recommend City Council approval of the budget.

The City's public participation process requires two public hearings to consider the City's Housing and Community Development Program proposal. The hearings allow the public to comment on the City's Consolidated Annual Action Plan. Public hearings for FY24 are set for March 20 and April 10.

This item must be read on two separate days. This is its first reading and first public hearing. At the second public hearing on April 10, five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 147-22/23 Authorizing General Obligation Bonds to Finance a Portion of the City's Fiscal Year 2024 Capital Improvement Program in an Amount not to Exceed \$17,455,000 - Sponsored by the Finance Committee, Mark Dion, Chair

The Finance Committee met on February 9, 2023 and voted (3-0) to recommend the funding appropriation and bond authorization to the full City Council.

The Fiscal Year 2024 Capital Improvement Plan (FY24 CIP) has been in development since early 2022. The FY24 CIP will not increase net debt service related to CIP projects in future City budgets as it was sized to simply offset other CIP debt being retired. The list of 2024 CIP calls for \$24,530,000 of new projects but only \$10,600,000 of this total will have a net impact to debt service in the general fund operating budget. A variety of other funding sources including the enterprise funds (for sewer and stormwater projects) are being used to finance the remainder. The \$10.6M was a borrowing target set by Finance staff in order to simply offset general fund CIP being retired. An additional \$6,855,000 of new general obligation bonds will be repaid via sewer user fees and stormwater service charges. Two orders are required related to the CIP: one authorizing the FY24 CIP bonds; and a second appropriating the proceeds and other funding sources providing City staff with spending authority for the upcoming projects. A complete listing of the projects being authorized is included within the orders.

This item must be read on two separate days. It received its first reading on March 6, 2023. Seven affirmative votes are required for passage after public comment.

Order 148-22/23 Appropriating Bond Proceeds and other Funds in an Amount not to Exceed \$24,530,000 for the City's Fiscal Year 2024 Capital Improvement Program - Sponsored by the Finance Committee, Mark Dion, Chair

This is a companion order to the bond authorization order above.

This item must be read on two separate days. It received its first reading on March 6, 2023. Five affirmative votes are required for passage after public comment.

Order 149-22/23 Amendment to Zoning Map Re: IM-b Industrial-Moderate Impact on Industrial Way - Sponsored by the Planning Board, Maggie Stanley, Chair

On January 24, 2023, the Planning Board voted (6-1; Silk opposed) to find the proposed zoning map amendment from I-M Industrial-Moderate Impact to I-Mb Industrial-Moderate Impact to be consistent with the Comprehensive Plan for the City of Portland and recommends to the City Council adoption of the zoning map amendment for the area of land that includes 50 Industrial Way and parcels 326 B001001, 326 B005001, 326

B007001, 326 B008001, 327A A001001, 327A A007001, 327A A008001, 327A A009001, and 326 C005001. The proposed zoning map amendment application was submitted by 50 Industrial Way LLC. on behalf of Allagash Brewery. This application would facilitate the expansion of Allagash Brewery to accommodate future growth and operations over the coming decade at 50 Industrial Way in the Riverton neighborhood.

This item must be read on two separate days. It received its first reading on March 6, 2023. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 154-22/23 Approving the HOME American Rescue Plan Allocation Plan - Sponsored by the Housing and Economic Development Committee, Councilor Pious Ali, Chair

The Housing and Economic Development Committee met on February 21, 2023 and voted 4-0 to forward this item to the full council for approval.

The City of Portland and Cumberland County have prepared the HOME American Rescue Plan (ARP) Allocation Plan in response to the ARP distribution of \$3,594,143 in HOME ARP funds for homelessness assistance and assistance to other vulnerable populations to provide affordable rental housing, tenant-based rental assistance, supportive housing services, and non-congregate shelter development. Prior to submission of the HOME ARP Allocation Plan to U.S. Department of Housing and Urban Development (HUD), the City is required to conduct public outreach, including a public hearing, to ensure the distribution of HOME-ARP funds is aligned with public sentiment.

Five affirmative votes are required for passage after public comment.

Order 155-22/23 Approving the Rules of the Rent Board - Sponsored by Danielle P. West, Interim City Manager

This item approved new Rules for the Rent Board. The recent revision to Chapter 6 approved by the voters on November 8, 2022 amended Section 6-263 (i) to make any rules and standard policies adopted by the Rent Board subject to Council approval. The recent revision also amended the way in which the Rent Board reviews and analyzes requests from landlords for rent increases and requires the Rent Board, among other things, to adopt a Maintenance of Net Operating Income (“MNOI”) methodology. The Rent Board approved the amended Rules and an MNOI worksheet at its February 22, 2023 meeting. The Rent Board is required to apply this new methodology when reviewing all applications after March 1, 2023. The next Rent Board meeting is scheduled for March 22, 2023 which is what gives rise to the request for emergency passage.

Staff requests that this item be passed as an emergency, in order to allow the Rent Board to apply these rules at its March 22, 2023 meeting. Seven votes are required for passage as an emergency following public comment.

Order 156-22/23 Accepting and Appropriating a \$39,270 Donation for the Reconstruction of the Basketball Court on Great Diamond Island - Sponsored by Danielle P. West, Interim City Manager

The basketball court on Great Diamond Island is an important public resource for residents and visitors; however, because of its current disrepair, it is not playable. This anonymous donation would help fund vital reconstruction, to include pickleball lines to afford multiple uses of this public resource.

The total project cost is expected to be \$77,000. The anonymous donation represents 51% of the total project cost, with the remainder being pursued through CIP funds (via Order 148, also included in this agenda).

Five affirmative votes are required for passage after public comment.

Order 157-22/23 Setting an Election Date on a Citizen Initiative Amendment to the Portland City Code Re: an Act to Improve Tenant Protections - Sponsored by Ashley Rand, City Clerk

The public hearing for this Citizen Initiative was set at the March 6, 2023 City Council meeting. Along with receiving public comment, the City Council will vote to set the election date of June 13, 2023 for this item and to approve the language of the summary that will appear on the ballot. That language is as follows:

An Act to Improve Tenant Protections maintains all tenant protections established in the existing Rent Control and Tenant Protections ordinance. The Act removes incentives for landlords to increase rents for existing tenants and discourages no-cause evictions by allowing for the establishment of new Base Rents at the time of a new tenancy, but only in instances when the prior tenant moves out voluntarily. The Act also brings Portland's rent stabilization ordinance into alignment with most local and national rent stabilization ordinances.

Five affirmative votes are required for passage after public comment.

ADJOURNMENT:

Public Comment Received 3.20.23 Portland City Council Meeting

George Rheault, of West Bayside, Portland

Highlight 2/3 of money to go towards potential housing development. Wants to be clear that there is very few actual places where this type of development can occur in Cumberland County because community after community have shut down, through a short term moratorium or zoning out poor people, and made it virtually impossible for this money to be used in the short term; if someone actually took the time to read through the plan they would find that it is an enormously long bureaucratic slug of paper that exhaustively talks about the busy work that went into completing this so called plan and it really comes down to whether middle class or upper middle class people in Cumberland County are going to allow more people to live near them and the answer is no. This council has shown, supposedly the most diverse and progressive city council, you are deathly afraid of making any move that upsets the neighbors whether it's a music festival, shelter or affordable housing, literally scheduling a celebration of a "shelter" next to a propane tank farm, next to a scrap metal yard, waste management dumpster facility, next to a tree cutting yard, this is a complete and total failure of everything people in this city claim to champions of, its exclusion, its "I don't care who you are don't get close to me, don't live near me" if I think you're going to bother me. The solution right now is to hand over most of Bayside to Port Properties. Three-minute allowable public comment ended.

Council recording begins at 2:06:05

<http://portlandme.civicclerk.com/Web/Player.aspx?id=3939&key=-1&mod=-1&mk=-1&nov=0>

HOME-ARP CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the participating jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing pursuant to 24 CFR 5.151 and 5.152.

Uniform Relocation Act and Anti-displacement and Relocation Plan --It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It will comply with the acquisition and relocation requirements contained in the HOME-ARP Notice, including the revised one-for-one replacement requirements. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42, which incorporates the requirements of the HOME-ARP Notice. It will follow its residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the HOME-ARP program.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and program requirements.

Section 3 --It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

HOME-ARP Certification --It will use HOME-ARP funds consistent with Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) and the CPD Notice: *Requirements for the Use of Funds in the HOME-American Rescue Plan Program*, as may be amended by HUD, for eligible activities and costs, including the HOME-ARP Notice requirements that activities are consistent with its accepted HOME-ARP allocation plan and that HOME-ARP funds will not be used for prohibited activities or costs, as described in the HOME-ARP Notice.


Signature of Authorized Official

03/23/2023
Date

Interim City Manager
Title

Application for Federal Assistance SF-424*** 1. Type of Submission:**

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

*** 2. Type of Application:**

- ☐ New
☒ Continuation
☐ Revision

*** If Revision, select appropriate letter(s):***** Other (Specify):***** 3. Date Received:**

03/23/2023

4. Applicant Identifier:**5a. Federal Entity Identifier:**

ME232484

5b. Federal Award Identifier:

M21-DP230200

State Use Only:**6. Date Received by State:****7. State Application Identifier:****8. APPLICANT INFORMATION:***** a. Legal Name:** City of Portland, Maine*** b. Employer/Taxpayer Identification Number (EIN/TIN):**

01-6000032

*** c. UEI:**

LZKCFJXBAC8

d. Address:*** Street1:** 389 Congress Street**Street2:***** City:** Portland**County/Parish:***** State:** ME: Maine**Province:***** Country:** USA: UNITED STATES*** Zip / Postal Code:** 04101-3566**e. Organizational Unit:****Department Name:**

Housing and Economic Dev.

Division Name:

Housing and Community Dev.

f. Name and contact information of person to be contacted on matters involving this application:**Prefix:**

Ms.

*** First Name:**

Mary

Middle Name:

P

*** Last Name:**

Davis

Suffix:**Title:** Housing and Economic Dev Interim Director**Organizational Affiliation:***** Telephone Number:** 207-874-8711**Fax Number:** 207-874-8949*** Email:** mpd@portlandmaine.gov

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

U.S. Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Partnerships Program

* 12. Funding Opportunity Number:

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

The Cumberland County HOME Consortium, with the City of Portland as the lead entity, will administer the HOME-ARP program to address the need for homelessness assistance and supportive services.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	3,594,143.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	3,594,143.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email:

* Signature of Authorized Representative:

* Date Signed:

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Interim City Manager
APPLICANT ORGANIZATION City of Portland, Maine/Cumberland County HOME Consortium	DATE SUBMITTED 03/23/2023

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ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

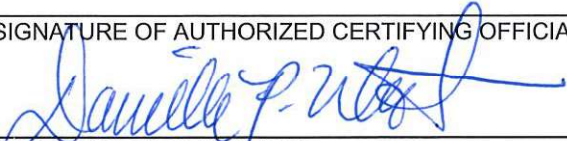
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
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8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 		TITLE Interim City Manager, City of Portland
APPLICANT ORGANIZATION City of Portland, Maine/Cumberland County HOME Consortium		DATE SUBMITTED 03/23/2023

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MEMORANDUM
City Council Agenda Item

FROM:

DATE: March 4, 2024

SUBJECT: Order 180-23/24 Regarding Application to Reclassify 142 Free Street as a Noncontributing Structure in the Congress Street Historic District - Sponsored by the Planning Board, Brandon Mazer, Chair

SPONSOR: Brandon Mazer, Chair, City of Portland Planning Board

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/22/2024

Final

Action 5/6/2024

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

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

PRESENTATION: Brandon Mazer, Chair Planning Board; Christine Grimando, Director Planning & Urban Development; Kevin Kraft, Deputy Director Planning & Urban Development; Evan Schueckler, Historic Preservation Program Manager (5 minutes)

I. SUMMARY

Upon recommendations to retain the contributing classification from the Planning Board and Historic Preservation Board, the City Council will be considering a request from the Portland Museum of Art (PMA) to have their building at 142 Free Street reclassified from a contributing to a noncontributing building within the Congress Street Historic District.

II. AGENDA DESCRIPTION

On February 27, 2024, the Planning Board voted 5-1 (Smith recused) to recommend retaining the contributing classification for the building at 142 Free Street located within the Congress Street Historic District. The Planning Board's deliberations and recommendations were pursuant to the unanimous 5-0 (Paquin Gould recused) recommendation of the Historic Preservation Board on November 1, 2023 to retain the contributing classification as well as the materials and documentation submitted by the applicant, public comment, and the information provided at the public hearing.

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

III. BACKGROUND

The building at 142 Free Street was originally constructed in 1830 as a theater building. Shortly, thereafter in 1836, the structure was renovated into a temple-fronted Greek revival church for the Free Street Baptist Church. Then, again in 1856, the church was renovated into an asymmetrical double-spired Italianate/Romanesque revival church. In 1926, the structure was sold to the Portland Chamber of Commerce. The Chamber retained architect John Calvin Stevens to complete renovations to the structure. It was at this time that the building was redesigned to its current Greek or colonial revival temple-fronted form. The Chamber retained the building until 1991 when, after financial difficulties, it was sold to the Children's Museum of Maine. Under the ownership of the Children's Museum, the structure underwent further alterations including programs of window and door replacement, dormer additions, and the addition of the

prominent octagonal cupola.

In 2009, the City Council unanimously approved the Congress Street Historic District. As part of the historic district designation, the building located at 142 Free Street was listed as a contributing structure to the district. Subsequently, in 2010 the historic district received certification from the National Park Service.

In 2019, the Portland Museum of Art (PMA) purchased the building at 142 Free Street from the Children's Museum & Theater of Maine. In 2022, the PMA launched the Portland Museum of Art Campus Unification + Expansion International Design Competition and Request for Qualifications, inviting designers to develop a concept design for campus expansion and unification as part of the PMA *Blueprint Project: Building a Landmark for the Future*.

Formal consideration of the PMA's request to reclassify the building at 142 Free Street commenced at the September 6, 2023 Historic Preservation Board meeting, when two members of the Board voiced their sponsorship to initiate review of the reclassification pursuant to Section 17.5.9 of the Land Use Code.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Reclassification of the building at 142 Free Street would mean that building alterations would be reviewed under different standards within the Historic Preservation Ordinance, and would allow the by-right demolition of the existing building. The PMA is seeking reclassification to facilitate the construction of a new building at 142 Free Street.

V. FINANCIAL IMPACT

No additional staffing is anticipated with the proposed designation.

VI. STAFF ANALYSIS AND BACKGROUND

The attached report includes a full discussion of the specifics of the reclassification request, criteria for review, deliberations by the Planning Board and Historic Preservation Board, the range of public comment received, and supporting documentation.

VII. RECOMMENDATION

The Planning Board voted 5-1 (Smith recused) to recommend retaining the contributing classification of the building at 142 Free Street.

VIII. LIST ATTACHMENTS

1. Order - Proposed Historic District Amendment Reclassification of 142 Free Street
2. Free St. - 142 (City Council Report)
3. Free St. - 142 (Att. 0 - PB Report)
4. Free St. - 142 (Att. 0A - PB Signed Notice of Decision)
5. Free St. - 142 (Att. 1 - PMA Application to PB 11.8.23)
6. Free St. - 142 (Att. 1A - Revised PMA Application to PB 1.31.24)
7. Free St. - 142 (Att. 2 - Congress Street Historic District Description)
8. Free St. - 142 (Att. 3 - Property Description)
9. Free St. - 142 (Att. 4 - Chapter 14, Article 17 Excerpts)
10. Free St. - 142 (Att. 5 - NR Bulletin-How to Apply the NR Criteria)
11. Free St. - 142 (Att. 6 - 11-1-2023 HPB PH Report)
12. Free St. - 142 (Att. 7 - HPB_PB Public Comment)
13. Free St. - 142 (Att. 8 - Director Grimando Sponsorship Memo)
14. Free St. - 142 (Att. 9 Corp Counsel Memo to Planning Board)
15. Public Comment - Order 180

Prepared by:

Date: 03/04/2024

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

**ORDER REGARDING APPLICATION TO RECLASSIFY
142 FREE STREET AS A NONCONTRIBUTING STRUCTURE
IN THE CONGRESS STREET HISTORIC DISTRICT**

WHEREAS, on March 16, 2009, the Portland City Council by Order 164-08/09 designated the Congress Street Historic District (the “District”), which includes the building located at 142 Free Street (the “Building”) as a contributing structure; and

WHEREAS, the Portland Museum of Art (“PMA”), which owns the Building, has requested that the Building be reclassified as a noncontributing structure within the District; and

WHEREAS, on November 1, 2023, the Historic Preservation Board voted (5-0) to recommend that the Planning Board and the City Council vote to retain the contributing classification for the Building; and

WHEREAS, the Planning Board also voted (5-1) at its February 27, 2024 meeting to recommend that the City Council vote to retain the contributing classification for the Building as set forth in the attached Recommendation Of Planning Board dated (the Planning Board Recommendation); and

WHEREAS, on May 6, 2024, the City Council held a public hearing on PMA’s request to reclassify the Building as a noncontributing structure within the District and considered the testimony, comment, written materials, and other information submitted to the City Council at the hearing, as well as the findings, conclusions, and recommendations contained in the Planning Board Recommendation, which is attached hereto and incorporated herein by reference.

NOW, THEREFORE BE IT ORDERED, that the City Council hereby adopts the Planning Board’s findings and conclusions contained in the Planning Board Recommendation, and, pursuant to Portland City Code, Chapter 14, Section 17.5.9, the Building shall continue to be classified as a contributing structure in the District.

Planning Board Report to the City Council

Reclassification of 142 Free Street
142 Free Street | CBL: 039 003001
Portland Museum of Art, Applicant



Submitted to:	Mayor Dion & members of the Council	Prepared By:	Kevin Kraft, P&UD Interim Director Evan Schueckler, P&UD Historic Preservation Program Manager
1 st Reading:	April 22, 2024	Date:	March 1, 2024
Public Hearing:	May 6, 2024		

I. INTRODUCTION

On February 27, 2024, the Planning Board voted 5-1 (Chann opposed, Smith recused) to recommend to the City Council that the building located at 142 Free Street retain its designation as a Contributing Structure within the Congress Street Historic District (Attachment oA). The Planning Board's final deliberations and vote followed one workshop and a [February 13, 2024](#) public hearing. Final deliberations and a vote were tabled to [February 27, 2024](#) due to the Board requesting clarification from Corporation Counsel on the applicable review standards.



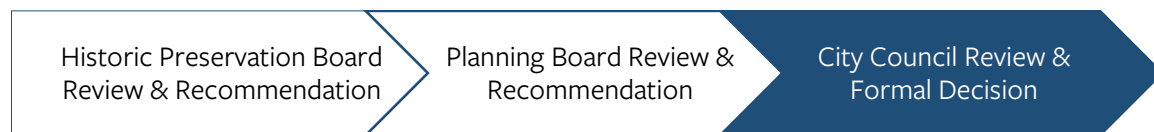
Figure 1: Map of Congress Street Historic District showing location of 142 Free Street (Contributing Structure) with star. Contributing buildings identified in red, Landmarks identified in purple, non-contributing properties shown in gold & gray.



Figure 2: 142 Free Street (Former Children's Museum/Chamber of Commerce Building)

II. ROLE OF THE CITY COUNCIL

Under Section 17.5.9 of the historic preservation ordinance (Attachment 4), amendments or recessions of designations follow a three-step review process, with first the Historic Preservation Board, then the Planning Board making a recommendation to the City Council. The final decision rests with the City Council. Upon receipt of the Planning Board's recommendation, the City Council must consider whether the building located at 142 Free Street meets the minimum criteria for designation standards provided in Section 17.4.1(A) and whether the building retains sufficient integrity under the standards provided in Subsection 17.4.2, *Integrity of Landmarks and Historic Districts*.



III. BACKGROUND

On August 31, 2023, Portland Museum of Art (hereinafter “PMA”) submitted a request to have their property at 142 Free Street reclassified from a contributing to a noncontributing building within the Congress Street Historic District (Figure 1 and Figure 2). The proposed reclassification to noncontributing would mean that building alterations would be reviewed under different standards within the Historic Preservation Ordinance, and would allow demolition of the existing building. The applicant is not proposing to change the boundaries of the Congress Street Historic District, though, so, even if the building is reclassified, any future alterations, or new construction on the site would remain subject to the applicable review standards of the Historic Preservation Ordinance.

At the September 6, 2023 Historic Preservation Board meeting, the Board received PMA's request to reclassify 142 Free Street as noncontributing within the Congress Street Historic District. In order for the reclassification to progress through review, two members of the Historic Preservation Board needed to sponsor their request. Chair O'Brien and Vice Chair Miller voiced their sponsorship initiating review of PMA's request (Attachment 8).

History of Building

The building at 142 Free Street was originally constructed in 1830 as a theater building. No images of the structure exist from this period; however, descriptions suggest a late federal or Greek revival style. Shortly thereafter in 1836, the structure was renovated into a temple-fronted Greek revival church for the Free Street Baptist Church. Then, again in 1856, the church was renovated into an asymmetrical double-spined Italianate/Romanesque revival church. In 1876, after the taller of the church's spires was damaged in a storm, the steeple was redesigned. Throughout the Free Street Baptist Church's ownership of the structure, they made a series of other modest interior renovations in addition to the major redesigns.



Figure 3: 142 Free Street building over time (1856 – 1958)

In 1926, after a merger with another Baptist Church, the structure was sold to the Portland Chamber of Commerce. The Chamber retained architect John Calvin Stevens to complete renovations to the structure. It was at this time that the building was redesigned to its current Greek or colonial revival temple-fronted form. The Chamber retained the building until 1991 when, after financial difficulties, it was sold to the Children's Museum of Maine. Under the ownership of the Children's Museum, the structure underwent further alterations including programs of window and door replacement, dormer additions, and the addition of the octagonal cupola (Figure 4).

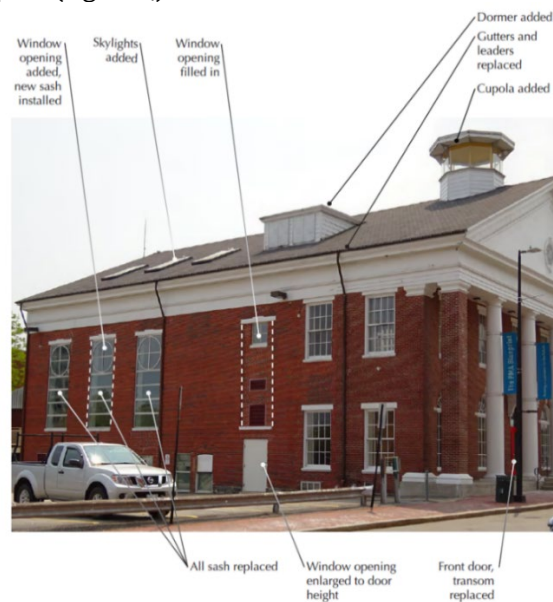


Figure 4: Exterior Alterations to 142 Free Street made for the Children's Museum in the early 1990s

Local Congress Street Historic District Designation

In 2009, the building located at 142 Free Street was listed as a contributing structure within the local Congress Street Historic District. The description of 142 Free Street in the Congress Street Historic District (Attachment 3) is as follows:

Architectural Description/Historic Significance:

Free Street Baptist Church (1830-1926)

Portland Chamber of Commerce Building (1926 – 1993)

1830 (theater), 1836 (renovated as church), 1926 (renovated to present form)

Originally built as a theater in 1830 and remodeled into a Romanesque style church in 1836, the Free Street Baptist Church was substantially renovated in 1926 by John Calvin Stevens and John Howard Stevens for the Chamber of Commerce and became an essentially Colonial Revival style building. The building is a dignified two-story structure with four monumental concrete columns of the Doric order and 2 brick piers and 2 pilasters. There is a symmetrical façade under the fullwidth two-story porch. The upper windows have 8/8 sash capped by flush stone lintels. The ground floor has a doorway surmounted by a balcony on brackets with a replaced doorway of glass and aluminum. It is flanked by 10/10 sash topped by semi-circular windows in elliptical keystone arches. In the flush board pediment is a bull's eye window. The frieze and cornice are boldly delineated. The roofline was free of any dormers, thus maintaining its temple shape, until renovated for the Children's Museum of Maine in the 1990s. The octagonal cupola and dormers were added at that time.

For a more thorough documentation of the history of the building at 142 Free Street, including extensive images and documentation of alterations, please see PMA's commissioned report by Margaret Gaertner included in the applicant's materials (Attachment 1). Additional information on the Congress Street Historic District can be found in the attachments (Attachments 2 and 3) and on the city website:

<https://www.portlandmaine.gov/665/Historic-Districts>

Present

In 2019, PMA purchased the building at 142 Free Street from the Children's Museum & Theater of Maine, who relocated to a new state-of-the-art museum at Thompson's Point. In 2022, PMA launched the [Portland Museum of Art Campus Unification + Expansion International Design Competition](#) and Request for Qualifications, inviting designers to develop a concept design for campus expansion and unification as part of the [PMA Blueprint](#). PMA received 104 entries, submitted by architectural teams from 20 different countries. Four finalists were chosen, Adjaye Associates, LEVER Architecture, MVRDV, and Toshikio Mori Architect. LEVER Architecture was selected as the winning firm of the International Design Competition for their conceptual design (Figure 5). The International Design Competition was an initiative undertaken by PMA. The City of Portland does not regulate or oversee private initiatives such as design competitions to develop concepts.



Figure 5: Rendering of the proposed concept for expansion at 142 Free Street by LEVER Architecture (Source: PMA)

IV. APPLICABLE REVIEW STANDARDS

ANALYSIS OF APPLICABLE REVIEW STANDARDS

The analysis rests primarily on the questions of whether the building at 142 Free Street meets the Minimum Criteria for Designation outlined in Section 17.4.1(A) and whether the building meets the Integrity of Landmarks and Historic Districts outlined in Section 17.4.2.

The applicant submitted materials to the Planning Board in a letter dated November 8, 2023 (Attachment 1). Following the Planning Board workshop, the applicant submitted updated materials on January 31, 2024 (Attachment 1A). The revised materials (Attachment 1A) attempt to address questions and comments that arose during the first Planning Board workshop and provide additional information regarding why the applicant believes the building at 142 Free Street does not meet the Minimum Criteria for Designation (Section 17.4.1(A)) and the Integrity of Landmarks and Historic Districts (Section 17.4.2). When reviewing the request for reclassification, the Council should refer to Attachment 1 and Attachment 1A as the applicant's official materials.

Section 17.4.1.A Minimum Criteria for Designation

17.4.1.A Minimum Criteria for Designation	<i>The Historic Preservation Board (City Council) shall limit its consideration to the following criteria in making a determination on a proposed nomination of an area, site, structure, or object for designation by ordinance as a landmark or district:</i>
1	<i>Its value as a significant example of the cultural, historic, architectural, archaeological, or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States.</i>
2	<i>Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property.</i>
3	<i>Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archaeological, or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States.</i>

4	<i>Its exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.</i>
5	<i>Its identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.</i>
6	<i>Its representation of a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.</i>

Section 17.4.2. Integrity of Landmarks and Historic District

The applicable review standards associated with Section 17.4.2 Integrity of Landmarks and Historic Standards is provided below:

17.4.2 Integrity of landmarks and historic districts	<i>Any area, structure, or object that meets the criteria in Section 17.4.1 must also have sufficient integrity of location, design, condition, materials, and workmanship to make it worthy of preservation or restoration.</i>
1	<i>Location</i>
2	<i>Design</i>
3	<i>Condition</i>
4	<i>Materials</i>
5	<i>Workmanship</i>

V. HISTORIC PRESERVATION BOARD REVIEW

On [October 4, 2023](#), the Historic Preservation Board held an initial workshop on the reclassification request. During the workshop, the applicant presented background information on the proposed expansion of the PMA campus and preliminary information on their planned future development. Board members asked the applicant about whether consideration had been given to reusing the existing building or incorporating elements of it. The applicant stated that they had, but felt that the challenges were too great and that they had not received a positive reception by the public for those versions of their conceptual project. A few members of the Board expressed support for PMA's vision for the future, but noted that the building still retained its integrity and that alterations to the building were not significant enough to warrant reclassification.

On [November 1, 2023](#), the Historic Preservation Board held a Public Hearing and voted unanimously 5-0 (Paquin-Gould recused) to recommend that the Planning Board and City Council vote to retain the contributing classification for the former Chamber of Commerce Building at 142 Free Street (Attachment 6). Based on the materials supplied by the applicant (including the extensive report on the history of 142 Free Street) (Attachment 1) and the materials from the designation of the Congress Street Historic District in 2009, Board members agreed that the existing structure had been correctly deemed contributing when the District was established. Board members noted that while the building had a long history of alterations from its original construction in 1830, it still retained a high degree of integrity relative to the 1926 redesign by John Calvin Stevens. Alterations noted by the applicant in their materials were acknowledged by the Board, but members noted that window replacements and additions are regularly approved alterations to contributing structures. Several Board members praised the intentions behind the proposed expansion with several noting that they personally appreciated the conceptual design of the new building. One

member of the Board shared an enthusiasm for the conceptual design but noted that the review purview was focused solely on the criteria for designation and integrity of the building standards. There was general agreement that the applicant had not provided a basis by which the Board could recommend that the structure be reclassified as noncontributing.

VI. PLANNING BOARD REVIEW

Upon receipt of the Historic Preservation Board's recommendation, the Planning Board held a workshop on [November 28, 2023](#). Workshop topics included:

- Role of the Planning Board in the review of historic district nominations and reclassification requests
- Explanation of historic preservation ordinance's designation and integrity criteria
- Summary of Historic Preservation Board review process and recommendation
- Context of reclassification initiative – what prompted this request from the PMA?
- Clarification regarding the PMA design competition
- Impact of reclassification on the ability for other properties in the Congress Street Historic District to access federal historic tax credits.
- Clarification regarding the applicable review standards and how to handle conflicting provisions in the Land Use Code

Following the workshop, the Planning Board held a public hearing on [February 13, 2024](#) and [February 27, 2024](#). Planning Board deliberations were wide ranging and exhaustive. During deliberations, a number of questions were raised including clarification regarding the applicable review standards and if the City's Comprehensive Plan is a discrete criterion for the Planning Board and City Council to consider when reviewing an amendment or recession of any historic designation. City staff and Corporation Counsel explained that unlike designation of an area or landmark, according to *Section 17.5.9 Amendment or rescission of designation*, when the Planning Board and City Council are reviewing amendments or rescissions of any historic district, they are not to consider the effect of an amendment on aspects of the Comprehensive Plan (Attachment 9). Similar to the Historic Preservation Board, the Planning Board and City Council are required to limit their consideration to the criteria specified in Sections 17.4.1(A) and (B) and 17.4.2. Therefore, the Planning Board and City Council do not consider the effect of such designation on other aspects of the Comprehensive Plan of the City when reviewing the applicant's request.

Ultimately, Board member Chann expressed the view that the building should be reclassified to noncontributing based on the materials provided by the applicant and the alterations made to the building, and voted against retaining the contributing classification.

The five other members of the Board voted to recommend to the City Council that the building retain its classification as contributing. They found that the building at 142 Free Street, originally constructed in 1830 and renovated by the Chamber of Commerce in 1926, still remained in its historic location and in good structural condition. They noted that in 1976, the Spring Street Historic District was added to the National Register of Historic Places and in 2020 the National Register listing was updated with an expanded period of significance (1800-1943), at which point the 142 Free Street building was listed as a contributing resource within the National Register District. Furthermore, in 2009, the building located at 142 Free Street was identified as a contributing structure within the local Congress Street Historic District. The Board noted that the building had been reviewed many times and was deemed contributing in two separate instances, both nationally and locally. Additionally, members of the Board believed that although the building had

undergone alterations over the years, including the replacement of doors and windows, it retained a high degree of integrity relative to the 1926 redesign by John Calvin Stevens and that the alterations did not irretrievably destroy the character of the building (Attachment o & Attachment oA).

VII. PLANNING BOARD RECOMMENDATION

Following deliberations and on the basis of the November 1, 2023 recommendation of the Historic Preservation Board, materials and documentation submitted by the applicant, public comment and the information provided at the public hearing on February 13, 2024 and February 27, 2024, the Planning Board voted 5-1 (Chann opposed, Smith recused) to recommend to the City Council that the building located at 142 Free Street retain its designation as a Contributing Structure within the Congress Street Historic District (Attachment o & Attachment oA).

VIII. ATTACHMENTS

- Att. o – PB Report
- Att. oA – PB Signed Notice of Decision
- Att. 1 – PMA Application to PB 11.8.23
- Att. 1A – Revised PMA Application to PB 1.31.24
- Att. 2 – Congress Street Historic District Description
- Att. 3 – 142 Free Street Property Description
- Att. 4 – Chapter 14, Article 17 Excerpts
- Att. 5 – NR Bulletin-How to Apply NR Criteria
- Att. 6 – 11-1-2023 142 Free HPB PH Report
- Att. 7 – HPB_PB Public Comment
- Att. 8 – Director Grimando Sponsorship Memo
- Att. 9 – Corp Counsel Memo to Planning Board

Proposed Historic District Amendment – Reclassification of 142 Free Street
142 Free Street | CBL: 039 0003001
Minimum Criteria for Designation & Integrity of Landmarks & Historic Districts
Portland Museum of Art, Applicant

Submitted to:	Portland Planning Board	Prepared By:	Kevin Kraft, AICP
Public Hearing Date:	February 13, 2024	Date:	February 12, 2024

I. INTRODUCTION

The Portland Museum of Art (PMA) has submitted a request to have their property at 142 Free Street reclassified from a contributing to a noncontributing building within the Congress Street Historic District (Figure 1 and Figure 2). The proposed amendment would mean that building alterations would be reviewed under different standards within the Historic Preservation Ordinance, and would allow by-right demolition of the existing building. The applicant is not proposing to change the boundaries of the Congress Street Historic District, meaning that any future alterations, or new construction on the site would still be subject to the applicable review standards of the Historic Preservation Ordinance.

The Planning & Urban Development Department mailed 209 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the February 2 and February 3, 2024 editions of the *Portland Press Herald*.

On November 1, 2023, the Historic Preservation Board voted unanimously 5-0 (Paquin-Gould recused) to recommend that the Planning Board and City Council vote to retain the contributing classification for the former Chamber of Commerce Building at 142 Free Street within the Congress Street Historic District. The Board based its decision on the submitted documentation provided by the applicant (Attachment 7), staff report and findings by the Board pursuant to Section 17.4.1(A) and Section 17.4.2 (Attachment 6).



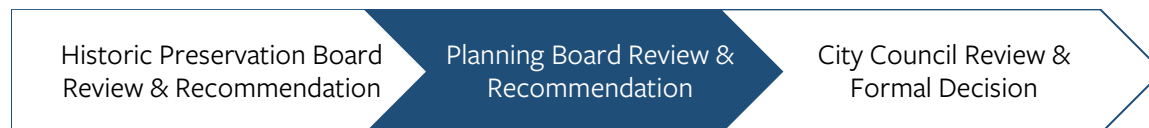
Figure 1: Map of Congress Street Historic District showing location of 142 Free Street (Contributing Structure) with star.



Figure 2: 142 Free Street (Former Children's Museum/Chamber of Commerce Building)

II. ROLE OF THE PLANNING BOARD

Under the provisions of Section 17.5.9 of the historic preservation ordinance, amendments or recessions of designations follow a three-step review process, with first the Historic Preservation Board, then the Planning Board making a recommendation to the City Council. Upon receipt of the Historic Preservation Board's recommendation, the Planning Board's role is to determine whether the materials and findings provided sufficiently address how the building does not meet the standards for designation. The criteria for amendment are limited to those provided in Section 17.4.1(A) and (B), Minimum Criteria for Designation, and Subsection 17.4.2, Integrity of Landmarks and Historic Districts. Following deliberations, the Planning Board forwards its recommendation and report, together with the recommendation of the Historic Preservation Board, to the City Council for final consideration and a formal decision.



III. PREVIOUS PLANNING BOARD WORKSHOP

During the November 28, 2023 Planning Board workshop, the applicant presented background information on the proposed expansion of the Portland Museum of Art campus, provided a brief overview of the PMA campus unification + expansion international design competition, preliminary information on their planned future development, shared an overview of their existing campus and historic structures, and also presented why they believed the building should be reclassified to noncontributing. Board members asked the applicant about whether consideration had been given to reusing the building or incorporating elements of it. The applicant stated that they had, but felt that the challenges were too great and that they had not received a positive reception by the public for designs that considered adaptively reusing the building. As part of their design competition, PMA did note that one of four shortlisted teams incorporated

the existing building's façade in their conceptual design. Board member Barker asked if the PMA studied the economic impact of adaptively reusing the building as part of their December 2022 study "*The Economic Contribution and Impact of the Portland Museum of Art in Maine*." Board member Stanley asked if the reclassification would impact other properties within the Congress Street Historic District from being eligible to utilize state and federal historic tax credits and expressed concern about making a recommendation on the reclassification request without understanding the potential effects district-wide. City Staff informed the Board that the City's Historic Preservation Program Manager contacted the State Historic Preservation Office and the National Park Service regarding this matter and were still awaiting an official response. Also, Board members requested clarification from staff regarding the Board's purview and relevant review standards.

Several public comments were provided expressing opposition to the application. It was stated by many commenters that the existing building at 142 Free Street retains its historic integrity, meets the criteria for contributing status under the historic preservation ordinance, exemplifies a significant architectural style and was designed by prominent architect, John Calvin Stevens. Several individuals expressed their belief that the PMA's proposed expansion should incorporate the existing building rather than tear it down. Other members of the public expressed concern that the reclassification of 142 Free Street to non-contributing would compromise the integrity and purpose of the historic preservation ordinance.

Several other members of the public also expressed support for the reclassification request. One resident shared that the building at 142 Free Street is of very minor significance and does not contribute to the current or future conditions of Congress Square and that Portland is in need of a high-quality, high-profile building in a high-visibility location. Another member of the public expressed their support for the project due to an overabundance of preserved John Calvin Stevens structures in Portland and that the past should not suffocate the energy and creativity of our community's future.

The information below provides additional information related to specific questions asked.

Questions:

1. **Is the effect of historic designation on aspects of the City's Comprehensive Plan a discrete criterion for the Planning Board and City Council to consider when reviewing an amendment or rescission of any historic designation?** Unlike designation of an area or landmark, according to *Section 17.5.9 Amendment or rescission of designation*, when the Planning Board and City Council are reviewing amendments or rescissions of any historic district, they are not to consider the effect of an amendment on aspects of the Comprehensive Plan. Similar to the Historic Preservation Board, the Planning Board and City Council are required to limit their consideration to the criteria specified in Sections 17.4.1(A) and (B) and 17.4.2. Therefore, the Planning Board and City Council will not be reviewing the request for comprehensive plan consistency. The relevant review standards for the Planning Board's consideration are described in Section VI below.
2. **Does changing the classification of the building at 142 Free Street from contributing to non-contributing impact the certification of the Congress Street Historic District and thus impact the ability of other property owners within the District to obtain historic tax credits?** City staff provided the National Parks Service (NPS) with requested information related to this question. On Sunday, February 11th, 2024, NPS informed City Staff that changing 142 Free Street's classification from contributing to non-contributing would be considered an amendment to the district and would need to be submitted for NPS review following a final determination by the City

Council (Attachment 11). The Applicant also had a conversation with the NPS on this issue. A summary of the applicant's discussion with NPS can be found in Attachment 1A.

IV. BACKGROUND

The building at 142 Free Street was originally constructed in 1830 as a theater building. No images of the structure exist from this period; however, descriptions suggest a late federal or Greek revival style. Shortly thereafter in 1836, the structure was renovated into a temple-fronted Greek revival church for the Free Street Baptist Church. Then, again in 1856, the church was renovated into an asymmetrical double-spired Italianate/Romanesque revival church. In 1876, after the taller of the church's spires was damaged in a storm, the steeple was redesigned. Throughout the Free Street Baptist Church's ownership of the structure, they made a series of other modest interior renovations in addition to the major redesigns.



Figure 3: 142 Free Street building over time (1856 – 1958)

In 1926, after a merger with another Baptist Church, the structure was sold to the Portland Chamber of Commerce. The Chamber retained architect John Calvin Stevens to complete renovations to the structure. It was at this time that the building was redesigned to its current Greek or colonial revival temple-fronted form. The Chamber retained the building until 1991 when, after financial difficulties, it was sold to the Children's Museum of Maine. Under the ownership of the Children's Museum, the structure underwent further alterations including programs of window and door replacement, dormer additions, and the addition of the prominent octagonal cupola.

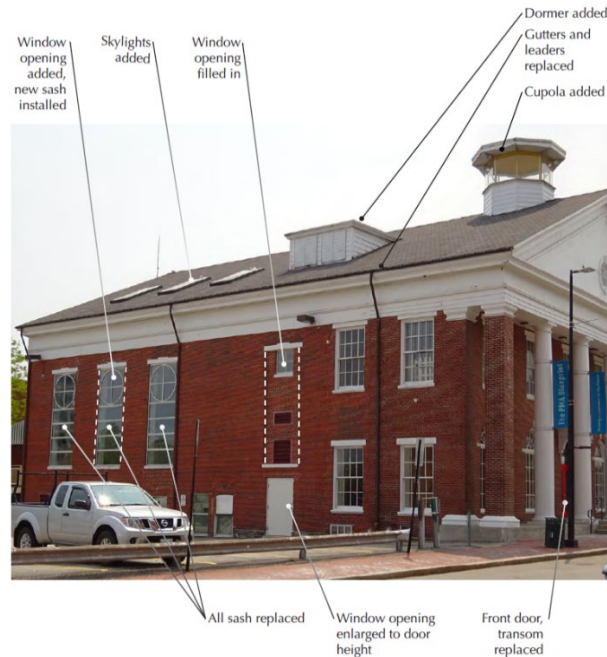


Figure 4: Exterior Alterations to 142 Free Street made for the Children's Museum in the early 1990s

In 1976, the Spring Street Historic District was added to the National Register of Historic Places. In 2020 the National Register listing was updated with an expanded period of significance (1800-1943), at which point the Chamber of Commerce building was listed as a contributing resource within the National Register District.

Local Congress Street Historic Designation

In 2009, the building located at 142 Free Street was also listed as a contributing structure within the local Congress Street Historic District. While the updated National Register nomination did include a period of significance for the Spring Street Historic District from 1800 to 1943, the local Congress Street Historic District did not include a specific period of significance. However, the period of significance can be presumed as extending from 1785 (the original date of construction for the Wadsworth-Longfellow House, the oldest contributing structure within the district) to 1959 (fifty years prior to the establishment of the local district). This would mean that the period of significance ended during the tenure of the Chamber of Commerce. While it also includes the eras of the theatre and the Free Street Baptist Church, those assorted renovations and redesigns would have attained historical significance in their own right, speaking to the history of the evolution of Congress Street over the nearly two-hundred years of history the district represents.

The description of 142 Free Street in the Congress Street Historic District (Attachment 3) is as follows:

Architectural Description/Historic Significance:

Free Street Baptist Church (1830-1926)

Portland Chamber of Commerce Building (1926 – 1993)

1830 (theater), 1836 (renovated as church), 1926 (renovated to present form)

Originally built as a theater in 1830 and remodeled into a Romanesque style church in 1836, the Free Street Baptist Church was substantially renovated in 1926 by John Calvin Stevens and John Howard Stevens for the Chamber of Commerce and became an essentially Colonial Revival style building. The building is a dignified two-story structure with four monumental concrete columns of the Doric order and 2 brick piers and 2 pilasters. There is a symmetrical façade under the fullwidth two-story porch. The upper windows have 8/8 sash capped by flush stone lintels. The ground floor has a doorway surmounted by a balcony on brackets with a replaced doorway of glass and aluminum. It is flanked by 10/10 sash topped by semi-circular windows in elliptical keystone arches. In the flush board pediment is a bull's eye window. The frieze and cornice are boldly delineated. The roofline was free of any dormers, thus maintaining its temple shape, until renovated for the Children's Museum of Maine in the 1990s. The octagonal cupola and dormers were added at that time.

For a more thorough documentation of the history of the building at 142 Free Street, including extensive images and documentation of alterations, please see the PMA commissioned report by Margaret Gaertner included in the applicant's materials (Attachment 1). Additional information on the Congress Street Historic District can be found in the attachments (Attachments 2 and 3) and on the city website:

<https://www.portlandmaine.gov/665/Historic-Districts>

Present

In 2019, the PMA purchased the building at 142 Free Street from the Children's Museum & Theater of Maine, who relocated to a new state-of-the-art museum at Thompson's Point. In 2022, the PMA launched the [Portland Museum of Art Campus Unification + Expansion International Design Competition](#) and Request for Qualifications, inviting designers to develop a concept design for campus expansion and unification as part of the [PMA Blueprint](#). PMA received 104 entries, submitted by architectural teams from 20 different countries. Four finalists were chosen, Adjaye Associates, LEVER Architecture, MVRDV, and Toshikio Mori Architect. LEVER Architecture was selected as the winning firm of the International Design Competition for their conceptual design (Figure 5).



Figure 5: Rendering of the proposed concept for expansion at 142 Free Street by LEVER Architecture (Source: PMA)

V. FINDINGS AND RECOMMENDATIONS OF THE HISTORIC PRESERVATION BOARD

At the September 6, 2023, Historic Preservation Board meeting, the Board received the request by the PMA to reclassify 142 Free Street as noncontributing within the Congress Street Historic District. In order for the amendment to progress through review, two members of the Historic Preservation Board needed to sponsor the request. Chair O'Brien and Vice Chair Miller voiced their sponsorship initiating review of the amendment.

On [October 4, 2023](#), the Historic Preservation Board held an initial workshop on the reclassification request. During the workshop, the applicant presented background information on the proposed expansion of the PMA campus and preliminary information on their planned future development. Board members asked the applicant about whether consideration had been given to reusing the existing building or incorporating elements of it. The applicant stated that they had, but felt that the challenges were too great and that they had not received a positive reception by the public for those versions of their planned project. Board members also requested confirmation that the current application for reclassification was being limited to a question of the integrity of the existing structure. The applicant provided no other areas of consideration for the Board within the scope of the ordinance's minimum criteria for designation.

On [November 1, 2023](#), the Historic Preservation Board held a Public Hearing and voted unanimously 5-0 (Paquin-Gould recused) to recommend that the Planning Board and City Council vote to retain the contributing classification for the former Chamber of Commerce Building at 142 Free Street within the Congress Street Historic District (Attachment 6).

Based on the materials supplied by the applicant (including the extensive report on the history of 142 Free Street) (Attachment 7) and the materials from the designation of the Congress Street Historic District in 2009, Board members agreed that the existing structure had been correctly deemed contributing when the District was established. Board members noted that while the building had a long history of alterations from its original construction in 1830, it still retained a high degree of integrity relative to the 1926 redesign by John Calvin Stevens. Alterations noted by the applicant in their materials were acknowledged by the Board, but members noted that window replacements and additions are regularly approved alterations to contributing structures. Several Board members praised the intentions behind the proposed expansion with several noting that they personally appreciated the conceptual design of the new building. One member of the Board expressed a desire to see the ordinance revised to allow the Historic Preservation Board to consider the effect of designations on Comprehensive Plan goals but noted that the review purview was focused solely on the integrity of the building standards; however, there was general agreement that the applicant had not provided a basis by which the Board could recommend that the structure be reclassified as noncontributing.

VI. PLANNING BOARD CONSIDERATIONS

ANALYSIS OF APPLICABLE REVIEW STANDARDS

The argument rests primarily on the questions of whether the building at 142 Free Street meets the Minimum Criteria for Designation outlined in Section 17.4.1(A) and whether the building meets the Integrity of Landmarks and Historic Districts outlined in Section 17.4.2.

The applicant submitted materials to the Planning Board in a letter dated November 8, 2023 (Attachment 1). Following the Planning Board workshop, the applicant submitted updated materials on January 31, 2024 (Attachment 1A). The revised materials (Attachment 1A) attempt to address questions and comments that

arose during the first Planning Board workshop and provide additional information regarding why the applicant believes the building at 142 Free Street does not meet the Minimum Criteria for Designation (Section 17.4.1(A)) and the Integrity of Landmarks and Historic Districts (Section 17.4.2).

Section 17.4.1.A Minimum Criteria for Designation

During the Historic Preservation Board review process, the Board requested that the applicant confirm that the basis for their application for reclassification was being limited to a question of the integrity of the structure pursuant to Section 17.4.2 and that the applicant was not questioning whether the building met the Minimum Criteria for Designation in Section 17.4.1.A. At that time, the applicant confirmed that the argument presented rested on the question of the building's Integrity (Section 17.4.2), and that no information addressing the minimum criteria outlined in Section 17.4.1.A was presented. Therefore, the Historic Preservation Board did not interrogate the building against the minimum criteria for designation standards and found that the building located at 142 Free Street met the minimum criteria for designation as outlined in Section 17.4.1.A.

The applicant has since submitted materials arguing that 142 Free Street does not contribute to the Congress Street Historic District, as the building does not contribute to the Minimum Criteria for Designation which the District is significant, and that it lacks integrity (Attachment 1A). A summary of the standards and analysis is provided below:

<i>The Historic Preservation Board (Planning Board) shall limit its consideration to the following criteria in making a determination on a proposed nomination of an area, site, structure, or object for designation by ordinance as a landmark or district:</i>
<i>Its value as a significant example of the cultural, historic, architectural, archaeological, or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States.</i>
Staff Comments
The applicant has stated that they believe the building is not a significant example of cultural, historic, architectural, archeological, or related aspect of the heritage of the City, the State, New England region, or the United States.
The Congress Street Historic District description provides a history of the development of Congress Street, its evolution from a residential corridor at the edge of town to a commercial one, speaking to the district's importance as the city's eventual "Main Street." The 142 Free Street description notes the building's evolution from a theater, to a church, and then its civic/commercial use by the Chamber of Commerce.
The Board should determine whether the information provided by the applicant and the information provided in the Congress Street Historic description and 142 Free Street descriptions demonstrate that 142 Free Street contributes to the district under this criterion, or whether the information provided is erroneous.
<i>Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property.</i>
Staff Comments
The applicant has stated that they believe that the building's location is not a site of a significant historic or prehistoric event or activity which may have taken place within the building at 142 Free Street, or which involved the use of any existing structure on the property.

Neither the Congress Street Historic District nor the 142 Free Street descriptions identify any significant events associated with this structure, so this criterion is not applicable.
<i>Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archaeological, or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States.</i>
Staff Comments
The applicant has stated that they believe that the building does not identify with a person or persons who significantly contributed to the cultural, historic, architectural, archaeological, or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States. Neither the Congress Street Historic District nor the 142 Free Street descriptions identify any significant identification with a person associated with this structure, so this criterion is not applicable. It should be noted that any association with John Calvin Stevens has been identified under Criterion 5: <i>Identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland.</i>
<i>Its exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.</i>
Staff Comments
The applicant has stated that they believe that the building is not an exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship. The Congress Street Historic District description states that the visual character of the district is rich and varied, with structures exhibiting architectural styles and types from across three centuries as well as differing scales and uses including small-scale residential, medium-scale civic and institutional buildings, and large-scale commercial and mixed-use structures. The 142 Free Street description notes that the building's current form is temple-fronted in the Colonial Revival Style as constructed for use by the Chamber of Commerce. The Board should determine whether the information provided by the applicant and the information provided in the Congress Street Historic District and 142 Free Street descriptions demonstrate that 142 Free Street contributes to the district under this criterion or whether the information provided is erroneous.
<i>Its identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.</i>
Staff Comments
The applicant has stated that they believe that the building does not identify as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States. The Congress Street Historic District description states that the district includes works of many prominent 19th- and 20th-century architects, with John Calvin Stevens among them. The description of 142 Free Street notes that John Calvin Stevens was documented as the architect of the 1926 renovation commissioned by the Chamber of Commerce.

The Board should determine whether the information provided by the applicant and the information provided in the Congress Street Historic Descript and 142 Free Street descriptions demonstrate that 142 Free Street contributes to the district under this criterion or whether the information provided is erroneous.

Its representation of a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.

Staff Comments

The applicant has stated that they believe that the building does not represent a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.

The Congress Street Historic District description speaks to the theme of the evolution and change of Congress Street over the centuries from a residential to a commercial corridor. The 142 Free Street description notes the building's evolution from a theater, to a church, and then its civic/commercial use by the Chamber of Commerce.

The Board should determine whether the information provided by the applicant and the information provided in the Congress Street Historic Descript and 142 Free Street descriptions demonstrate that 142 Free Street contributes to the district under this criterion or whether the information provided is erroneous.

Section 17.4.2. Integrity of Landmarks and Historic District

An analysis performed by Historic Preservation Staff and adopted by the Historic Preservation Board can be found in the Historic Preservation Board report dated October 27, 2023 (Attachment 6). The applicable review standards associated with Section 17.4.2 Integrity of Landmarks and Historic Standards is provided below:

Any area, structure, or object that meets the criteria in Section 17.4.1 must also have sufficient integrity of location, design, condition, materials, and workmanship to make it worthy of preservation or restoration.

Location

Staff Comments

The building remains in its historic location and therefore retains integrity of location; however, the applicant argues that the building lacks any historic integrity and is surrounded by parking lots and a circa 1983 building (the Payson Wing).

Design

Staff Comments

The applicant has pointed to a number of alterations made to the design of the structure (see Figure 4 above), which include the addition of a highly visible octagonal cupola located toward the front of the building, skylights, replacement windows along the east elevation, alteration of the eastern façade to add one new window opening and fill in another window opening on the second story, and alterations to basement openings, with one being added and another filled in. Additionally, the applicant points out that the existing entry doors are incompatible replacements from a design and materiality standpoint, and that the entrance walkway and stairs have been altered to create a poured-in-place concrete stair and handicap ramp, which the applicant argues is not in character with any of the entrances on the previous iterations of the building.

The Board should determine whether these alterations have irretrievably destroyed the character of the Chamber of Commerce building at 142 Free Street.
<i>Condition</i>
Staff Comments
The applicant had noted that the building is generally in good structural condition as a result of renovations completed by the Children's Museum, that included an all new steel structural frame, including the roof. The applicant previously noted to staff that the building would require extensive interior upgrades and improvements in order to be usable and accessible.
<i>Materials</i>
Staff Comments
The applicant noted that historic materials have been lost through the replacement of windows at the east elevation and basement, as neither are wood and one window was replaced by a door at the west elevation. According to the applicant, the primary entry door and transom over the door were replaced, and are metal.
The Board should determine whether these alterations have irretrievably destroyed the character of the Chamber of Commerce building at 142 Free Street.
<i>Workmanship</i>
Staff Comments
The applicant has noted that through the replacement of windows and doors, the structure has lost a sense of workmanship; in particular with respect to the windows on the east elevation, which do not match the historic appearance of those windows, and the primary entry door. The applicant instead states that the building more prominently reflects the renovations completed by the Children's Museum. The applicant has also pointed out that the added dormer alters the roofline and that the cupola changes the formal feel of the building.
The Board should determine whether these alterations have irretrievably destroyed the character of the Chamber of Commerce building at 142 Free Street.

VII. PUBLIC COMMENT

Throughout the course of the review there have been numerous submitted written public comments and public testimony provided both in favor of and in opposition of the request to reclassify the building at 142 Free Street from contributing to noncontributing. Written public comments submitted to the Historic Preservation Board are provided in Attachment 8. Written public comment submitted to the Planning Board for the November 28, 2023 workshop can be found in Attachment 9. All written public comments submitted after the November 28th Planning Board workshop can be found in Attachment 10.

VIII. MOTIONS

On the basis of the November 1, 2023 recommendation of the Historic Preservation Board, materials and documentation submitted by the applicant, public comment and the information provided at the public hearing on February 13, 2024, and/or other findings, the Planning Board finds that the building at 142 Free Street **[meets/fails to meet]** the Minimum Criteria for Designation in Section 17.4.1(A) and pursuant to Section 17.4.2 Integrity of Landmarks and Historic Districts the building at 142 Free Street **[demonstrates/does not demonstrate]** sufficient integrity. Therefore, the Planning Board **[recommends/does not recommend]** to the City Council that the building at 142 Free Street be reclassified from a contributing to a noncontributing structure within the Congress Street Historic District.

IX. ATTACHMENTS

- Att. 1 – PMA Application to PB 11.8.23
- Att. 1A – PMA Updated Application to PB 1.31.24
- Att. 2 – Congress Street Historic District Description
- Att. 3 – 142 Free Street – Property Description
- Att. 4 – Chapter 14, Article 17 Excerpts
- Att. 5 – NR Bulletin-How to Apply NR Criteria
- Att. 6 – 11-1-2023 142 Free HPB PH Report
- Att. 7 – PMA Application to HPB
- Att. 8 – Public Comment submitted to Historic Preservation Board
- Att. 9 – Public Comment PB Workshop 11.28.23
- Att. 10 – Public Comment PB Public Hearing 2.13.24
- Att. 11 – NPS Certified Local District

PLANNING BOARD

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

RECOMMENDATION OF PLANNING BOARD

Applicant: Portland Museum of Art
Property: 142 Free Street, CBL: 039 B003001

Proposed Historical District Amendment – Reclassification of 142 Free Street

INTRODUCTION

The Portland Museum of Art (“PMA”) submitted a request to reclassify its building at 142 Free Street, located within the Congress Street Historic District, from a contributing structure to a non-contributing structure. Pursuant to Section 17.5 of the City’s Land Use Code, amendments or rescissions of designations follow a three-step review process. The Historical Preservation Board first reviews the request and makes a recommendation to this Board and the City Council. From there, this Board shall conduct a public hearing and make a recommendation to the City Council as to whether the property meets the criteria for designation. The City Council will issue the final decision on PMA’s request.

On November 1, 2023, the Historic Preservation Board voted unanimously (5-0) to recommend that the Planning Board and the City Council vote to retain the contributing classification for the building at 142 Free Street within the Congress Street Historic District.

Pursuant to Section 17.5.9, this Board considered the standards outlined in Subsections 17.4.1 (A) and 17.4.2 in making this recommendation.¹

¹ During its deliberations, the Board raised a question about whether Section 17.5.9 applied to PMA’s request or whether this proposal was an amendment to the list contemplated under Section 17.5.8. In response, Associate Corporation Counsel provided a memorandum to the Board dated February 23, 2024 recommending that the Board apply Section 17.5.9 to PMA’s proposal. Two members expressly disagreed with the opinion of Associate Corporation Counsel, but nonetheless indicated that the applicability of the Comprehensive Plan would not have impacted their vote on the ultimate recommendation. The Board’s findings and conclusions contained herein do not include express consideration of the effect of the 142 Free Street designation on other aspects of the Comprehensive Plan of the City pursuant Section 17.4.1(C).

FINDINGS

The Planning Board held a public hearing on February 13, 2024 and February 27, 2024. The Board received and reviewed the November 1, 2023 recommendation of the Historic Preservation Board in addition to materials and testimony submitted by PMA, City staff and members of the public. After careful review and consideration of all of the material and testimony provided, the Board finds as follows:

1. The building at 142 Free Street was originally constructed in 1830 as a theater building. Shortly thereafter, in 1836, the structure was renovated into a Romanesque style church by the Free Street Baptist Church. In 1926, the building was sold to the Portland Chamber of Commerce who retained architect John Calvin Stevens to complete renovations to the structure. At that time, the building was renovated to its current Greek or colonial revival temple-fronted form.
2. In 1976, the Spring Street Historic District was added to the National Register of Historic Places. In 2020 the National Register listing was updated with an expanded period of significance (1800-1943), at which point the 142 Free Street building was listed as a contributing resource within the National Register District.
3. In 2009, the building located at 142 Free Street was identified as a contributing structure within the local Congress Street Historic District.
4. The description of the Congress Street Historic District includes a history of the development of Congress Street and its evolution from a residential corridor at the edge of town to a commercial one. The description emphasizes the district's importance as the city's eventual "Main Street." The visual character of the Congress Street Historic District is described as rich and varied, with structures exhibiting architectural styles and types from across three centuries as well as differing scales and uses including small-scale residential, medium-scale civic and institutional buildings, and large-scale commercial and mixed-use structures. The 142 Free Street description notes the building's evolution from a theater, to a church, and then its civic/commercial use by the Chamber of Commerce.
5. The building has not been substantially changed since it was originally designated.
6. The building portrays a layering of historic preservations which gives it character and makes it unique.
7. The building remains in its historic location and in good structural condition. The integrity of the building is intact and is worthy of preservation.
8. The essential character of the building is the same as the building designed by John Calvin Stevens, an architect whose individual work is significant to the history of the development of Portland and the state of Maine.

9. Although the building has undergone some alterations over the years, including the replacement of doors and windows, it has retained a high degree of integrity relative to the 1926 redesign by John Calvin Stevens. Any alterations have not irretrievably destroyed the character of the building.
10. The building at 142 Free Street was appropriately designated in 2009. The Board rejects PMA's argument that it was improperly designated originally.
11. The unique character and architectural significance of 142 Free Street building meets the definition of "contributing" in Section 17.2 of the Land Use Code because it "contributes generally to the qualities that give the historic district cultural, historic, architectural, or archaeological significance as embodied in the criteria for designating a historic district."

CONCLUSION

Based on the foregoing, the Planning Board finds that the building at 142 Free Street meets the applicable minimum criteria for designation in Section 17.4.1(A) and demonstrates sufficient integrity pursuant to Section 17.4.2. Therefore, the Planning Board recommends to the City Council that the building at 142 Free Street not be reclassified from a contributing to a noncontributing structure within the Congress Street Historic District.



Brandon Mazer, Planning Board Chair



November 8, 2023

City of Portland Planning Division
c/o Christine Grimando, Director
c/o Kevin Kraft, City Planner
389 Congress Street, 4th Floor
Portland, ME 04101

Dear Planning Board,

We are honored to present *The PMA Blueprint* to you and ask for your partnership and support in bringing this transformational project to our city. *The PMA Blueprint* is a once-in-a-lifetime opportunity that ensures a vibrant future for Congress Square, anchors our communities in the arts, sparks dynamic economic benefits for our neighbors and downtown businesses, and engages the city's comprehensive plan in a transformative way. It has been shaped by the community at every step, and it is exactly the caliber and quality of urban revitalization the City of Portland needs.

Please accept this letter as an application from the Portland Museum of Art, Portland, Maine, to request that the Planning Board of the City of Portland re-classify the 142 Free Street property, currently a "contributing structure," to be "non-contributing." While the Historic Preservation Board, under the criteria for designation, voted to uphold the contributing status, we urge the Planning Board to vote to enable the museum to help spark the urban renewal necessary for our community and for our city.

The PMA stands ready to build a Portland landmark for the future, a building that will create a space where all can belong. We urge the Planning Board to vote that 142 Free Street be a "non-contributing structure."

The City of Portland is driven by a vision of "six interconnected themes," set forth in *Portland's Plan 2030*, of equity, connection, sustainability, dynamism, authenticity, security, and connectivity. The PMA is driven by the values of courage, equity, service, trust and sustainability, activating our *Art for All* mission. Together with our communities, we can create a landmark building that exemplifies these shared values and goals, communicating to anyone who visits that all are welcome in Portland. To do this, we must have the flexibility to develop our campus responsibly, with courage and care. *The PMA Blueprint* is in lockstep with the city's comprehensive plan for 2030. Released in 2017, the city's plan serves as a policy guide for the entire city and was the result of extensive public engagement. The Plan's Vision Statement acknowledges that a "vibrant arts and cultural life will be central to our city's identity." It calls for embracing innovation and welcoming new residents because they enhance and enrich our region. It champions equity and sustainability.

The PMA Blueprint embodies goal after goal of the city's vision, and its potential impacts are far reaching and incredibly significant. Last year, an impact study conducted by our colleagues at the Maine Center for Business and Economic Research at the University of Maine found that the

COMMUNITY, COLLECTION, CAMPUS; UNIFIED

addition of our new wing will transform Portland's economy. The study projected that post-expansion, the PMA's annual economic contribution will include doubling the number of jobs supported (to 600) and generating more than \$28 million in labor income, \$65 million in sales, \$4 million in state and local taxes, and a 120-percent increase in tourism spending, reaching nearly \$30 million.

The new wing also will be sustainably constructed, primarily utilizing mass timber, making it one of the first sustainable public buildings in Portland as well as one of the first green museum buildings in the country. The sustainable construction will reference Maine's lumber industry while the building's curved roofline will frame the sun as it rises and sets, in honor of Maine's Wabanaki communities.

We have been here before. The Portland Museum of Art was founded 140 years ago by artists living here in Maine. It grew quickly, as community members donated their time, energy, and passion for the arts, enabling the PMA to establish a downtown Portland campus. For the next 100 years, that campus grew to include the McLellan House, L.D.M. Sweat Memorial Galleries, and the Charles Q. Clapp House. As art from donors throughout our communities began filling up the walls and spaces within the museum, our communities came together again in the late 1970s for what was, at the time, the largest major expansion in PMA history.

That expansion, a courageous and iconic design of the Charles Shipman Payson building by Harry Cobb of the I. M. Pei & Partners firm, was a result of collection growth, campus limitations, and community support. In the more than 40 years since construction began, the Payson building has anchored the dynamic and world-renowned arts district of Portland, Maine, and enabled millions of people to discover and connect with the transformative power of art.

But a lot has changed in 40 years.

Our collection has grown exponentially, and in the last decade alone has diversified deliberately and more quickly than at any point previously. Judy Glickman Lauder, Barbara Goodbody, Richard Estes, Bruce Brown, David and Eva Bradford, the Berger Collection Educational Trust, and Alex Katz Foundation have all made significant and transformative gifts to the PMA collection in recent years, expanding the narratives we can tell and connections we can make.

Our campus has changed, and we've restored the McLellan House, purchased, restored, and opened the Winslow Homer Studio, and reinstalled our collection multiple times to maximize our existing footprint. And yet our campus has reached its limit, with attendance already twice the planned capacity of the Payson building. In just five years, we will more than triple the planned capacity of our campus. We need to expand, as we are being forced to make tough choices around reducing exhibition size and restricting capacity due to the physical limitations of our campus.

Critically, we, as a community, have changed as well. Our needs and expectations from our institutions have changed, and nowhere is that clearer than for museums. We must do more to create opportunity—on our walls, in our galleries, through our programs, on our board, and within our staff—to ensure the PMA experience reflects your experience, lifestyle, and values. We must elevate individuals and communities that have been excluded from museums and “the art world,” embodying our values through artwork, exhibitions, programs, and didactics by and in partnership with our BIPOC communities, immigrants and new Mainers, LGBTQIA2S+ neighbors, our elders, youth, and other communities across Maine. We must be at the center of our communities, which requires dialogue, trust, and transparency. And we must ensure we are championing a more diverse, inclusive, and sustainable region. We must become a community institution that is rooted in belonging.

142 Free Street is our catalyst for a brighter future, ensuring Congress Square is a sustainable center for arts and culture. In 2022 we launched our vision with *The Blueprint Project: Building a Landmark for the Future*. This case for development was supported by years of open-ended community building and research, including campus planning, listening sessions, focus groups, strategic plan development, equity strategic action plan development, a feasibility study, and an economic impact study. Through this work, we came to understand what our communities want from museums and their arts institutions. These needs, desires, and expectations are embedded in the project, our Strategic Plan, and our mission, *Art for All*. We are the first museum in the country to have a mission led by our values in this way.

The PMA sits in the heart of the arts district in Portland and the truth is, Congress Square is failing. Longtime community anchors have determined Congress Square no longer supports or sustains them and have left—such as Harmon’s Floral Company, a Congress Square fixture since 1887. The Schwartz Building, once a vibrant mix of artist studios, has remained vacant for over 15 years. In the last month, Starbucks announced it is leaving the Hay Building, and just this week, Portland’s original and pioneering coffee shop, Coffee By Design, announced the permanent closure of its Congress Square location as well. Workers are not coming back to commercial office space and pedestrian traffic is at an all-time low. The city’s Congress Square redevelopment project is in disarray—years away and in perpetual limbo.

In the face of this, we come to you ready to act with our transformative project, eager to revitalize this critical region of our city, just as we did in 1982 with the Payson wing. As outlined in our historic report to this Board, in the years after WWII, the city razed much of Free Street to make way for development that never came. Eight decades later, we are prepared to deliver on the potential of this neighborhood, ushering in a future we can count on by bringing community, energy, and meaning back to Congress Square.

Our concept, developed with LEVER Architecture, is the result of years-long planning and partnering with our communities. It began nearly five years ago—with a process similar to the development of the city’s comprehensive plan—as we hosted focus groups, held listening sessions, and sent surveys throughout our communities to learn about what they needed and wanted from their museum. That feedback informed an innovative, juried international design competition challenging architects from around the world to propose a vision for the museum grounded in our values, our *Art for All* mission, and belonging.

A total of 104 teams representing 20 countries submitted proposals for *The PMA Blueprint*, with 46 percent of all lead firm submissions owned or founded by people of color or women. Once we announced the finalists, we opened a gallery onsite and online where everyone could explore and interact with 3D models of the proposals and submit feedback. We received more than 2,000 responses about the designs, and LEVER was the clear standout among our communities, with 47 percent preferring LEVER’s concept over the three other finalists. That concept has been overwhelmingly supported by our communities, with an astounding 93-percent positive feedback rate.

The competition and vision of LEVER’s design is very much based on key principles of the Portland’s Urban Planning Strategic Plan and, at the same time, this project is about so much more than the Portland Museum of Art. It is about Congress Square, the City of Portland, and the businesses that depend on our destination status.

This is a shared future, as evidenced by the thousands of public comments we have solicited informing the project and the unsolicited letters of support we’ve received in recent months. Lucas St. Clair shares, “While I support the understanding to protect our city’s history, we should not let it define our future or prevent evolution. The expanded PMA campus will be a Greater

Portland Landmark of the future, one that takes into account 21st century needs and helps the city in advance in its vision.” And architect Susan Faxon shares, “This is a decision that is hard to make, but as with all preservation decisions, the greater good needs to be given weight . . . I submit that the sacrifice of a rather stolid and unimaginative structure is a fair and necessary measure to allow a project that will enervate and enliven an important streetscape.”

LEVER’s concept has garnered support from Congress Square institutions such as Springers, Portland Flea-for-All, The State Theatre, and VIA. It is supported by arts organizations such as Indigo Arts Alliance and The Children’s Museum and Theater of Maine—the former owner of 142 Free Street. It is worth noting that The Children’s Museum sold the building and relocated away from downtown Portland because the site could not grow with them. The project is also supported across industries throughout Maine and the country, including the New England Forest Foundation, USDA, and Wood Products Council. We believe that this unified approval for a new, landmark arts building is a result of the collaborative and empathetic approach the PMA has taken to ensure our growth is sustainable and responsible.

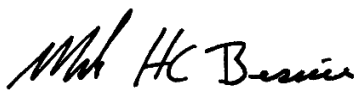
The PMA Blueprint embodies goal after goal of the city’s vision. And our plan for 142 Free Street is the only way to grow while maintaining a primary relationship with Congress Square, a place we’ve anchored since our Payson wing replaced the Libby building in 1983. The alternative is not an idyllic repurposing of 142 Free Street as some critics may suggest. The reality is the property can never adequately support the museum’s collection, gallery, and public needs. In actuality, our only alternative would be a painful shift for our city—joining our neighbors in turning away from Congress Square—and reorienting the museum toward Spring Street. Simply put, there has never been a more important time to make the right choice for Congress Square’s future.

Maine and Portland have changed. The ways we plan have become transparent, collaborative, and inclusive. Values and vision lead. That’s why we are here now, backed by thousands of our citizens who have contributed to this vision—just as they did with *Portland’s Plan*. *The PMA Blueprint* has been heralded nationally and internationally as one of the most innovative and game-changing urban projects possible. Why? Because projects like this don’t happen in communities like ours. They happen in London, New York, Paris, and other leading cities that understand how to balance preservation with opportunity. We stand with a singular chance to cement Portland’s identity to the world as a beacon of inclusion and diversity, and we need your support.

Through leadership and consensus, the PMA has proved its commitment to preserving the past, recognizes the opportunities of the present, and strives to provide a gathering space for future generations to grow. As deeply invested and thoughtful members of our community, I urge you to lean into the true issue at hand. This is about the very nature of the city of Portland, our values, and our future.

Please support the vibrant arts and cultural life envisioned by the city’s comprehensive plan and empowered by equity and sustainability. Please help us save Congress Square and reestablish our neighborhood as the heart of the city. And please enable this generational opportunity for our communities and our future.

Thank you,

A handwritten signature in black ink, reading "Mark H.C. Bessire". The signature is fluid and cursive, with the first name "Mark" being more prominent and the last name "Bessire" written in a continuous script.

Mark H.C. Bessire
Judy and Leonard Lauder Director



August 31, 2023

City of Portland
Historic Preservation Board
c/o Evan Schueckler
Historic Preservation Program Manager
389 Congress Street
Portland, ME 04101

Dear Historic Preservation Board,

Please accept this letter as an application for the Portland Museum of Art, Portland, Maine, to request that the Historic Preservation Board of the City of Portland re-classify the 142 Free Street property, currently a "contributing structure," to be "non-contributing" on the basis that the building never should have been classified as contributing in 2009 and 2020. Please review the History of 142 Free Street report prepared by Margaret Gaertner, Historic Building Consultant, for the details on the history of this property as well as the memo attached analyzing the existing designation position.

Throughout its lifetime, 142 Free Street has been significantly altered, and is now virtually unrecognizable when compared to previous iterations of the building. As a result, and after much diligence and research, we have come to believe it does not contribute to the district historically, nor does it support our city's innovative vision for the future. When considered for its role in the Congress Street Historic District, and as part of the PMA's historic campus, 142 Free Street does not carry the same historical stature, architectural consistency, or community significance that the District's or the museum's other properties do.

In the case of a nominated historic district, the Historic Preservation Board shall also determine whether there is an interrelationship of resources within it that creates an identifiable entity, even if composed of a wide variety of resources. A district must convey a visual sense of the overall historic environment or be a grouping of historically or functionally related properties. To be clear, we believe:

- 142 Free Street should not be designated a contributing structure and doing so diminishes the credibility of the designation.
- Our values and interests are absolutely aligned with the city's and are in the best interests of its citizens, visitors, and future.
- The PMA has a long history of stewardship and preservation of historic buildings, understands their significance, and has a legacy of architecturally significant contributions to our community.

After World War II, Portland's leaders looked to urban renewal to draw businesses and development into the city. A series of "slum-clearing" and redevelopment projects demolished entire blocks to make room for widened streets and new buildings that would accommodate an automobile-focused culture. To this day, many of these blocks, including much of Free Street,

remain vacant and await redevelopment. Implementation is *long* overdue. We have completed a thorough search to identify a design team with a bold vision that is appropriate for Portland, Maine, and the 142 Free Street site. With your support, we stand ready to create a new landmark for Portland.

The City of Portland is driven by a vision of “six interconnected themes,” set forth in *Portland’s Plan 2030*, of equity, connection, sustainability, dynamism, authenticity, security, and connectivity. The PMA is driven by the values of courage, equity, service, trust and sustainability, activating our *Art for All* mission. Together, with our communities we can create a landmark building that exemplifies these shared values and goals, communicating to anyone who visits that all are welcome in Portland, Maine. To do this, we must have the flexibility to develop our campus responsibly, with courage and care.

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Critically, we, as a community, have changed as well. Our needs and expectations from our institutions have changed, and nowhere is that clearer than for museums. We must do more to create opportunity—on our walls, in our galleries, through our programs, on our board, and within our staff—to ensure the PMA experience reflects *your* experience, lifestyle, and values. We must elevate individuals and communities that have been excluded from museums and “the art world,” embodying our values through artwork, exhibitions, programs, and didactics by and in partnership with our BIPOC communities, immigrants and new Mainers, LGBTQIA2S+ neighbors, our elders, youth, and other communities across Maine. We must be at the center of our communities, which

requires dialogue, trust, and transparency. And we must ensure we are championing a more diverse, inclusive, and sustainable region. We must become a community institution that is rooted in *belonging*.

142 Free Street is our catalyst for a brighter future, ensuring Congress Square is a sustainable center for arts and culture.

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The shared values of the PMA and city of Portland were centerstage as we put out a global open call for architects to assemble diverse teams of experts to imagine the future of 142 Free Street. Our International Design Competition attracted submissions from 104 teams representing 20 countries, including Australia, Belgium, China, Denmark, Finland, Japan, Mexico, Spain, South Korea, United Arab Emirates, the United Kingdom, and more. In total, more than 250 firms participated as part of the 104 submitting teams, with 46 percent of all lead architecture firms founded or owned by people of color or women.

After a rigorous selection process, Portland, Oregon's LEVER Architecture won the commission. LEVER stood out for numerous reasons, chief among them their commitment to sustainable design and building practices, and deeply rooted understanding of DEAI.

Their initial concept has been overwhelmingly supported by our communities, with an astounding 93% positive feedback rate for LEVER's concept.

Here are a few of the impacts we're looking forward to:

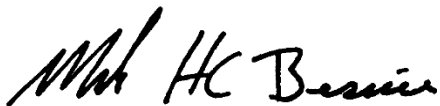
- 1. Align with our *Art for All* mission.** The new PMA wing will be a lasting example of our communities' values and the PMA's commitment to diversity, equity, accessibility, and inclusion. In the words of the late artist David Driskell, "What we leave as proof of our being here will not necessarily be in the sciences, in politics in economics, but will manifest itself through the arts". ***This once-in-a-lifetime museum expansion and unification that will forever change Maine and New England.*** Through *The PMA Blueprint*, we will redefine our region, unite our communities, and sustain our economy for generations to come.
- 2. Contribute significantly to Portland and Maine's economy.** A 2022 economic analysis commissioned by the PMA through the Center for Business and Economic Research at the University of Southern Maine concludes that post-expansion, ***the PMA's annual economic contribution will more than double to include more than 600 jobs, \$28.1 million in labor income, \$65.3 million in sales, and \$4.2 million in local and state taxes.*** The expansion also will solidify the PMA's status as quintessential destination and defining experience in Maine.

3. **Promote sustainability and spark revitalization across our state.** True to the spirit of the City of Portland's comprehensive plan and dedication to sustainability, our new building will showcase innovative construction materials and techniques that are on the forefront of sustainability. The building will be constructed primarily of mass timber, a remarkably strong, durable, and sustainable material with an ability to sequester carbon. When wood that is used for mass timber construction is obtained from sustainably managed forests, the resulting materials have a much lower life-cycle carbon footprint than steel and concrete, delivering a 26.5% reduction in global warming potential, according to University of Washington researchers. ***We're working to operationalize the shared desire for a mass timber plant in Maine and get it to the finish line with our policymakers at all levels, the University of Maine, Indigenous leaders, landowners, forestry advocates, businesses, and more.*** Why? Because mass timber in Maine just makes sense. We're the most forested state in the country—with nearly 90% of the land covered in forests, the potential to revitalize and reimagine our state through this innovative industry is real. This is a rare and unique opportunity to bring rural and urban communities, companies, and governments together through clean industries that make the world better and support Maine jobs.
4. **Expand inclusivity and belonging.** It is important to acknowledge and understand the potential interpretations of architectural styles, and when they are applied in different time periods, when considering what to champion for our city. Maine's marquee cultural institution must be a landmark designed with everyone in mind. 142 Free Street's current façade, however, was erected during the Jim Crow era. Our region is one that is striving to become more inclusive, dynamic, and diverse—a city where everyone belongs—and some architecture styles can carry unfortunate legacies of the past into the future that undermine these values and goals.

Without the removal of 2009's misclassified designation, we will not be able to realize this collective vision for our future and our city will be less dynamic, inclusive, equitable, and sustainable as a result.

We are aligned with the City of Portland's values and vision, and our drive to do right by our communities has been at the center of this project from day one. We believe that this project will spark our economies, spur urban development locally, and change the way our city and state are seen by visitors from around the world. We request that the City of Portland take the brave step forward to support our request to re-designate the 142 Free Street property to "non-Contributing" to enable our communities' vision for the City of Portland, our beautiful state, and the PMA.

Thank you for your consideration,



Mark H.C. Bessire
Judy and Leonard Lauder Director

Aspects of Integrity Evaluation for 142 Free Street

National Register and City of Portland

Please find the seven Aspects of Integrity and an assessment summarizing each aspect of 142 Free Street and the resulting impact on National Register (NR) eligibility for Individual Listing or as a contributing structure to a NR Historic District. Interior features and alterations are mentioned only in the context of NR eligibility for individual listing.

Per the 2020 district nomination update, the Period of Significance for the Spring Street National Register Historic District is 1800 through 1943, which includes the tenancy of the Chamber of Commerce. Other entities associated with the site—the Baptist Church, the Children’s Museum—are not relevant to this evaluation as no physical fabric remains to represent the Church’s ownership, and the Children’s Museum’s ownership post-dates the Period of Significance.

All historic interior elements are gone from 142 Free Street. This is more of an issue for individual eligibility—only the exterior is considered when evaluating if a building contributes or does not contribute to a National Register Historic District. The National Register Guidelines define the Aspects of Integrity as follows:

Location is the place where the historic property was constructed or the place where the historic event occurred.

Design is the combination of elements that create the form, plan, space, structure, and style of a property.

Setting is the physical environment of a historic property.

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.

Association is the direct link between an important historic event or person and a historic property.^[1]

	Contributes to a District?	Eligibility for Individual Listing?	
Location	---	---	Building remains in original location. Integrity of location is uncompromised.
Design	The form of the building is compromised by the addition of the dormer and cupola.	Building would not be eligible for individual listing on the National Register due to the	Integrity of Design is compromised.

		alteration of the interior. The interior of the building has no integrity – plan is altered, all finishes removed, roof structure replaced.	
Setting	The setting lacks any historic integrity – building is surrounded by parking lots and a ca. 1983 building (the Payson wing)	The setting lacks any historic integrity. Historically, Free Street was a residential street (19th c.) and in the early 20th c. some commercial structures – the YMCA – replaced residences. 142 Free is now surrounded by surface parking lots and a ca. 1983 building (the Payson wing)	No Integrity of Setting remains.
Materials	- Large windows on the highly visible east facade are not wood. - Basement windows, east facade are not wood. - Front (main entry) doors, transom over same replaced with modern, metal doors.	- Large windows on the highly visible east facade are not wood. - Basement windows, east facade are not wood. - Front (main entry) doors, transom over same replaced with modern, metal doors	Integrity of Materials is compromised.
Workmanship		All elements of the 1927-43 interior are gone – no workmanship remains at interior.	For the interior, the Integrity of Workmanship is compromised.
Feeling	- Cupola changes the formal *feel* of the building. - The added dormer alters the roofline, a critical feature on this formal design.	- Cupola changes the formal *feel* of the building. - The added dormer alters the roofline, a critical feature on this formal design.	Integrity of Feeling is compromised.

		The interior retains no feeling of its 1927-43 era.	
Association	Changes to the exterior – fenestration changes, replacement windows, dormers, cupola – have resulted in a stronger visual association with the Children’s Museum’s ownership.	- Interior retains no spaces or finishes to represent its association with the Chamber ca. 1927-43. - Changes to the exterior create a stronger association with the Children’s Museum.	Integrity of Association is compromised.

City’s Aspects of Integrity

The Designation Report does not assign/mention a Period of Significance.

The City’s “Land Use Code” does not define Design, Condition, Materials, etc. (see “Definitions” on pages 17-1 through 17-3).

The City does not consider or review interiors, so the interior of the building is not discussed in the following list.

Location	---	Intact - building remains in original location.
Design	- Fenestration (window locations) altered – east facade. One opening added, one filled in at upper floor. Basement openings heavily altered – filled in, added, one opening enlarged to door. - Highly visible cupola added - Highly visible dormer added. - Highly visible skylights added.	Compromised.
Condition	---	Intact - building is generally in good condition.
Materials	Large windows, east facade are not wood.	Compromised.

	• Basement windows, east facade are not wood. • Front (main entry) doors, transom over same replaced with modern, metal doors.	
Workmanship	• Windows replaced, the modern windows do not replicate the original design • Primary entry door, transom over same door replaced – door, transom are metal and do not replicate original design	Compromised.

^[1] *National Register Bulletin How to Apply the National Register Criteria for Evaluation*, page 45.
Available at https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf



July 10, 2023

I am happy to submit this letter of support for the potential new museum wing of the Portland Museum of Art.

As the General Manager of Crobo LLC, owner and operator of the State Theatre and Summer Concert Series at Thompson's Point, I can speak first-hand how incredible it has been to be a neighbor of the Portland Museum of Art. The PMA and the State Theatre are two of the oldest arts-institutions in Portland as we have welcomed both locals and tourists into our venues for a century. I am thrilled for the museum's expansion and the economic growth and impact that this expansion would have not only in our neighborhood, but city and state wide. The potential for more programming, event space and community events is certainly an exciting and big part of it all, but so is the commitment the PMA has made to sustainable building practices with this project, which is crucial as we navigate climate change in a coastal city.

From the PMA, to Congress Square free events, to the lines going into the State Theatre for a concert, to the bustling restaurants around us and the amazing, local retail stores that have opened - watching this neighborhood and city grow and thrive both economically and culturally has been a thrill to watch over the years, and I firmly believe that the PMA expansion would further this excitement and the tangible energy you can actually feel on the street. We have been grateful to be one part of it all, and we wholeheartedly both support and are excited for the Portland Museum of Art's expansion project.

Thank you,

A handwritten signature in black ink, appearing to read 'Lauren Wayne', is positioned above the printed name.

Lauren Wayne
GM – Crobo LLC
State Theatre



To the Historic Preservation Board,

I am writing in support of the redesign of 142 Free Street. I am currently the President of Springer's Jewelers located at 580 Congress Street. Although we technically reside on Congress Street, our most commonly used entrance is Free St.

We have been honored to be neighbors of the Portland Museum of Art for over 50 years.

As a fourth-generation family-owned business Springer's Jewelers understands the delicate balance between upholding tradition and welcoming change to meet the needs and expectations of our clients and community. It is no secret that the residents of upper Congress and Free Street have struggled with the balance needed for the community and businesses to thrive. The introduction of the "Arts District" has been well accepted by businesses in our area. The Portland Museum of Art is the anchor of this area and community.

We are in full support the redesign of the 142 Free Street location as an opportunity to let the Art District shine and create new history, while the Museum continues to pay homage to the already existing and maintained historical buildings that are part of its campus. We hope this letter helps to encourage a dialogue with the goal of supporting the evolution of Portland in a way we can all be proud of and call ours.

Sincerely,

Lilly Mullen
President & Fourth-Generation
Owner, Springer's Jewelers

July 8, 2023

Chair Schueckler and Members of the Historic Preservation Board
Portland City Hall
389 Congress Street, 3rd Floor
Portland, Maine 04101

Re: PMA Blueprint Project and Redesignating 142 Free Street as a “Non-Contributing” Property in Portland’s Historic District

Dear Chair Schueckler and Members of Historic Preservation

This letter serves as an expression of our support for the Portland Museum of Art’s Blueprint Project, and its petition to redesignate 142 Free Street as a non-contributing building in Portland’s Historic District. As neighbors, community members, business owners and historic preservationists in our own right, we believe the Blueprint Project and redesignation are vital to the future of the Museum campus and our neighborhood.

PMA has been a touchstone of Portland’s economic and cultural vitality since the Museum’s inception. Lying squarely at the heart of Portland’s geographic and artistic cores, PMA must be allowed to adapt to the growing demands of the city and its audiences. The community has watched the campus grow over the last 190 years, sometimes with great purpose, other times more organically. The current structure at 142 Free Street is more a pastiche than a relic. Historic preservation is best utilized when it preserves the quality and character of a place and time. 142 Free Street no longer reflects a single character or quality requiring protection. Its value rests in its use, not its facade.

The Museum leadership has invested tremendous thought, time and resources into making sure this development is executed with integrity. Over the last two years, we’ve been thrilled to see the care they’ve taken paying homage to Maine’s local and regional histories in their process. Every step of the way they’ve asked how best to look forward without forgetting the past. PMA has a vision for a more inclusive, welcoming Museum - a Museum whose vibrancy ripples out into the community. They can only fulfill this vision with freedom and latitude to execute this world class design in a manner that feels cohesive to the rest of the campus. Tying that process to the Greco-Roman facade at 142 Free Street would place an undue stylistic and structural burden on the project. More importantly, it would be imposing a fight to preserve something that doesn’t speak to Portland’s best past or future.

Thank you for your time and consideration. We look forward to the impact of the completed project, and working alongside PMA and City leadership to enhance the cultural and economic vitality of Portland.

Most sincerely,

Erin Kiley
Co-Owner, Portland Flea-for-All
Co-Owner, Hammond Heirs Block at 585-593 Congress Street
Portland Downtown Board of Directors

August 18, 2023

As an architect and lifelong Portland resident I am writing to support the Portland Museum of Art's proposal to expand their historic complex on Congress Square. The museum is the anchor for our Arts District and an important cultural asset for Portland and the wider Maine community.

I am pleased with the selection of LEVER Architecture's team for the design. I am confident that their design solution will respect the PMA's historic complex and be an important contribution to Congress Square and Portland's architectural fabric. Their sustainability goals for the project featuring engineered wood construction are exciting and forward thinking. It will be a bonus if the construction helps jumpstart the wood products industry in Maine.

It is obvious to me as a longtime PMA member that the museum has outgrown its current space and requires this expansion to provide flexible, non-traditional museum space to further their mission to serve a wider and more diverse arts community.

Sincerely,
Paul S Stevens Architect
37 Fessenden Avenue
Portland, Maine 04109



A History of 142 Free Street and Free Street at Congress Square

for the Portland Museum of Art
Portland, Maine

July 5, 2023

Prepared by
Margaret Gaertner
M. Gaertner, Historic Building Consultant

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The Free Street Theater (1830-1835)

Free Street and 142 Free Street are slightly off axis. For the purposes of the following report the Free Street-facing facade of 142 Free Street is the north facade and Free Street runs east-west.

Sometime in 1830, a building was constructed at 142 Free Street in Portland, Maine.¹ Originally built as a theater, it may have been the first theater constructed in Maine.² Some accounts called it the Portland Theater while others referred to it as the Free Street Theater.³ One newspaper noted the cost of the theater building was \$10,000.⁴ Surviving deeds indicate there were many investors involved in the theater enterprise – a January, 1831 mortgage on the property listed twenty-seven grantors, or titleholders, with ownership rights in the theater building and lot.⁵

No drawings or other images of the building have been located, and the written descriptions of the original theater building vary.⁶ The theater was a hipped-roof building set several feet back from the street line. A broad flight of steps ran up to a portico, where three doors led to the vestibule. There were also doors to the basement on either side of the steps. The facade had a recess, and two, large Ionic columns that supported a “heavy” entablature. Above the entablature, there

Free Street Theatre.—The Boston Galaxy has been altogether too obliging to us ‘down Easters.’ Our theatre is not opened; no Poem has been recited, and we are wonder-struck at the marvellous events which, the editor says, have happened in our town. We don’t know here, who is the successful competitor for the Prize Poem, much less that a Poem has been delivered. We learn, however, that the Theatre will be opened to-morrow evening. The *Corps Dramatique* have been here over a week waiting for the finishing of the building which “is being” erected in Free-street. We are told, and we are happy to give such information to our readers, that the reputation, habits, and morality of this company are such as entitle it to the confidence of the public. Such information will be doubly agreeable to the lovers of the Drama with us, for they have so often been visited by Thespian gipsies. The Manager promises in his advertisement to use his best exertions to give satisfaction to the public. We have no doubt he will be successful.

This notice ran in the Portland Advertiser on September 9, 1830. It suggests construction of the Free Street Theater was nearing completion on that date.

1. *Free Street Baptist Church Semi-Centennial 1836-1886*, 74. “Free Street Theater,” *Portland Advertiser* (September 28, 1830) np.

2. Herbert G. Jones, “Nothing Remains on Free Street...” *Portland Press Herald* (26 November, 1939) Section C, 10.

3. Herbert G. Jones, “Nothing Remains on Free Street...” *Portland Press Herald* (26 November, 1939) Section C, 10.

4. “Edwin Forrest Played Here 83 Years Ago,” *Portland Sunday Telegram* (6 February, 1914) 1, “The Saunterer,” *Portland Sunday Telegram* (25 November 1917) 6, and Herbert G. Jones, “Nothing Remains on Free Street...” *Portland Press Herald* (26 November, 1939) Section C, 10.

5. Cumberland County Registry of Deeds, Book 123, page 515.

6. For descriptions of the theater building, see: Herbert G. Jones, “Nothing Remains on Free Street...” *Portland Press Herald* (26 November, 1939) Section C, 10 and “The Saunterer,” *Portland Sunday Telegram* (25 November, 1917) 6.

was a balustrade, also described as “heavy”. There were four chimneys, one at each corner. The side walls had two rows of windows, likely one row for the basement, and the second at the main floor. Each row had six windows.

The Free Street Theater operated for approximately five years. Portland’s proximity to Boston provided access to quality performers. In July 1831, a young Edwin Forrest, who would later become one of the most noted stage actors of the early-nineteenth century, appeared in a series of plays at the Free Street Theater.⁷ Junius Booth, patriarch of the noted family of stage actors, is also believed to have performed there.⁸

As a business enterprise, the Theater appears to have struggled. Various newspapers in the early 1830s noted the re-opening of the theater and the appointment of new managers.⁹ By 1835, the ownership of the theater was divided among three investors: Solomon Mudge, Enoch Mudge, and Nathaniel Jewett.¹⁰

By 1835, the Theater was closed for good. In December, 1835 the theater building was sold to eight Portland residents who were members of the First Baptist Society for \$5,000.¹¹ The men intended to use the theater building as a church.

7. “Edwin Forrest Played Here 83 Years Ago,” *Portland Sunday Telegram* (6 February, 1914) 1.

8. Herbert G. Jones, “Nothing Remains on Free Street...” *Portland Press Herald* (26 November, 1939) Section C, 10.

9. “Re-opening of the Portland Theatre,” *Eastern Argus* (17 June, 1831) 2, *Daily Eastern Argus* (12 June, 1833) 2, and *Daily Eastern Argus* (8 July, 1833) 2.

10. Cumberland County Registry of Deeds, Book 142, Page 412.

11. Cumberland County Registry of Deeds, Book 146, page 14.

The Free Street Baptist Church (1836-1926)

The Free Street Baptist Society was incorporated in January 1836. A building committee was formed, and the building formerly known as the Portland Theater was purchased. The eight men who had bought the Theater in December, 1835 sold the property to the Free Street Baptist Society on January 18, 1836. The deed for the sale of the building to the Society specifically mentioned "...being the lot of land on which the Brick Building called the Theatre now stands..."¹²

The Church made major alteration campaigns to its building every twenty years – in 1836, 1856, and 1876 – that resulted in significant changes to the appearance of the building. A final remodeling in 1926 by the subsequent owner erased all remnants of the earlier church building from the front facade and interior.

In 1836, the building was converted from a theater to the Free Street Baptist Church. Per non-contemporary written accounts, the former theater was altered as follows: the hipped roof was replaced with a gable roof, and the entablature was extended. The earlier windows in the side walls were replaced with taller windows, three openings in each wall. By August 11, 1836 the renovations were completed and the building was dedicated. A small line drawing on John Cullum's 1836 *Map of the City of Portland...* records the earliest appearance of the Church. John Calvin Stevens' conjectural sketch of the Free Street Baptist Church (following page), published in 1886, appears to be based on that small drawing.

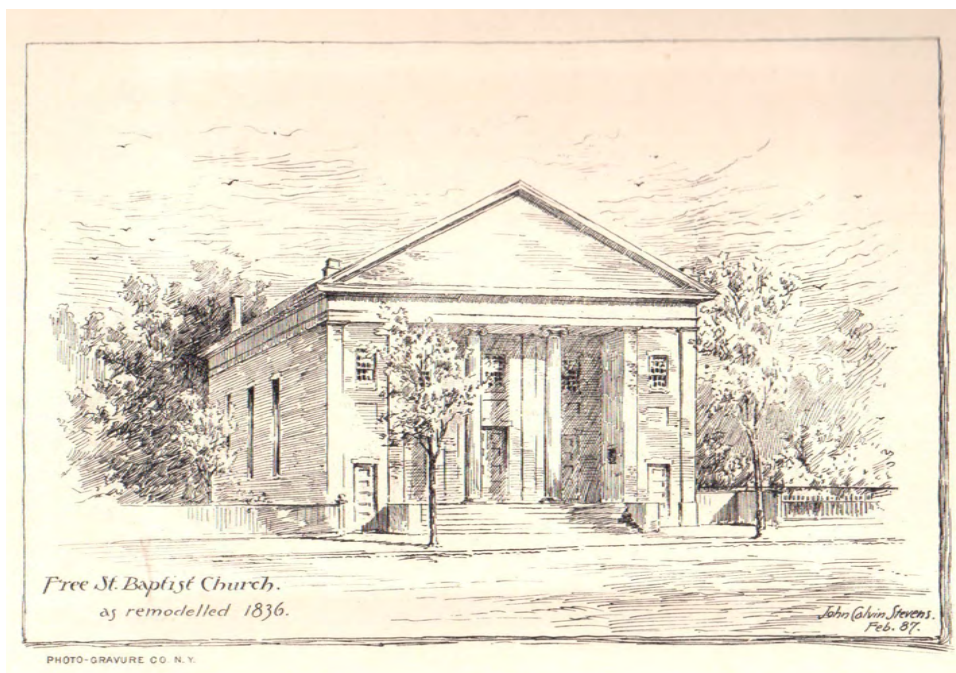
In 1856 the church building was remodeled per the designs of architect Richard Bond (1798-1861). Bond was a Boston-based architect who had designed the Portland Merchant's Exchange (1835-9) prior to receiving the commission for the redesign of the Free Street Baptist Church.¹³

The alterations cost \$15,000¹⁴ and included adding a new "front" to the building which brought the primary facade out to the street line. This new facade was Italianate in style, and included two asymmetrical towers. The taller of the two towers was 185 feet tall and dominated the neighborhood around it. Surviving photographs show a light-colored building, lighter than the brick buildings adjacent to it, indicating the brick structure was painted, or more likely, stuccoed and scored, to imitate stone. Remnants of a stone-colored finish are still visible on the west facade of the building.

12. Cumberland County Registry of Deeds, Book 143, page 446.

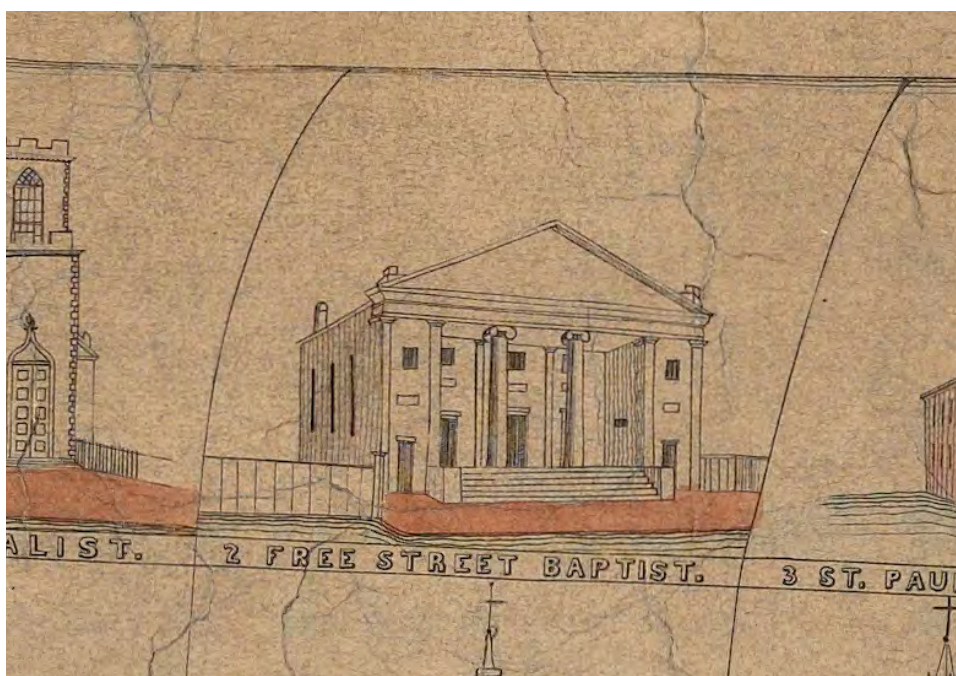
13. Stephen Jerome, "Richard Bond," *Biographical Dictionary of Architects in Maine* (Volume V, No. 2) 1988.

14. William Willis, *The History of Portland* (Somersworth, NH: New Hampshire Publishing Company, 1972) 691.



In 1887, architect John Calvin Stevens made this sketch of the Free Street Baptist Church as he believed it would have appeared in 1836.

Source: Free Street Baptist Church Semi-Centennial 1836-1886.



This drawing of the Free Street Baptist Church was included on John Cullum's 1836 map of Portland. It likely was the source for John Calvin Stevens' 1887 sketch of the Church (above).

Source: John Cullum, A Map of the City of Portland with its Latest Improvements..., 1836.



These finish remnants found on the west facade record the stone color that was once found on the exterior of the Free Street Baptist Church.

In March, 1876 a fierce gale damaged the original spire.¹⁵ The spire and its base were removed and replaced with a shorter, eight-sided, curved dome roof on a new base (see photographs, next page).

In 1887, the Free Street Baptist Church spent \$6,500 on a “thorough improving” of the Church and a few years after that, stained glass windows were installed in the building.¹⁶ In 1894, five-sixths of the lath-and-plaster ceiling fell down, including the furring, landing on and damaging some of the pews.¹⁷

In 1922, the Free Street Baptist Church and the First Free Baptist Church merged and formed the Immanuel Baptist Church. The newly formed congregation decided to build a new, shared church at the corner of Deering and High Streets. On October 15, 1926, the Immanuel Baptist Church sold its building at 142 Free Street to the Portland Chamber of Commerce (“the Chamber”).¹⁸ As part of the sale agreement, the Church retained ownership of the stained glass windows, organ, and pews that were then in the building.¹⁹

15. *Free Street Baptist Church Semi-Centennial 1836-1886*, 79.

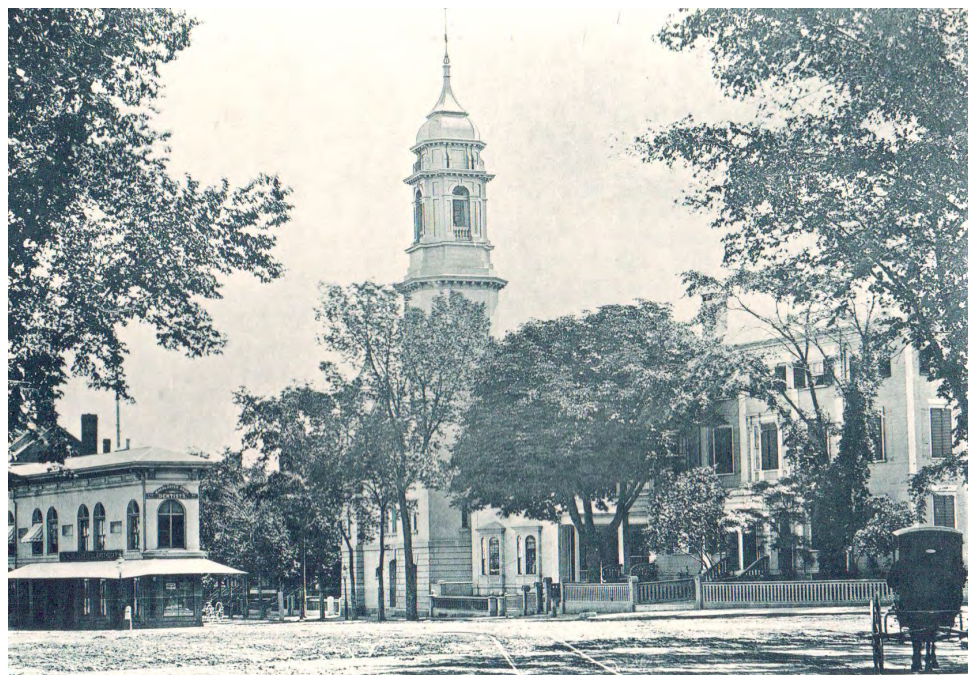
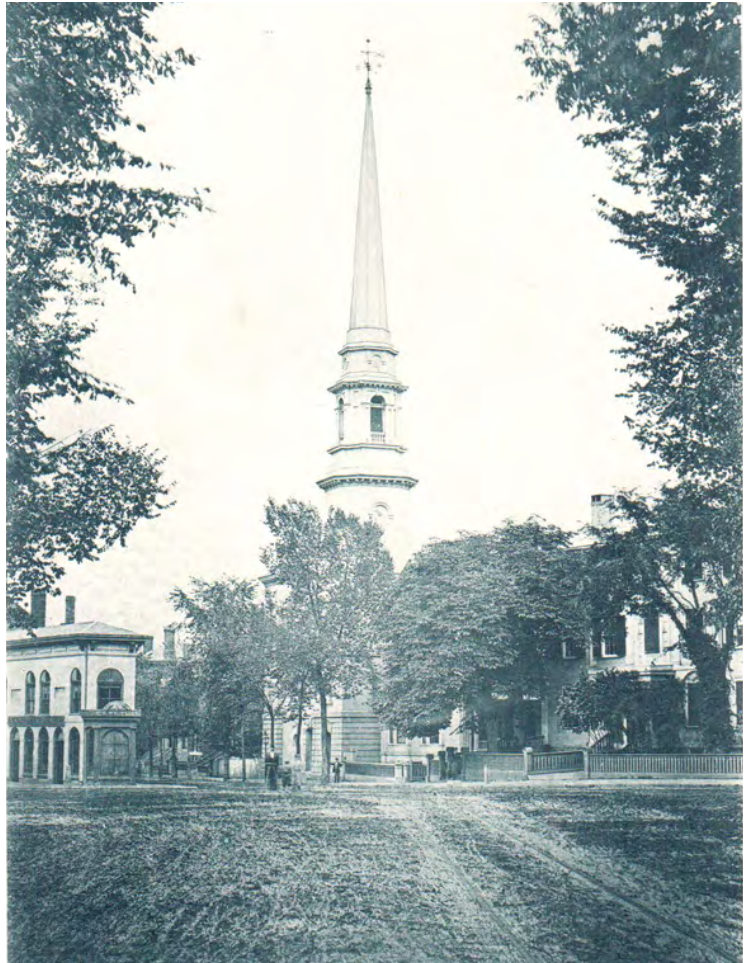
16. “A Fall in Plaster,” *The Portland Daily Press* (25 October, 1894) 8.

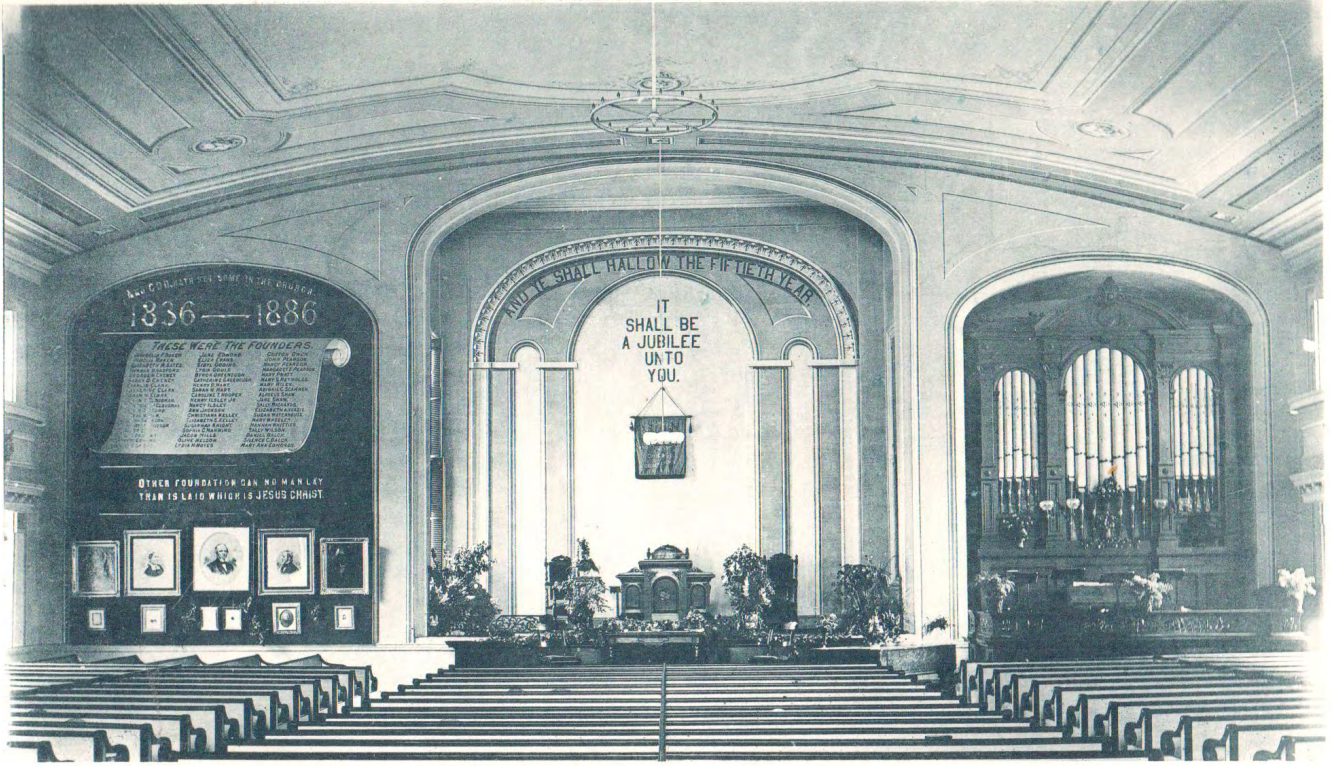
17. “A Fall in Plaster,” *The Portland Daily Press* (25 October, 1894) 8.

18. The Chamber of Commerce has had several names over its existence including the Chamber of Commerce of Portland and the Chamber of Commerce of the Greater Portland Region. For the purposes of this report, “Chamber of Commerce” will be used.

19. Cumberland County Registry of Deeds, Deed dated October 31, 1991, Book 1246, page 482.

Right: The Free Street Baptist Church as it appeared after architect Richard Bond's 1856 redesign was complete. Below: The Free Street Baptist Church as it appeared after the spire was removed in 1876. In both images, the only building shown that still stands today is the Hay Building, the two-story "flat iron" building to the left of the Church.





This interior view of the Free Street Baptist Church was published in 1887.

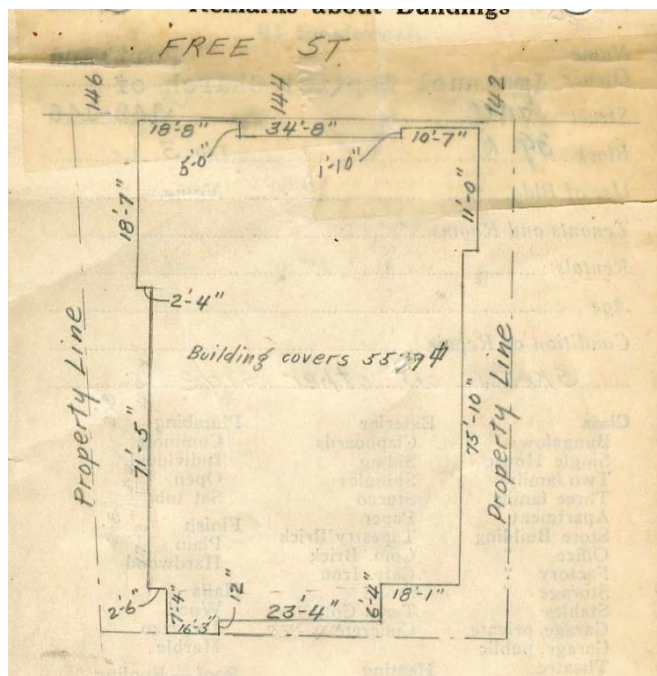
Source: *Free Street Baptist Church Semi-Centennial 1836-1886.*

Chamber of Commerce (1926-1991)

In 1926, the Chamber of Commerce bought 142 Free Street²⁰ and announced plans to renovate it for their new home. The Chamber retained architects John Calvin Stevens and John Howard Stevens to convert the former church into the Chamber's new headquarters.²¹ The contractors for the work were W. W. Cunningham & Sons.

As noted by the press, the remodeled building retained little of its appearance from its days as a church. The two projecting towers on the Free Street facade were removed, and northernmost fifteen feet of the building (at Free Street) were rebuilt. The front facade of the building, likely stuccoed to resemble stone in its Church days, was completely removed and replaced with a new facade of exposed brick. The new facade had a portico supported on four concrete columns between two brick piers.

The extant building bears so little resemblance to the earlier Free Street Baptist Church that it is difficult to see how the Church was remodeled rather than completely replaced. Comparison of the building footprints as recorded in the 1924 assessor's sketch of the building footprint and the footprint in the current assessor's database show the basic dimensions are roughly the same. Photographs of the east facade from 1925 and 1958 (see photographs on following page) show the window openings on that wall were retained (new lintels were added in 1926) as was part of the cornice. Remnants of a stone-colored finish remain on the exterior face of the west wall (see photograph, page 7) but very little else of the building's past as a Church building appears to have survived.



This sketch floor plan was included in the City of Portland's 1924 assessment card for 142 Free Street.

Source: City of Portland - Planning & Development Department.

20. Cumberland County Registry of Deeds, Book 9779, page 254.

21. Drawings for the Stevens' alterations are not known to have survived. They are not in the collections of the Maine Historical Society. Requests to the Avery Library at Columbia University were not returned.



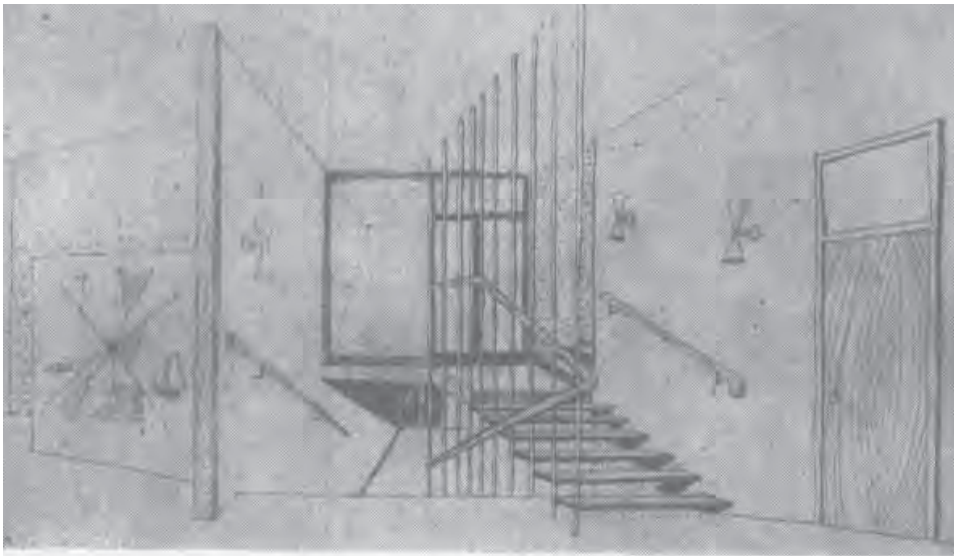
The Free Street Baptist Church in 1925 (above) and the Chamber of Commerce in 1958 (below). Without these two views to compare, it is difficult to see how the Church building was remodeled into the Chamber. The Free Street end of the building (at the right in these images) was completely replaced, and the brick walls are a different color.

Source: *Portland Evening Express*, May 31, 1958.



In addition to the exterior changes, the interior was remodeled. Although no architectural drawings have been located, the fenestration of the side walls suggests the north end of the building was divided into two floors, likely office space, while the south end was a double-height space. A “hard fuel” (coal) steam heating system was installed. During the sixty-five years the Chamber owned 142 Free Street, it continued to make small improvements and upgrades to the building. In 1941, an internal stair at the rear of the building that connected the first floor and basement was “floored over.”²²

In 1959, the Chamber remodeled the interior of the building.²³ In June of that year, the Chamber applied for a building permit to make \$54,700 in alterations “as per plans.” The contractor was Samuel Aceto & Co. Inc.²⁴ As part of the alterations, the coal-fired steam heating system was converted to oil.²⁵ In 1966, the Chamber completed a “brightening” of the exterior of 142 Free Street. The work included painting and repointing and cost \$15,000.²⁶ In January, 1972 the Chamber applied for a building permit to complete \$85,000 worth of renovation and alteration work “as per plan.” The referenced plan has not survived.²⁷ The inspector noted steel beams were installed in the basement. As part of that project, the Chamber installed air-conditioning in the building.²⁸



This rendering shows the interior design proposed for the Chamber of Commerce building in 1959. It is not known if the design was executed.

Source: Portland Evening Express, April 17, 1959.

22. Permitting and Inspections, Permit number 1919, dated December 9, 1941.

23. “Older than it Looks,” *Evening Express* (14 January 1966) 7.

24. The referenced plans were not included with the building permit. Permitting and Inspections, Permit number 749, dated June 17, 1959.

25. Permitting and Inspections, Permit number 848, dated July 7, 1959.

26. “Older than it Looks,” *Evening Express* (14 January 1966) 7.

27. Permitting and Inspections, Permit number 0112, dated January 21, 1972.

28. Permitting and Inspections, Permit number 0168, dated February 8, 1972.



142 Free Street (left) and the former WCTU building at 150 Free Street (right) on January 30, 1980. The WCTU building was torn down later that year.

Source: Portland Press Herald Still-Film Negatives Collection, Portland Public Library.

Throughout the 1980s, the Chamber reported financial difficulties. In October 1981, the Chamber of Commerce announced a “cash flow” problem of \$100,000. Most of the shortfall was due to cuts in federal programs that had covered salaries for clerical staff.²⁹

In June, 1982 the Chamber announced a deficit of \$65,000. The shortage was to be covered by bank loans, with refinancing of the mortgage on 142 Free Street listed as a possible longer-term solution.³⁰ By 1990, the Chamber had decided to sell their building. Chamber President Bill Nugent said the building was too big for their needs, and had deteriorated over the years. He also noted that while the building had lowered ceilings, the original ceilings were about thirty feet high and “nicely decorated.”³¹ On October 31, 1991 the Chamber sold 142 Free Street to the Children’s Museum of Maine.³²

29. Frank Sleeper, “Chamber problem: \$100,000,” *Evening Express* (26 October, 1981) 1.

30. Frank Sleeper, “Chamber shows \$65,000 Deficit,” *Evening Express* 7 (May, 1982) 1

31. “Chamber Puts Building up for Sale,” *Evening Express* (9 January, 1990) 16.

32. Cumberland County Registry of Deeds, Book 9770, page 254.

The Children's Museum of Maine (1991- 2019)

The next owner of 142 Free Street was The Children's Museum of Maine. As did prior owners, the Children's Museum made alterations to the building to accommodate their activities. The renovations were extensive and included complete demolition of the interior and alterations to the exterior.

The Children's Museum worked with architect Stephen Blatt, structural engineers Pinkham & Greer, and Wright-Ryan Construction to renovate the building. On his website, Stephen Blatt notes the Chamber of Commerce building was "...severely dilapidated...." prior to the renovations. The construction cost was 1.1 million.³³

The primary, Free Street-facing facade saw few changes. The primary entry door and the transom over it were removed and replaced with a modern frame, transom, and door of metal. On the east facade, the fenestration was altered. During the Chamber of Commerce's ownership, the south end of the facade had three, double height window openings with wood sash. The northernmost window was removed, the opening was infilled with brick, and two, smaller windows



Left: Only one of the ca. 1926 double-height wood windows survives in the building. Below: the extant entry door and transom are late-twentieth century replacement.



33. City of Portland, Permitting and Inspections, Permit No. 923937, issued July 21, 1992.

installed in the infilled portion. A new, double-height window was installed between the surviving two windows at the south end.

An eight-sided cupola was placed on the ridge of the roof and a large, shed-roofed dormer and three skylights were installed on the east roof slope. The cornice south of the downspout was removed and replaced with a new cornice that was to match the existing (see diagram, following page).³⁴ Other changes to the exterior of the building included a new addition to the south facade for an egress stair.

The renovations for the future Children's Museum occurred in 1992, two years after Portland enacted its historic preservation ordinance. A 1997 building permit noted the building was "Not in District or Landmark" and "Does not Require Review."³⁵ Had the alterations been reviewed for compliance with historic preservation standards, it is likely that most of the exterior alterations, including the addition of a large cupola and a large dormer in locations so highly visible from a public way (Free Street); alteration of the fenestration on the east facade; and replacement of the ca. 1926 windows would have been denied.

The interior of the building was completely gutted in 1992. The demolition work included removing the existing wood roof trusses and replacing them with a steel roof frame. A steel "superstructure" was also added to the building. A new, interior stair enclosed in modern masonry walls was constructed in the northwest corner of the building. An elevator was added as well.

No historic floor, wall, or ceiling finishes survive today. It is likely that any that had survived were removed as part of the 1990s work. Records in the City of Portland's building permit files indicate concrete slabs were poured for the basement, first, and second floors.³⁶ As seen from the interior of the building, the existing floors are poured in modern, corrugated pans, confirming that all of the floor framing and flooring was replaced as well. A sprinkler system was installed throughout the building.³⁷

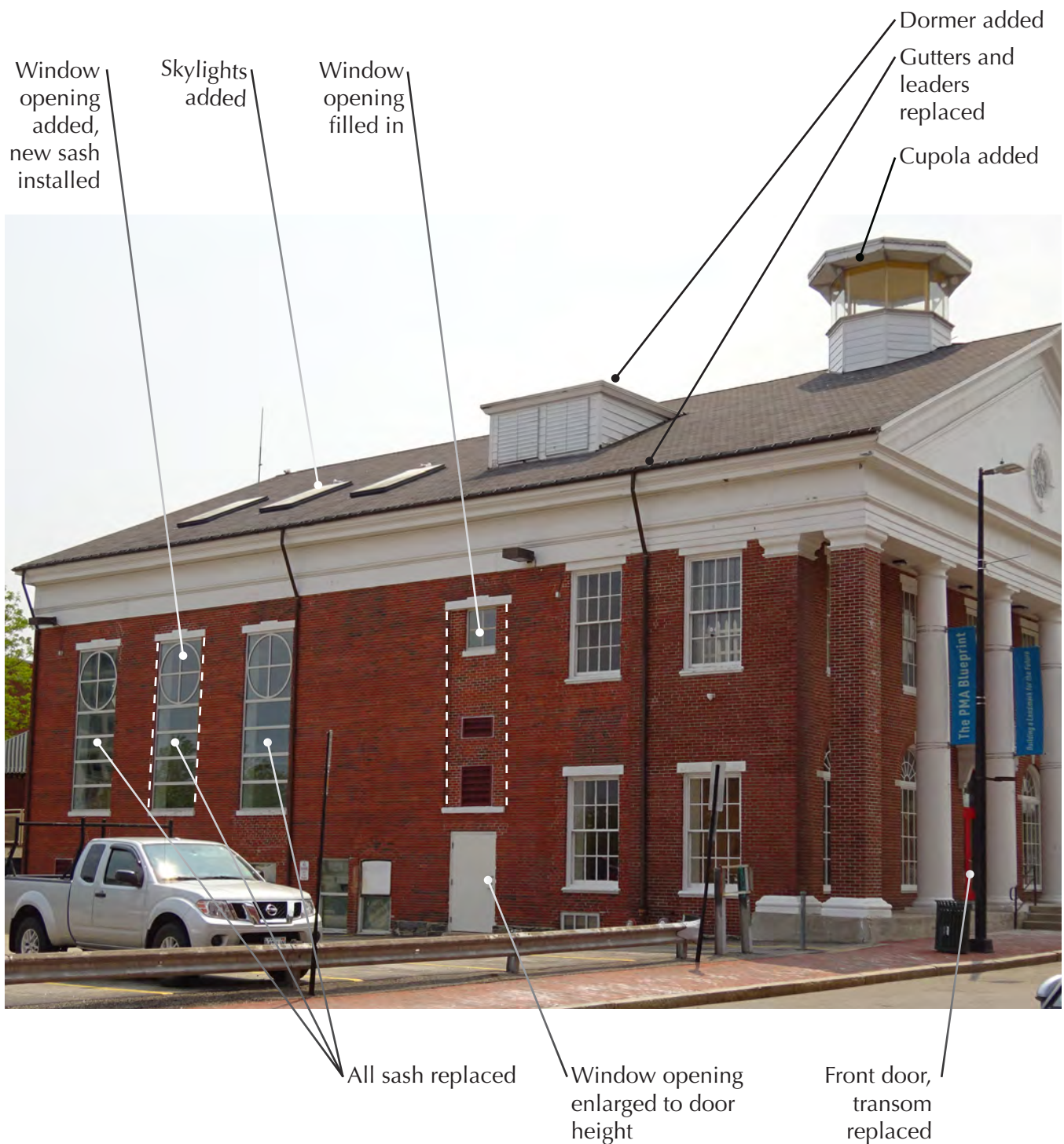
In 2017, the Children's Museum and Theater of Maine announced its plans to relocate to a new, larger building at Thompson's Point in Portland. The new building was to include 30,000 square feet of space, while the building at 142 Free Street had only 18,000. On October 15, 2019, the Children's Museum sold the building at 142 Free Street to its neighbor, the Portland Museum of Art.

34. City of Portland, Permitting and Inspections, 142 Free Street file, undated elevation drawing.

35. City of Portland, Permitting and Inspections, Permit No. 971138, issued October 20, 1997.

36. City of Portland, Permitting and Inspections, 142 Free Street file, Con Test Lab, Inc. "Report of Compressive Strength..."

37. City of Portland, Permitting and Inspections, Permit 924219, Issued October 8, 1992. Letter, P. Samuel Hoffses to Sprinkler Systems Inc., October 8, 1992. Inspections Department.



Exterior alterations to 142 Free Street made for the Children's Museum in the early 1990s.

Renovations made by the Children's Museum in the early 1990s included gutting the interior of the building. Today, no historic interior finishes remain. Note the modern steel framing and skylights in the image at right.



Free Street

The earliest section of Free Street, originally called Love Lane, was laid out in 1772. Initially, it extended only from Center Street to Middle Street – Free Street once ended where it now intersects Cross Street. In 1783, Free Street was extended westward to meet the intersection of Congress and High Streets, which became its western terminus. The newly built section, wider than the original part, was called Windmill Lane, after the windmill that once stood at the top of the hill. In 1788 the original portion of the road was widened to align with the newer section, and the entire street was renamed Free Street.¹ The intersection of Congress, High, and Free Streets is known as Congress Square.

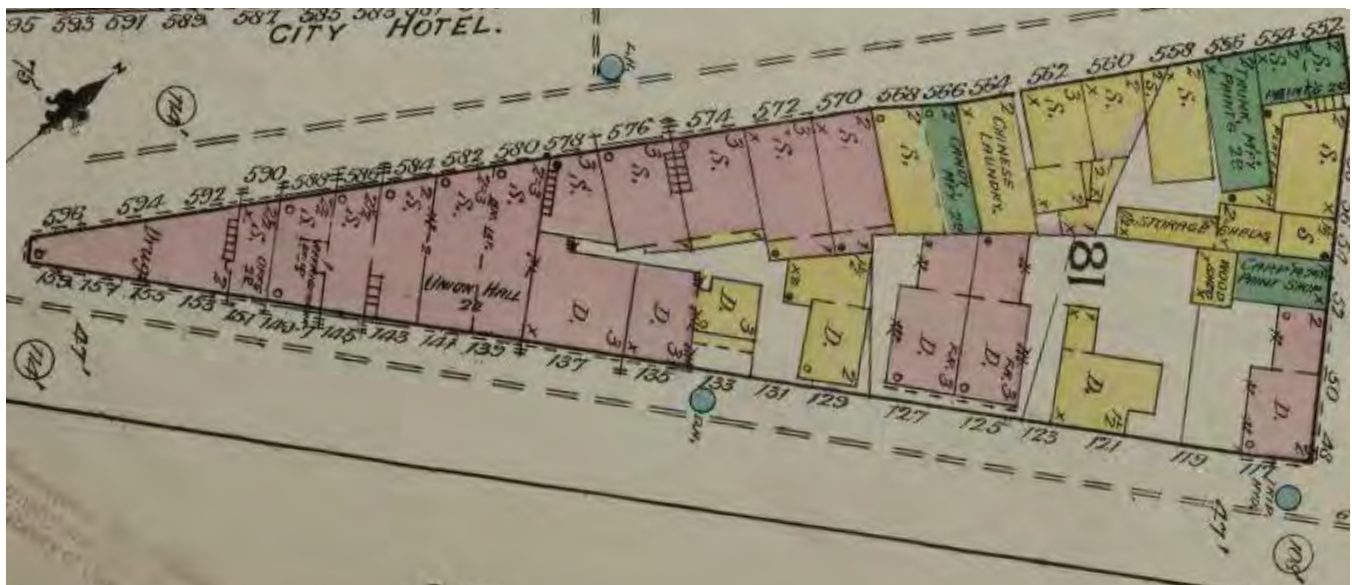
By the early-nineteenth century, Congress Square was a wealthy residential neighborhood lined with some of Portland's finest homes. Noted residences here included the Cobb Mansion, a ca. 1801 Federal-style home designed by Alexander Parris at present-day 7 Congress Square. Further down High Street and on Spring Street were the twin mansions of Stephen McLellan (116 High Street, 1800) and Major Hugh McLellan (107 Spring Street, ca. 1801). The latter was designed by John Kimball, Sr. At the corner of High and Congress Streets was the ca. 1837 Nathaniel Warren mansion, a brick Greek Revival building with an angled facade and two-story porch on columns. As one moved eastward along Free Street, the houses were somewhat smaller, and typically built in simpler versions of the Federal and Greek Revival styles. These residences were a mix of brick and frame construction, and some were freestanding, while others were duplexes or row-houses. Both the north and south sides of Free Street were still largely residential as late as 1886 (see maps and images, following pages).



The south side of Free Street was once lined with brick homes such as this one that stood at 134 Free.

Source: Maine Historical Society. For study purposes only / not for publication.

1. "Free Street Dates Back to Before Revolution," *Portland Sunday Telegram* (16 December, 1917) 5.



As seen in the Sanborn map of 1886, the north side of Free Street east of Congress Square was still largely residential as late as 1886. On the north side of the street (above) all of the structures east of the "Union Hall" were "dwellings" (labeled "D" on the map).

Source: Sanborn Fire Insurance Map from Portland, Cumberland County, Maine, Plate 12 (above) and Plate 24 (below). 1886.





Photograph of the area around Congress Square ca. 1885.

Source: Maine Historical Society. For study purposes only / not for publication.

Free Street
Baptist Church
(142 Free Street)

High Street
Congregational Church
(115 High Street)

First Universalist
Church / Congress
Square Church



148-50 Free Street

Matthew Cobb
Mansion
(7 Congress
Square)

122-4 High Street
112-20 High Street

Map showing the area around Congress Square in 1871. Please note the map has been flipped to align with photograph on the previous page.

Source: Beer's Atlas of Cumberland County.



The former First Universalist Church / Congress Square Church on High Street and the Nathaniel Warren mansion to its right. The Hay Building is visible in the foreground.

Source: Stereoview Photograph Collection, Maine State Archives.

Large churches were built between the residences, including the High Street Congregational Church at 115 High Street (ca. 1831) and the Free Street Baptist Church, which took over and remodeled a former theater at 142 Free Street in 1836. The streets were lined with trees, and the overall feeling was one of prosperity and elegance. Commercial activities were found on nearby Congress Street, in small-scale buildings. The Hay Building (ca. 1922, third story added 1922) at 594 Congress Street is typical of the retail buildings that lined Congress Street during the early- to mid-nineteenth century.



An early view of Congress Street, immediately east of Congress Square. The street is lined with small-scale, two- and three-story commercial buildings.

Source: Stereoview Photograph Collection, Maine State Archives.



The Libby Mansion in 1924.

Source: City of Portland - Planning & Development Department.

As the nineteenth century progressed, the area remained fashionable and more large residences were built, in the Italianate, Second Empire, and Queen Anne styles. The Libby Mansion, at the northwest corner of Congress and High, was among the grandest. Designed in 1853 by architect Charles Alexander, it was actually a double house. 126 High Street was another double residence, this one in the Greek Revival Style. The brick house had a hipped roof that extended over engaged side porches, and was supported on two-story tall columns.

Existing churches were remodeled, and new ones constructed. The Baptists remodeled their Free Street church in 1859, adding a tall spire and Italianate facade over their existing building. The Universalists constructed a large church, known as the Congress Square Church, in 1865 at 1 Congress Square. The Congregational Church on High Street was updated to a Gothic Revival style in 1869.

Most of Free Street was spared by Portland's Great Fire of 1866. Only the eastern-most end, the commercial area at Middle Street, was lost. This block was quickly rebuilt after the fire, and today remains a well-preserved block of commercial buildings built in a range of architectural styles popular in the 1870s.

The late-nineteenth and early-twentieth century saw extensive changes to the formerly genteel and largely residential neighborhood around Congress Square. As the neighborhood became less fashionable, many of the mansions that lined Congress and High Streets were divided into apartments or converted for civic and charitable uses. Some of the homes were demolished and replaced by larger, commercial structures.



Congress Square after 1897. The Cobb Mansion that stood at the corner has been demolished and the YMCA/Libby Building constructed in its place. The brick Nathaniel Warren Mansion still stands at the right.

Source: Collection of the author.



Congress Square after 1920. The Nathaniel Warren mansion that stood at the corner has been demolished and the Shwartz Building constructed in its place. The postmark on the rear of the card is May 6, 1926.

Source: Collection of the author.

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History of 142 Free Street - Page 24 of 45



As the neighborhood around Congress Square became less fashionable, the once-grand homes were re-purposed. By 1924, this large duplex home at 126 High Street had an addition for retail spaces at street level and was divided into apartments at the upper floors.

Source: City of Portland - Planning & Development Department.

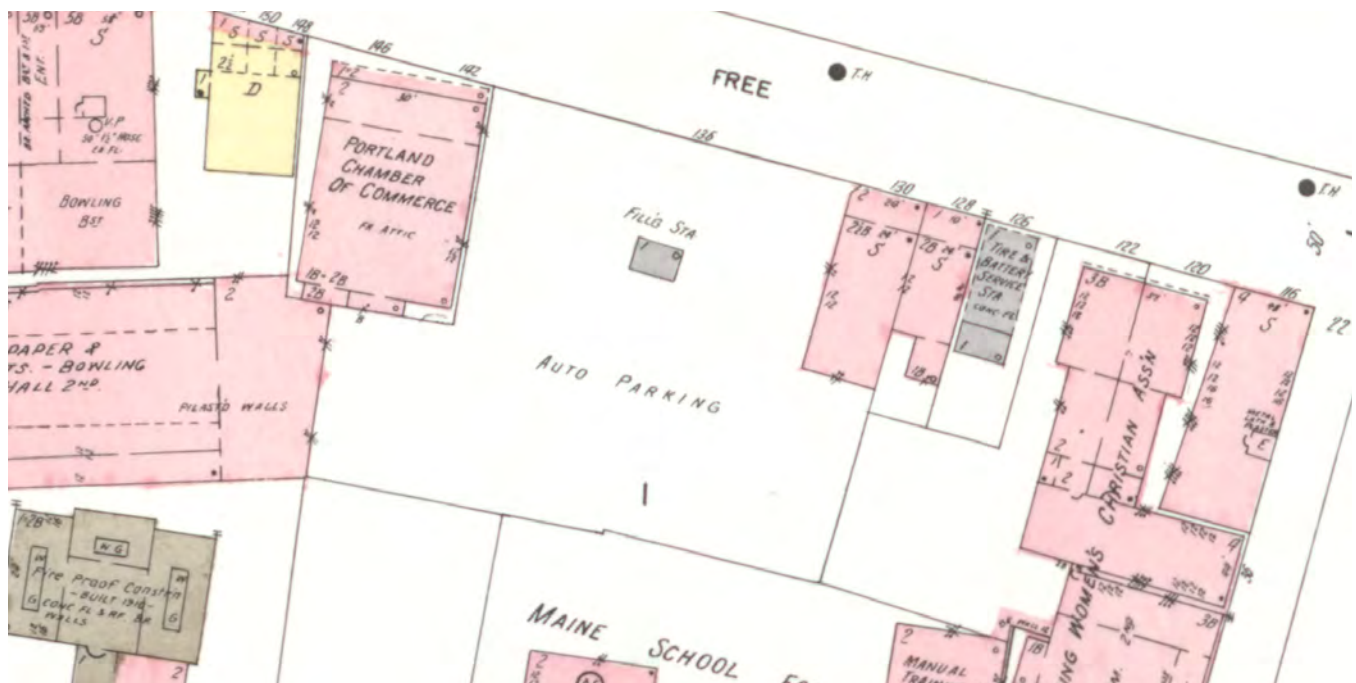
The 1886 Sanborn map recorded that the Cobb Mansion (7 Congress Square) was then home to the Cumberland Club. By 1890, the Cumberland Club had moved to the Stephen McLellan Mansion (116 High Street). The Cobb Mansion was demolished and replaced in 1897 by a five-story tall brick building for the Young Men's Christian Association (YMCA). In 1908, Margaret Mussey Sweat donated the Hugh McLellan Mansion (107 Spring Street) to the Portland Society of Art and it was converted into a museum. The Nathaniel Warren Mansion at 1 Congress Square was replaced by the Schwartz Building, a four-story brick commercial building with a round tower, in 1920. Across Congress Street, the Libby Mansion was demolished and replaced by the State Theater building.

While these changes marked a shift towards larger, commercial structures, the new buildings were typically executed in brick and granite with traditional styles and details. The area around Congress Square was no longer a wealthy residential neighborhood, and instead was transitioning into a vibrant, commercial area of hotels, theaters, restaurants, and shopping. This trend continued until the Great Depression halted nearly all development in Portland.

Congress Square Declines

After World War II, Portland, like many older cities, struggled to redefine itself and compete with suburban, automobile-based development. Civic leaders took on a number of efforts, including slum-clearing and redevelopment studies, plans, and projects intended to improve living conditions, modernize the city, and attract investment and redevelopment.

Among the most far reaching was "Patterns for Progress," an urban renewal plan written in 1967 that sought to create a ring of high-speed roads to move cars around the central core of the Portland peninsula. This resulted in the widening of Franklin and Spring Streets to create "arterials." Spring Street, which had previously ended at Center Street, was also extended to Middle Street. High and State Streets became one-way streets, increasing traffic speeds and affecting the character of these historic neighborhoods. Large areas on Cumberland Avenue and near Monument Square were razed to create open space for development. Some of these projects, such as One City Center, took decades to materialize. Others, such as the "Downtown Project No. 1," a proposed fifteen-story residential tower on Cumberland Avenue, never happened and that land is largely still a surface parking lot.



The south side of Free Street in 1954. Automobiles have arrived, and the residences at 126, 134, and 136 Free Street have been torn down for parking lots and auto-repair buildings. One-story additions for commercial uses have been added to the fronts of 128 and 130 Free Street and the former WCTU building at 150 Free Street.

Source: Sanborn Fire Insurance Map from Portland, Cumberland County, Maine, Plate 29. 1954.



Looking west on Free Street, 1924. The Jefferson Theater is in the foreground and the tower on the Free Street Baptist Church is visible in the background.

Source: City of Portland - Planning & Development Department.

Even before the official urban renewal efforts began, Free Street's streetscape near Congress Square was already being lost to modern development and the increased demand for parking. Portland's 1924 tax photographs record an intact streetscape along the south side of Free Street, from Oak Street to High Street. At the southeast corner of Free and Oak was the Jefferson Theater, a ca. 1897 five-story brick theater, while an early-twentieth century commercial building occupied the southwest corner (116 Free Street, extant). Between the commercial building and the Free Street Baptist Church was a row of seven two- and three-story tall brick residences dating to the mid-nineteenth century. An eighth house, a wood-framed building at 150 Free Street later owned by the Women' Christian Temperance Union (WCTU), stood between the Church and the YMCA.

The north side of Free Street, while more commercial, was also intact. This side was dominated by the elaborate brick and terracotta facade of the Baxter Memorial Building. Although this was actually the back of the building – the building's address was 562 Congress Street – the Free Street facade was nonetheless detailed with arches over the windows, belt courses, and swags, all of terracotta.

Shortly after 1924, Free Street began to change rapidly. In 1926, the Free Street Baptist Church was altered to its present, portico-front form. In 1933, the Jefferson Theater at the southeast corner of Free and Oak was torn down. In 1947, a modern, nearly windowless block of blonde brick – a Sears Roebuck store – was built on its site. Across the street, in 1954-5, all of the historic details were stripped off of the Congress Street and Free Street facades of the Baxter Memorial, and modern windows were installed.



The Jefferson Theater stood on the southeast corner of Free and Oak Streets. It was demolished in 1933.

Source: Collection of the author.

The south side of Free Street was also severely altered. The 1954 Sanborn map and an aerial photograph taken in 1960 (see photograph, page 30) records that only five of eight houses (120, 124, 128, 130, and 150 Free) remained on the south side of Free Street by that time. 126 Free Street had already been torn down and replaced with a concrete building used for “Tire and Battery” service. 130 Free and 150 Free were both heavily altered, with commercial additions on their primary facades. The rest of the block was an open parking lot with a filling station. Thus, much of this loss occurred prior to the implementation of official urban renewal projects in the area. Today, only a single, heavily altered former residence remains (128 Free Street).

Removal of historic buildings on Congress Square continued through the 1970s and 1980s. The former Universalist Church (128-32 High Street / 1 Congress Square) and the Greek Revival duplex next to it (126 High Street) were demolished to build a new studio building and parking lot for WCSH in 1977. In 1980, the former YMCA building at 7 Congress Square and the small, wood-framed building immediately east of the YMCA were torn down. In 1983, the Payson Wing of the Portland Museum of Art was built on those lots. On High Street, the former High Street Congregational Church appears to have been altered into a commercial building by 1924 before it was eventually demolished sometime before 1972. Today, none of the churches that once lined Congress Square remain.



This Sears Roebuck store was built on the site of the Jefferson Theater. This photograph was taken in 1947.

Source: Portland Press Herald Still-Film Negatives Collection, Portland Public Library.



The former Sears Roebuck store in 2023.



An aerial view of Congress Square taken in 1960. Much of the south side of Free Street is already a parking lot.

Source: Portland Press Herald Still-Film Negatives Collection, Portland Public Library.



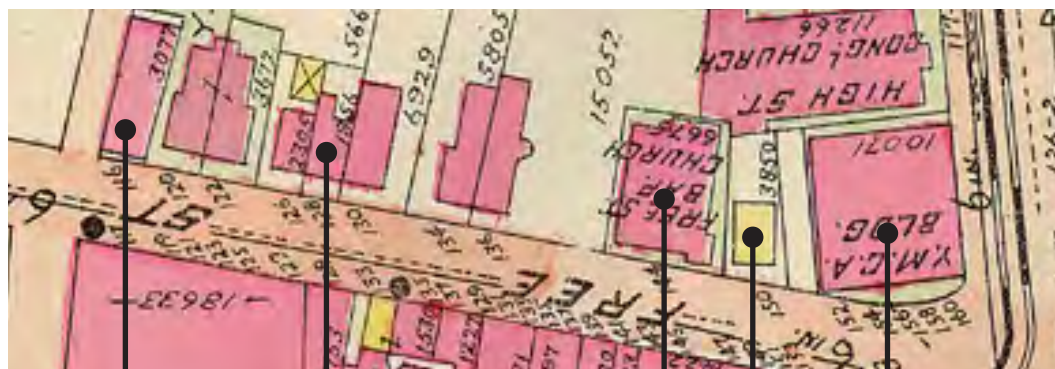
An aerial view of Spring Street taken in 1972. Spring Street has been widened, and the Holiday Inn is visible. The rear walls of 142 Free Street and the Libby Building are visible at the left edge of the photograph. The building south of the Libby Building - originally a Congregational Church, later a recreation building - has been demolished. Much of the south side of Free Street remains an open parking lot.

Source: Portland Press Herald Still-Film Negatives Collection, Portland Public Library.

116

128

142



Comparison of ca. 2022 aerial photograph of Free Street (middle image) with the 1914 Richards Standard Atlas of the City of Portland reveals how few buildings remain on the south side (top image) of Free Street.

South Side of Free Street in 1924

116 Free Street



120-24 Free Street
Demolished after 1960



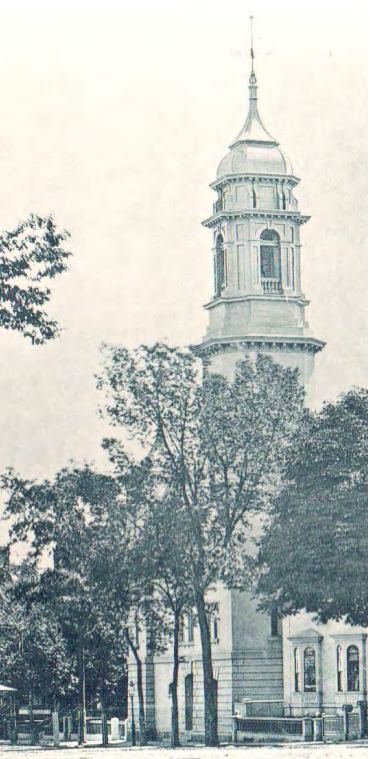
126 Free Street
Demolished before 1954
128 Free Street
Extant; altered and non-contributing
130 Free Street
Demolished after 1975



134-6 Free Street
Demolished before 1960



142 Free Street



7 Congress Square



150 Free Street



116 Free Street



120-24 Free Street
(parking lot)



126 Free Street
(parking lot)



128 Free Street
(extant;
non-contributing)



134-6 Free Street
(parking lot)



142 Free Street



150 Free Street / 7 Congress Square

South Side of Free Street in 2023

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This demolition did not occur without objection. The widening of Spring Street in 1970 and the loss of the historic houses on its south side were one of several events that led to the nomination of the Spring Street Historic District to the National Register in 1970 and passage of a Historic Preservation Ordinance by the City of Portland in 1990. Unfortunately, the damage to the portion of Free Street adjacent to Congress Square was already done. The Spring Street National Register District nomination acknowledged the loss in the Description section and noted "This is an active section of modern day Portland, yet this district retains the flavor and appearance of an older time. There are only a few modern structures and these front on streets such as Congress and Free which are commercial...an urban renewal project has leveled a section giving rise to the location of a new Sears-Roebuck store and parking area, on the eastern part of Spring Street. Some cleared land lies vacant. With the exceptions of the above the remaining district contains a great many old, but proud, structurally sound residences..."



142 Free Street, the former WCTU building at 150 Free Street, and the YMCA / Libby Building in 1978. The Libby Building and WCTU building were torn down in 1980.

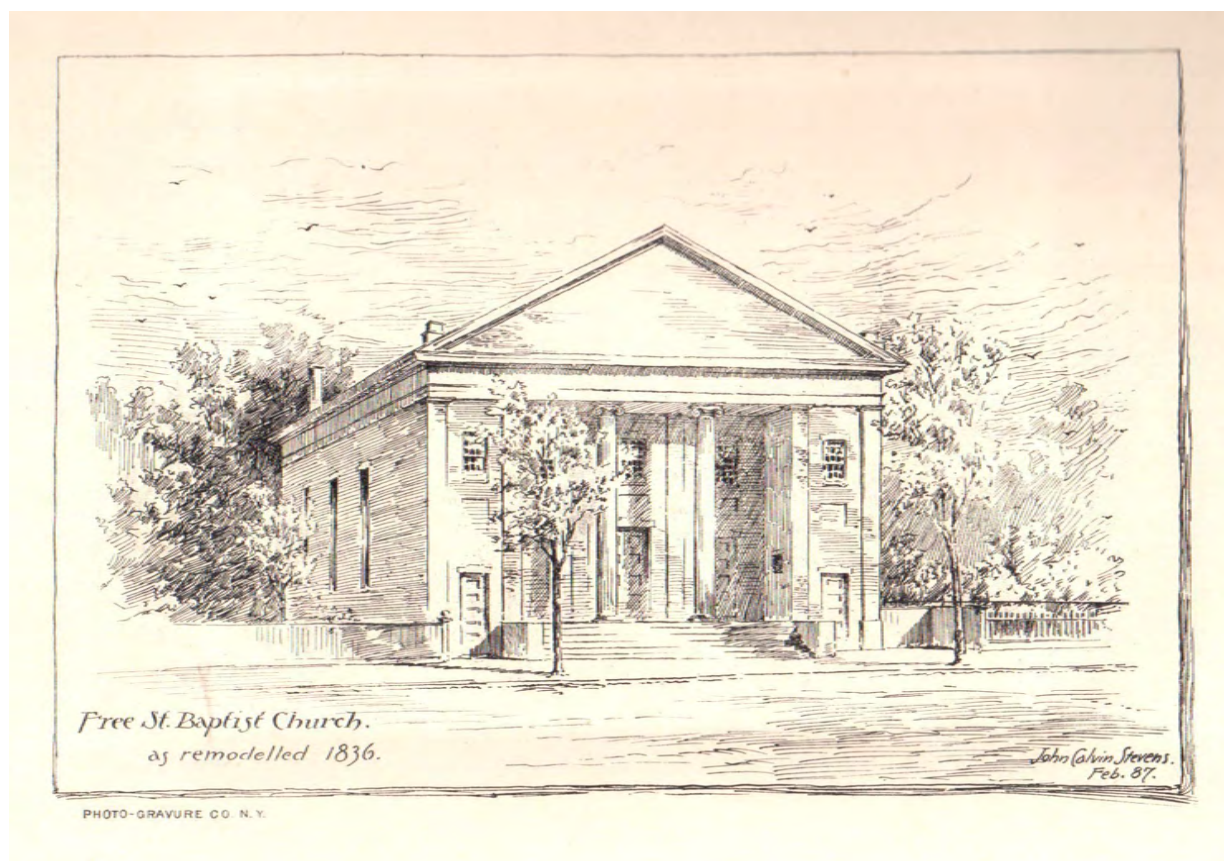
Source: Portland Press Herald Still-Film Negatives Collection, Portland Public Library.

Illustrations



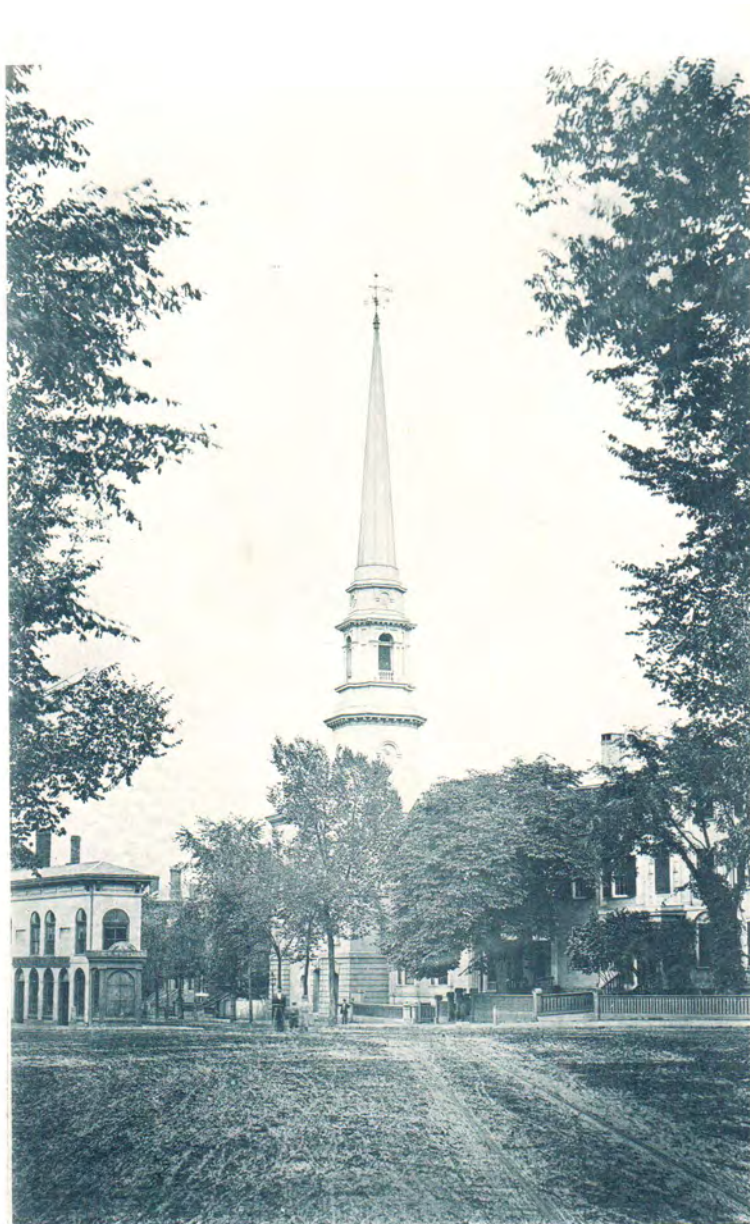
This 1836 map includes a line drawing showing the Free Street Baptist Church in 1836.

Source: "A Map of the City of Portland with its Latest Improvements including a view of the principal buildings engraved and published by John Cullum, Portland." Osher Map Library.



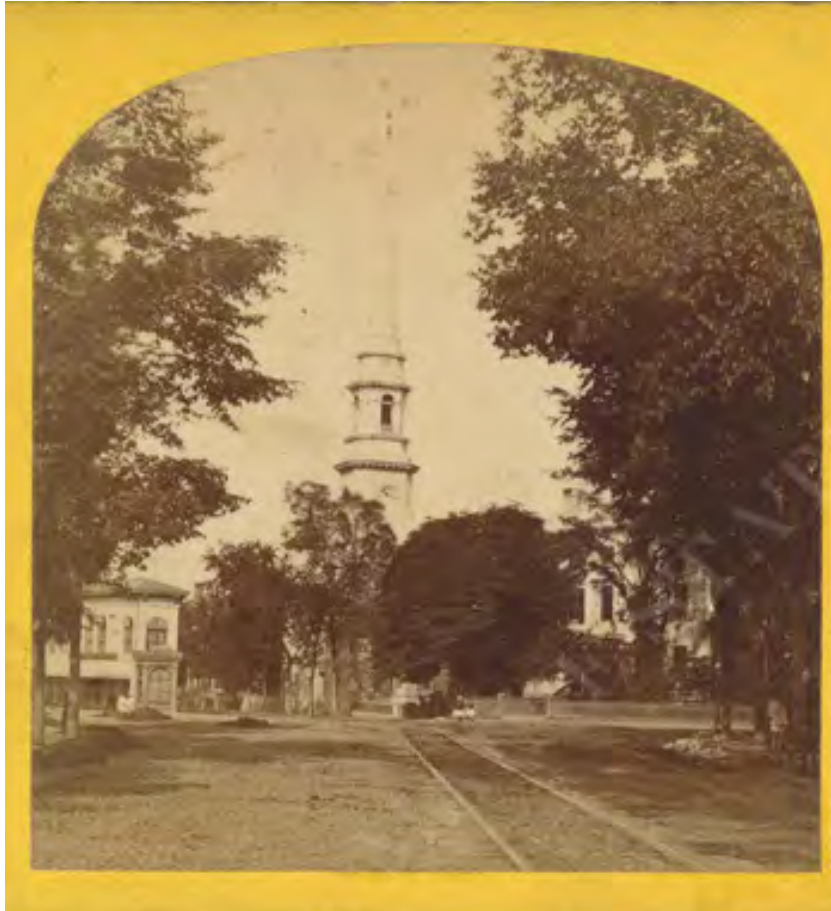
John Calvin Steven's sketch of the possible appearance of the Free Street Baptist Church prior to the 1856 remodeling campaign.

Source: *Free Street Baptist Church Semi-Centennial 1836-1886*. Collection of the author.



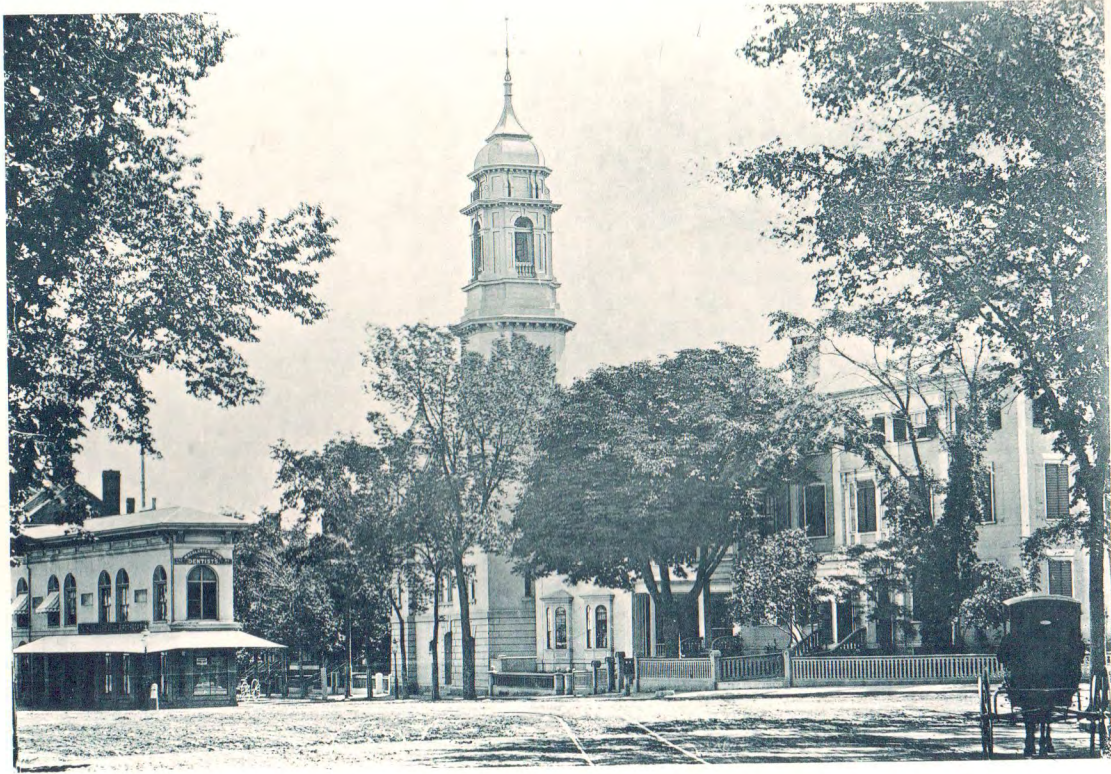
An early photograph of the Free Street Baptist Church - note the original, ca. 1856 steeple is still in place. The Hay Building is only two stories high.

Source: *Free Street Baptist Church Semi-Centennial 1836-1886*. Collection of the author.



An early stereoview photograph of the Free Street Baptist Church. The original, ca. 1856 steeple is still in place.

Source: Stereoview Photograph Collection, Maine State Archives.



The Free Street Baptist Church, sometime after 1876.

Source: *Free Street Baptist Church Semi-Centennial 1836-1886*. Collection of the author.



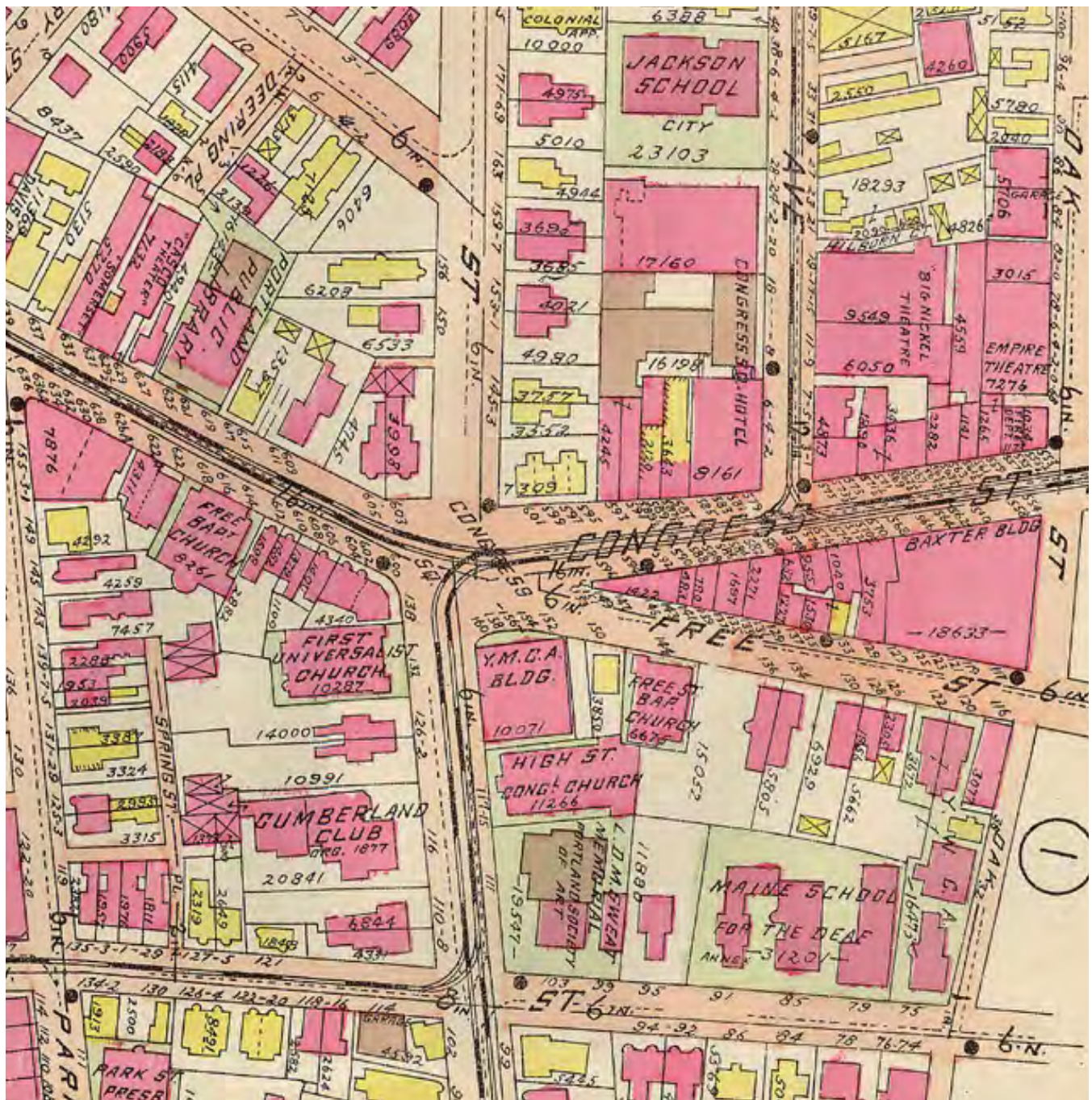
An 1882 map of Congress Square.

Source: *Revaluation Plans City of Portland, 1882*. Plate 39. Portland Public Library.



Congress Square in the early-twentieth century, showing the ca. 1897 YMCA/Libby Building at the center, and the Free Street Baptist Church at the left. The spire of the High Street Congregational Church is visible at the right, behind the Libby Building. This image was published in 1908.

Source: *In and About Portland*, 1908. Library of Congress.



Congress Square in 1914. The wood-framed Matthew Cobb Mansion has been replaced by the YMCA / Libby Building. The Free Street Baptist Church at 142 Free Street retains its towers.

Source: *Richards Standard Atlas of the City of Portland...*, 1914. Portland Public Library.

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The Economic Contribution and Impact of the Portland Museum of Art in Maine

A snapshot from a typical year before the PMA Blueprint facilities expansion and estimates post-expansion



Photo from the PMA website

Prepared for the Portland Museum Of Art

By the Maine Center for Business and Economic Research, University of Southern Maine

December 2022



PORTLAND MUSEUM of ART



MAINE CENTER FOR BUSINESS
AND ECONOMIC RESEARCH
UNIVERSITY OF SOUTHERN MAINE



UNIVERSITY OF
SOUTHERN MAINE

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Executive Summary

With a renewed commitment to diversity, equity, accessibility, and inclusion the Portland Museum of Art's (PMA) vision to become a central community gathering place and serve as a regional economic catalyst is being realized through its \$100M multi-year redevelopment and construction project funded in part by an ongoing capital fundraising campaign. The following economic analysis – commissioned by the PMA and completed by the Center for Business and Economic Research (CBER) at the University of Southern Maine (USM) – quantifies the Museums ongoing contributions and impacts on the Maine economy in a typical year before the PMA Blueprint project (i.e., construction/expansion) and estimates the PMAs impact in a typical year after the expansion. Indirect and induced multiplier effects and some of the direct impacts are estimated by a Maine input-output model (IMPLAN, 2019 Data).

Pre-Expansion Snapshot, the PMA's annual economic contribution in 2019

The two major components of the PMA's economic contribution stem from museum spending and visitor spending. In 2019, the PMA welcomed over 170,000 patrons, an estimated 13% of which were from out of state and their trip to Maine was motivated by visiting the museum. These tourists spent an estimated \$12.6 million directly on lodging, meals, shopping, transportation, etc. from outside of the museum. At the same time, the PMA paid \$8M to maintain its ongoing operations, 69% of the direct operating costs were spent in Maine. Direct spending by out-of-state tourists supported an additional \$8.1M in output (sales) – including both indirect and induced spending – and an additional 52 jobs. *For every \$100 of tourists spending (sales), an additional \$79 is generated elsewhere in the local economy.*

Including indirect and induced spending, the Museums direct operating activities supported an additional \$5.7M in output (sales), and 37 jobs. *For every \$100 of the PMA spending (sales), an additional \$99 is generated elsewhere in the local economy.* Combine, in a typical year before the expansion the PMA supported:

- **Over 300 jobs.** Museum & visitor spending supported 309 jobs of which 220 were direct impacts and another 89 were supported through indirect and induced spending.

- **\$12.9M labor income.** \$8.7 million in direct labor income which supported an additional \$4.2 million in indirect and induced impacts.
- **\$29.8M output (sales).** Generated a total of \$29.8 million in total output of which \$16M were from the initial direct spending which supported another \$13.8M in indirect and induced impacts.
- **\$1.9 million in local and state taxes.** In 2019, \$786,599 in local and \$1.1 million in state taxes are estimated to result from the PMA's ongoing museum operations and by spending of tourists.

Post-Expansion Snapshot, the PMA's annual economic contribution in 2027

The PMA Blueprint project is expected to be complete in 2027 and the new facilities open to the public. The PMA will have more space to host events, display more and higher quality exhibits, and in turn attract more visitors to the state. The increased capacity and diversity could allow the museum to welcome up to 300,000 annual visitors. An estimated 16% of visitors from out of state may take a trip to Maine motivated by visiting the PMA and could spend an estimated \$28M on direct tourism-related expenditures.

To support the additional capacity, the PMA's annual operating budget will nearly double from the pre-expansion snapshot and a greater portion will be spent in Maine (81%) to purchase goods and services from local businesses and pay museum employees. In total, the estimated contribution for 2027, the year *after* the expansion, includes:

Executive Summary

Post-Expansion Snapshot, the PMA's annual economic contribution in 2027

- **Over 600 jobs.** Museum & visitor spending supported 621 jobs of which 426 were direct and another 195 were supported through indirect and induced spending.
- **\$28.1M labor income.** \$18.8 million in direct labor income which supported an additional \$9.3 million in indirect and induced impacts.
- **\$65.3M output (sales).** Generated a total of \$65.3 million in total output of which \$35M were from the initial direct spending which supported another \$30.2M in indirect and induced impacts.
- **\$4.2 million in local and state taxes in 2027.** In 2027, \$1.7 million in local and \$2.5 million in state taxes are estimated to result from the PMA's ongoing museum operations and by spending of visitors.

Five-Year Construction Impacts in the Maine Economy

This analysis also estimated the economic impact from the capital expenditures on the proposed PMA Blueprint construction project under two local spending scenarios. In 2023 through 2027, the PMA estimates that it will cumulatively spend \$52.1 million to construct the new 60,000 sq ft. building.

Under the first scenario, 50% of spending (i.e., \$26.1M) is assumed to go to local construction companies. Including direct, indirect, and induced spending, the total impacts of the PMA's capital investment on new construction, include an estimated:

- 66 construction-related jobs per year (55 FTE)
- \$17.4 million in associated labor income, and

- \$49.5 million in total output (sales)

Under the second scenario, 60% of spending (i.e., \$31.3M) is assumed to go to local construction companies. Including direct, indirect, and induced spending, the total impacts of the PMA's capital investment on new construction, include an estimated:

- 79 construction-related jobs per year (65 FTE)
- \$20.8 million in associated labor income, and
- \$59.4 million in total output (sales)

Importance of cultural amenities, community, and museum membership

Housing inventory – via the conversion of property from non-residential use to housing – is expanding in Southern Maine and downtown Portland, increasing residents and the pool of potential museum members.

The PMA's presence in downtown Portland in addition to the Blueprint project and other redevelopment and revitalization efforts underway improve the areas desirability and contribute to increased economic activity and population growth within the Portland and Greater Portland area.

Introduction & Methods

Introduction

Introduction & Methods

Situated near Congress Square in Portland Maine, the Portland Museum of Art (PMA) is part of the city’s unique downtown Arts District that includes a mix of condos, apartment rentals, hotels, and local businesses. Not only does the PMA contribute to the local economy by generating sales and creating jobs, but it also contributes to the quality of life that Portland is known for as it serves the needs of residents, workers, and visitors, and invests money in redeveloping the area.

The PMA Blueprint is a \$100M multi-year redevelopment and construction project funded in part under an ongoing capital fundraising campaign. Some of these investments will improve the existing structure and surrounding property and approximately \$52M will be put towards the construction of a new 60,000 square foot building. By 2027, the PMA Blueprint project is expected to be complete, and the new facilities open to the public.

To quantify the Museums ongoing contributions and impacts resulting from its capital investments on new construction, the PMA commissioned the Center for Business and Economic Research (CBER) at the University of Southern Maine (USM) to conduct the following economic analysis.

The remaining section provides an overview of the economic trends shaping the region then describes estimation methods and data sources. The remaining report is structured into the following sections:

- 1) Pre-Expansion Snapshot (2019)
- 2) Post-Expansion Snapshot (2027)
- 3) Five-Year Construction Impacts in the Maine Economy
- 4) Technical Appendices

Map 1: The Portland Museum of Art located at 7 Congress Sq, Portland, ME



Image source: <https://www.portlandmaine.com/explore-downtown/downtown-map/>

Overview — Economic and Demographic Trends

Introduction & Methods

A general understanding of the underlying economic conditions and trends in a region provide important context when considering current and estimated impacts to the economy. Trends that impact consumer spending or influence a person's choice to visit or relocate to a city will have an impact on museum visitation and membership opportunities.

During the peak of the COVID-19 pandemic, stay at home orders and social distancing restrictions caused tourism-related spending to significantly drop. In 2020 and 2021, spending shifted from services to goods as travel, dining, and other indoor service activities halted. As of October 2022, expenditures on services have since increased to pre-pandemic levels. While this is good news, economic conditions in the short- and medium-term are highly uncertain, and there is an increased possibility of an economic slowdown in 2023.

Portland was listed as one of the [100 Best Places to Live in the US in 2022](#), based on a range of factors such as community amenities, education, sustainability, transportation, housing, and the economy. However, demographics and housing were among Portland's lowest ranking. Maine's aging demographic and resulting labor market conditions is a longstanding challenge, and the lack of housing stock and the high cost of existing housing is an ongoing concern.

Maine has the oldest population in the US by median age (44.7 years) and by percent of the population age 65+ (21.7%).¹ Over the next 10 years, the entire baby boomer cohort will surpass age 65 and reach retirement. It was typical for baby boomers to work beyond retirement age, but more have retired during the pandemic. At the same time there is a smaller population of youth and young adults in the state to replace them in the labor force and without higher rates of in-migration economic growth will be constrained. An older demographic will not negatively impact the number of people that visit the PMA, but labor force issues can impact both the museum and its local vendor and supplier business operations. These issues can also impact the supply of local construction workers available to build the PMA's the new structure.

Recent population growth in Maine is ranked among the fastest in the nation. From 2020 to 2021 Maine's population increased by nearly 10,000 or 0.7%, for comparison, the US as a whole added around 400,000 people, an increase of 0.1%. Much of this growth was driven by in-migration that was strong enough to offset a natural decrease in population (i.e., when deaths outnumber births). In other words, more people moved to Maine during the pandemic. This was driven in part by an increase in remote work and people seeking locations that allow for work-life balance and access to outdoor recreation. The influx of people relocating to Maine is not a new trend but has increased since the pandemic. These trends are encouraging especially since the state needs more working-age people to sustain economic activity, but it is uncertain whether they will continue at the same rate in the future. There is opportunity for Maine to see continued increased in-migration in the coming years due to the latter trends, however housing – in addition to childcare and school availability for those with children – are possibly limiting factors.²

Housing costs have sharply increased over the past several years as demand far outpaced supply. Affordability is a particular concern as interest rates have spiked causing more potential buyers to be priced out of the market and make home mortgages more expensive. Higher home prices have contributed to higher rental prices; increases in the Portland and Greater Portland area have started to create a new 'high end' market especially in cities such as Westbrook, Biddeford, Gorham, Windham, Brunswick, and Lewiston. This trend was underway prior to the pandemic but demand has increased, and many higher end options are being purchased.

The need for more housing in general and more affordable options is a well-known issue in Portland and the Greater Portland area. From 2011 to 2020 the total number of housing units in Cumberland County increased by 5.7% (7,861) and in the Art District neighborhood where the PMA is located the number of housing units increased by 7% (142), but it is still not enough to keep up with demand.³ The influx of people relocating to the state further constrains the housing supply and limits availability for ongoing migration.

¹ 2021 Population Estimates Program

² Maine State Economist

³ Housing data from 2011-2015 American Community Survey (ACS) 5-Year and 2016-2020 ACS 5-Year

Overview – Downtown Redevelopment and Revitalization

Introduction & Methods

Thriving and successful neighborhoods and downtowns provide a sense of place, a community. Cultivating community, as the PMA has done for over 140 years, impacts the economy as more people in the area results in improved business activity, increased property values, and expanded local tax base.

Think of quality of life as everything that makes a place worth calling home.

Within economic development, “quality of life” is measured with a complex balance of indicators such as infrastructure, jobs, education, healthcare, housing, and cultural amenities. A place, or a region with a high quality of life can provide its residents with everything they need and want to live and thrive. That is why improving quality of life increases desirability for a destination. It attracts and retains people, adds revenue, and boosts recognition and reputation.

Investments that contribute and improve quality of life and place can be more effective than traditional economic development tools such as business tax incentives to attract or retain employers or create a more “business-friendly” environment with lower taxes and labor costs. While traditional tools have value, community amenities such as recreational opportunities, cultural activities, and quality services may be larger contributors to a healthy local economy than traditional “business-friendly” measures.⁴ Other quality of life factors such as good restaurants, access to open spaces and public spaces, good jobs, safety, and connection and mobility also attract (and retain) more people to an area to live, work, and play.

Housing & real estate development trends in Portland and the Greater Portland area

There are several housing developments and redevelopments currently under construction in Portland downtown, Bayside, and East Bayside neighborhoods in addition to revitalization projects. These projects will increase housing capacity and

contribute to the quality of life the city has become known for, as well as have a positive impact on museum’s membership opportunities.

Office building conversions in downtown Portland are bringing more housing inventory online as apartments, condos, and hotels. In 2021, at least two known buildings were sold in downtown Portland with plans to convert to residential, with two additional known for 2022, and more potential projects are under discussion.⁵

Housing-related redevelopment is underway in Portland to increase housing capacity, such as the updates to 50 Monument Square and the conversion of city’s iconic Time & Temperature building to an 86-bed luxury hotel with a restaurant and rooftop bar, and meeting and retail spaces.

These are just a few examples of redevelopment projects in addition to the PMA Blueprint project and other revitalization efforts underway contributing to the areas increased desirability thus improving economic activity and population growth within the Portland and Greater Portland area.

⁴ Ohio River Valley Institute. (2022) [An Aggregate Approach to Estimating Quality of Life in Micropolitan Areas](#)

⁵ MEREDA [2022 Forecast Conference](#). [Southern Maine Office Forecast](#), Nate Stevens, The Boulos Company

Estimation Methods & Data Sources

Introduction & Methods

The Portland Museum of Art (PMA) provided actual and projected annual operational data including payroll information and vendor/supplier spending, detailed visitation counts as well as portion of out-of-state visitors, and estimated construction spending for 2019 through to 2027. These data represent PMA's direct spending in the Maine economy and serve as inputs to estimate indirect and induced impacts statewide.

Data from the Maine Office of Tourism's (MOT) 2021 Economic Impact and Visitor Tracking Report and "Maine Museums: An Economic Impact Study, 2010" is used to develop trip assumptions, visitor segments, spending patterns, and estimate the portion of visitors that took a trip to Maine motivated by visiting the PMA. These data along with visitor counts provided by the PMA are used to estimate the total direct tourism-related expenditures (i.e., visitor purchases of goods and services including meals, hotels, transportation, etc. outside of the museum). Trip assumptions, visitor segments, and spending patterns for 2019 are used to estimate direct tourism-related expenditures for 2027. An estimated 25% of out-of-state museum visitors in 2019 took a trip to Maine motivated by visiting the PMA. In 2027, an estimated 35% of out-of-state museum visitors will take a trip to Maine motivated by visiting the PMA. These data reflect direct visitor spending and serve as inputs to estimate indirect, induced, and sometimes direct impacts (i.e., jobs and labor income) to the state.

The term "economic impact" and "economic contribution" are often used interchangeably but there are distinctions important for the reader to understand. The term "economic impact" of the PMA represents new spending in the economy, that is "but if not for" the PMA, the spending is assumed would not have occurred. On the other hand, "economic contribution" can be thought of as the entire footprint of the PMA to the Maine economy, it measures the support of the PMAs ongoing operations - that is money that is already circulating. The spending of tourists whose trip to Maine was motivated by visiting the PMA to browse its galleries, patronize a specific exhibition, or attend an event, and capital investments on new construction represent spending that would not have occurred but for the PMA.

Indirect and induced multiplier effects and some of the direct impacts are estimated by a Maine input-output model (IMPLAN, 2019 Data). IMPLAN is a regional economic

analysis software application that is designed to estimate the impact or "ripple" effect of a given economic activity within a specific geographic area. For more information on the IMPLAN modeling process, visit [IMPLAN.com](https://implan.com). The impacts and contributions presented in this report are quantified and presented using common economic metrics including full-time equivalent employment (FTEs), workers, wages, total output (sales), and tax revenues. Only spending that takes place within Maine is included as stimulating the changes in economic activity. All economic impact and contribution figures are reported in current 2022 dollars.

A note on employment. Jobs or workers in IMPLAN represent average annual employment. To switch between FTE and IMPLAN jobs we use the 2020 546 FTE & Employee Compensation Conversion table. The factors used to switch between FTE to IMPLAN jobs and from IMPLAN jobs to FTE are as follows: 1 FTE is equal to 1.159 IMPLAN employees and 1 IMPLAN employee is equal to 0.831 FTE. Refer to the technical appendices for modeling output definitions and other key terminology used throughout the report.

Ongoing Museum Operations

Introduction & Methods

Since the onset of the COVID-19 pandemic in 2020, the PMA closed for several months due to emergency restrictions – involving state and local stay-at-home mandates coupled with physical distancing measures – enacted to limit the spread of the virus. In April and May of 2020 and January and February of 2021, the PMA was closed to visitors. During this time, the pandemic caused consumer spending to significantly contract as most people opted to stay home instead of going out and spending money on leisure activities. In particular, services that involved any kind face-to-face human interaction were affected the most. In 2019, over 170,000 individuals visited the PMA. When compared to visitation in 2019, levels were 67% lower in 2020 and 46% lower in 2021. The impacts of COVID-19 have lingered into 2022 but visitation has increased. As of September 2022, the PMA has welcomed over 97,000 visitors exceeding totals from 2020 and 2021. The number of museum visitors is expected to increase as more people continue to resume pre-pandemic activities. By 2027, the PMA estimates the number of museum visitors will nearly double from 2019 levels because of the increased capacity and attraction anticipated from its new facilities (Figure 1).

The COVID-related closures did not lead to a drop in the PMA operating expenses, in fact these costs slightly increased in 2020 and 2021 over 2019 levels. During this time, the Museum still needed to maintain its facilities and art collections and pay its employees. Many businesses had to layoff employees, but the PMA was able to retain and support its staff during these challenging times. Actual and projected operating costs, shown in Figure 2, include total personnel budget (with tax and benefits) and vendor/supplier spending. In 2019, approximately 69% of the operating budget was spent in Maine on local vendor and supplier businesses and to pay workers’ salaries, wages, and benefits. As the operating budget increases to support anticipated capacity so too will the PMA’s share of local investments. By 2027, approximately 81% of the operating budget will be spent in Maine to purchase goods and services from local vendors/suppliers and pay employees.

Figure 1. Annual number of visitors (with future projections)

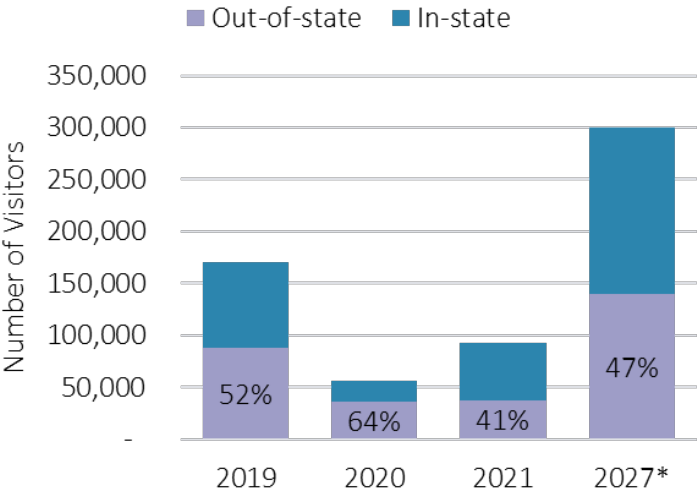
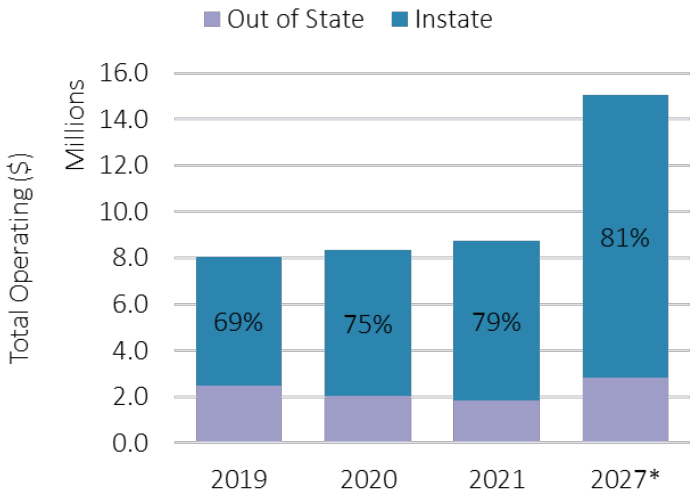


Figure 2. Annual operating costs (with future projections)



Note: Total operating cost includes personnel budget (with tax and benefits) and vendor/supplier spending.*Projections.

Visitor Estimates and Assumptions

Introduction & Methods

Number of Visitors. In 2019, the PMA welcomed over 170,000 visitors, 88,000 or 52% came from outside of Maine. Not all visitors came to Maine to specifically visit the PMA. An estimated 25% or 22,020 out-of-state visitors are estimated as museum-specific tourists whose trip to Maine was motivated by visiting the PMA to browse its galleries, patronize a specific exhibition, or attend an event (Table 1). By 2027, the PMA expects the facilities expansion to be complete and anticipates up to 300,000 annual visitors, 47% or 140,153 would come from out-of-state. Because the new facilities are expected to increase the museums physical capacity and draw new art attractions that in turn attract more visitors to the state, an estimated 35% of out-of-state visitors (i.e., 49,053) are estimated to be museum-specific tourists in 2027.

Table 1. Museum Visitors

	2019	2027
Total museum visitors	170,831	300,000
Tourists - trip to Maine motivated by visiting the PMA	22,020	49,053

Visitor segments and trip assumptions. Not all visitors have the same spending patterns, some come for the day while others, for example, stay with friends and family or at a hotel. To account for these differences, out-of-state museum visitors – or museum tourists – are segmented into three groups. Two are based on the type of overnight accommodations, that is paid lodging (45%) and unpaid lodging (27%), and the third is day-trippers (28%) (Table 2). The average trip length for paid lodging visitors is 4 nights and non-paid overnight visitors is 5.7 nights. Visitor segments and trip assumptions are applied to both 2019 and 2027 museum tourist counts.

Figure 3. Annual Museum Visitor Totals & Estimates

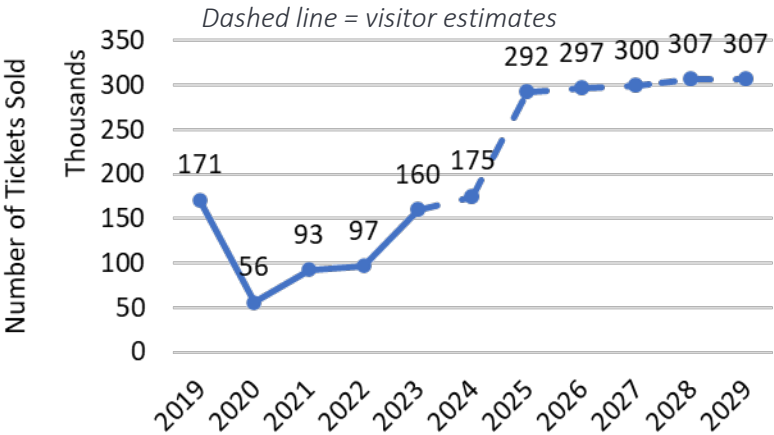


Table 2. Visitor Segments & Trip Assumptions

	Visitor Segments		
	Paid Overnight	Unpaid Overnight	Day
Average length of stay (nights)	4	5.7	0
Visitor segment (% of total)	45%	27%	28%

Visitor Spending and Assumptions

Introduction & Methods

Spending Patterns. Daily per person spending by visitor segment, shown in Table 3, is estimated from daily travel party spending figures reported by the MOT, and adjusted by findings from the Maine Museums report and the authors assumptions. Spending patterns in 2019 are comparable to those in 2021. Average travel party size, reported as 2.7, is used to convert daily travel party spending to daily per person spending. The average cost to purchase a ticket to the museum is assumed to be captured in the spending patterns shown in Table 3.

Direct tourism-related expenditures reflect visitor purchases of goods and services on meals, hotels, shopping, transportation, etc. from outside of the museum. To estimate the direct tourism-related spending of museum tourists, the average spending patterns by visitor segment, illustrated in Table 4, are multiplied by the number of visitors in each respective segment. Annual ticket sales estimated from these visitors of \$178,512 in 2019 and \$397,368 in 2027 are removed from total direct spending because this spending is technically captured within the museum effects. Since the number of out-of-state visitors is expected to increase from 88,078 in 2019 to 140,153 in 2027, a 59% increase, the assumption is that ticket sales will increase by approximately the same percentage.

Table 3. Daily Per Person Spending Patterns

Category	Visitor Segments		
	Paid Overnight	Unpaid Overnight	Day
Accommodations	\$106	\$0	\$0
Food & beverage	\$52	\$56	\$31
Recreation	\$11	\$13	\$7
Retail shopping	\$21	\$36	\$20
Transportation	\$31	\$17	\$9
Total	\$221	\$121	\$67

Table 4. Direct Tourism Spending

Category	2019	2027
Accommodations	\$4,188,202	\$9,330,144
Food & beverage	\$4,171,069	\$9,291,949
Recreation	\$551,314	\$1,228,475
Retail shopping	\$1,832,872	\$4,083,112
Transportation	\$1,838,789	\$4,096,300
Total	\$12,582,246	\$28,029,981

The Portland Museum of Art's Economic Contribution & Impact in Maine

Pre-Expansion Snapshot, 2019

This section reports the PMA's statewide economic contribution in 2019, a typical year before construction. The two major components of the economic contribution and impact stem from museum spending and visitor spending. The PMA pays its employees and spends money at local vendor/supplier businesses to maintain its ongoing operations while people from out-of-state who come to Maine to visit the Museum spend money on retail goods, meals, hotels, and other items outside of the museum. This constitutes the initial or direct spending. The local businesses use a portion of their revenues to purchase supplies, equipment, and employ workers. Employees of the PMA and its vendors, in turn, spend their earnings in the local economy on household consumption goods including food, entertainment, housing and other goods and services adding value along the way. This results in recurring rounds of local economic spending, this is referred to as the indirect and induced economic impacts, which are estimated by a Maine economic model (IMPLAN) and presented in the following section.

Museum Spending Effects in the Maine Economy

Pre-Expansion Snapshot, 2019

The PMA contributes to the Maine economy through three types of impacts: direct (initial sale or spending) and indirect and induced, which account for the ripple effects of multiple rounds of spending in the economy. These contributions are quantified and presented, in Table 5, using common economic metrics including workers/FTE, labor earnings, and total output.

In 2019, approximately 69% of the PMA’s direct operating costs were spent in Maine on local vender and supplier businesses (\$1,156,000) and to pay museum employees (\$4,379,035). These operating activities are estimated to support an additional 8 indirect workers, \$335,983 (in 2022 dollars) in indirect labor income, and \$1.4 million in indirect output.

Including direct, indirect, and induced spending, the total impacts of the PMA’s ongoing operational spending, include an estimated 129 jobs (i.e., 107 FTE), \$6.3 million in associated labor income, and \$11.5 million in total output (sales).

Table 5. Contribution of the Operation of PMA to the Maine Economy, 2019
in 2022 dollars

Impact	FTE	Labor Income	Output / Sales	Workers
Direct	76	\$ 4,559,603	\$ 5,763,270	92
Indirect	7	\$ 335,983	\$ 1,408,376	8
Induced	24	\$ 1,369,320	\$ 4,291,359	29
Total Impact	107	\$ 6,264,905	\$ 11,463,004	129

Note: The Portland Museum of Art (PMA) provided actual and projected operational spending data, including employee compensation and local business vendor/supplier spending. Full-time equivalent (FTE) values provided by PMA are converted to IMPLAN employment prior to using it as an input to the model. Results do not include impacts of construction or visitor spending. Figures are reported in current 2022 dollars. The multiplier is 1.99.

Assumptions: In 2019, 32% of total local vendors/suppliers spending (i.e., \$1,156,000) went to Maine businesses. This figure along with total employee compensation (\$4,379,035) and number of employees (92) are used to estimate indirect and induced spending.

Visitor Spending Effects

Pre-Expansion Snapshot, 2019

In 2019, an estimated 22,020 tourists took a trip to Maine motivated by visiting the PMA, these tourists spent an estimated \$12.6 million on lodging, meals, shopping, transportation, etc. from outside of the museum. This direct spending supports indirect and induced effects generated by sales to tourism-related businesses in the hospitality sectors that in turn purchase goods and services from other Maine businesses and pay their employees who then spend their wages on household goods and services in Maine. Indirect and induced activity support an additional 52 jobs, \$2.5 million (in 2022 dollars) in labor income, and \$8.1 million in output.

Including direct, indirect and induced spending, the total impacts of visitor spending, include an estimated 180 jobs (i.e., 150 FTE), \$6.3 million in associated labor income, and \$18.3 million in total output (Table 6).

Table 6. Economic Impact of Visitor Spending to the Maine Economy, 2019
in 2022 dollars

Impact	FTE	Labor Income	Output / Sales	Workers
Direct	106	\$ 4,095,696	\$ 10,192,076	128
Indirect	18	\$ 1,084,347	\$ 3,536,575	22
Induced	25	\$ 1,453,745	\$ 4,553,370	30
Total Impact	150	\$ 6,633,789	\$ 18,282,021	180

Note: Results do not include impacts of construction or museum spending. Figures are reported in current 2022 dollars. Estimated direct spending in narrative does not equal direct spending reported in table due to leakages resulting from the difference in the prices paid by the consumer and the actual price of the product purchased. For more information refer to the technical appendices. The multiplier is 1.79.

The Economic Contribution & Impact of the PMA in Maine

Pre-Expansion Snapshot, 2019

The total economic contribution of the PMA in 2019 is the sum of the business activity directly associated with operations of the PMA and the spending of tourists whose trip to Maine was motivated by visiting the PMA.

In 2019, museum and tourism spending supported:

- Over 300 jobs of which 220 were direct impacts and another 89 were supported through indirect and induced spending.
- \$8.7 million in direct labor income which supported an additional \$4.2 million in indirect and induced impacts.
- Generated a total of \$29.8 million in total output of which \$16M were from the initial direct spending which supported another \$13.8M in indirect and induced impacts.

Table 7. Contribution of Museum & Visitor Spending, 2019

in 2022 dollars

Impact	FTE	Labor Income	Output / Sales	Workers
Direct	183	\$ 8,655,299	\$ 15,955,346	220
Indirect	25	\$ 1,420,330	\$ 4,944,950	30
Induced	49	\$ 2,823,065	\$ 8,844,728	59
Total Impact	257	12,898,693	29,745,025	309

Notes: Results include the impacts and contribution of visitor or museum spending.

Tax Impacts

Pre-Expansion Snapshot, 2019

The economic activity generated by the PMA’s ongoing museum operations and by spending of visitors on retail goods, meals, hotels, and other taxable items support fiscal impacts in the form of tax revenues from income, sales, and other tax collections. These result from taxes on wages and salaries paid by the PMA and by tourism-related businesses, in addition to taxes on wages and salaries from the indirect and induced jobs. In 2019, these economic activities generated an estimated \$1.9 million in local and state tax revenue in the Maine economy (Table 8).

\$1.9 million in local and state taxes in 2019

In 2019, \$786,599 in local and \$1.1 million in state taxes are estimated to result from the PMA’s ongoing museum operations and by spending of visitors.

Table 8. Fiscal Contribution of Museum & Visitor Spending, 2019

in 2022 dollars

Impact	Local	State	Total
Direct	\$ 422,580	\$ 626,876	\$ 1,049,456
Indirect	\$ 98,310	\$ 136,414	\$ 234,724
Induced	\$ 265,709	\$ 322,930	\$ 588,639
Total Impact	\$ 786,599	\$ 1,086,219	\$ 1,872,819

Notes:
Assumptions:

Five-Year Construction Impacts in the Maine Economy

The PMA Blueprint Project, 2023-2027

In 2023 through 2027, the PMA estimates that it will cumulatively spend \$52.1 million on its new facilities expansion. This section reports the one-time economic impact from the PMA's capital expenditures on the proposed PMA Blueprint project in Maine under two local spending scenarios.

Five-Year Construction Impacts in the Maine Economy – 50/50

The PMA’s Blueprint project, 2023-2027

In 2023 through 2027, the PMA estimates that it will cumulatively spend \$52.1 million for (new) construction. Under the first scenario, 50% of spending (i.e., \$26.1M) is assumed to go to local construction companies, construction activities for this period are estimated to support 37 total direct construction-related jobs per year (i.e., 31 FTEs) and \$10 million (in 2022 dollars) in direct labor income.

Including direct, indirect and induced spending, the total impacts of the PMA’s capital investment on new construction, include an estimated:

- 66 construction-related jobs per year (55 FTE)
- \$17.4 million in associated labor income
- \$49.5 million in total output (sales)

For every \$100 of the PMA spends on new construction, an additional \$90 is generated elsewhere in the local economy.

Labor income and output reported in Table 9 is the combination of the impacts across the five years, reported in 2022 dollars. The number of workers and FTEs is reported in terms of average annual jobs and FTEs (i.e., jobs/year and FTE/year) for the project. This is because the jobs on the construction site are not cumulative, in the same way that an employee working a job for 5 years is not viewed as 5 jobs.

Table 9. Economic Impact from New Construction Spending, 5-year period (50/50 Scenario)

in 2022 dollars

Impact	Average Annual FTE	Labor Income	Output / Sales	Average Annual Workers
Direct	31	\$ 9,998,223	\$ 26,059,000	37
Indirect & Induced	24	\$ 7,351,350	\$ 23,477,917	29
Total Impact	55	\$ 17,349,573	\$ 49,536,917	66

Notes: The Portland Museum of Art (PMA) provided construction cost estimates. Capital expenditures are analyzed independently from the PMA’s business operations as these are one-time purchases. Results reflect total economic impact from spending on the one-time construction project that is expected to take place over a five-year period from 2023 to 2027. Figures reported in current 2022 dollars. The multiplier is 1.9.

Five-Year Construction Impacts in the Maine Economy – 60/40

The PMA’s Blueprint project, 2023-2027

Under the second scenario, 60% of spending (i.e., \$31.3M) is assumed to go to local construction companies, construction activities for this period are estimated to support 45 total direct construction-related jobs per year (i.e., 37 FTEs) and \$12 million (in 2022 dollars) in direct labor income. Including direct, indirect and induced spending, the total impacts of the PMA’s capital investment on new construction, include an estimated:

- 79 construction-related jobs per year (65 FTE)
- \$20.8 million in associated labor income, and
- \$59.4 million in total output (sales)

Labor income and output reported in Table 10 is the combination of the impacts across the five years, reported in 2022 dollars.

Table 10. Economic Impact from New Construction Spending, 5-year period (60/40 Scenario)

in 2022 dollars

Impact	Average Annual FTE	Labor Income	Output / Sales	Average Annual Workers
Direct	37	\$ 11,997,868	\$ 31,270,800	45
Indirect & Induced	28	\$ 8,821,620	\$ 28,173,500	34
Total Impact	65	\$ 20,819,487	\$ 59,444,300	79

Notes: The Portland Museum of Art (PMA) provided construction cost estimates and share of local spending estimates. Capital expenditures are analyzed independently from the PMA's business operations as these are one-time purchases. Results reflect total economic impact from spending on the one-time construction project that is expected to take place over a five-year period from 2023 to 2027. Figures reported in current 2022 dollars. The multiplier is 1.9

The Portland Museum of Art's Economic Contribution & Impact in Maine

Post Expansion Snapshot, 2027

By 2027, the multi-year redevelopment and construction project is expected to be complete, and the new facilities open to the public. The new facilities are anticipated to increase the PMA's physical capacity, it will have more space to host events, display more and higher quality exhibits and in turn attract more visitors. This section provides a snapshot of the PMA's economic contribution in 2027 as a result of the estimated increase in operational spending and increased visitor attraction and spending.

Museum Spending Effects in the Maine Economy

Post Expansion Snapshot, 2027

Approximately 81% of the PMA’s direct operating costs will be spent in Maine on local vender and supplier businesses (\$2,600,000) and to pay museum employees (\$9,640,000), in 2027. These operating activities are estimated to support an additional 17 indirect jobs, \$713,871 (in 2022 dollars) in indirect labor income, and \$3.1 million (in 2022 dollars) in indirect output.

Including direct, indirect, and induced spending, the total impacts of the PMA’s anticipated increase in operational spending, include an estimated 216 jobs (i.e., 180 FTE), \$13.3 million in associated labor income, and \$24.4 million in total output (sales).

Table 11. Contribution of the Operation of PMA to the Maine Economy, 2027
in 2022 dollars

Impact	FTE	Labor Income	Output / Sales	Workers
Direct	115	\$ 9,640,000	\$ 12,240,000	138
Indirect	14	\$ 713,871	\$ 3,051,006	17
Induced	51	\$ 2,903,075	\$ 9,098,032	61
Total Impact	180	\$ 13,256,946	\$ 24,389,038	216

Note: The Portland Museum of Art (PMA) provided actual and projected operational spending data, including employee compensation and local business vendor/supplier spending. Full-time equivalent (FTE) values provided by PMA are converted to IMPLAN employment prior to using it as an input to the model. Results do not include impacts of construction or visitor spending. Figures are reported in current 2022 dollars.

Assumptions: By 2027, the PMA estimates that 48% of total venders/suppliers spending (i.e., \$2,600,000) will go to Maine businesses. This figure along with projected employee compensation (\$9,640,000) and number of employees (138) are used as model indirect and induced spending.

Visitor Spending Effects

Post Expansion Snapshot, 2027

In 2027, an estimated 49,053 tourists will take a trip to Maine motivated by visiting the PMA. These visitors will spend an estimated \$28 million for lodging, meals, shopping, transportation, etc. from outside of the museum. Indirect and induced impacts are estimated to support an additional 117 jobs, \$5.7 million (in 2022 dollars) in labor income, and \$18.1 million in output.

Including direct, indirect, and induced spending, the total impacts of visitor spending, include an estimated 405 jobs (i.e., 336 FTE), \$14.9 million in associated labor income, and \$40.9 million in total output (sales).

Table 12. Economic Impact of Visitor Spending to the Maine Economy, 2027
in 2022 dollars

Impact	FTE	Labor Income	Output / Sales	Workers
Direct	239	\$ 9,174,087	\$ 22,805,766	288
Indirect	40	\$ 2,421,710	\$ 7,898,630	48
Induced	57	\$ 3,254,228	\$ 10,192,750	68
Total Impact	336	\$ 14,850,025	\$ 40,897,146	405

Note: Estimated direct spending in narrative does not equal direct spending reported in table due to leakages resulting from the difference in the prices paid by the consumer and the actual price of the product purchased. For more information refer to the technical appendices. Results do not include impacts of construction or museum spending. Figures are reported in current 2022 dollars.

The Economic Contribution & Impact of the PMA in Maine

Post Expansion Snapshot, 2027

The total economic contribution is the sum of the museum spending effects and visitor spending effects previously reported. In 2027, the estimated museum and tourism spending will support:

- Over 600 jobs of which 426 were direct impacts and another 195 were supported through indirect and induced spending.
- \$18.8 million in direct labor income which supported an additional \$9.3 million in indirect and induced impacts.
- Generated a total of \$65.3 million in total output of which \$35M were from the initial direct spending which supported another \$30.2M in indirect and induced impacts.

Table 13. Estimated Contribution of Museum & Visitor Spending, 2027
in 2022 dollars

Impact	FTE	Labor Income	Output / Sales	Workers
Direct	354	\$ 18,814,087	\$ 35,045,766	426
Indirect	55	\$ 3,135,581	\$ 10,949,636	66
Induced	107	\$ 6,157,303	\$ 19,290,782	129
Total Impact	516	28,106,971	65,286,184	621

Notes: Results include the impacts and contribution of visitor or museum spending.

Tax Impacts

Pre and post expansion

By 2027, the economic activity supported by the PMA’s ongoing museum operations and by spending of museum tourists is estimated to generate \$4.2 million in local and state tax revenues (Table 14).

\$4.2 million in local and state taxes in 2027

In 2027, \$1.7 million in local and \$2.5 million in state taxes are estimated to result from the PMA’s ongoing museum operations and by spending of visitors.

Table 14. Fiscal Contribution of Museum & Visitor Spending, 2027

in 2022 dollars

Impact	Local	State	Total
Direct	\$ 948,844	\$ 1,423,457	\$ 2,372,301
Indirect	\$ 218,499	\$ 325,349	\$ 543,848
Induced	\$ 579,512	\$ 747,096	\$ 1,326,607
Total Impact	\$ 1,746,855	\$ 2,495,901	\$ 4,242,757

Notes:
Assumptions:

Technical Appendices

Definitions of Modeling Outputs & Other Key Terms

Technical Appendices

Key word	Definition
Direct effects	The expenditures or initial production changes associated with an industry or sector in the study area which are entered into the Input-Output analysis.
Economic contribution	Economic ‘contribution’ measures the support of an existing business, event or policy that is money that is already circulating, it is the gross change in economic activity associated with a business, event, or policy in an existing regional economy.
Economic impacts	Economic ‘impacts’ are to the local economy by exits or entry-related events, “but if not for”, is the net changes in new economic activity associated with an industry, event, or policy in an existing regional economy.
Employee compensation	Total payroll cost of an employee, inclusive of wages, salaries, payroll taxes, and benefits such as health insurance and retirement.
Employment	The number of full-time, part-time, and seasonal jobs associated with a specific industry.
Full-time equivalent employment (FTEs)	Full-time equivalent employment (FTEs) is the number of full-time equivalent jobs, defined as total hours worked divided by average annual hours worked in full-time jobs.
Indirect effects	The economic impact of local industries purchasing goods and services from other industries along supply chains.
Induced effects	The economic impact of household spending of labor income following deductions from taxes, savings, and income for commuting.
Labor income	The sum of employee compensation and proprietor income.
Multipilers	The measure of an industry’s connection to the economy of Maine in terms of purchases, payments of wages and taxes, and other transactions.
Output	The value in dollars of production within Maine. It equates to the total of sales and net inventory change.
Total effects	The sum of direct, indirect, and induced effects.
Workers	Employment or workers is the total number of full-time, part-time, and seasonal jobs

END

The PMA Blueprint

Building a Landmark for the Future

A once-in-a-lifetime museum expansion and unification that will forever change Maine and New England. Through The PMA Blueprint, we will redefine our region, unite our communities, and sustain our economy for generations to come.

In a region traditionally renowned for its natural beauty and cuisine, the PMA has a new vision defined by arts, culture, belonging, and sustainability. To get there will require innovative thinking that goes "beyond the brick," and into the very nature of what a museum can be.

We believe the museum can transcend convention and redefine the quintessential Maine experience. **We understand** that the PMA, through investment in art and the facilities that bring that art to the public, can initiate a transformative new chapter for our region, one defined by growth and prosperity. **And we know** the time is now to embark on this profound and permanent shift forward.





THE CHALLENGE

For the last half decade, we've sustained double-digit increases in attendance, reaching a record high in 2019 with nearly 177,000 visitors. Our campus is at its limit, with attendance already at 2x the planned capacity of the Payson building. **In just 5 years, we will exceed 3x the planned capacity of our campus.** We need to build up, as we are being forced to make tough choices around reducing exhibition size, relocating programs, and restricting capacity due to the physical limitations of our campus.

Our collection has also grown exponentially, and **in the last decade alone has diversified deliberately and more quickly than at any point in our 140-year history.** Significant gifts from Judy Glickman Lauder, the Alex Katz Foundation, Barbara Goodbody, Richard Estes, Bruce Brown, David and Eva Bradford, the Berger Collection Educational Trust, and many more are transforming the PMA collection and expanding the narratives we can tell. Recently acquired works by Laura Aguilar, Rackstraw Downes, Nan Goldin, Philip Guston, Reggie Burrows Hodges, Carrie Mae Weems, Kara Walker, and others deserve space to store, care for, and present them—yet our existing facilities are insufficient and inadequate by modern standards.

And our communities have changed as well. We must do more to create opportunity—on our walls, in our galleries, through our programs, on our board, and within our staff—to ensure the PMA experience reflects the experiences, lifestyles, and values of the myriad people who call our region home and visit from around the world. We must platform individuals and communities that have been excluded from museums and “the art world”. We must ensure our artwork, exhibitions, programs, and didactics are created by and in partnership with our BIPOC communities, immigrants and new Mainers, LGBTQIA2S+ neighbors, our elders, youth, and other communities across Maine. We must be at the center of our communities, which requires dialogue, trust, and transparency. And we must ensure we are championing a more diverse, inclusive, and sustainable region. **We must become a community institution that is rooted in belonging.**



A LEADER IN OUR REGION, KEYSTONE IN OUR COMMUNITIES, AND CATALYST FOR OUR ECONOMY

From the museum's founding in 1882 by artists and community leaders, to Charles Shipman Payson's gift of 17 works by Winslow Homer and the opening of our Payson building 40 years ago, to our present-day status as a cultural leader, the PMA's impact is greatest when we open doors for audience engagement, identify opportunities to grow our collection and unify our campus, and create space to come together.

Nearly a decade ago, the PMA prioritized diversity, equity, accessibility, and inclusion throughout our exhibitions, programs, events, and culture of philanthropy. In the years since, we have cultivated a broader, more detailed, and nuanced understanding of what these ideas mean, dedicating ourselves to the concepts of belonging, sustainability, our mission—*Art for All*—and values of courage, equity, service, sustainability, and trust.

In October 2019, the PMA took a big step toward a bold future, purchasing 142 Free Street, a building directly adjacent to the museum's Charles Shipman Payson Building. In a rapidly evolving city, this purchase provides the museum with a footprint for future opportunities and enables the PMA to define Portland as a national center for arts and culture.

With the opportunities of 142 Free Street, the development of Congress Square (a major, underdeveloped urban park at the main entrance of the museum) and the domino effects of renewal across our campus at sites like the Payson Building, Spring Street lot, and more, now is the time to unify the campus and thoughtfully plan the museum's future. We envision our campus as an environmentally sustainable gathering place where a strong artistic vision drives conversation, creativity, and cultural vibrancy.

This investment will embody our *Art for All* and sustainability values, with 142 Free Street being the first sustainable and green public building in Portland and just the fourth green public museum building in the country. The mass timber structure will include flexible and open-ended spaces, including classrooms to learn and get messy, workshops, artist residencies, performance spaces, and many more versatile areas for collaborations, partnerships, and connection. This is all in addition to innovative galleries and ways to present art that are at the heart of a museum.

This new, iconic, and architecturally significant center will be the hallmark of a unified and renewed campus—enhancing the PMA's mission, welcoming visitors from around the corner and across the world, and encouraging meaningful connections with artworks, programs, and events.

LEVER ARCHITECTURE & THE CONCEPT

In January, the Portland Museum of Art announced LEVER Architecture (Portland, OR and Los Angeles, CA) to lead the design team for *The PMA Blueprint*. LEVER Architecture's winning concept imagines the PMA campus unified through a stunning and sustainable building that connects directly to the PMA's Postmodern-style Charles Shipman Payson Building (1983), Beaux-arts style Lorenzo De Medici Sweat Memorial Galleries (1911), Federalist-style McLellan House (1801), and Greek revival Clapp House (1832.) The design—proposed primarily from sustainable mass timber, one of LEVER's defining characteristics—reflects LEVER's understanding of the PMA's values and goals, as well as the history and future of Portland, of Maine, and of the region.

LEVER envisions a new building at the site of 142 Free Street made from mass timber, terracotta, and glass, and includes nods to Maine communities, history, and culture. The curved roofline is designed to frame the sun as it rises and sets, in honor of Maine's Wabanaki communities (Abenaki, Maliseet, Micmac, Passamaquoddy, and Penobscot Nations) and the land they call Wabanaki, or Dawnland. The timber used in LEVER's design speaks to the state's lumber industry heritage while reimagining its future as a hallmark of environmental stewardship, much in the same way the PMA's other buildings embody their time and place and reflect other aspects of Maine's history. Other sustainable building materials and practices, such as geothermal energy, will be explored as the project moves into future phases.

LEVER Architecture and their team of Simons Architects and Unknown Studio, Chris Newell-Akomawt Educational Initiative, Openbox, Once-Future Office, Atelier Ten, and Studio Pacifica were selected through a juried international design competition that attracted submissions from 104 teams representing 20 countries, including Australia, Belgium, China, Denmark, Finland, Japan, Mexico, Spain, South Korea, United Arab Emirates, the United Kingdom, and more. In total, more than 250 firms participated as part of the 104 submitting teams, with 46% of all lead firm submissions owned or founded by people of color or women.

Additionally, the Jury considered feedback from the public, who submitted more than 2,000 ideas, questions, and comments to the PMA during the concept gallery display November 18–December 31. Opportunities for community feedback have been critical to the PMA throughout its campus planning and *The PMA Blueprint* process, and in addition to the public comment period this winter have included focus groups, listening sessions, and surveys to ensure the future development of the museum's campus is defined by and rooted within the communities it serves.

In the months since the announcement, the LEVER team has frequently been to Maine to meet with, interview, and learn from our communities. These pre-planning moments with visitors, staff, and stakeholders are the initial steps to refine the concepts that will ultimately become the final design for the new PMA.

DOUBLING OUR ECONOMIC IMPACT

The Portland Museum of Art's contributions to Maine's economy are already significant, with \$29.8 million in total output, \$8.7 million in direct labor income supporting an additional \$4.2 million in indirect and induced impacts, and \$12 million in direct tourism-related expenditures. In 2022, The Maine Center for Business and Economic Research at The University of Southern Maine (USM) found that *The PMA Blueprint* could effectively double its impact at the completion of the project.

This is because investments that contribute to and improve quality of life can be more effective economic development tools than traditional strategies such as business tax incentives. Community amenities including recreational opportunities and cultural activities may be larger contributors to a healthy local economy than more narrowly focused "business-friendly" measures. A range of easily accessible open spaces and public gathering spots that promote community connections, restaurants, jobs, and safety have proven to attract—and retain—newcomers to an area to live, work, and play.

USM's analysis also estimated the economic impact from the capital expenditures on the proposed PMA Blueprint construction project. Between 2023 through 2027, the PMA estimates that it will cumulatively spend more than \$60 million to construct the new building. Including direct, indirect, and induced spending, the total impacts of the PMA's capital investment on new construction, include an estimated: 66 - 79 construction-related jobs per year, \$17.4 - \$20.8 million in associated labor income, and \$49.5 - \$59.4 million in total output (sales).

MASS TIMBER'S POTENTIAL FOR MAINE

The Portland Museum of Art sees even more potential for economic development beyond Portland, extending throughout Maine's rural and urban communities, invigorating local economies, revitalizing communities, and sparking new industries and revenue streams.

This spring, the Portland Museum of Art was the sole arts institution at the International Mass Timber Conference in Portland, Oregon, among 3,000 attendees from 20 countries. Yet, we were welcomed with open arms and told time and again that *The PMA Blueprint* is the bellwether this emerging industry has been waiting for. That's because our project can demonstrate the benefits of mass timber beyond raw materials and processes.

One of the key benefits of mass timber construction is its ability to sequester carbon, retaining it in the building rather than being released back into the atmosphere through decomposition or burning. When wood that is used for mass timber construction is obtained from sustainably managed forests, the resulting materials have a much lower life-cycle carbon footprint than steel and concrete, delivering a 26.5% reduction in global warming potential, according to University of Washington researchers. That is incredibly significant, as the building sector produces an extraordinary 40% of global carbon emissions annually. The most common forms of mass timber include cross-laminated timber (CLT), Glue Laminated beams, Structural Round Timber (SRT), and laminated veneer lumber (LVL). No matter the type, all mass timber is incredibly strong, climate safe, and sustainable.

Maine almost had a CLT plant in 2018 but lost the bid to a site in the south that is now a profitable economic driver in Alabama. In our preplanning for our building, we're discovering a shared desire and drive for a CLT plant in Maine by our policymakers at all levels, the University of Maine, Indigenous leaders,

landowners, forestry advocates, businesses, and more. Why? Because mass timber in Maine just makes sense. We're the most forested state in the country—with nearly 90% of the land covered in forests, the potential to revitalize and reimagine our state is real. This is a rare and unique opportunity to bring rural and urban communities, companies, and governments together through clean industries that make the world better and support Maine jobs.

The time is now to incentivize mass timber as a go-to building material to maximize long-lasting and positive outcomes for our economies and environment. We are excited to partner with LEVER Architecture and lead by example through our new, landmark building, but we need others to embrace regenerative, climate-safe wood products and processes as well. Together, we can support a better future, one that leads sustainably while fostering the people, communities, and industries that could revitalize and reimagine our state and New England as a whole.

JOIN US

Beginning today, we can renew, revitalize, and redefine a museum's role within our society.

With your partnership and support, we can manifest a model for all museums: one defined by leadership, courage, sustainability, and belonging.

The PMA you help to establish will strengthen our societal fabric and affirm that museums are critical to the health of our communities in all ways.

Together, we can realize the true potential of museums for all people.



MUSEUMS
NEED A
PARADIGM
SHIFT THAT
DELIVERS
ON THE
PROMISE OF
ART FOR ALL.

Art reflects culture defines community **centers** region attracts visitors
create energy galvanizes support activates vision inspires giving diversifies
collections display beauty sparks imagination spurs conversation poses
ideas foster growth requires capacity unifies campus welcomes **community**
defines culture reflects art. **Art** reflects culture defines community **centers**
region attracts visitors create energy galvanizes support activates vision
inspires giving diversifies collections display beauty sparks imagination
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BEYOND THE BRICK



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The PMA's impact is greatest when we open doors for audience engagement and identify opportunities to grow our collection and unify our campus.

The Portland Museum of Art is defined by three pillars: community, collection, and campus. Working in tandem, these pillars have been the foundation of every milestone of the museum's incredible history. From the museum's founding in 1882 by artists and community leaders, to Charles Shipman Payson's gift of 17 works by Winslow Homer, to the opening of its Payson building one hundred years later, and to its present-day status as a cultural leader, the PMA's success has been grounded by one of these three pillars.

Now, sparked by the current growth and diversification of the collection, record attendance and community feedback, and new opportunities to expand and unify its campus, the Portland Museum of Art stands ready to embark on what will be its most ambitious and pioneering era yet. *This era will be defined by the additions of new, renowned collections, the development of iconic buildings in which to present them, and an innovative relationship with the communities we serve.*

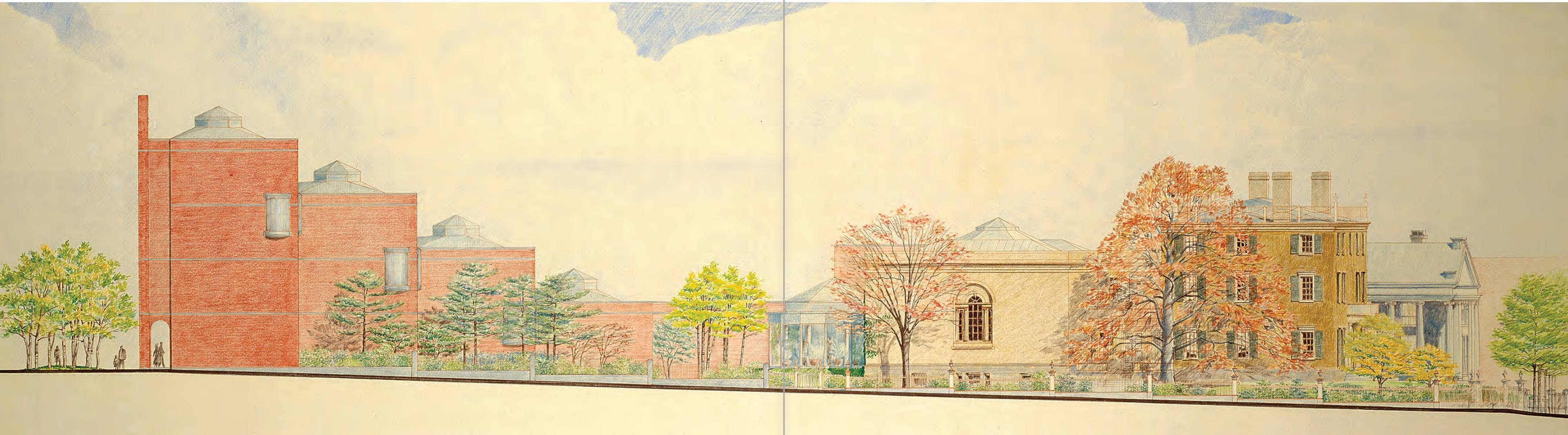
Mark H.C. Bessire
Judy and Leonard Lauder Director

COMMUNITY, COLLECTION, CAMPUS; UNIFIED

PORTLAND MUSEUM of ART Seven Congress Square, Portland, Maine 04101 PH: 207 / 775-6418 FAX: 207 / 773-7324 portlandmuseum.org

and prosperity. *And we know* the time is now to embark on this profound and permanent shift forward.

BEYOND THE BRICK

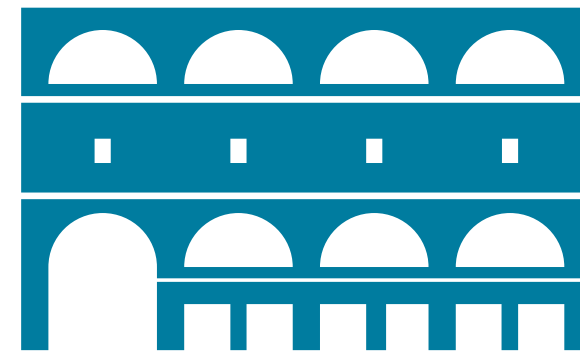
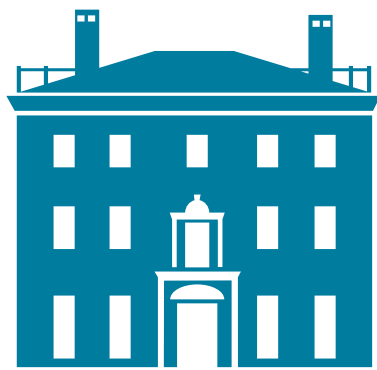


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The Portland Museum of Art is about to fundamentally change Maine. In a region traditionally renowned for its natural beauty and cuisine, the PMA has a new vision defined by arts, culture, equity, and sustainability. To get there will require innovative thinking that goes “beyond the brick,” and into the very nature of what a museum can be.

We believe the museum can transcend convention and redefine the quintessential Maine experience. ***We understand*** that the PMA, through investment in art and the facilities that bring that art to the public, can initiate a transformative new chapter for our region, one defined by growth and prosperity. ***And we know*** the time is now to embark on this profound and permanent shift forward.



It's time to envision the next great era in PMA history, one sparked through new, world-famous collections and an architecturally innovative and unified campus that serves as an epicenter for conversation, connection, and community.

– MARK H.C. BESSIRE,
JUDY AND LEONARD
LAUDER DIRECTOR



AT 140 YEARS OLD, THE PMA IS AMONG THE OLDEST ART MUSEUMS IN THE COUNTRY, AND PREDATES X-RAYS, THE EIFFEL TOWER, AND THE BOSTON RED SOX.

THE FIRST 100

Although the museum was founded in 1882, the PMA story really begins with the legacy of its first benefactor, Margaret Jane Mussey Sweat. In 1908, Sweat bequeathed the McLellan House and necessary funds to build the L. D. M. Sweat Memorial Galleries in memory of her late husband. Margaret Jane Mussey Sweat's belief in the museum would set the precedent for future generations of philanthropy and provide the visionary foundation of what the Portland Museum of Art could be.

1882
The Portland Society of Art is founded by artists.

1888
COLLECTION
Benjamin Paul Akers' *The Dead Pearl Diver* becomes the museum's very first acquisition, marked by a group donation model.

 **1908**
CAMPUS
Sweat bequeaths the McLellan House, an 1801 federal-style three-story mansion designed by John Kimball, Sr., to found the museum. Sweat foresees the need for future growth, and includes the necessary funds to build the L. D. M. Sweat Memorial Galleries.

 **1911**
CAMPUS
L.D.M. Sweat Memorial Galleries open in a Beaux-arts style building designed by John Calvin Stevens: 7,500 sq. ft., with 4,000 sq. ft. of exhibition space.

CREATING THE PMA, 1976–2006

When Charles Shipman Payson gave the museum 17 artworks by Winslow Homer in 1976, it served as a catalyst for a group of visionary leaders to expand the campus, attract the museum's first significant collections and long-term loans, and establish the downtown footprint that remains to this day.

1976
COLLECTION
Maine native Charles Shipman Payson promises the museum his collection of 17 paintings by Winslow Homer.

CAMPUS
Critically, Payson identifies the museum's physical limitations and generously gives \$8 million toward the construction of a new building.

1979
COLLECTION
In direct response to the Payson gift, the Hamilton Easter Field Art Foundation Collection adds more than 50 paintings, sculptures, and works on paper by American modernists to the PMA collection.

1980
COLLECTION
Edward Hopper's *Pemaquid Light*, which continues to be the PMA's most requested artwork by visitors, joins the collection.

1981
CAMPUS
The museum breaks ground on the Charles Shipman Payson Building.

 **1983**
CAMPUS
Designed by Henry Nichols Cobb of Pei Cobb Freed & Partners, the new heart of the PMA opens with 20,000 sq. ft. of exhibition space.

1983
COLLECTION
The Friends of the Collection is founded by a group of enterprising women to bring greater diversity and equity to the PMA through the acquisition, conservation, and care for the collection and related programming.

FUN FACT | Artworks by Ahmed Alsoudani, David C. Driskell, Edward Hopper, Louise Nevelson, Isamu Noguchi, Marguerite Zorach, and many more have been acquired by the Friends of the Collection.

1988
COLLECTION
Winslow Homer's masterpiece, *Weatherbeaten*, sparks a new era of major growth of the collection.

1991
COLLECTION
The Joan Whitney Payson Collection of 20 impressionist and post-impressionist works of art is given to the museum on permanent loan. Pierre-Auguste Renoir's *Confidences (Secrets)* is among the highlights of the collection.

1996
COLLECTION
Elizabeth B. Noyce bequeaths 66 works of American art, which at the time stands as the most extensive and diverse gift of American art ever given to the museum.

2002
CAMPUS
After a successful \$12.3 million capital campaign, the PMA meticulously renovates the McLellan House, restoring it to its original condition and reopening it to the public in 2002.

For more than 40 years, there have been no increases in galleries, visitor amenities, or capacity.

ENSURING FLEXIBILITY, 2006 – 2016

The first 10 years of the 21st century proved to be a pivotal decade in Portland, and as its cultural renaissance took hold, the PMA moved to secure the museum's future flexibility by securing three strategic properties: 87 Spring Street, the Charles Quincy Clapp House, and the Winslow Homer Studio.

 **2006**
CAMPUS
The PMA purchases the Winslow Homer Studio and begins restoration project.

 **2007**
CAMPUS
The Charles Quincy Clapp House, one of Maine's important early examples of high style Greek Revival architecture built in 1832, is purchased.

FUN FACT | Acquired by the Portland Society of Art in 1914, with ownership transferring in 1982 to Maine College of Art when the Portland Society of Art separated into the PMA and MECA.

Board votes to purchase 87 Spring Street in 2007 for \$2.35 million.

2012
COMMUNITY
The exhibition *Weatherbeaten* breaks attendance records and sets a new precedent as to what the museum could do if it unified exhibition strategy, audience development, and brand equity in the years to come.

CAMPUS
The Winslow Homer Studio opens to the public.

2013
COLLECTION
CAMPUS
COMMUNITY
The PMA begins planning a four year, cross-departmental accessibility initiative, *Your Museum, Reimagined*, to reinstall the collection, digitize the collection, improve physical accessibility, and create more ways to remove financial means as a barrier to the museum.

FUN FACT | Director Mark Bessire often said, "the PMA built a building without a building."

2014
CAMPUS
The museum purchases the land surrounding the Winslow Homer Studio to be preserved in perpetuity through an \$11.8 million capital campaign for restorations, land, and building the endowment.

COLLECTION
Robert Indiana's *SEVEN* is installed in Congress Square, simultaneously adding an iconic public work of art in Portland while underscoring the PMA's physical address at 7 Congress Square.

2015
COLLECTION
Andrew Wyeth's *River Cave*, which the New York Times said, "may be Wyeth's best painting" and is regularly identified by art historians as among his most important and impressive artworks, joins the collection.

THE ART FOR ALL GENERATION, 2016 - PRESENT

The path the PMA is about to take was made possible through several successful projects and initiatives that ensured artworks and audiences came together to move the museum forward.

In 2015 the PMA announced its commitment to a multiyear, cross-departmental collections and accessibility initiative, *Your Museum, Reimagined*. By its completion in 2017, the PMA had reinstalled the collection, digitized the collection, improved physical accessibility, and created more ways to remove financial barriers to the museum.

2016
COMMUNITY
A sustained multiyear increase in attendance begins, growing beyond the previous five-year average of 130,000, jumping 7%.

2017
COMMUNITY
The PMA launches *Your Museum, Reimagined*, immediately attracting 20,000 more visitors than the year before while establishing a new baseline for annual attendance.

The David E. Shaw Family Sculpture Park opens as a free space to the public for the first time in nearly 35 years.

Recent additions by John Bisbee, Jonathan Borofsky, Isamu Noguchi, and William Zorach have joined works by Anthony Caro and Celeste Roberge. 20,000 more visitors come to the museum.

COLLECTION
A substantial collection of photographs by Nan Goldin joins the collection.

2018
COMMUNITY
11% increase in attendance over 2016.

Through the generosity of Susie Konkell, the PMA introduces free admission for everyone ages 21 and under.

The museum launches multivocal didactic materials in exhibitions, which—alongside community advisory committees—improve the range of perspectives and educational opportunities available in the galleries.

Since that time, the PMA has aimed to build on the new wave of energy and support at the museum. This has been marked by a deep commitment to Diversity, Equity, Accessibility, and Inclusivity [DEAI] through exhibitions and programs that reflect the region's diverse communities and experiences with art that brings people together. We call it *Art for All*.

2019
COMMUNITY
Record Attendance: 176,464 visitors to the museum with a 10% increase over 2018 plus a 16% over previous half decade.

COLLECTION
Kara Walker's *Occupation of Alexandria*, David C. Driskell's *Ghetto Wall #2*, and Jeffrey Gibson's *PEOPLE LIKE US* immediately become collection highlights.

FUN FACT | 290 artworks added to the collection since 2016.

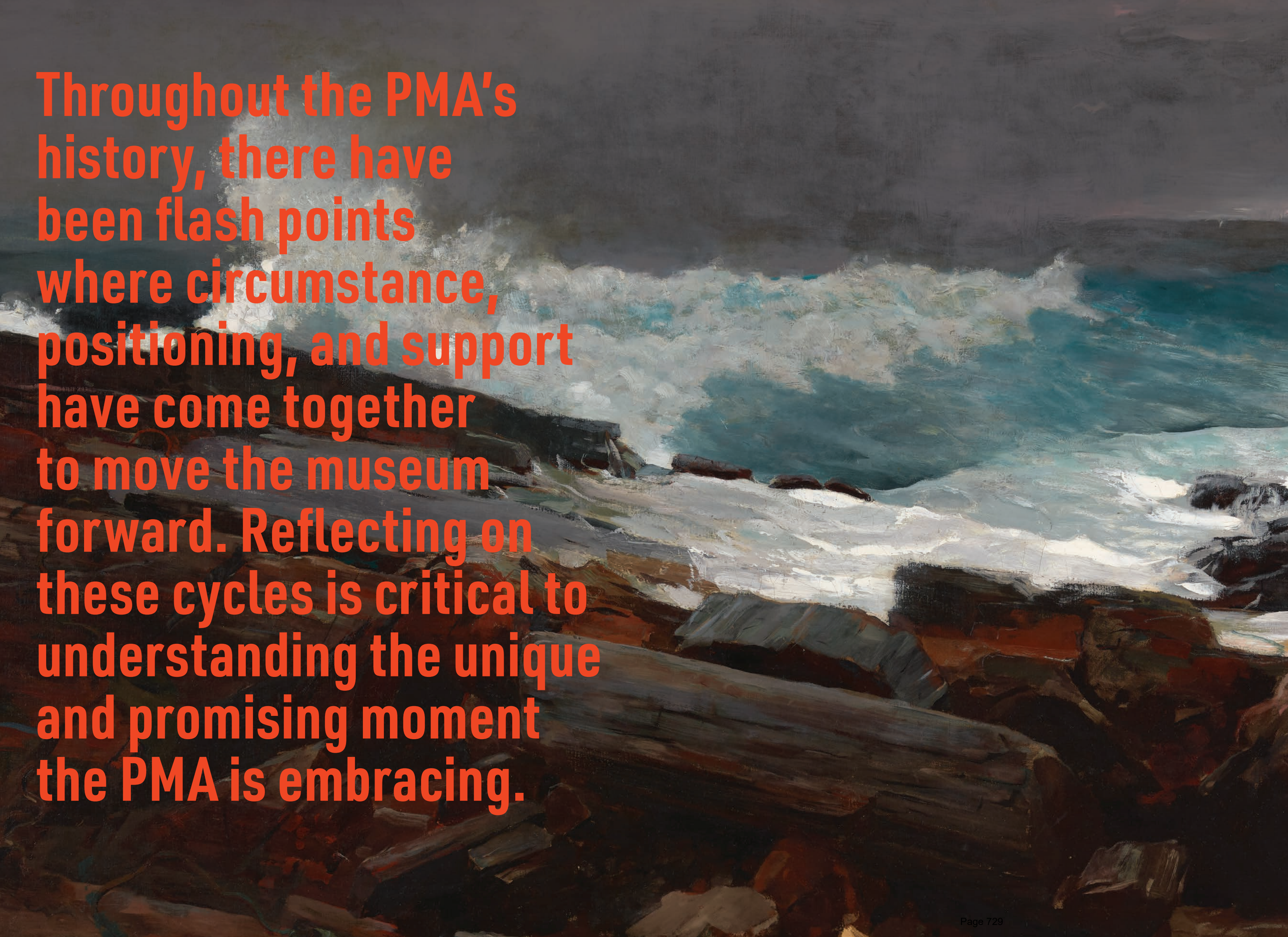
CAMPUS
The museum purchases 142 Free Street building, directly adjacent to the museum's Charles Shipman Payson Building. The purchase provides the museum with flexibility for future opportunities and enables the PMA to secure the area around Congress Square as a center for arts and culture.

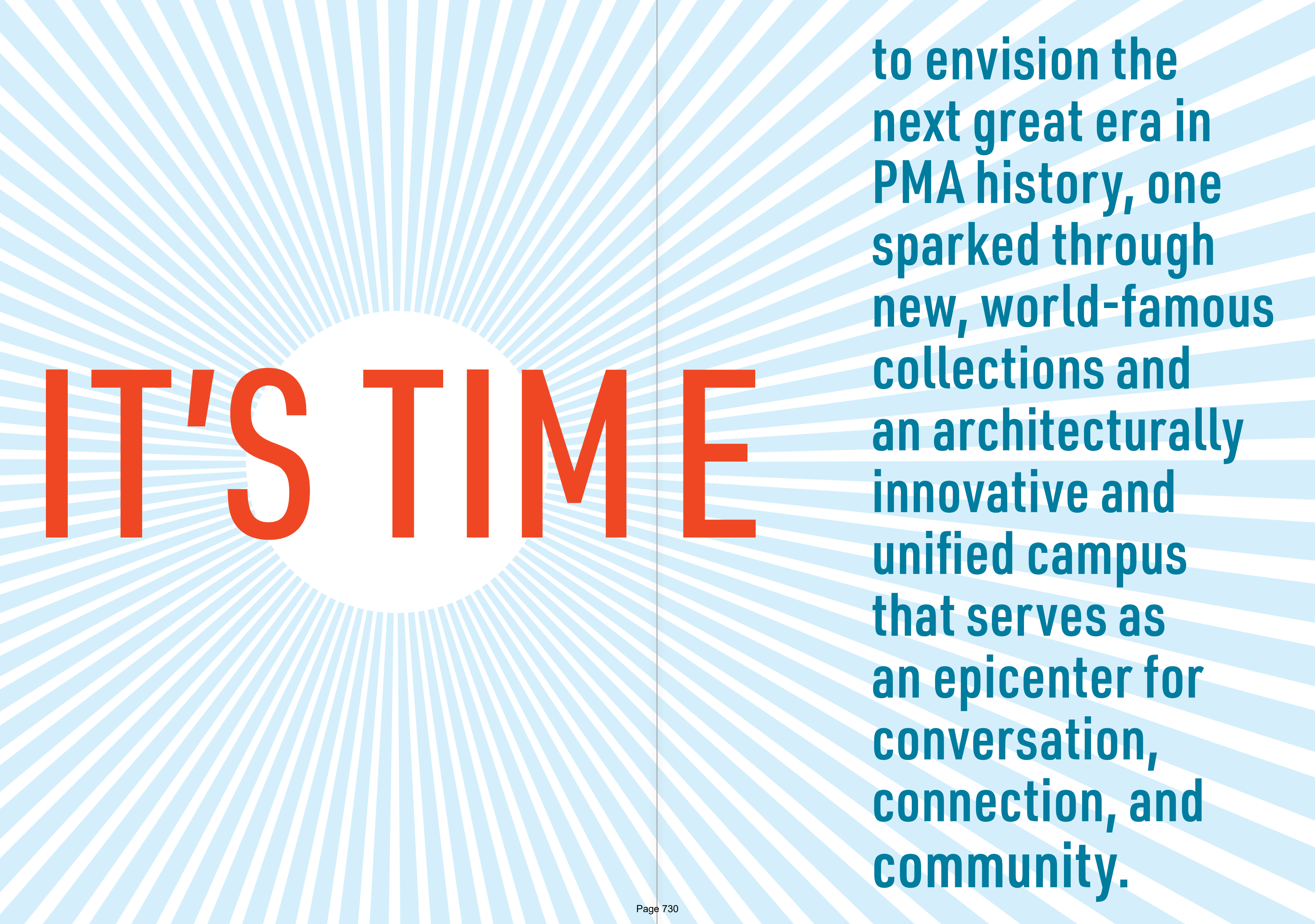
2020
COMMUNITY
Attendance goal is set for 220,000.

As the pandemic takes hold, the PMA pivots to a digital-first museum, creating hundreds of types of content across all departments, and sets new record with 3.53 million people engaging with the museum online.

369% increase in web traffic from previous year.

Throughout the PMA's history, there have been flash points where circumstance, positioning, and support have come together to move the museum forward. Reflecting on these cycles is critical to understanding the unique and promising moment the PMA is embracing.





IT'S TIME

to envision the next great era in PMA history, one sparked through new, world-famous collections and an architecturally innovative and unified campus that serves as an epicenter for conversation, connection, and community.

ATTRACTING COLLECTIONS

Our dedication to the collection has never been stronger. We're committed to highlighting the strengths of our existing collection and the long-term loans that have attracted local and global audiences for decades. Simultaneously, we're expanding the collection dramatically through additions by artists such as Jeffrey Gibson, Daniel Minter, Tim Rollins & K.O.S., Clifford Ross, Theresa Secord, and Kara Walker. Lastly, we're reinforcing holdings of landmark works by Maine artists, including Lois Dodd, David Driskell, Winslow Homer, John Marin, and Andrew Wyeth.

The museum is now about to move light-years forward, with the addition of several major, internationally renowned and incredibly valuable collections that will transform everything. This expansion of the collection is the most extensive and diverse in the institution's history, and immediately centers the PMA as one of the most important museums in the Northeast.

But the opportunity and challenge ahead is clear: to present these collections at all, let alone meaningfully and in line with our values, we need to increase capacity to provide welcoming spaces for all through the growth and unification of our campus.



GROWING OUR COLLECTION



ALEX KATZ
FOUNDATION GIFTS

Over the last decade, the Alex Katz Foundation has generously provided the PMA with a collection of nationally and internationally renowned artworks by Katherine Bradford, Emily Brown, Lois Dodd, Misaki Kawai, Chris Martin, Julian Opie, and more. The foundation has contributed more than 45 artworks to the PMA collection since 2011.



JUDY GLICKMAN LAUDER
PHOTOGRAPHY COLLECTION

Anchored by works from some of the most beloved and influential photographers of the 20th century, including Berenice Abbott, Diane Arbus, Richard Avedon, Margaret Bourke-White, Danny Lyon, Sally Mann, Gordon Parks, and James Van Der Zee, the collection will become the center of a photographic collection at the Portland Museum of Art that will thrill audiences from around the world. The collection also includes photographs by critical contributors to the medium's history, such as Irving Bennett Ellis, Lotte Jacobi, Alma Lavenson, Ben Shahn, Graciela Iturbide, and Glickman Lauder, the collector herself.



BARBARA GOODBODY
COLLECTION

Over the last half decade, the PMA has worked to prioritize artworks and perspectives from our Wabanaki communities, presenting contemporary artworks in our Biennial series, featuring leaders in our marquee public programs, and partnering with artists and community members on inclusive, direct, and honest didactic materials in order to dismantle systemic racism and art historical blind spots. Wabanaki baskets, given generously by Barbara Goodbody in 2021, include stunning works by David Moses Bridges, Martin Dana, Jeremy Frey, Theresa Secord, Sarah Sockbeson, Geo Soctomah Neptune, and more.



WALTER B. AND MARCIA F.
GOLDFARB COLLECTION

Assembled by PMA Trustee and patron Dr. Walter Goldfarb and his wife, Marcia, the Goldfarb collection focuses on three primary categories of painting: ship portraits, landscapes in the tradition of the Hudson River School, and trompe l'oeil still life. Featured artists include Sanford R. Gifford, John Haberle, William Michael Harnett, and John Frederick Peto. The Goldfarb Collection offers strong resonance with existing PMA works by Charles Codman, Fitz Henry Lane, Eastman Johnson, and others, providing visitors a coherent narrative of 19th-century American art.



RICHARD ESTES
COLLECTION

The Richard Estes Collection and Archive has been promised to the Portland Museum of Art. This transformational collection contains paintings and extensive archival material, forming a significant body of work that will provide breadth to the museum's collection of American art. The Richard Estes Collection will help chart the reinvigoration of realist and figurative American painting in the decades after World War II, when numerous artists of Estes' generation were seeking a fresh approach to painting. Many of these artists eventually found Maine, or places like Maine—rural environments where their interest in the natural world became intertwined with their artistic visions.



BERGER COLLECTION
EDUCATIONAL TRUST

A major gift of works by American icon Winslow Homer strengthens the Portland Museum of Art's position as one of the leading institutions in the world to experience the art and legacy of Winslow Homer. Highlights of the gift from the Berger Collection Educational Trust include paintings *Returning from the Spring*, 1874, and *Young Farmers (Study for Weaning the Calf)*, 1873-1874, as well as nearly a dozen other works made by Homer during his career.



DAVID AND EVA BRADFORD
COLLECTION

German expressionist works that powerfully blend issues of history, politics, art, and national identity, provoking questions about who we are and what we value in ways that are as pertinent today as they were a century ago. The works, gifts to the PMA from David and Eva Bradford, add context to the social and artistic expression of the era and are equally probing in their evaluation of German society and national identity. Highlights include works by Max Beckmann, Otto Dix, and Käthe Kollwitz.

Beginning with our first acquisition in 1888 of Benjamin Paul Akers' *The Dead Pearl Diver*, the PMA has amassed a permanent collection of more than 18,000 objects, with roughly 75 percent arriving as gifts from more than 10,000 donors.

THE PMA'S SUCCESS IS NOW OUR BIGGEST CHALLENGE

In the last two years, our audiences have made it clear that they have big expectations, and we do too. **We've sustained double-digit increases in attendance for the last half decade, reaching a record high in 2019 with more than 175,494 visitors.** As we look to the future, it's easy to see how the constraints of our campus will soon hinder our goals and our communities' needs.



We already
welcome nearly

2x

the planned capacity
of the Payson building.

In just five years of our
current pace of growth,
we will exceed

3x

the planned capacity
of our campus.

4x

as many visitors than
peer museums with
similar exhibition square
footage.



WE NEED TO BUILD UP

We are being forced to reduce
exhibition size, relocate marquee
programs and events, and restrict
capacity due to limits of our campus.



OUR NEEDS IN CONTEXT

Compared to peer institutions*, the PMA...

has
170-515%
MORE VISITORS
than similar
sized campuses.

has
130-370%
MORE VISITORS
than equivalent
member households.

has
140-585%
MORE VISITORS
than comparable
collection sizes.



is
**one of
only 13**

**MUSEUMS IN THE
UNITED STATES**
with 100% of its
collection online and
accessible digitally.



has the
**4th most
open hours**
**IN THE
ENTIRE COUNTRY.**



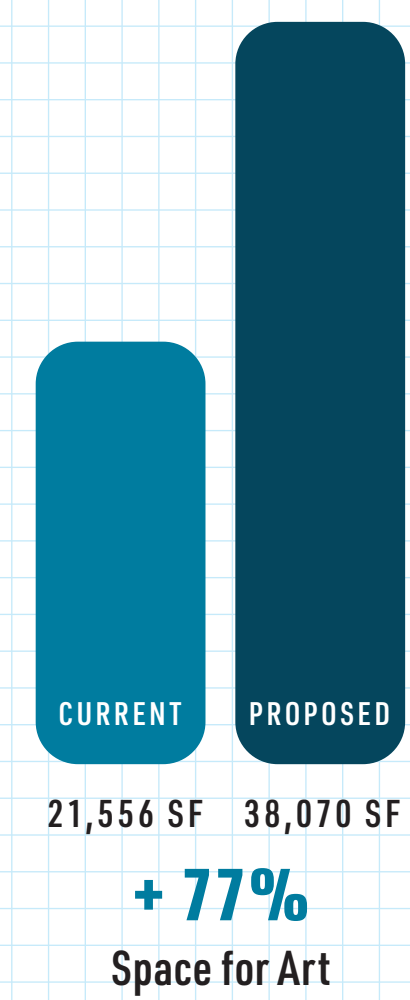
leads
**every other
museum
but one**
**IN FREE
ADMISSION
by age.**



serves
**more
school
districts**
**THAN BROOKLYN
MUSEUM AND
NATIONAL GALLERY
OF ART.**

* According to the American Association of Museum Directors (AAMD) 2019 report, which represents the most recent data. AAMD did not conduct reports for 2020. Data rounded to nearest fifth.

OUR PARADIGM SHIFT IS DEFINED BY EQUITY, SUSTAINABILITY, AND FLEXIBILITY.

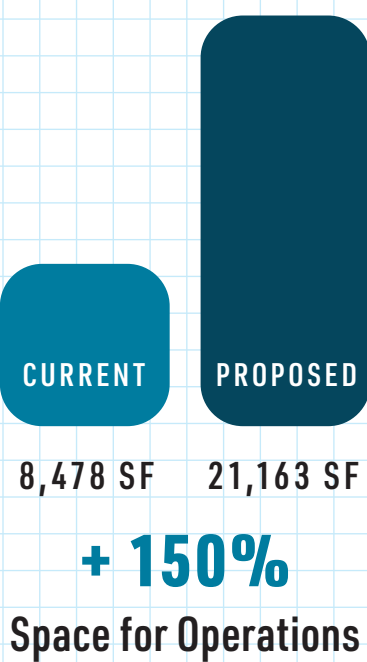
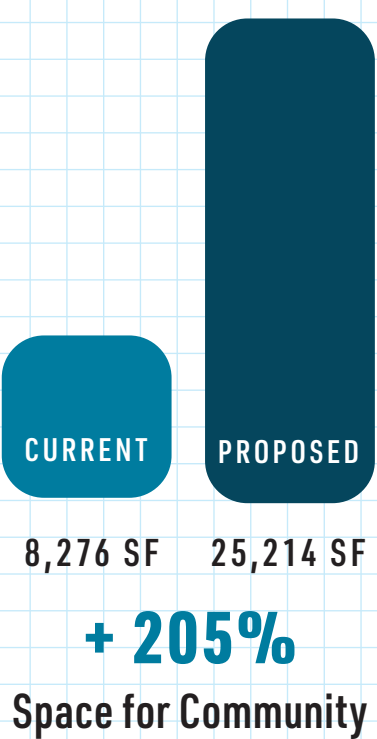


In October 2019, the PMA took a big step toward a bold future, purchasing 142 Free Street building directly adjacent to the museum’s Charles Shipman Payson Building. In a rapidly evolving city, this purchase provides the museum with a footprint for future opportunities and enables the PMA to define Portland as a national center for arts and culture.

With the opportunities of 142 Free Street, the development of Congress Square (a major, underdeveloped urban park at the main entrance of the museum) and the domino effects of renewal across our campus at sites like the Payson Building, Spring Street lot, and more, **now is the time to unify the campus and thoughtfully plan the museum’s future.** We envision our campus as an environmentally sustainable

gathering place where a strong artistic vision drives conversation, creativity, and cultural vibrancy.

This investment will embody our *Art for All* and Sustainability values, with 142 Free Street being the first sustainable and green public building in Portland and just the fourth green public museum building in the country. Planned across a six- or seven-story building, the ground floor is a **community gathering space** with a gallery, classrooms, and versatile areas for collaborations, partnerships, and communal food sharing. The lower level is a large **flexible auditorium**, and one floor would be **dedicated to housing local nonprofit organizations**, which would operate in the building and become crucial to the **education and outreach** programs of



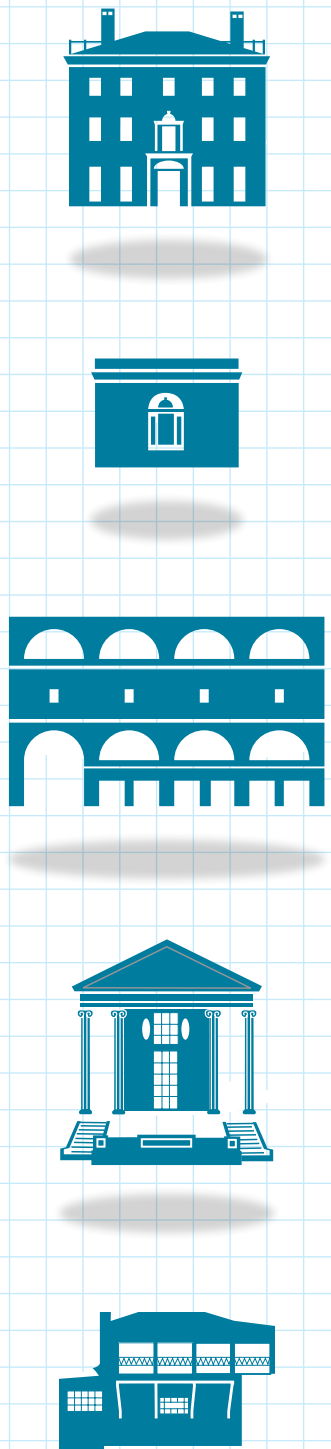
the PMA. One floor would include an all ages Makers Space, classrooms, and a Photography Center. One floor would be dedicated to **traveling exhibitions** as our current space of 4,500 square feet is too small for us to collaborate with our peer museums; another floor would hold offices. The rooftop would provide a **meeting area, restaurant, and a sculpture park as well as an opportunity for earned revenue.**

A key component of the new PMA building at 142 Free Street will be **home to a photography study center** that teaches and inspires our youth, partners with seasoned photographers, and analyzes the historical and contemporary fields of photography. This dedicated space could fully support the field of photography for all generations by creating a new model that is so needed

By adding
60,000 SF
we can easily welcome
300,000-500,000
visitors per year.

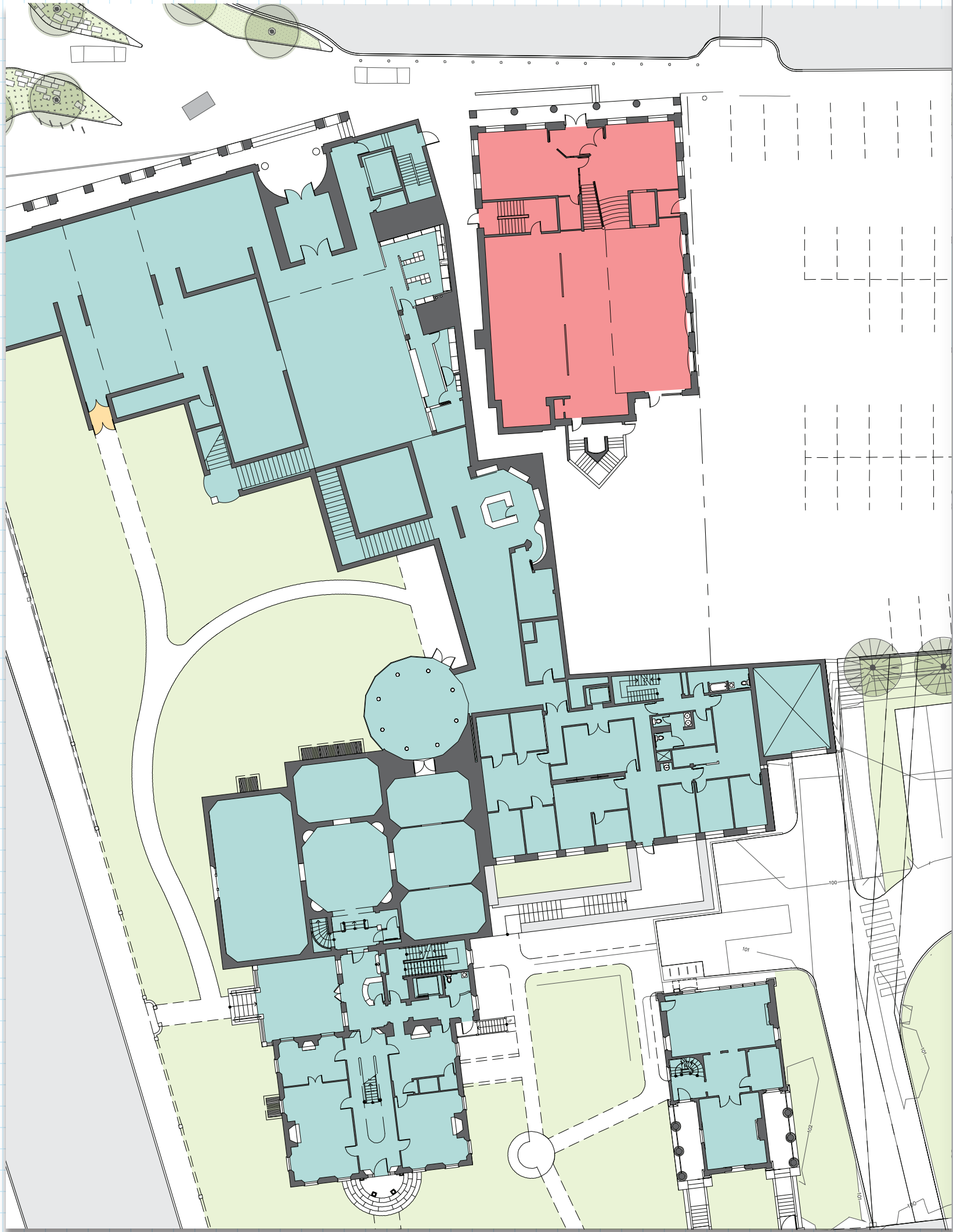
today, as museums struggle with their past. It could be housed on a floor that provides full-service photography, from darkrooms, classrooms, and galleries, to a study center in partnership with other cultural organizations, making it an active and accessible space for all. It could also include a dedicated permanent gallery, with exhibitions changing annually so that visitors to the PMA can build over time their knowledge of the art of photography.

It’s time to create the next great PMA experience, adding a new, iconic, and architecturally significant center to our historic campus. A unified and renewed campus will enhance the mission, welcome visitors from around the corner and across the world, and encourage meaningful connections with artworks, programs, and events.

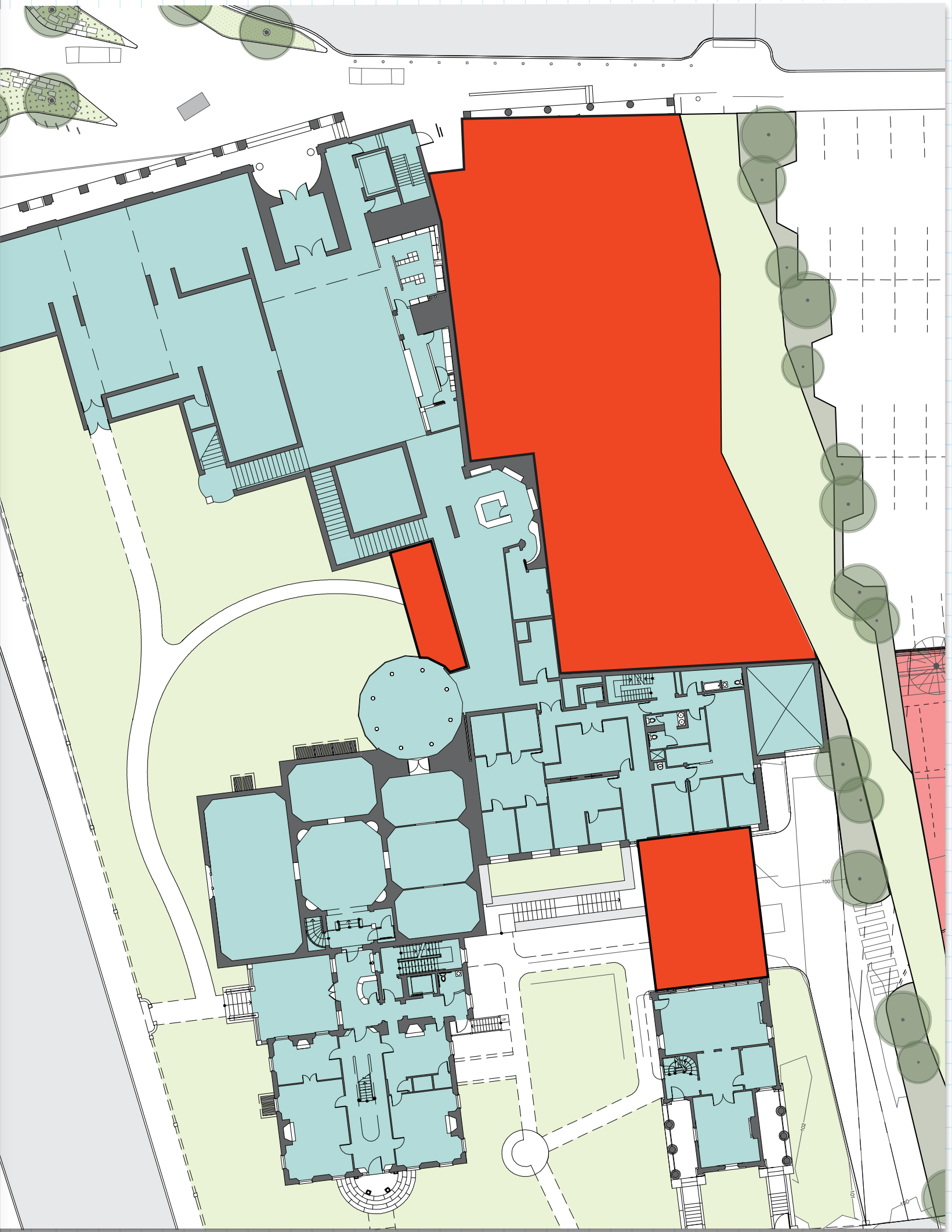


IT'S TIME.

EXISTING SITE PLAN



POTENTIAL DEVELOPABLE SPACE PLAN



ART IS THE HEART ❤️

At every step along our 140-year history, we have been supported, guided, and sustained by our visionary partners who understand art's unique capacity to connect, inspire, and transform.

Beginning today, we can renew, revitalize, and redefine a museum's role within our society—but we can't do it alone.

With your partnership and support, we can manifest a model for all museums: one defined by leadership, courage, sustainability, and inclusivity. The PMA that you will help establish will strengthen our societal fabric and affirm that museums are critical to the health of our communities.

Together, we can realize the true potential of museums for all people.

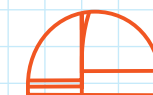




*What we leave as proof
of our being here will
not necessarily be in
the sciences, in politics,
in economics, but will
manifest itself through
the arts.*

– DAVID C. DRISKELL

We're committed to connecting the art and ideas inside our walls with the world and people outside of them, and our vision for the museum will demonstrate that **the PMA is a different kind of arts institution**: one that platforms its communities, promotes its region, and elevates our shared future.



...Museums have an opportunity to not become community centers, but to **be at the center of their community...**

– LONNIE G. BUNCH III, 14TH SECRETARY
OF THE SMITHSONIAN AND PMA'S 2018
NELSON SOCIAL JUSTICE KEYNOTE SPEAKER

Page 3: Jeffrey Gibson (United States, born 1972), *PEOPLE LIKE US*, 2018, glass and plastic beads, tin, copper and gold-finished jingles, artificial sinew, quartz crystal, silver-coated copper wire, druzy crystal, nylon thread, nylon fringe, acrylic felt, acrylic paint, repurposed wool blanket, recycled jersey stuffing, rawhide, 60 1/2 x 24 1/2 x 14 inches. Gift of Crewe Foundation and Family, 2019.13. © Courtesy of the artist and Robert Projects, Los Angeles, California; Photo Peter Mauney

Page 4: Architectural rendering of the Payson Building by I. M. Pei & Partners.

Page 12: Winslow Homer (United States, 1836–1910), *Weatherbeaten*, 1894, oil on canvas, 28 1/2 x 48 3/8 inches. Bequest of Charles Shipman Payson, 1988.55.1. Image courtesy of Luc Demers

Page 13: Katherine Bradford (United States, born 1942), *Woman Flying*, 1999, oil on canvas dropcloth, 84 x 72 inches. Museum purchase with support from the Friends of the Collection, 2012.14. Image courtesy of Pillar Digital Imaging. © Katherine Bradford

Page 17: Pierre-Auguste Renoir (France, 1841–1919), *Confidences (Secrets)*, circa 1874, oil on canvas, 32 x 23 3/4 inches. The Joan Whitney Payson Collection at the Portland Museum of Art, Maine. Gift of John Whitney Payson, 1991.62. Image courtesy of Pillar Digital Imaging

Pages 18 / 19, left to right: Elizabeth Hazan (United States, born 1965), *The Forest at 2:00am*, 2019, oil on linen, 50 x 47 inches. Gift of the Alex Katz Foundation, 2019.26.2. Image courtesy of Cary Whittier. © Elizabeth Hazan. Gordon Parks (United States, 1912–2006), *American Gothic, Washington, DC*, 1942, gelatin silver print, 13 x 10 1/4 inches. Promised Gift from the Judy Glickman Lauder Collection. Image courtesy of Luc Demers. Courtesy of and copyright The Gordon Parks Foundation. Theresa Secord (Penobscot, born 1958), *Trinket basket*, 2014, birch bark, spruce rooblack ash, sweetgrass, cedar bark, dye, 5 1/2 x 4 1/2 x 4 1/2 inches. Gift of Barbara M. Goodbody, 2021.19.12a,b. Image courtesy of Luc Demers. © Theresa Secord. John Frederick Peto (United States, 1854–1907), *Office Board for Christian Faser*, 1881, oil on canvas, 20 x 16 inches. Collection of Walter B. and Marcia F. Goldfarb. Richard Estes (United States, born 1932), *Kentucky Fried Chicken*, 2007, screenprint, 24 x 16 inches. Private collection. Image courtesy of Luc Demers. © Richard Estes. Winslow Homer (United States, 1836–1910), *Returning from the Spring*, 1874, oil on panel, 7 7/8 x 5 3/4 inches, Gift from the Berger Collection Educational Trust in honor of the preservation of the Winslow Homer Studio, 2018.9.1. Image courtesy of Luc Demers. Ernst Ludwig Kirchner (Germany, 1880–1938), *Striding Bathers in the Woods (In der Walde Schreitende Badens)*, 1910, etching on wove paper, 9 3/4 x 7 3/4 inches. Gift of David and Eva Bradford, 2003.34.2. Image courtesy of Luc Demers

Page 28: David C. Driskell (United States, 1931–2020), *Ghetto Wall #2*, 1970, oil, acrylic, and collage on linen, 60 x 50 inches. Museum purchase with support from the Friends of the Collection, including Anonymous (2), Charlton and Eleanor Ames, Eileen Gillespie and Timothy Fahey, Cyrus Hage, Patricia Hille Dodd Hage, Alison and Horace Hildreth, Douglas and Sharyn Howell, Harry W. Konkel, Judy and Leonard Lauder, Marian Hoyt Morgan and Christopher Hawley Corbett, Anne and Vince Oliviero, D. Suzi Osher, Christina F. Petra, Karen and Stuart Watson, Michael and Nina Zilkha, and with support from the Freddie and Regina Homburger Endowment for Acquisitions, and the Emily Eaton Moore and Family Fund for the Collection, 2019.16. © Estate of David C. Driskell. Courtesy DC Moore Gallery, New York

HOW WE GOT HERE:

Diversity, Equity, Accessibility,
and Inclusion (DEAI) Roadmap
Equity Strategic Action Plan (ESAP)
Listening Sessions
Staff Workshops
Community Focus Group
Feasability Study
Strategic Plan

WHAT'S NEXT:

PHASE 1 | 142 Free Street Development
Begins with an *Architect Selection Process* and
culminates with breaking ground on a new building.

Phase 2 | Further Campus Unification
Optimize and integrate existing facilities.

Phase 3 | Land Investment
Spring Street property transformation to serve
the future of the PMA and our communities.

JOIN US

Mark H.C. Bessire
Judy and Leonard Lauder Director
Direct: (207) 699-4061
mbessire@portlandmuseum.org

Elizabeth Jones
Senior Deputy Director
Advancement and Sustainability
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ahill@portlandmuseum.org

Lane Brenner
Director of Major Gifts
Cell: (315) 243-3379
lbrenner@portlandmuseum.org

Alicia Coll
Philanthropy and Campaign Administrator
Direct: (207) 699-4065
acoll@portlandmuseum.org





City of Portland
 Historic Preservation Board
 c/o Evan Schueckler
 Historic Preservation Manager
 389 Congress Street
 Portland, ME 04101

September 28, 2023

Dear Historic Preservation Board,

I am writing today in support of the Portland Museum of Art to have the City remove the unfortunate misclassification of 142 Free Street as a historically significant or “contributing” building.

I moved to Portland in 1989, and lived at 612 Congress Street, within one block of the PMA and what was at that time the Chamber of Commerce. From my living room I could see the Henry Cobb facade of the museum and the Hay Building. So for me, these structures are embedded in my psyche as home. That said, as an artist and former board member of Architalx, I have never felt the building at 142 Free Street has provided any significant contributing value to Portland’s varied (and at times struggling) cityscape. If anything, it is part of the residue of multiple failures and fires which have left enduring scars on the peninsula.

Without reiterating what has been clearly outlined in the supporting document *A History of 142 Free Street* prepared by Historic Building Consultant Margaret Gaertner, I would simply like to add a few additional comments.

In my opinion, Free Street has been a significant lost opportunity for the fabric of Portland city life for the past three decades. This one-way street has prioritized cars and sporadic events at the Civic Center, with little consideration given to the day-to-day life of the people that live and work on the peninsula. I feel this contributes to a down-trodden and at times barren feeling of this part of the city.

For eight years (1996-2004), my studio was in the State Theatre Building (aka The Congress Building), and my home was on Park Street. Before the *Arts District* was even established, I had a small gallery in the The Congress Building. At that time, visitors from out of state would comment on the abundance of *For Rent* signs, signifying a struggling Congress Street economy.

| 95 jeanne street portland, me 04102 | 207.450.3628 |

jepaterak@gmail.com

While we continue to live with the events at the Civic Center creating occasional traffic, we also continue to endure the loss of true livable urban space due to the poor planning of the 1970s. This should have been remedied long ago. The Spring Street urban renewal project is one of those enduring scars which tore through the fabric of city-life, removing beautiful homes and quality pedestrian and business friendly street life. Free Street connects the cultural hub that the PMA is central to, with the Old Port, home to the touristed and working waterfront. This street has been waiting to be designated a pedestrian powerhouse and cultural hub which could provide a vibrant consumer audience, day and night, for the businesses that might choose to locate there. I believe the architecturally significant planned addition, newly designed by LEVER, will largely strengthen a robust economic future for downtown and a renewed life for Free Street.

It is unfortunate that the singular "architecturally significant" feature of 142 Free St is its *Greek Revival* facade. While there are examples of historically significant buildings in Maine with *Greek Revival* architecture worth saving, this is definitely not one. Stylistically, *Greek Revival* may have served the purpose of upholding certain ideals, architecturally and otherwise, in the 19th Century when the term was first used. However, it now only serves as a harmful reminder of exclusion and elitism, which is not in alignment with either the city's or the museum's identified ideals for the present and future of our city life.

This facade was added to an existing building in 1958, for the simplistic fantasy reasoning of what "good architecture" is. As built, it was hardly given more consideration than a temporary theatre set. When this addition to the structure was built, the considerations of a handicap access (not legally required until 1990) and adequate pedestrian space were clearly not considered. If anything, to correct these wrongs, the footprint of the facade of the building should be brought back the 30 or so feet or so it was moved forward in 1856, which would allow for more comfortable street facing life at the museum entrance.

In closing, I am reminded that in 1983, when I was a 19 year old art student at the Worcester Art Museum & Clark University, I wrote an impassioned letter to save Union Station in Worcester, MA. I am not accustomed to wanting to remove a structurally sound building, as I think many structures are worth saving and/or re-purposing, especially in light of a fast-paced developing and resource-hungry world. In this case, however, the compromising changes made to the structure, the lack of any real historic or design significance of the building warrant its removal. In short, the building is not well designed, well placed, or of any use to the museum as it stands. I support the PMA's goals in a better future, a better museum and indeed I wholeheartedly support the ideals of *Art for All*. Art is what makes us better understand our humanity and citizenship, and that is precisely what the world needs more of and what I want for Portland's future.

Sincerely,



Jeanne Paterak

To Whom it May Concern:

It is my great pleasure to write a letter in support of the Portland Museum of Art's application to request that the Historic Preservation Board of the City of Portland re-classify the 142 Free Street property, currently a "contributing structure," to be "non-contributing" on the basis that the building never should have been classified as contributing in 2009 and 2020.

The inclusion of 142 Free Street is critical to the PMA's expansion project, as the space will enable the incredible work the museum does for our community to expand, while engaging the many communities that PMA works alongside.

Research is showing us that 142 Free Street does not contribute to the city historically in any way that should present as a barrier to the PMA's innovative vision for the future. Importantly, the PMA has a long history of stewardship and preservation of historic buildings and respects their significance. Architectural leadership was a key aspect in the selected design concept for the expanded PMA. The PMA's actions in engaging the citizens of Maine in the process of selection demonstrates their values and commitment to our community.

The Indigo Arts Alliance (IAA) has been fortunate to be in deep partnership with the Portland Museum of Art for many years and in many forms. We look forward to our continued collaborations in the future inside and outside of the walls of the new museum they have imagined.

We sincerely hope you will support this important museum expansion project.

In Solidarity,
 Márcia Minter, PhD hc | She, Her
 Chief Officer of Strategic Growth and Innovation
[Indigo Arts Alliance](#)
 60 Cove St. Portland, ME 04101
 (207) 272-3113

 Unceded Wabanaki Territory.

142 Free St. 0 views



Edgar Beem <beem@gwi.net>
to hp@portlandmaine.gov

10:10 AM (12 minutes ago)



Dear Portland Historic Preservation Board,

I am writing in support of the Portland Museum of Art's application to have 142 Free St. exempted from the historic district in order that the museum be able to expand its facility by adding a landmark new structure to the existing campus. While I appreciate that some in Portland are very sensitive to any changes to the built environment, I do not believe 142 Free St. is a building of any great architectural merit. It is altogether fitting and proper that it should be razed to make way for a great new future.

As a Portland native and a writer who has written about the cultural life of Portland and Maine since 1978, I recall the howls of protest that went up in 1983 when the old Libby Building was razed to make way for the Charles Shipman Payson Building. When the new museum opened, I remember some boo birds complaining about the distinctive arches and suggesting that the building designed by Henry Cobb of the I.E. Pei firm looked like a shopping mall. Many people experience the shock of the new when familiar landmarks are changed to accommodate growth.

I keep hearing that the fact that architect John Calvin Stevens did some renovation work on the old theater-church-chamber building gives it special historical significance. I do not believe this is so. 142 Free St. is a utilitarian structure that has served many purposes in many different forms. It is time for it to go. I very much hope that the commission, planning board and council will not stand in the way of the Portland Museum of Art's \$100 million improvement to the City of Portland.

I am sorry I could not attend the 10/4 meeting to speak in favor of the museum's request, but as a trustee of the \$20 million Dorothea and Leo Rabkin Foundation, another cultural treasure in the new Portland, I was busy with board business.

Thank you for your time and consideration.

Sincerely,

Edgar Allen Beem

83 McKeen St.

Brunswick, Maine 04011

HP Public Comment - 142 Free Street: Haven't we venerated John Calvin Stevens ENOUGH? 0 views

Assigned to me



George Rheault <george.rheault@gmail.com>
to Historic Preservation

11:07 AM (24 minutes ago) ☐ ☐ ☐

See attachment

I am pretty sure that the legacy of John Calvin Stevens and his contributions to Portland's physical development (as well as his much more checkered involvement in its social and political evolution) will not rise or fall based on the continuing existence of 142 Free Street.

How many totems from this one man does the City of Portland need to tell his story?

Why should the dead hand of the past once again serve to suffocate the energy and creativity of our community's present and future?

PMA new design 0 views



Rob Neal <rneal@gmail.com>
to hp@portlandmaine.gov

11:35 AM (3 minutes ago)



The issue is really very simple. Does Portland want to be a city that focuses on the past or on what's best for the future and coming generations?

Historic preservation is certainly important, but not in all cases of potential preservation.

It comes down to this choice: What is more important, being able to say "see how we once looked.... in the past", or "this is how we want the city to look now and in the future".....

Portland is a unique and vibrant small city. We have lots of historic preservation and most of that is good for us. The potential for the new PMA, however, is enormous and would be even more of a cornerstone / foundation of what Portland is about both literally (the physical structure), and symbolically in what statement as a city we are making about our city with the PMA.

I live in Yarmouth, but have lived and worked in the greater Portland area since 1988 when I moved here with my family from Atlanta. The greater Portland region and community is a wonderful place to live, work, and raise children. We are world class in many areas and still evolving in others.

Let's not make a backwards statement about Portland by preserving an antiquated structure that is actually not visually appealing anyway, but more importantly represents a more narrow minded past than the more open and progressive minded direction Portland and the surrounding region has been headed for many years.

Let's move forward!!

--

Best Regards,

Rob Neal
www.robnealconsulting.com
207-838-4645



October 4, 2023

To Whom it May Concern:

I'm writing to express my confidence in the leadership at the Portland Museum of Art (PMA) as they work to significantly expand the organization's reach and offerings in the form of an expanded home on Free Street.

In late 2019, the PMA purchased 142 Free Street from the Children's Museum & Theatre of Maine (CMTM), our home for nearly three decades. The sale of the building enabled us to break ground on our new state-of-the-art facility at Thompson's Point. It was also the culmination of years of work by the board and staff at CMTM at the time to identify a larger location for our organization, as we grew rapidly.

In early research, CMTM strongly considered remaining at 142 Free Street and adding to the existing structure. However, studies and financial models showed that it was not a viable option given the significant updates needed to the building in both operating systems and physical accessibility, as well as a lack of opportunity to greatly expand our footprint. I should note that when CMTM moved locations, we donated, sold or took with us the majority of the beloved exhibits that were housed inside. The few relics that remain in the building were not salvageable. As a result of our move, we now attract over 200,000 visitors a year to our new space - double the visitation we were ever able to host at Free Street.

The PMA has played a significant role in creating the vibrant arts and culture community that exists in Portland today. They are the anchor of the Arts District, and their expansion will undoubtedly bring significantly more visitors from near and far to enjoy all the amenities our city has to offer. I am fully in support of the PMA's decision making and look forward to spending time in their new facility when it is complete.

Sincerely,

Julie Butcher Pezzino
Executive Director
207.828.1234 x223
julie@kitetails.org

RE: Reclassification of 142 Free Street 0 views

Assigned to me



Susan Faxon <sfaxon1122@gmail.com>
to hp@portlandmaine.gov, officeofthedirector@portlandmuseum.org

Oct 28, 2023, 6:22:43 PM (yesterday)



Dear Historic Preservation Board,

I write to enthusiastically support the Portland Museum of Art's petition to your board to reclassify 142 Free Street in order to allow the museum to move forward with their innovative and necessary expansion program.

Let me explain what I bring to this conclusion.

I retired to Portland in 2017 after nearly 50 years of experience with issues of historic preservation, including a graduate degree in the topic from Columbia, and over twenty years serving as a founding member of the Design Review Committee, reviewing restorations, adaptive reuse, expansion, and removal of buildings on the 500 acre campus of Phillips Academy, Andover MA. Concurrently I have extensive experience in the museum field, having served as both an administrator and as senior curator of American Art before 1950 at the Addison Gallery of American Art at Phillips. I know first hand the difficult compromises and challenges of deciding the fate of historic structures as well as the caretaking obligations and educational opportunities demanded of the modern museum.

In my opinion the Portland Museum's visionary architectural expansion plan gives tangible evidence of the institution's commitment to serving a wider Portland community and will allow the museum to more easily and creatively share our common artistic heritage with both present and future audiences. Additionally the expansion offers significant improvements to the streetscapes of Free Street and Spring Street. The open character of the museum's new addition on Free Street will provide a counterpoint to the uninviting and off-putting blank brick wall of the Payson Building. It will offer visual access to art both while open and when closed through its pedestrian passage between Free and Spring Street. It unifies and clarifies the museum campus at the same time that it mitigates against the dreary and hodge-podge streetscape that presently exists along Free Street.

Of course the difficulty with the expansion plan is the necessity of either relocating (a proposal worth considering, by the way) or demolishing the Chamber of Commerce building. This is a decision that is hard to make, but as with all preservation decisions, the greater good needs to be given weight (and I believe that in this case the expansion of the museum is the greater good in the ways I have articulated above). I submit that the sacrifice of a rather stolid and unimaginative structure is a fair and necessary measure to allow a project that will enervate and enliven an important streetscape. Finally, I come to this decision with the knowledge that the museum's plans will allow the far more important Greek Revival building on Spring Street, the Charles Quincy Clapp House, to shine. This is a fair trade to my mind.

Sincerely,

Susan Faxon
20 West Street, Apt 21
Portland Maine 04102

PMA development Plans 0 views

 Assigned to me

Lucas St.Clair <lucasstclair12@gmail.com>
to hp@portlandmaine.gov

11:59 AM (1 hour ago)



Dear HP Board,

Thank you for allowing written comments to voice opinion on the plans that the Portland Museum of Art is working on.

I recently have received two emails from the Greater Portland Landmarks about supporting the blockage of the reclassification of the structure of the former Chamber of Commerce building. I do not support that Greater Portland Landmarks in this case. While the building may meet the criteria to be a contributing building to the Congress St. historic district, it is my belief that a more comprehensive way of approaching this decision should be taken.

While the building that is being considered meets the criteria of the historic district, what the PMA plans to do is far superior for the whole of our city, community, and state. Adding a building that takes into account a 21st vision for construction, energy use, and inclusivity is what our city needs. While I support the understanding and protect our city's history, we should not let it define our future or prevent evolution. The expanded PMA campus will be a Greater Portland Landmark of the future, one that takes into account 21st century needs and helps the city in advance in its vision.

I also must add that the editorializing in their advocacy emails, the Great Portland Landmarks, stands in the face of uniting our great community. The choice of language that they use, including "setting a dangerous precedent" and "jeopardizing the integrity of the historic districts" is hyperbolic at best and at worst undermines their ability to be a partner to a growing city. While I support the historic districts and own a historic building in Portland, I find their perspective on this issue not unifying or helpful.

Thank you so much for your reading this email and considering my point of view when making your decision.

All my best,

Lucas

142 Free Street 0 views

 Assigned to me

Jack Griswold <JackGriswold@outlook.com>
to hp@portlandmaine.gov

Oct 30, 2023, 5:35:58 PM (17 hours ago)



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

I am writing to support the PMA's request to reclassify the Childrens Museum as a non-contributing structure.

1. 1. To my layman's eye, this Greek Temple-ish building has always seemed an odd duck. It just doesn't fit in. Further, it appears cheaply built from the poured concrete columns with the seams showing, to the square brick end-columns and the window treatments. It is not a particularly appealing or pretty building.
2. 2. Why would we want to preserve this building and prevent something truly transformative and inspiring to be built in its place? That would be a massive loss for Portland and a real abuse of common sense and the intent of historical preservation.
3. 3. I saw that one of the architectural models for the new museum addition proposed to build around the Childrens Museum and encase it in glass. Frankly, that would be ridiculous, and I hope that Greater Portland Landmarks, or other supporters of the current structure, are not pushing to go back to something like that.
4. 4. Why is this just coming up now? Shouldn't this have been dealt with much earlier in the process?

Thank you –

Jack Griswold

38 Deering St.

Portland, ME 04101



Portland Planning Board
389 Congress Street
Portland, ME 04101

RE: Proposed Reclassification of 142 Free Street

January 31, 2024

Dear Board Members:

The purpose of this submission is to address questions and comments that arose during the workshop and to provide additional information regarding why the building at 142 Free Street does not meet the definition of “contributing structure” under the Land Use Code.

At the November workshop, members of the Board asked for clarification, context, and information about The PMA Blueprint’s background, city’s ordinances and processes, and questions about the district.

The requests, as we understood them, included:

1. Clarify why the museum believes that 142 Free Street should not be considered a contributing structure to the Congress Street Historic District.
2. Address questions pertaining to tax credits for owners within the district, should 142 Free Street be reclassified.
3. Demonstrate the work that went into assessing the Spring Street lot as a possible location for Phase 1 expansion and explain our findings.

Please find the included memos from Mary Costigan of Bernstein Shur and Scott Simons of Simons Architects that address these requests. We hope that these materials lay the foundation for more discussion at the public hearing and assist in the Board’s decision.

We believe the Planning Board can recommend the removal of 142 Free Street’s “contributing” classification to the City Council, because the building does not qualify as a contributing building under the Land Use Code and the project:

- Will not set a precedent and will be contingent on approval of the PMA’s building permit for a museum expansion.
- Does not qualify as an amendment to the district and therefore does not alter the NPS’s tax credit program.
- Cannot be accomplished through Phase 1 development of Spring Street lot nor the renovation of 142 Free Street.
- Creates a new landmark economic and cultural anchor for our communities by replacing a non-landmark building.

We appreciate your time and consideration, and look forward to a discussion on February 13.

Sincerely,

Mark H.C. Bessire



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Sawyer & Nelson, P.A.**
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Mary E. Costigan
Shareholder
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January 31, 2024

Portland Planning Board
389 Congress Street
Portland, ME 04101

Re: Proposed Reclassification of 142 Free Street

Dear Board Members:

I am writing on behalf of the Portland Museum of Art to support their request to reclassify the building at 142 Free Street from contributing to noncontributing. Their initial submission focused primarily on the Comprehensive Plan and economic benefits of the planned museum expansion. The purpose of this submission is to provide additional information regarding why the building at 142 Free Street does not meet the definition of “contributing structure” under the Land Use Code and to provide additional information on two issues that were raised at the workshop. We are requesting that the Planning Board recommend to the Council that the building at 142 Free Street be reclassified from contributing to noncontributing for the following reasons which are supported by the Land Use Code.

PMA’s Request

As noted above, PMA is requesting that the Planning Board recommend to the City Council that the building at 142 Free Street be reclassified from contributing to noncontributing. To that end, it is instructive to begin with the definitions of those terms as set forth in Section 17.2 of the Land Use Code:

Contributing: a classification applied to a site, structure, or object within a historic district signifying that it contributes generally to the qualities that give the historic district cultural, historic, architectural, or archaeological significance as embodied in the criteria for designating a historic district.

Noncontributing: a classification applied to a site, structure, object, or portion thereof, within a historic district signifying that: 1) it does not contribute generally to the qualities that give the historic district cultural, historic, architectural, or archaeological significance as embodied in the criteria for designating a historic district; 2) was built within 50 years of the date of district designation unless otherwise designated in the historic resources inventory; or 3) where the

location, design, setting, materials, workmanship, and association have been so altered or have so deteriorated that the overall integrity of the site, structure, or object has been irretrievably lost. A portion of an otherwise contributing or landmark structure may be determined by the Historic Preservation Board to be non-contributing if it meets one or more of the above conditions.

As we will explain in more detail below, the building at 142 Free Street is noncontributing because 1) it does not contribute generally to the qualities that give the Congress Street Historic District cultural, historic, architectural, or archeological significance as embodied in the criteria for designation as historic district; and 2) the design, setting, materials, workmanship, and association have been so altered that the overall integrity of the structure has been irretrievably lost.

Congress Street Historic District

The Congress Street Historic District was established in 2009. The description of Congress Street Historic District describes the history of Congress Street as follows:

If there is one word that characterizes the history and development of Congress Street, it is *change*. From the street's beginnings as an access road for farmers bringing their goods to market, to its development first into a prestigious residential neighborhood and then into Portland's commercial and cultural center, the character and role of Congress Street have changed repeatedly.

One questions why, if Congress Street can be best described with the word "change," the City decided to halt change on many of the properties in the District, including 142 Free Street, without a clear rationale as to why progress on those particular lots should be stopped. The building on 142 Free Street is a great example of the kind of change that has occurred in that area over time (until 2009). Beginning as a theater in 1830, the building was significantly remodeled to a church in 1936; then significantly remodeled again in 1926 for the Chamber of Commerce; and finally remodeled again for the Children's Museum in 1991. The museum's current plans to utilize the site for a modern expansion of the museum to further its mission of *Art for All* is more in line with the history of Congress Street than freezing a building in its 2009 form.

It is difficult to discern from the description and documentation from the nomination process what the precise qualities of Congress Street are that "give the historic district cultural, historic, architectural, or archaeological significance as embodied in the criteria for designating a historic district." Several reasons were given for the District, including access to tax credits and greater control over renovations. The architecture is described as "rich and varied" because the period of significance stretches over 173 years, and John Calvin Stevens is included among a list of fifteen different notable architects and firms.

Based upon the description and documentation of the Congress Street Historic District, we believe that a brand-new use of 142 Free Street is more in line with the history of that site than preserving the significantly altered building that is currently on the site.

142 Free Street

Originally built as a theater in 1830, the building at 142 Free Street has undergone the following renovations (many, but not all occurring within the 173-year period of significance for the Congress Street Historic District):

- 1836 - the hipped roof was replaced with a gable roof, and the entablature was extended. The earlier windows in the side walls were replaced with taller windows, three openings in each wall.
- 1856 - a new front was added to the building which brought the primary facade out to the street line. This new facade was Italianate in style and included two asymmetrical towers. The taller of the two towers was 185 feet tall and dominated the neighborhood around it.
- 1876 - the spire and its base were removed and replaced with a shorter, eight-sided, curved dome roof on a new base.
- 1887 - stained glass windows were installed in the building
- 1926 - the two projecting towers on the Free Street facade were removed, and the northernmost fifteen feet of the building (at Free Street) were rebuilt. The front facade of the building, likely stuccoed to resemble stone in its Church days, was completely removed and replaced with a new facade of exposed brick. The new facade had a portico supported on four concrete columns between two brick piers.
- Photographs of the east facade from 1925 and 1958 show the window openings on that wall were retained (new lintels were added in 1926) as was part of the cornice. Remnants of a stone-colored finish remain on the exterior face of the west wall but very little else of the building's past as a Church building appears to have survived.
- 1992 (after the end of the period of significance date of 1958) - the primary entry door and the transom over it were removed and replaced with a modern frame, transom, and door of metal. On the east facade, the fenestration was altered. The northernmost window was removed, the opening was infilled with brick, and two, smaller windows installed in the infilled portion. A new, double-height window was installed between the surviving two windows at the south end. An eight-sided cupola was placed on the ridge of the roof and a large, shed-roofed dormer and three skylights were installed on the east roof slope. The cornice south of the downspout was removed and replaced with a new cornice that was to match the existing. Other changes to the exterior of the building included a new addition to the south facade for an egress stair.

The description of 142 Free Street in the Congress Street District listing is as follows:

Originally built as a theater in 1830 and remodeled into a Romanesque style church in 1836, the Free Street Baptist Church was substantially renovated in 1926 by John Calvin Stevens and John Howard Stevens for the Chamber of Commerce and became an essentially Colonial Revival style building. The building is a dignified two-story structure with four monumental concrete columns of the Doric order and 2 brick piers and 2 pilasters. There is a symmetrical façade under the fullwidth two-story porch. The upper windows have 8/8 sash capped by flush stone lintels. The ground floor has a doorway surmounted by a balcony on brackets with a replaced doorway of glass and aluminum. It is flanked by 10/10 sash topped by semi-circular

windows in elliptical keystone arches. In the flush board pediment is a bull's eye window. The frieze and cornice are boldly delineated. The roofline was free of any dormers, thus maintaining its temple shape, until renovated for the Children's Museum of Maine in the 1990s. The octagonal cupola and dormers were added at that time.

Noncontributing Building

A building is considered noncontributing when 1) it does not contribute generally to the qualities that give the historic district cultural, historic, architectural, or archaeological significance as embodied in the criteria for designating a historic district; 2) was built within 50 years of the date of district designation unless otherwise designated in the historic resources inventory; or 3) where the location, design, setting, materials, workmanship, and association have been so altered or have so deteriorated that the overall integrity of the site, structure, or object has been irretrievably lost. The building at 142 Free Street does not contribute generally to the qualities that give the Congress Street Historic District significance as embodied in the designation criteria. In addition, the design, materials, and workmanship have been so altered that the overall integrity of the structure has been irretrievably lost. While we believe the building at 142 Free Street meets two of the above categories, the Planning Board need only find that the building meets one of the above to be considered noncontributing.

In addition, Section 17.5.9 of the Code directs the Board to review proposed amendments to the District in accordance with the standards provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2. As reviewed against those standards, the building at 142 Free Street should be reclassified to noncontributing.

Section 17.4.1(A)

In reviewing the criteria for designation in Section 17.4.1(A), the building at 142 Free Street does not generally contribute to any of the criteria that would have given the Congress Street District its significance for listing. (1) The building is not a significant example of cultural, historic, architectural, archeological, or related aspect of the City, the State, New England region, or the United States. (2) The building's location is not a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property. (3) The building does not identify with a person or persons who significantly contributed to the cultural, historic, architectural, archaeological, or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States. (4) The building is not an exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship. (5) The building does not identify as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States. Although the significant renovation of the building in 1926 for the Chamber of Commerce was the work of John Calvin Stevens and his son John Howard Stevens, the drawings for the renovations were not retained and the project is a renovation, not an original design by John Calvin Stevens, of which there are many examples of his work that are located in Portland. (6) Finally, the building does not

represent a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.

Section 17.4.1(B)

In reviewing the criteria for designation in Section 17.4.1(B), there is no interrelationship between the building at 142 Free Street and other resources in the District. Therefore, the building at 142 Free Street does not meet this standard for designation.

Section 17.4.2

Due to the vast extent of renovations to the building both during and after the period of significance, the building lacks integrity of design, setting, materials, workmanship, and association to make it worthy of preservation or restoration, in accordance with Section 17.4.2 of the Code. Focusing only on the changes to the building since the 1926 Chamber of Commerce iteration, the following alterations to that version of the building by the Children's Museum are significant:

The integrity of the design has been significantly altered by the following:

- The form of the building is compromised by the addition of a highly visible dormer and cupola.
- Highly visible skylights were added.
- Fenestration (window locations) altered – east facade. One opening added, one filled in at upper floor. Basement openings heavily altered – filled in, added, one opening enlarged to door.
- Several of the original large wood windows have been removed and replaced with incompatible windows (fixed metal sash, flat muntins, different configuration).
- The extent entry doors are incompatible (design, material) replacements.
- The entrance walkway and stairs have been altered to create a poured-in-place concrete stair and handicap ramp which are not in character with any of the entrances on the previous iterations of the building.

The building setting lacks any historic integrity:

- The building is surrounded by parking lots and a ca. 1983 building (the Payson wing) that post-dates the District's Period of Significance.

The integrity of the materials has been significantly altered by the following:

- Large windows on the highly visible east facade are no longer wood.
- Basement windows, east facade are not wood.
- Front (main entry) doors, transom over same replaced with modern, metal doors.

- The building interior was gutted and an entirely new structural frame was installed when the Children’s Museum renovation was undertaken. This included all new steel frame including the roof.

The integrity of the workmanship has been significantly altered by the following:

- Windows replaced, the modern windows do not replicate the original design.
- Primary entry door, transom over same door replaced – door, transom are metal and do not replicate original design.

The integrity of association has been significantly altered by the following:

- The cupola changes the formal *feel* of the building.
- The added dormer alters the roofline, a critical feature on this formal design.
- Incompatible replacement entry doors and windows on east facade are too modern for the building.

Based on the above analysis, we believe that a determination that the building at 142 Free Street is noncontributing to the Congress Street Historic District is supported by the provisions of the Land Use Code.

Precedent & Tax Credits

In addition to questions regarding the above analysis, two other issues were raised at the workshop that we would like to address. First, some Board members expressed concern with the Museum selling the property and thus allowing anyone to demolish the building and replace it with any approved building. In order to ensure the Board and the public that it is not the Museum’s intention to ever sell the property or utilize it for any purpose other than the expansion, we propose the following condition:

“Notwithstanding the building’s classification as noncontributing, no demolition permit may be issued prior to the issuance of a building permit for an approved expansion of the Portland Museum of Art that includes demolition of the building at 142 Free Street. The demolition permit may be issued concurrently with the building permit for the expansion project.”

We believe this condition is sufficient to allay any concerns.

Finally, there was concern expressed regarding whether changing the classification of the building from contributing to noncontributing would impact the certification of the Congress Street Historic District and thus impact the ability for owners of buildings within the District to obtain tax credits. We understand that City staff have been in contact with the National Park Service (“NPS”) regarding this issue. As of the date of this letter, the staff has not received a response to their inquiry. However, we were able to have a conversation with NPS on this issue, which was enlightening and has led us to the conclusion that certification is not threatened by reclassifying a single building in the Congress Street Historic District.

According to NPS, the following regulation applies to amendments to certified historic districts:

36 CFR §67.9(i) State or local governments, as appropriate, shall notify the Secretary if a certified district designation is amended (including boundary changes) or repealed. If a certified district designation is amended, the duly authorized representative shall submit documentation describing the change(s) and, if the district has been increased in size, information on the new areas as outlined in § 67.9. A revised statement of significance for the district as a whole shall also be included to reflect any changes in overall significance as a result of the addition or deletion of areas. Review procedures shall follow those outlined in § 67.9 (d) and (e). The Secretary will withdraw certification of repealed or inappropriately amended certified district designations, thereby disqualifying them as registered historic districts.

NPS noted that “amend” is not defined in the regulation, but it could be that something is considered an amendment at the local level but would not be an amendment under the federal regulation. In the experience of the individual we spoke with at NPS, changing the classification of one building in a district has not previously been reviewed as an amendment to a district. Amendments that are reviewed by NPS are typically revisions to the period of significance or modifications to the boundaries of a district. It is questionable whether the City would even have to notify NPS of the change in classification of one building. In addition, an amendment does not automatically impact the certification. Rather, NPS will review the district as amended (if they determine it is in fact an amendment) to determine whether it still meets the standards for certification. We were unable to find any instance of a district being de-certified by NPS for reclassification of a single building to noncontributing.

We appreciate your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mary E. Costigan", with a stylized flourish at the end.

Mary E. Costigan

PORTLAND MUSEUM OF ART

Planning Board Presentation: February 2024

INTRODUCTION

My name is Scott Simons. I am the founding principal of Simons Architects, a company that has practiced architecture in Portland for almost 30 years and designed some noteworthy buildings and renovations for our City, including the Portland Public Library, the Casco Bay Ferry Terminal, and the Waynflete School Theater and Lower School Buildings, among many others. We are working with the LEVER Architects team as Architects of Record and have been asked to present our thoughts about the Portland Museum of Art expansion project.

CONTEXT & HISTORY

Simons Architects has been working closely with the Museum for the past ten years on a number of projects. We developed the 2015 Campus Master Plan, completed several significant interior renovations projects, and prepared the 2022 Campus Framework Plan which set the stage for the Museum's "Art for All" Design Competition. We are intimately familiar with the programmatic and spatial requirements of the Museum as well as its plans and goals for their community gathering and art gallery spaces in the future.

During the 2015 Campus Master Plan process, Simons Architects and the Museum met with the City's planning staff and members of the historic preservation community to discuss the idea of removing the 142 Free Street building. At the time, there was discussion that there was a possibility the building could be removed. The federal tax credit program had not been put in place, and the conversation centered around the comprehensive plan and how the Museum expansion would be a benefit to the community that would outweigh the relative historic value of the existing 142 Free Street building. During our conversations, the only portion of the building that was considered to have significant historic value was the 1926 front facade, which was designed by John Calvin Stevens' office. In conversations with the City's planning staff regarding plans for the competition, the Museum was encouraged not to prescribe removal of the building one way or the other, to allow applicants full creative license and considerations for the context in their proposals.

PROGRAMMATIC CONSIDERATIONS

During the course of the 2022 Campus Plan and the Design Competition, the Museum articulated the specific requirements that would enable them to meet the goals of their Strategic Plan. Many of the existing spaces do not meet those needs, for example: for traveling shows, the Museum's largest gallery space is currently 4,500 SF with 10' high ceilings. To attract larger and more important exhibitions, a flexible gallery space of 8,000 SF is required, with ceilings at least 16' high. For lectures and presentations, the Museum's current auditorium can only seat 176 people. To accommodate the programs necessary to meet the needs of the community, an auditorium with over 250 seats is required. To meet the goals of their

"Art for All" initiative, community studios and gathering spaces are required. There are currently no spaces for these programs. The proposed expansion provides more than 2,000 SF of space at the very front of the building, right off Congress Square, to support these programs and encourage much wider community participation in the museum's programs.

QUESTIONS RAISED IN WORKSHOPS WITH THE HISTORIC PRESERVATION COMMITTEE

Since the Museum's front door and facade form the southern edge of Congress Square, the development of the PMA's community and art programs has always had a direct relationship to the development of Congress Square and the Arts District. It is the Museum's goal to have the proposed expansion strengthen and enhance that relationship by bringing more inclusive and community programming, excitement, and business activity to Congress Square.

One question has been asked repeatedly is why the 142 Free Street building cannot be renovated to accommodate the Museum's program requirements. In order to make this building work for the museum, all that would remain of the 1926 renovation would be the facade of the building. In 1992 when the building was renovated to house the Children's Museum, the entire interior structure and the roof of the building were removed. Over 50 tons of new steel structure were brought in to the support the Children's Museum program spaces. Almost nothing of the original 19th century building remained after that renovation, and what is there now is not in any way suitable for the Museum's requirements. It's floors are misaligned with the Payson wing's floors and are structurally inadequate (the Museum structure will require much greater live loads to support their exhibitions and audiences). The Museum's program will not fit within the existing building as it exists, necessitating extensive expansion both outward and upward, and it would require a significant amount of demolition of the site at the Free Street elevation, including the plinth, steps, and ramp at the front of the building to make the entrance and interior floor levels accessible.

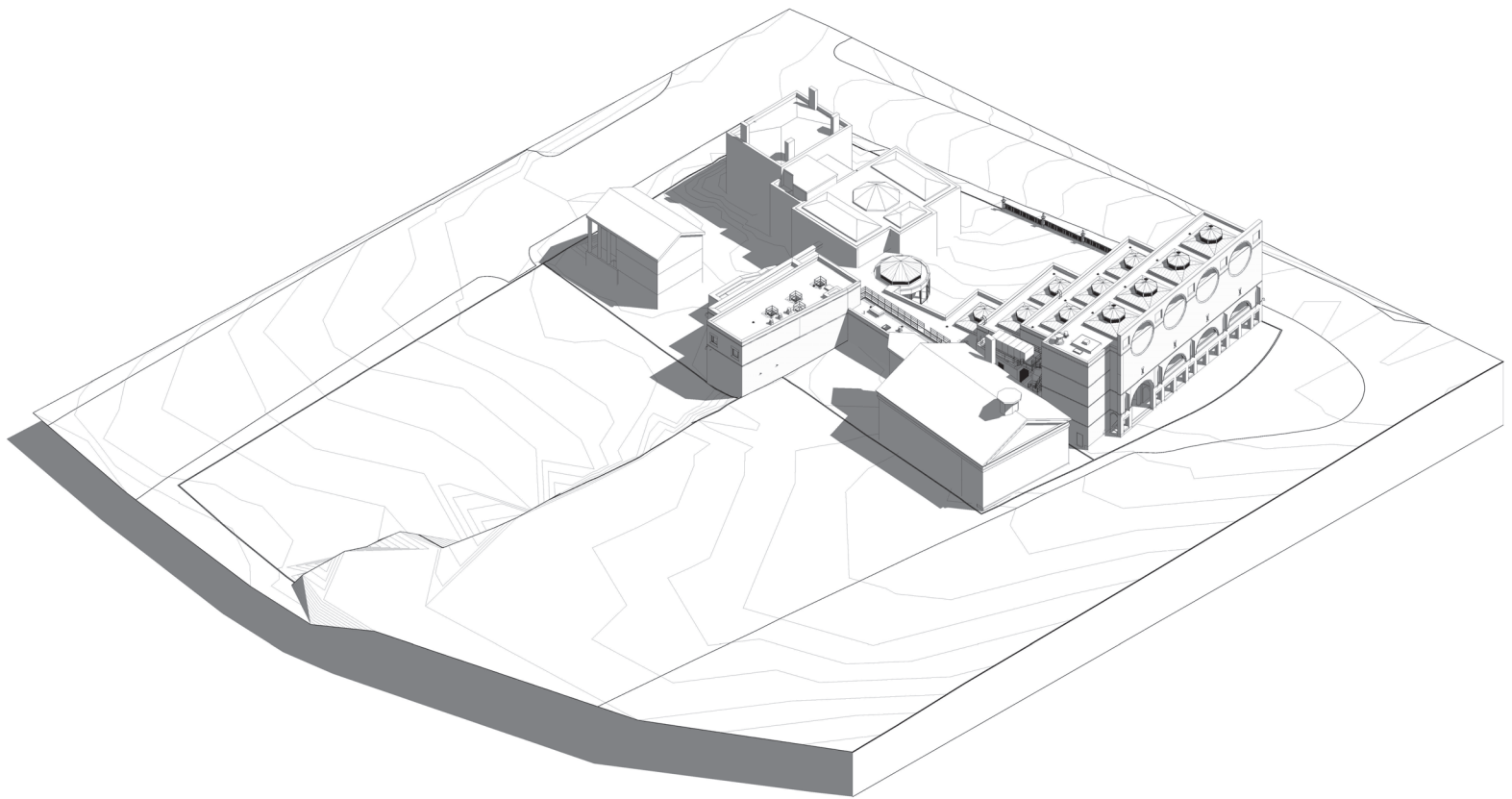
Another question raised was the suitability of the Museum's Spring Street property to accommodate their program requirements. Of primary importance to any museum is that the galleries and museum spaces be connected for both functional and environmental reasons. A museum expansion on Spring Street would not make any sense because it would not be connected to the primary galleries of the Payson Wing and would not contribute to the life of Congress Square and the Arts District.

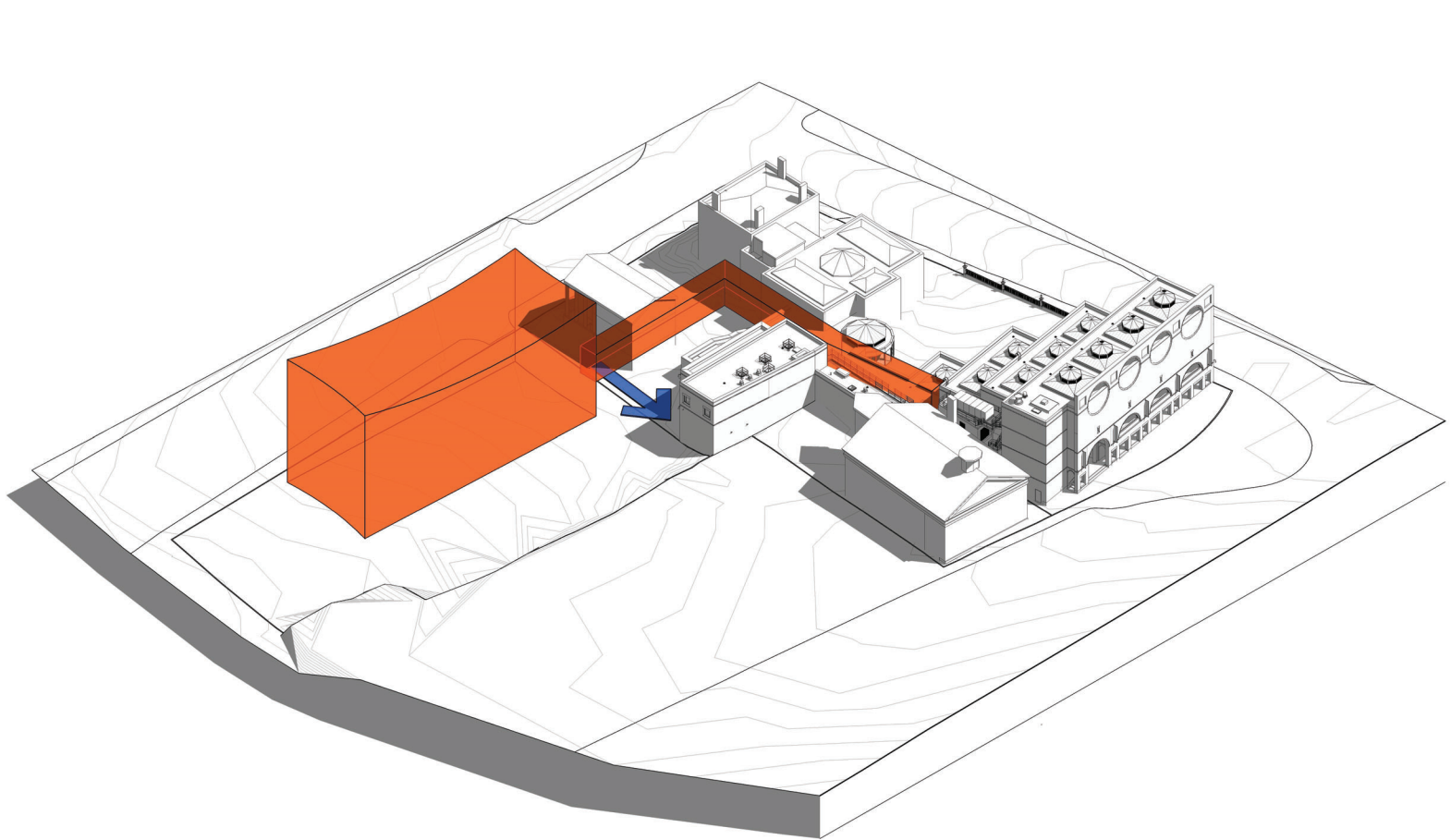
FOR YOUR CONSIDERATION

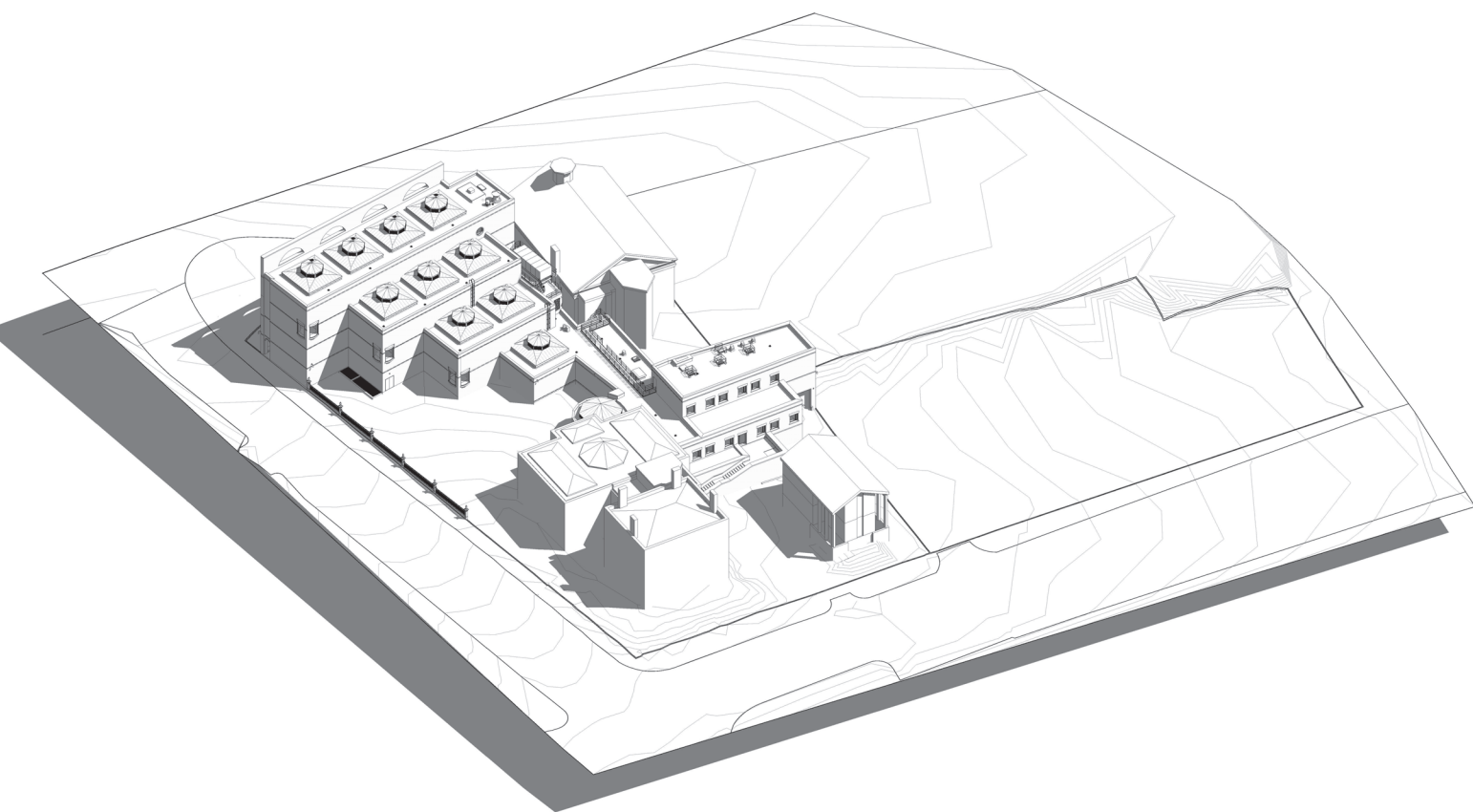
We feel a more meaningful approach would be to allow the Museum to remove the building and build their proposed expansion, but to honor the legacy and convey the history of the site with a Memorial timeline. This timeline would not start with the building of the Theater Building in 1830, but with the history of the site starting from before it was settled and developed in the 1600's.

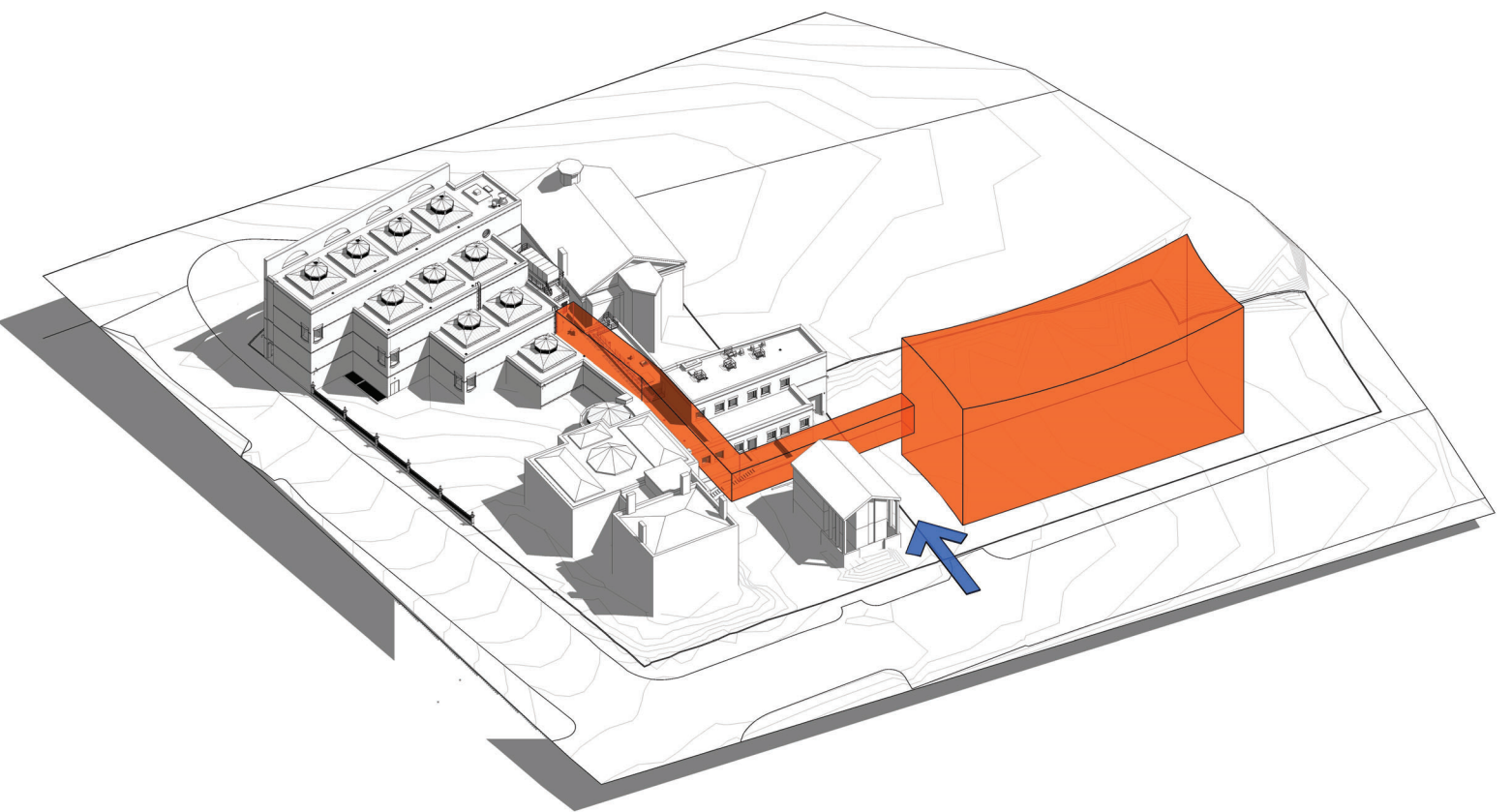
The Museum would design an exhibition that could be read and discovered as people entered the building, telling the story of the Wabanaki people and how they used the land, the early settlers of what is now Portland, the Great Fire of 1866, the history of the building that was originally built on this site, and how it has changed over its 100 year history, all of this inlaid into the polished concrete floor with bronze or stainless steel letters and drawings. We propose that the Footprint of the 142 Street building be made visible in all four of its iterations, making an even more compelling story and memory of the history of the site than the saving of the facade from one of the many changes to a building that does not speak to the time, place, and opportunity that is before us at this moment in history.

Cities and buildings are not static, they change with the times. This particular site has housed multiple functions over time and has adapted as the community's needs changed. The PMA's proposed expansion represents the next stage in the site's growth and development, one that will provide extraordinary benefits to the City and the history of Congress Square.









CONGRESS STREET HISTORIC DISTRICT

Historic and Architectural Significance

Congress Street is Portland's "Main Street", the peninsula's primary east-west commercial and transportation axis. The richness and diversity of its architecture and public spaces, particularly along the section extending from Franklin Arterial to Bramhall Square, constitutes a unique record of Portland's residential and commercial development history.

Over the years Congress Street has been the location of choice for many of the city's most important business, religious, residential, civic and cultural buildings. For most of the past two centuries it has been seen as Maine's most sophisticated urban area, where one could witness what was new and most exciting. Although Congress Street has always welcomed change, it has also retained key reminders of earlier chapters in its history. For example, the Wadsworth-Longfellow House, one of the nation's oldest historic house museums, continues to stand alongside the newer department stores and office towers of subsequent eras. This eclecticism and layering of historical periods is the essence of the district's character and what makes it unique among Portland's historic districts, which generally have a more limited "period of significance." In the Congress Street district it is possible to read the long history of the Portland's development in the buildings that line the street.

Boundaries

The Congress Street Historic District is focused on Congress Street itself, between Bramhall Square and Franklin Street, but also includes abutting streets that collectively make up Portland's traditional "downtown." At its western end, beyond High Street, the district is bordered on the north and south by the Deering Street Historic District and the West Ed Historic District. East of High Street the northerly boundary of the district is the south side of Cumberland Avenue. The southern boundary runs from High Street along Spring Street to Temple Street. It turns northerly along Temple, and then easterly along Federal Street to Franklin.

History

If there is one word that characterizes the history and development of Congress Street, it is *change*. From the street's beginnings as an access road for farmers bringing their goods to market, to its development first into a prestigious residential neighborhood and then into Portland's commercial and cultural center, the character and role of Congress Street have changed repeatedly.

Colonial Falmouth Neck ("Portland" after 1786) began as a series of wharves connected by muddy lanes. Most travel and transport to and from the town was by sea and the principal street, India Street (originally called Broad Street, then King Street), stretching back from the waterfront, was lined with clusters of homes and businesses. Eventually an access road

intersecting the top of India Street was extended to reach the mainland at the west end of the peninsula, and the agricultural towns developing inland. Originally called Back Street or Queen Street, it was known as Congress Street by 1823. Most people probably knew it simply as “the road that leads out of town.” Its most prominent early structures were the First Parish Meeting House (1740, replaced by the current structure in 1825-26) and the hay scales at Market Square (renamed Monument Square in 1892). Up through the Revolutionary War period, Back Street was considered the edge of town.

In the reconstruction of the town following Independence (it had been burned by British naval forces in 1775), Congress Street began to be more actively developed. Market Square was a commercial hub where farm products destined for residents of the booming port were bought and sold. Residential fashion, however, triggered Congress Street’s development to the west, a movement that continued until the 20th century. One of the first private homes to rise after the Revolution was the elegant Wadsworth-Longfellow House (1785-85), now the only remaining example of a single-family residence on this downtown section of Congress Street. By 1800, leading merchants, ship’s captains and other business leaders had begun to commission Federal style homes in the area of Congress Square, High and State Streets. This area continued as the city’s fashionable residential neighborhood up to the time of statehood (1820) and beyond.

After the War of 1812, as Portland began to recover commercial vitality, it sought political power as well. From 1820 to 1832 Portland served as the capital of the new State of Maine. The State House and County Court House were located on the site of the current City Hall, lending new importance to Congress Street. In 1825 a Town Hall with Market House on the lower level was built in Market Square. It was renovated in the Greek Revival style, with columned portico, in 1833, after Portland was incorporated as a city. It served as City Hall until 1858 and continued as a public market until being removed for the Civil War memorial statue in the late 19th century. Its neighbors included a museum of curiosities, a tavern, a hotel and numerous stores.

Stores moved westward more slowly than did fashionable homes. The Charles Q. Clapp Block (H.H. Hay Building) appeared on Congress Square in 1826, but stores and shops were still outnumbered by churches in the vicinity of the Square. Historian Edward H. Elwell, in the 19th century, called the Square a “sort of Zion’s Hill,” being surrounded by nearly a half-dozen churches built between 1831 and the Civil War.

Up through the 1860s “mixed-use” characterized most of the area, except around Monument Square with its large commercial properties. The Great Fire of 1866 did not touch Congress Street west of Temple Street, although City Hall and the eastern reaches of the street to the base of Munjoy Hill were destroyed. In 1866 a hotel was built near the head of Forest Avenue, the first of many built in the area over the following century, moving away from the location of earlier hotels near Market Square. During the next three decades, the area between Market (Monument) Square and Congress Square began to fill in with notable buildings, such as the

lavish Queen Anne style J.B. Brown Memorial Block, the Baxter Building, and the Congress Square Hotel. After the Great Fire the lower blocks of Free Street were rebuilt in Victorian styles consistent with the new buildings in the adjoining Exchange Street area. At the intersection of Free and Middle Streets the Lower H.H. Hay Building was built as a “flatiron” building like the Upper H.H. Hay Building at Congress Square, creating unique “bookends” for the blocks between.

Street cars ran throughout the city, extending the size and capabilities of the downtown (which still very much included the Exchange Street and waterfront areas.) The intersection of Middle, Federal, and Congress Streets at Market Square made the square a pivotal location where traffic flowed to and from the Exchange Street area and the waterfront (this dynamic connection was lost when the 1970’s Maine Way project redesigned Monument Square as a pedestrian only space and eliminated the upper section of Middle Street). East of Market Square, the Victorian style City hall occupied a block of Congress Street and was rebuilt on the same site after the 1866 fire. At the same time, the burned-over block bounded by Congress, Franklin, Pearl and Federal Streets became Portland’s first downtown public green space, Lincoln Park. Over time, it came to be faced with imposing public buildings and churches.

From the 1880s, the section west of Congress Square began to change with the construction of ambitious new civic and commercial structures, often replacing earlier residences. A number of residences which had been built back from the street had new commercial storefronts added up to the sidewalk, the upper floors typically converted to apartments. The elegant Romanesque Revival Portland Public Library was built in 1888, followed by the 1895 Columbia Hotel and the Lafayette Hotel of 1903. Continuing the trend begun in the early 19th century, residential development continued west as it was replaced with commercial development in the expanding downtown. West of Longfellow Square, blocks of substantial single-family residences were constructed along Congress Street, many designed by the city’s leading architects.

At the turn of the century, Portland was a prosperous commercial city with a growing tourist trade. Congress Street reflected what was new in the world and, after yet another fire, in 1909, the City hired one of the nation’s leading architectural firms to design a new City Hall in the fashionable Beaux Arts style. The stretch of Congress Street between Monument and Congress Squares became noted for its fashionable shops and large department stores. In 1910, a new era arrived when the Fidelity Trust Company erected the city’s first skyscraper at Monument Square. The 1920s roared up Congress Street as electric trolleys and increasing number of automobiles brought visitors to the compact downtown that included restaurants, theaters, department stores, movie houses, an historical society and an art museum. Art Deco style arrived in downtown with the construction of the second AT & T Building on Forest Avenue and several smaller structures in the style. Large multi-story apartment buildings were constructed on many of the side streets off Congress Street, reflecting a new style of urban living. By then the Exchange Street area was eclipsed by Congress Street as the business center of the city and what is now known as the Old Port began to decline. By 1930, new downtown structures like the

Schwartz, congress (State Theater) and Chapman (Time and Temperature) Buildings – as well as the new Eastland Hotel – had established the shape of the street for the next forty years.

The Great Depression largely halted new construction and the following economic boom of World War II concentrated resources on the construction of ships and war materials rather than buildings. After the war, two new five-and-dime stores appeared, one in Colonial Revival style and the other Art Deco, but, in the face of developing suburban shopping centers, the downtown began to languish. When attempts were made to retain or attract business, money was spent on renovating and revamping storefronts to appear “modern” with new materials, many of which did not match the quality of the original construction and have not aged well. Most businesses renovated only the first floor, the area most readily seen by the passing pedestrian or motorist. Reflecting the post-war embrace of “the latest thing” a delayed reaction to the economic constraints of the Depression, and clearly feeling the competition from the new suburban shopping centers, businesses attempted to replace the “dowdy” image of the traditional “Main Street” with the image of the suburban shopping center itself. It was during this period that the upper story space along much of Congress Street became vacant or underutilized. A number of the large homes between Longfellow Square and Bramhall Square were raised and replaced with gas stations, others were converted to commercial uses or divided into apartments.

It was not until the 1970’s that Portland’s economic stagnation began a long slow path to recovery. With the availability of Federal “Urban Renewal” money, the ambitious Maine Way public infrastructure program signaled a new interest in and concern about downtown by city leaders. In 1969, Casco Bank constructed a new skyscraper for its headquarters at Monument Square, soon to be a newly redesigned public space. This ushered in a phase of dramatic large scale new construction, not seen since the 1920s. It came to include such structures as Maine Savings Plaza (1974), the Cumberland County Civic Center (1977), the international style Portland Public Library (1979), and the new Post Modern style wing of the Portland Museum of Art (1982-83). At the same time historic commercial buildings such as the Congress Square Hotel and the Upper H.H. Hay Building were rehabilitated for new uses. A “notorious” donut shop at Congress Square was cleared to make way for a new public plaza.

A primary focus of “Urban Renewal” projects nationwide was to increase the accessibility of older city centers to automobiles. Unfortunately, this often involved the wholesale clearance of built up historic areas for new arterials and surface parking areas. Portland did not escape these negative effects of this infusion of federal money. While Congress Street itself was largely spared, many of the surrounding blocks were cleared. Oak Street, Shepley Street, Preble Street, Cumberland Avenue, Brown Street and Free Street all saw large blocks of buildings cleared for parking, often leaving large paved open spaces surrounded by significant Landmark structures.

Through the 1980s the growth of the Maine Mall area in South Portland and the revival of the Old Port district contributed to the continued decline of Congress Street as a shopping destination. By the early 1990s the last downtown department store, Porteous, Mitchell &

Braun, closed and much of the storefront space along Congress Street was vacant. The development of suburban office space had also had a negative effect on downtown by this point, with increasing vacancy rates in office buildings on Congress Street. This was probably the lowest point for downtown Congress Street in terms of economic viability.

As the national economy improved in the 1990s, downtown Portland turned a corner and began to recover. Previous economic recovery of the Old Port district, based largely on its historic character, and the “rediscovery” of Portland’s wealth of wonderful historic homes had stabilized the population and created an atmosphere encouraging investment in Portland. As property prices reached record level in the Old Port investors began to look toward downtown. The J.B. Brown Memorial Block and the Lafayette Hotel, two large and highly visible historic structures, were rehabilitated under the federal historic tax credit program. The State Theater, the last of what was once a long list of downtown “Movie palaces,” was reclaimed from its use as a pornographic theater and restored. The Maine College of Art purchased the Porteous department store building and began rehabilitation of it as a new main building for the school, continuing a move to congress Street they had begun with the purchase of the former Portland Public Library in 1979. The Children’s Museum of Maine moved next to the new wing of the Portland Museum of Art at Congress Square, into a building that had once been one of Elwell’s “Zion’s Hill” churches.

A significant contributor to the recovery was philanthropist Elizabeth Noyce, who purchased and renovated a number of large downtown properties. Her investments lead to increased office building occupancy, the opening of a new L.L. Bean store as a retail anchor on Congress Street, and the creation of the Portland Public Market. The City of Portland addressed issues of damaged and dated street lighting and street furniture with the phased installation of attractive new fixtures and worked proactively to attract businesses to Congress Street.

In the early years of the 21st century, congress Street and downtown Portland entered into a new period of prosperity, with the first significant new development pressures since the 1970s. For the first time since World War II, the upper floors of Congress Street buildings began to be renovated, particularly for residential use. West of Longfellow Square, a large new multi-story residential building, Walker Terrace, replaced one of the gas stations, restoring the street wall and residential usage to that block. The “Bernie’s Fashion” building at the heart of downtown with an undistinguished and deteriorated post-war façade was replaced with a striking contemporary structure. Using the federal tax credit program for rehabilitation of historic structures, the Maine College of Art converted the former Everett Hotel on Oak Street into student housing.

Today the Congress Street area is still evolving, with many underutilized sites available for it to continue its historic role as a showplace for new and exciting architecture. The lessons of the past 40 years – the negative consequences of “Urban Renewal” as well as the positive

consequences of historic preservation efforts in other sections of the city – strongly suggest that the district’s important historic resources, something the competing suburban shopping and office developments can never offer, be protected with review of exterior alterations to historic buildings and review of new construction for compatibility with its surrounding context. This is the only way to ensure that future generations will experience the many layers and periods of development in Maine’s most urban area.

Visual Character

The visual character of the district is rich and varied. Unlike several other historic districts in Portland, which were largely constructed within a limited “period of significance,” the character of the Congress Street District is one of layered historical development over time. This results in an area with a delightful mix of historical architectural styles from 18th century Colonial and 19th century Federal to 20th century international and 21st century Post Modern styles, with examples of nearly every significant style of residential, commercial and civic architecture in between. This diversity of styles has been part of the area’s visual character since early in its history and (with a number of large underutilized lots within its boundaries) its continuation into the future is likely.

Represented in the district are the works of many prominent architects from the early 19th through the 20th centuries. Maine architects and architectural firms that have contributed to the street include Charles Quincy Clapp, Francis H. Fassett, Frederick A. Thompson, John Calvin Stevens, George Burnham, John P. Thomas, Miller & Mayo and Orcutt Associates. Noteworthy regional and national firms whose work is represented on the street include Densmore, LeClear & Robbins and Shepley, Bulfinch, Richardson & Abbott of Boston and Richard Morris Hunt, Carrere & Hastings and I.M. Pei & Partners of New York.

In addition to the wide variety of styles found within the district, the scale of development varies significantly as well, from the three-story Wadsworth Longfellow House to the ten story Fidelity Building only a few yards away. Generally, however, the Congress Street Historic District exhibits a greater concentration of tall buildings than the Portland Waterfront Historic District, creating an urban environment reminiscent of much larger cities and almost unique in the State of Maine.

Within the variety of styles and periods of architecture represented with the district, there are several common urban design characteristics that serve to unify the area. First, with few exceptions, the structures that line Congress are built up to the street, creating a strong street wall and sense of enclosure. Second, the best buildings on the street – those identified as landmarks and contributing structures – all exhibit high quality materials and a high level of craftsmanship. Third, the majority of the commercial structures, particularly those built during the 19th and early 20th century, share a basic visual organization with an identifiable base (storefront level), middle (upper façade) and top (terminating cornice.) Within the storefront zone itself, there is also a typical design formula with low bulkheads, large display windows,

transom windows, and recessed entries. The beauty of this design formula is that it is flexible enough to accommodate a wide variety of architectural styles, materials and details while at the same time providing a level of consistency that unifies the streetscape.

Today, a number of the commercial structures within the district exhibit a rather schizophrenic appearance. Although the upper facades on these buildings remain in remarkably original condition, the storefronts are the produce of numerous layers of “modernization.” All too often the storefront remodeling did not take into account the materials, architectural proportions or basic organization of the upper floors and, as a result, any architectural relationship that once existed between the two zones has become severed. Because the ground floor is what attracts most attention from the casual observer, it is often difficult to see beyond the unfortunate remuddling and appreciate the beauty or value of the building. Through the historic preservation review process, there is an opportunity to restore lost stylistic relationships and character by returning to the original design formula and vocabulary of these compromised structure.

While most of the commercial buildings within the district boundaries are architecturally notable, and therefore worthy of preservation, a few structures could be candidates for future remodeling or replacement. These are ranked as “Non-Contributing” buildings in the Historic Resources Inventory. “Non-Contributing” buildings generally fall into three categories: a) structures that clearly have no architectural merit; or b) once-notable historic structures that have been so fundamentally altered to make restoration infeasible (The Baxter Memorial Building at 562 Congress is one example), or buildings less than fifty years old (with a few notable exceptions whose architectural and cultural importance is widely recognized.)

Civic and institutional buildings also contribute to the character of the district. Although only one of the nearly dozen church buildings which have existed in the districts is still in use as a church, two others remain in altered form and one is intact, awaiting a new use. Numerous nearby church steeples are visible from within the district, as reminders of a time when steeples were the highest structures in the city. Municipal buildings include the Beaux Arts style City Hall and Merrill Auditorium, Portland High School, Portland Public Library and fire stations from several periods. Across Lincoln Park from Congress Street, the Cumberland County and Federal Courthouses contribute to the character of the Congress Street Historic District although they are just outside it, in the Portland Waterfront Historic District. Institutional structures include the several buildings at the Portland Museum of Art, the Wadsworth-Longfellow House and Maine Historical Society, the Neal Dow House Museum, the Masonic Temple, Hold Hall/Maine Eye and Ear Infirmary, and the original Mercy Hospital at Longfellow Square (the last two converted to residential use).

Also contributing greatly to the visual character of the district are the public squares and parks that are spaced along the length of Congress Street. These include Lincoln Park, Monument

Square, Congress Square and Bramhall Square. These parks and plazas are intentional breaks in the prevailing streetwall and provide welcome breathing room within the otherwise densely developed downtown area. Important pieces of public art within the district include the Firemen Statue (Central Fire Station). The Soldier and Sailors Monument/Or Lady of Victories statue (Monument Square), The Little Water Girl statue (Portland Public Library), Henry Wadsworth Longfellow statue (Longfellow Square), "Michael" sculpture (City Center), the Stanley Pullen Memorial Fountain (Federal Street) and the Lincoln Park fountain.

Less apparent to the casual viewer, but crucial to understanding the development of the downtown district, is the residential character along sections of Congress Street within the district. A wide range of residential properties are located within the district. The single-family Wadsworth-Longfellow House, just west of Monument Square, represents a once common form of residential development now otherwise completely replaced with later development in the heart of downtown. In several locations, on Free Street and Congress Street, early 19th century Federal and Greek Revival row houses are still visible, with later commercial storefront additions or alterations at the street level. Between Congress Square and Longfellow Square the same pattern is seen with Italianate houses from the middle of the 19th century. Closer to, and beyond, Longfellow Square residences in Second Empire, Queen Anne, Romanesque Revival and other styles of the late 19th century are apparent with later alterations to convert them to commercial or institutional use. Another development in the evolution of the district and urban residential living is represented by the large early 20th century apartment buildings on Congress Street and on side streets between Congress and Cumberland Avenue. Several large late-Victorian era hotels have also been converted to residential apartments.

The Congress Street Historic District was locally designated in 2009 and received National Park Service certification of 2019.

Portland Historic Resources Inventory

Property Address: 142 Free Street – Children’s Museum of Maine

CSHD Map Key #119

District: Congress Street

Local Rating: Contributing

National Register: Contributing – Spring Street Historic District

Date of Placement: Local 4/15/09 National 04/03/70

Architectural Description/Historic Significance:

Free Street Baptist Church (1830-1926)

Portland Chamber of Commerce Building (1926 – 1993)

1830 (theater), 1836 (renovated as church), 1926 (renovated to present form)

Originally built as a theater in 1830 and remodeled into a Romanesque style church in 1836, the Free Street Baptist Church was substantially renovated in 1926 by John Calvin Stevens and John Howard Stevens for the Chamber of Commerce and became an essentially Colonial Revival style building. The building is a dignified two-story structure with four monumental concrete columns of the Doric order and 2 brick piers and 2 pilasters. There is a symmetrical façade under the full-width two-story porch. The upper windows have 8/8 sash capped by flush stone lintels. The ground floor has a doorway surmounted by a balcony on brackets with a replaced doorway of glass and aluminum. It is flanked by 10/10 sash topped by semi-circular windows in elliptical keystone arches. In the flush board pediment is a bull’s eye window. The frieze and cornice are boldly delineated. The roofline was free of any dormers, thus maintaining its temple shape, until renovated for the Children’s Museum of Maine in the 1990s. The octagonal cupola and dormers were added at that time.



17 HISTORIC PRESERVATION

17.1 PURPOSE

The purpose of this article is to promote the educational, cultural, economic, and general welfare of the City of Portland by:

- A. Creating a mechanism to identify, preserve and enhance distinctive areas, sites, structures, and objects that have historic, cultural, architectural, and archaeological significance.
- B. Providing a resource of information and expertise to help those interested in rehabilitation or new construction in a district or restoring a landmark.
- C. Applying review standards in a reasonable and flexible manner to prevent the unnecessary loss of the community's historical features and to ensure compatible new construction and rehabilitation in historic districts while not stifling change and development or forcing modern recreations of historic styles.
- D. Fostering civic pride in the city's history and development patterns as represented in such distinctive areas, sites, structures, and objects.
- E. Protecting and enhancing neighborhood character.
- F. Stabilizing and improving the values of designated properties and areas.
- G. Protecting and enhancing the attractiveness of the city to its home buyers, home owners, residents, tourists, visitors, businesses and shoppers.
- H. Fostering and encouraging preservation, restoration, and rehabilitation that respects the historic, cultural, architectural, and archaeological significance of distinctive areas, sites, structures, and objects.

17.2 DEFINITIONS

Alteration. Any act or process requiring a building permit and any other act or process not requiring a building permit but specifically listed in this article as a reviewable action, including without limitation the repair, reconstruction, demolition, or relocation of any structure or object, or any part of a structure or object.

Certificate of Appropriateness. A certificate issued by the Planning Authority evidencing approval of specific plans for alteration of a structure, site, or designated historic landscape or new construction on a site in accordance with this article.

Certificate of Economic Hardship. A certificate issued by the Planning Authority evidencing a hardship variance approved by the Zoning Board of Appeals in accordance with Article 2.

Certificate of Non-Applicability. A certificate issued by the Planning Authority evidencing a determination that specific plans for alteration of a structure, site, or designated historic landscape or new construction on a site do not require approval under this Article.

Contributing. A classification applied to a site, structure, or object within a historic district signifying that it contributes generally to the qualities that give the historic district cultural, historic, architectural, or archaeological significance as embodied in the criteria for designating a historic district.

Demolition. Any act or process that partially or totally destroys a structure or object.

District. A historic district or historic landscape district.

Historic district. A geographically definable area possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

Historic landscape district. A geographically definable area possessing a significant concentration, linkage, or continuity of landscape components which are united by human use and past events or aesthetically by design, plan or physical development.

Historic Resources Design Manual. A manual including guidelines for meeting historic preservation ordinance review standards and other information.

Landmark. Any property, site, structure, or object of particular historic, architectural, or archaeological significance to Portland, the State of Maine and/or the United States relating to its cultural, social, economic, political, or architectural heritage, or which is associated with historic persons, important events or themes in local, state, or national history.

New construction. The adding to a structure by an addition, the erection or placement of any new structure on a lot or property, or the comprehensive redesign/renovation of an existing structure.

Noncontributing. A classification applied to a site, structure, object, or portion thereof, within a historic district signifying that: 1) it does not contribute generally to the qualities that give the historic district cultural, historic, architectural, or archaeological significance as embodied in the criteria for designating a historic district; 2) was built within 50 years of the date of district designation unless otherwise designated in the historic resources inventory; or 3) where the location, design, setting, materials, workmanship, and association have been so altered or have so deteriorated that the overall integrity of the site, structure, or object has been irretrievably lost. A portion of an otherwise contributing or landmark structure may be determined by the Historic Preservation Board to be non-contributing if it meets one or more of the above conditions.

Object. Anything constructed, fabricated, or created, the use of which does not require permanent or semi-permanent location on or in the ground.

Ordinary maintenance. Acts of maintenance or repair which do not include a change in the design, material, or outer appearance of a structure, including without limitation repainting, replacement of materials or windows of the same scale, texture and color, and landscaping other than within an historic landscape district.

Preservation. The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic

materials and features rather than the extensive replacement and new construction.

Rehabilitation. The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural value.

Relocation. Any removal or relocation of a structure on its site or to another site.

Restoration. The act or process of accurately depicting the form, features, and character of the property as it appeared at a particular period of time by means of the removal of features from other period in its history and reconstruction of missing features from the restoration period.

Site. The location of a significant event, an archaeological site, a landscape or traditional cultural property, or a building or structure, whether standing, ruined or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.

17.3 ADMINISTRATIVE PROCEDURES

17.3.1 Costs

A. Any project may be subject to fees as established by the City Council to cover administrative costs and the costs of Historic Preservation Board review. Applicants shall also pay a fee to cover the professional and administrative costs for analysis associated with project review, including but not limited to planning, legal, or other services. The fee shall

be based on the hours of review and processing time and prevailing hourly rate for reimbursement of City costs. The City shall periodically invoice the applicant for such costs incurred by the City, which invoice shall be paid promptly by the applicant.

- B.** Every applicant shall bear the entire expense of giving notice by mail and publication in accordance with this article.
- C.** No Certificate of Appropriateness, building, demolition, or other permit shall issue until all current charges due under this article have been paid. The balance of any remaining review and administrative costs invoiced or incurred after a permit has been issued shall be paid in full by the developer prior the issuance of any temporary or permanent certificate of occupancy.

17.3.2 Notice of public meeting

- A.** For all Certificate of Appropriateness applications that are subject to Historic Preservation Board review, the applicant shall be responsible for posting a notice of public meeting sign on the property where the development is to occur. The dimensions, construction, and content of the sign shall be in accordance with standards established by the Planning Authority.
- B.** The sign shall be posted at least 10 days prior to the public workshop or hearing date, and shall be removed from the site no more than three days following the date of the meeting.
- C.** Once the required notice of public meeting signage is posted, the applicant shall submit a completed certification of posting form to the Planning Authority.

- D. In the event that a required notice of public meeting sign is knocked over or made illegible, it shall be the responsibility of the applicant to promptly reset or replace the sign, though failure to do so shall not invalidate the review.

17.3.3 Notices and public comment

- A. Except as provided in Subsection 17.7.5, notice of proceedings upon any application for a Certificate of Appropriateness shall be given only when the proposed activity otherwise constitutes major site plan. Notice of such proceedings also shall be furnished to any persons interested in historic preservation who have registered with the Planning Authority, and to the Historic Preservation Board and/or the Planning Board when the proceeding is pending before a different body. The failure to give any notice required by this article shall not affect the validity of any action taken.
- B. The Historic Preservation Board, the Planning Board, the Board of Appeals, and the City Council shall each invite public comment at a public meeting in accordance with their respective rules, prior to any final action being taken under this article.
- C. The Planning Authority shall advise the Historic Preservation Board and the Planning Board of any demolition permit application received by the Planning Authority as to structures or objects that have been classified as noncontributing within nominated or designated districts, but there shall be no Historic Preservation Board review of such permit applications.

17.4 CATEGORIES AND CRITERIA FOR DESIGNATION

17.4.1 Minimum criteria for designation

- A. The Historic Preservation Board shall limit its consideration to the following criteria in making a determination on a proposed nomination of an area, site, structure, or object for designation by ordinance as a landmark or district:
 1. Its value as a significant example of the cultural, historic, architectural, archaeological, or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States.
 2. Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property.
 3. Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archaeological, or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States.
 4. Its exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.
 5. Its identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.

6. Its representation of a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.
- B. In the case of a nominated historic district, the Historic Preservation Board shall also determine whether there is an interrelationship of resources within it which creates an identifiable entity, even if composed of a wide variety of resources. A district must convey a visual sense of the overall historic environment or be a grouping of historically or functionally related properties. A historic district can comprise both individually distinctive historic resources and historic resources that may lack individual distinction but which contribute to the significance and visual character of the district as a whole.
 - C. In the case of a nominated historic landscape district, the Historic Preservation Board shall also consider its significance as a geological, natural, or designed landscape associated with the development, heritage, or culture of the City of Portland, State of Maine, New England region, or the United States.
 - D. The Planning Board and City Council shall apply the criteria of (A), (B), and (C) above as well as historic preservation goals included in the Comprehensive Plan, but shall also consider the effect of such designation on other aspects of the Comprehensive Plan of the City.

17.4.2 Integrity of landmarks and historic districts

Any area, structure, or object that meets the criteria in Section 17.4.1 must also have sufficient integrity of location, design, condition, materials, and

workmanship to make it worthy of preservation or restoration.

17.4.3 Designation of historic landscape districts

An historic landscape district may be nominated and considered for designation only if the entire area of the district is owned by a unit of federal, state, or local government, or any combination of such ownership.

17.5 NOMINATION, CONSIDERATION AND DESIGNATION

17.5.1 Procedure

The provisions of this section shall govern the nomination, consideration, and designation of landmarks and districts.

17.5.2 Initiation of nomination

- A. Nomination of an area, site, structure, or object for consideration of designation as a landmark, historic district, or historic landscape district shall be submitted to the Planning Authority by the following:
 1. Any two members of the Historic Preservation Board on their own initiative, by written notice to the Planning Authority, or
 2. By written petition of any owner, in the case of a landmark, or
 3. By written petition of one or more owners of affected property in the case of a district, provided two members of the Historic Preservation Board must sponsor the petition.
- B. A nomination shall be completed and filed with the Planning Authority with all required signatures for the nomination to be pending.

- C. Upon nomination, the Planning Authority shall notify the owner or owners of the nomination and shall transmit the nomination to the Historic Preservation Board for its preliminary consideration at a scheduled meeting, which in no event shall be held later than 60 days following nomination.
- D. If documentation and analysis that is necessary for the consideration of a given designation has not been provided at the time of nomination, such documentation shall be completed prior to further consideration by the Historic Preservation Board of the nominated landmark, district, or historic landscape.
- E. At any time after a complete nomination is filed for an historic district, the owner of a structure who seeks a permit for demolition may apply to the Historic Preservation Board for a determination that the structure to be demolished is noncontributing and eligible for a demolition permit. The determination of the Historic Preservation Board that the structure is eligible for a permit shall be conclusive.

17.5.3 Notification of nomination and public hearing

- A. A public hearing on the nomination shall be held by the Historic Preservation Board following one or more preliminary workshops of the Historic Preservation Board.
- B. The hearing shall be conducted in accordance with procedures adopted by the Historic Preservation Board. The Historic Preservation Board shall consider all testimony or evidence relating to the designation criteria in Section 17.4 from any person who makes written submissions or appears at the public hearing. The owner of a nominated landmark or of

property within a nominated district shall be allowed reasonable opportunity to present testimony or evidence concerning the applicability of the designation criteria in Section 17.4.

17.5.4 Recommendation by Historic Preservation Board

- A. Within 45 days following the close of the public hearing, the Historic Preservation Board shall make recommendation to the City Council in the case of a landmark, or to the Planning Board in the case of a district, upon the evidence as to whether the nominated landmark or district meets the criteria for designation in Section 17.4. Such recommendation shall be approved by at least four members of the Historic Preservation Board and shall be accompanied by a report to the City Council and/or Planning Board containing the following information:
 1. Explanation of the significance or lack of significance of the nominated landmark or district as it relates to the criteria for designation.
 2. Explanation of the integrity or lack of integrity of a nominated landmark or historic district.
 3. Proposed design guidelines for review of alteration or construction may be recommended. The specific design guidelines may provide explanation by text and/or schematic examples of visual compatibility for purposes of complying with Section 17.8.
 4. Relationship of the nominated landmark or district to the ongoing effort by the Historic Preservation Board to identify and

nominate areas, sites, structures, and objects that meet the criteria for designation.

5. A map showing the location of the nominated landmark and/or the boundaries of the nominated district.
 6. A list, including the address, of every site, structure, and object in each nominated historic district indicating their degree of cultural, historic, architectural, or archaeological significance by classification as a landmark, contributing, or noncontributing.
- B.** Where a motion either in favor of a recommendation or in opposition to a recommendation results in a vote of fewer than four members, the item shall automatically be tabled to the next regularly scheduled meeting.

17.5.5 Notification of Historic Preservation Board recommendation

- A.** The recommendation of the Historic Preservation Board, including a copy of the report, shall be transmitted to the City Council in the case of a landmark and to the Planning Board in the case of a district. Notice of the recommendation shall be sent by mail to the owner of a nominated landmark and to all owners within a nominated district within 14 days following adoption of the recommendation and report.
- B.** If the recommendation of the Historic Preservation Board is that the property or district not be designated, the nomination process shall terminate and no new nomination shall be submitted for the identical property or area for a period of one year from the date of termination, except upon a showing of

substantial and material newly discovered information.

17.5.6 Determination by Planning Board

- A.** The Planning Board, upon receipt of a recommendation and a report from the Historic Preservation Board concerning nomination of a district, may hold one or more workshops pursuant to the provisions of Article 2. After review of the Historic Preservation Board recommendation and report, the Planning Board shall hold a public hearing.
- B.** All meetings, hearings, and deliberations of the Planning Board to consider the recommendation and report of the Historic Preservation Board shall be held in conformity with Article 2.
- C.** The Planning Board may request the chair of the Historic Preservation Board, or a member designated by the chair, to appear at any meeting, hearing or deliberation to explain any recommendation or report.
- D.** A public hearing shall be scheduled within 30 days of the Planning Board's final workshop. At the conclusion of the public hearing, the Planning Board shall make its final determination including written findings as to whether the nominated district meets the criteria for designation in Section 17.4. A copy of the determination of the Planning Board shall be sent by regular mail to all owners within a nominated district within 14 days following the determination.

17.5.7 Planning Board recommendation to City Council

The recommendation of the Planning Board regarding a nominated district shall be filed with the

City Clerk within 14 days. It shall be accompanied by a copy of the report and recommendation of the Historic Preservation Board, including any specific proposed design guidelines applicable to the nominated landmark or district. The recommendation of the Planning Board may include proposed changes in other City ordinances, policies, infrastructure, or recommendations with respect to the Comprehensive Plan of the City relating to the proposed designation.

17.5.8 Action by City Council

- A. Within 60 days after the filing of a Planning Board recommendation, or Historic Preservation Board recommendation in the case of a landmark, on the nomination with the City Clerk pursuant to Section 17.5.6, the City Council shall designate the landmark or district or reject designation. Any designation may include specific design guidelines for the designated landmark or district.
- B. Designation of a district shall be accompanied by a list, including the address, of every site, structure and object in the district. Every site, structure, or object shall be assigned a classification of landmark, contributing, or noncontributing, indicating their degree of cultural, historic, architectural, or archaeological significance. This list may be amended thereafter by the City Council upon recommendation from the Historic Preservation Board and Planning Board under the same procedures as set forth above. Where there are no express findings by the City Council in the designation ordinance, there shall be a presumption that the City Council found that all requirements of Section 17.4 were met.

- C. Notice of the proposed action of the City Council shall be provided by mail to the nominator and the owner of the nominated landmark and/or of all properties adjacent thereto prior to City Council action.
- D. Notice of City Council action to the same persons shall be sent within 14 days following the City Council action. A copy of each designation and any design guidelines shall be sent to the Planning Board, the Historic Preservation Board, and the Planning Authority.
- E. A complete schedule of all landmarks and districts, including design guidelines and a listing of landmark and contributing structures, shall be maintained by the Planning Authority and shall be available online or for public inspection and copying during ordinary business hours.

17.5.9 Amendment or rescission of designation

Amendment or rescission of any designation shall be upon the request of a person or persons authorized to nominate the property or properties affected, or upon request of the City Council, and shall follow the procedure set forth in Section 17.5 for designation. The City Council may rescind or amend a designation only after all of these procedures have been followed. The standards for rescission or amendment applied by the Historic Preservation Board, Planning Board, and City Council shall be limited to those provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2. Amendments may include reclassification of a portion of a contributing property to noncontributing status, refinement or correction of design guidelines, maps, and other parts of any designation.

NATIONAL REGISTER BULLETIN

Technical information on the the National Register of Historic Places:
survey, evaluation, registration, and preservation of cultural resources



U.S. Department of the Interior
National Park Service
Cultural Resources
National Register, History and Education

How to Apply the National Register Criteria for Evaluation



The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to tribes.

The National Park Service preserves unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

This material is partially based upon work conducted under a cooperative agreement with the National Conference of State Historic Preservation Officers and the U.S. Department of the Interior.

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Cover

(Top Left) Criterion B - Frederick Douglass Home, Washington, D.C. From 1877-1899, this was the home of Frederick Douglass, the former slave who rose to become a prominent author, abolitionist, editor, orator, and diplomat. (Walter Smalling, Jr.)

(Top Right) Criterion D - Francis Canyon Ruin, Blanco vicinity, Rio Arriba County, New Mexico. A fortified village site composed of 40 masonry-walled rooms arranged in a cluster of four house blocks. Constructed ca. 1716-1742 for protection against raiding Utes and Comanches, the site has information potential related to Navajo, Pueblo, and Spanish cultures. (Jon Samuelson)

(Bottom Left) Criterion C - Bridge in Cherrytree Township, Venago County, Pennsylvania. Built in 1882, this Pratt through truss bridge is significant for engineering as a well preserved example of a type of bridge frequently used in northwestern Pennsylvania in the late 19th century. (Pennsylvania Department of Transportation)

(Bottom Right) Criterion A - Main Street/Market Square Historic District, Houston, Harris County, Texas. Until well into the 20th century this district marked the bounds of public and business life in Houston. Constructed between the 1870s and 1920s, the district includes Houston's municipal and county buildings, and served as the city's wholesale, retail, and financial center. (Paul Hester)

PREFACE

Preserving historic properties as important reflections of our American heritage became a national policy through passage of the Antiquities Act of 1906, the Historic Sites Act of 1935, and the National Historic Preservation Act of 1966, as amended. The Historic Sites Act authorized the Secretary of the Interior to identify and recognize properties of national significance (National Historic Landmarks) in United States history and archeology. The National Historic Preservation Act of 1966 authorized the Secretary to expand this recognition to properties of local and State significance in American history, architecture, archeology, engineering, and culture, and worthy of preservation. The National Register of Historic Places is the official list of these recognized properties, and is maintained and expanded by the National Park Service on behalf of the Secretary of the Interior.¹

The National Register of Historic Places documents the appearance and importance of districts, sites, buildings, structures, and objects signifi-

cant in our prehistory and history. These properties represent the major patterns of our shared local, State, and national experience. To guide the selection of properties included in the National Register, the National Park Service has developed the National Register Criteria for Evaluation. These criteria are standards by which every property that is nominated to the National Register is judged. In addition, the National Park Service has developed criteria for the recognition of nationally significant properties, which are designated National Historic Landmarks and prehistoric and historic units of the National Park System. Both these sets of criteria were developed to be consistent with the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation*, which are uniform, national standards for preservation activities.²

This publication explains how the National Park Service applies these criteria in evaluating the wide range of properties that may be significant in local, State, and national history.

It should be used by anyone who must decide if a particular property qualifies for the National Register of Historic Places.

Listing properties in the National Register is an important step in a nationwide preservation process. The responsibility for the identification, initial evaluation, nomination, and treatment of historic resources lies with private individuals, State historic preservation offices, and Federal preservation offices, local governments, and Indian tribes. The final evaluation and listing of properties in the National Register is the responsibility of the Keeper of the National Register.

This bulletin was prepared by staff of the National Register Branch, Interagency Resources Division, National Park Service, with the assistance of the History Division. It was originally issued in draft form in 1982. The draft was revised into final form by Patrick W. Andrus, Historian, National Register, and edited by Rebecca H. Shrimpton, Consulting Historian.

Beth L. Savage, National Register and Sarah Dillard Pope, National Register, NCSHPO coordinated the latest revision of this bulletin. Antionette J. Lee, Tanya Gossett, and Kira Badamo coordinated earlier revisions.

¹Properties listed in the National Register receive limited Federal protection and certain benefits. For more information concerning the effects of listing, and how the National Register may be used by the general public and Certified Local Governments, as well as by local, State, and Federal agencies, and for copies of National Register Bulletins, contact the National Park Service, National Register, 1849 C Street, NW, NC400, Washington, D.C., 20240. Information may also be obtained by visiting the National Register Web site at www.cr.nps.gov/nr or by contacting any of the historic preservation offices in the States and territories.

²The *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* are found in the *Federal Register*, Vol. 48, No. 190 (Thursday, September 29, 1983). A copy can be obtained by writing the National Park Service, Heritage Preservation Services (at the address above).

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I. INTRODUCTION

The National Register is the nation's inventory of historic places and the national repository of documentation on the variety of historic property types, significance, abundance, condition, ownership, needs, and other information. It is the beginning of a national census of historic properties. The National Register Criteria for Evaluation define the scope of the National Register of Historic Places; they identify the range of resources and kinds of significance that will qualify properties for listing in the National Register. The Criteria are written broadly to recognize the wide variety of historic properties associated with our prehistory and history.

Decisions concerning the significance, historic integrity, documentation, and treatment of properties can be made reliably only when the resource is evaluated within its historic context. The historic context serves as the framework within which the National Register Criteria are applied to specific properties or property types. (See *Part V* for a brief discussion of

historic contexts. Detailed guidance for developing and applying historic contexts is contained in *National Register Bulletin: How to Complete the National Register Registration Form* and *National Register Bulletin: How to Complete the National Register Multiple Property Documentation Form*.)

The guidelines provided here are intended to help you understand the National Park Service's use of the Criteria for Evaluation, historic contexts, integrity, and Criteria Considerations, and how they apply to properties under consideration for listing in the National Register. Examples are provided throughout, illustrating specific circumstances in which properties are and are not eligible for the National Register. This bulletin should be used by anyone who is:

- Preparing to nominate a property to the National Register,
- Seeking a determination of a property's eligibility,
- Evaluating the comparable significance of a property to those listed in the National Register, or
- Expecting to nominate a property as a National Historic Landmark in addition to nominating it to the National Register.

This bulletin also contains a summary of the National Historic Landmarks Criteria for Evaluation (see *Part IX*). National Historic Landmarks are those districts, sites, buildings, structures, and objects designated by the Secretary of the Interior as possessing national significance in American history, architecture, archeology, engineering, and culture. Although National Register documentation includes a recommendation about whether a property is significant at the local, State, or national level, the only official designation of national significance is as a result of National Historic Landmark designation by the Secretary of the Interior, National Monument designation by the President of the United States, or establishment as a unit of the National Park System by Congress. These properties are automatically listed in the National Register.

II. THE NATIONAL REGISTER CRITERIA FOR EVALUATION

CRITERIA FOR EVALUATION:³

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.

CRITERIA CONSIDERATIONS:

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

- c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or
- d. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- g. A property achieving significance within the past 50 years if it is of exceptional importance.

³The Criteria for Evaluation are found in the *Code of Federal Regulations, Title 36, Part 60*, and are reprinted here in full.

III. HOW TO USE THIS BULLETIN TO EVALUATE A PROPERTY

For a property to qualify for the National Register it must meet one of the National Register Criteria for Evaluation by:

- **Being associated with an important historic context** *and*
- **Retaining historic integrity of those features necessary to convey its significance.**

Information about the property based on physical examination and documentary research is necessary to evaluate a property's eligibility for the National Register. Evaluation of a property is most efficiently made when following this sequence:

1. Categorize the property (Part IV).
A property must be classified as

a district, site, building, structure, or object for inclusion in the National Register.

2. **Determine which prehistoric or historic context(s) the property represents** (Part V). A property must possess significance in American history, architecture, archeology, engineering, or culture when evaluated within the historic context of a relevant geographic area.
3. Determine whether the property is significant under the National Register Criteria (Part VI). This is done by identifying the links to important events or persons, design or construction features, or information potential that make the property important.

4. Determine if the property represents a type usually excluded from the National Register (Part VII). If so, determine if it meets any of the Criteria Considerations.

5. Determine whether the property retains integrity (Part VIII). Evaluate the aspects of location, design, setting, workmanship, materials, feeling, and association that the property must retain to convey its historic significance.

If, after completing these steps, the property appears to qualify for the National Register, the next step is to prepare a written nomination. (Refer to *National Register Bulletin: How to Complete the National Register Registration Form*.)

IV. HOW TO DEFINE CATEGORIES OF HISTORIC PROPERTIES

The National Register of Historic Places includes significant properties, classified as buildings, sites, districts, structures, or objects. It is not used to list intangible values, except in so far as they are associated with or reflected by historic properties. The National Register does not list cultural events, or skilled or talented individuals, as is done in some countries. Rather, the National Register is oriented to recognizing physically concrete properties that are relatively fixed in location.

For purposes of National Register nominations, small groups of properties are listed under a single category, using the primary resource. For example, a city hall and fountain would be categorized by the city hall (building), a farmhouse with two outbuildings would be categorized by the farmhouse (building), and a city park with a gazebo would be categorized by the park (site). Properties with large acreage or a number of resources are usually considered districts. Common sense and reason should dictate the selection of categories.

BUILDING

A building, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

Buildings eligible for the National Register must include all of their basic structural elements. Parts of buildings, such as interiors, facades, or wings, are not eligible independent of the rest of the existing building. The

whole building must be considered, and its significant features must be identified.

If a building has lost any of its basic structural elements, it is usually considered a "ruin" and is categorized as a site.

Examples of buildings include:

*administration building
carriage house
church
city or town hall
courthouse
detached kitchen, barn, and privy
dormitory
fort
garage
hotel
house
library
mill building
office building
post office
school
social hall
shed
stable
store
theater
train station*

STRUCTURE

The term "structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter.

Structures nominated to the National Register must include all of the extant basic structural elements. Parts of structures can not be considered eligible if the whole structure remains. For example, a truss bridge is composed of the metal or wooden truss, the abutments, and supporting

piers, all of which, if extant, must be included when considering the property for eligibility.

If a structure has lost its historic configuration or pattern of organization through deterioration or demolition, it is usually considered a "ruin" and is categorized as a site.

Examples of structures include:

*aircraft
apiary
automobile
bandstand
boats and ships
bridge
cairn
canal
carousel
corncrib
dam
earthwork
fence
gazebo
grain elevator
highway
irrigation system
kiln
lighthouse
railroad grade
silo
trolley car
tunnel
windmill*

OBJECT

The term “object” is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment.

Small objects not designed for a specific location are normally not eligible. Such works include transportable sculpture, furniture, and other decorative arts that, unlike a fixed outdoor sculpture, do not possess association with a specific place.

Objects should be in a setting appropriate to their significant historic use, roles, or character. Objects relocated to a museum are inappropriate for listing in the National Register.

Examples of objects include:

*boundary marker
fountain
milepost
monument
sculpture
statuary*

SITE

A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure.

A site can possess associative significance or information potential or both, and can be significant under any or all of the four criteria. A site need not be marked by physical remains if it is the location of a prehistoric or historic event or pattern of events and if no buildings, structures, or objects marked it at the time of the events. However, when the location of a prehistoric or historic event cannot be conclusively determined because no other cultural materials were present or survive, documentation must be carefully evaluated to determine whether the traditionally recognized or identified site is accurate.

A site may be a natural landmark strongly associated with significant prehistoric or historic events or patterns of events, if the significance of the natural feature is well documented through scholarly research. Generally, though, the National Register excludes from the definition of “site” natural waterways or bodies of water that served as determinants in the location of communities or were significant in the locality’s subsequent economic development. While they may have been “avenues of exploration,” the features most appropriate to document this significance are the properties built in association with the waterways.

Examples of sites include:

*battlefield
campsite
cemeteries significant for information
potential or historic association
ceremonial site
designed landscape
habitation site
natural feature (such as a rock formation)
having cultural significance
petroglyph
rock carving
rock shelter
ruins of a building or structure
shipwreck
trail
village site*

DISTRICT

A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

CONCENTRATION, LINKAGE, & CONTINUITY OF FEATURES

A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. For example, a district can reflect one principal activity, such as a mill or a ranch, or it can encompass several interrelated activities, such as an area that includes industrial, residential, or

commercial buildings, sites, structures, or objects. A district can also be a grouping of archeological sites related primarily by their common components; these types of districts often will not visually represent a specific historic environment.

SIGNIFICANCE

A district must be significant, as well as being an identifiable entity. It must be important for historical, architectural, archeological, engineering, or cultural values. Therefore, districts that are significant will usually meet the last portion of Criterion C plus Criterion A, Criterion B, other portions of Criterion C, or Criterion D.

TYPES OF FEATURES

A district can comprise both features that lack individual distinction and individually distinctive features that serve as focal points. It may even be considered eligible if all of the components lack individual distinction, provided that the grouping achieves significance as a whole within its historic context. In either case, the majority of the components that add to the district’s historic character, even if they are individually undistinguished, must possess integrity, as must the district as a whole.

A district can contain buildings, structures, sites, objects, or open spaces that do not contribute to the significance of the district. The number of noncontributing properties a district can contain yet still convey its sense of time and place and historical development depends on how these properties affect the district’s integrity. In archeological districts, the primary factor to be considered is the effect of any disturbances on the information potential of the district as a whole.

GEOGRAPHICAL BOUNDARIES

A district must be a definable geographic area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects, or by documented differences in patterns of historic development or associations. It is seldom defined, however, by the limits of current parcels of ownership, management, or planning boundaries. The boundaries must be based upon a shared relationship among the properties constituting the district.

DISCONTIGUOUS DISTRICTS

A district is usually a single geographic area of contiguous historic properties; however, a district can also be composed of two or more definable significant areas separated by nonsignificant areas. A discontinuous district is most appropriate where:

- Elements are spatially discrete;
- Space between the elements is not related to the significance of the district; and
- Visual continuity is not a factor in the significance.

In addition, a canal can be treated as a discontinuous district when the system consists of man-made sections of canal interspersed with sections of river navigation. For scattered archeological properties, a discontinuous district is appropriate when the deposits are related to each other through cultural affiliation, period of use, or site type.

It is not appropriate to use the discontinuous district format to include an isolated resource or small group of resources which were once connected to the district, but have since been separated either through demolition or new construction. For example, do not use the discontinuous district format to nominate individual buildings of a downtown commercial district that have become isolated through demolition.

Examples of districts include:

*business districts
canal systems
groups of habitation sites
college campuses
estates and farms with large acreage/
numerous properties
industrial complexes
irrigation systems
residential areas
rural villages
transportation networks
rural historic districts*



Ordeman-Shaw Historic District, Montgomery, Montgomery County, Alabama. Historic districts derive their identity from the interrelationship of their resources. Part of the defining characteristics of this 19th century residential district in Montgomery, Alabama, is found in the rhythmic pattern of the rows of decorative porches. (Frank L. Thierrnonge, III)

V. HOW TO EVALUATE A PROPERTY WITHIN ITS HISTORIC CONTEXT

UNDERSTANDING HISTORIC CONTEXTS

To qualify for the National Register, a property must be significant; that is, it must represent a significant part of the history, architecture, archeology, engineering, or culture of an area, and it must have the characteristics that make it a good representative of properties associated with that aspect of the past. This section explains how to evaluate a property within its historic context.

The significance of a historic property can be judged and explained only when it is evaluated within its historic context. Historic contexts are those patterns or trends in history by which a specific occurrence, property, or site is understood and its meaning (and ultimately its significance) within history or prehistory is made clear. Historians, architectural historians, folklorists, archeologists, and anthropologists use different words to describe this phenomena such as trend, pattern, theme, or cultural affiliation, but ultimately the concept is the same.

The concept of historic context is not a new one; it has been fundamental to the study of history since the 18th century and, arguably, earlier than that. Its core premise is that resources, properties, or happenings in history do not occur in a vacuum but rather are part of larger trends or patterns.

In order to decide whether a property is significant within its historic context, the following five things must be determined:

- The facet of prehistory or history of the local area, State, or the nation that the property represents;
- Whether that facet of prehistory or history is significant;
- Whether it is a type of property that has relevance and importance in illustrating the historic context;
- How the property illustrates that history; and finally
- Whether the property possesses the physical features necessary to convey the aspect of prehistory or history with which it is associated.

These five steps are discussed in detail below. If the property being evaluated does represent an important aspect of the area's history or prehistory *and* possesses the requisite quality of integrity, then it qualifies for the National Register.

HOW TO EVALUATE A PROPERTY WITHIN ITS HISTORIC CONTEXT

Identify what the property represents: the theme(s), geographical limits, and chronological period that provide a perspective from which to evaluate the property's significance.

Historic contexts are historical patterns that can be identified through consideration of the history of the property and the history of the surrounding area. Historic contexts may have already been defined in your area by the State historic preservation office, Federal agencies, or local governments. In accordance with the National Register Criteria, the historic context may relate to one of the following:

- An event, a series of events or activities, or patterns of an area's development (Criterion A);
- Association with the life of an important person (Criterion B);
- A building form, architectural style, engineering technique, or artistic values, based on a stage of physical development, or the use of a material or method of construction that shaped the historic identity of an area (Criterion C); or
- A research topic (Criterion D).

⁴ For a complete discussion of historic contexts, see *National Register Bulletin: Guidelines for Completing National Register of Historic Places Registration Forms*.

Determine how the theme of the context is significant in the history of the local area, the State, or the nation.

A theme is a means of organizing properties into coherent patterns based on elements such as environment, social/ethnic groups, transportation networks, technology, or political developments that have influenced the development of an area during one or more periods of prehistory or history. A theme is considered significant if it can be demonstrated, through scholarly research, to be important in American history. Many significant themes can be found in the following list of Areas of Significance used by the National Register.

AREAS OF SIGNIFICANCE

Agriculture
Architecture
Archeology
 Prehistoric
 Historic—Aboriginal
 Historic—Non-Aboriginal
Art
Commerce
Communications
Community Planning and Development
Conservation
Economics
Education
Engineering
Entertainment/Recreation
Ethnic Heritage
 Asian
 Black
 European
 Hispanic
 Native American
 Pacific Islander
 Other
Exploration/Settlement
Health/Medicine
Industry
Invention
Landscape Architecture
Law
Literature
Maritime History
Military
Performing Arts
Philosophy
Politics/Government
Religion
Science
Social History
Transportation
Other

Determine what the property type is and whether it is important in illustrating the historic context.

A context may be represented by a variety of important property types. For example, the context of "Civil War Military Activity in Northern Virginia" might be represented by such properties as: a group of mid-19th century fortification structures; an open field where a battle occurred; a knoll from which a general directed troop movements; a sunken transport ship; the residences or public buildings that served as company headquarters; a railroad bridge that served as a focal point for a battle; and earthworks exhibiting particular construction techniques.

Because a historic context for a community can be based on a distinct period of development, it might include numerous property types. For example, the context "Era of Industrialization in Grand Bay, Michigan, 1875 - 1900" could be represented by important property types as diverse as sawmills, paper mill sites, salt refining plants, flour mills, grain elevators, furniture factories, workers housing, commercial buildings, social halls, schools, churches, and transportation facilities.

A historic context can also be based on a single important type of property. The context "Development of County Government in Georgia, 1777 - 1861" might be represented solely by courthouses. Similarly, "Bridge Construction in Pittsburgh, 1870 - 1920" would probably only have one property type.

Determine how the property represents the context through specific historic associations, architectural or engineering values, or information potential (the Criteria for Evaluation).

For example, the context of county government expansion is represented under Criterion A by historic districts or buildings that reflect population growth, development patterns, the role of government in that society, and political events in the history of the State, as well as the impact of county government on the physical development of county seats. Under Criterion C, the context is represented by properties whose architectural treatments reflect their governmental functions, both practically and symbolically. (See *Part VI: How to Identify the Type of Significance of a Property.*)

Determine what physical features the property must possess in order for it to reflect the significance of the historic context.

These physical features can be determined after identifying the following:

- Which types of properties are associated with the historic context,
- The ways in which properties can represent the theme, and
- The applicable aspects of integrity.

Properties that have the defined characteristics are eligible for listing. (See *Part VIII: How to Evaluate the Integrity of a Property.*)

PROPERTIES SIGNIFICANT WITHIN MORE THAN ONE HISTORIC CONTEXT

A specific property can be significant within one or more historic contexts, and, if possible, all of these should be identified. For example, a public building constructed in the 1830s that is related to the historic context of Civil War campaigns in the area might also be related to the theme of political developments in the community during the 1880s. A property is only required, however, to be documented as significant in one context.

COMPARING RELATED PROPERTIES

Properties listed in the National Register must possess significance when evaluated in the perspective of their historic context. Once the historic context is established and the property type is determined, it is not necessary to evaluate the property in question against other properties if:

- It is the sole example of a property type that is important in illustrating the historic context or
- It clearly possesses the defined characteristics required to strongly represent the context.

If these two conditions do not apply, then the property will have to be evaluated against other examples of the property type to determine its eligibility. The geographic level (local, State, or national) at which this evaluation is made is the same as the level of the historic context. (See *Part V: How to Evaluate a Property Within Its Historic Context*.)

LOCAL, STATE, AND NATIONAL HISTORIC CONTEXTS

Historic contexts are found at a variety of geographical levels or scales. The geographic scale selected may relate to a pattern of historical development, a political division, or a cultural area. Regardless of the scale, the historic context establishes the framework from which decisions about the significance of related properties can be made.

LOCAL HISTORIC CONTEXTS

A local historic context represents an aspect of the history of a town, city, county, cultural area, or region, or any portions thereof. It is defined by the importance of the property, not necessarily the physical location of the property. For instance, if a property is of a type found throughout a State, or its boundaries extend over two States, but its importance relates only to a particular county, the property would be considered of local significance.

The level of context of archeological sites significant for their information potential depends on the scope of the applicable research design. For example, a Late Mississippian village site may yield information in a research design concerning one settlement system on a regional scale, while in another research design it may reveal information of local importance concerning a single group's stone tool manufacturing techniques or house forms. It is a question of how the available information potential is likely to be used.

STATE HISTORIC CONTEXTS

Properties are evaluated in a State context when they represent an aspect of the history of the State as a whole (or American Samoa, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the Virgin Islands). These properties do not necessarily have to belong to property types

found throughout the entire State: they can be located in only a portion of the State's present political boundary. It is the property's historic context that must be important statewide. For example, the "cotton belt" extends through only a portion of Georgia, yet its historical development in the antebellum period affected the entire State. These State historic contexts may have associated properties that are statewide or locally significant representations. A cotton gin in a small town might be a locally significant representation of this context, while one of the largest cotton producing plantations might be of State significance.

A property whose historic associations or information potential appears to extend beyond a single local area might be significant at the State level. A property can be significant to more than one community or local area, however, without having achieved State significance.

A property that overlaps several State boundaries can possibly be significant to the State or local history of each of the States. Such a property is not necessarily of national significance, however, nor is it necessarily significant to all of the States in which it is located.

Prehistoric sites are not often considered to have "State" significance, per se, largely because States are relatively recent political entities and usually do not correspond closely to Native American political territories or cultural areas. Numerous sites, however, may be of significance to a large region that might geographically encompass parts of one, or usually several, States. Prehistoric resources that might be of State significance include regional sites that provide a diagnostic assemblage of artifacts for a particular cultural group or time period or that provide chronological control (specific dates or relative order in time) for a series of cultural groups.

NATIONAL HISTORIC CONTEXTS

Properties are evaluated in a national context when they represent an aspect of the history of the United States and its territories as a whole. These national historic contexts may have associated properties that are locally or statewide significant representations, as well as those of national significance.

Properties designated as nationally significant and listed in the National Register are the prehistoric and historic units of the National Park System and those properties that have been designated National Historic Landmarks. The National Historic Landmark criteria are the standards for nationally significant properties; they are found in the *Code of Federal*

Regulations, Title 36, Part 65 and are summarized in this bulletin in *Part IX: Summary of National Historic Landmarks Criteria for Evaluation*.

A property with national significance helps us understand the history of the nation by illustrating the nationwide impact of events or persons associated with the property, its architectural type or style, or information potential. It must be of exceptional value in representing or illustrating an important theme in the history of the nation.

Nationally significant properties do not necessarily have to belong to a property type found throughout the entire country: they can be located in only a portion of the present political boundaries. It is their historic context that must be important nationwide. For example, the American Civil War

was fought in only a portion of the United States, yet its impact was nationwide. The site of a small military skirmish might be a locally significant representation of this national context, while the capture of the State's largest city might be a statewide significant representation of the national context.

When evaluating properties at the national level for designation as a National Historic Landmark, please refer to the National Historic Landmarks outline, *History and Prehistory in the National Park System and the National Historic Landmarks Program 1987*. (For more information about the National Historic Landmarks program, please write to the Department of the Interior, National Park Service, National Historic Landmarks, 1849 C Street, NW, NC400, Washington, DC 20240.)

VI. HOW TO IDENTIFY THE TYPE OF SIGNIFICANCE OF A PROPERTY

INTRODUCTION

When evaluated within its historic context, a property must be shown to be significant for *one or more of the four Criteria for Evaluation - A, B, C, or D* (listed earlier in *Part II*). The Criteria describe how properties are significant for their association with important events or persons, for their importance in design or construction, or for their information potential.

The basis for judging a property's significance and, ultimately, its eligibility under the Criteria is *historic context*. The use of historic context allows a property to be properly evaluated in a nearly infinite number of capacities. For instance, Criterion C: Design/Construction can accommodate properties representing construction types that are unusual or widely practiced, that are innovative or traditional, that are "high style" or vernacular, that are the work of a famous architect or an unknown master craftsman. *The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its historic context.*

After identifying the relevant historic context(s) with which the property is associated, the four Criteria are applied to the property. Within the scope of the historic context, the National Register Criteria define the kind of significance that the properties represent.

For example, within the context of "19th Century Gunpowder Production in the Brandywine Valley," Criterion A would apply to those properties associated with important events in the founding and development of the industry. Criterion B would apply to those properties associated with persons who are significant in the founding of the industry or associated with important inventions related to gunpowder manufacturing. Criterion C would apply to those buildings, structures, or objects whose architectural form or style reflect important design qualities integral to the industry. And Criterion D would apply to properties that can convey information important in our understanding of this industrial process. If a property qualifies under more than one of the Criteria, its significance under each should be considered, if possible, in order to identify all aspects of its historical value.

NATIONAL REGISTER CRITERIA FOR EVALUATION*

The National Register Criteria recognize different types of values embodied in districts, sites, buildings, structures, and objects. These values fall into the following categories:

Associative value (Criteria A and B): Properties significant for their association or linkage to events (Criterion A) or persons (Criterion B) important in the past.

Design or Construction value (Criterion C): Properties significant as representatives of the manmade expression of culture or technology.

Information value (Criterion D): Properties significant for their ability to yield important information about prehistory or history.

*For a complete listing of the Criteria for Evaluation, refer to Part II of this bulletin.

CRITERION A: EVENT

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

UNDERSTANDING CRITERION A: EVENT

To be considered for listing under Criterion A, a property must be associated with one or more events important in the defined historic context. Criterion A recognizes properties associated with single events, such as the founding of a town, or with a pattern of events, repeated activities, or historic trends, such as the gradual rise of a port city's prominence in trade and commerce. The event or trends, however, must clearly be important within the associated context: settlement, in the case of the town, or development of a maritime economy, in the case of the port city. Moreover, the property must have an important association with the event or historic trends, and it must retain historic integrity. (See *Part V: How to Evaluate a Property Within its Historic Context.*)

Several steps are involved in determining whether a property is significant for its associative values:

- Determine the nature and origin of the property,
- Identify the historic context with which it is associated, and
- Evaluate the property's history to determine whether it is associated with the historic context in any important way.

APPLYING CRITERION A: EVENT

TYPES OF EVENTS

A property can be associated with either (or both) of two types of events:

- A specific event marking an important moment in American prehistory or history and
- A pattern of events or a historic trend that made a significant contribution to the development of a community, a State, or the nation.

Refer to the sidebar on the right for a list of specific examples.

ASSOCIATION OF THE PROPERTY WITH THE EVENTS

The property you are evaluating must be documented, through accepted means of historical or archeological research (including oral history), to have existed at the time of the event or pattern of events *and* to have been associated with those events. A property is *not* eligible if its associations are speculative. For archeological sites, well reasoned inferences drawn from data recovered at the site can be used to establish the association between the site and the events.

SIGNIFICANCE OF THE ASSOCIATION

Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered important as well. For example, a building historically in commercial use must be shown to have been significant in commercial history.

EXAMPLES OF PROPERTIES ASSOCIATED WITH EVENTS

Properties associated with specific events:

- *The site of a battle.*
- *The building in which an important invention was developed.*
- *A factory district where a significant strike occurred.*
- *An archeological site at which a major new aspect of prehistory was discovered, such as the first evidence of man and extinct Pleistocene animals being contemporaneous.*
- *A site where an important facet of European exploration occurred.*

Properties associated with a pattern of events:

- *A trail associated with western migration.*
- *A railroad station that served as the focus of a community's transportation system and commerce.*
- *A mill district reflecting the importance of textile manufacturing during a given period.*
- *A building used by an important local social organization.*
- *A site where prehistoric Native Americans annually gathered for seasonally available resources and for social interaction.*
- *A downtown district representing a town's growth as the commercial focus of the surrounding agricultural area.*

TRADITIONAL CULTURAL VALUES

Traditional cultural significance is derived from the role a property plays in a community's historically rooted beliefs, customs, and practices. Properties may have significance under Criterion A if they are associated with events, or series of events, significant to the cultural traditions of a community.⁵

Eligible

- A hilltop associated in oral historical accounts with the founding of an Indian tribe or society is eligible.
- A rural community can be eligible whose organization, buildings, or patterns of land use reflect the cultural traditions valued by its long-term residents.
- An urban neighborhood can be eligible as the traditional home of a particular cultural group and as a reflection of its beliefs and practices.

Not Eligible

- A site viewed as sacred by a recently established utopian or religious community does not have traditional cultural value and is not eligible.



Criterion A - The Old Brulay Plantation, Brownsville vicinity, Cameron county, Texas. Historically significant for its association with the development of agriculture in southeast Texas, this complex of 10 brick buildings was constructed by George N. Brulay, a French immigrant who introduced commercial sugar production and irrigation to the Rio Grande Valley. (Photo by Texas Historical Commission).

⁵For more information, refer to *National Register Bulletin: Guidelines for Evaluating and Documenting Traditional Cultural Properties*.

CRITERION B: PERSON

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

UNDERSTANDING CRITERION B: PERSON⁶

Criterion B applies to properties associated with individuals whose specific contributions to history can be identified and documented. Persons "significant in our past" refers to individuals whose activities are demonstrably important within a local, State, or national historic context. The criterion is generally restricted to those properties that illustrate (rather than commemorate) a person's important achievements. (The policy regarding commemorative properties, birthplaces, and graves is explained further in *Part VIII: How to Apply the Criteria Considerations*.)

Several steps are involved in determining whether a property is significant for its associative values under Criterion B. First, determine the importance of the individual. Second, ascertain the length and nature of his/her association with the property under study and identify the other properties associated with the individual. Third, consider the property under Criterion B, as outlined below.

EXAMPLES OF PROPERTIES ASSOCIATED WITH PERSONS

Properties associated with a Significant Person:

- The home of an important merchant or labor leader.
- The studio of a significant artist.
- The business headquarters of an important industrialist.



Criterion B - The William Whitney House, Hinsdale, DuPage County, Illinois. This building is locally significant for its historical association with William Whitney, the founder of the town of Hinsdale, Illinois. Whitney, a citizen of New York State, moved to Illinois, established the town, and while living here between 1870 and 1879 was a prominent local businessman and politician. (Photo by Frederick C. Cue).

⁶For further information on properties eligible under Criterion B, refer to *National Register Bulletin: Guidelines for Evaluating and Documenting Properties Associated with Significant Persons*.

APPLYING CRITERION B: PERSON

SIGNIFICANCE OF THE INDIVIDUAL

The persons associated with the property must be *individually* significant within a historic context. A property is not eligible if its only justification for significance is that it was owned or used by a person who is a member of an identifiable profession, class, or social or ethnic group. It must be shown that the person gained importance within his or her profession or group.

Eligible

- The residence of a doctor, a mayor, or a merchant is eligible under Criterion B if the person was significant in the field of medicine, politics, or commerce, respectively.

Not Eligible

- A property is not eligible under Criterion B if it is associated with an individual about whom no scholarly judgement can be made because either research has not revealed specific information about the person's activities and their impact, or there is insufficient perspective to determine whether those activities or contributions were historically important.

ASSOCIATION WITH THE PROPERTY

Properties eligible under Criterion B are usually those associated with a person's *productive* life, reflecting the time period when he or she achieved significance. In some instances this may be the person's home; in other cases, a person's business, office, laboratory, or studio may best represent his or her contribution. Properties that pre- or post-date an individual's significant accomplishments are usually not eligible. (See *Comparison to Related Properties*, below, for exceptions to this rule.)

The individual's association with the property must be documented by accepted methods of historical or archeological research, including written or oral history. Speculative associations are not acceptable. For archeological sites, well reasoned inferences drawn from data recovered at the site are acceptable.

COMPARISON TO RELATED PROPERTIES

Each property associated with an important individual should be compared to other associated properties to identify those that best represent the person's historic contributions. The best representatives usually are properties associated with the person's adult or *productive* life. Properties associated with an individual's formative or later years may also qualify if it can be demonstrated that the person's activities during this period were historically significant or if no properties from the person's productive years survives. Length of association is an important factor when assessing several properties with similar associations.

A community or State may contain several properties eligible for associations with the same important person, if each represents a different aspect of the person's productive life. A property can also be eligible if it has brief but consequential associations with an important individual. (Such associations are often related to specific events that occurred at the property and, therefore, it may also be eligible under Criterion A.)

ASSOCIATION WITH GROUPS

For properties associated with several community leaders or with a prominent family, it is necessary to identify specific individuals and to explain their significant accomplishments.

Eligible

- A residential district in which a large number of prominent or influential merchants, professionals, civic leaders, politicians, etc., lived will be eligible under Criterion B if the significance of one or more specific individual residents is explicitly justified.
- A building that served as the seat of an important family is eligible under Criterion B if the significant accomplishments of one or more individual family members is explicitly justified.

Not Eligible

- A residential district in which a large number of influential persons lived is not eligible under Criterion B if the accomplishments of a specific individual(s) cannot be documented. If the significance of the district rests in the cumulative importance of prominent residents, however, then the district might still be eligible under Criterion A. Eligibility, in this case, would be based on the broad pattern of community development, through which the neighborhood evolved into the primary residential area for this class of citizens.
- A building that served as the seat of an important family will not be eligible under Criterion B if the significant accomplishments of individual family members cannot be documented. In cases where a succession of family members have lived in a house and collectively have had a demonstrably significant impact on the community, as a family, the house is more likely to be significant under Criterion A for association with a pattern of events.

ASSOCIATION WITH LIVING PERSONS

Properties associated with living persons are usually not eligible for inclusion in the National Register. Sufficient time must have elapsed to assess both the person's field of endeavor and his/her contribution to that field. Generally, the person's active participation in the endeavor must be finished for this historic perspective to emerge. (See Criteria Considerations C and G in *Part VII: How to Apply the Criteria Considerations*.)

ASSOCIATION WITH ARCHITECTS/ARTISANS

Architects, artisans, artists, and engineers are often represented by their works, which are eligible under Criterion C. Their homes and studios, however, can be eligible for consideration under Criterion B, because these usually are the properties with which they are most personally associated.

NATIVE AMERICAN SITES

The known major villages of individual Native Americans who were important during the contact period or later can qualify under Criterion B. As with all Criterion B properties, the individual associated with the property must have made some specific important contribution to history. Examples include sites significantly associated with Chief Joseph and Geronimo.⁷

⁷ For more information, refer to *National Register Bulletin: Guidelines for Evaluating and Documenting Traditional Cultural Properties*.

CRITERION C: DESIGN/CONSTRUCTION

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.



Richland Plantation, East Feliciana Parish, Louisiana. Properties can qualify under Criterion C as examples of high style architecture. Built in the 1830s, Richland is a fine example of a Federal style residence with a Greek Revival style portico. (Photo by Dave Gleason).

UNDERSTANDING CRITERION C: DESIGN/ CONSTRUCTION

This criterion applies to properties significant for their physical design or construction, including such elements as architecture, landscape architecture, engineering, and artwork. To be eligible under Criterion C, a property must meet *at least one* of the following requirements:

- Embody distinctive characteristics of a type, period, or method of construction.
- Represent the work of a master.
- Possess high artistic value.

- Represent a significant and distinguishable entity whose components may lack individual distinction.

The first requirement, that properties “embody the distinctive characteristics of a type, period, or method of construction,” refers to the way in which a property was conceived, designed, or fabricated by a people or culture in past periods of history. “The work of a master” refers to the technical or aesthetic achievements of an architect or craftsman. “High artistic values” concerns the expression of aesthetic ideals or preferences and applies to aesthetic achievement.

Resources “that represent a significant and distinguishable entity whose components may lack individual distinction” are called “districts.” In the Criteria for Evaluation (as published in the *Code of Federal Regulations* and reprinted here in Part II), districts are

defined within the context of Criterion C. Districts, however, can be considered for eligibility under all the Criteria, individually or in any combination, as is appropriate. For this reason, the full discussion of districts is contained in Part IV: *How to Define Categories of Historic Properties*. Throughout the bulletin, however, districts are mentioned within the context of a specific subject, such as an individual Criterion.



Grant Family House, Saco vicinity, York County, Maine. Properties possessing high artistic value meet Criterion C through the expression of aesthetic ideals or preferences. The Grant Family House, a modest Federal style residence, is significant for its remarkably well-preserved stenciled wall decorative treatment in the entry hall and parlor. Painted by an unknown artist ca. 1825, this is a fine example of 19th century New England regional artistic expression. (Photo by Kirk F. Mohney).

EXAMPLES OF PROPERTIES ASSOCIATED WITH DESIGN/CONSTRUCTION

Properties associated with design and construction:

- A house or commercial building representing a significant style of architecture.
- A designed park or garden associated with a particular landscape design philosophy.
- A movie theater embodying high artistic value in its decorative features.
- A bridge or dam representing technological advances.

APPLYING CRITERION C: DESIGN/CONSTRUCTION

DISTINCTIVE CHARACTERISTICS OF TYPE, PERIOD, AND METHOD OF CONSTRUCTION

This is the portion of Criterion C under which most properties are eligible, for it encompasses all architectural styles and construction practices. To be eligible under this portion of the Criterion, a property must clearly illustrate, through "distinctive characteristics," the following:

- The pattern of features common to a particular class of resources,
- The individuality or variation of features that occurs within the class,
- The evolution of that class, or
- The transition between classes of resources.

Distinctive Characteristics: "Distinctive characteristics" are the physical features or traits that commonly recur in individual types, periods, or methods of construction. To be eligible, a property must clearly contain enough of those characteristics to be considered a true representative of a particular type, period, or method of construction.

Characteristics can be expressed in terms such as form, proportion, structure, plan, style, or materials. They can be general, referring to ideas of design and construction such as basic plan or form, or they can be specific, referring to precise ways of combining particular kinds of materials.

Eligible

- A building eligible under the theme of Gothic Revival architecture must have the distinctive characteristics that make up the vertical and picturesque qualities of the style, such as pointed gables, steep roof pitch, board and batten siding, and ornamental bargeboard and veranda trim.
- A late Mississippian village that illustrates the important concepts in prehistoric community design and planning will qualify.
- A designed historic landscape will qualify if it reflects a historic trend or school of theory and practice, such as the City Beautiful Movement, evidencing distinguished design, layout, and the work of skilled craftsmanship.

Not Eligible

- A commercial building with some Art Deco detailing is not eligible under Criterion C if the detailing was added merely as an afterthought, rather than fully integrated with overall lines and massing typical of the Art Deco style or the transition between that and another style.
- A designed landscape that has had major changes to its historic design, vegetation, original boundary, topography/grading, architectural features, and circulation system will not qualify.

Type, Period, and Method of Construction: "Type, period, or method of construction" refers to the way certain properties are related to one another by cultural tradition or function, by dates of construction or style, or by choice or availability of materials and technology.

A structure is eligible as a specimen of its type or period of construction if it is an important example (within its context) of building practices of a particular time in history. For properties that represent the variation, evolution, or transition of construction types, it must be demonstrated that the variation, etc., was an important phase of the architectural development of the area or community in that it had an impact as evidenced by later buildings. A property is not eligible, however, simply because it has been identified as the only such property ever fabricated; it must be demonstrated to be significant as well.

Eligible

- A building that has some characteristics of the Romanesque Revival style and some characteristics of the Commercial style can qualify if it illustrates the transition of architectural design and the transition itself is considered an important architectural development.
- A Hopewellian mound, if it is an important example of mound building construction techniques, would qualify as a method or type of construction.
- A building which illustrates the early or the developing technology of particular structural systems, such as skeletal steel framing, is eligible as an example of a particular method of construction.



Swan Falls Dam and Power Plant, Murphy vicinity, Ada County, Idaho. Significant works of engineering can qualify under Criterion C. Built between 1900-1907 the Swan Falls Dam and Power Plant across the Snake River is one of the early hydroelectric plants in the State of Idaho. (Photo by H.L. Hough).



Looney House, Asheville vicinity, St. Clair County, Alabama. Examples of vernacular styles of architecture can qualify under Criterion C. Built ca. 1818, the Looney House is significant as possibly the State's oldest extant two-story dogtrot type of dwelling. The defining open center passage of the dogtrot was a regional building response to the southern climate. (Photo by Carolyn Scott).

HISTORIC ADAPTATION OF THE ORIGINAL PROPERTY

A property can be significant not only for the way it was originally constructed or crafted, but also for the way it was adapted at a later period, or for the way it illustrates changing tastes, attitudes, and uses over a period of time.

A district is eligible under this guideline if it illustrates the evolution of historic character of a place over a particular span of time.

Eligible

- A Native American irrigation system modified for use by Europeans could be eligible if it illustrates the technology of either or both periods of construction.
- An early 19th century farmhouse modified in the 1880s with Queen Anne style ornamentation could be significant for the modification itself, if it represented a local variation or significant trend in building construction or remodeling, was the work of a local master (see *Works of a Master* on page 20), or reflected the tastes of an important person associated with the property at the time of its alteration.
- A district encompassing the commercial development of a town between 1820 and 1910, characterized by buildings of various styles and eras, can be eligible.

WORKS OF A MASTER

A master is a figure of generally recognized greatness in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality. The property must express a particular phase in the development of the master's career, an aspect of his or her work, or a particular idea or theme in his or her craft.

A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect. For example, not every building designed by Frank Lloyd Wright is eligible under this portion of Criterion C, although it might meet other portions of the Criterion, for instance as a representative of the Prairie style.

The work of an unidentified craftsman is eligible if it rises above the level of workmanship of the other properties encompassed by the historic context.

PROPERTIES POSSESSING HIGH ARTISTIC VALUES

High artistic values may be expressed in many ways, including areas as diverse as community design or planning, engineering, and sculpture. A property is eligible for its high artistic values if it so fully articulates a particular concept of design that it expresses an aesthetic ideal. A property is not eligible, however, if it does not express aesthetic ideals or design concepts more fully than other properties of its type.

Eligible

- A sculpture in a town square that epitomizes the design principles of the Art Deco style is eligible.
- A building that is a classic expression of the design theories of the Craftsman Style, such as carefully detailed handwork, is eligible.
- A landscaped park that synthesizes early 20th century principles of landscape architecture and expresses an aesthetic ideal of environment can be eligible.
- Properties that are important representatives of the aesthetic values of a cultural group, such as petroglyphs and ground drawings by Native Americans, are eligible.

Not Eligible

- A sculpture in a town square that is a typical example of sculpture design during its period would not qualify for high artistic value, although it might be eligible if it were significant for other reasons.
- A building that is a modest example (within its historic context) of the Craftsman Style of architecture, or a landscaped park that is characteristic of turn of the century landscape design would not qualify for high artistic value.

A Significant and Distinguishable Entity Whose Components May Lack Individual Distinction. This portion of Criterion C refers to districts. For detailed information on districts, refer to *Part IV* of this bulletin.

CRITERION D: INFORMATION POTENTIAL

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

UNDERSTANDING CRITERION D: INFORMATION POTENTIAL

Certain important research questions about human history can only be answered by the actual physical material of cultural resources. Criterion D encompasses the properties that have the potential to answer, in whole or in part, those types of research questions. The most common type of property nominated under this Criterion is the archeological site (or a district comprised of archeological sites). Buildings, objects, and structures (or districts comprised of these property types), however, can also be eligible for their information potential.

Criterion D has two requirements, which must *both* be met for a property to qualify:

- The property must have, or have had, information to contribute to our understanding of human history or prehistory, and
- The information must be considered important.

Under the first of these requirements, a property is eligible if it has been used as a source of data and contains more, as yet unretrieved data. A property is also eligible if it has not yet yielded information but, through testing or research, is determined a likely source of data.

Under the second requirement, the information must be carefully evaluated within an appropriate context to determine its importance. Information is considered “important” when it is shown to have a significant bearing on a research design that addresses such areas as: 1) current

data gaps or alternative theories that challenge existing ones or 2) priority areas identified under a State or Federal agency management plan.

APPLYING CRITERION D: INFORMATION POTENTIAL

ARCHEOLOGICAL SITES

Criterion D most commonly applies to properties that contain or are likely to contain information bearing on an important archeological research question. The property must have characteristics suggesting the likelihood that it possesses configurations of artifacts, soil strata, structural remains, or other natural or cultural features that make it possible to do the following:

- Test a hypothesis or hypotheses about events, groups, or processes in the past that bear on important research questions in the social or natural sciences or the humanities; or
- Corroborate or amplify currently available information suggesting that a hypothesis is either true or false; or
- Reconstruct the sequence of archeological cultures for the purpose of identifying and explaining continuities and discontinuities in the archeological record for a particular area.

BUILDINGS, STRUCTURES, AND OBJECTS

While most often applied to archeological districts and sites, Criterion D can also apply to buildings, structures, and objects that contain important information. In order for these types of properties to be eligible under Criterion D, they themselves must be, or must have been, the principal source of the important information.

Eligible

- A building exhibiting a local variation on a standard design or construction technique can be eligible if study could yield important information, such as how local availability of materials or construction expertise affected the evolution of local building development.

Not Eligible

- The ruins of a hacienda once contained murals that have since been destroyed. Historical documentation, however, indicates that the murals were significant for their highly unusual design. The ruins can not be eligible under Criterion D for the importance of the destroyed murals if the information is contained only in the documentation.



Criterion D - Champe-Fremont 1 Archeological Site, Omaha vicinity, Douglas County, Nebraska. This archeological site, dating from ca. 1100-1450 A.D., consists of pit houses and storage pits which have the potential to yield important information concerning the subsistence patterns, religious and mortuary practices, and social organization of the prehistoric residents of eastern Nebraska. (Nebraska State Historical Society)

ASSOCIATION WITH HUMAN ACTIVITY

A property must be associated with *human activity* and be critical for understanding a site's historic environment in order to be eligible under Criterion D. A property can be linked to human activity through events, processes, institutions, design, construction, settlement, migration, ideals, beliefs, lifeways, and other facets of the development or maintenance of cultural systems.

The natural environment associated with the properties was often very different from that of the present and strongly influenced cultural development. Aspects of the environment that are pertinent to human activities should be considered when evaluating properties under Criterion D.

Natural features and paleontological (floral and faunal) sites are not usually eligible under Criterion D in and of themselves. They can be eligible, however, if they are either directly related to human activity or critical to understanding a site's historic environment. In a few cases, a natural feature or site unmarked by cultural materials, that is primarily eligible under Criterion A, may also be eligible under Criterion D, if study of the feature, or its location, setting, etc. (usually in the context of data gained from other sources), will yield important information about the event or period with which it is associated.

ESTABLISHING A HISTORIC CONTEXT

The information that a property yields, or will yield, must be evaluated within an appropriate historic context. This will entail consulting the body of information already collected from similar properties or other pertinent sources, including modern and historic written records. The researcher must be able to anticipate if and how the potential information will affect the definition of the context. The information likely to be obtained from a particular property must confirm, refute, or supplement in an important way existing information.

A property is *not* eligible if it cannot be related to a particular time period or cultural group and, as a result, lacks any historic context within which to evaluate the importance of the information to be gained.

DEVELOPING RESEARCH QUESTIONS

Having established the importance of the information that may be recovered, it is necessary to be explicit in demonstrating the connection between the important information and a specific property. One approach is to determine if specific important research questions can be answered by the data contained in the

property. Research questions can be related to property-specific issues, to broader questions about a large geographic area, or to theoretical issues independent of any particular geographic location. These questions may be derived from the academic community or from preservation programs at the local, regional, State, or national level. Research questions are usually developed as part of a "research design," which specifies not only the questions to be asked, but also the types of data needed to supply the answers, and often the techniques needed to recover the data.

Eligible

- When a site consisting of a village occupation with midden deposits, hearths, ceramics, and stratified evidence of several occupations is being evaluated, three possible research topics could be: 1) the question of whether the site occupants were indigenous to the area prior to the time of occupation or recent arrivals, 2) the investigation of the settlement-subsistence pattern of the occupants, 3) the question of whether the region was a center for the domestication of plants. Specific questions could include: A) Do the deposits show a sequential development or sudden introduction of Ceramic Type X? B) Do the dates of the occupations fit our expectations based on the current model for the reoccupation behavior of slash-and-burn agriculturalists? C) Can any genetic changes in the food plant remains be detected?

Not Eligible

- A property is not eligible if so little can be understood about it that it is not possible to determine if specific important research questions can be answered by data contained in the property.

ESTABLISHING THE PRESENCE OF ADEQUATE DATA

To support the assertion that a property has the data necessary to provide the important information, the property should be investigated with techniques sufficient to establish the presence of relevant data categories. What constitutes appropriate investigation techniques would depend upon specific circumstances including the property's location, condition, and the research questions being addressed, and could range from surface survey (or photographic survey for buildings), to the application of remote sensing techniques or intensive subsurface testing. Justification of the research potential of a property may be based on analogy to another better known property if sufficient similarities exist to establish the appropriateness of the analogy.

Eligible

- Data requirements depend on the specific research topics and questions to be addressed. To continue the example in "Developing Research Questions" above, we might want to ascertain the following with reference to questions A, B, and C: A) The site contains Ceramic Type X in one or more occupation levels and we expect to be able to document the local evaluation of the type or its intrusive nature. B) The hearths contain datable carbon deposits and are associated with more than one occupation. C) The midden deposits show good floral/faunal preservation, and we know enough about the physical evolution of food plants to interpret signs that suggest domestication.

Not Eligible

- Generally, if the applicable research design requires clearly stratified deposits, then subsurface investigation techniques must be applied. A site composed only of surface materials can not be eligible for its potential to yield information that could only be found in stratified deposits.

INTEGRITY

The assessment of integrity for properties considered for information potential depends on the data requirements of the applicable research design. A property possessing information potential does not need to recall *visually* an event, person, process, or construction technique. It is important that the significant data contained in the property remain sufficiently intact to yield the expected important information, if the appropriate study techniques are employed.

Eligible

- An irrigation system significant for the information it will yield on early engineering practices can still be eligible even though it is now filled in and no longer retains the appearance of an open canal.

Not Eligible

- A plowed archeological site contains several superimposed components that have been mixed to the extent that artifact assemblages cannot be reconstructed. The site cannot be eligible if the data requirements of the research design call for the study of artifacts specific to one component.

PARTLY EXCAVATED OR DISTURBED PROPERTIES

The current existence of appropriate physical remains must be ascertained in considering a property's ability to yield important information. Properties that have been partly excavated or otherwise disturbed and that are being considered for their potential to yield additional important information must be shown to retain that potential in their remaining portions.

Eligible

- A site that has been partially excavated but still retains substantial intact deposits (or a site in which the remaining deposits are small but contain critical information on a topic that is not well known) is eligible.

Not Eligible

- A totally collected surface site or a completely excavated buried site is not eligible since the physical remains capable of yielding important information no longer exist at the site. (See *Completely Excavated Sites*, on page 24, for exception.) Likewise, a site that has been looted or otherwise disturbed to the extent that the remaining cultural materials have lost their important depositional context (horizontal or vertical location of deposits) is not eligible.
- A reconstructed mound or other reconstructed site will generally not be considered eligible, because original cultural materials or context or both have been lost.

COMPLETELY EXCAVATED SITES

Properties that have yielded important information in the past and that no longer retain additional research potential (such as completely excavated archeological sites) must be assessed essentially as historic sites under Criterion A. Such sites must be significant for associative values related to: 1) the importance of the data gained or 2) the impact of the property's role in the history of the development of anthropology/ archeology or other relevant disciplines. Like other historic properties, the site must retain the ability to convey its association as the former repository of important information, the location of historic events, or the representative of important trends.

Eligible

- A property that has been excavated is eligible if the data recovered was of such importance that it influenced the direction of research in the discipline, as in a site that clearly established the antiquity of the human occupation of the New World. (See Criterion A in *Part VI: How to Identify the Type of Significance of a Property* and *Criteria Consideration G* in *Part VII: How to Apply the Criteria Considerations*.)

Not Eligible

- A totally excavated site that at one time yielded important information but that no longer can convey either its historic/ prehistoric utilization or significant modern investigation is not eligible.

VII. HOW TO APPLY THE CRITERIA CONSIDERATIONS

INTRODUCTION

Certain kinds of properties are not usually considered for listing in the National Register: religious properties, moved properties, birthplaces and graves, cemeteries, reconstructed properties, commemorative properties, and properties achieving significance within the past fifty years. These properties *can* be eligible for listing, however, if they meet special requirements, called Criteria Considerations, in addition to meeting the regular requirements (that is, being eligible under one or more of the four Criteria and possessing integrity). *Part VII* provides guidelines for determining which properties must meet these special requirements and for applying each Criteria Consideration.

The Criteria Considerations need to be applied only to *individual* properties. Components of eligible districts do not have to meet the special requirements unless they make up the majority of the district or are the focal point of the district. These are the general steps to follow when applying the Criteria Considerations to your property:

- Before looking at the Criteria Considerations, make sure your property meets one or more of the four Criteria for Evaluation and possesses integrity.
- If it does, check the Criteria Considerations (next column) to see if

the property is of a type that is usually excluded from the National Register. The sections that follow also list specific examples of properties of each type. If your property clearly *does not* fit one of these types, then it does not need to meet any special requirements.

- If your property *does* fit one of these types, then it must meet the special requirements stipulated for that type in the Criteria Considerations.

CRITERIA CONSIDERATIONS*

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or

b. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

c. a birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or

d. a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, from association with historic events; or

e. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

f. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,

g. a property achieving significance within the past 50 years if it is of exceptional importance.

*The Criteria Considerations are taken from the Criteria for Evaluation, found in the *Code of Federal Regulations, Title 36, Part 60*.

CRITERIA CONSIDERATION A: RELIGIOUS PROPERTIES

A religious property is eligible if it derives its primary significance from architectural or artistic distinction or historical importance.

UNDERSTANDING CRITERIA CONSIDERATION A: RELIGIOUS PROPERTIES

A religious property requires justification on architectural, artistic, or historic grounds to avoid any appearance of judgment by government about the validity of any religion or belief. Historic significance for a religious property cannot be established on the merits of a religious doctrine, but rather, for architectural or artistic values or for important historic or cultural forces that the property represents. A religious property's significance under Criterion A, B, C, or D must be judged in purely secular terms. A religious group may, in some cases, be considered a cultural group whose activities are significant in areas broader than religious history.

Criteria Consideration for Religious Properties applies:

- If the resource was constructed by a religious institution.
- If the resource is presently owned by a religious institution or is used for religious purposes.
- If the resource was owned by a religious institution or used for religious purposes during its Period of Significance.
- If Religion is selected as an Area of Significance.

Examples of Properties that MUST Meet Criteria Consideration A: Religious Properties

- A historic church where an important non-religious event occurred, such as a speech by Patrick Henry.
- A historic synagogue that is significant for architecture.
- A private residence is the site of a meeting important to religious history.
- A commercial block that is currently owned as an investment property by a religious institution.
- A historic district in which religion was either a predominant or significant function during the period of significance.

Example of Properties that DO NOT Need to Meet Criteria Consideration A: Religious Properties

- A residential or commercial district that currently contains a small number of churches that are not a predominant feature of the district.
- A town meeting hall that serves as the center of community activity and houses a wide variety of public and private meetings, including religious service. The resource is significant for architecture and politics, and the religious function is incidental.
- A town hall, significant for politics from 1875 to 1925, that housed religious services during the 1950s. Since the religious function occurred after the Period of Significance, the Criteria Consideration does not apply.

APPLYING CRITERIA CONSIDERATION A: RELIGIOUS PROPERTIES

ELIGIBILITY FOR HISTORIC EVENTS

A religious property can be eligible under Criterion A for any of three reasons:

- It is significant under a theme in the history of religion having secular scholarly recognition; or
- It is significant under another historical theme, such as exploration, settlement, social philanthropy, or education; or
- It is significantly associated with traditional cultural values.

RELIGIOUS HISTORY

A religious property can be eligible if it is directly associated with either a specific event or a broad pattern in the history of religion.

Eligible

- The site of a convention at which a significant denominational split occurred meets the requirements of Criteria Consideration A. Also eligible is a property that illustrates the broad impact of a religious institution on the history of a local area.

Not Eligible

- A religious property cannot be eligible simply because was the place of religious services for a community, or was the oldest structure used by a religious group in a local area.

OTHER HISTORICAL THEMES

A religious property can be eligible if it is directly associated with either a specific event or a broad pattern that is significant in another historic context. A religious property would also qualify if it were significant for its associations that illustrate the importance of a particular religious group in the social, cultural, economic, or political history of the area. Eligibility depends on the importance of the event or broad pattern and the role of the specific property.

Eligible

- A religious property can qualify for its important role as a temporary hospital during the Revolutionary War, or if its school was significant in the history of education in the community.

Not Eligible

- A religious property is not significant in the history of education in a community simply because it had occasionally served as a school.

TRADITIONAL CULTURAL VALUES

When evaluating properties associated with traditional cultures, it is important to recognize that often these cultures do not make clear distinctions between what is secular and what is sacred. Criteria Consideration A is not intended to exclude traditional cultural resources merely because they have religious uses or are considered sacred. A property or natural feature important to a traditional culture's religion and mythology is eligible if its importance has been ethnohistorically documented and if the site can be clearly defined. It is critical, however, that the activities be documented and that the associations not be so diffuse that the physical resource cannot be adequately defined.⁸

Eligible

- A specific location or natural feature that an Indian tribe believes to be its place of origin and that is adequately documented qualifies under Criteria Consideration A.

ELIGIBILITY FOR HISTORIC PERSONS

A religious property can be eligible for association with a person important in religious history, if that significance has scholarly, secular recognition or is important in other historic contexts. Individuals who would likely be considered significant are those who formed or significantly influenced an important religious institution or movement, or who were important in the social, economic, or political history of the area. Properties associated with individuals important only within the context of a single congregation and lacking importance in any other historic context would not be eligible under Criterion B.

Eligible

- A religious property strongly associated with a religious leader, such as George Whitefield or Joseph Smith, is eligible.

⁸ For more information on applying Criteria Consideration A to traditional cultural properties, refer to *National Register Bulletin: Guidelines for Evaluating and Documenting Traditional Cultural Properties*.

ELIGIBILITY FOR ARCHITECTURAL OR ARTISTIC DISTINCTION

A religious property significant for its architectural design or construction should be evaluated as are other properties under Criterion C; that is, it should be evaluated within an established architectural context and, if necessary, compared to other properties of its type, period, or method of construction. (See "Comparing Related Properties" in Part V: *How to Evaluate a Property Within Its Historic Context*.)

Eligible

- A historic camp meeting district that meets the requirements of Criterion C for its significance as a type of construction is eligible.

ELIGIBILITY FOR INFORMATION POTENTIAL

A religious property, whether a district, site, building, structure, or object, is eligible if it can yield important information about the religious practices of a cultural group or other historic themes. This kind of property should be evaluated as are other properties under Criterion D, in relation to similar properties, other information sources, and existing data gaps.

Eligible

- A 19th century camp meeting site that could provide information about the length and intensity of site use during revivals of the Second Great Awakening is eligible.
- Rock cairns or medicine wheels that had a historic religious mythological function and can provide information about specific cultural beliefs are eligible.

ABILITY TO REFLECT HISTORIC ASSOCIATIONS

As with all eligible properties, religious properties must physically represent the period of time for which they are significant. For instance, a recent building that houses an older congregation cannot qualify based on the historic activities of the group because the current building does not convey the earlier history. Likewise, an older building that housed the historic activities of the congregation is eligible if it still physically represents the period of the congregation's significance. However, if an older building has been remodeled to the extent that its appearance dates from the time of the remodeling, it can only be eligible if the period of significance corresponds with the period of the alterations.

Eligible

- A church built in the 18th century and altered beyond recognition in the 19th century is eligible only if the additions are important in themselves as an example of late 19th century architecture or as a reflection of an important period of the congregation's growth.

Not Eligible

- A synagogue built in the 1920s cannot be eligible for the important activities of its congregation in the 18th and 19th centuries. It can only be eligible for significance obtained after its construction date.
- A rural 19th century frame church recently sheathed in brick is not eligible because it has lost its characteristic appearance and therefore can no longer convey its 19th century significance, either for architectural value or historic association.



Criteria Consideration A - Religious Properties. A religious property can qualify as an exception to the Criteria if it is architecturally significant. *The Church of the Navity* in Rosedale, Iberville Parish, Louisiana, qualified as a rare example in the State of a 19th century small frame Gothic Revival style chapel. (Robert Obier)

CRITERIA CONSIDERATION B: MOVED PROPERTIES

A property removed from its original or historically significant location can be eligible if it is significant primarily for architectural value or it is the surviving property most importantly associated with a historic person or event.

UNDERSTANDING CRITERIA CONSIDERATION B: MOVED PROPERTIES

The National Register criteria limit the consideration of moved properties because significance is embodied in locations and settings as well as in the properties themselves. Moving a property destroys the relationships between the property and its surroundings and destroys associations with historic events and persons. A move may also cause the loss of historic features such as landscaping, foundations, and chimneys, as well as loss of the potential for associated archeological deposits. Properties that were moved *before* their period of significance do not need to meet the special requirements of Criteria Consideration B.

One of the basic purposes of the National Register is to encourage the preservation of historic properties as living parts of their communities. In keeping with this purpose, it is not usual to list artificial groupings of buildings that have been created for purposes of interpretation, protection, or maintenance. Moving buildings to such a grouping destroys the integrity of location and setting, and can create a false sense of historic development.

APPLYING CRITERIA CONSIDERATION B: MOVED PROPERTIES

ELIGIBILITY FOR ARCHITECTURAL VALUE

A moved property significant under Criterion C must retain enough historic features to convey its architectural values and retain integrity of design, materials, workmanship, feeling, and association.

Examples of Properties that MUST Meet Criteria Consideration B: Moved Properties

- A resource moved from one location on its original site to another location on the property, during or after its Period of Significance.
- A district in which a significant number of resources have been moved from their original location.
- A district which has one moved building that makes an especially significant contribution to the district.
- A portable resource, such as a ship or railroad car, that is relocated to a place incompatible with its original function.
- A portable resource, such as a ship or railroad car, whose importance is critically linked to its historic location or route and that is moved.

Examples of Properties that DO NOT Need to Meet Criteria Consideration B: Moved Properties

- A property that is moved prior to its Period of Significance.
- A district in which only a small percentage of typical buildings in a district are moved.
- A moved building that is part of a complex but is of less significance than the remaining (unmoved) buildings.
- A portable resource, such as a ship or railroad car, that is eligible under Criterion C and is moved within its natural setting (water, rails, etc.).
- A property that is raised or lowered on its foundations.

ELIGIBILITY FOR HISTORIC ASSOCIATIONS

A moved property significant under Criteria A or B must be demonstrated to be the surviving property most importantly associated with a particular historic event or an important aspect of a historic person's life. The phrase "most importantly associated" means that it must be the single surviving property that is most closely associated with the event or with the part of the person's life for which he or she is significant.

Eligible

- A moved building occupied by an business woman during the majority of her productive career would be eligible if the other extant properties are a house she briefly inhabited prior to her period of significance and a commercial building she owned after her retirement.

Not Eligible

- A moved building associated with the beginning of rail transportation in a community is not eligible if the original railroad station and warehouse remained intact on their original sites.

SETTING AND ENVIRONMENT

In addition to the requirements above, moved properties must still have an orientation, setting, and general environment that are comparable to those of the historic location and that are compatible with the property's significance.

Eligible

- A property significant as an example of mid-19th century rural house type can be eligible after a move, provided that it is placed on a lot that is sufficient in size and character to recall the basic qualities of the historic environment and setting, and provided that the building is sited appropriately in relation to natural and manmade surroundings.

Not Eligible

- A rural house that is moved into an urban area and a bridge that is no longer situated over a waterway are not eligible.

ASSOCIATION DEPENDENT ON THE SITE

For a property whose design values or historical associations are directly dependent on its location, any move will cause the property to lose its integrity and prevent it from conveying its significance.

Eligible

- A farm structure significant only as an example of a method of construction peculiar to the local area is still eligible if it is moved within that local area and the new setting is similar to that of the original location.

Not Eligible

- A 19th century rural residence that was designed around particular topographic features, reflecting that time period's ideals of environment, is not eligible if moved.

PROPERTIES DESIGNED TO BE MOVED

A property designed to move or a property frequently moved during its historic use must be located in a historically appropriate setting in order to qualify, retaining its integrity of setting, design, feeling, and association. Such properties include automobiles, railroad cars and engines, and ships.

Eligible

- A ship docked in a harbor, a locomotive on tracks or in a railyard, and a bridge relocated from one body of water to another are eligible.

Not Eligible

- A ship on land in a park, a bridge placed in a pasture, or a locomotive displayed in an indoor museum are not eligible.

ARTIFICIALLY CREATED GROUPINGS

An artificially created grouping of buildings, structures, or objects is not eligible unless it has achieved significance since the time of its assemblage. It cannot be considered as a reflection of the time period when the individual buildings were constructed.

Eligible

- A grouping of moved historic buildings whose creation marked the beginning of a major concern with past lifestyles can qualify as an early attempt at historic preservation and as an illustration of that generation's values.

Not Eligible

- A rural district composed of a farmhouse on its original site and a grouping of historic barns recently moved onto the property is not eligible.

PORTIONS OF PROPERTIES

A moved *portion* of a building, structure, or object is not eligible because, as a fragment of a larger resource, it has lost integrity of design, setting, materials, workmanship, and location.

CRITERIA CONSIDERATION C: BIRTHPLACES OR GRAVES

A birthplace or grave of a historical figure is eligible if the person is of outstanding importance and if there is no other appropriate site or building directly associated with his or her productive life.

UNDERSTANDING CRITERIA CONSIDERATION C: BIRTHPLACES AND GRAVES

Birthplaces and graves often attain importance as reflections of the origins of important persons or as lasting memorials to them. The lives of persons significant in our past normally are recognized by the National Register through listing of properties illustrative of or associated with that person's productive life's work. Birthplaces and graves, as properties that represent the beginning and the end of the life of distinguished individuals, may be temporally and geographically far removed from the person's significant activities, and therefore are not usually considered eligible.

Examples of Properties that MUST Meet Criteria Consideration C: Birthplaces and Graves

- *The birthplace of a significant person who lived elsewhere during his or her Period of Significance.*
- *A grave that is nominated for its association with the significant person buried in it.*
- *A grave that is nominated for information potential.*

Examples of Properties that DO NOT Need to Meet Criteria Consideration C: Birthplaces and Graves

- *A house that was inhabited by a significant person for his or her entire lifetime.*
- *A grave located on the grounds of the house where a significant person spent his or her productive years.*

APPLYING CRITERIA CONSIDERATION C: BIRTHPLACES AND GRAVES

PERSONS OF OUTSTANDING IMPORTANCE

The phrase "a historical figure of outstanding importance" means that in order for a birthplace or grave to qualify, it cannot be simply the birthplace or grave of a person significant in our past (Criterion B). It must be the birthplace or grave of an individual who was of outstanding importance in the history of the local area, State, or nation. The birthplace or grave of an individual who was one of several people active in some aspect of the history of a community, a state, or the Nation would not be eligible.

LAST SURVIVING PROPERTY ASSOCIATED WITH A PERSON

When an geographical area strongly associated with a person of outstanding importance has lost all other properties directly associated with his or her formative years or productive life, a birthplace or grave may be eligible.

ELIGIBILITY FOR OTHER ASSOCIATIONS

A birthplace or grave can also be eligible if it is significant for reasons other than association with the productive life of the person in question. It can be eligible for significance under Criterion A for association with important events, under Criterion B for association with the productive lives of *other* important persons, or under Criterion C for architectural significance. A birthplace or grave can also be eligible in rare cases if, after the passage of time, it is significant for its commemorative value. (See Criteria Consideration F for a discussion of commemorative properties.) A birthplace or grave can also be eligible under Criterion D if it contains important information on research, e.g., demography, pathology, mortuary practices, socioeconomic status differentiation.



Criteria Consideration C - Birthplaces. *A birthplace of a historical figure is eligible if the person is of outstanding importance and there is no other appropriate site or building associated with his or her productive life. The **Walter Reed Birthplace**, Gloucester vicinity, Gloucester County, Virginia is the most appropriate remaining building associated with the life of the man who, in 1900, discovered the cause and mode of transmission of the great scourge of the tropics, yellow fever. (Virginia Historic Landmarks Commission)*

CRITERIA CONSIDERATION D: CEMETERIES

A cemetery is eligible if it derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

UNDERSTANDING CRITERIA CONSIDERATION D: CEMETERIES

A cemetery is a collection of graves that is marked by stones or other artifacts or that is unmarked but recognizable by features such as fencing or depressions, or through maps, or by means of testing. Cemeteries serve as a primary means of an individual's recognition of family history and as expressions of collective religious and/or ethnic identity. Because cemeteries may embody values beyond personal or family-specific emotions, the National Register criteria allow for listing of cemeteries under certain conditions.

Examples of Properties that MUST Meet Criteria Consideration D: Cemeteries

- A cemetery that is nominated individually for Criterion A, B, or C.

Examples of Properties that DO NOT Need to Meet Criteria Consideration D: Cemeteries

- A cemetery that is nominated along with its associated church, but the church is the main resource nominated.
- A cemetery that is nominated under Criterion D for information potential.
- A cemetery that is nominated as part of a district but is not the focal point of the district.

APPLYING CRITERIA CONSIDERATION D: CEMETERIES

PERSONS OF TRANSCENDENT IMPORTANCE

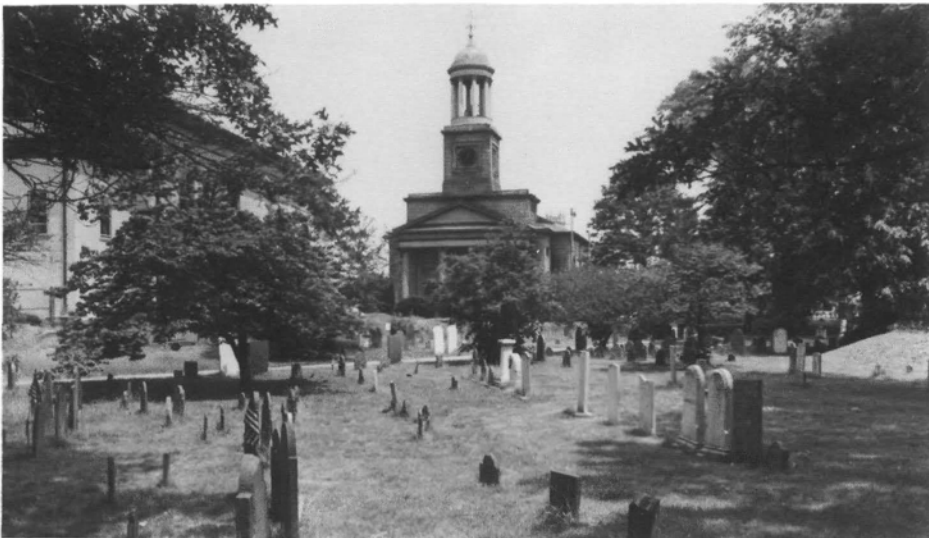
A cemetery containing the graves of persons of transcendent importance may be eligible. To be of transcendent importance the persons must have been of great eminence in their fields of endeavor or had a great impact upon the history of their community, State, or nation. (A single grave that is the burial place of an important person and is located in a larger cemetery that does not qualify under this Criteria Consideration should be treated under Criteria Consideration C: Birthplaces and Graves.)

Eligible

- A historic cemetery containing the graves of a number of persons who were exceptionally significant in determining the course of a State's political or economic history during a particular period is eligible.

Not Eligible

- A cemetery containing graves of State legislators is not eligible if they simply performed the daily business of State government and did not have an outstanding impact upon the nature and direction of the State's history.



Criteria Consideration D - Cemeteries. *The Hancock Cemetery, Quincy, Norfolk County, Massachusetts meets the exception to the Criteria because it derives its primary significance from its great age (the earliest burials date from 1640) and from the distinctive design features found in its rich collection of late 17th and early 18th century funerary art. (N. Hobart Holly)*

ELIGIBILITY ON THE BASIS OF AGE

Cemeteries can be eligible if they have achieved historic significance for their relative great age in a particular geographic or cultural context.

Eligible

- A cemetery dating from a community's original 1830s settlement can attain significance from its association with that very early period.

ELIGIBILITY FOR DESIGN

Cemeteries can qualify on the basis of distinctive design values. These values refer to the same design values addressed in Criterion C and can include aesthetic or technological achievement in the fields of city planning, architecture, landscape architecture, engineering, mortuary art, and sculpture. As for all other nominated properties, a cemetery must clearly express its design values and be able to convey its historic appearance.

Eligible

- A Victorian cemetery is eligible if it clearly expresses the aesthetic principles related to funerary design for that period, through such features as the overall plan, landscaping, statuary, sculpture, fencing, buildings, and grave markers.

Not Eligible

- A cemetery cannot be eligible for design values if it no longer conveys its historic appearance because of the introduction of new grave markers.

ELIGIBILITY FOR ASSOCIATION WITH EVENTS

Cemeteries may be associated with historic events including specific important events or general events that illustrate broad patterns.

Eligible

- A cemetery associated with an important Civil War battle is eligible.
- A cemetery associated with the settlement of an area by an ethnic or cultural group is eligible if the movement of the group into the area had an important impact, if other properties associated with that group are rare, and if few documentary sources have survived to provide information about the group's history.

Not Eligible

- A cemetery associated with a battle in the Civil War does not qualify if the battle was not important in the history of the war.
- A cemetery associated with an area's settlement by an ethnic or cultural group is not eligible if the impact of the group on the area cannot be established, if other extant historic properties better convey association with the group, or if the information that the cemetery can impart is available in documentary sources.

ELIGIBILITY FOR INFORMATION POTENTIAL

Cemeteries, both historic and prehistoric, can be eligible if they have the potential to yield important information. The information must be important within a specific context and the potential to yield information must be demonstrated.

A cemetery can qualify if it has potential to yield important information provided that the information it contains is not available in extant documentary evidence.

Eligible

- A cemetery associated with the settlement of a particular cultural group will qualify if it has the potential to yield important information about subjects such as demography, variations in mortuary practices, or the study of the cause of death correlated with nutrition or other variables.

INTEGRITY

Assessing the integrity of a historic cemetery entails evaluating principal design features such as plan, grave markers, and any related elements (such as fencing). Only that portion of a historic cemetery that retains its historic integrity can be eligible. If the overall integrity has been lost because of the number and size of recent grave markers, some features such as buildings, structures, or objects that retain integrity may be considered as individual properties if they are of such historic or artistic importance that they individually meet one or more of the requirements listed above.

NATIONAL CEMETERIES

National Cemeteries administered by the Veterans Administration are eligible because they have been designated by Congress as primary memorials to the military history of the United States. Those areas within a designated national cemetery that have been used or prepared for the reception of the remains of veterans and their dependents, as well as any landscaped areas that immediately surround the graves may qualify. Because these cemeteries draw their significance from the presence of the remains of military personnel who have served the country throughout

its history, the age of the cemetery is not a factor in judging eligibility, although integrity must be present.

A national cemetery or a portion of a national cemetery that has only been set aside for use in the future is not eligible.

CRITERIA CONSIDERATION E: RECONSTRUCTED PROPERTIES

A reconstructed property is eligible when it is accurately executed in a suitable environment *and* presented in a dignified manner as part of a restoration master plan *and* when no other building or structure with the same associations has survived. All three of these requirements must be met.

UNDERSTANDING CRITERIA CONSIDERATION E: RECONSTRUCTED PROPERTIES

“Reconstruction” is defined as the reproduction of the exact form and detail of a vanished building, structure, object, or a part thereof, as it appeared at a specific period of time. Reconstructed buildings fall into two categories: buildings wholly constructed of new materials and buildings reassembled from some historic and some new materials. Both categories of properties present problems in meeting the integrity requirements of the National Register criteria.

Examples of Properties that MUST Meet Criteria Consideration E: Reconstructed Properties

- A property in which most or all of the fabric is not original.
- A district in which an important resource or a significant number of resources are reconstructions.

Examples of Properties that DO NOT Need to Meet Criteria Consideration E: Reconstructed Properties

- A property that is remodeled or renovated and still has the majority of its original fabric.

APPLYING CRITERIA CONSIDERATION E: RECONSTRUCTED PROPERTIES

ACCURACY OF THE RECONSTRUCTION

The phrase “accurately executed” means that the reconstruction must be based upon sound archeological, architectural, and historic data concerning the historic construction and appearance of the resource. That documentation should include both analysis of any above or below ground material and research in written and other records.

SUITABLE ENVIRONMENT

The phrase “suitable environment” refers to: 1) the physical context provided by the historic district and 2) any interpretive scheme, if the historic district is used for interpretive purposes. This means that the reconstructed property must be located at the same site as the original. It must also be situated in its original grouping of buildings, structures, and objects (as many as are extant), and that grouping must retain integrity. In addition, the reconstruction must not be misrepresented as an authentic historic property.

Eligible

- A reconstructed plantation manager’s office building is considered eligible because it is located at its historic site, grouped with the remaining historic plantation buildings and structures, and the plantation as a whole retains integrity. Interpretation of the plantation district includes an explanation that the manager’s office is not the original building, but a reconstruction.

Not Eligible

- The same reconstructed plantation manager’s office building would not qualify if it were rebuilt at a location different from that of the original building, or if the district as a whole no longer reflected the period for which it is significant, or if a misleading interpretive scheme were used for the district or for the reconstruction itself.

RESTORATION MASTER PLANS

Being presented “as part of a restoration master plan” means that: 1) a reconstructed property is an essential component in a historic district and 2) the reconstruction is part of an overall restoration plan for an entire district. “Restoration” is defined as accurately recovering the form and details of a property and its setting as it appeared at a particular period by removing later work or by replacing missing earlier work (as opposed to completely rebuilding the property). The master plan for the entire property must emphasize restoration, not reconstruction. In other words, the master plan for the entire resource would not be acceptable under this consideration if it called for reconstruction of a majority of the resource.

LAST SURVIVING PROPERTY OF A TYPE

This consideration also stipulates that a reconstruction can qualify if, in addition to the other requirements, no other building, object, or structure with the same association has survived. A reconstruction that is part of a restoration master plan is appropriate only if: 1) the property is the only one in the district with which a particular important activity or event has been historically associated or 2) no other property with the same associative values has survived.

RECONSTRUCTIONS OLDER THAN FIFTY YEARS

After the passage of fifty years, a reconstruction may attain its own significance for what it reveals about the period in which it was built, rather than the historic period it was intended to depict. On that basis, a reconstruction can possibly qualify under any of the Criteria.

Eligible

- A reconstructed plantation manager’s office is eligible if the office were an important component of the plantation *and* if the reconstruction is one element in an overall plan for restoring the plantation *and* if no other building or structure with the same associations has survived.
- The reconstruction of the plantation manager’s office building can be eligible only if the majority of buildings, structures, and objects that comprised the plantation are extant and are being restored. For guidance regarding restoration see the *Secretary of the Interior’s Standards for Historic Preservation Projects*.

CRITERIA CONSIDERATION F: COMMEMORATIVE PROPERTIES

A property primarily commemorative in intent can be eligible if design, age, tradition, or symbolic value has invested it with its own historical significance.

UNDERSTANDING CRITERIA CONSIDERATION F: COMMEMORATIVE PROPERTIES

Commemorative properties are designed or constructed after the occurrence of an important historic event or after the life of an important person. They are not directly associated with the event or with the person's productive life, but serve as evidence of a later generation's assessment of the past. Their significance comes from their value as cultural expressions at the date of their creation. Therefore, a commemorative property generally must be over fifty years old and must possess significance based on its own value, not on the value of the event or person being memorialized.

Examples of Properties that MUST Meet Criteria Consideration F: Commemorative Properties

- *A property whose sole or primary function is commemorative or in which the commemorative function is of primary significance.*

Examples of Properties that DO NOT Need to Meet Criteria Consideration F: Commemorative Properties

- *A resource that has a non-commemorative primary function or significance.*
- *A single marker that is a component of a district (whether contributing or non-contributing).*

APPLYING CRITERIA CONSIDERATION F: COMMEMORATIVE PROPERTIES

ELIGIBILITY FOR DESIGN

A commemorative property derives its design from the aesthetic values of the period of its creation. A commemorative property, therefore, may be significant for the architectural, artistic, or other design qualities of its own period in prehistory or history.

Eligible

- A commemorative statue situated in a park or square is eligible if it expresses the aesthetics or craftsmanship of the period when it was made, meeting Criterion C.
- A late 19th century statue erected on a courthouse square to commemorate Civil War veterans would qualify if it reflects that era's shared perception of the noble character and valor of the veterans and their cause. This was commonly conveyed by portraying idealized soldiers or allegorical figures of battle, victory, or sacrifice.

ELIGIBILITY FOR AGE, TRADITION, OR SYMBOLIC VALUE

A commemorative property cannot qualify for association with the event or person it memorializes. A commemorative property may, however, acquire significance after the time of its creation through *age*, *tradition*, or *symbolic* value. This significance must be documented by accepted methods of historical research, including written or oral history, and must meet one or more of the Criteria.

Eligible

- A commemorative marker erected by a cultural group that believed the place was the site of its origins is eligible if, for subsequent generations of the group, the marker itself became the focus of traditional association with the group's historic identity.
- A building erected as a monument to an important historical figure will qualify if through the passage of time the property itself has come to symbolize the value placed upon the individual and is widely recognized as a reminder of enduring principles or contributions valued by the generation that erected the monument.
- A commemorative marker erected early in the settlement or development of an area will qualify if it is demonstrated that, because of its relative great age, the property has long been a part of the historic identity of the area.

Not Eligible

- A commemorative marker erected in the past by a cultural group at the site of an event in its history would not be eligible if the marker were significant only for association with the event, and it had not become significant itself through tradition.
- A building erected as a monument to an important historical figure would not be eligible if its only value lay in its association with the individual, and it has not come to symbolize values, ideas, or contributions valued by the generation that erected the monument.
- A commemorative marker erected to memorialize an event in the community's history would not qualify simply for its association with the event it memorialized.

INELIGIBILITY AS THE LAST REPRESENTATIVE OF AN EVENT OR PERSON

The loss of properties directly associated with a significant event or person does not strengthen the case for consideration of a commemorative property. Unlike birthplaces and graves, a commemorative property usually has no direct historic association. The commemorative property can qualify for historic association only if it is clearly significant in its own right, as stipulated above.

CRITERIA CONSIDERATION G: PROPERTIES THAT HAVE ACHIEVED SIGNIFICANCE WITHIN THE LAST FIFTY YEARS⁹

A property achieving significance within the last fifty years is eligible if it is of exceptional importance.

UNDERSTANDING CRITERIA CONSIDERATION G: PROPERTIES THAT HAVE ACHIEVED SIGNIFICANCE WITHIN THE LAST FIFTY YEARS

The National Register Criteria for Evaluation exclude properties that achieved significance within the last fifty years unless they are of exceptional importance. Fifty years is a general estimate of the time needed to develop historical perspective and to evaluate significance. This consideration guards against the listing of properties of passing contemporary interest and ensures that the National Register is a list of truly historic places.

Examples of Properties that MUST Meet Criteria Consideration G: Properties that Have Achieved Significance Within the Last Fifty Years

- A property that is less than fifty years old.
- A property that continues to achieve significance into a period less than fifty years before the nomination.
- A property that has non-contiguous Periods of Significance, one of which is less than fifty years before the nomination.
- A property that is more than fifty years old and had no significance until a period less than fifty years before the nomination.

Examples of Properties that DO NOT Need to Meet Criteria Consideration G: Properties that Have Achieved Significance Within the Last Fifty Years

- A resource whose construction began over fifty years ago, but the completion overlaps the fifty year period by a few years or less.
- A resource that is significant for its plan or design, which is over fifty years old, but the actual completion of the project overlaps the fifty year period by a few years.
- A historic district in which a few properties are newer than fifty years old, but the majority of properties and the most important Period of Significance are greater than fifty years old.

⁹ For more information on Criteria Consideration G, refer to *National Register Bulletin: Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Last Fifty Years*.

APPLYING CRITERIA CONSIDERATION G: PROPERTIES THAT HAVE ACHIEVED SIGNIFICANCE WITHIN THE PAST FIFTY YEARS

ELIGIBILITY FOR EXCEPTIONAL IMPORTANCE

The phrase "exceptional importance" may be applied to the extraordinary importance of an event or to an entire category of resources so fragile that survivors of any age are unusual. Properties listed that had attained significance in less than fifty years include: the launch pad at Cape Canaveral from which men first traveled to the moon, the home of nationally prominent playwright Eugene O'Neill, and the Chrysler Building (New York) significant as the epitome of the "Style Moderne" architecture.

Properties less than fifty years old that qualify as exceptional because the entire category of resources is fragile include a recent example of a traditional sailing canoe in the Trust Territory of the Pacific Islands, where because of rapid deterioration of materials, no working Micronesian canoes exist that are more than twenty years old. Properties that by their nature can last more than fifty years cannot be considered exceptionally important because of the fragility of the class of resources.

The phrase "exceptional importance" does not require that the property be of national significance. It is a measure of a property's importance within the appropriate historic context, whether the scale of that context is local, State, or national.

Eligible

- The General Laundry Building in New Orleans, one of the few remaining Art Deco Style buildings in that city, was listed in the National Register when it was forty years old because of its exceptional importance as an example of that architectural style.

HISTORICAL PERSPECTIVE

A property that has achieved significance within the past fifty years can be evaluated only when sufficient historical perspective exists to determine that the property is exceptionally important. The necessary perspective can be provided by scholarly research and evaluation, and must consider both the historic context and the specific property's role in that context.

In many communities, properties such as apartment buildings built in the 1950s cannot be evaluated because there is no scholarly research available to provide an overview of the nature, role, and impact of that building type within the context of historical and architectural developments of the 1950s.

NATIONAL PARK SERVICE RUSTIC ARCHITECTURE

Properties such as structures built in a rustic style by the National Park Service during the 1930s and 1940s can be evaluated because a broad study, *National Park Service Rustic Architecture* (1977), provides the context for evaluating properties of this type and style. Specific examples were listed in the National Register prior to reaching fifty years of age when documentation concerning the individual properties established their significance within the historical and architectural context of the type and style.

VETERANS ADMINISTRATION HOSPITALS

Hospitals less than fifty years old that were constructed by the Veterans Bureau and Veterans Administration can be evaluated because the collection of forty-eight facilities built between 1920 and 1946 has been analyzed in a study prepared by the agency. The study provided a historic and architectural context for development of veteran's care within which hospitals could be evaluated. The exceptional importance of specific individual facilities constructed within the past fifty years could therefore be determined based on their role and their present integrity.

COMPARISON WITH RELATED PROPERTIES

In justifying exceptional importance, it is necessary to identify other properties within the geographical area that reflect the same significance or historic associations and to determine which properties *best* represent the historic context in question. Several properties in the area could become eligible with the passage of time, but few will qualify now as exceptionally important.

POST-WORLD WAR II PROPERTIES

Properties associated with the post-World War II era must be identified and evaluated to determine which ones in an area could be judged exceptionally important. For example, a public housing complex may be eligible as an outstanding expression of the nation's post-war urban policy. A military installation could be judged exceptionally important because of its contribution to the Cold War arms race. A church building in a Southern city may have served as the pivotal rallying point for the city's most famous civil rights protest. A post-war suburban subdivision may be the best reflection of contemporary siting and design tenets in a metropolitan area. In each case, the nomination preparer must justify the *exceptional* importance of the property relative to similar properties in the community, State, or nation.

ELIGIBILITY FOR INFORMATION POTENTIAL

A property that has achieved significance within the past fifty years can qualify under Criterion D only if it can be demonstrated that the information is of exceptional importance within the appropriate context and that the property contains data superior to or different from those obtainable from other sources, including other culturally related sites. An archeological site less than fifty years old may be eligible if the former inhabitants are so poorly documented that information about their lifeways is best obtained from examination of the material remains.

Eligible

- Data such as the rate of adoption of modern technological innovations by rural tenant farmers in the 1950s may not be obtainable through interviews with living persons but could be gained by examination of homesites.

Not Eligible

- A recent archeological site such as the remains of a Navajo sheep corral used in the 1950s would not be considered exceptionally significant for its information potential on animal husbandry if better information on the same topic is available through ethnographic studies or living informants.

HISTORIC DISTRICTS

Properties which have achieved significance within the past fifty years can be eligible for the National Register if they are an integral part of a district which qualifies for National Register listing. This is demonstrated by documenting that the property dates from within the district's defined Period of Significance and that it is associated with one or more of the district's defined Areas of Significance.

Properties less than fifty years old may be an integral part of a district when there is sufficient perspective to consider the properties as historic. This is accomplished by demonstrating that: 1) the district's Period of Significance is justified as a discrete period with a defined beginning and end, 2) the character of the district's historic resources is clearly defined and assessed, 3) specific resources in the district are demonstrated to date from that discrete era, and 4) the majority of district properties are over fifty years old. In these instances, it is not necessary to prove exceptional importance of either the district itself or the less-than-fifty-year-old properties. Exceptional importance still must be demonstrated for district where the majority of properties or the major Period of Significance is less than fifty years old, and for less-than-fifty-year-old properties which are nominated individually.

PROPERTIES MORE THAN FIFTY YEARS IN AGE, LESS THAN FIFTY YEARS IN SIGNIFICANCE

Properties that are more than fifty years old, but whose significant associations or qualities are less than fifty years old, must be treated under the fifty year consideration.

Eligible

- A building constructed early in the twentieth century (and having no architectural importance), but that was associated with an important person during the 1950s, must be evaluated under Criteria Consideration G because the Period of Significance is within the past fifty years. Such a property would qualify if the person was of exceptional importance.

REQUIREMENT TO MEET THE CRITERIA, REGARDLESS OF AGE

Properties that are less than fifty years old and are not exceptionally important will *not* automatically qualify for the National Register once they are fifty years old. In order to be listed in the National Register, all properties, regardless of age, must be demonstrated to meet the Criteria for Evaluation.

VIII. HOW TO EVALUATE THE INTEGRITY OF A PROPERTY

INTRODUCTION

Integrity is the ability of a property to convey its significance. To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance.

Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity.

To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining *which* of these aspects are most important to a particular property requires knowing why, where, and when the property is significant. The following sections define the seven aspects and explain how they combine to produce integrity.

SEVEN ASPECTS OF INTEGRITY

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association

UNDERSTANDING THE ASPECTS OF INTEGRITY

LOCATION

Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved. (See Criteria Consideration B in *Part VII: How to Apply the Criteria Considerations*, for the conditions under which a moved property can be eligible.)

DESIGN

Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials.

A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape.

Design can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts significant primarily for historic association or architectural value, design concerns more than just the individual buildings or structures located within the boundaries. It also applies to the way in which buildings, sites, or structures are related: for example, spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archeological sites.

SETTING

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the *character* of the place in which the property played its historical role. It involves *how*, not just *where*, the property is situated and its relationship to surrounding features and open space.

Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences.

The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as:

- Topographic features (a gorge or the crest of a hill);
- Vegetation;
- Simple manmade features (paths or fences); and
- Relationships between buildings and other features or open space.

These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its *surroundings*. This is particularly important for districts.

MATERIALS

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place.

A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a recreation; a

recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible. (See Criteria Consideration E in *Part VII: How to Apply the Criteria Considerations* for the conditions under which a reconstructed property can be eligible.)

WORKMANSHIP

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques.

Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery. Examples of workmanship in prehistoric contexts include Paleo-Indian clovis projectile points; Archaic period beveled adzes; Hopewellian birdstone pipes; copper earspools and worked bone pendants; and Iroquoian effigy pipes.

FEELING

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century. A grouping of prehistoric petroglyphs, unmarred by graffiti and intrusions and located on its original isolated bluff, can evoke a sense of tribal spiritual life.

ASSOCIATION

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle.

Because feeling and association depend on individual perceptions, their retention *alone* is never sufficient to support eligibility of a property for the National Register.

ASSESSING INTEGRITY IN PROPERTIES

Integrity is based on significance: why, where, and when a property is important. Only after significance is fully established can you proceed to the issue of integrity.

The steps in assessing integrity are:

- Define the **essential physical features** that must be present for a property to represent its significance.
- Determine whether the **essential physical features are visible** enough to convey their significance.
- Determine whether the property needs to be **compared with similar properties**. And,
- Determine, based on the significance and essential physical features, **which aspects of integrity** are particularly vital to the property being nominated and if they are present.

Ultimately, the question of integrity is answered by whether or not the property retains the **identity** for which it is significant.

DEFINING THE ESSENTIAL PHYSICAL FEATURES

All properties change over time. It is not necessary for a property to retain all its historic physical features or characteristics. The property must retain, however, the essential physical features that enable it to convey its historic identity. The essential physical features are those features that define both *why* a property is significant (Applicable Criteria and Areas of Significance) and *when* it was significant (Periods of Significance). They are the features without which a property can no longer be identified as, for instance, a late 19th century dairy barn or an early 20th century commercial district.

CRITERIA A AND B

A property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or person(s). If the property is a site (such as a treaty site) where there are no material cultural remains, the setting must be intact.

Archeological sites eligible under Criteria A and B must be in overall good condition with excellent preservation of features, artifacts, and spatial relationships to the extent that these remains are able to convey important associations with events or persons.

CRITERION C

A property important for illustrating a particular architectural style or construction technique must retain most of the physical features that constitute that style or technique. A property that has lost some historic materials or details can be eligible if it retains the majority of the features that illustrate its style in terms of the massing, spatial relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation. The property is not eligible, however, if it retains some basic features conveying massing but has lost the majority of the features that once characterized its style.

Archeological sites eligible under Criterion C must be in overall good condition with excellent preservation

of features, artifacts, and spatial relationships to the extent that these remains are able to illustrate a site type, time period, method of construction, or work of a master.

CRITERION D

For properties eligible under Criterion D, including archeological sites and standing structures studied for their information potential, less attention is given to their overall condition, than it they were being considered under Criteria A, B, or C. Archeological sites, in particular, do not exist today exactly as they were formed. There are always cultural and natural processes that alter the deposited materials and their spatial relationships.

For properties eligible under Criterion D, integrity is based upon the property's potential to yield specific data that addresses important research questions, such as those identified in the historic context documentation in the Statewide Comprehensive Preservation Plan or in the research design for projects meeting the *Secretary of the Interior's Standards for Archeological Documentation*.

INTERIORS

Some historic buildings are virtually defined by their exteriors, and their contribution to the built environment can be appreciated even if their interiors are not accessible. Examples of this would include early examples of steel-framed skyscraper construction. The great advance in American technology and engineering made by these buildings can be read from the outside. The change in American popular taste during the 19th century, from the symmetry and simplicity of architectural styles based on classical precedents, to the expressions of High Victorian styles, with their combination of textures, colors, and asymmetrical forms, is readily apparent from the exteriors of these buildings.

Other buildings "are" interiors. The Cleveland Arcade, that soaring 19th century glass-covered shopping area, can only be appreciated from the inside. Other buildings in this category would be the great covered train sheds of the 19th century.

In some cases the loss of an interior will disqualify properties from listing

in the National Register—a historic concert hall noted for the beauty of its auditorium and its fine acoustic qualities would be the type of property that if it were to lose its interior, it would lose its value as a historic resource. In other cases, the overarching significance of a property's exterior can overcome the adverse effect of the loss of an interior.

In borderline cases particular attention is paid to the significance of the property and the remaining historic features.

HISTORIC DISTRICTS

For a district to retain integrity as a whole, the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district's components must be substantially unchanged since the period of significance.

When evaluating the impact of intrusions upon the district's integrity, take into consideration the relative number, size, scale, design, and location of the components that do not contribute to the significance. A district is not eligible if it contains so many alterations or new intrusions that it no longer conveys the sense of a historic environment.

A component of a district cannot contribute to the significance if:

- it has been substantially altered since the period of the district's significance or
- it does not share the historic associations of the district.

VISIBILITY OF PHYSICAL FEATURES

Properties eligible under Criteria A, B, and C must not only retain their essential physical features, but the features must be visible enough to convey their significance. This means that even if a property is physically intact, its integrity is questionable if its significant features are concealed under modern construction. Archeological properties are often the exception to this; by nature they usually do not require visible features to convey their significance.

NON-HISTORIC EXTERIORS

If the historic *exterior* building material is covered by non-historic material (such as modern siding), the property can still be eligible *if* the significant form, features, and detailing are not obscured. If a property's exterior is covered by a non-historic false-front or curtain wall, the property will not qualify under Criteria A, B, or C, because it does not retain the visual quality necessary to convey historic or architectural significance. Such a property also cannot be considered a contributing element in a historic district, because it does not add to the district's sense of time and place. If the false front, curtain wall, or non-historic siding is removed and the original building materials are intact, then the property's integrity can be re-evaluated.

PROPERTY CONTAINED WITHIN ANOTHER PROPERTY

Some properties contain an earlier structure that formed the nucleus for later construction. The exterior property, if not eligible in its own right, can qualify on the basis of the interior property *only if* the interior property can yield significant information about a specific construction technique or material, such as rammed earth or tabby. The interior property *cannot* be used as the basis for eligibility if it has been so altered that it no longer contains the features that could provide important information, or if the presence of important information cannot be demonstrated.

SUNKEN VESSELS

A sunken vessel can be eligible under Criterion C as embodying the distinctive characteristics of a method of construction if it is structurally intact. A *deteriorated* sunken vessel, no longer structurally intact, can be eligible under Criterion D if the remains of either the vessel or its contents is capable of yielding significant information. For further information, refer to *National Register Bulletin: Nominating Historic Vessels and Shipwrecks to the National Register of Historic Places*.

Natural Features

A natural feature that is associated with a historic event or trend, such as a rock formation that served as a trail marker during westward expansion, must retain its historic appearance, unobscured by modern construction or landfill. Otherwise it is not eligible, even though it remains intact.

COMPARING SIMILAR PROPERTIES

For some properties, comparison with similar properties should be considered during the evaluation of integrity. Such comparison may be important in deciding what physical features are essential to properties of that type. In instances where it has not been determined what physical features a property must possess in order for it to reflect the significance of a historic context, comparison with similar properties should be undertaken during the evaluation of integrity. This situation arises when scholarly work has not been done on a particular property type or when surviving examples of a property type are extremely rare. (See **Comparing Related Properties** in *Part V: How to Evaluate a Property within its Historic Context*.)

RARE EXAMPLES OF A PROPERTY TYPE

Comparative information is particularly important to consider when evaluating the integrity of a property that is a rare surviving example of its type. The property must have the essential physical features that enable it to convey its historic character or information. The rarity and poor condition, however, of other extant examples of the type may justify accepting a greater degree of alteration or fewer features, provided that enough of the property survives for it to be a significant resource.

Eligible

- A one-room schoolhouse that has had all original exterior siding replaced and a replacement roof that does not exactly replicate the original roof profile can be eligible if the other extant rare examples have received an even greater degree of alteration, such as the subdivision of the original one-room plan.

Not Eligible

- A mill site contains information on how site patterning reflects historic functional requirements, but parts of the site have been destroyed. The site is not eligible for its information potential if a comparison of other mill sites reveals more intact properties with complete information.

DETERMINING THE RELEVANT ASPECTS OF INTEGRITY

Each type of property depends on certain aspects of integrity, more than others, to express its historic significance. Determining which of the aspects is most important to a particular property requires an understanding of the property's significance and its essential physical features.

CRITERIA A AND B

A property important for association with an event, historical pattern, or person(s) ideally might retain *some* features of all seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association. Integrity of design and workmanship, however, might not be as important to the significance, and would not be relevant if the property were a site. A basic integrity test for a property associated with an important event or person is whether a historical contemporary would recognize the property as it exists today.

For archeological sites that are eligible under Criteria A and B, the seven aspects of integrity can be applied in much the same way as they are to buildings, structures, or objects. It is important to note, however, that the site must have *demonstrated* its ability to convey its significance, as opposed to sites eligible under Criterion D where only the potential to yield information is required.

Eligible

A mid-19th century waterpowered mill important for its association with an area's industrial development is eligible if:

- it is still on its original site (**Location**), and
- the important features of its setting are intact (**Setting**), and
- it retains most of its historic materials (**Materials**), and
- it has the basic features expressive of its design and function, such as configuration, proportions, and window pattern (**Design**).

Not Eligible

A mid-19th century water-powered mill important for its association with an area's industrial development is not eligible if:

- it has been moved (**Location**, **Setting**, **Feeling**, and **Association**), or
- substantial amounts of new materials have been incorporated (**Materials**, **Workmanship**, and **Feeling**), or
- it no longer retains basic design features that convey its historic appearance or function (**Design**, **Workmanship**, and **Feeling**).

CRITERION C

A property significant under Criterion C must retain those physical features that characterize the type, period, or method of construction that the property represents. Retention of design, workmanship, and materials will usually be more important than location, setting, feeling, and association. Location and setting will be important, however, for those properties whose design is a reflection of their immediate environment (such as designed landscapes and bridges).

For archeological sites that are eligible under Criterion C, the seven aspects of integrity can be applied in much the same way as they are to buildings, structures, or objects. It is important to note, however, that the site must have *demonstrated* its ability to convey its significance, as opposed to sites eligible under Criterion D where only the *potential* to yield information is required.

Eligible

A 19th century wooden covered bridge, important for illustrating a construction type, is eligible if:

- the essential features of its design are intact, such as abutments, piers, roof configuration, and trusses (**Design**, **Workmanship**, and **Feeling**), and
- most of the historic materials are present (**Materials**, **Workmanship**, and **Feeling**), and
- evidence of the craft of wooden bridge technology remains, such as the form and assembly technique of the trusses (**Workmanship**).
- Since the design of a bridge relates directly to its function as a transportation crossing, it is also important that the bridge still be situated over a waterway (**Setting**, **Location**, **Feeling**, and **Association**).

Not Eligible

For a 19th century wooden covered bridge, important for its construction type, replacement of some materials of the flooring, siding, and roofing would not necessarily damage its integrity. Integrity would be lost, however, if:

- the abutments, piers, or trusses were substantially altered (**Design**, **Workmanship**, and **Feeling**) or
- considerable amounts of new materials were incorporated (**Materials**, **Workmanship**, and **Feeling**).
- Because environment is a strong factor in the design of this property type, the bridge would also be ineligible if it no longer stood in a place that conveyed its function as a crossing (**Setting**, **Location**, **Feeling**, and **Association**).

CRITERION D

For properties eligible under Criterion D, setting and feeling may not have direct bearing on the property's ability to yield important information. Evaluation of integrity probably will focus primarily on the location, design, materials, and perhaps workmanship.

Eligible

A multicomponent prehistoric site important for yielding data on changing subsistence patterns can be eligible if:

- floral or faunal remains are found in clear association with cultural material (**Materials** and **Association**) and
- the site exhibits stratigraphic separation of cultural components (**Location**).

Not Eligible

A multicomponent prehistoric site important for yielding data on changing subsistence patterns would not be eligible if:

- floral or faunal remains were so badly decomposed as to make identification impossible (**Materials**), or
- floral or faunal remains were disturbed in such a manner as to make their association with cultural remains ambiguous (**Association**), or
- the site has lost its stratigraphic context due to subsequent land alterations (**Location**).

Eligible

A lithic scatter site important for yielding data on lithic technology during the Late Archaic period can be eligible if:

- the site contains lithic debitage, finished stone tools, hammerstones, or antler flakers (**Material** and **Design**), and
- the site contains datable material (**Association**).

Not Eligible

A lithic scatter site important for yielding data on lithic technology during the Late Archaic period would not be eligible if:

- the site contains natural deposits of lithic materials that are impossible to distinguish from culturally modified lithic material (**Design**) or
- the site does not contain any temporal diagnostic evidence that could link the site to the Late Archaic period (**Association**).

IX. SUMMARY OF THE NATIONAL HISTORIC LANDMARKS CRITERIA FOR EVALUATION

A property being nominated to the National Register may also merit consideration for potential designation as a National Historic Landmark. Such consideration is dependent upon the stringent application of the following distinct set of criteria (found in the *Code of Federal Regulations*, Title 36, Part 65).

NATIONAL HISTORIC LANDMARKS CRITERIA

The quality of national significance is ascribed to districts, sites, buildings, structures, and objects that possess exceptional value or quality in illustrating or interpreting the heritage of the United States in history, architecture, archeology, engineering, and culture and that possess a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to, and are identified with, or that outstandingly represent, the broad national patterns of United States history and from which an understanding and appreciation of those patterns may be gained; or
2. That are associated importantly with the lives of persons nationally significant in the history of the United States; or
3. That represent some great idea or ideal of the American people; or
4. That embody the distinguishing characteristics of an architectural type specimen exceptionally valuable for a study of a period, style or method of construction, or that represent a significant, distinctive and exceptional entity whose components may lack individual distinction; or
5. That are composed of integral parts of the environment not sufficiently significant by reason of historical association or artistic merit to warrant individual recognition but collectively compose an entity of exceptional historical or artistic significance, or outstandingly commemorate or illustrate a way of life or culture; or
6. That have yielded or may be likely to yield information of major scientific importance by revealing new cultures, or by shedding light upon periods of occupation over large areas of the United States. Such sites are those which have yielded, or which may reasonably be expected to yield, data affecting theories, concepts and ideas to a major degree.

NATIONAL HISTORIC LANDMARK EXCLUSIONS

Ordinarily, cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings and properties that have achieved significance within the past fifty years are not eligible for designation. If such properties fall within the following categories they may, nevertheless, be found to qualify:

1. A religious property deriving its primary national significance from architectural or artistic distinction or historical importance; or
2. A building or structure removed from its original location but which is nationally significant primarily for its architectural merit, or for association with persons or events of transcendent importance in the nation's history and the association consequential; or
3. A site of a building or structure no longer standing but the person or event associated with it is of transcendent importance in the nation's history and the association consequential; or

4. A birthplace, grave or burial if it is of a historical figure of transcendent national significance and no other appropriate site, building, or structure directly associated with the productive life of that person exists; or
5. A cemetery that derives its primary national significance from graves of persons of transcendent importance, or from an exceptionally distinctive design or an exceptionally significant event; or
6. A reconstructed building or ensemble of buildings of extraordinary national significance when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other buildings or structures with the same association have survived; or
7. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own national historical significance; or
8. A property achieving national significance within the past 50 years if it is of extraordinary national importance.

COMPARING THE NATIONAL HISTORIC LANDMARKS CRITERIA AND THE NATIONAL REGISTER CRITERIA

In general, the instructions for preparing a National Register nomination and the guidelines stated in this bulletin for applying the National Register Criteria also apply to Landmark nominations and the use of the Landmark criteria. While there are specific distinctions discussed below, *Parts IV and V* of this bulletin apply equally to National Register listings and Landmark nominations. That is, the categories of historic properties are defined the same way; historic con-

texts are identified similarly; and comparative evaluation is carried out on the same principles enumerated in *Part V*.

There are some differences between National Register and National Historic Landmarks Criteria. The following is an explanation of how each Landmark Criterion compares with its National Register Criteria counterpart:

CRITERION 1

This Criterion relates to National Register Criterion A. Both cover properties associated with events. The Landmark Criterion, however, requires that the events associated with the property be *outstandingly* represented by that property and that the property be related to the broad national patterns of U.S. history. Thus, the quality of the property to convey and interpret its meaning must be of a higher order and must relate to national themes rather than the narrower context of State or local themes.

CRITERION 2

This Criterion relates to National Register Criterion B. Both cover properties associated with significant people. The Landmark Criterion differs in that it specifies that the association of a person to the property in question be an important one and that the person associated with the property be of *national* significance.

CRITERION 3

This Criterion has no counterpart among the National Register Criteria. It is rarely, if ever, used alone. While not a landmark at present, the Liberty Bell is an object that might be considered under this Criterion. The application of this Criterion obviously requires the most careful scrutiny and would apply only in rare instances involving ideas and ideals of the highest order.

CRITERION 4

This Criterion relates to National Register Criterion C. Its intent is to qualify exceptionally important works of architecture or collective elements of architecture extraordinarily significant as an ensemble, such as a historic

district. Note that the language is more restrictive than that of the National Register Criterion in requiring that a candidate in architecture be "a specimen exceptionally valuable for the study of a period, style, or method of construction" rather than simply embodying distinctive characteristics of a type, period, or method of construction. With regard to historic districts, the Landmarks Criterion requires an entity that is distinctive and exceptional. Unlike National Register Criterion C, this Criterion will not qualify the works of a master, *per se*, but only such works which are exceptional or extraordinary. Artistic value is considered only in the context of history's judgement in order to avoid current conflicts of taste.

CRITERION 5

This Criterion does not have a strict counterpart among the National Register Criteria. It may seem redundant of the latter part of Landmark Criterion 4. It is meant to cover collective entities such as Greenfield Village and historic districts like New Bedford, Massachusetts, which qualify for their collective association with a nationally significant event, movement, or broad pattern of national development.

CRITERION 6

The National Register counterpart of this is Criterion D. Criterion 6 was developed specifically to recognize archeological sites. All such sites must address this Criterion. The following are the qualifications that distinguish this Criterion from its National Register counterpart: the information yielded or likely to be yielded must be of *major* scientific importance by revealing new cultures, or by shedding light upon periods of occupation *over large areas* of the United States. Such sites should be expected to yield data affecting *theories, concepts, and ideas* to a *major degree*.

The data recovered or expected to be recovered must make a major contribution to the existing corpus of information. Potentially recoverable data must be likely to revolutionize or substantially modify a major theme in history or prehistory, resolve a substantial historical or anthropological debate, or close a serious gap in a major theme of U. S. history or prehistory.

EXCLUSIONS AND EXCEPTIONS TO THE EXCLUSIONS

This section of the National Historic Landmarks Criteria has its counterpart in the National Register's "Criteria Considerations." The most abundant difference between them is the addition of the qualifiers "national," "exceptional," or "extraordinary" before the word significance. Other than this, the following are the most notable distinctions:

EXCLUSION 2

Buildings moved from their original location, qualify only if one of two conditions are met: 1) the building is nationally significant for

architecture, or 2) the persons or events with which they are associated are of *transcendent* national significance and the association is consequential.

Transcendent significance means an order of importance higher than that which would ordinarily qualify a person or event to be nationally significant. A consequential association is a relationship to a building that had an evident impact on events, rather than a connection that was incidental and passing.

EXCLUSION 3

This pertains to the site of a structure no longer standing. There is no counterpart to this exclusion in the National Register Criteria. In order for such a property to qualify for Landmark designation it must meet the second condition cited for Exclusion 2.

EXCLUSION 4

This exclusion relates to Criteria Consideration C of the National Register Criteria. The only difference is that a burial place qualifies for Landmark designation only if, in addition to other factors, the person buried is of *transcendent* national importance.

When evaluating properties at the national level for designation as a National Historic Landmark, please refer to the National Historic Landmarks outline, *History and Prehistory in the National Park System and the National Historic Landmarks Program, 1987*. (For more information about the National Historic Landmarks program, please write to Department of the Interior, National Park Service, National Historic Landmarks, 1849 C Street, NW, NC400, Washington, DC 20240.)

X. GLOSSARY

Associative Qualities - An aspect of a property's history that links it with historic events, activities, or persons.

Code of Federal Regulations - Commonly referred to as "CFR." The part containing the National Register Criteria is usually referred to as 36 CFR 60, and is available from the National Park Service.

CLG - Certified Local Government.

Culture - A group of people linked together by shared values, beliefs, and historical associations, together with the group's social institutions and physical objects necessary to the operation of the institution.

Cultural Resource - See Historic Resource.

Evaluation - Process by which the significance and integrity of a historic property are judged and eligibility for National Register listing is determined.

Historic Context - An organizing structure for interpreting history that groups information about historic properties that share a common theme, common geographical area, and a common time period. The development of historic contexts is a foundation for decisions about the planning, identification, evaluation, registration, and treatment of historic properties, based upon comparative historic significance.

Historic Integrity - The unimpaired ability of a property to convey its historical significance.

Historic Property - See Historic Resource.

Historic Resource - Building, site, district, object, or structure evaluated as historically significant.

Identification - Process through which information is gathered about historic properties.

Listing - The formal entry of a property in the National Register of Historic Places. See also, Registration.

Nomination - Official recommendation for listing a property in the National Register of Historic Places.

Property Type - A grouping of properties defined by common physical and associative attributes.

Registration - Process by which a historic property is documented and nominated or determined eligible for listing in the National Register.

Research Design - A statement of proposed identification, documentation, investigation, or other treatment of a historic property that identifies the project's goals, methods and techniques, expected results, and the relationship of the expected results to other proposed activities or treatments.

XI. LIST OF NATIONAL REGISTER BULLETINS

The Basics

How to Apply National Register Criteria for Evaluation *

Guidelines for Completing National Register of Historic Places Form

Part A: How to Complete the National Register Form *

Part B: How to Complete the National Register Multiple Property Documentation Form *

Researching a Historic Property *

Property Types

Guidelines for Evaluating and Documenting Historic **Aids to Navigation** *

Guidelines for Identifying, Evaluating and Registering **America's Historic Battlefields**

Guidelines for Evaluating and Registering Historical **Archeological Sites**

Guidelines for Evaluating and Documenting Historic **Aviation Properties**

Guidelines for Evaluating and Registering **Cemeteries and Burial Places**

How to Evaluate and Nominate **Designed Historic Landscapes** *

Guidelines for Identifying, Evaluating and Registering Historic **Mining Sites**

How to Apply National Register Criteria to **Post Offices** *

Guidelines for Evaluating and Documenting **Properties Associated with Significant Persons**

Guidelines for Evaluating and Documenting **Properties That Have Achieved Significance Within the Last Fifty Years** *

Guidelines for Evaluating and Documenting **Rural Historic Landscapes** *

Guidelines for Evaluating and Documenting **Traditional Cultural Properties** *

Nominating Historic **Vessels and Shipwrecks** to the National Register of Historic Places

Technical Assistance

Defining Boundaries for National Register Properties*

Guidelines for Local Surveys: A Basis for Preservation Planning *

How to Improve the Quality of Photographs for National Register Nominations

National Register Casebook: Examples of Documentation *

Using the UTM Grid System to Record Historic Sites

To order these publications, write to: National Register of Historic Places, National Park Service, 1849 C St., NC 400, NW, Washington, D.C. 20240, or e-mail at: nr_reference@nps.gov. Publications marked with an asterisk (*) are also available in electronic form at www.cr.nps.gov/nr.

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: October 27, 2023
RE: Proposed Historic District Amendment – PUBLIC HEARING - CONGRESS STREET
HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS
NONCONTRIBUTING
PROJECT ID: Not Applicable
MEETING: November 1, 2023

Owner: Portland Museum of Art

A legal ad announcing the Historic Preservation Board's meeting on November 1, 2023 was published in the Portland Press Herald on October 20, 2023 and October 21, 2023, and 169 notices were sent to property owners within the Congress Street Historic District.

PROJECT SCOPE

The applicant is proposing that the Congress Street Historic District be amended to reclassify 142 Free Street as non-contributing to the district. The proposed amendment would mean that alterations would be reviewed under different standards within the Historic Preservation Ordinance, and would allow by-right demolition of the structure. The applicant is not proposing to change the boundaries of the Congress Street Historic District, meaning that any future alterations, additions, or new construction on the site would still be subject to the applicable review standards of the Historic Preservation Ordinance.

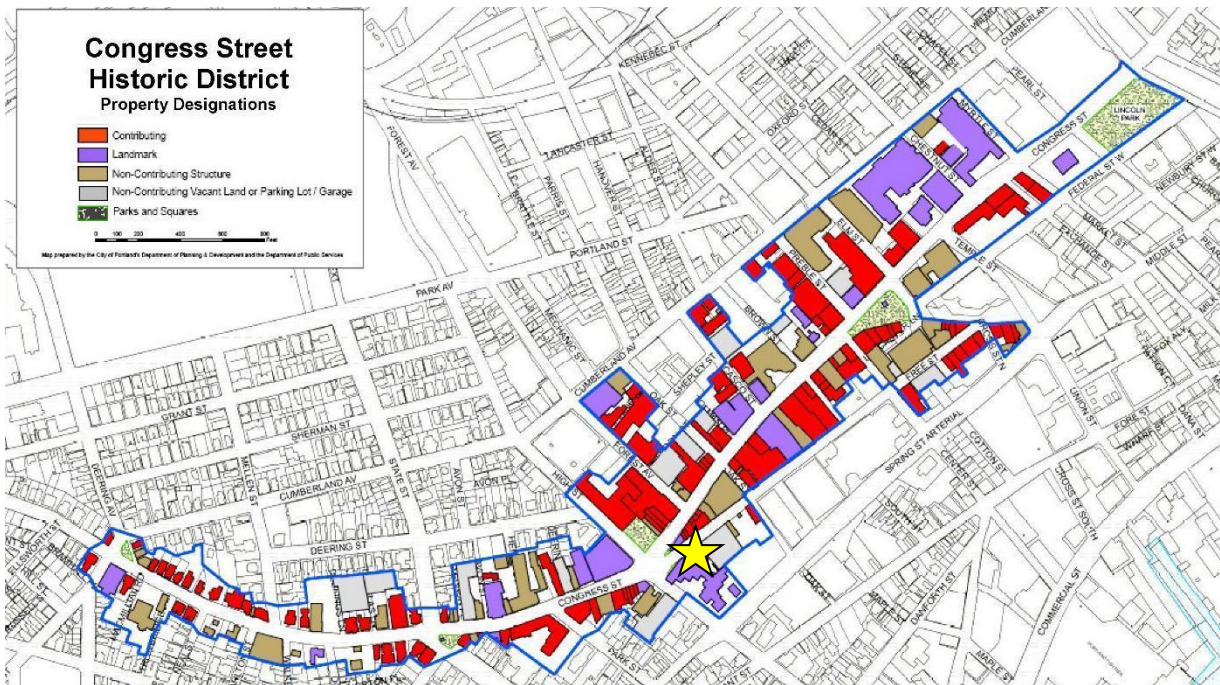


Figure 1: Map of Congress Street Historic District showing location of 142 Free Street with a star.

SUMMARY OF HISTORIC CONTEXT

142 Free Street was originally constructed in 1830 as a theater building. No images of the structure exist from this period; however, descriptions suggest a late federal or Greek revival style. Shortly thereafter in 1836, the structure was renovated into a temple-fronted Greek revival church for the Free Street Baptist Church. Then, again in 1856, the church was renovated into an asymmetrical double-spired Italianate/Romanesque revival church. In 1876, after the taller of the church's spires was damaged in a storm, the steeple was redesigned. Throughout the Free Street Baptist Church's ownership of the structure, they made a series of other modest and interior renovations in addition to the major redesigns.

In 1926, after a merger with another Baptist Church, the structure was sold to the Portland Chamber of Commerce. The Chamber retained architect John Calvin Stevens to complete renovations to the structure. It was at this time that the building was redesigned to its current Greek or colonial revival temple-fronted form. The Chamber retained the building until 1991 when, after financial difficulties, it was sold to the Children's Museum of Maine. Under the ownership of the Children's Museum, the structure underwent further alterations including programs of window and door replacement, dormer additions, and addition of the prominent octagonal cupola.

The Spring Street Historic District was added to the National Register of Historic Places in 1976. In 2020 the National Register listing was updated with an expanded period of significance (1800-1943), at which point the Chamber of Commerce building was listed as a contributing resource

within the National Register District. It was also listed as contributing to the local Congress Street Historic District in 2009. While the updated National Register nomination did include a period of significance for the Spring Street Historic District from 1800 to 1943, the local Congress Street Historic District did not include a specific period of significance. However, the period of significance can be presumed as extending from 1785 (the original date of construction for the Wadsworth-Longfellow House, the oldest contributing structure within the district) to 1959 (fifty years prior to the establishment of the local district). This would mean that the period of significance ended during the tenure of the Chamber of Commerce. While it also includes the eras of the theatre and the Free Street Baptist Church, those assorted renovations and redesigns would have attained historical significance in their own right, speaking to the history of the evolution of Congress Street over the nearly two-hundred years of history the district represents.

For a more thorough documentation of the history of 142 Free Street, including extensive images and documentation of alterations, please see the report by Margaret Gaertner included in the applicant's materials (Attachment 1). Additional information on the Congress Street Historic District can be found in the attachments (Attachments 2 & 3) and on the city website:

<https://www.portlandmaine.gov/665/Historic-Districts>

PREVIOUS REVIEW BY HISTORIC PRESERVATION BOARD

October 4, 2023, Workshop:

During the October 4 workshop, the applicant presented background information on the proposed expansion of the Portland Museum of Art campus and preliminary information on their planned future development. Board members asked the applicant about whether consideration had been given to reusing the existing building or incorporating elements of it. The applicant stated that they had, but felt that the challenges were too great and that they had not received a positive reception by the public of those versions of their planned project. Board members also requested confirmation on the basis for the current application for reclassification being limited to a question of the integrity of the existing structure. The applicant provided no other areas of consideration for the Board within the scope of the ordinance's minimum criteria for designation.

Based on the materials supplied by the applicant (including the extensive report on the history of 142 Free Street) and the materials from the designation of the Congress Street Historic District in 2009, Board members agreed that the existing structure had been correctly deemed contributing when the District was established. Board members noted that while the building had a long history of alterations from its original construction in 1830, it still retained a high degree of integrity relative to the 1926 redesign by John Calvin Stevens. Alterations noted by the applicant in their materials were acknowledged by the Board, but members noted that window replacements and additions are regularly approved alterations to contributing structures. Several Board members praised the intentions behind the proposed expansion with several noting that they personally

appreciated the design of the proposed new structure; however, there was general agreement that the applicant had not provided a basis by which the Board could recommend that the structure be reclassified as noncontributing.

STAFF COMMENTS

The application is being brought forward for a public hearing. For the Board's consideration, the applicant has provided the same materials as were reviewed at the October 4 workshop. The Board will vote on a recommendation to the Planning Board and City Council. Staff have revised the analysis of the applicable review standards and provided a motion for consideration based on the Board's discussion at the October 4 workshop. The below assessment is informed by Board deliberations at the workshop.

ANALYSIS OF APPLICABLE REVIEW STANDARDS

Integrity of Landmarks and Historic Districts, 17.4.2:

Any area, structure, or object that meets the criteria in Section 17.4.1 must also have sufficient integrity of location, design, condition, materials, and workmanship to make it worthy of preservation or restoration.
Location
Staff Comments
The building remains in its historic location and therefore retains integrity of location.
Design
Staff Comments
At the Oct. 4th workshop, Board members concurred that while the structure has experienced alterations prior to the designation of the Congress Street Historic District, including replacement windows and doors, and additions, the essential character of the Chamber of Commerce building as designed by John Calvin Stevens (in particular at the Free Street elevation) has not been irretrievably destroyed, and the structure therefore retains integrity of design.
Condition
Staff Comments
The applicant had noted that the building is generally in good structural condition, though they had previously noted to staff that the building would require extensive interior upgrades and improvements in order to be usable and accessible. Based on the information presented, the Board agreed that the structure retains integrity of condition.

Materials
Staff Comments
Board members concurred that while some historic materials have been lost through the replacement of windows and doors, the structure still retains significant amounts of historic materials including the masonry walls and extensive decorative trim and details at the Free Street elevation, and therefore retains integrity of materials.
Workmanship
Staff Comments
Board members concurred that while some evidence of historic workmanship has been lost through the replacement of windows and doors, the structure still retains significant evidence of historic workmanship, in particular at the decorative trim and details at the Free Street elevation, and therefore retains integrity of workmanship.

MOTION FOR CONSIDERATION

I move to recommend that the Planning Board and City Council vote to retain the contributing classification for the former Chamber of Commerce Building at 142 Free Street within the Congress Street Historic District on the basis of submitted documentation; information provided in the staff memo; and findings by the Historic Preservation Board pursuant to 17.4.2 that 142 Free Street retains sufficient integrity of location, design, condition, materials, and workmanship to make it worthy of preservation or restoration. Pursuant to 17.5.4-A, the staff memorandum from this hearing and the attachments shall serve as the report of these findings to the Planning Board and City Council.

ATTACHMENTS

1. Portland Museum of Art Application
2. Congress Street Historic District Description
3. 142 Free Street – Property Description from Congress Street Historic District Designation Materials
4. Chapter 14, Article 17 Excerpts
5. National Register Bulletin - How to Apply the National Register Criteria



Evan Schueckler <evans@portlandmaine.gov>

142 Free Street Portland

'Bruce Wood' via Historic Preservation <HP@portlandmaine.gov>

Fri, Sep 15, 2023 at 4:18 PM

Reply-To: brucesar@yahoo.com

To: hp@portlandmaine.gov

The building at 142 Free Street was constructed as a theater in 1830 and later became the Free Street Baptist Church. Except for losing its steeple, the building exterior is little changed since its time as a church. It is an integral part of the Congress Street Historic District. To tear down this contributing building would be a serious loss to the Congress Square area and could encourage other owners to petition to tear down a significant building adjacent to an existing non-contributing building. It would set a dangerous precedent.

The Portland Museum of Art owns much vacant land they could expand into without tearing down an existing structure. There is a parking lot adjacent to 142 Free Street they could build on and connect a structure on that site with both the existing museum buildings and this historic building in the rear, without impacting the street view of 142 Free Street. That also could enable them to better use the Charles Quincy Clapp building on Spring Street they currently use only for storage. Incorporating those two historic buildings into the museum would be a positive move. The PMA also owns a vacant lot where a Young Women's Christian Association building once stood which could be built upon.

In short, there is no reason to tear down a perfectly functional historically contributing building in order to erect a new building that would compete with the existing main building. I think the current building would be seriously diminished in its attractiveness by adding a competing, larger building next to it. Keep what is there, reuse what we have, Take advantage of alternatives that would enhance the entire block.

I oppose allowing the contributing building at 142 Free Street to be torn down.

Bruce Wood
607 Chandler's Wharf
Portland, ME 04101

making the former Children's museum a non-contributing structure

0 views



europa1 <europa1@maine.rr.com>

12:37 PM (2 minutes ago)



to hp@portlandmaine.gov

Dear City of Portland Historic Preservation Board:

As a Portland long-term homeowner, I want to say that we want to to recommend reclassifying the former Chamber of Commerce Building (also known as the former Children's Museum) as a **"non-contributing" structure in the Congress Street Historic District**. This would allow the PMA to demolish the building as a part of its major expansion plan.

We feel that it is much more important for the Portland Museum of Art, **a treasured and much loved member of our Portland community** be allowed to build their next iteration of the museum with the large expansion using the former Children's Museum space. We (my wife and I) feel that this is a more meaningful contribution to our community that allowing the current structure to stand in the way of the new museum expansion.

Thank you for your consideration.

Lucian Burg / Marie Pollard
54 Prospect St.
Portland, ME 04103
europa1@maine.rr.com
207-775-4929



City of Portland
Historic Preservation Board
c/o Evan Schueckler
Historic Preservation Manager
389 Congress Street
Portland, ME 04101

September 28, 2023

Dear Historic Preservation Board,

I am writing today in support of the Portland Museum of Art to have the City remove the unfortunate misclassification of 142 Free Street as a historically significant or “contributing” building.

I moved to Portland in 1989, and lived at 612 Congress Street, within one block of the PMA and what was at that time the Chamber of Commerce. From my living room I could see the Henry Cobb facade of the museum and the Hay Building. So for me, these structures are embedded in my psyche as home. That said, as an artist and former board member of Architalx, I have never felt the building at 142 Free Street has provided any significant contributing value to Portland’s varied (and at times struggling) cityscape. If anything, it is part of the residue of multiple failures and fires which have left enduring scars on the peninsula.

Without reiterating what has been clearly outlined in the supporting document *A History of 142 Free Street* prepared by Historic Building Consultant Margaret Gaertner, I would simply like to add a few additional comments.

In my opinion, Free Street has been a significant lost opportunity for the fabric of Portland city life for the past three decades. This one-way street has prioritized cars and sporadic events at the Civic Center, with little consideration given to the day-to-day life of the people that live and work on the peninsula. I feel this contributes to a down-trodden and at times barren feeling of this part of the city.

For eight years (1996-2004), my studio was in the State Theatre Building (aka The Congress Building), and my home was on Park Street. Before the *Arts District* was even established, I had a small gallery in the The Congress Building. At that time, visitors from out of state would comment on the abundance of *For Rent* signs, signifying a struggling Congress Street economy.

| 95 jeanne street portland, me 04102 | 207.450.3628 |

jepaterak@gmail.com

While we continue to live with the events at the Civic Center creating occasional traffic, we also continue to endure the loss of true livable urban space due to the poor planning of the 1970s. This should have been remedied long ago. The Spring Street urban renewal project is one of those enduring scars which tore through the fabric of city-life, removing beautiful homes and quality pedestrian and business friendly street life. Free Street connects the cultural hub that the PMA is central to, with the Old Port, home to the touristed and working waterfront. This street has been waiting to be designated a pedestrian powerhouse and cultural hub which could provide a vibrant consumer audience, day and night, for the businesses that might choose to locate there. I believe the architecturally significant planned addition, newly designed by LEVER, will largely strengthen a robust economic future for downtown and a renewed life for Free Street.

It is unfortunate that the singular "architecturally significant" feature of 142 Free St is its *Greek Revival* facade. While there are examples of historically significant buildings in Maine with *Greek Revival* architecture worth saving, this is definitely not one. Stylistically, *Greek Revival* may have served the purpose of upholding certain ideals, architecturally and otherwise, in the 19th Century when the term was first used. However, it now only serves as a harmful reminder of exclusion and elitism, which is not in alignment with either the city's or the museum's identified ideals for the present and future of our city life.

This facade was added to an existing building in 1958, for the simplistic fantasy reasoning of what "good architecture" is. As built, it was hardly given more consideration than a temporary theatre set. When this addition to the structure was built, the considerations of a handicap access (not legally required until 1990) and adequate pedestrian space were clearly not considered. If anything, to correct these wrongs, the footprint of the facade of the building should be brought back the 30 or so feet or so it was moved forward in 1856, which would allow for more comfortable street facing life at the museum entrance.

In closing, I am reminded that in 1983, when I was a 19 year old art student at the Worcester Art Museum & Clark University, I wrote an impassioned letter to save Union Station in Worcester, MA. I am not accustomed to wanting to remove a structurally sound building, as I think many structures are worth saving and/or re-purposing, especially in light of a fast-paced developing and resource-hungry world. In this case, however, the compromising changes made to the structure, the lack of any real historic or design significance of the building warrant its removal. In short, the building is not well designed, well placed, or of any use to the museum as it stands. I support the PMA's goals in a better future, a better museum and indeed I wholeheartedly support the ideals of *Art for All*. Art is what makes us better understand our humanity and citizenship, and that is precisely what the world needs more of and what I want for Portland's future.

Sincerely,



Jeanne Paterak

jepaterak@gmail.com

To: Portland Historic Preservation Board
From: Earle G. Shettleworth, Jr.
37 Academy Street
Hallowell, Maine 04347
October 4, 2023

Agenda Item: Preliminary Review of Proposed Historic District Amendment;
Congress Street Historic District – Reclassification of 142 Free Street as non-contributing.

As a native of Portland, I have studied the architectural history of the city for sixty years. For fifty of those years, I have researched, lectured and published on the work of John Calvin Stevens, the city's leading late nineteenth-early twentieth century architect as well as a figure of state and national reputation.

The Portland Museum of Art's report, "A History of 142 Free Street and Free at Congress Street" traces the evolution of this building and its surrounding area. However, the report fails to address the key point of the architectural significance of 142 Free Street as a work of John Calvin Stevens.

As Stevens began his career in 1884, he designed homes, summer cottages, churches, and public buildings in the Shingle Style and the Romanesque Revival. At the same time, he was influenced by the emerging Colonial Revival, a style inspired by historic New England architecture, whether Colonial, Federal, or Greek Revival. Reflecting his interest in the past, in 1887 Stevens provided the Free Street Baptists, then owners of 142 Free Street, with a pen and ink drawing of the building as it looked in 1836 to illustrate their 50th anniversary publication. Stevens based this drawing on an engraving that appears on John Cullum's 1836 map of Portland. Both drawings show a handsome Greek Revival façade of classical columns and a triangular pediment.

By the early 1900s, the Colonial Revival was Stevens' style of choice. As part of his Colonial Revival work, he specialized in the restoration of historic Portland buildings such as the Elias Thomas House of 1901-03 on Danforth Street and the Portland Club of 1922 on State Street. In both cases, he replaced a Victorian remodeling with his interpretation of Federal Period design. His restoration practice extended to other parts of Maine to include the Blaine House in Augusta and the replication of historic churches lost to fire in Wiscasset and Waterford.

When the Portland Chamber of Commerce acquired 142 Free Street for its headquarters in 1926, John Calvin Stevens chose to evoke the historic appearance of the building by replacing its Victorian church façade with the impressive Colonial Revival columned façade we see today. While the architect drew

inspiration from the 1836 Cullum drawing and his own 1887 drawing, the façade is a design that expresses his own vision of a classical building to enhance the public space of Congress Square. For Stevens was an advocate of the City Beautiful Movement, in which he sought to improve Portland with such public buildings as City Hall, the Sweat Memorial Gallery, and the Portland Water District complex. In his own words, his purpose was “to have all the city’s institutions so built that they become points of interest and beauty.” As such, the Stevens façade of 142 Free Street has been an integral part of the fabric of Congress Square for almost a century. It is the perfect companion for the Post-Modern classicism of Henry Cobb’s Payson building of 1983.

The architectural significance of 142 Free Street that I have outlined is a primary reason for its listing as a contributing resource to Portland’s Congress Street Historic District. Contrary to the Portland Museum of Art’s assertion, the City of Portland was correct in including 142 Free Street as a contributing building when it created the Congress Square Historic District in 2009. The appropriateness of this designation was confirmed by the National Park Service when it certified the district for the use of Federal historic tax credits. This designation should remain in place.

PO Box 17533, Portland, ME 04112

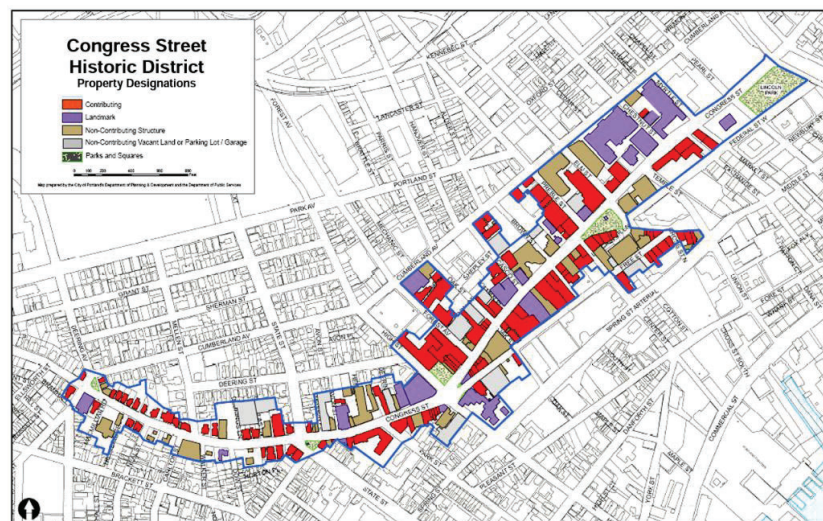
28 September 2023

RE: CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS NONCONTRIBUTING

Chair O'Brien and Members of the Historic Preservation Board,

In response to the Portland Museum of Art's request to revise the classification of the former Chamber of Commerce building at 142 Free Street (more recently known as the Children's Museum building), Greater Portland Landmarks has considered the historic preservation ordinance's criteria for designation of a contributing structure within a local historic district in order to determine whether the Chamber of Commerce Building is more appropriately classified as non-contributing, as PMA suggests. Based on this analysis, Greater Portland Landmarks believes that the building clearly meets the criteria for designation as a contributing structure, both in terms of its architectural and historic significance within the Congress Street Historic District and its retention of the required level of integrity. Greater Portland Landmarks finds no basis for reclassification as a non-contributing structure.

As HP Board members are aware, the historic preservation ordinance clearly identifies criteria which must be met in order to be classified as a contributing structure within a district. During the district designation process, each structure or site is carefully evaluated in order to assign a classification of contributing, non-contributing or Landmark. This was done for the Congress Street Historic District and documentation on each building was included as part of the required designation materials.



Within the boundaries of any given district, inevitably there will be a number of structures which fail to meet the criteria for designation as a contributing structure either because they lack significance under any of the categories identified in the ordinance or because they do not exhibit sufficient integrity to be designated. For example, a building that is structurally unsound or has been altered on the exterior to such a degree it no longer retains its historic character will not meet the integrity standard and be classified a

noncontributing structure even if it is historically or architecturally significant.

The historic preservation ordinance requires that this same rigorous analysis be conducted when a request is made to change the classification of a structure or site within a district. The same criteria must guide the Board's final determination and recommendation to the Council. In order to change the classification of a building from contributing to non-contributing, the Board must find that the original classification was erroneous (perhaps based on incomplete information) or that circumstances have changed such that the building no longer meets the required criteria (if a building becomes structurally unsound, for example). Since the ordinance was adopted in 1990, about a dozen buildings have been reclassified following the process outlined in the ordinance. Greater Portland Landmarks followed these requests and, in each case, supported the reclassification based on the ordinance criteria. In this case, however, Landmarks strongly believes that the evidence that led to the building's original designation as a contributing building continues to exist and meets the minimum criteria set forth in the Ordinance.

EVALUATION BASED ON CRITERIA

We encourage the Board to consider the following in your discussion of the owner's request to reclassify the former Chamber of Commerce Building to noncontributing.

17.5.9 Amendment or Rescission of a Designation

Amendment or rescission of any designation shall ... follow the procedure set forth in Section 17.5 for designation...The standards for rescission or amendment applied by the Historic Preservation Board, Planning Board, and City Council shall be limited to those provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2.

17.4.1 Minimum Criteria for Designation

17.4.1.A. The ordinance limits consideration by the HPB to the following criteria in making a determination on ... an area, site, structure, or object for designation by ordinance as a landmark or district:

17.4.1.A.1. Its value as a significant example of the cultural, historic, architectural, archaeological, or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States:

- The Chamber of Commerce Building is an example of the commercial significance of Congress Street within Portland in the first half of the 20th century. It is also an example of the significance and prominence of Portland's business community within the state and northern New England in the first half of the 20th century. At the turn of the century Congress Street from City Hall to Congress Square was noted for its fashionable shops and large department stores. Particularly between 1900 and 1930, the Congress Street business district replaced Exchange Street and the Old Port area as the business center of the city. At Congress Square this new commercial prominence is reflected in the construction of the Schwartz Building (1920), Eastland Hotel (1927), State Theater (1929), the third-story addition to the 1826 C.Q. Clapp Block/H.H. Hay Block (1922), and the alteration of the former Free Street Baptist Church for use by the Chamber of Commerce (1926).

17.4.1.A.4. Its exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.

- Redesigned in 1926 in the Colonial Revival Style, architects John Calvin Stevens and John Howard Stevens utilized the most popular style of the period. By the turn of the 20th century the Colonial Revival Style was one of the most predominant styles of architecture on the East Coast. It had quickly

become the fashionable style in architecture following the Columbian Exposition of 1893 in Chicago. The style surged in prominence following World War I and again following World War II.

17.4.1.A.5. Its identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.

- John Calvin Stevens and his son John Howard Stevens are perhaps the most well-known and documented architects working in Portland at the turn of the 20th century. John Calvin Stevens' significance to Portland and Maine's architectural history is rivaled by his historic significance to Portland's Art community and to the PMA itself:

"He designed the museum's L.D.M. Sweat Memorial Galleries. More importantly, he was a leader and president of the group that founded the museum. And it was he who secured the patronage that made the institution a reality and gave it staying power. But the Portland Society of Art not only founded the PMA, it created what is now the robust and thriving Maine College of Art, which many consider to be the most highly energized art institution in the art-oriented state of Maine."

Portland Press Herald, July 5, 2015.

In addition to the Chamber of Commerce Building other significant examples of the Colonial Revival style by the firm include Biddeford City Hall (1896), South Portland's Roosevelt School (1927), Fryeburg Academy's Curtis and Cutter Halls (1930) and Portland's US Post Office (1934) on Forest Avenue.

17.4.1.A.6. Its representation of a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.

- The Chamber of Commerce Building is a contributing building within the Congress Street Historic District, an area locally designated in 2009 to document Portland's business district. The building's use by the Portland Chamber of Commerce for its offices from 1926-1993 expresses the commercial theme of the district. The building and its use are integral to an understanding of the Congress Street business district's development during the first half of the 20th century.

17.4.1.B. In the case of a nominated historic district, the Historic Preservation Board shall also determine whether there is an interrelationship of resources within it which creates an identifiable entity, even if composed of a wide variety of resources. A district must convey a visual sense of the overall historic environment or be a grouping of historically or functionally related properties. A historic district can comprise both individually distinctive historic resources and historic resources that may lack individual distinction, but which contribute to the significance and visual character of the district as a whole.

The "eclecticism and layering of historical periods is the essence of the district's character and what makes it unique among Portland's historic districts."

Congress Street Historic District, Local Designation Narrative.

- As stated above, the former Chamber of Commerce Building is a contributing building within the Congress Street Historic District. It expresses the commercial theme of the district and contributes to the district's visual character.

The Congress Street Historic District is a cohesive corridor of commercial and civic buildings that are significant for their role in the commercial, social, and architectural development of the city. Although flanked by a parking lot to the north, the Chamber of Commerce Building is visually related to its neighbors across Free Street, 133-135 Free Street (c1810-1820) and the Landmark-designated CQ Clapp Block/HH Hay Block at 588 Congress Street (built 1826 and altered 1922), and to the Payson Wing of the Portland Museum of Art next door. Like 133-135 Free Street and the HH Hay Block, the Chamber of Commerce Building is an early building altered to meet the changing needs of the evolving business district in the early 20th century. The former Chamber of Commerce Building is also visually related to its neighbor, the Payson Wing of the Portland Museum of Art and like the Payson Wing, its monumental facade helps to define the eastern boundary of Congress Square, a significant node within the boundary of the district.

17.4.2. Integrity of Landmarks and Historic Districts. Any area, structure, or object that meets the criteria in Section 17.4.1 must also have sufficient integrity of location, design, condition, materials, and workmanship to make it worthy of preservation or restoration.

- The former Chamber of Commerce Building retains integrity of location, design, condition, materials, and workmanship. Although the building's exterior has been altered since it was redesigned for use by the Chamber of Commerce, these alterations are reversible, have not significantly altered the character defining features of the building's style, and do not detract from the overall appearance of the building.

In fact, the building's exterior condition is like many of its neighbors within the Congress Street Historic District. Most of the buildings within the district have undergone updates and alterations such as window or storefront replacements since their period of construction. However, the district's contributing buildings typically retain their original (mainly brick) facades, storefront use, and character-defining architectural details.

A comparison using the 1958 Portland Press Herald photograph presented in the applicant's report and a more recent image of the buildings makes it clear that although alterations have occurred, the building retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its Colonial Revival design and reflect its appearance during the building's use by the Portland Chamber of Commerce.



CONCLUSION

For a building to be designated as a contributing structure, it needs to meet just one of the criteria laid out in **Subsection 17.4.1.A** of Portland's Historic Preservation Ordinance. The former Chamber of Commerce Building meets 4 out of the 6 criteria. It also meets the criteria laid out in **Subsection 17.4.1.B.** and **Subsection 17.4.2** of the ordinance.

- It is significant to the cultural, historic, architectural heritage of the city.
- It exemplifies a significant architectural style.
- It is the work of an architect whose individual work is significant in the history or development of the City of Portland and the State of Maine.
- As the former home for nearly 60 years of the city's Chamber of Commerce, it expresses and contributes to the theme of the Congress Street Historic District, a cohesive corridor of commercial and civic buildings that are significant for their role in the commercial, social, and architectural development of the city from 1780-1958.
- Although minor alterations have been made to the exterior, it retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its design and reflect its appearance during its use by the Portland Chamber of Commerce.

The former Chamber of Commerce building continues to warrant its designation as a contributing building within the historic district. We hope that through your careful deliberations, you will agree that the evidence supports its current designation.

Thank you for considering our views,



Carol De Tine
Vice President of the Board of Trustees
Greater Portland Landmarks



October 2, 2023

RE: CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS
NONCONTRIBUTING

Chair O'Brien and Members of the Historic Preservation Board,

From 2005 to 2010, I worked with Deb Andrews in the Portland Planning Department staffing the historic preservation program. I was the principal researcher and co-author, with Deb Andrews, for the Congress Street Historic District Designation Report, and prepared the National Park Service Local Historic District Certification Application for the district.

Since leaving the City of Portland, I have written or co-written more than 30 National Register nominations, including commercial district nominations for Augusta, Lewiston, Waterville, Rumford, and Dover-Foxcroft. I have prepared the NPS Certification applications for the Portland Waterfront, Congress Street and Munjoy Hill historic districts in Portland and the West Chelsea historic district in New York City. I have extensive experience in determining Contributing and Non-Contributing status for buildings in commercial historic districts.

When working on the designation report for the Congress Street district, every building, site, structure, and object in the district was thoroughly researched, documented, and carefully analyzed to determine whether they contributed to the historic character and significance of the district. This included the Portland Chamber of Commerce Building at 142 Free Street, which was determined to be Contributing.

The recent report prepared by Margaret Gaertner for the Portland Museum of Art makes a reasonably coherent case for why the Portland Chamber of Commerce Building does not meet the requirements to individually listed in the National Register, and perhaps not to qualify for Landmark status under the Portland Historic Preservation Ordinance. At the same time, it makes an excellent case for why the building *should* be considered Contributing to the significance of the certified local district.

Interior alterations have no relevance to qualification as a Contributing building in a district and the mention of interior alterations in the report should be ignored. Window and door replacement and minor, reversible, alterations to the roof are commonly found on Contributing buildings in historic districts and are regularly approved as alterations under the standards of the ordinance by the Historic Preservation Board. These in no way render the Chamber of Commerce Building non-contributing.

Historic changes to existing buildings are generally recognized to have significance in their own right if they date to the Period of Significance for the district or property. Additionally, these changes have more importance if also related to the district's Areas of Significance. While Portland's preservation ordinance does not require identification of the period of significance or areas of significance for a district to be designated, the Certification of the local district by the National Park Service does.



The Congress Street Historic District was certified by the National Park Service on May 25, 2010, for the purpose of allowing the owners of contributing buildings to access state and federal historic tax credits. This certification is based upon documentation that the local historic district is essentially identical to a National Register Historic District. This includes the requirement that the district meet National Register guidance for the delineation of boundaries.

Under that guidance, drawing a boundary to exclude a contiguous historic resource that falls within the areas and period of significance and retains integrity to the period of significance is not allowed. Maine Historic Preservation Commission staff were directly involved in determining the boundaries of this district to ensure it would be certifiable. Changing the boundary for the express purpose of removing a contributing resource from the district to allow its demolition could be grounds for rescission of the NPS certification and the loss of access to historic tax credits by other property owners.

As part of the Certification application, a Period of Significance and Areas of Significance had to be identified for the local district, which were not required for local designation. I worked closely with the Maine Historic Preservation Commission's National Register Coordinator and with National Park Service staff in Washington, DC to make these identifications.

The Period of Significance for the Certified Congress Street Historic District is 1785 to 1958 (with two later buildings identified as Contributing due to their exceptional architectural merit). The district is significant under Criteria A in several Areas including "Commerce," and under Criteria C in the Area of Architecture with John Calvin Stevens identified as one of the most important architects whose work is represented in the district.

The NPS letter certifying the district (attached) states, "Please be aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for continued benefits under the above laws."

Currently underway historic tax credit projects in the certified Congress Street district include the Chapman Building (Time & Temp) complex, the Fidelity Trust Company Building, and the New England Telephone and Telegraph Building. Tens of millions of dollars in state and federal historic tax credits for these projects are dependent on the Certified status of the local historic district.

Returning to Margaret Gaertner's report. To suggest that a 1926 façade alteration for the Portland Chamber of Commerce by Maine's leading architect renders the building Non-Contributing in a district with Commerce and Architecture as Areas of Significance and a Period of Significance extending from 1785 to 1958 is irrational. If this argument were given credence, more than 20 Contributing buildings in the Congress Street Historic District would fail to qualify as Contributing, as they were altered and adapted to new uses during the district's Period of Significance.

For example, by the rationale presented in this report, the H.H. Hay Building, just across Free Street, should not be considered as Contributing to the district. It is also an early 19th century brick building



facing onto Congress Square that was substantially altered in the Colonial Revival style by John Calvin Stevens in the 1920s, with its interior completely remodeled multiple times over the years. If there is a case for removing the Contributing status of 142 Free Street, there is no argument for not removing the H.H. Hay Building if the owner requested it.

In conclusion, there is no rational case for removing the Contributing status of the Portland Chamber of Commerce Building at 142 Free Street and many reasons not to. I urge the Board to unanimously reject this request with clearly stated finding of fact to support the decision.

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott T. Hanson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Scott T. Hanson

Hanson Historic Consulting, LLC

8 Pleasant Street

Topsham, ME 04086

scott@hansonhistoric.com

207 620 6291



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

May 25, 2010

The Honorable Nicholas M. Mavodones, Jr.
Mayor of Portland
City Hall, 389 Congress Street, Portland, ME 04101-3509

Dear Mayor Mavodones:

The National Park Service is pleased to inform you as duly authorized representative that the Congress Street Historic District has been certified by the Secretary of the Interior for purposes of the Tax Reform Act of 1986, as substantially meeting all the requirements for listing in the National Register of Historic Places.

Individual property owners of depreciable buildings within this district can qualify for the Federal tax incentives for historic preservation by completing the Historic Preservation Certification Application -- Parts 1 and 2 and submitting them to the State Historic Preservation Office (SHPO). Application forms are available directly from the SHPO. Applications should be submitted as early as possible in the planning of a rehabilitation project.

Review boards and commissions should become familiar with the Secretary of the Interior's Standards for Rehabilitation, used by the Secretary in certifying rehabilitation work for the historic preservation tax incentives. The SHPO and the NPS are available to advise individuals and organizations about the Standards.

Please be aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for continued benefits under the above laws.

If you have any questions, please call me at (202) 354-2025.

Sincerely,

Guy M. Lapsley
Technical Preservation Services

cc: National Register
ME SHPO

To Whom it May Concern:

It is my great pleasure to write a letter in support of the Portland Museum of Art's application to request that the Historic Preservation Board of the City of Portland re-classify the 142 Free Street property, currently a "contributing structure," to be "non-contributing" on the basis that the building never should have been classified as contributing in 2009 and 2020.

The inclusion of 142 Free Street is critical to the PMA's expansion project, as the space will enable the incredible work the museum does for our community to expand, while engaging the many communities that PMA works alongside.

Research is showing us that 142 Free Street does not contribute to the city historically in any way that should present as a barrier to the PMA's innovative vision for the future. Importantly, the PMA has a long history of stewardship and preservation of historic buildings and respects their significance. Architectural leadership was a key aspect in the selected design concept for the expanded PMA. The PMA's actions in engaging the citizens of Maine in the process of selection demonstrates their values and commitment to our community.

The Indigo Arts Alliance (IAA) has been fortunate to be in deep partnership with the Portland Museum of Art for many years and in many forms. We look forward to our continued collaborations in the future inside and outside of the walls of the new museum they have imagined.

We sincerely hope you will support this important museum expansion project.

In Solidarity,
Márcia Minter, PhD hc | She, Her
Chief Officer of Strategic Growth and Innovation
[Indigo Arts Alliance](#)
60 Cove St. Portland, ME 04101
(207) 272-3113

Unceded Wabanaki Territory.

2 October 2023

Robert O'Brien, Chair
 Historic Preservation Board, 4 October 2023 Workshop, Agenda Item 6.i
 City of Portland
 389 Congress Street
 Portland, ME. 04101

Dear Mr. O'Brien,

It isn't often that I have any reason to appeal to the Historic Preservation Board, because the Board has shown great stewardship of Portland's historic architecture. However, (per his 31 August 2023 letter to the Board) I fear that Mark Bessier's request to de classify 142 Free Street (the former Maine Chamber of Commerce building) from the Historic Preservation Board's historic ordinance in order to raze it, is rooted in faulty reasoning and is a potential tragedy for the people of Portland and Maine.

1. Mr. Bessier believes that 142 Free Street (currently owned by the Portland Museum of Art) does not have the "historic stature, architectural consistency, or community significance that the District's or the other [PMA] museum properties do." He is referring to the museum's Clapp House and McLellan-Sweat House—both elite homes of 19th century Portland's wealthiest citizens. 142 Free Street was built as a theater about 1830, and from the mid-1830s through the mid-1920s it was a house of worship for the Baptist Church. Within the walls of this vernacular architecture the nascent YWCA and YMCA were nurtured, and collaboration with the Abyssinian Church was encouraged, among many other social causes.¹ Vernacular architecture like 142 Free Street defines our community and sense of place over time. To accomplish "diversity, equity, accessibility, and inclusion" we must respect our historic buildings, both elite and those of the people.
2. Margaret Gaertner wrote a thorough and exacting Historic Structures Report for 142 Free Street that documents the changes in the building over time as it morphed from a theater, to a church, to the headquarters of The Chamber of Commerce, to a children's museum. And that's the point. Each one of these changes to the building marks the cultural values and history of Portland's citizens for almost 200 years. According to Architectural Historian Stewart Brand, historic buildings are like artifacts that are constantly shaped

¹ See: YWCA, The Portland Daily Press, 28 October 1895; YMCA, Portland Press Herald 24 February 1922; Abyssinian Church, 9 November 1889.

and refined to illuminate the hopes, needs, and goals of a civilization.²
Tearing down 142 Free Street destroys this significant artifact.

3. Mr. Bessier states that “some architecture styles carry unfortunate legacies of the past into the future that undermine” contemporary “values and goals.” He insists that 142 Free Street is such a style “erected during the Jim Crow era.” His history is confused. In the 1830s 142 Free Street’s initial style was Greek Revival, an egalitarian architecture found in every section of Maine that celebrated America’s first national style. Jim Crow laws were introduced in the American south in the late 19th and early 20th centuries that codified racial segregation. The confusion aside, his theory that buildings inhabiting the sins of a nation is reckless. I can’t counter that better than a colleague did:

“So now buildings are to be extinguished because their architectural styles have active political affiliations? Are we to tear down every building erected before, say, 2000? We might as well cut down every tree that is old enough to date from some time before our ‘enlightened’ present, or similarly destroy every old work of art. Shall we shatter the Sistine Chapel because, when it was painted, slavery was common and indigenous people were savagely oppressed. To personify non-sentient structures is a bizarre distortion of reality and a true perversion.”

No one questions that the Portland Museum of Art “contributes significantly to Portland and Maine’s economy.” Or that a new PMA building “constructed primarily of mass timber” will help “reduce global warming.” But it is clear that 142 Free Street is very much a “contributing property” to Portland’s history (it was remodeled by John Calvin Stevens, for goodness sake!) and it was rightly included in the Historic Preservation Ordinance. Please keep it there

Thank you, Mr. O’Brien and the Board, for your good consideration.

Andrea Constantine Hawkes, Ph.D.
1181 Westbrook Street
Portland, Maine 04102
achawkes@gmail.com
207.317.1825

² *How Buildings Learn: What Happens After They’re Built*. (Penguin Books, Reprint, 1995.)

Re: Oct 4th meeting of HPBoard, agenda item workshop 6.i 0 views

 Assigned to me

Berry Manter <bmanter1@gmail.com>
to hp@portlandmaine.gov

9:14 AM (19 minutes ago)



Dear Historic Planning Board Members,

I am a 35 year resident of Portland. I both live in and value the preservation of intact and functional historic old buildings in our city.

The intention of Mr. Bessier to raze the 200 year old former historic Children's Museum building counters the harsh lessons learned with the razing of our irreplaceable train station. While building anew "from wood" may hold environmental value versus building anew with other materials, it does not alleviate the measurable environmental costs of failing to reuse existing structures. We on Munjoy Hill spoke to this in our support of our historic district, as do recent reports on the value of retaining and incorporating existing historic structures.

While I, personally am a huge fan of fine contemporary architecture and can point to successes within Portland, we have too many failed projects (some on-going), and I support standing strong with the Portland Landmarks, and the precedence of the Historic Planning Board decisions, in insisting the 142 Free Street building remain standing, as is consistent with the fabric of its neighboring buildings (given the exception of the lone I.M.Pei structure.)

Respectfully,

Berry Manter
46 Eastern Promenade
bmanter1@gmail.com

142 Free St. 0 views



Edgar Beem <beem@gwi.net>
to hp@portlandmaine.gov

10:10 AM (12 minutes ago)



Dear Portland Historic Preservation Board,

I am writing in support of the Portland Museum of Art's application to have 142 Free St. exempted from the historic district in order that the museum be able to expand its facility by adding a landmark new structure to the existing campus. While I appreciate that some in Portland are very sensitive to any changes to the built environment, I do not believe 142 Free St. is a building of any great architectural merit. It is altogether fitting and proper that it should be razed to make way for a great new future.

As a Portland native and a writer who has written about the cultural life of Portland and Maine since 1978, I recall the howls of protest that went up in 1983 when the old Libby Building was razed to make way for the Charles Shipman Payson Building. When the new museum opened, I remember some boo birds complaining about the distinctive arches and suggesting that the building designed by Henry Cobb of the I.E. Pei firm looked like a shopping mall. Many people experience the shock of the new when familiar landmarks are changed to accommodate growth.

I keep hearing that the fact that architect John Calvin Stevens did some renovation work on the old theater-church-chamber building gives it special historical significance. I do not believe this is so. 142 Free St. is a utilitarian structure that has served many purposes in many different forms. It is time for it to go. I very much hope that the commission, planning board and council will not stand in the way of the Portland Museum of Art's \$100 million improvement to the City of Portland.

I am sorry I could not attend the 10/4 meeting to speak in favor of the museum's request, but as a trustee of the \$20 million Dorothea and Leo Rabkin Foundation, another cultural treasure in the new Portland, I was busy with board business.

Thank you for your time and consideration.

Sincerely,

Edgar Allen Beem

83 McKeen St.

Brunswick, Maine 04011

142 Free Street 0 views



William Hall <wpeaks@earthlink.net>
to hp@portlandmaine.gov

10:47 AM (7 minutes ago)



To the members of the Historic Preservation Board:

I served on the Portland planning board 2006-2016 so I understand what an important decision you have to make regarding 142 Free Street. I am now on the board of Greater Portland Landmarks and support our organization's position on this issue.

I think it's extremely important to uphold Portland's land use code and reach a decision that is in conformance with the law. 142 Free Street certainly meets key criteria for preservation as a contributing structure. A decision contrary to that, allowing the building to be torn down, risks undermining historic preservation rules that have done so much to make Portland a unique, vibrant, and desirable place to live and visit.

Thank you for your consideration and for your service to the city of Portland.

Bill Hall

317 Pleasant Avenue

Peaks Island

HPB Public Comment - 142 Free Street - Consistent Treatment of Demolition Requests 0 views

Assigned to me



George Rheault <george.rheault@gmail.com>
to Historic Preservation, Grace Benninghoff

10:52 AM (4 minutes ago) ☐ ☐ ☐

Below is a threshold issue that needs to be addressed before any discussion of the pros and cons of demolishing 142 Free Street can occur. The process seems to be flawed based on how other recent demolitions were handled by city planning staff.

Historic preservation staff must explain to the public why the PMA's demolition request for 142 Free Street is receiving extraordinary attention AND the extra step of needing City Council approval when other recent demolition requests in historic districts did NOT require or receive City Council approval.

For instance, two very recent demolitions involving 183 Brackett Street and 34 Spruce Street were, I believe, handled exclusively at the HPB level. See attachments for background information.

If I am mistaken, please advise by showing the public proof of the City Council action in these demolitions.

Due to the controversy here, it is important for city planning staff (including its historic preservation department) to review ALL demolition requests that have been handled by the HPB since it was brought into being circa 1990.

The PMA should not be treated any differently than other applicants.

**HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE**

**PUBLIC HEARING
34 SPRUCE STREET**

TO: Chair Sheridan and Members of the Historic Preservation Board
FROM: Deb Andrews, Historic Preservation Program Manager
DATE: July 9, 2020
RE: July 15, 2020 **PUBLIC HEARING**

Application for: Request for Reclassification of Contributing Structure within West End Historic District

Address: 34 Spruce Street

Applicant: Tim Gebhardt, Basha LLC.

Introduction

Property owner Tim Gebhardt has requested a public hearing and formal Board decision regarding reclassification of the existing mid-19th century residential structure located at the rear of the lot at 34 Spruce Street from “contributing” to “noncontributing”. Mr. Gebhardt is seeking reclassification in order to proceed with plans to construct a new single-family residence on the property. Mr. Gebhardt’s proposed redevelopment plan is predicated on the removal of the existing structure. Wednesday’s workshop follows two preliminary workshops during which the question of reclassification and the existing building’s level of integrity have been discussed. Reclassification of a “contributing” structure needs to be evaluated as a independent question according to the ordinance provisions pertaining to such requests and separate from consideration of the relative merits of a proposed replacement structure.

At the request of the Historic Preservation Board, Mr. Gebhardt provided an engineering survey of the existing house in advance of the second workshop. No additional professional analysis has been submitted for the public hearing. To further aid the Board in making its determination regarding reclassification, Mr. Gebhardt has allowed members of the Board to walk onto his property in advance of the public hearing to view the house and its current condition at close range. Although the house was opened for Board members to enter, the interior condition of the building is not relevant to the Board’s deliberations, except to the extent that structural deficiencies are evident from the interior. Staff advises the Board that their assessment is to be made primarily on the basis

of their own assessment of the building’s level of integrity, which may be informed by

professional condition studies as well as other considerations.

Enclosed for the Board's review are staff photos of the subject structure, the condition assessment prepared by engineer Bruce MacLeod and excerpts from the historic preservation ordinance which govern consideration of requests for reclassification.

Subject Property, Existing Structure

The subject property at 34 Spruce Street consists of a narrow lot that was once occupied by a mid-19th century Greek Revival home near the street as well as a smaller structure of the same era at the rear of the lot (the subject structure). The primary structure on the lot was a typical side-entry Greek Revival building with its front-gabled façade close to the street. It was 2-1/2 stories with a vertical expression and proportions. (See 1924 tax photo—ATTACHMENT 3.) Staff does not know when the front house was demolished, but the existing curb cut must date from after the demolition.

At the back corner of the lot is a small, vernacular Greek Revival-era house that still exists, the William Lindsay House. The property description in the West End Historic Resources Inventory indicates that the building was erected in 1841, possibly as a carriage house or guest house. Whatever the original use, it was a residence before 1924. (See ATTACHMENT 4.) There is no 1924 tax photo of the building.

This small house has been altered significantly, and allowed to deteriorate. A brief evaluation by Engineer Bruce MacLeod includes several photos, and rates the overall condition as poor. (See ATTACHMENT 2.) The footprint of the house is very close to property lines in the rear, and visibility from the street is limited. Recent staff photos (ATTACHMENT 1) illustrate some of the alterations and losses:

- Vinyl insert windows and modern brickmould casing
- (Likely) modification to the roof shape
- Front entry alterations and replacement, including door, trim, and surround
- Rear addition

Applicable Ordinance Provisions governing Reclassification Requests

The historic preservation ordinance includes a provision for consideration of reclassification requests—see Sec. 14.623 “Amendment and rescission of designation”, (ATTACHMENT 5). The inclusion of this provision in the ordinance recognizes that initial classifications, which are the result of an architectural survey done at the time a historic district is being proposed, are ultimately based on the assessment of the surveyor, typically confirmed by the Historic Preservation Board during the designation process, which is informed by information available at the time. Classifications do not typically take into

account structural condition unless it is an obvious factor when the building is surveyed.

Additional information about a building's structural condition may come to light at a later time that might prompt a request for reclassification. Beyond the question of structural repair, there's the issue of general level of integrity. Included within most historic districts are a handful of buildings that one would reasonably characterize as "tough calls" in terms of qualifying as contributing structures based on the degree of previous alterations/replacement. Sec. 14-623 of the ordinance provides an opportunity to revisit the question of a structure's overall contribution to the district especially in light of its level of integrity.

The same review process for designation is followed for rescission of designation--in other words, the Board must determine whether the subject structure meets the minimum criteria for designation relating to significance as outlined in Sec. 14-610 (a) *and also* the integrity criterion in Sec. 14-611, which reads as follows:

Any area, structure or object that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.

If the Board finds that, upon reconsideration, the building fails to meet at least one of the criteria in Sec. 14-610 and/or the integrity criterion in Sec. 14-610, the Board would recommend to the Council rescission or amendment of designation—in this case reclassification to "noncontributing."

Factors for Consideration

In evaluating the applicant's request to rescind the contributing status of the existing residential structure at the rear of 34 Spruce, staff offers the following points and questions for consideration:

- It is true that the presence of a second residence behind a principal residence on a single lot is uncommon in the West End Historic District. There are other examples in the neighborhood, however. One such example is at the rear of 315 Spring Street. Another example is
- Even if this type of situation is not a common one, should that fact bear heavily on whether the building should be preserved?
- Public comment from one observer submitted in advance of the second workshop argued that the presence of the existing structure is evidence of the city's response to the need for accommodating added density in the 19th century. While this might be the case, we don't know it to be the case here.
- While there is a written description of the subject structure included in the Historic Resources Inventory, there is no historic photo available to verify its historic appearance.
- There is nothing in the structural engineer's report that suggests the building is not

- salvageable from a structural standpoint.
- Based on the building's current appearance, it is clear that several original features have been replaced or altered, compromising its integrity—see list above.
- Given that the property owner has the right to construct a second residential structure on the subject lot, it is likely that the new structure will largely obscure the existing building. To what extent should this factor into the Board's consideration?

Staff Assessment

All things being equal, the existing structure would be rehabbed and reused, whether in conjunction with proposed new construction on site or not. Setting aside historic preservation goals, retention of existing housing stock to meet the City's housing needs would seem a high priority in and of itself. That consideration, however, is not before the Historic Preservation Board. The Board is charged with determining whether the building meets the criteria of a contributing structure.

As noted above, there is nothing in the engineer's report that suggests the building is not salvageable. Most historic buildings, given sufficient resources, are salvageable. The relative cost of rehabilitating the subject building, however, does become more of a valid consideration when other applicable factors are taken into account. The key question here is whether the building exhibits *sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration*.

Given the very modest nature of the building, its current condition and the level of alteration/replacement of historic features, staff is of the opinion that the existing structure at 34 Spruce does not meet the integrity standard of Sec. 14-611. Aside from this finding, the fact that the building will likely not be seen behind any new residence constructed in front of it contributes to staff's position that reclassification is warranted in this instance.

Applicable Review Standards

The following applicable sections of the ordinance are attached—see ATTACHMENT 5

- Sec. 14-623 Amendment and Rescission of Designation
- Sec. 14-610 (a) Minimum Criteria for Designation
- Sec. 14-611 Integrity of Landmarks and Historic Districts

Motion for Consideration

On the basis of information included in the staff report for the July 15, 2020 hearing and inspection of the subject property and structure, the Board finds that the existing

structure at 34 Spruce Street **meets (fails to meet)** the integrity standard of Sec. 14-611 of

the historic preservation ordinance. Based on this finding, the Board recommends (does not recommend) reclassifying the existing structure from “contributing” to “noncontributing”.

Attachments

1. Photos of existing structure
2. Engineer’s evaluation of existing structure
3. 1924 tax photo of 34 Spruce Street (no longer existing)
4. Historic Resources description of 34 Spruce Street (existing house)
5. Excerpts from historic preservation ordinance, applicable provisions















Mr. Timothy Gephardt
 Gephardt Property Management, Inc.
 175 Brackett Street
 Portland, Me 04102

Re: 34 Spruce Street - Portland, Maine

January 24, 2020

At your request, I recently visited the subject property to observe the building condition in consideration of the potential for renovating the building. The owner of the home is currently assessing the viability of renovating the home. The purpose of my inspection was to assess the structural condition of the building. My inspection did not include electrical, plumbing, or mechanical elements. This letter is a report of my findings and recommendations.

The subject property is an existing single-family home. According to the assessor's information, the date of construction is 1880. The home consists of two stories above grade, plus an attic space and a basement. The home is approximately 924 square feet in plan. The home is wood framed construction. The basement is constructed from a mix of granite rubble and brick masonry. The basement has a concrete slab floor. The roof is covered with asphalt shingles, age unknown.

The overall condition of the home is poor. The exterior wood siding is in a state of decay, with areas of splitting, missing clapboards and rotted trim. The foundation is failing, has cracks and shows signs of lateral and vertical movement. The framing of both floors exhibits significant deflection and settlement. Settlement is evident in the exterior and interior doors, and windows that are out of plumb and no longer close properly. The roof framing is drastically undersized and exhibits signs of deflection and overload.

Based on my observations, the home is in poor structural condition and is not a suitable candidate for renovation. I recommend demolition of the home structure and foundation. I recommend a replacement home be constructed from the foundation up.

Thank you for the opportunity to be of service to you in this matter. If you need additional assistance, please contact me at anytime.

Sincerely,



Bruce W. MacLeod, PE, MASCE



Photo #1 view of exterior of building



Photo #2 close up view of exterior showing foundation



Photo #3 view of interior



Photo #4 of Attic space

Att. 8



From Portland Historic Resources Inventory

WILLIAM LINDSAY HOUSE – 34 SPRUCE STREET

A small three bay, one and a half story dwelling, erected in 1841, possibly as in-fill. This building may have originally served as a carriage or guest house and converted to a permanent dwelling. While in the Greek Revival style, with cornice returns atop broad cornerboards and simple entablatures, the roof shape is almost certainly not original. The building is clad in clapboards with modern sash and window surrounds. The door also appears to be a shorter modern replacement. There is no 1924 Assessment photograph for comparison.

approval by the council.

- (o) To provide comment, as appropriate, to the planning board and/or city council on matters pertaining to historic preservation in Portland.
- (p) To confer recognition upon the owners of landmarks or properties, sites, structures or objects within districts by means of certificates, plaques or markers.
- (q) To assist the planning board in the development of a preservation component in the comprehensive plan of the City of Portland.
- (r) To periodically review this Code and to make recommendations to the planning board concerning any amendments appropriate for the protection and continued use of landmarks or properties, sites, structures or objects within districts.
- (s) To annually report to the council with respect to the following matters:
 - 1. Survey work in progress or completed;
 - 2. The number of projects reviewed (by type);
 - 3. How many certificates of each type were issued.

(Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

DIVISION 3. CATEGORIES AND CRITERIA FOR DESIGNATION

Sec. 14-610. Minimum criteria for designation.

(a) The historic preservation board shall limit its consideration to the following criteria in making a determination on a proposed nomination of an area, site, structure or object for designation by ordinance as a landmark or district:

- 1. Its value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States;

2. Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property;
3. Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archeological or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States;
4. Its exemplification of a significant architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design, detail, materials or craftsmanship;
5. Its identification as the work of an architect, designer, engineer or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States; or
6. Its representation of a significant cultural, historic, architectural, archeological or related theme expressed through distinctive areas, sites, structures or objects that may or may not be contiguous.

(b) In the case of a nominated historic district, the historic preservation board shall also determine whether a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties, sites, structures or objects which, while not of such cultural, historic, architectural or archeological significance to qualify as landmarks, nevertheless contribute to the overall visual characteristics of the significant properties, sites, structures or objects located within it.

(c) In the case of a nominated historic landscape district, the historic preservation board shall also consider its significance as a geologic, natural or man-made landscape feature associated with the development, heritage or culture of the City of Portland, State of Maine, New England region, or the United States.

(d) The planning board and council shall apply the criteria of subsections (a), (b) and (c) but shall also consider the effect of such designation on other aspects of the comprehensive plan of the city.

(Ord. No. 235-90, 2-26-90)

Sec. 14-611. Integrity of landmarks and historic districts.

Any area, structure or object that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.

(Ord. No. 235-90, 2-26-90)

Sec. 14-612. Designation of historic landscape districts.

An historic landscape district may be nominated and considered for designation only if the entire area of the district is owned by a unit of federal, state or local government, or any combination of such ownership.

(Ord. No. 235-90, 2-26-90; Ord. No. 220-93, § 2, 5-17-93)

Sec. 14-613. Reserved.

DIVISION 4. NOMINATION, CONSIDERATION AND DESIGNATION

Sec. 14-614. Procedure.

The provisions of this division shall govern the nomination, consideration and designation of landmarks and districts.

(Ord. No. 235-90, 2-26-90)

Sec. 14-615. Initiation of nomination.

(a) Nomination of an area, site, structure or object for consideration of designation as a landmark, historic district or historic landscape district shall be submitted to the department, on a form provided by the department, by the following:

1. Any two (2) members of the historic preservation board on their own initiative, by written notice to the department; or
2. By written petition of any owner, in the case of a

landmark and/or of all properties adjacent thereto prior to council action. The notice shall include a copy of the resolution or designation ordinance and design guidelines.

(d) Notice of council action to the same persons shall be sent within ten business days following the council action. A copy of each designation ordinance and design guidelines shall be sent to the planning board, the historic preservation board and the department. A complete schedule of all landmarks and districts, including design guidelines and a listing of landmark and contributing structures, shall be maintained by the department as part of the design manual and shall be available for public inspection and copying during ordinary business hours.

(Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

Sec. 14-623. Amendment and rescission of designation.

Amendment and rescission of any designation shall be upon the request of a person or persons authorized to nominate the property or properties affected, or upon request of the council, and shall follow the procedure set forth in division 4 for designation. The council may rescind or amend a designation only after all of these procedures have been followed. The standards for rescission or amendment applied by the committee, planning board and council shall be limited to those provided in section 14-610(a) and section 14-611. Amendments may include refinement or correction of design guidelines, maps, and other parts of any designation ordinance.

(Ord. No. 235-90, 2-26-90)

Sec. 14-624.- Sec. 14-627. Reserved.

***Editor's note** - Order No. 197-03/04 adopted 9/8/04, repealed §14-625 Projects of Special Merit in its entirety.

Sec. 14-628. Time limits.

(a) Any time limit specified for any step in the process for nomination or designation of a landmark may be extended with the consent of the property owner.

(b) Any time limit specified for any step in the process for nomination or designation of a district may be extended where at least ten (10) percent of the owners of property within the

WEST END DEVELOPMENT PLANNED

The proposed four-story building would include apartments and shops at Pine and Brackett streets.

By **RANDY BILLINGS**
Staff Writer

PORTLAND — A developer wants to build a mixed-use project on two vacant properties in the West End that would include 39 market-rate apartments.

Redfern Properties of Portland is proposing the four-story building, totaling 45,844 square feet, at the corner of Pine and Brackett streets. The first floor would host retail stores and a 31-space parking garage, while the upper three floors would be apartments.

Before the development — projected to cost \$5 million to \$10 million — can move forward for site plan approval, Redfern Properties will need permission from the city's Historic Preservation Board to remove two vacant buildings that are in disrepair.

The board will meet Wednesday to consider the developer's request to demolish the 1850s Cape at 183 Brackett St. and the single-story commercial building from 1900 in front of it.

"The buildings are dilapidated and the parking lot is an eyesore," said Jonathan Culley, owner of Redfern Properties. "Our (project) design is innovative and progressive. It will be an interesting discussion with

the Historic Preservation Board on how progressive they're willing to let us go."

Culley said he and his partner, Paul Peck, have two parcels, totaling 17,000 square feet, under contract to buy. The purchase is contingent on the necessary approvals for the project, which is in a neighborhood business zone where such development is encouraged.

The site is in Portland's West End Historic District so the planned demolition is subject to approval from the Historic Preservation Board, which also must ensure that the project's design fits into the fabric of the neighborhood.

The property, two blocks west of Longfellow Square, repre-

sents a "significant gateway" to the West End and Western Promenade neighborhoods, said Deb Andrews, the city's Historic Preservation Program manager.

The Cape at 183 Brackett St. is considered a contributing piece of architecture in the historic West End, so its demolition requires special approval. The commercial building is considered noncontributing.

Andrews said in a memo that those designations "are somewhat puzzling." She said the board has the authority to remove the Cape from the contributing list, which would clear the way for demolition, or add

Please see **WEST END**, Page B4



Derek Davis/Staff Photographer

A crosswalk leads to the site at the corner of Pine and Brackett streets where a developer would put 39 market-rate apartments. Two old buildings would have to come down.

WEST END

Continued from Page B1

the commercial building to the contributing list, which would protect it.

"Staff is not necessarily advocating for this, but the board's authority should be noted," Andrews said.

Culley said he is just starting to seek residents' feedback about the development proposal.

While several residents didn't know about the proposal Monday, they were encouraged to hear about a plan to develop the corner. The corner has been vacant for all of the 20 years that Jo Coyne has lived in the neighborhood.

"It seems like a good space to have development," said Coyne, who is reserving judgment on the proposal until she learns more. "I'd (like) to see something that is going to be on the tax rolls and contributing to the city."

Also cautiously optimistic is Ethan Strimling, executive director of LearningWorks, whose office overlooks the lots.

He said the corner in its current condition does not contribute to the area.

"The two houses next to us are only housing feral cats," Strimling said. "It would be great to have someone utilize that area."

The proposed development's retail space would run along Pine Street and wrap around Brackett Street.

Culley said he is optimistic about his company's chances of building and renting out what he believes will be Portland's



PINE STREET ELEVATION

Courtesy of Ryan Senatore Architecture

An architect's rendering shows a four-story, mixed-use building Redfern Properties of Portland is proposing in the West End. Approvals are being sought, notably from the city's Historic Preservation Board for demolition of a 1850s Cape Cod at 183 Brackett St.

first fully market-rate housing project in decades – one that would be certified for energy efficiency.

The proximity to one of Portland's largest employers – Maine Medical Center – and

the arts- and restaurant-packed downtown make it a prime location for new housing, he said.

"It's a challenging deal," Culley said, "but we think the rental market in Portland is good and interest rates are low, so we

hope it is a good time to be undertaking this project."

Staff Writer Randy Billings can be contacted at 791-6346 or at:

rbillings@mainetoday.com
Twitter: @randybillings

HP Public Comment - 142 Free Street: Haven't we venerated John Calvin Stevens ENOUGH? 0 views

Assigned to me



George Rheault <george.rheault@gmail.com>
to Historic Preservation

11:07 AM (24 minutes ago) ☐ ☐ ☐

See attachment.

I am pretty sure that the legacy of John Calvin Stevens and his contributions to Portland's physical development (as well as his much more checkered involvement in its social and political evolution) will not rise or fall based on the continuing existence of 142 Free Street.

How many totems from this one man does the City of Portland need to tell his story?

Why should the dead hand of the past once again serve to suffocate the energy and creativity of our community's present and future?



The shingle-style cottage at 52 Bowdoin St. in Portland that architect John Calvin Stevens called home for nearly 30 years. (Billings photo)

John Calvin Stevens

from page 1

Portland.”

So much so that next week, city leaders will declare Oct. 8 John Calvin Stevens Day.

One of Maine’s most famous architects, Stevens, who was born Oct. 8, 1855, and died Jan. 25, 1940, designed more than 300 buildings on Portland’s peninsula alone and dozens more in the surrounding neighborhoods and islands.

Stevens made a name for himself by mastering the shingle-style cottage that has come to symbolize coastal life in New England. Later, he mastered the Georgian, colonial-style homes made of brick. To see both, one only needs to spend a little time on Bowdoin Street, which has shingle-style cottages on one side of the street and brick revival homes on the other.

One of those homes, 52 Bowdoin St., was Stevens’ home for nearly 30 years, Shettleworth said.

Although Stevens is known mostly for his residential designs, Shettleworth said he is also known for his civic, commercial and religious architecture. He was an associate architect commissioned to help design and build Portland City Hall, and he designed State Street Church on High Street and the Nathan Clifford Elementary School on Falmouth Street.

But Shettleworth said Stevens is known not only for his building designs, but for the length of his career.

Stevens started his career when he was 18 and worked right up to his death. “He

was involved in architecture for a 70-year period,” Shettleworth said.

Next week’s proclamation, which will be read at noon on the front steps of Portland City Hall, is the last event of a year-long celebration for the architectural firm Stevens created 125 years ago.

SMRT, formerly Stevens Morton Rose & Thompson, was founded in 1884 and is based on Fore Street. Although it is no longer family owned, his great grandson is still involved in its day-to-day operations at the age of 71.

“It’s been a pretty varied practice over the years,” SMRT chairman and former company President Paul Stevens said. “In many ways, it isn’t really a lot different.”

The company experienced most of its growth in the 1980s, he said, when it went from having only 10 employees to about 75. During that time, SMRT ceased designing residences and concentrated solely commercial, civic and health-care buildings.

But when Paul Stevens, a fourth-generation architect, steps down from the company, it will be the end of an era, since there is no fifth-generation Stevens waiting to take over the practice. That’s why next week’s ceremony, which will also include a Congressional Record of Recognition from a representative of U.S. Sen. Olympia Snowe’s office, is so special to him.

“I’m the end,” he said. “I’ve very proud of what firm has accomplished. It’s very satisfying to be recognized.”

Randy Billings can be reached at 781-3661 ext. 100 or rbillings@theforecaster.net

the **Portland** FORECASTER

September 30, 2009

News of The City of Portland

Vol. 23, No. 39

Fire chief looking at alternative space for fire boat crew

By Kate Bucklin

PORTLAND — The fire chief this week planned to inspect space on Maine Wharf that could provide fire-boat crew quarters at a third of the cost proposed at the Maine State Pier.

Chief Fred LaMontagne said

he was contacted by Joe Malone of Malone Commercial Brokers Monday to see if he wanted to look at a 2,000-square-foot office that could be converted into living quarters for firefighters.

"We will be looking at that property, probably today or

tomorrow," Lamontagne said Tuesday.

Maine Wharf is owned by Eric Cianchette and is next to the Maine State Pier, where the fire boat is docked.

"This could give them some flexibility," Malone said.

The City Council in October is expected to decide whether to spend \$1.8 million in Capital Improvement Project funds to build new fire-boat crew quarters at the Casco Bay Garage. Some councilors have spoken out against the proposal, saying

it is too costly.

The current quarters for firefighters assigned to the fire boat are inside the Casco Bay Garage and are small (400 square feet) and damp, causing mold and

See page 26

Literacy Volunteers seeks sponsors to stay afloat

By Randy Billings

PORTLAND — Since 1973, Literacy Volunteers of Greater Portland has been providing free tutoring to residents who need help reading, writing and speaking English.

But financial difficulties could doom the organization by the end of the year.

Like some other nonprofits, the future of Literacy Volunteers, whose operating budget is entirely funded by foundations and donations, is in jeopardy because prospective donors are tightening their belts.

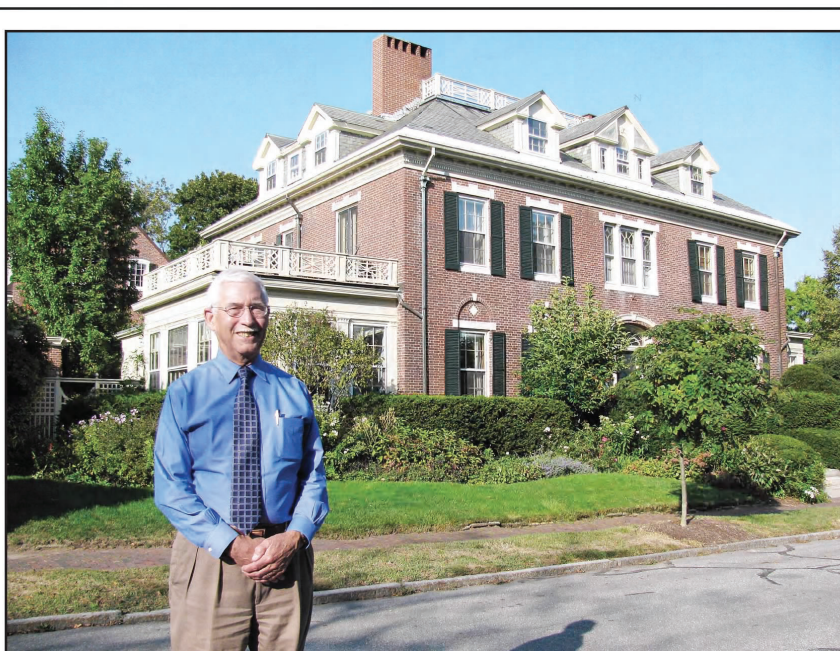
"We're on the brink," Executive Director Phyllis de Fano said. "There's no question about it."

De Fano, who is the only paid full-time staffer in the office at 142 High St., said the nonprofit has been dipping into its reserve account to meet the demands of its annual budget of \$65,000. There is currently enough money to continue operating until December, she said.

De Fano said Literacy Volunteers is also considering merging with another organization in an effort to reduce costs, but would not identify the organization.

The economic downturn is forcing many donors and foundations to reduce the what they give to groups like Literacy Volunteers, which is accredited by Proliteracy America. De Fano said the group has survived in recent years by soliciting funding from a wider base of foundations, but the nonprofit is

See page 26



Paul Stevens, a fourth-generation architect, stands in front of the Richard Webb house at 29 Bowdoin St. in Portland's West End. The building is one of the best examples of work by his great-grandfather, John Calvin Stevens. (Billings photo)

'An indelible mark'

City to honor the legacy of John Calvin Stevens

By Randy Billings

PORTLAND — If you have spent any amount of time in Portland, or almost anywhere on the coast of New England, chances are you've seen the work of John Calvin Stevens.

Take a walk through the Old Port or a leisurely stroll through the streets of the West End, lined with magnificent towering homes, and you will find his work. Spend a weekend in a summer cottage in Cape Elizabeth or on the Casco

Bay islands and you will experience him first-hand.

"He's everywhere," State Historian Earle Shettleworth Jr. said. "He's left an indelible mark on the city of

See page 27

West End residents unhappy with community policing station

By Randy Billings

PORTLAND — Concerned about a perceived rise in crime, the West End Neighborhood Association is collecting signatures to petition city and school leaders to increase the visibility of the Community Policing Center.

It is an effort the district's city councilor, David Marshall, said he finds surprising.

The petition being circulated throughout the West End calls on city leaders to put the West End Community Policing Station at the Reiche Community

Center, at 166 Brackett St., by Nov. 15. If that site is not feasible, residents want it located in another, more visible location nearby by Dec. 1.

The policing station is currently housed in Harbor Terrace, a group housing complex at 284

Danforth St. operated by the Portland Housing Authority. It was moved there from a location on Danforth Street several years ago as a cost-cutting measure. City Hall could not immediately

See page 26

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PMA new design 0 views



Rob Neal <rneal@gmail.com>
to hp@portlandmaine.gov

11:35 AM (3 minutes ago)



The issue is really very simple. Does Portland want to be a city that focuses on the past or on what's best for the future and coming generations?

Historic preservation is certainly important, but not in all cases of potential preservation.

It comes down to this choice: What is more important, being able to say "see how we once looked.... in the past", or "this is how we want the city to look now and in the future"

Portland is a unique and vibrant small city. We have lots of historic preservation and most of that is good for us. The potential for the new PMA, however, is enormous and would be even more of a cornerstone / foundation of what Portland is about both literally (the physical structure), and symbolically in what statement as a city we are making about our city with the PMA.

I live in Yarmouth, but have lived and worked in the greater Portland area since 1988 when I moved here with my family from Atlanta. The greater Portland region and community is a wonderful place to live, work, and raise children. We are world class in many areas and still evolving in others.

Let's not make a backwards statement about Portland by preserving an antiquated structure that is actually not visually appealing anyway, but more importantly represents a more narrow minded past than the more open and progressive minded direction Portland and the surrounding region has been headed for many years.

Let's move forward!!

--

Best Regards,

Rob Neal
www.robnealconsulting.com
207-838-4645

Rob – Greetings. All good wishes as you head into tomorrow's discussion of the PMA application.

After reviewing the application [much, too much of which is not relevant to the question before the HP Board] seeking redesignation of 142 Free Street as a non-contributing building, based on experience writing, editing and/or reviewing National Register historic district nominations, I conclude 142 Free Street is, indeed, a contributing building in the context of the Commerce Street Historic District.

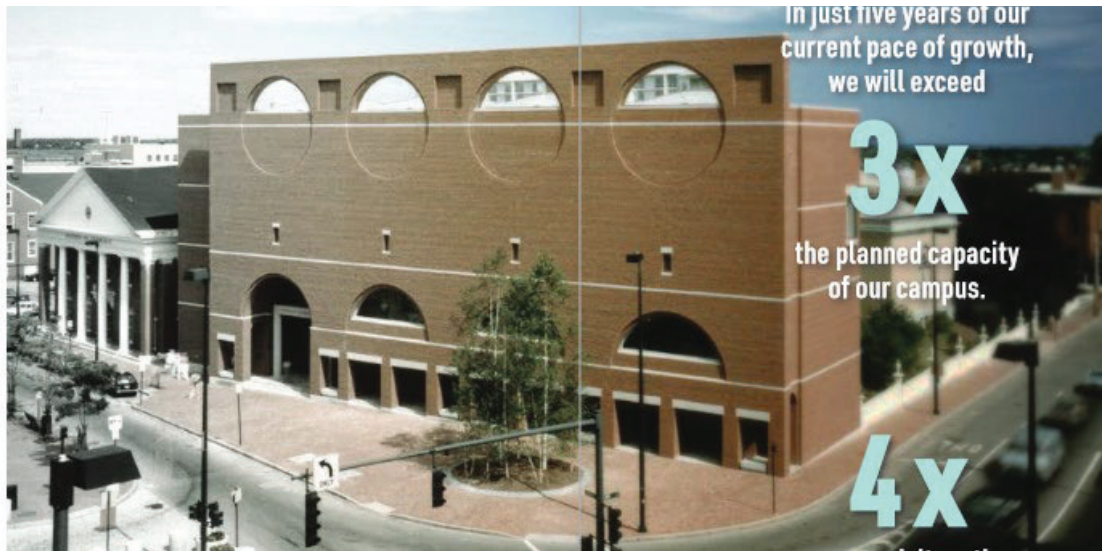
Its 1926 Stevens-designed façade for the Chamber of Commerce has design merit, design integrity and historic significance. Its elegant, history-inflected neoclassicism is very much part of what organizations like the C of C sought in that era – that quintessential era of commerce.

One sees other examples elsewhere in the historic district. And the district includes another superb, Stevens-designed neoclassical building, the 1911 LDM Sweat Memorial Gallery, in the PMA complex itself

A question [see photos attached]: Is the step back of Cobb's Payson Building which shows off the façade of 142 Free Street from Congress Square something the City required? Or was that Cobb's own gesture to a building he admired?

David Chase

The Cobb/Pei Associates PMA building Congress Square elevation steps back, the better to show off the elegant Stevens-designed Chamber of Commerce Building façade of 142 Free Street, keeping that neoclassical building very much part of the visual character of Congress Square.



Former Children's Museum 0 views



Holly <hdmjune@gmail.com>
to hp@portlandmaine.gov

Oct 3, 2023, 7:22:49 PM (13 hours ago) ☐ ☐ ☐

I have been following the "debate" and news concerning the Portland Museum of Art's desire to demolish the beautiful and iconic building on Free Street to put up another building that one can see in any major city in the world.

Speaking as a Maine native, the PMA doesn't need to build an "architecturally significant" building; it already has one at 142 Free Street.

There are only so many older buildings and this building "is Portland". Let's not dilute Portland's charm by turning it into Dallas or Seattle.

If the state historian, Earle Shettleworth, believes in its value what more needs to be said?

I am wondering if this project represents resume enhancement for Mr. Bessire as he appears to be tone deaf and blind to the significance of this building, which is downright odd considering art is tied to history.

Greater Portland Landmarks is absolutely right in their decision.

Holly McKibben, Portland

Don't demolish! 0 views

Assigned to me



Kathy and Scott <kdillenback@maine.rr.com>
to hp@portlandmaine.gov

8:05 AM (1 hour ago) ☐ ☐ ☐

The building is old, probably not perfect, but neither is the city of Portland, it seems everyone on the planet is moving here so the place must look good to them. Build the glass box somewhere else - there's no reason the older museum and the new must be attached. Thanks! Scott Dillenback

On Wed, Oct 4, 2023 at 1:37 AM Rachel Walls <missrachelwalls@gmail.com> wrote:

Dear Evan,

I am strongly opposed to allowing the Portland Museum of Art to destroy a historic landmark that is protected. Please do not allow this to happen. I cannot attend the meeting on Wednesday but want you to know there are many of us who value protecting historic buildings in Portland. Please don't allow what happened to Union Station to happen on Congress/Free St. Thank you for your consideration and efforts.

Rachel A. Walls

Portland High School Class of 1995

PMA Expansion 0 views



Gregory Sundik <gsundik@gmail.com>
to hp@portlandmaine.gov

9:17 AM (22 minutes ago)



Dear HP Members,

As a Portland native and person with experience in historic preservation, I strongly urge you to not allow the PMA to make any changes, only preservation improvements to the exterior of the old Children's Museum next door.

The inside of the building was heavily modified by the CM, this can be adapted and used by the PMA much as they did the McLellan house.

The building next door is part of the historic fabric of that part of our city. Any argument that says it not fitting with the character of the area is incorrect.

It will be a sad day and it will echo the demolishing of Union Station if you allow the PMA to modify or demolish the facade of the neighboring building.

Feel free to contact me if you have any questions or concerns.

Gregory Sundik
[207-450-2509](tel:207-450-2509)

Former Victoria Mansion PR and Events Director and Board Member



October 4, 2023

To Whom it May Concern:

I'm writing to express my confidence in the leadership at the Portland Museum of Art (PMA) as they work to significantly expand the organization's reach and offerings in the form of an expanded home on Free Street.

In late 2019, the PMA purchased 142 Free Street from the Children's Museum & Theatre of Maine (CMTM), our home for nearly three decades. The sale of the building enabled us to break ground on our new state-of-the-art facility at Thompson's Point. It was also the culmination of years of work by the board and staff at CMTM at the time to identify a larger location for our organization, as we grew rapidly.

In early research, CMTM strongly considered remaining at 142 Free Street and adding to the existing structure. However, studies and financial models showed that it was not a viable option given the significant updates needed to the building in both operating systems and physical accessibility, as well as a lack of opportunity to greatly expand our footprint. I should note that when CMTM moved locations, we donated, sold or took with us the majority of the beloved exhibits that were housed inside. The few relics that remain in the building were not salvageable. As a result of our move, we now attract over 200,000 visitors a year to our new space - double the visitation we were ever able to host at Free Street.

The PMA has played a significant role in creating the vibrant arts and culture community that exists in Portland today. They are the anchor of the Arts District, and their expansion will undoubtedly bring significantly more visitors from near and far to enjoy all the amenities our city has to offer. I am fully in support of the PMA's decision making and look forward to spending time in their new facility when it is complete.

Sincerely,

Julie Butcher Pezzino
Executive Director
207.828.1234 x223
julie@kitetails.org

On Wed, Oct 4, 2023 at 11:04 AM Francesca Galluccio-Steele <cesca.gs@gmail.com> wrote:

Mr. Evans,

Please distribute my comment below to members of the board for this evening's meeting. Many thanks!

>

> Portland has a long and honorable history of historic preservation. The sense of place that such preservation has created helps bind our city into a strong community. It makes no sense to me that the PMA which says it wishes to promote community, chooses to ignore a decades old community decision and actually destroy a well known element of the Congress Square city fabric!

>

> As a member of the Portland community, it is the PMA's responsibility to respect the historic district by preserving the exterior of the former Children's Museum. With a little creativity that historic building can be incorporated in the final design. The new building would then be a fuller reflection of the community by representing Wabanaki culture and more recent periods of our city's history.

>

> Francesca Galluccio-Steele
22 Clifford Street

Public Comment on Congress Street Historic District, 142 Free Street: 0 views



Karen Snyder <karsny@yahoo.com>
to Historic Preservation

12:35 PM (1 hour ago) □ □ □

Dear Historic Preservation Board Members,

I find the PMA's request quite perplexing and disappointing for the following concerning reasons:

- If PMA is so concerned about saving and preserving art cultural history, why do they have such disdain in saving and preserving Portland's building history?
- PMA's Creative director, Graeme Kennedy, said they want to demolish the building in order to "build for their communities". [Portland Museum of Art seeks city approval to tear down former Children's Museum \(pressherald.com\)](#). Who exactly is the PMA "community" if the Portland residents want to save the building?
- Another reason given was there was so many changes to the structure that it's diminished its historical significance. This is a common excuse given by developers as well to demolish and throw in landfills which is environmentally not sustainable even when it is more cost effective to rehabilitate. I know that rehabilitating my two 1850 buildings was way cheaper than demolishing and building new which makes the rental units more affordable.
- I am also concerned about this constant attack on Historic Districts in Portland where only 8% of Portland area is in Historic Districts with one of the highest density in residential population yet the developers and the wealthy constantly attack this 8% of Portland to demolish as much as possible.

It is also disappointing the changes that I have seen PMA undergo through the years from an inviting place where local residents could go to learn art history about Maine artists but to now an elitist enclave where the employees had to unionize.

I encourage the HP board to keep the building as a conforming structure.

Regards,
Karen Snyder
District 1

142 Free Street 0 views



Curt Sachs <sachsarch@gmail.com>

2:34 PM (21 minutes ago)



to hp@portlandmaine.gov, David Sachs

As a practicing preservation architect for the last 35 years, I am writing to discourage the classification of the referenced building as "contributing" in any sense. Although its initial use and architecture are noteworthy, subsequent renovations render the building as "not noteworthy". Its style is gone, though some architectural components are perhaps worth keeping. I support the notion of selective demolition of said structure. Key elements such as the columns might be re-introduced in an exterior courtyard adjacent to the current and/or future PMA buildings. A more sensitive design than Charles Moore's famed postmodern Piazza D'Italia should be embraced and encouraged by the Portland Preservation Department. There lies a compromise the City can offer and still allow PMA's vital expansion. We all know of the demolition mistakes we Portlanders still endure.

As a member of Portland's architecture community, I respectfully respect the request of PMA, with conditional and required re-use caveat so as to retain elements of a once valued building.

Respectfully submitted.

M. Curt Sachs, RA

Studio Curt Sachs

sachsarch@gmail.com

207.615.6628

12 Lewis Street

Portland, Maine 04102

Maine Licensed Architect

142 Free Street 0 views

Assigned to me ☐



Rosanne Griffin <rgriffin2@maine.rr.com>
to hp@portlandmaine.gov

2:54 PM (1 hour ago) ☐ ☐ ☐

Hello board,
142 Free Street is a historic beautiful building in Portland. It was designated historic because it is!
Should a powerful museum with connections be allowed to change the status because they want to tear it down?
Of course not!
Let's not allow another disaster like the Libby building they already tore down to build the main PMA building.
142 Free street as is will be beautiful as part of the museum, just like the Mclellan house is now also.
Don't be pushed around by the Portland museum of art please.
I know you all know this buildings historic value!
It's one of a kind with no other building like it.
Please save the old Portland that is rapidly changing.

Rosanne Griffin
Born in Portland maine.
Building owner in portland maine.



Rosanne Griffin <rgriffin2@maine.rr.com>
to hp@portlandmaine.gov

3:08 PM (1 hour ago) ☐ ☐ ☐

Added my legal address!
And agenda item!

> On Oct 23, 2023, at 2:54 PM, Rosanne Griffin <rgriffin2@maine.rr.com> wrote:
>
Agenda item: 142 Free st.

> Hello board,
☐

Legal address:
23 Deer Run Rd
North Yarmouth, ME 04097

really? 0 views

 Assigned to me



Jim Dougherty <jdougherty101@gmail.com>

to hp@portlandmaine.gov

Oct 23, 2023, 5:56:17 PM (16 hours ago)



i strongly object to destroying the former chamber of commerce building. just think of the buildings now gone from the the city of portland. too many! let's not take more of our history.
diane bartholomew
freeport maine

Reclassifying of the former Chamber of Commerce Building. 0 views

 Assigned to me



Ted Pitas <tpitas58@gmail.com>
to hp@portlandmaine.gov

Oct 23, 2023, 11:22:58 PM (10 hours ago)   

To the HP board:

I think the PMA has lost their way on this. This building is art in itself. They can place their exhibits in the building with little cost to the museum itself. If they don't have enough space, they can just buy the parking lot next to the Chamber building and request a building permit for whatever they want build there. They will save on demolition costs this way.

Ted Pitas
American Carpentry Service

142 Free Street 0 views

 Assigned to me



Dan Skwire <dan.skwire@milliman.com>
to hp@portlandmaine.gov

8:58 AM (1 hour ago) ☐ ☐ ☐

I am writing to express my concern with the request by the Portland Museum of Art to reclassify the former Chamber of Commerce building as a non-contributing structure so that it can be demolished as part of the PMA's expansion plan. I strongly oppose this request.

I am a long-time Portland resident who lives in the West End and works in the Old Port. We are exceptionally fortunate in Portland that so much of the city's history survives in the real and tangible forms of its historic buildings. These buildings are a key element of our city's identity and they are a key reason that so many people wish to live and visit here. The loss of any historic building is a tragedy—is there anyone here who wouldn't wish to bring back Union Station, whose demolition was one of the inspirations for the historic preservation movement in Portland? The loss of 142 Free Street would be particularly tragic because it is so unnecessary.

The building is an interesting and important one, originally constructed as a theater and later functioning as a church and a museum, among other roles. Its distinctive temple front is instantly recognizable, and has been for over 200 years. I am a member and a supporter of the PMA, and I commend its objective of growing its presence in the city. But to do so at the expense of a distinctive, contributing historic structure is simply irresponsible. Like all of us in Portland, the PMA benefits from the city's historic fabric—it is already the steward of the Winslow Homer studio, the McClellan-Sweat House, the Clapp house, and others. Any future expansion should be done in a manner that provides equal respect and consideration for the Chamber of Commerce Building at 142 Free Stree.

Daniel D. Skwire
10 Grayhurst Park
Portland, Maine 04102

Agenda Item 142 Free Street 0 views



Patti Shaw <pshaw@maine.rr.com>
to hp@portlandmaine.gov

10:31 AM (1 hour ago) ☐ ☐ ☐

Good morning,

I am writing to encourage you to preserve 142 Free Street. I understand the museum's desire to expand, the argument it has been modified from its original construction, however, it represents a time, architectural style, and historical marker for the city of Portland.

Although I no longer own property in Portland, I did own a building, 165-67 Congress, designed and built by F. Fawcett/J.C. Stevens, which had been modified over the years, but its presence on Congress Street adds to the street's charm and an historic era. I worked very hard to maintain the building. Although the new owner is much less concerned with the building, it remains a historic marker. (It actually was the home of the first black bishop, James A. Healey, for a period of time.)

For whatever reason, Portland leaders are allowing the destruction of the beauty, the architectural, history, and the ambience of Portland to disappear. Soon, if this trend continues, the Portland that has brought so many new residents will be no more. Beautiful old buildings replaced with modern square structures as one sees on a walk around Munjoy Hill.

Every generation has to deal with architectural change, however, the city of Portland is very special. To allow yet historic building in the center of Portland to be removed is again destroying the very thread that has made Portland such a wonderful city to visit and reside.

NO to the demolition of 142 Free Street.

By the way, there is a reason why so many European cities destroyed during World War II rebuilt exact replicas of the buildings destroyed. Their beauty enhances their cities.

Regards,
Patricia Shaw
309 Black Point Rd
Scarborough, Me

PLEASE DONT' LET THE PMA TEAR DOWN A HISTORIC BUILDING 0 views

 Assigned to me



C/S Gray <gray2914@gmail.com>
to hp@portlandmaine.gov

Oct 24, 2023, 3:29:27 PM (yesterday) ☐ ☐ ☐

I am a Portland native, and a local tour guide. One of the great joys for locals and visitors alike is seeing all of the old historic buildings in town - and learning about their history and significance through the years.

Please keep it that way. Please do not allow PMA to tear down the historic Chamber of Commerce Building.

Sure, it's cheaper and easier to start from scratch with an empty lot.... but at what cost???

Christine Gray

142 free street 0 views

 Assigned to me



Jen DeRose <jenlderose@gmail.com>
to hp@portlandmaine.gov

Oct 24, 2023, 8:44:29 PM (yesterday) ☐ ☐ ☐

Hello:

Please do not demolish 142 Free Street. While I have high hopes for a new design for the museum, I am also hopeful that we can find a plan that works around this historic building. We have seen too many historic building lost to what is considered progress — the Franklin Arterial, Union station — and with it, the town's sense of place and history.

What is left of Portland's historic architecture is one of the city's very best qualities—it is what draws people here—and is one of the reasons this city is thriving today. Let's work to maintain that.

Thank you,
J. DeRose
93 pine street

142 Free Street 0 views

 Assigned to me



Miles Parker <milesarker26@icloud.com>
to hp@portlandmaine.gov

Oct 25, 2023, 3:15:42 AM (yesterday) ☐ ☐ ☐

The Chamber of Commerce Building is such a beautiful and enduring part of the Congress Square cityscape that it would be heartbreaking to lose it to PMA's expansion plans. Reclassifying a building's status that leads to its demolition sets a very dangerous precedent for Portland's architectural heritage. This impressive temple-like building has been charmingly peeking out of the corner of a major city crossroads for 200 years. The structure's association with John Calvin Stevens only enriches its significance

I love Portland. I'm a member of the Portland Museum of Art who supports their commitment to our city but not at the expense of losing the Chamber of Commerce Building.

Don't tear it down!

Sincerely,
Miles Parker
Pariserstr 14
81669 Munich, Germany

kathleen.casasa <kmcasasa@gmail.com>
to hp@portlandmaine.gov

Oct 25, 2023, 9:52:36 AM (yesterday)



To Whom It May Concern,

I am writing to express concern about the possible demolition of the building at 142 Free St., formerly the Chamber of Commerce building. This is a stunning building and adds much to character of Portland. I have lived in Portland all my life and have seen the many changes over time. Given all the building on the peninsula most of which is not value added visually to our city it would be ashame to allow this building to be demolished and further impact what makes Portland unique. I hope you will not allow this to happen.

Thank you,
Kathleen Casasa
514 Capisic St.
Portland, Me.

124 Free Street 0 views

 Assigned to me



Eric Handley <ewhcom@gmail.com>
to hp@portlandmaine.gov

Oct 25, 2023, 12:50:34 PM (23 hours ago) ☐ ☐ ☐

I would like to say that reclassifying 124 Free Street for demolition would set a negative precedent to the historical buildings in the city.

I would like to see the PMA developing a campus that incorporates rather than destroying the historic structures in their domain.

Please don't reclassify this building.
Thanks

Eric Handley
56 Wilson Street Unit 4
Portland, ME 04101

save the historic former Chamber of Commerce Building at 142 Free Street 0 views



Colin Vettier <colin.vettier@gmail.com>
to hp@portlandmaine.gov

11:31 AM (1 hour ago)



Hello,

As a Portland resident I would like to share my concerns about the PMA plan to demolish a significant architectural building of the city.

While the PMA's extension is something I look forward too, I believe that it should not be to the detriment of existing architectural heritage of our city that is already plagued by luxury condos and parking lots.

In particular, this proposal could set a dangerous precedent. If one property owner is allowed to decide that a historic building should be reclassified and demolished because it is in the way to their plans, then the integrity of all the historic districts that benefit Portland in so many ways may be in jeopardy.

Kindly,

Colin VETTIER



PO Box 17533, Portland, ME 04112

25 October 2023

RE: CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS NONCONTRIBUTING

Chair O'Brien and Members of the Historic Preservation Board,

Greater Portland Landmarks does not oppose the expansion of the Portland Museum of Art's campus and we are enthusiastic about the prospect of another landmark building being added to the museum's collection. We do not believe preservation of the former Chamber of Commerce Building and the introduction of a contemporary landmark are mutually exclusive.

As we addressed in our statement for the October workshop, Landmarks strongly believes that the former Chamber of Commerce Building clearly meets the criteria for designation as a contributing structure, both in terms of its architectural, historic, and thematic significance within the Congress Street Historic District and its retention of the required level of integrity to its 1926 appearance. The PMA's reclassification request includes a consultant report that focuses largely on interior alterations, which are not under the purview of the Historic Preservation Board, and the early history of the building, rather than the integrity of the building's exterior appearance since its 1926 alteration. The building's exterior is largely unchanged from its appearance in 1926 or from its appearance when it was evaluated for inclusion in the Congress Street Historic District. Greater Portland Landmarks finds no basis in the consultant's report for reclassification of the building as a non-contributing structure.



Image of the former Chamber of Commerce Building during World War II.

While not designated as an individual landmark, the former Chamber of Commerce building, like all contributing buildings, in combination with its neighbors forms the cohesive fabric essential to the

establishment of a historic district. In addition, the former Chamber of Commerce Building meets 4 out of the 6 criteria laid out in **Subsection 17.4.1.A** of Portland's Historic Preservation Ordinance. It also meets the criteria laid out in **Subsection 17.4.1.B** and **Subsection 17.4.2** of the ordinance.

- It is significant to the cultural, historic, architectural heritage of the city.
- It exemplifies a significant architectural style.
- It is the work of an architect whose individual work is significant in the history or development of the City of Portland and the State of Maine.
- As the former home for nearly 60 years of the city's Chamber of Commerce, it expresses and contributes to the theme of the Congress Street Historic District, a cohesive corridor of commercial and civic buildings that are significant for their role in the commercial, social, and architectural development of the city from 1780-1958.
- Although minor alterations have been made to the exterior, it retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its design and reflect its appearance during its use by the Portland Chamber of Commerce.

The Portland Museum of Art's collection is significant to the art history and culture of Maine. The largest pieces in the PMA's collection are its five historic buildings. This expansion project is an opportunity to further unify *all* the varied historic buildings on the museum's campus. Greater Portland Landmarks believes that there are options to meet the Museum's worthy goals and to preserve the former Chamber of Commerce Building on Free Street.

Portland has examples of the beneficial results that can occur when demolition plans are reconsidered. One such example occurred in the 1990s when plans to demolish the interior of Portland's Merrill Auditorium were touted as the only means to achieve state-of-the-art acoustics. The demolition plans were resisted by a vocal group of citizens who advocated for a second opinion. Experts capable of improving the concert hall's acoustics while preserving the historic interior were then hired. The result is a beautiful venue that serves as a cultural hub supporting a diverse variety of programming.

Landmarks does not believe the best way forward is the demolition of one of the PMA's largest assets. Instead, we encourage the PMA to work creatively with their architects and with the Historic Preservation Board to seek a Certificate of Appropriateness that incorporates the former Chamber of Commerce building into its campus expansion project.

The vote to reconsider the designation of the former Chamber of Commerce Building is significant not only for this application, but also significant to maintaining the integrity of the ordinance itself and to the preservation of other contributing structures throughout the City's historic districts. We hope that you will apply the criteria of the ordinance in this case as you do in all development projects, large and small, that you consider. In your careful deliberation we urge you to agree that the evidence supports the former Chamber of Commerce building's continued designation as a contributing building within the historic district.

Thank you for considering our views,



Carol De Tine
Vice President of the Board of Trustees
Greater Portland Landmarks

Date: 26 October 2023

Re: NOT to demolish the Chamber of Commerce Building (CCB), formally the Children's Museum, per PMA application

I request that the Historic Preservation Board NOT approve the PMA's (Portland Museum of Art) request to demolish the building adjacent to the Payson Building which is in Portland's historic zone for the following reasons:

- + This would set a corrosive precedent to the historic preservation overlay which is clearly written in city code
- + The architect of the Payson (1982) building referenced the CCB in his design process making the CCB significant in understanding the Payson within its urban context
- + The Payson defers to all buildings on the PMA campus by: keeping to scale of the existing buildings, stepping down in its mass to the existing historic buildings, using similar exterior building materials as existing buildings
- + The proposed LEAVER project: dominates the site in scale and height, demolishes the CCB, demolishes parts of the Payson, reorients the entrance away from Congress Square, uses highly contrasting materials to the PMA buildings and surrounding context
- + The proposed project is not 'sustainable design' when compared to utilizing the existing CCB which is in good physical condition, was just used as a museum and has much useful life left
- + The PMA's absurd accusation that because the CCB was renovated in the 1920's during the Jim Crow area in the South, it is "racist" and therefore should be demolished is silly and not worthy of further comment

Thank you,
Robert Kahn,
94 Rackleff St, Portland

Chamber of Commerce Building 0 views

 Assigned to me

Dugan Murphy <dugan@duganmurphy.com>
to hp@portlandmaine.gov

Oct 26, 2023, 9:04:20 PM (11 hours ago)



Dear Historic Preservation Board,

I am writing in regards to the Portland Museum of Art's request to reclassify the Chamber of Commerce Building on Free Street to noncontributing within the Congress Street Historic District. I think this request is ridiculous.

This building is over two centuries old with a facade that is well preserved from its redesign a century ago by famed architect John Calvin Stevens. The importance of its presence as part of the historic urban fabric of downtown Congress Street is exactly why all the work was put into researching it and the other contributing structures within that district and getting that district added to Portland's recognized collection of local historic districts. It is exactly why this city decided to adopt a historic preservation ordinance back in 1990. We, as a community, did not put these protections in place, just to have them revoked when a little inconvenient.

The Portland Museum of Art has a lot of property at their disposal. They have been sitting for decades on the amazing, historic Clapp House without using it for anything the public can access. Why not rehabilitate that structure? In 2007 they depleted Portland's woefully small and much-needed affordable housing supply when they demolished the YWCA building on Spring Street. Why not develop that underutilized parking lot and adjacent, unusable green space they put in its place? Why not redesign the interior of the Chamber of Commerce Building, build an addition to it, or pursue any of the many other expansion options available to them currently allowed by law, without going through this bald-faced, bad-faith reclassification process?

The PMA is a creative organization. Please deny this request so they can use that creativity in their ranks to develop an expansion plan that suits their needs *and* the needs of the broader community by preserving the Chamber building.

Dugan Murphy
(he/him)
Resident of the India Street Historic District

142 Free Street 0 views

 Assigned to me

William Hall <wpeaks@earthlink.net>
to hp@portlandmaine.gov

Oct 26, 2023, 9:17:36 PM (11 hours ago)



To the members of the Historic Preservation Board:

I appreciated your very good questions and discussion during at the October workshop on the status of 142 Free Street as a contributing structure. For your upcoming public hearing I would like to emphasize just one point from Greater Portland Landmarks' position statement:

- This proposal [to tear down the building] could set a dangerous precedent. If one property owner is allowed to decide that a historic building should be reclassified and demolished because it is in the way of their plans, then the integrity of all the historic districts that benefit Portland in so many ways may be in jeopardy

In addition to being on the Landmarks board, I am a member of the Portland Museum of Art. So I truly admire the PMA's effort to remake its space in a way that takes the museum into the future as a remarkable and exciting public institution.

However, I think it's extremely important to uphold Portland's land use code and reach a decision that is in conformance with the law. 142 Free Street certainly meets key criteria for preservation as a contributing structure. A decision contrary to that, allowing the building to be torn down, risks undermining historic preservation rules that have done so much to make Portland a unique, vibrant, and desirable place to live and visit.

Thank you for your consideration and for your service to the city of Portland.

Bill Hall

317 Pleasant Avenue

Peaks Island

Portland Planning Board member, 2006-2016

Public Comment: 142 Free Street 0 views

Assigned to me



Dela Murphy @DelaHere

<dela@delahere.com>

to hp@portlandmaine.gov

Oct 26, 2023, 9:25:13 PM (11 hours ago)

Dear Historic Preservation Board,

I am writing to urge you to maintain the status of 142 Free Street as a Contributing building to the Congress Street Historic District. Designating buildings as such is an intensive and careful process with the intention of celebrating and maintaining a cohesive and historically important streetscape. It's not only inappropriate for an individual, organization, or interest group to lobby or pay to remove a designation to further it's interests, it undermines the integrity of this program and damages our community identity and social goods.

The Portland Museum of Art has every right to expand its campus—and it should!—but I strongly believe that goal can be achieved without razing the former Chamber of Commerce building. In fact, the PMA currently has several underutilized historic buildings on its campus that are unavailable to the public or only partially visioned. Fully utilizing these assets is an opportunity for the museum to celebrate Portland's history and their connection to it without demolition. They also have undeveloped parking areas and green space around their core building and a tremendous amount of creativity and resources at their disposal. A vision is possible that isn't in bad faith.

Thank you for your consideration and for all the work you do!

Warmly,
Dela Murphy
61 India St
India Street Historic District

142 Free Street, Chamber of Commerce Building 0 views

Assigned to me



Barbara Vestal <vestal@chesterandvestal.com>

12:22 AM (8 hours ago)



to hp@portlandmaine.gov

Chair O'Brien and Historic Preservation Board Members:

I was the chair of the Planning Board in the late 1980s when we worked with a nationally respected consultant, Richard Roddewig, over a couple of years to craft Portland's historic preservation ordinance. He observed that the choices we were making for Portland put us squarely in the middle range of many such ordinances across the nation.

Like these ordinances, we opted to protect not only rare, very special individual "landmark" structures, but also to protect the much more common historic structures that retained their historic integrity and shared a set of character-defining features that contributed to an historic district's unique identity. These were identified as protected "contributing" structures.

An essential part of the value of this type of historic preservation ordinance derives from a mutuality of benefit: a property owner accepts certain regulation of their own property because neighboring owners of similar property are also accepting the same regulation of their property. The sum of the protected historic properties, as a critical mass, has a much greater impact than the individual buildings. The authenticity of place is protected by maintaining the context and protecting the inter-relationships between neighboring buildings throughout the entire district.

It is essential to the integrity of the ordinance that all owners of contributing structures be treated in the same manner, in compliance with the same standards. It is patently unfair for one owner to benefit from its neighbors maintaining the historic context, while at the same time seeking to withdraw from the mutual benefits for its own gain in order to demolish that owner's own historic structure.

In this case, with the Portland Museum of Art (PMA), there can be no claim of surprise about the "contributing" status of the Chamber of Commerce Building. It unquestionably met the criteria and was designated as "contributing" at the time that the City Council approved the designation of the Congress Street Historic District in 2009. This fact was well-known to PMA.

To me, the surprise is that PMA apparently opted to ignore that designation and opted to proceed with a design competition in which they left out the crucial information that the Chamber of Commerce Building was designated as a "contributing" structure in the Congress Street Historic District. Had that information been given to the design teams, it seems like multiple options for a museum expansion could have been (and still could be) productively explored that would not have included demolition of the Chamber of Commerce Building. The range of possible options include incorporation of the Chamber of Commerce Building into the expansion plans in some fashion, or expansion onto adjacent vacant land already owned by the PMA, or acquisition of adjacent vacant land for the expansion.

It is not the job of this Board, nor the job of the City, to determine the expansion strategy for PMA. They appear to have many options for proceeding within the current regulations.

But it is the job of this Board, and the City, to protect the integrity of Portland's Historic Preservation Ordinance, and to see that all owners of similarly situated historic properties receive the same carefully considered, fair and consistent treatment in compliance with the ordinance. The decision should not turn on the identity of the applicant; procedural due process requires that the decision makers focus on the historic structure in question, the Congress Street Historic District, and the Historic Preservation Ordinance. The Chamber of Commerce building is clearly a "contributing" building under the ordinance. That designation should not be reversed, even if the applicant is the PMA.

Regards,

Barbara Vestal
7 Fore Street
Portland, Maine 04101

CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS NONCONTRIBUTING

PC40

0 views



Jack Vreeland <jackvreeland@gmail.com>
to hp@portlandmaine.gov

8:43 AM (2 minutes ago)



Jack Vreeland
447 Deering Avenue
Portland, ME 04103

October 27, 2023

RE: CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS NONCONTRIBUTING

Dear Chair O'Brien and Members of the Historic Preservation Board,

The Portland Museum of Art is a tremendous asset to our community. As a member, I applaud the museum's intentions to add much needed space to make the museum more inclusive and diverse -- and to make a dramatic architectural statement.

142 Free Street (the former Chamber of Commerce Building) is undoubtedly protected as a "Contributing Structure" as documented by Greater Portland Landmarks and supported by Earle G. Shettleworth, Jr. and Scott Hanson at the prior workshop.

As an institution that celebrates creativity, the PMA could have made integrating 142 Free Street a part of their initial RFP. There are so many brilliant examples around the world of museums integrating both modern and historic structures in wonderful creative ways. The PMA framed the RFP with the understanding that 142 Free Street would definitely be demolished. To have advanced their plans so far without ever addressing this issue was taking a very large risk.

That decision to demolish a protected building is not theirs alone, but is driven by the existing Historic Preservation Ordinance as enforced by this Board, the Planning Board, and the City Council. This building was included as a Contributing Structure following extensive research over years by qualified professionals. The status of the building's exterior appearance is largely unchanged since its 1926 renovation by John Calvin Stevens — and also largely unchanged from when it was rigorously evaluated for inclusion in the Congress Street Historic District. The PMA purchased a protected historic building. This has not changed.

So, the question before you is: do the Historic Preservation rules apply to everyone equally? These rules exist so that the decisions are based not on one building, or one worthy applicant, but on a set of rules that everyone follows. It is that clarity and even-handedness that shapes the overall essence of a community —and that community's fair and equitable treatment.

The consequences of letting this one protected building be demolished would set a dangerous precedent and possibly jeopardize Federal tax funding that flows from having a solid, enforced Historic Preservation Ordinance in place. It is too risky.

If one property owner is allowed to decide that a historic building should be reclassified and demolished because it is in the way of their plans, no matter how worthy, then the integrity of all the Historic Districts that benefit Portland in the many ways documented in the recent Impact Study may be in jeopardy.

I am hoping you will vote to reject the PMA request and encourage them to start exploring creative ways to include the Chamber Building at 142 Free Street in their design. We can have it both ways, a great museum and keep a protected building as part of it.

We are all fortunate to live in this great city with its rich natural and built environment. It is our legacy to maintain what we have for future generations. We are all part of a chain of citizens who have faced difficult choices over time. Fortunately, at some point, rules were established to guide us. I ask now that you uphold these rules.

Sincerely,

Jack Vreeland
447 Deering Ave.
Portland, ME 04103 USA
207-879-9152
jackvreeland@gmail.com

October 27, 2023

Chair O'Brien and Members of the Historic Preservation Board,

You have before you a request from the Portland Museum of Art (PMA) to reclassify the former Chamber of Commerce building at 142 Free Street from its status as a Contributing building in the Congress Street Historic District to a Non-Contributing status, that would then allow the Museum to demolish it.

A primary document sponsored by the Museum to support their case that the Chamber of Commerce building does not contribute to the significance of the historic district is "A History of 142 Free Street and Free Street at Congress Square." The Museum claims that this consultant report supports its assertion that the Chamber building has been so changed over time and its context so changed that it neither represents a building that can help to convey the story of the development of Portland's commercial corridor in the early 20th century nor that retains integrity to convey this story.

The report includes a great deal of documented history for both the building and the Free Street area of the historic district, but it does not evaluate the Chamber of Commerce building in terms of why it was deemed by those who researched and prepared the documentation for the Congress Street Historic District as a Contributing structure in the historic district. As you who serve on this Board know, when a building or an historic district is proposed for historic designation, it is evaluated in the form that it appears at the time of that proposed designation.

The former Chamber of Commerce Building's appearance in 2009 is essentially the same as you see it today and the same as it appeared in 1926 when John Calvin Stevens reworked the building to serve the needs of Portland's business leaders. It is this appearance we see today that references the nearly 60-year tenure of the Chamber of Commerce on this site. Minor alterations have not changed that basic appearance and could be reversed if desired.

I respectfully urge you to uphold the judgements made in 2009 by your colleagues who preceded you on this Historic Preservation Board, and to find that the Chamber of Commerce Building merits its status as a Contributing building in the Congress Street Historic District.

Sally Oldham
118 Congress Street
Portland

nancy montgomery <montgomerydesign@me.com>
to hp@portlandmaine.gov

11:36 AM (1 minute ago)



Nancy Montgomery
Montgomery Design Inc.
447 Deering Ave., Portland, ME 04103
[207-831-8927](tel:207-831-8927)

October 27, 2023

RE: CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET
AS NONCONTRIBUTING

Dear Chair O'Brien and Members of the Historic Preservation Board,

I am writing to encourage you each to oppose reclassification of the former Chamber of Commerce building at 142 Free Street— but even more importantly to me, to support fair and consistent application of the Historic Preservation Ordinance's protections.

Here is my thinking:

1) Dominos and dangerous precedents:

If one property owner — no matter how respected and how worthy their goals -- is allowed to decide that a historic building should be reclassified and demolished because it is in the way of ambitious plans, then the integrity of all the Historic Districts that benefit Portland in the many ways demonstrated in the recent Trends in Portland's Historic Districts report may be in jeopardy. I fear a domino effect.

The Chamber building's structural integrity is not in question, a valid reason for reclassification.

2) More creativity needed, more ways to solve a problem:

As a PMA member, I have been excited by their campaigns to improve access for all, "art for all", to improve equity, access, and representation. I favor a Museum expansion. And space for more art and interactive experiences. However, much like Merrill City Hall Auditorium, I believe there is NOT only one creative solution to a problem!

I have been personally grieved to watch what might be seen as arrogant and short-sighted to insist that the only solution is to tear down a Contributing Structure at 142 Free Street — despite being surrounded by neighboring empty parking lots. Why not more creative negotiations and thinking outside the box?

Look at Merrill Auditorium's once-controversial Second Opinion Campaign (c.1996), which both rescued the Auditorium's historic balconies and appearance AND vastly improved the acoustics. At that time, the initial architectural plans insisted that gutting the interior was the only way to achieve the goals and ensure good acoustics. Fortunately, citizens rallied and changed that set course. It was difficult but worthwhile. Cannot the PMA take a second creative look?

3) To me, it was incomprehensible not to address with HP early on how to deal with the historic building the PMA purchased — knowing it was a HD Contributing building. Exciting creative combinations of modern and historic structures can be seen worldwide. Everything from surrounding/encapsulating the old building to creating exciting dialogues between the Henry Cobb building and the Chamber building.

I was disillusioned to see that the PMA's initial RFP assumed 142 Free Street must be demolished. In their "public comments" feedback events, I said so.

4) Kindly fact-check PMA's statement and correct the record:

At the workshop, PMA said something like **"We just followed ____'s suggestions"** (to go ahead planning demolition). I cannot imagine, knowing the Planning Dept's careful considered approach that could be accurate. Words matter. It is my impression that the PMA had input from various sources over several years warning against demolition. Their statement does seem sadly disingenuous to me.

5) The PMA seemed to assume that a blanket had been thrown over the Congress Street Historic District and **buildings were not individually vetted.** The PMA said something like, "We don't know what their (City staff) thinking was in designating 142 Free because nobody from that time is here." Scott Hanson, the primary Congress Street HD researcher, resoundingly disproved their theory. The renovations in 1926 by JC Stevens are significant to the Congress Street District's Period of Significance as a vibrant commercial center.

6) The fabric of a historic district is interwoven and interdependent. Does removing one thread endanger millions of dollars in tax benefits to the City as a Cert. Local Govt.? **The idea that a “project of special merit” might arise in the future and allow demolition of a Contributing Structure was proposed years ago. The Federal authorities disallowed that idea. Thus Portland committed to Federal HD limitations and rules when we became a CLG.**

7) Margaret Gaertner’s report missed the point:

There are misconceptions in her report: Interior changes are not covered by the Historic Preservation Ordinance. Buildings do “grow” and change — as did the Hay Building next door, also renovated by John Calvin Stevens. Former State Historian Earle Shettleworth’s evaluation of the significance of the 1926 Chamber remodeling at 142 Free should not be discounted. The JCS renovation of 142 Free into the Chamber is tied to the District’s Period of Significance.

8) Art for all — yes! But ...

Rules apply to all, too:

The Portland Museum of Art’s intent to make Art more accessible to all, with more equity and representation is laudable. But they also need to follow the law. That is equity. That is fairness, too.

Please support the integrity of the H. P. Ordinance by applying it equally to everybody.

Sincerely,

Nancy Montgomery, interpretive designer
Montgomery Design Inc.
447 Deering Ave., Portland, ME 04103
[207-831-8927](tel:207-831-8927)
montgomerydesign@me.com

To: Portland Historic Preservation Board
From: Earle G. Shettleworth, Jr.
37 Academy Street
Hallowell, Maine 04347
November 1, 2023

Agenda Item: Congress Street Historic District – Reclassification of 142 Free Street as Noncontributing.

On October 4, 2023, I addressed the Board in writing and in person to affirm the significance of 142 Free Street as a work of John Calvin Stevens that contributes to the Congress Street Historic District. As you deliberate on the Portland Museum of Art's application to reclassify 142 Free Street as non-contributing to the district, I wish to comment on the broader implications of your decision.

Since the 1960s, many Portland citizens have worked diligently to preserve the historic character of the city by the establishment of National Register Historic Districts, followed by the creation of local historic districts through the adoption of the historic preservation ordinance in 1990. The success of these efforts is clearly apparent in the critical contribution of historic preservation to making Portland one of the most desirable small cities in America. Those areas protected by the ordinance have experienced major private and public investment that has enhanced the entire city.

Approval of the Portland Museum of Art's application to declassify 142 Free Street would seriously compromise the integrity and purpose of the ordinance by allowing a building certified as significant by the city, the state and the Federal government to be demolished. Moreover, such an action would encourage other property owners to seek similar exemptions, further weakening the effectiveness of the ordinance and placing the city's historic built environment, and thus its quality of life, in jeopardy.

I trust in the good judgment of the Board to maintain the integrity and purpose of the ordinance as it reviews this application.

RE: Reclassification of 142 Free Street 0 views

Assigned to me



Susan Faxon <sfaxon1122@gmail.com>
to hp@portlandmaine.gov, officeofthedirector@portlandmuseum.org

Oct 28, 2023, 6:22:43 PM (yesterday)



Dear Historic Preservation Board,

I write to enthusiastically support the Portland Museum of Art's petition to your board to reclassify 142 Free Street in order to allow the museum to move forward with their innovative and necessary expansion program.

Let me explain what I bring to this conclusion.

I retired to Portland in 2017 after nearly 50 years of experience with issues of historic preservation, including a graduate degree in the topic from Columbia, and over twenty years serving as a founding member of the Design Review Committee, reviewing restorations, adaptive reuse, expansion, and removal of buildings on the 500 acre campus of Phillips Academy, Andover MA. Concurrently I have extensive experience in the museum field, having served as both an administrator and as senior curator of American Art before 1950 at the Addison Gallery of American Art at Phillips. I know first hand the difficult compromises and challenges of deciding the fate of historic structures as well as the caretaking obligations and educational opportunities demanded of the modern museum.

In my opinion the Portland Museum's visionary architectural expansion plan gives tangible evidence of the institution's commitment to serving a wider Portland community and will allow the museum to more easily and creatively share our common artistic heritage with both present and future audiences. Additionally the expansion offers significant improvements to the streetscapes of Free Street and Spring Street. The open character of the museum's new addition on Free Street will provide a counterpoint to the uninviting and off-putting blank brick wall of the Payson Building. It will offer visual access to art both while open and when closed through its pedestrian passage between Free and Spring Street. It unifies and clarifies the museum campus at the same time that it mitigates against the dreary and hodge-podge streetscape that presently exists along Free Street.

Of course the difficulty with the expansion plan is the necessity of either relocating (a proposal worth considering, by the way) or demolishing the Chamber of Commerce building. This is a decision that is hard to make, but as with all preservation decisions, the greater good needs to be given weight (and I believe that in this case the expansion of the museum is the greater good in the ways I have articulated above). I submit that the sacrifice of a rather stolid and unimaginative structure is a fair and necessary measure to allow a project that will enervate and enliven an important streetscape. Finally, I come to this decision with the knowledge that the museum's plans will allow the far more important Greek Revival building on Spring Street, the Charles Quincy Clapp House, to shine. This is a fair trade to my mind.

Sincerely,

Susan Faxon
20 West Street, Apt 21
Portland Maine 04102

The demolition of the former Children's Museum building 0 views



Candice Lee <cthorntonlee@gmail.com>
to hp@portlandmaine.gov

10:42 AM (1 minute ago) ☐ ☐ ☐

While it is not the greatest of buildings, there is an ordinance protecting it and going against it will open Pandora's box. So I vote we keep it and the museum should learn to work with it. They are in possessio of three historic buildings and should regard them as assets instead of liabilities and embrace them wherever they can. Candice Lee, former board member and long time supporter of Landmarks!

142 Free St 0 views



Laura Nixon-Belair <lnixonbelair@gmail.com>
to hp@portlandmaine.gov

10:51 AM (6 minutes ago)



Regarding historic status of 142 Free St. Please do not set precedent that historic buildings can be demolished on the property owners whim. This reclassification proposal could set a dangerous precedent. If one property owner is allowed to decide that a historic building should be reclassified and demolished because it is in the way of their plans, then the integrity of all the historic districts that benefit Portland in so many ways may be in jeopardy. While I feel strongly that 142 Free Street should maintain its status as a Contributing building, I applaud the museum's intentions to create an expansion project that will give them more space and allow for programming for citizens of Portland and surrounding areas. I believe, however, that these goals are not mutually exclusive, and can be reached creatively with a design that doesn't require demolition of the Chamber of Commerce building

Thank you,
Laura

Historic Society Member and South Portland Resident

--
Laura Nixon-Belair

Agenda item: 142 Free Street 0 views



Pam Stagg <pamstagg@verizon.net>
to hp@portlandmaine.gov

10:52 AM (7 minutes ago) ☐ ☐ ☐

I am against the reclassification of the former Children Museum at 142 Free Street to a "non-contributing" structure in the Congress Street Historic District. It may have undergone changes over the years but demolition can never be reversed.
While complex and costly, Is there a possibility it could be moved to the adjacent parking lot to satisfy all parties?

Thank you.

Pamela Stagg
749 Congress Street Unit #7
Portland, Maine. 04102.

142 Free Street 0 views

 Assigned to me



kaenrath@gmail.com <kaenrath@gmail.com>
to hp@portlandmaine.gov

11:03 AM (now) ☐ ☐ ☐

Dear Board Members:

I write to urge you to save 142 Free St and not establish a dangerous precedent that could endanger many more of our treasured historic buildings. The historic character of our downtowns enriches our communities and provides a unique sense of place. This is a very important decision that cities and towns around the State of Maine will be closely watching. Thank you for your consideration.

Bryan Kaenrath
Waterville City Manager
5 Greylock Rd.
Waterville, ME 04901

142 Free Street Portland 0 views

 Assigned to me



Michele Neilsen <mmneilsen@gmail.com>
to hp@portlandmaine.gov

11:09 AM (1 minute ago)

☐

☐

☐

The Portland Museum ofArt should not be allowed to have the former Childrens Museum reclassified as a non contributing structure.

We have lost too many buildings in this old City in the pursuit of "bigger, better shinier" buildings, or as in the case of the lost Union Station, a strip mall and a parking lot.

No is my vote to reclassification!

Michele Neilsen
131 W. Commonwealth Drive
Portland, Maine 04103
mmneilsen@gmail.com

142 Free Street 0 views



Orff, Sonja C <Sonja.Orff@mainehealth.org>
to hp@portlandmaine.gov

11:10 AM (4 minutes ago)



Dear Chair O'Brien and Members of the Historic Preservation Board,

We support the statement attached from Greater Portland Landmarks regarding the building on 142 Free Street.

Please do not allow for the demolition of this contributing building.

Portland is quickly changing and we need to ensure we preserve and protect our historical footprint and the decisions forward that can impact any precedence's.

Please honor and respect two of Portland's most valuable assets (Greater Portland Landmarks/Portland Museum of Art). Their opinions and goals for this community have proven trusty worth time and time again.

Thank you for your consideration,

Sonja Orff & John M. Ney

179 Fowler Road

Cape Elizabeth, Maine

04107

142 Free Street, Portland 0 views



Ford Reiche <ford@fordreiche.com>
to hp@portlandmaine.gov

11:41 AM (13 minutes ago)



Members of the Portland HP Board,

This is to express my hope that the HP Board will deny PMA's request to reclassify and demolish the historic contributing structure at 142 Free St.

I have owned and fully restored four buildings on the National Register of Historic Places, and for the past several years I have served on the grant application review teams for Maine's two largest funders of historic preservation.

It is very rare for a building listed as historic or contributing to be delisted, and seemingly unprecedented in Maine under the conditions claimed by PMA. When a building is properly designated as an historic structure, whether under local or federal guidelines, it is not a temporary status until something "better" presents itself. PMA purchased this building knowing that.

In an effort to more fully understand the issue with which you are presented, I have consulted a number of preservation authorities in Maine. I have not spoken with a single expert who agrees with the recommendation of the historic preservation consultant hired by PMA on this matter.

Thank you for the volunteer work you do for Portland.

Ford Reiche

142 Free St. 0 views

 Assigned to me



George Brown <georgebrown06@gmail.com>
to hp@portlandmaine.gov

11:51 AM (1 hour ago) ☐ ☐ ☐

Always believed that this building added so much to that area. I would greatly miss it if it was removed.

George Brown
36 Watchic Manor rd
Standish, Me 04084

Chamber building on Free Street 0 views

Assigned to me



jflint@maine.rr.com <jflint@maine.rr.com>
to hp@portlandmaine.gov

11:52 AM (1 hour ago) ☐ ☐ ☐

Gentlefolk:
The former Chamber of Commerce building at 142 Free Street is without question a significant Contributing building in the context of its location and neighboring structures. Part of the argument for razing it is that it is too much altered from its original form, but the most recent external alterations are nearly one hundred years old; the original parts are nearly twice that age. It is important to note that the external changes were designed by Portland's noted architect, John Calvin Stevens. The building's permutations and different uses (theater, church, Chamber, Children's Museum) do not diminish its significance, they enhance it.
GPL seems to have taken pains to be diplomatic in opposing the building's destruction. What they have not said, but what some preservationists are thinking, is that in three distinct proposals for PMA's expansion, no provision for integrating the Chamber building appears to have been undertaken, almost as though tearing it down was a foregone conclusion in spite of its status as a protected building. It would have been simple enough to stipulate that each design provide an alternative plan incorporating the Chamber building. That seems not to have been done. An oversight?
I admit prejudice. I worked at the Chamber for around two years in the mid-seventies, first as a work-study student for NAB, then as manager of the Chamber's Business Ethics Division under former City Manager, John Menario. It's a nice building.
I strongly urge The Historic Preservation Commission and City Council to insist that razing the Chamber building is simply not an option; that it must either be incorporated in the expansion or moved intact to a suitable, nearby location.
Sincerely,
Jim Flint

142 Free Street 0 views

 Assigned to me

Cherie Wendelken <cheriewendelken@yahoo.com>
to hp@portlandmaine.gov

11:55 AM (1 hour ago)



Dear Board Members,

I was surprised and disappointed to learn that the PMA, which preserves, showcases and helps define the artistic patrimony of Maine, has decided to request demolition of 142 Free Street. To me, an architectural historian, former professor at Harvard, and current resident of Portland, this is a sad disregard of our city's unique architectural patrimony. Visitors and residents alike prize the historic quality of our streets.

There are many reasons for a building's importance - age, unique style, association with historic events or people, or as part of an assemblage of buildings that create a historic urban fabric. Such protected neighborhoods provide an experience of art and history that is freely available for all citizens to experience, requiring no ticket to entry. Although the former Chamber of Commerce building is not designated as an individual landmark, it is architecturally unique, part of a historic neighborhood and deserving of protection.

Too many old building have been demolished in this town in the name of progress and improvements, to the regret of many. Do we want to be left with a city that looks like any other, punctuated by a monumental new building that speaks to the ambitions of one institution rather than the preservation of the urban history of the place which it serves? I hope the Board decides to protect 142 Free Street. It is not the oldest, grandest or most important building in Portland, but it is beautiful and historic and plays a role in creating a special place - its survival through many eras is part of Portland's story and a part of what makes our city a destination of national significance.

Sincerely,
Cherie Wendelken
364 Spring Street
Portland

PMA development Plans

0 views

Assigned to me



Lucas St.Clair

<lucasstclair12@gmail.com>

to hp@portlandmaine.gov

11:59 AM (1 hour ago)

Dear HP Board,

Thank you for allowing written comments to voice opinion on the plans that the Portland Museum of Art is working on.

I recently have received two emails from the Greater Portland Landmarks about supporting the blockage of the reclassification of the structure of the former Chamber of Commerce building. I do not support that Greater Portland Landmarks in this case. While the building may meet the criteria to be a contributing building to the Congress St. historic district, it is my belief that a more comprehensive way of approaching this decision should be taken.

While the building that is being considered meets the criteria of the historic district, what the PMA plans to do is far superior for the whole of our city, community, and state. Adding a building that takes into account a 21st vision for construction, energy use, and inclusivity is what our city needs. While I support the understanding and protect our city's history, we should not let it define our future or prevent evolution. The expanded PMA campus will be a Greater Portland Landmark of the future, one that takes into account 21st century needs and helps the city in advance in its vision.

I also must add that the editorializing in their advocacy emails, the Great Portland Landmarks, stands in the face of uniting our great community. The choice of language that they use, including "setting a dangerous precedent" and "jeopardizing the integrity of the historic districts" is hyperbolic at best and at worst undermines their ability to be a partner to a growing city. While I support the historic districts and own a historic building in Portland, I find their perspective on this issue not unifying or helpful.

Thank you so much for your reading this email and considering my point of view when making your decision.

All my best,

Lucas

142 Free Street 0 views

 Assigned to me



Bruce Wood <bruceweb607@gmail.com>
to hp@portlandmaine.gov

12:07 PM (1 hour ago) ☐ ☐ ☐

I am writing in support of the historic building located at 142 Free Street. This building has had many uses over the years and retains a significant percentage of its historic character. It is a key part of the Congress Square neighborhood. To tear it down would be a significant loss to the area.

The Portland Museum of Art has options to expand without adversely impacting the Congress Square neighborhood of which it is a key part. Its main building has character worthy of retaining without competition. To relocate the PMA main entrance from its Congress Square frontage to what effectively is a side entrance without the convenience of the current entrance would be a disgrace to the building and the museum.

The proposal calls for tearing down an historic building worthy of retention as well as forcing the current main building into a second class status.

The PMA can expand by using vacant land and poorly utilized property by building on what today is a parking lot behind 142 Free Street and connecting to 142 Free Street, the Clapp building currently used for storage, and the current main museum building. Those connections can be from the rear of 142 Free Street and the Clapp building and the side of the main building. In this manner, the historic character of the area would not be adversely affected and expansion can be accomplished.

I urge you to vote against changing the designation of 142 Free Street and to encourage the PMA to think anew about how it can expand.

Bruce Wood
607 Chandler's Wharf
Portland, ME 04101

RE: Do not demolish 142 Free Street or change the zone! 0 views

Assigned to me



russo@maine.rr.com <russo@maine.rr.com>
to hp@portlandmaine.gov, info@portlandlandmarks.org

12:26 PM (15 minutes ago)



And for those of you who may not remember, take a look at these photos....Union Station before and after!



Before:



After:

And yes, this was considered great architecture in the 1960's....

From: russo@maine.rr.com <russo@maine.rr.com>
Sent: Monday, October 30, 2023 12:17 PM
To: 'hp@portlandmaine.gov' <hp@portlandmaine.gov>
Cc: 'info@portlandlandmarks.org' <info@portlandlandmarks.org>
Subject: Do not demolish 142 Free Street or change the zone!

Are you kidding me? Portland is the City it is because of Landmark and Portland residents who had the vision to save these historic buildings throughout the City, including my Grandfather's family 6 unit at 82 India Street. I remember as a child in the 1960s watching Union Station being demolished for a cheap Arlans Shopping Center and even at my young age at the time I knew that was just wrong!

As a Portland native, lifelong resident, and long-time Realtor, I am against demolishing this historic building. The museum's current building is pretty ugly as it is and I can't imagine what the glass addition monstrosity will look like. Please preserve this piece of Portland history so that we don't look back and regret yet another historic building gone. Let the developers use some creativity in designing the new space around this building. Why bother having zoning if you are not going to abide by it?

Stop the zone changes to accommodate this development madness here and everywhere in the city!

Jean Russo

Harborcity Realty

Portland, Maine

142 free st 0 views

Assigned to me



jim dougherty <jdougherty101@gmail.com>

12:33 PM (21 minutes ago)

to hp@portlandmaine.gov

I strongly support the PMA expansion but NOT the destruction of the chamber of commerce building. It is a precious part of portland history. Do not make the same mistake made with union station. Instead, retain this handsome building and include it in the PMA expansion plan!

James Dougherty
Freeport Maine
[207 522 6560](tel:2075226560)

142 free st 0 views



Heather Meader <heathiewhoo@gmail.com>
to hp@portlandmaine.gov

1:29 PM (16 minutes ago) ☐ ☐ ☐

I'm writing to you asking that the former children's museum building be kept as a contributing structure and not be reclassified. The history of our beautiful old city is important to preserve, I know this will make it harder for the PMA to expand. I've always thought the old museum was in such an appropriate building because it is a piece of art (architectural art). When I was in highschool I took a photography class at MECA and learned to develop my own prints. One of my favorite was of the children's museum building, the sun casting shadows with the columns.

Thank you for your time
Heather meader
126 bolton St, Portland

Opposition to the reclassification request of 142 Free St. 0 views



Roxanne Eflin <roxanne.eflin@gmail.com>
to hp@portlandmaine.gov

1:39 PM (9 minutes ago)



To the respected members of the Portland Historic Preservation Board:

I am writing in opposition to the PMA's request to reclassify 142 Free Street as noncontributing within the historic district. I support Greater Portland Landmarks' positions on this issue as articulated in their October 25, 2023 written statement.

This former Chamber of Commerce building is character-defining and extremely significant to the community in terms of its role in the commercial, social and architectural development of Portland for nearly 180 years from 1780-1959. A vote to reconsider the historic designation of this building is dangerously precedent setting in numerous ways. Denying this reconsideration request upholds the purpose and intent of Maine's strongest historic preservation ordinance.

PMA expansion is laudable though NOT at the expense of this highly significant historic building, an important contributing structure within the historic district.



Roxanne Eflin
CONSULTING

Roxanne Eflin, MA, GPC, CITM

[Roxanne Eflin Consulting](#)

Former Executive Director, Maine Preservation (and former Maine resident)

[207.229.9465](tel:207.229.9465)

6413 Borough Dr., Colorado Springs, CO 80923

142 Free Street 0 views

 Assigned to me

Jack Griswold <JackGriswold@outlook.com>
to hp@portlandmaine.gov

Oct 30, 2023, 5:35:58 PM (17 hours ago)



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

I am writing to support the PMA's request to reclassify the Childrens Museum as a non-contributing structure.

1. 1. To my layman's eye, this Greek Temple-ish building has always seemed an odd duck. It just doesn't fit in. Further, it appears cheaply built from the poured concrete columns with the seams showing, to the square brick end-columns and the window treatments. It is not a particularly appealing or pretty building.
2. 2. Why would we want to preserve this building and prevent something truly transformative and inspiring to be built in its place? That would be a massive loss for Portland and a real abuse of common sense and the intent of historical preservation.
3. 3. I saw that one of the architectural models for the new museum addition proposed to build around the Childrens Museum and encase it in glass. Frankly, that would be ridiculous, and I hope that Greater Portland Landmarks, or other supporters of the current structure, are not pushing to go back to something like that.
4. 4. Why is this just coming up now? Shouldn't this have been dealt with much earlier in the process?

Thank you –

Jack Griswold

38 Deering St.

Portland, ME 04101

Reclassification of 142 Free Street 0 views

Assigned to me



Craig Lorimer <cg4501@icloud.com>
to hp@portlandmaine.gov

Oct 30, 2023, 8:00:43 PM (15 hours ago)



October 30, 2023

To: Portland's Historic Preservation Board

Re: Reclassification of 142 Free Street as a Non-Contributing Structure to the Congress Street Historic District

Dear Board Members:

I would like to offer some comments to the HP Board against the request of the Portland Museum of Art to have the former Chamber of Commerce Building at 142 Free Street to be reclassified as a "Non-Contributing Structure" to the Congress Street Historic District.

I was born in Portland, lived for 20 years in the Greater Portland area, and have been a frequent return visitor to the city in the past decades. Having grown up before the "mall era," Congress Street was the centerpiece of urban life for me. I always admired the historic buildings and the ambience of the district. Congress Square was to some extent the crossroads and hub of the city—Portland's "Times Square," if you will. Even with a variety of architectural styles and signage of different eras, it all blended together well.

The Chamber of Commerce building at 142 Free Street was part of this harmonious blending of historic architecture in Congress Square, and I have long regretted the loss of its handsome neighbor, the Libby Building, which was razed by the Portland Museum of Art. Old photos from the early 20th century show other stately brick buildings on Free Street that were demolished to provide parking lots. Despite these losses, Congress Square still retains much of its historic ambience. The former Chamber of Commerce building is a key factor in holding together the historic character of the area. Its demolition would be a significant loss.

Another concern is the precedent that this would set for other buildings in the historic district that could be reclassified to pave the way for their demolition.

The HP Board is surely aware that much of Portland's economic revival has been due to its historic architecture, even though much was lost during the urban renewal era. Similar benefits can be seen in other historic cities like Bath, ME, Portsmouth, NH, and Charleston, SC, which even better resisted the pressures to sweep away their historic structures. The city where I now live, Madison, WI, has already lost most of its historic buildings, and the loss continues—not through massive urban renewal, but simply in piecemeal fashion by gradual attrition.

I earnestly hope that Portland's HP Board will vote down the request to reclassify 142 Free Street.

Thank you.

Sincerely,

Craig Lorimer

4501 Gregg Road, Madison, WI 53705

142 Free Street 0 views

 Assigned to me

Cheri Hudson <hudsoc370@gmail.com>
to hp@portlandmaine.gov

10:15 AM (13 minutes ago)



Dear Historic Preservation Board,

re. Congress Street Historic District - Reclassification of 142 Free Street as Noncontributing

I am very much opposed to the request by the Portland Museum Of Art for reclassification of the former Children's Museum) at 142 Free Street as a "non-contributing" structure in the Congress Street Historic District.

I have long appreciated this iconic Portland building, and the overall Congress Street Historic District. It was a good thing that Portland woke up to historic preservation after the unfortunate demolition of the St. John Street train station in 1961.

The Portland Museum of Art was insincere and calculating in presenting their designs to their members, and the public, without also cueing them that a building with historic significance would have to be destroyed to create what they were proposing. It's as if they proposed to improve their collection by giving out the current paintings to be painted over.

My family and I have been long-time members of the Portland Museum of Art. We enjoy time spend there, and what the PMA has contributed to Portland. I love what they have done to create a campus that works with the historic buildings there, and fail to understand why, in this case, they have chosen to not work within the constraints of the Historic District. They were not unaware of it, but chose to promote designs that involved demolishing 142 Free Street, and to build support for their designs with members, and the public, without being upfront about the impact on the Historic District designations.

Please uphold the designation of 142 Free Street as a contributing structure in the Congress Street Historic District, and in so doing, the validity of having a Historic District at all.

Sincerely,
Cheryl Hudson
61 Leisure Lane
Portland, Maine

October 31, 2023

Re: November 1, 2023, Agenda Item: Congress Street Historic District - Reclassification of 142 Free Street as Noncontributing

To: Chair O'Brien and Members of the Historic Preservation Board
hp@portlandmaine.gov

We are Seth and Laura Sprague and reside at 28 Orchard Street in the Western Promenade Historic District. We urge the Historic Preservation Board (HPB) to deny the Portland Museum of Art's request to reclassify and remove 142 Free Street as a contributing structure in the Congress Street Historic District of 1990, thereby allowing its demolition. Approaching its centennial, the building's facade retains its classical-revival features, designed in 1926 for the Chamber of Commerce by John Calvin Stevens, one of Maine's and the City's foremost architects. Since its inclusion thirty-three years ago, the building still meets the criteria as a contributing structure as described in the City's Historic Preservation Ordinance.

Portland and its citizens have worked for decades to establish the HPB and the historic districts. They protect the architectural resources and streetscapes that give the city its authenticity, historical integrity, visual appeal, and livability. We call upon the Portland Museum of Art, as a leading cultural institution, to uphold the City's other cultural resources, in this case 142 Free Street and the HPB, rather than seek their destruction. Approving a reclassification that would allow 142 Free Street to be demolished sets a dangerous precedent. If the HPB allows a leading cultural institution to overturn the rules, it opens the door for others to do the same and threatens all the City's historic districts for years to come. You will be unable to maintain the integrity of historic districts or your effectiveness as the City's Historic Preservation Board.

No changes at 142 Free Street warrant its reclassification and exclusion from the Congress Street Historic District. We urge you to deny the applicant's request to remove it from the district and allow its demolition.

Thank you.

Sincerely,

Seth and Laura Sprague

removing Portland's history 0 views



Meg Hutchins Broderick <meg@powersrvcs.com>
to hp@portlandmaine.gov

10:52 AM (16 minutes ago) ☐ ☐ ☐

I write to encourage you to not allow the removal of the historic Chamber of Commerce Building. The look of Portland is changing, the availability of coming to Portland and seeing its history is dwindling for the sake of commercial use. The museum is not commercial and is a wonderful reason for people to come to Portland, I would hope they could find a way to utilize another historic building.

Please, there must be a better solution, Meg Broderick

Preserving the Former Children's Museum 0 views



Berry Manter <bmanter1@gmail.com>
to hp@portlandmaine.gov

11:07 AM (3 minutes ago)



Dear Planning board members,

I want to add urgent support to NOT designate this 1830's structure as "non-contributing", a building which IS very much visually part of the remaining fabric of historic structures of downtown Portland.

As a graduate of MeCA and an artist, I appreciate contemporary architecture. However, it would be to both Portland's and PMA's longterm "benefit" to integrate resonant design elements into it's future building plans, retaining this nearly 200 year old Free Street structure and reflective of the beautiful historic buildings remaining in its possession. Yes, coherent contemporary additions CAN work. Nothing says "out of touch" and "arrogance" more than not honoring the immediate community of preserved structures. (I stifle my urge to mention 58 Fore...)

Please continue recognizing the former "Chamber of Commerce" building, aka Children's museum, aka Church as "contributing".

Sincerely,

Berry Manter
46 Eastern Promenade
MeCA '92



October 31, 2023

RE: CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS
NONCONTRIBUTING

Chair O'Brien and Members of the Historic Preservation Board,

As was made clear during your workshop on this proposal, there is no case under the criteria of the Portland Historic Preservation Ordinance for the reclassification of the Portland Chamber of Commerce Building at 142 Free Street from "Contributing" to "Non-Contributing." In fact, during the workshop, the representatives for PMA largely ignored the language of the ordinance and focused on their vision of what "could be" if they are allowed to demolish the building.

For this public hearing, I would like to focus on what else "could be" if PMA is allowed to demolish a building that clearly meets the criteria for a Contributing building in a historic district.

The Congress Street Historic District was certified by the National Park Service on May 25, 2010, for the purpose of allowing the owners of contributing buildings to access state and federal historic tax credits. This certification is based upon documentation that the local historic district is essentially identical to a National Register Historic District.

The NPS letter certifying the district states, "Please be aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for continued benefits under the above laws."

Currently underway historic tax credit projects in the certified district have tens of millions of dollars in state and federal historic tax credits *dependent on the Certified status of the local historic district.*

In conclusion, there is no rational case for removing the Contributing status of the Portland Chamber of Commerce Building at 142 Free Street and significant reasons not to. I urge the Board to unanimously reject this request and to include mention of the likely impact on other property owners' ability to use historic tax credits in their recommendations to the Planning Board and City Council.

Sincerely,

Scott T. Hanson

Hanson Historic Consulting, LLC - 8 Pleasant Street - Topsham, ME 04086 - scott@hansonhistoric.com
207 620 6291

142 Free Street 0 views



Beka Bryer <rmbryer@gmail.com>
to hp@portlandmaine.gov

11:26 AM (8 minutes ago) ☐ ☐ ☐

Hello,

My name is Beka Bryer, and I live at 174 Clark Street. I am writing in opposition to the plan to reclassify 142 Free Street as a non-contributing structure to the Congress Street Historic District. I love the PMA and its historic buildings, and would prefer to see the 142 Free Street building with all of its important historical architectural features preserved for future generations. While I am delighted that the PMA wants to expand, demolishing a historical building is not the only way for the PMA to grow as a campus that serves the Portland community. To remove this building from the landscape would be a loss for historic preservation in Portland.

--
Rebekah (Beka) Bryer
rmbryer.com
rmbryer@gmail.com | pronouns: she/her/hers

HP Public Comment - 142 Free Street: Lying to the Public about Rigor of NPS Certification 0 views



George Rheault <george.rheault@gmail.com>

11:43 AM (17 minutes ago)



to Historic Preservation, Evan Schueckler, rwi...@portlandmaine.gov, Christine Grimando, j...@portlandmaine.gov, Abigail Reed

One of the most appalling things that took place during the October 4, 2023 workshop regarding the demolition request by the PMA, was how lobbyists for the historic preservation industry (all of whom have a direct stake in historic preservation business including Scott Hanson and Earle Shettleworth either as active consultants or "talking heads") completely misrepresented the process whereby the National Park Service (through its "Technical Preservation Services division") "certifies" local historic districts for federal eligibility for historic tax credits.

Attached is a November 2022 email directly from the chief of the TPS division explaining why my serious concerns about the quality and substance of the Munjoy Hill Historic District were irrelevant to the TPS "rubber-stamp" certification when it was presented by the City of Portland to the Maine State Historic Preservation Office and NPS in the autumn of 2022.

Some VERY important points that should be put into the record to wash away the lies and misrepresentations made by persons like Mr. Hanson and Mr. Shettleworth:

1.) The NPS only undertakes a VERY BRIEF 30-day review of any local historic district. This 30-day review is cursory and ministerial and does not involve looking at anything beyond what the local jurisdiction has put in front of it.

2.) To emphasize further point (#1), the NPS does NOT engage in any independent research or fieldwork to verify or investigate to its own satisfaction any claims to historic value or merit made by a local jurisdiction. Scott Hanson flat out lied to the HPB and the public on October 4th to suggest that any representatives of the NPS were involved in the creation of the Congress Street Historic District including the selection or evaluation of individual properties as "contributing" or "non-contributing" and the attachment makes this clear.

3.) Annually, the NPS receives dozens and dozens of requests from all 50 states (as well as U.S. territories) for local district certifications on a rolling basis and does not have the time, energy or resources to do any deep dives on any of them. Congress has not and probably never will give it the resources to act as anything other than a rubber-stamp with respect to certifying local historic districts. The time when the NPS drills down on individual properties is when tax credits are on the line at which time the NPS looks PAST the local historic district submission and requires a property-owner to submit far more information than was ever required at the initial local district designation stage.

4.) The HPB needs to make it clear to the public that the NPS rubber-stamp of 142 Free Street as part of the Congress Street Historic District in 2009 was in no way some kind of meaningful action on the part of the NPS in terms of weighing in on its historic integrity or merit for permanent preservation. It simply did what it does 99% of the time: which is give its blessing to a local determination that did not look completely daft at the time of certification because the NPS would pay no attention to it any further unless and until a property-owner wanted to apply for historic tax credit subsidies.

Re: [EXTERNAL] Re:

Goeken, Brian D <Brian_Goeken@nps.gov>
To: George Rheault <george.rheault@gmail.com>
Cc: "Brandt, Karen L" <Karen_Brandt@nps.gov>

Wed, Nov 23, 2022 at 11:56 AM

Mr. Rheault,

You're not understanding what I'm saying -- hopefully this is clearer, although I understand it's not completely addressing your larger complaints about the district and the process that's led to its designation. As part of NPS review, we do consider such factors as the number of contributing vs. non-contributing buildings as well as how individual buildings are classified. But the NPS decision on the district certification request is solely about certifying whether the overall district is National Register eligible for the purposes of the Federal tax incentives program -- it's an up or down decision.

All I'm saying is, in managing expectations: You should not expect, as part of the NPS decision, a list of buildings that the NPS finds to be contributing or comments on whether we agree with every determination the City has made (although we take this information into consideration in our decision). The NPS does not certify whether individual buildings are contributing or non-contributing in determining whether the district meets the criteria for listing on the National Register, and the NPS has no authority to make or require changes to a locally designated district -- those are local decisions, under the local ordinances. If the district was to be certified, a property owner would have to request NPS certification of their individual building as contributing to the district and submit additional information and documentation at the time of applying for Federal tax incentives.

Brian Goeken, AICP
Chief, Technical Preservation Services

National Park Service
Technical Preservation Services
[1849 C Street NW](#), Mail Stop 7243
Washington, DC 20240
202-354-2033 phone
202-230-2960 mobile
Brian_Goeken@nps.gov email
<http://www.nps.gov/tps/> website
[Sign up for updates from Technical Preservation Services](#)



From: George Rheault <george.rheault@gmail.com>
Sent: Wednesday, November 23, 2022 9:37 AM

[Quoted text hidden]

[Quoted text hidden]

HP Public Comment - 142 Free Street - Staff Says the HP Ordinance Changed in 2020 - Show the Public What the Changes Were!

0 views



George Rheault <george.rheault@gmail.com>

12:00 PM (10 minutes ago)



to Historic Preservation, Evan Schueckler, rwi...@portlandmaine.gov, Christine Grimando, j...@portlandmaine.gov, Abigail Reed

I made a big point in my written public comment for the October 4th workshop to ask the HPB and city staff to explain WHY the HPB in the last decade has had no problem DEMOTING two contributing buildings to "non-contributing" in furtherance of the plans made by two very well-connected property owners to demolish those contributing buildings (183 Brackett Street and 34 Spruce Street).

Furthermore, in both those cases, the City Council's blessing was not required - the demolitions made possible by the switch to "non-contributing" were entirely handled via HPB approval without any further action by the Planning Board or the City Council.

City staff's excuse for this state of affairs was that the city's historic preservation ordinance was somehow made more stringent as part of the interim revisions made in November 2020 as part of "Recode - Phase 1" but the city staff have NOT produced anything in the record to show precisely what those ordinance changes were and how the language now differs requiring the PMA to go through two extra layers of approvals to get to the same result achieved by the owners of 183 Brackett Street and 34 Spruce Street (demotion to "non-contributing" and a clear path for demolition).

If the HPB wants to conduct a thorough process that has integrity and rigor, then it needs to postpone action until city staff have explained what has been happening here with recent conversions of classifications involving "contributing" structures.

If the HPB acted UNLAWFULLY in the cases of 183 Brackett Street and 34 Spruce Street, then that too should be made clear to the public and such a revelation would color the 142 Free Street proceeding and cast doubt that the HPB has acted honorably and consistently in these matters.

142 Free Street 0 views



Staci Hanscom <slpartin_nc@yahoo.com>
to hp@portlandmaine.gov

1:16 PM (7 minutes ago) ☐ ☐ ☐

I firmly believe that 142 Free Street should remain a contributing structure in the Congress Street Historic District. As a former National Register writer and evaluator for the State of New York, I can say with authority that removing a contributing structure from an historic district undermines the entire purpose of the district itself. 142 Free Street is a historic building, despite any interior changes made through the years. The Portland Museum of Art had/has options to accommodate this building in its original RFP, and they should not be rewarded now for ignoring the rules set out by the Historic Preservation Board of this City.

Staci Hanscom
33 Heather Rd.
Portland

142 Free Street (Children's Museum building) 0 views



Hilary McKinnon <hilarym@cape-shore.com>
to hp@portlandmaine.gov

2:04 PM (1 hour ago) ☐ ☐ ☐

Dear Historic Preservation Board,

I agree with every point made by **Landmarks** in support of keeping the Chamber of Commerce / Children's Museum building. I cannot possibly say it any better than they did in their prepared statement we have all received, so I won't try.

But please know there are hundreds if not thousands of people who were appalled that the Art Museum plans include bulldozing another original Maine building. There are other options for smart expansion within the Museum property!

I am shocked that it is even possible to change the Historic Designation so that this beloved building can be destroyed. Yes, it sets a dangerous precedent – what is the point of years of thoughtful research and subsequent guidelines and rules if they can all be overturned?!

Please do not destroy this centerpiece of the old original Portland we all love and replace it with **another** faceless glass, metal and concrete building that Portland has become choked with recently.

No matter how glamorous, shiny and new it looks and photographs now, it will soon be just another modern building and people will long for the old Historic Portland and wonder on who's watch it was destroyed.

Remember the Railroad Terminal?

Remember the Holiday Inn?

Once you destroy it, you can't put it back.

Thank you for upholding Portland's architectural integrity!

Sincerely,

Hilary McKinnon

171 Main Street

Yarmouth, ME 04096

Preserve 142 Free Street 0 views



Herb Adams <hadams@smccme.edu>

10:52 AM (5 hours ago)



to hp@portlandmaine.gov

Members of The Board :

This letter is to advocate that 142 Free Street not be destroyed, and that it be treasured as a contribution to the architecture and heritage that makes Portland unique.

This building was renovated (1926) by John Calvin Stevens and John Howard Stevens. We should treasure our John Calvin Stevens buildings, not tear them down.

This building is a remnant of our powerful cultural heritage, too.

Portions of 142 Free Street are from one of the very first Portland buildings (1829 /1830) built intentionally to be a theatre, in this Puritan-minded town. Here in the 19th Century acted the great Edwin Forrest and the thundering Junius Brutus Booth (father of Edwin and John Wilkes .) Its cultural shadow is a long one.

Our PMA already incorporates and uses 4 or 5 other ancient buildings and mansions that carry the rich history and heritage of our city's past.

As a symbolic connection to that heritage, 142 Free Street should also be added.

PMA is talented and smart enough to do this ; it has proven it can ; and Portland will be enriched once again.

Thank You.

Sincerely,

Herb Adams

Adjunct Professor History and Social Sciences

Southern Maine Community College

hadams@smccme.edu

Dugan Murphy <dugan@duganmurphy.com>

Nov 22, 2023, 5:32:54 PM (4 days ago)



to planningboard@portlandmaine.gov

Dear Planning Board,

I am writing in regards to the Portland Museum of Art's request to reclassify the former Chamber of Commerce Building at 142 Free Street to noncontributing within the Congress Street Historic District. I think this request is ridiculous.

This building is over two centuries old with a facade that is well preserved from its redesign a century ago by famed architect John Calvin Stevens. The importance of its presence as part of the historic urban fabric of downtown Congress Street is exactly why all the work was put into researching it and the other contributing structures within that district and getting that district added to Portland's recognized collection of local historic districts. It is exactly why this city decided to adopt a historic preservation ordinance back in 1990. We, as a community, did not put these protections in place, just to have them revoked when a little inconvenient.

The Historic Preservation Board unanimously agrees that this request should be rejected. Please respect their expertise and issue a concurring decision. Doing so would also match public sentiment, as evidenced by the public comments submitted to the Historic Preservation Board in favor of rejection, by a wide margin.

The Portland Museum of Art has a lot of property at their disposal. They have been sitting for decades on the amazing, historic Clapp House without using it for anything the public can access. Why not rehabilitate that structure? In 2007 they depleted Portland's woefully small and much-needed affordable housing supply when they demolished the YWCA building on Spring Street. Why not develop that underutilized parking lot and adjacent, unusable green space they put in its place? Why not redesign the interior of the Chamber of Commerce Building, build an addition to it, or pursue any of the many other expansion options available to them currently allowed by law, without going through this bald-faced, bad-faith reclassification process?

The PMA is a creative organization. Please deny this request so they can use that creativity in their ranks to develop an expansion plan that adheres to the law and suits their needs *and* the needs of the broader community by preserving the Chamber building.

Thank you for thoughtfully considering this issue.

Dugan Murphy
(he/him)
61 India St #3, Portland

Debbie J <dpjonpeaks@gmail.com>
to planningboard@portlandmaine.gov

Nov 22, 2023, 5:38:42 PM (4 days ago)



To the Members of the Portland Planning Board:

I am writing in support of the preservation of 142 Free Street, the former Children's Museum and Chamber of Commerce building.

This beautiful and historic building clearly meets the criteria for contributing status. There is no reason for it to be demolished! The PMA can meet their expansion goals while preserving 142 State Street by reconsidering their design concept.

Please do not weaken our city's Historic Preservation Ordinance.

Please do not make the mistake that was made with our beautiful Union Station.

Thank you.

Deborah P. Jordan
33 Lyndon Avenue
Peaks Island, Maine 04108
[207-766-5801](tel:207-766-5801)

Debbie <debjs13@aol.com>

Nov 22, 2023, 7:33:55 PM (4 days ago)



to planningboard@portlandmaine.gov

Please keep 142 Free Street as an historic building. Think of what was lost at the St John's Street train station!!
Deborah Johnson
107 Read Street

Doug McCown <douamcc@gmail.com>

Nov 22, 2023, 7:41:09 PM (4 days ago)



to planningboard@portlandmaine.gov

Hi, Planning Board. Just to let you know, that I would like to see the facade of that building remain. Thanks,
Doug McCown

Sue Yandell <sueyandell@gmail.com>

Nov 22, 2023, 8:13:00 PM (4 days ago)



to planningboard@portlandmaine.gov

The original building should have been planned around during the PMA expansion plan. Please preserve the building at 142 Free Street. It is an important historic building in the Portland Downtown. Tearing it down to build something new is against the historic district purpose.

Thank you for your consideration,

Susan Yandell
51 Monument St.
Portland ME 04101

Zack Barowitz <zbarowitz@gmail.com>

Nov 22, 2023, 9:13:25 PM (4 days ago)



to Planning Board, George Rheault, Aimee Bessire, Ashley Keenan, Robert J. OBrien

Honorable Members:

As a disproportioned neo-classical example from the eclectic period, 142 Free Street is of very minor significance and, though it may be a contributing building if it were in another location (such as the Western Promenade), it does not contribute to the current or future conditions of Congress Square. It is not contextual to the urban renewal projects (the PMA, Holiday Inn, Congress Square Park, or the Eastland Park Hotel), nor does it contribute to other significant buildings in the vicinity which are styled in a proto-modern vein (the State Theater, et al.).

Congress Square is in dire need of help. Two-way traffic would be an important step, but a landmark piece of architecture would really define the space. Portland is long overdue to have a high-quality, high-profile building in a high visibility location. (In fact, I can't name a great building that has been constructed in my lifetime or even my parents' lifetime.)

Please don't allow past mediocrities ruin a great opportunity for the future.

Respectfully,
Zack Barowitz

Nov 22, 2023, 9:23:37 PM (4 days ago)



jim dougherty <jdougherty101@gmail.com>
to planningboard@portlandmaine.gov

Preserve, please. We have lost too many buildings that are part of our history, only to later how they have been replaced by much less distinctive development.

Preserve 142, please!

Diane Bartholomew

Freeport Maine

Stuart Watson <shw1957@gmail.com>

Nov 23, 2023, 7:53:24 AM (4 days ago)



to planningboard@portlandmaine.gov

I completely support the PMA's designation change request.

Stuart Watson
6 Bowdoin St.

Miles Parker <milesarker04101@yahoo.com>

Nov 23, 2023, 4:54:45 PM (3 days ago)



to planningboard@portlandmaine.gov

The Chamber of Commerce Building is such a beautiful and enduring part of the Congress Square cityscape that it would be heartbreaking to lose it to PMA's expansion plans.

I was so pleased to see that the Historic Preservation Planning Board unanimously decided not to alter the status of 142 Free St. This impressive temple-like building has been charmingly peeking out of the corner of a major city crossroads for 200 years. The structure's association with John Calvin Stevens only enriches its significance

Demolition of this enduring Portland landmark would only be met with dismay by very many Portlanders .

I love Portland. I'm a member of the Portland Museum of Art who supports their commitment to our city but not at the expense of losing the Chamber of Commerce Building.

Don't tear it down!

Sincerely,
Miles Parker
Pariserstr 14
81669 Munich, Germany

Nancy Noble <nnoble@mainehistory.org>

Nov 24, 2023, 9:08:57 AM (3 days ago)



to planningboard@portlandmaine.gov

Dear Planning Board,

I am writing in support of keeping 142 Free Street as a building on Free Street, as part of our city's landscape. As a church historian, and involved for 20 years in Methodist church history organizations (Commission for Archives and History of the New England Conference of the United Methodist Church, and New England United Methodist Church Historical Society), I have seen churches close, which is heartbreaking enough, but to see church buildings destroyed really saddens my soul. I also work with church records in my role as the Archivist at the Maine Historical Society, and throughout history church buildings were torn down, and a bit of that history is lost every time a church building is destroyed. If you look at the historical record of Portland many of the big beautiful old churches downtown have been torn down to make room for other buildings, not as beautiful. Even though churches often close due to lack of members, the soul of the church should live on, through creative repurposing. I applaud the Children's Museum for keeping the building on Free Street as a museum for many years, and I hope that the Portland Museum of Art will also do so, keeping that history alive through the building.

(Look at the Farnsworth Museum - their Wyeth Center as a beautiful example of showcasing art in a historic church:

<https://www.farnsworthmuseum.org/campus/wyeth-center/>)

The Free Street building was not only a church, but an important building in our fair city, and tells the history of theater and business in Portland:

<https://www.mainememory.net/record/25661>

<https://www.mainememory.net/record/25662>

Thank you so much for the opportunity to speak.

Nancy Noble

Clifford Tremblay <cliff.tremblay@gmail.com>

Nov 24, 2023, 3:18:24 PM (2 days ago)



to planningboard@portlandmaine.gov

I am writing to express my deep concern regarding the potential fate of the Chamber of Commerce Building on Free Street and its impact on our community's commitment to historical preservation.

It is not just about a single building; rather, it is about upholding the principles and processes we have diligently established to protect our city's historic fabric. Failure to treat the Chamber of Commerce Building with the respect it deserves would set a detrimental precedent, allowing entities with financial means to disregard the vital procedures in place for preserving our sense of place.

While I may not personally have an affinity for the architecture of the Chamber of Commerce Building, I firmly believe that the Portland Museum of Art should approach its fate with thoughtful consideration. Preservation is not solely about personal preferences; it is about safeguarding our collective history and maintaining the integrity of the processes we have instituted for such purposes.

I implore the PMA to explore alternative options, especially considering their possession of vacant buildings and land along Spring Street. By doing so, they can demonstrate a commitment to responsible development while respecting the essence of our city's history.

I appreciate your attention to this matter and trust that, together, we can ensure the continued preservation of our architectural heritage.

Best regards,

Clifford Tremblay LEED AP

Bruce Wood <bruceweb607@gmail.com>

Nov 24, 2023, 6:07:04 PM (2 days ago)



to planningboard@portlandmaine.gov

142 Free Street is an historic building dating back to the early 1800s and is a key part of the Congress Square neighborhood. The building has had several uses over the years but none have significantly changed the external appearance of the building.

The PMA proposal to tear it down and replace it with a new, much larger building would change the appearance and character of the Congress Square neighborhood for the worse. The PMA has space behind 142 Free Street to expand into without impacting the street front appearance of the historic district in which 142 Free Street resides. They also could better use another historic building they own, the Clapp building on Spring Street, which they currently use only for storage, a disgraceful use of a beautiful building.

Require PMA to return to the drawing board and better utilize its buildings and space without destroying the character of its neighborhood.

I urge you to vote against changing the designation of 142 Free Street and to encourage the PMA to think anew about how it can expand.

Bruce Wood
607 Chandler's Wharf
Portland, ME 04101

Rhoda Renschler <rsrensch@msn.com>

Nov 25, 2023, 11:40:59 AM (yesterday)



to planningboard@portlandmaine.gov

To Members of the Planning Board,

Please respect and maintain the historic preservation ordinance of 142 Free Street. By changing the zoning we are reducing the integrity of our committees and the designation process which consisted of multiple hours of thoughtful and careful discernment. A change in zoning of this building jeopardizes the usefulness of further zoning and citizens' participation in their city.

The zoning for 142 Free Street was clear and yet it appears PMA felt it could be above abiding by the law by not clarifying to the competing architects that 142 Free Street was not to be demolished.

A future design could bring forth a fabulous and equally compelling vision for our beloved museum and thereby respect the people's decision to keep 142 Free Street as part of our cityscape.

Rhoda Renschler
37 Channel Road
South Portland, ME
04106

Anita Day <jrzygirl659@yahoo.com>

Nov 26, 2023, 8:26:51 AM (yesterday)



to planningboard@portlandmaine.gov

Dear Sir/Madam:

Please do not demolish this beautiful building. I fell in love with the City of Portland when I first visited it in 1992. It felt like a home town rather than a city because it was so clean and safe with lovely parks, old buildings and working waterfront. It had retained so much of its original charm. It was unique. I never thought I would move here, but my circumstances changed and, in 1994, I did move here.

In the years I have lived here, I have seen changes that are slowly eroding the charm and uniqueness of the city. The horrible demolition and new builds on Munjoy Hill, the beggars on every corner, homeless tent camps in the lovely parks and along the streets.

And now you want to demolish a beautiful building. Please protect it; don't destroy it.

Thank you.

Anita Day
7 Celebration Court
Portland, ME 04102



PO Box 17533, Portland, ME 04112

24 November 2023

RE: CONGRESS STREET H.D. - RECLASSIFICATION OF 142 FREE STREET AS NONCONTRIBUTING

Chair Mazer and Members of the Planning Board,

Greater Portland Landmarks urges you to concur with the Historic Preservation Board's unanimous finding to maintain the designation of the former Chamber of Commerce Building, more recently known as the Children's Museum, as a contributing building within the Congress Street Historic District.

- It more than meets the criteria for contributing status.
- There is strong public support for preserving the building.
- It meets the Portland Plan 2030 goals.
- The Portland Museum of Art's expansion and preservation goals are not mutually exclusive.
- It is important to maintain the fair application and integrity of the historic preservation ordinance.

Clearly Meets Criteria For Contributing Status

Although minor reversible alterations have been made to the exterior, it retains its integrity through its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its design and reflect its appearance during its use by the Portland Chamber of Commerce.

For a building to be designated as a contributing structure, it needs to meet just one of the criteria laid out in Subsection 17.4.1.A of Portland's Historic Preservation Ordinance. The former Chamber of Commerce Building meets 4 out of the 6 criteria. It also meets the criteria laid out in Subsection 17.4.1.B. and Subsection 17.4.2 of the ordinance.

- 17.4.1.A.1 It is significant to the cultural, historic, and architectural heritage of the city as an example of Congress Street's commercial significance in the first half of the 20th century.
- 17.4.1.A.4 It exemplifies a significant architectural style from its 1926 redesign by architects John Calvin Stevens and John Howard Stevens in the Colonial Revival Style, the most popular style of the period.
- 17.4.1.A.5 It is the work of architect John Calvin Stevens and his son John Howard Stevens, whose individual work is significant in the history and development of the City. John Calvin Stevens's significance to Portland and Maine's architectural history is rivaled by his historic significance to Portland's Art community and to the PMA itself:

"He designed the museum's L.D.M. Sweat Memorial Galleries. More importantly, he was a leader and president of the group that founded the museum. And it was he who secured the patronage that made the institution a reality and gave it staying power. But the Portland Society of Art not only founded the PMA, it created what is now the robust and thriving Maine College of Art, which many consider to be the most highly energized art institution in the art-oriented state of Maine." Portland Press Herald, July 5, 2015

- 17.4.1.A.6. As the former home for nearly 60 years of the city's Chamber of Commerce, it expresses and contributes to the theme of the Congress Street Historic District, a cohesive corridor of commercial and civic buildings that are significant for their role in the commercial, social, and architectural development of the city from 1780-1958.



A recent image of the building (left) and a 1958 image from the Portland Press Herald (right).

Public Comment on the Importance of Retaining the Chamber of Commerce Building

During the Historic Preservation Board deliberations, the retention of the former Chamber of Commerce building received significant support from the public, with 59 of the 68 public comments submitted to the city opposed to its demolition. The reclassification and demolition of a contributing historic building within one of Portland's historic districts would set a dangerous precedent. One of the public comments regarding the proposed demolition:

"I write to urge you to save 142 Free St and not establish a dangerous precedent that could endanger many more of our treasured historic buildings. The historic character of our downtowns enriches our communities and provides a unique sense of place. This is a very important decision that cities and towns around the State of Maine will be closely watching." Bryan Kaenrath, Waterville City Manager

In place for more than thirty years, the ordinance has set out expectations for all applicants to follow. Its fair and equitable application has helped to enhance the city's economic and cultural success. The recently released "Trends in Portland's Historic Districts" report states "Portland's historic character is a...fundamental part of the city's identity, as expressed throughout the City's vision statement and comprehensive City goals."

The Camiros report offers the City recommendations based on comparing Portland's Plan 2030 goals to current land use regulations in order to better align the Land Use Code with the Comp Plan. It recommends that the Recode project "...involve considerations for ensuring that new development respects the city's rich history and that, in the face of new development, essential elements of the city's history are preserved."

Preservation of 142 Free Street Meets Portland's Plan 2030 Goals

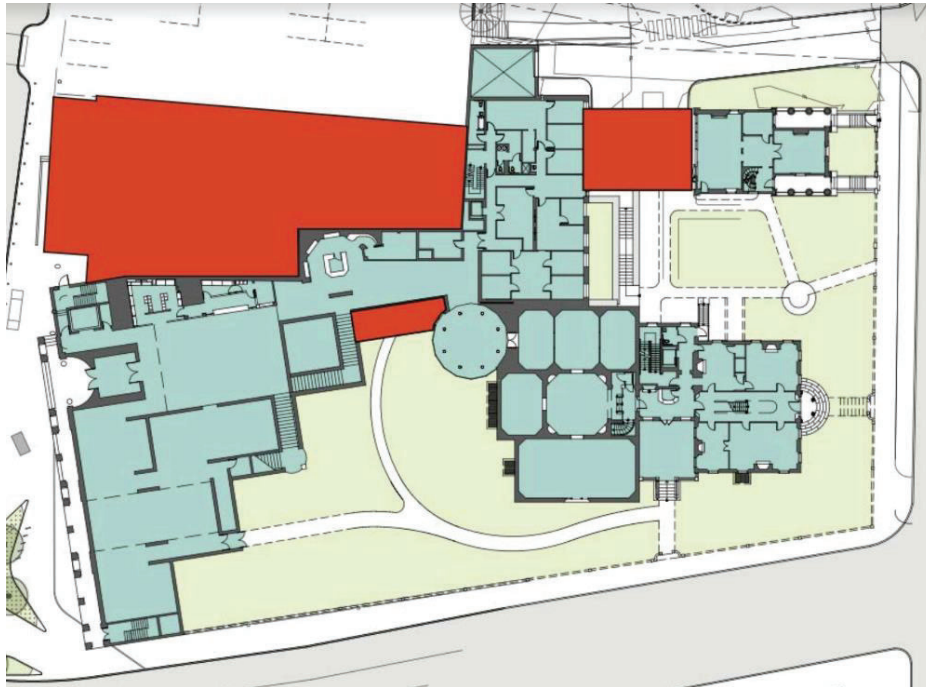
"Portland has been built and rebuilt to endure; we will balance our historic fabric, sound infrastructure, and the best of new technology and design for the future." From the Vision Statement, Portland's Plan 2030.

The City and the community have invested significant time and funds into improvements to Congress Square, a significant node within the Arts District and the Congress Street Historic District. The PMA's plan, which would necessitate the removal of the former Chamber of Commerce Building, would also remove the existing main entrance to the museum from Congress Square and locate a new entrance on High Street. In our opinion this is counter to the Comprehensive Plan's goals to enhance the downtown, the Arts District, and undermines the ongoing planning and implementation to revitalize Congress Square.

Museum Expansion and Preservation Goals Are Not Mutually Exclusive

Although the applicant has a design proposal that necessitates the former Chamber of Commerce Building's removal, the PMA purchased the building knowing its historic designation and solicited design proposals without acknowledging the building's historic designation to design teams. In fact, the map included with the museum's RFP had no building shown in the location of the Chamber of Commerce Building. Greater Portland Landmarks

supports the PMA's desire to expand, but strongly believes there remains opportunity in the design process to reconsider the demolition of a contributing historic resource and the potential impact of the new addition on Congress Square. The architect's job is to take complex program elements and creatively synthesize those with the existing site. We strongly encourage the PMA to reconsider its proposal and we urge you to agree.



"Developable Space" Site plan of the PMA's existing campus included in the design RFP. 142 Free Street was not depicted.

Reconsideration of the current design path is not unprecedented. In New York State, the Buffalo AKG museum's initial expansion plans by OMA were fundamentally changed based on public reaction to the initial plans. The new building addition, which opened recently, honors the museum's 1905 original building, its 1962 modern addition, and improves the dialogue between the museum and the Frederick Law Olmsted designed park in which the museum sits. The transformed AKG Museum meets all of the museum's goals while preserving and respecting the museum's architectural history.

Portland has examples of the beneficial results that can occur when demolition plans are reconsidered. One such example occurred in the 1990s when plans to demolish the interior of Portland's Merrill Auditorium were touted as the only means to achieve state-of-the-art acoustics. The demolition plans were resisted by a vocal group of citizens who advocated for a second opinion. Experts capable of improving the concert hall's acoustics while preserving the historic interior were then hired. The result is a beautiful historic venue that with its state of the art acoustics, has continued to serve as a cultural hub supporting a diverse variety of programming.

Fair Application of the Ordinance

17.5.9 Amendment or Rescission of a Designation

Amendment or rescission of any designation shall ... follow the procedure set forth in Section 17.5 for designation...The standards for rescission or amendment applied by the Historic Preservation Board, Planning Board, and City Council shall be limited to those provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2

The Historic Preservation Ordinance clearly limits the Planning Board's consideration to those Standards found in Section 17.4.1 (A) and (B). The Historic Preservation Board, although sympathetic to the desire of the PMA to expand, unanimously determined that the former Chamber of Commerce Building meets the standards laid out in

Subsections 17.4.1(A) and (B) and Subsection 17.4.2. The former Chamber of Commerce building continues to warrant its designation as a contributing building within the historic district. Moreover, its retention helps meet key goals of Portland's Plan 2030. We hope that through your careful deliberations, you will agree that the evidence supports its current designation.

Conclusion

The PMA must reconsider its options for expansion. The city block occupied by the PMA includes several surface parking lots, including one owned by the PMA. The reclassification and demolition of a historic building which contributes to the character of the Congress Street corridor and Congress Square, a significant urban gathering space, cannot be allowed when other options exist to meet the museum's space needs while further enhancing the city's streetscapes. We hope that you will reject the PMA's proposal and encourage them to return with a project that retains the integrity of the Congress Street Historic District and creates a world class museum.

Thank you for considering our views,

A handwritten signature in black ink that reads "Carol De Tine". The signature is written in a cursive, flowing style.

Carol De Tine
Vice President of the Board of Trustees
Greater Portland Landmarks

Barbara Vestal <vestal@chesterandvestal.com>

Nov 26, 2023, 12:46:37 PM (21 hours ago)



to planningboard@portlandmaine.gov

Chair Mazer and Planning Board Members:

I served as the chair of the Planning Board in the late 1980s when we worked with a nationally respected consultant, Richard Roddewig, over a couple of years to craft Portland's historic preservation ordinance. He observed that the choices we were making for Portland put us squarely in the middle range of many such ordinances across the nation.

Like these ordinances, we drafted Portland's ordinance to protect not only rare, very special individual "landmark" structures, but also to protect the much more common historic structures that retained their historic integrity and shared a set of character-defining features that contributed to an historic district's unique identity. These were identified as protected "contributing" structures.

An essential part of the value of this type of historic preservation ordinance derives from a mutuality of benefit: a property owner accepts certain regulation of their own property because neighboring owners of similar property are also accepting the same regulation of their property. The sum of the protected historic properties, as a critical mass, has a much greater impact than the individual buildings. The authenticity of the place is protected by maintaining the context and protecting the inter-relationships between neighboring buildings throughout the entire district.

It is essential to the integrity of the ordinance that all owners of contributing structures be treated in the same manner, in compliance with the same standards. It is patently unfair for one owner to benefit from its neighbors maintaining the historic context, while at the same time seeking to withdraw from the mutual benefits for its own gain in order to demolish that owner's own historic structure.

In this case, with the Portland Museum of Art (PMA), there can be no claim of surprise about the "contributing" status of the Chamber of Commerce Building. It unquestionably met the criteria and was designated as "contributing" at the time that the City Council approved the designation of the Congress Street Historic District in 2009. This fact was well-known to PMA when it purchased the building.

To me, the surprise is that PMA apparently opted to ignore that designation and opted to proceed with a design competition in which they left out the crucial information that the Chamber of Commerce Building was designated as a "contributing" structure in the Congress Street Historic District. Had that information been given to the design teams, it seems like multiple options for a museum expansion could have been (and still could be) productively explored that would not have included demolition of the Chamber of Commerce Building. The range of possible options include incorporation of the Chamber of Commerce Building into the expansion plans in some fashion, or expansion onto adjacent vacant land already owned by the PMA, or acquisition of adjacent vacant land for the expansion.

It is not the job of this Board, nor the job of the City, to determine the expansion strategy for PMA. They appear to have many options for proceeding within the current regulations.

But it is the job of this Board, and the City, to protect the integrity of Portland's Historic Preservation Ordinance, which has been an important part of our regulatory system for over 30 years. Safeguarding the City's historic resources is identified as one of eight overriding policy guides in the comprehensive plan, Portland's Plan 2030. The recently completed analysis of the economic impact of Portland's historic preservation program documents the significant contributions it has over the last 30 years.

Ensuring that all owners of similarly situated historic properties receive the same carefully considered, fair and consistent treatment in compliance with the ordinance is critical to the integrity of the program. Regardless of whether a decision on applicability of the historic preservation ordinance is made by the Historic Preservation Board, the Planning Board or the City Council, the decision should not turn on the identity of the applicant. Procedural due process requires that the decision makers focus on the historic structure in question, the Congress Street Historic District, and the Historic Preservation Ordinance. The former Chamber

of Commerce building is clearly a “contributing” building under the ordinance. That designation should not be reversed, even if the applicant is the PMA. It has other paths it can follow to achieve its programmatic goals while also complying with Portland's ordinances and comprehensive plan.

Thank you for your consideration of this matter.

Regards,

Barbara Vestal
7 Fore Street
Portland, Maine 04101

Dabeard35 <jamie.a.beals@gmail.com>

Nov 26, 2023, 10:00:34 PM (12 hours ago)



to planningboard@portlandmaine.gov

Hello,

I am writing in regard to the Portland Museum of Art's plans for this building. Not only would it be a shame to destroy this building in a city where so many historic buildings are being destroyed and replaced with cookie-cutter ugliness, but I feel like it is important that the Historic Preservation Ordinance be applied fairly, holding the PMA to the same standard as other businesses / entities.

The Historic Preservation Ordinance states that the Planning Board and the Council are required to review the PMA's application under the same criteria that the Historic Planning Board was required to apply. It is important that the Planning Board go along with the recommendation of the Historic Preservation Board and uphold the integrity of the Ordinance. I believe that the PMA should be held to the same standards of review of any other applicant, regardless of the vision and goals for their campus; additionally, I think it is possible for the PMA to meet its goals while at the same time preserving the former Chamber of Commerce Building.

Thank you for your time,
Jamie Beals
11 Deering Ave.
Portland

Fwd: 142 Free Street 0 views

Subscribe Meredith Tipton <mltipton1@gmail.com>

7:05 AM (3 hours ago)

to planningboard@portlandmaine.gov

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

From: **Meredith Tipton** <mltipton1@gmail.com>

Date: Sat, Nov 25, 2023, 7:09 AM

Subject: 142 Free Street

To: <planningboard@maine.gov>

I am writing to request that the planning board not allow the demolition of this beautiful historic property on Free Street. We moved from our oceanside home to the historic Westend to immerse ourselves in this unique quality of Portland. I have deep reverence for Portland's historic past. We need to retain and respect all that contributes to this rich history.

The PMA is a wonderful institution and in their quest for expansion should not not have included 142 Free St as part of the available space for development. PMA and it's designers need to get back to the drawing table and make the new design work sans 142 Free St.

Thank you for your thoughtful decision to preserve our historic district.

Meredith Lentz Tipton PhD

75 State Street

Portland, Maine 04101

Berry Manter <berrymanter@yahoo.com>

8:40 AM (1 hour ago)



to Planning Board

Dear Planning board members,

I want to add to the city-wide and urgent support to CONTINUE the designation of the Free Street (former Children's Museum) 1830's structure as "contributing", a building which IS very much visually part of the remaining fabric of historic structures of downtown Portland.

As a graduate of MeCA and an artist, I appreciate contemporary architecture. However, it would be to both Portland's and PMA's longterm "benefit" to integrate resonant design elements into it's future building plans, retaining this nearly 200 year old Free Street structure and reflective of the beautiful historic buildings remaining in its possession. Yes, coherent contemporary additions CAN work. Nothing says "out of touch" and "arrogance" more than not honoring the immediate community of preserved structures. (I stifle my urge to mention 58 Fore's treatment of their historic obligations...)

Please continue recognizing the former "Chamber of Commerce" building, aka Children's museum, aka Church as "contributing".

Sincerely,

Berry Manter
46 Eastern Promenade
MeCA '92

To: Portland Planning Board
From: Earle G. Shettleworth, Jr.
37 Academy Street
Hallowell, Maine 04347
November 27, 2023

Agenda Item: Proposed Historic District Amendment; Congress Street Historic District – Reclassification of 142 Free Street as non-contributing.

I am writing to ask that the Planning Board support the Historic Preservation Board's unanimous finding to maintain the designation of 142 Free Street as a contributing building to the Congress Street Historic District.

As a native of Portland who has studied the history and architecture of the city for sixty years, I can affirm the significance of 142 Free Street as a work of the noted architect John Calvin Stevens that contributes to the historic district. As you consider the request before you to reclassify 142 Free Street as non-contributing to the district, I would like to comment on the broader implications of your decision.

Since the 1960s, many Portland citizens have worked diligently to preserve the historic character of the city by the establishment of National Register Historic Districts, followed by the creation of local historic districts through the adoption of the historic preservation ordinance in 1990. The success of these efforts is clearly apparent in the critical contribution of historic preservation to making Portland one of the most desirable small cities in America. Those areas protected by the ordinance have experienced major private and public investment that has enhanced the entire city.

Approval of the Portland Museum of Art's application to declassify 142 Free Street would seriously compromise the integrity and purpose of the ordinance by allowing a building certified by the city, the state, and the Federal government to be demolished. Moreover, such an action would encourage other property owners to seek similar exemptions, further weakening the effectiveness of the ordinance and placing the city's historic built environment, and thus its quality of life, in jeopardy.

I trust in the good judgement of the Board to maintain the integrity and purpose of the ordinance as it reviews this application.

November 27, 2023

Re: Congress Street Historic District – Reclassification of 142 Free Street as Noncontributing

Chair Mazer and Members of the Planning Board,

I urge you to uphold the unanimous decision of Portland's Historic Preservation Board to maintain the Contributing status for the former Chamber of Commerce building at 142 Free Street. This building clearly meets the criteria as a Contributing building within this historic district and it also retains its integrity to the time in 1926 when it was redesigned by John Calvin Stevens for the Chamber of Commerce. The Chamber used this building as its principal office for nearly 60 years. It is a signature building in this historic district that celebrates the commercial, social and architectural development of the city from 1780 to 1958.

Equally significant as a consideration in this request for reclassification is the importance of upholding and implementing with an even hand Portland's Historic Preservation Ordinance that has been in effect for over 30 years. There has been strong emphasis placed by both our City Council and our City staff on implementing Portland's Land Use Code in a manner that is equitable with predictability and equal treatment for all. The Portland Museum of Art's request to reclassify 142 Free Street asks you to ignore the time-tested provisions of the City's Historic Preservation Ordinance and to make an exception to the rules of that ordinance. Such a decision risks undermining the ordinance which has been responsible for substantial economic investment in this City with millions of dollars of projects using the Historic Rehabilitation Tax Credit and national accolades offered for Portland's authentic historic character and ambiance as a draw for residents and tourists alike.

In summary, I urge you to use your careful deliberations to consider the merits of the Contributing status of 142 Free Street and the integrity of Portland's Historic Preservation Ordinance and to uphold this Contributing designation.

Thank you for considering my views.

Sally Oldham
118 Congress Street

ellen kanner <ellen.t.kanner@gmail.com>

10:01 AM (1 hour ago)



to planningboard@portlandmaine.gov

Greetings,

My vote is to retain and preserve the 142 Free Street building as it offers unique characteristics that make Portland special. What if every building in downtown Portland was modernized and so much history removed (as is happening on the east end and elsewhere in the city!).

Please do not allow the PMA to remove this building. Their architectural design concepts should have encompassed this building as part of the PMA's future plans. Please accept the Historic Preservation (HP) Board's recommendation and preserve this building with its unique architecture, character and history.

Elle Kanner
Business owner, Portland ME

--

City of Portland Planning Board

Re: 142 Free Street – 28 November Workshop

Date: 27 November 2023

Members of the Planning Board,

I am requesting that the Portland Art Museum's (PMA) request to demolish the 142 Free St. building NOT be approved. I have listened carefully to the numerous, changing and mostly flawed statements that PMA representatives have delivered at two Historic Preservation Board (HPB) hearings. Please consider the following:

- + The Historic Preservation Board voted unanimously NOT to accept the PMA's request to demolish the building.
- + The Planning Board is charged with the same zoning ordinance regulations as the HPB. In order to maintain the integrity of the zoning ordinance, the board should likewise vote NOT to approve the PMA request.
- + The PMA has been very well aware of the clearly written historic preservation ordinance in their zone from the start of this project, yet chose to ignore it.
- + Contrary to the PMA's statements that their request is in the public's interest, the PMA did not make any effort to encourage or suggest, and may have dissuaded, the design teams from considering reusing 142 Free St. as a design solution. That action was not in the public's interest as the public was not allowed to view and comment on competition designs retaining the 142 Free St. building.
- + Sustainability with Portland buildings is a city goal. The PMA argues that wood timber, a design feature in the final selected design, is sustainable. Yet, building design professionals understand that reusing an existing structure is more sustainable (less environmental impact) than building new. 142 Free St. is currently classified for museum use and up to building codes for that use - it is a sound structure.

Thank you, Robert Kahn
94 Rackleff St.
Portland, ME

Jack Vreeland
447 Deering Ave., Portland ME 04103
jackvreeland@gmail.com 207-879-9152

November 26, 2023

City of Portland Planning Board
389 Congress St, 4th Floor, Portland, ME 04101

Subject: Public Comment on Historic Preservation Designation;
142 Free Street; Portland Museum of Art, Applicant

Dear Chair Brandon Mazer and Members of the Planning Board,

As a four-decade resident of Portland who has witnessed the positive impact historic preservation has had on our community, I urge you to concur with the Historic Preservation Board's unanimous finding to maintain the designation of the former Chamber of Commerce Building as a contributing building within the Congress Street Historic District and to encourage the Portland Museum of Art to develop a world-class plan while respecting the long-standing Historic Preservation Ordinance.

I recall when Exchange and Commercial Streets were in disrepair, dark and depressing. Congress Street had boarded-up storefronts. Mansions on the Western Promenade were used for storage. Yet visionary community leaders realized that our historic built environment, with proper stewardship, could be a driving force in making this community the thriving place it now is.

Today with the City's recent "Trends in Historic Preservation" document we have the data to confirm just how right they were and how preservation is not a luxury enjoyed by some, but a powerful building block for our entire community with ramifications that include affordability, diversity, and sustainability. The report states: *"Portland's historic character is a critical part of what makes the city special. It is a fundamental part of the city's identity, as expressed throughout the City's vision statement and comprehensive City goals."*

For this to continue the report recommends: *"Ensure clarity and predictability in the historic preservation regulations and its supporting materials moving forward."*

"Maintaining a development review and approval process that is fair, consistent, expedient, and understandable helps ensure that real estate investment continues with minimal confusion or cost increases associated with a project's location in a historic district."

The issue before you is, in many ways, the opposite of this recommendation. It would not be fair to other applicants lacking the stature of the PMA. To somehow rely on a loophole carved out for the PMA would be an exception to the rules, not consistent. This process could have been expedient if the PMA had chosen to respect the Historic Preservation Ordinance from the start. The protection of 142 Free Street by the Preservation Ordinance is the same now as it was the day they bought the property. The road to minimal confusion or cost was not the road taken by the PMA.

The PMA clearly was aware of what they own. From their RFP:

Located in the heart of downtown Portland, one of the country's most beloved cities, the museum encompasses a full city block of historically and architecturally significant buildings.

"...a full city block." And it states: 142 Free St. is located within the Congress St. Historic District.

And yet, the site map in the RFP 142 Free Street is just not there.

Simply put, I have one question that perhaps this board can pose to the Portland Museum of Art: At what point in their process did it determine it would not have to follow the provisions of the Historic Preservation Ordinance? Even though the building meets 4 out of the 6 criteria laid out in Subsection 17.4.1.A of Portland's Historic Preservation Ordinance. Were they never advised this would be problematic?

On what grounds did they decide to move forward? I do not like to think, as it was stated at Historic Preservation Board meeting by a PMA representative, "There is only one Portland Museum of Art". To claim special status seems to fly in the face of "Art for All". I think that I and other supporters of the PMA want to think better of them than this outlook would indicate.

The PMA, of course, can make an argument that this expansion will bring jobs and income to Portland and is thus justified. The benefits of an expanded museum do not go away if 142 Free Street is included in the plan. The benefits to our city of historic preservation also have benefits. Again, from the "Trends in Historic Preservation" document: *In addition, Portland's historic character makes its real estate more desirable and valuable and plays a role in bringing visitors to Portland.*

The PMA has stated they investigated keeping the 142 Free Street but determined that would not work. Which seems a major lack of imagination for a creative institution. There are examples all over the world of historic buildings integrated into modern museums. This was such a missed opportunity. But it is not too late for you to direct them to a better way forward.

I implore the board to encourage the PMA to recognize and respect the importance of our Historic Preservation Ordinance while pursuing their admirable goal of a world-class museum expansion. Both objectives are achievable, and I appeal for equitable enforcement of the Congress Street Historic District's provisions.

I sincerely anticipate revised plans that harmonize the PMA's aspirations with our shared commitment to preserving Portland's historical legacy. I thank the board for considering this input and eagerly await further discussions on this matter.

Sincerely,

Jack Vreeland

George Rheault <george.rheault@gmail.com>

11:00 AM (19 minutes ago)



to Planning Board, jmy, Abigail Reed, kkraft

The inclusion of my October 3, 2023 public comment in the Planning Board packet omitted the attachment I had originally included in the October 3rd email (the attachment is a news story about the City's declaration of "John Calvin Stevens Day" in 2009).

The Historic Preservation Board appears to not have considered for a single moment the idea that since our city is peppered with a great many John Calvin Stevens designed structures, it can afford to lose one of them to no great detriment to our built environment, particularly since 142 Free Street is hands-down one of his schlockiest efforts.

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

From: **George Rheault** <george.rheault@gmail.com>

Date: Tue, Oct 3, 2023 at 11:07 AM

Subject: HP Public Comment - 142 Free Street: Haven't we venerated John Calvin Stevens ENOUGH?

To: Historic Preservation <hp@portlandmaine.gov>

See attachment.

I am pretty sure that the legacy of John Calvin Stevens and his contributions to Portland's physical development (as well as his much more checkered involvement in its social and political evolution) will not rise or fall based on the continuing existence of 142 Free Street.

How many totems from this one man does the City of Portland need to tell his story?

Why should the dead hand of the past once again serve to suffocate the energy and creativity of our community's present and future?



The shingle-style cottage at 52 Bowdoin St. in Portland that architect John Calvin Stevens called home for nearly 30 years. (Billings photo)

John Calvin Stevens

from page 1

Portland.”

So much so that next week, city leaders will declare Oct. 8 John Calvin Stevens Day.

One of Maine’s most famous architects, Stevens, who was born Oct. 8, 1855, and died Jan. 25, 1940, designed more than 300 buildings on Portland’s peninsula alone and dozens more in the surrounding neighborhoods and islands.

Stevens made a name for himself by mastering the shingle-style cottage that has come to symbolize coastal life in New England. Later, he mastered the Georgian, colonial-style homes made of brick. To see both, one only needs to spend a little time on Bowdoin Street, which has shingle-style cottages on one side of the street and brick revival homes on the other.

One of those homes, 52 Bowdoin St., was Stevens’ home for nearly 30 years, Shettleworth said.

Although Stevens is known mostly for his residential designs, Shettleworth said he is also known for his civic, commercial and religious architecture. He was an associate architect commissioned to help design and build Portland City Hall, and he designed State Street Church on High Street and the Nathan Clifford Elementary School on Falmouth Street.

But Shettleworth said Stevens is known not only for his building designs, but for the length of his career.

Stevens started his career when he was 18 and worked right up to his death. “He

was involved in architecture for a 70-year period,” Shettleworth said.

Next week’s proclamation, which will be read at noon on the front steps of Portland City Hall, is the last event of a year-long celebration for the architectural firm Stevens created 125 years ago.

SMRT, formerly Stevens Morton Rose & Thompson, was founded in 1884 and is based on Fore Street. Although it is no longer family owned, his great grandson is still involved in its day-to-day operations at the age of 71.

“It’s been a pretty varied practice over the years,” SMRT chairman and former company President Paul Stevens said. “In many ways, it isn’t really a lot different.”

The company experienced most of its growth in the 1980s, he said, when it went from having only 10 employees to about 75. During that time, SMRT ceased designing residences and concentrated solely commercial, civic and health-care buildings.

But when Paul Stevens, a fourth-generation architect, steps down from the company, it will be the end of an era, since there is no fifth-generation Stevens waiting to take over the practice. That’s why next week’s ceremony, which will also include a Congressional Record of Recognition from a representative of U.S. Sen. Olympia Snowe’s office, is so special to him.

“I’m the end,” he said. “I’ve very proud of what firm has accomplished. It’s very satisfying to be recognized.”

Randy Billings can be reached at 781-3661 ext. 100 or rbillings@theforecaster.net

the Portland FORECASTER

September 30, 2009

News of The City of Portland

Vol. 23, No. 39

Fire chief looking at alternative space for fire boat crew

By Kate Bucklin

PORTLAND — The fire chief this week planned to inspect space on Maine Wharf that could provide fire-boat crew quarters at a third of the cost proposed at the Maine State Pier.

Chief Fred LaMontagne said

he was contacted by Joe Malone of Malone Commercial Brokers Monday to see if he wanted to look at a 2,000-square-foot office that could be converted into living quarters for firefighters.

"We will be looking at that property, probably today or

tomorrow," Lamontagne said Tuesday.

Maine Wharf is owned by Eric Cianchette and is next to the Maine State Pier, where the fire boat is docked.

"This could give them some flexibility," Malone said.

The City Council in October is expected to decide whether to spend \$1.8 million in Capital Improvement Project funds to build new fire-boat crew quarters at the Casco Bay Garage. Some councilors have spoken out against the proposal, saying

it is too costly.

The current quarters for firefighters assigned to the fire boat are inside the Casco Bay Garage and are small (400 square feet) and damp, causing mold and

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Literacy Volunteers seeks sponsors to stay afloat

By Randy Billings

PORTLAND — Since 1973, Literacy Volunteers of Greater Portland has been providing free tutoring to residents who need help reading, writing and speaking English.

But financial difficulties could doom the organization by the end of the year.

Like some other nonprofits, the future of Literacy Volunteers, whose operating budget is entirely funded by foundations and donations, is in jeopardy because prospective donors are tightening their belts.

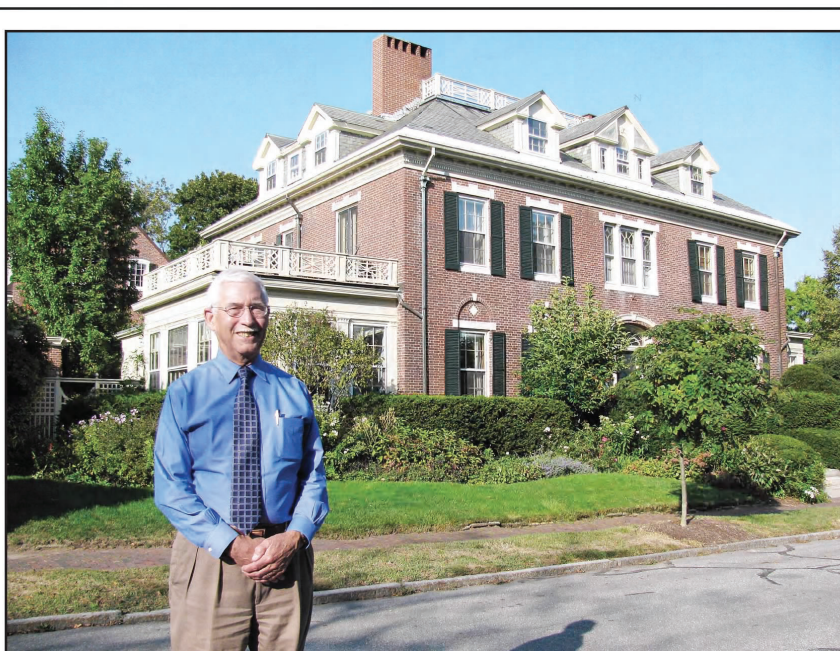
"We're on the brink," Executive Director Phyllis de Fano said. "There's no question about it."

De Fano, who is the only paid full-time staffer in the office at 142 High St., said the nonprofit has been dipping into its reserve account to meet the demands of its annual budget of \$65,000. There is currently enough money to continue operating until December, she said.

De Fano said Literacy Volunteers is also considering merging with another organization in an effort to reduce costs, but would not identify the organization.

The economic downturn is forcing many donors and foundations to reduce the what they give to groups like Literacy Volunteers, which is accredited by Proliteracy America. De Fano said the group has survived in recent years by soliciting funding from a wider base of foundations, but the nonprofit is

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Paul Stevens, a fourth-generation architect, stands in front of the Richard Webb house at 29 Bowdoin St. in Portland's West End. The building is one of the best examples of work by his great-grandfather, John Calvin Stevens. (Billings photo)

'An indelible mark'

City to honor the legacy of John Calvin Stevens

By Randy Billings

PORTLAND — If you have spent any amount of time in Portland, or almost anywhere on the coast of New England, chances are you've seen the work of John Calvin Stevens.

Take a walk through the Old Port or a leisurely stroll through the streets of the West End, lined with magnificent towering homes, and you will find his work. Spend a weekend in a summer cottage in Cape Elizabeth or on the Casco

Bay islands and you will experience him first-hand.

"He's everywhere," State Historian Earle Shettleworth Jr. said. "He's left an indelible mark on the city of

See page 27

Chief promises Bayside more access to police

By Kate Bucklin

PORTLAND — Bayside residents frustrated over what they say is an increase in alcohol-fueled crimes in their neighborhood met with local law enforcement authorities and Preble Street Resource Center officials Tuesday to figure out how to curb the activity.

That behavior includes public drinking, public urinating and defecating, passing out in the street, vomiting in the street and having sex in public, said community organizer Jeff Goldman, who moderated the meeting at Lost Coin Cafe on Portland Street.

The Bayside Neighborhood Watch committee developed a list of recommendations for the Police Department, the Cumberland County district attorney's office, Preble Street and local sellers of alcohol. The recommendations point to changes each could make to help reduce "nuisance crimes."

Police Chief James Craig called Tuesday's meeting, and

See page 39

West End residents unhappy with community policing station

By Randy Billings

PORTLAND — Concerned about a perceived rise in crime, the West End Neighborhood Association is collecting signatures to petition city and school leaders to increase the visibility of the Community Policing Center.

It is an effort the district's city councilor, David Marshall, said he finds surprising.

The petition being circulated throughout the West End calls on city leaders to put the West End Community Policing Station at the Reiche Community

Center, at 166 Brackett St., by Nov. 15. If that site is not feasible, residents want it located in another, more visible location nearby by Dec. 1.

The policing station is currently housed in Harbor Terrace, a group housing complex at 284

Danforth St. operated by the Portland Housing Authority. It was moved there from a location on Danforth Street several years ago as a cost-cutting measure. City Hall could not immediately

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Special advertising section
Page 12

Seth Sprague <sethsprague310@gmail.com>

11:02 AM (22 minutes ago)



to planningboard@portlandmaine.gov

Dear Members of the City of Portland Planning Board

We are Seth and Laura Sprague and reside at 28 Orchard Street in the West End Historic District. We urge the Planning Board to uphold the Historic Preservation Board's decision to deny the Portland Museum of Art's request to reclassify and remove 142 Free Street as a contributing structure in the Congress Street Historic District of 1990, thereby allowing its demolition. Approaching its centennial, the building's facade retains its classical-revival features, designed in 1926 for the Chamber of Commerce by John Calvin Stevens, one of Maine's and the City's foremost architects. Since its inclusion thirty-three years ago, the building still meets the criteria as a contributing structure as described in the City's Historic Preservation Ordinance.

Portland and its citizens have worked for decades to establish Portland's historic districts. They protect the architectural resources and streetscapes that give the city its authenticity, historical integrity, visual appeal, and livability. We call upon the Portland Museum of Art, as a leading cultural institution, to support the City's other cultural resources, in this case 142 Free Street and the Congress Street Historic District, rather than seek their destruction. Approving a reclassification that would allow 142 Free Street to be demolished sets a dangerous precedent, especially given that the Museum has not made a good faith effort to incorporate the building in a new design. If the Planning Board allows a leading cultural institution to overturn the rules, it opens the door for others to do the same and threatens all the City's historic districts for years to come. You will be unable to maintain the integrity of the historic districts or your effectiveness as the Planning Board.

Nothing has happened or changed at 142 Free Street that warrants its reclassification and exclusion from the Congress Street Historic District. We urge you to deny the applicant's request to remove it from the district and allow its demolition.

Thank you.

Sincerely,

Seth and Laura Sprague

28 Orchard St.

George Rheault <george.rheault@gmail.com>

11:20 AM (8 minutes ago)



to Planning Board, jmy, Abigail Reed, kkraft

A 2009 news story (see attachments) indicates that when the locally-designated Congress Street Historic District was created by the City Council, an amendment was tacked on as part of the designation requiring that an annual report be generated (presumably by the Planning Department) detailing development activity taking place in the new Congress Street Historic District. See highlighted sentence at the end of the news article.

Whatever happened to this requirement? Did a subsequent City Council remove this requirement or was it simply never followed through upon?

The Planning Staff should ask the City Clerk's Office for the original Council order, as passed in 2009, to see what the precise language for the annual report was at the time of passage. An explanation should be given to the public regarding what was done to satisfy the requirement and any reports that were actually completed.

It is apparent that the fears of those who opposed the Congress Street Historic District were largely realized. It was a development killer and investment within the Historic District was severely stifled. But the lack of the annual reports (assuming they were never submitted despite the City Council mandating their creation and delivery) makes it hard to chart the development history since the 2009 district designation. It should also be noted that it was ONLY in 2019 that the Congress Street Historic District was certified by the National Park Service for tax credit eligibility - a full TEN years after its initial local designation which was pushed mostly on the basis of properties being able to take advantage of federal historic tax credits.

FYI: The news article is from "The Forecaster," back when it was independent of the Press Herald.

Congress St.

from page 3

than new construction.

Humstone was also among several speakers who touted tax credits as a benefit for property owners within historic districts.

“More than 130 properties can take advantage of (the) tax credits,” she said.

Scott Simons, president of the Portland Society of Architects, said his group also supports the proposal. The society questioned several elements of the proposal when it was first released, including height limitations it would impose on the tallest part of the city and confusion relating the the role of the Historic Preservation Board and the Planning Board.

“The modifications to the proposal have made us feel better about it,” he said.

Three property owners spoke against the designation.

Chris Campbell said the district would stymie future development and freeze Congress Street in its current state.

Wan Park said he was concerned about added costs and process if he should pursue fixing up his properties on Congress Street.

Ric Quesada, who owns several properties within the district, said that although he is usually a proponent of historic preservation, he does not support the proposal. He said taking advantage of tax credits requires substantial up-front costs for property owners and meeting

federal standards. He also expressed disappointment that three of his buildings are included in the district, including one that is surrounded by a parking lot.

The council, however, overwhelmingly supported designating Congress Street and the surrounding area, including a large part of Free Street, as historic. The district runs from Lincoln Park to Bramhall Square.

An amendment was made and passed requiring city staff to report back annually regarding development in the district.

Kate Bucklin can be reached at 781-3661 ext. 106 or kbucklin@theforecaster.net.

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Portland City Council OKs Congress St. historic designation

By Kate Bucklin

PORTLAND — Nearly 200 downtown properties are now part of the city's newest historic district, a designation the City Council unanimously approved Monday following a couple hours of public testimony from historic preservation advocates.

The Congress Street Historic District encompasses about 75 acres along Congress Street and surrounding streets. The historic designation means that any changes proposed to buildings or lots in the district will be subject to the city's Historic Preservation review, either by staff or the Historic Preservation Board, depending on the scope of the project.

Planning the new district began in January 2006 at the direction of the City Council, following a burst of redevelopment along the city's main commercial street. Historic Preservation staff spent nearly two years researching properties in the proposed zone and coming up with a

proposal. About a year ago the city began holding forums for property owners and spent several months tweaking the district boundaries to reflect concerns from those property and business owners.

The district was approved by the Historic Preservation Board and the Planning Board in January.

At the public hearing Monday night, historic preservation advocates and fans

blitzed City Council Chambers and took turns at the podium, repeatedly promoting the benefits of designating Congress Street as historic.

Arguments in favor of the district ranged from historic preservation being connected to the creative economy and

retaining Maine's youth, to property owners being able to take advantage of special tax credits.

Beth Humstone called the district a "catalyst for economic development." She said that rehabilitation is often better

continued page 35

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November 27, 2023

To: Members of the Portland Planning Board

Re: 142 Free Street Agenda Item Comments

Thank you for the opportunity to submit comments on this agenda item.

Reclassifying a building that clearly meets the criteria for a Contributing building of the Congress Street Historic District in order to allow the property owner to demolish the historic structure is not in the best interest of the culture and community of Portland.

Though I will never qualify as Mainer, my connection to Portland is strong and long. My great grandparents immigrated from the Russian Pale to Portland in 1882, joining their uncle who had arrived in 1876. My grandmother was born in 1889 on Middle Street. She was my only grandparent born in the United States.

I spent my summers in Maine as a child and moved “home” to Portland about 100 years after my family first arrived. My career as an educator - and now volunteer docent for Greater Portland Landmarks – has been in the Portland/South Portland area ever since.

My great grandfather was a peddler, who died of tuberculosis in his early 40s. His youngest son opened a cigar store a few doors down Congress Street from Hays Drugstore when he was old enough to do so.

The Hays Building, 142 Free Street, and other Contributing structures in the Congress Street Historic District are beautiful examples of how older buildings can remain vibrant and functional. I have serious concerns that the proposal to reclassify 142 Free Street could set a dangerous precedent and destroy the intent of the ordinance. It would make the designation of Historic Districts and Contributing buildings meaningless and undermine the mission of the ordinance. It feels irresponsible. I urge the Planning Board to hold the PMA to the same standards as any applicant; the integrity of the ordinance should be maintained.

The Portland Museum of Art (PMA) expansion goals and the City’s preservation goals are not mutually exclusive. If the Museum had encouraged proposals that retained the Chamber of Commerce Building, which has been successfully repurposed in the past (including the 1926 redesign by John Calvin Stevens), 21st century architects could have created compelling designs for the expansion that incorporated the 142 Free Street building. I urge the PMA to reconsider their concept design and incorporate the historic building at 142 Free Street.

Thank you for your consideration of these comments,

Faye Y. Gmeiner
15 Tideview Terrace
Kennebunk, ME 04043

George Rheault <george.rheault@gmail.com>

11:35 AM (2 minutes ago)



to Planning Board, jmy, Abigail Reed, kkraft

Please see attached a 2009 Deb Andrews memo to the City Council describing the process leading up to the City Council's decision to create the Congress Street Historic District.

The attachments are missing, but presumably the planning department can find them and post them to the record so the public has a much better sense of what happened back in 2009 to get us to this point.

The question of whether to allow the demolition of 142 Free Street must be contextualized as part of the entire debate between 2006 to 2009 over whether the Congress Street Historic District was a good idea.

As the Deb Andrews memo makes clear, this was a completely political debate with very little to do with actual history or architecture. Indeed the original district was shrunk by over 25% to buy off key elements of the opposition allowing the anti-growth preservationists to emerge victorious.

It is obvious that much of the Congress Street Historic District's properties were arbitrarily arrived at and since politics played such a key role, it is completely fine to once again let politics decide the question. And this is fine - because our decision-makers SHOULD have the discretion to change their minds about the significance and integrity of a "historic" building if the present gives us the opportunity to do something much better at this location.

**Recommendation of the Planning Board and Historic Preservation Board
Regarding**

- 1) **DESIGNATION OF "CONGRESS STREET HISTORIC DISTRICT"
under the provisions of Article IX of the Land Use Code;**
- 2) **AMENDMENTS TO HISTORIC PRESERVATION ORDINANCE
(Article IX of the Land Use Code); and**
- 3) **AMENDMENTS TO SITE PLAN ORDINANCE
(Article V of the Land Use Code)**

February 9, 2009 Workshop Memo
Portland City Council
Portland, Maine

Submitted by:
Deborah Andrews
Historic Preservation Program Manager

CONTENTS OF REPORT

- I. INTRODUCTION
- II. RECOMMENDATIONS OF THE HISTORIC PRESERVATION BOARD AND PLANNING BOARD
- III. CONGRESS STREET HISTORIC DISTRICT DESIGNATION
 - A. Components of the District Designation Report
 - B. History of Initiative and Public Review Process
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 - F. Economic Impact of Historic Preservation
 - G. District Certification and Access to Historic Tax Credits
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- IV. AMENDMENTS TO HISTORIC PRESERVATION ORDINANCE
(Article IX of the Land Use Code)
- V. AMENDMENTS TO SITE PLAN ORDINANCE
(Article V of the Land Use Code.)

I. INTRODUCTION

The Council will soon begin formal deliberations on recommendations from the Historic Preservation Board and Planning Board regarding:

- 1) Designation of a portion of Congress Street and its immediate environs as a local historic district (to be known as the “Congress Street Historic District”), subject to the provisions of Article IX (Historic Preservation) of the Land Use Code;
- 2) Amendments to Article IX of the Land Use Code (historic preservation ordinance); and
- 3) Amendments to Article V of the Land Use Code (site plan ordinance)

On February 9th, a workshop session has been scheduled to provide an overview of the proposed Congress Street Historic District. Historic Preservation staff will review the history of the initiative, the intent behind designation, and the process by which the district boundaries were developed. Information will also be provided on federal and state historic tax credits that will become available to owners of historic properties within the downtown should the district be approved.

II. RECOMMENDATIONS OF THE HISTORIC PRESERVATION BOARD AND PLANNING BOARD

Historic Preservation Board Recommendation. On November 19, 2008, following a public hearing and final deliberations, the Historic Preservation Board voted unanimously to recommend to the Planning Board (and by extension, the City Council) designation of the proposed “Congress Street Historic District” as delineated in the district boundary maps enclosed as ATTACHMENTS 1a and 1b and as described in the accompanying designation report – ATTACHMENT 2. The Historic Preservation Board’s formal recommendation followed a lengthy preliminary review process that included three workshops on the proposal. The proposal itself was the product of almost three years of documentation, analysis and public outreach and was developed by a subcommittee of the Historic Preservation Board and historic preservation staff at the direction of the City Council’s Community Development Committee. (A detailed history of the review process is provided in ATTACHMENT 5 of this report.)

Also on November 19th, the Historic Preservation Board voted unanimously to recommend a series of amendments to the historic preservation ordinance and site plan ordinance. Although brought forward in conjunction with the Congress Street Historic District initiative, the proposed amendments, with only one exception, do not relate specifically to the Congress Street district. The historic preservation ordinance amendments are intended to address long-identified ambiguities in the text and to clarify existing provisions. They do not substantively change the nature or scope of the historic preservation regulations or review process. The proposed site plan ordinance amendments are intended to clarify the review process for major developments where

designated landmarks, properties within designated historic districts, or properties immediately adjacent to landmarks or historic district boundaries are involved.

As prescribed in Portland's historic preservation ordinance, the Historic Preservation Board's role in proposed historic district designations is to determine whether the proposed district meets the ordinance's minimum requirements for designation (see ATTACHMENT 13, Division 3. Sec. 14-610) and make a recommendation regarding designation to the Planning Board. The Planning Board's role, in turn, is to review the recommendation and accompanying report of the Historic Preservation Board and make an independent determination as to 1) whether the designation criteria have been met and 2) whether designation of the new district is consistent with the City's Comprehensive Plan. Following its own deliberations, the Planning Board forwards its recommendation regarding district designation to the City Council. Ultimately, the Council has the authority to approve or disapprove the proposed designation.

The review process for proposed ordinance amendments is the same as that for historic district designations.

Planning Board Recommendation. On January 27, 2009, following a public hearing and formal deliberations, the Planning Board voted 5-2 (Silk, Lowry, Patterson, Tevanian and Hall in favor; Odokara and Lewis opposed) to recommend to the City Council designation of the Congress Street Historic District as delineated by the Historic Preservation Board. As a result of their deliberations, the Planning Board recommended one additional text revision to the designation report (which is reflected in the enclosed final report.)

In making its decision to recommend the proposed Congress Street Historic District designation to the Council, the Planning Board was guided by the formal recommendation and accompanying final report of the Historic Preservation Board, but also by its own extensive deliberations, which included three substantive workshops on the initiative. The Planning Board based its recommendation on the Designation Report which sets forth the architectural, historical and cultural significance of the proposed district, information provided in several written staff reports and illustrated presentations, and public testimony received throughout the review process. The Planning Board's formal deliberations on January 27th followed three preliminary workshops on the initiative.

Also on January 27th, the Planning Board voted 5-2 (Odokara, Lewis opposed) to recommend the proposed amendments to the historic preservation ordinance, with one additional clarifying text revision. The Board voted 7-0 to recommend the proposed amendments to the site plan ordinance, again with one final clarifying text revision.

The ordinance amendments enclosed as ATTACHMENTS 13 and 14 incorporate the final text changes recommended by the Planning Board.

III. CONGRESS STREET HISTORIC DISTRICT DESIGNATION

A. Components of the Congress Street Historic District Designation Report

As required by the historic preservation ordinance (see Sec. 14-617), any recommendation for historic district designation must be accompanied by a report that includes the following information:

- (a) Explanation of the significance or lack of significance of the nominated district as it relates to the criteria for designation.
- (b) Explanation of the integrity or lack of integrity of a nominated historic district.
- (c) Relationship of the nominated district to the ongoing effort by the Board to identify and nominate all potential areas, sites, structures and objects that meet the criteria for designation.
- (d) A map showing the boundaries of the nominated district.
- (e) A list, including the address, of every site, structure and object in each nominated historic district indicating their degree of cultural, historic, architectural or archaeological significance by classification.

ATTACHMENTS 1a and 1b, 2 & 3, together with the content of this staff report, address the ordinance requirements for documentation and analysis.

B. History of Initiative and Public Review Process

In January 2006, the City's Council's Housing and Community Development Committees held a joint workshop to discuss the current designation status of historic properties on the Portland peninsula and to determine whether there was support among Committee members for expanding Portland's historic preservation program to include additional areas for protection. Staff was asked to provide a status report and to illustrate the areas and properties of historic and/or architectural significance that currently fall outside Portland's preservation program.

Although a number of properties and areas were identified, Council members focused primarily on the Congress Street corridor as warranting further protection. It was noted that although several key historic properties have been individually-designated as local Landmarks (City Hall and the Wadsworth Longfellow House as examples), many historically and/or architecturally notable buildings in the downtown core are not currently recognized or protected under Portland's ordinance. It was noted that any new infill development adjacent to historic structures had the potential to significantly impact these historic resources.

Following the staff presentation and discussion, Council committee members instructed the Historic Preservation Board and staff to begin the documentation and analysis required for designation and to solicit public input from potentially affected property owners.

An extensive research, analysis and public outreach process has taken place since that 2006 workshop, resulting in the proposal now before the City Council. A detailed description of the analysis and review process is enclosed as ATTACHMENT 5.

C. Scope of Proposed District

The proposed Congress Street Historic District is an area of 73 acres encompassing the core of Portland's historic commercial downtown between Lincoln Park and Bramhall Square. The district includes 25 Landmark buildings, 115 Contributing buildings, and 51 vacant parcels or Non-contributing structures, which are available for future redevelopment. The boundaries define the concentration of historic structures that have an historical, cultural, and/or architectural relationship to each other, as required for district certification by the National Park Service. Approximately 130 buildings would be eligible for preservation tax credits.

D. Intent of Proposed District Designation

For more than 100 years, Congress Street (and its immediate environs) has functioned as Portland's 'Main Street', serving as the city's commercial, cultural, social and governmental center. Although its role in the city has changed over the last few decades, Congress Street's impressive historic structures tell a story unique to Portland and remain today as valuable community assets. As has been demonstrated in the Old Port, the preservation of historic assets is an important catalyst for economic development and community vitality. Designating Congress Street and its immediate environs as a historic district will not only ensure the preservation and enhancement of valuable historic resources within the downtown now and into the future, but also encourage quality new development and economic vitality.

The specific goals of the proposed district designation are as follows:

- * To fulfill a stated objective of the Comprehensive Plan, which calls for the protection of Portland's historic resources through the ongoing identification and designation of eligible landmarks and districts.
- * To formally recognize the unique history and architecture that defines Congress Street and its immediate environs.
- * To provide future generations the opportunity to experience the many layers and periods of development represented along Portland's "Main Street."
- * To ensure that alterations to historic structures within the area are compatible with the buildings' historic character and to prevent the incremental loss of character that can occur through small inappropriate changes over time.
- * To ensure that new development within the downtown is commensurate in quality and compatible in character with the historic structures that define the area.
- * To stabilize and enhance property values and economic vitality by increasing the attractiveness of the area as a place to live, work and do business.

- * To increase the attractiveness of the downtown and arts district to tourists, helping to spread tourism dollars from the Old Port to a wider portion of the city.
- * To provide property owners access to federal and state tax incentives available for the rehabilitation of historic properties.

In older cities throughout the country, the establishment of downtown historic districts has proven to be an effective regulatory tool in ensuring that the traditional building stock and visual characteristics that set one community apart from another are maintained and enhanced. Historic districting is based on the premise that by capitalizing on a community's unique assets, you can more effectively avoid the kind of homogenization that increasingly characterizes many American cities. As economist Donovan Rypkema puts it: "the strength of a city is its differentiation from anywhere else...More than any other place a city's downtown with its historic buildings is the concentration of the city's differentiation." The 2007 Brookings Institution Report echoed this view, identifying protection of Maine's unique "quality of place" as one of the highest imperatives if the state is to achieve and sustain economic growth and prosperity. The report specifically named Maine's historic downtowns, along with its forests and coast, as critical to its "quality of place."

Although historic preservation regulations do not govern the use of a building or limit the type of tenants that may occupy the storefronts, they can require that the tenants—be they national corporate entities or local entrepreneurs—conform to review standards aimed at avoiding generic design solutions and reinforcing local character. Once controversial, this form of land use regulation has been in widespread use since the 1960's and is now commonly accepted as a powerful economic development tool.

To date, over 2,300 towns and cities throughout the country have adopted historic district overlay zoning. In many of these communities, all or part of their downtown core is included in a historic district, where façade and storefront renovations, as well as signs and awnings, are subject to review. Many of these local commercial districts host national franchises and chains as well as local businesses. From Charleston, South Carolina to Santa Fe, New Mexico to nearby Portsmouth, New Hampshire, these communities have been successful in using historic preservation standards to achieve architectural and signage solutions that are appropriate to the local context.

What can historic district designation do for Congress Street? Although the upper floors of most of Congress Street's older buildings remain relatively unaltered, a number of the storefronts have suffered from multiple rounds of renovations that have often altered and detracted from the building's historic character. As part of the historic preservation review process, applicants proposing storefront alterations are encouraged to revisit the building's original storefront design or develop a contemporary scheme that complements the historic structure and surrounding context. (The City's collection of 1924 tax photos, which document the early appearance of every taxable structure within the city limits as of that date, is an invaluable tool in guiding applicants toward a successful solution.) In the case of non-contributing buildings that currently detract from the visual character of the downtown, the review process ensures that any new renovation be architecturally cohesive and exhibit quality materials.

While the current site plan review process and B3 design standards can address large scale projects, particularly new construction, they do not come into play for small scale projects. The visual character and integrity of historic buildings can be fundamentally altered as a result of small renovation projects, particularly in the aggregate. By addressing both incremental exterior changes as well as major renovations and new construction, the historic preservation review process is a more effective tool than those currently in place in helping the Congress Street area maintain and enhance its visual appeal and hence, its desirability as a major commercial/cultural destination.

E. Relationship to the Comprehensive Plan

Historic Preservation is identified as a high priority in numerous sections of Portland's Comprehensive Plan. Following are excerpts from the Comp Plan that address historic preservation in the context of future development in the downtown.

The Downtown Vision plan of 1991 makes multiple references to the importance of historic preservation within the downtown and includes the following stated goal:

"Preserve and promote the positive qualities and attributes which comprise the Downtown's unique identity and historic fabric, including historic parks and open spaces, and sense of place through the re-use of existing structures and the development of new construction respectful of the built and nature surroundings."

The Downtown Height Study of 1989 identifies the Congress Street corridor as the appropriate location for tall development on the peninsula. The study recommends that the overall height allowances be achieved through a series of stepbacks to respect the surrounding building fabric. This concept is embodied in the zoning height map currently in effect for the B3 zone.

From the Community Visioning Exercise of 1991, participants cited Portland as

"a city that values its natural, architectural and cultural heritage" and recommended that Portland "build upon the distinctive fabric of Portland's built environment by rehabilitating historic resources and by developing buildings that respect the scale and character of traditional development patterns"

From the Historic Preservation Chapter of the Comp Plan:

"Some of America's most appealing cities are those which possess a distinct or unique flavor or appearance. An important element in a City's distinctiveness is its historic areas and architectural landmarks."

The Sustainable Portland report also identifies historic preservation as an important aspect of the city's efforts to become a sustainable community. From the report:

Environment

Reuse and maintenance of buildings and materials:

- Saves energy and reduces external costs of new construction
- Saves land - Historic Preservation is the *opposite of sprawl*.

Economy

Historic preservation:

- Retains investment in historic business districts
- Promotes tourism, creating a signature “brand” for Portland
- Supports small business and *increases property values* district wide.

Community

Historic preservation:

- Stabilizes neighborhoods
- Generates public value from Portland’s unique identity and heritage
- Reinforces community *pride of place*.

See ATTACHMENT 9 for a more detailed discussion of the relationship between sustainability and historic preservation.

F. Economic Impact of Historic Preservation

Portland’s historic preservation ordinance has been in place for more than 18 years. Comparing the Old Port in 1989 to the Old Port in 2009 demonstrates that historic district designation has had tangible benefits—not only in the appearance of the buildings, old and new, but also in the vitality of the area. Although it has been documented that commercial rents in the Old Port are higher than in other commercial districts of the city and that the area has high property values, no formal study of the economic impact of historic preservation has been undertaken in Portland. Throughout the country where this type of study and analysis has been done, the findings invariably demonstrate the substantial economic value created through historic preservation programs.

A 2003 report, *Strengthening Communities through Historic Preservation*, produced for the Washington State Community Trade and Economic Development Office, compiled and analyzed studies and data about the economic impact of historic preservation from across the U.S. (Excerpts from this report are found in ATTACHMENT 8.) This and other similar research indicates that investing in historic preservation provides real and significant economic benefits. Recent studies in states such as Maryland, New Jersey, North Carolina, Texas, and Virginia, have collected and analyzed comprehensive data on the economic impacts of preservation. In each instance, the states have discovered that not only have historic preservation initiatives made a demonstrable positive economic impact, but also that the results compare favorably with those of other investment strategies. Historic preservation is much more than the rehabilitation of buildings; according to the data, it is a proven partner in developing local economies. Examples of these findings are presented in the excerpts to the aforementioned report, ATTACHMENT 8. The benefits documented include job creation, tax revenue generation, local trade and merchant

income, environmental benefits, enhanced heritage tourism, protection of architectural character, increased property values, and increased investments in property improvements.

Coming back to Maine, in a 2008 lecture in Biddeford, nationally recognized expert on the economics of historic preservation, Donovan Rypkema, said:

Many people think of economic development in terms of manufacturing. For the average manufacturing concern in Maine, 16.8 jobs are created for every million dollars of production. But the same million dollars invested in the rehabilitation of an historic building here in Maine creates 23.6 jobs.

A million dollars of manufacturing output in Maine will add, on average, about \$524,000 to local household incomes. But a million dollars of rehabilitation will add nearly \$783,000. Additionally, since most building components have a life of between 25 and 40 years, a community could rehabilitate 2 to 3 percent of its building stock per year and have perpetual employment in the building trades. And these jobs can't be shipped overseas.

In summary, the economic benefits of historic preservation are well documented. Since the 1970s, mounting evidence has shown that historic preservation can be a powerful community and economic development strategy. Evidence includes statistics compiled from annual surveys conducted by the National Trust for Historic Preservation and statewide Main Street programs, state-level tourism and economic impact studies, and studies that have analyzed the impact of specific actions such as historic designation, tax credits, and revolving loan funds. Among the findings:

- Creation of local historic districts stabilizes, and often increases residential and commercial property values.
- Increases in property values in historic districts are typically greater than increases in the community at large.
- Historic building rehabilitation, which is more labor intensive and requires greater specialization and higher skills levels, creates more jobs and results in more local business than does new construction.
- Heritage tourism provides substantial economic benefits. Tourists drawn by a community's historic character typically stay longer and spend more during their visit than other tourists.
- Historic rehabilitation encourages additional neighborhood investment and produces a high return for municipal dollars spent.
- Use of a city or town's existing, historic building stock can support growth management policies by increasing the availability of centrally located housing.

G. District Certification and Access to Historic Tax Credits

From the outset of the designation review process, it has been the City's intention to insure that the proposed district meets the National Park Service's requirements for a "Certified Local Historic District." This is important for two reasons. First, in 2005 Portland achieved the designation of Certified Local Government (CLG) by the National Park Service, signifying that

the City's historic preservation ordinance meets federal standards. As a CLG, not only is the City eligible to receive federal funding for its historic preservation program, but it is also guided by National Park Service requirements when designating historic districts.

Second, and perhaps more importantly, a Certified Local Historic District would make all owners of Landmark or Contributing historic properties within the district eligible for state and/or federal tax credits when rehabilitating their buildings. With the recent passage of LD 262, the State of Maine has created a significant new tax incentive program to encourage investment in historic structures and traditional downtown centers. The state tax credit program includes a 25% refundable tax credit for rehabilitation expenses. For affordable housing projects, the credit is 30%. The program also includes a "small projects provision" for rehab projects costing as little as \$50,000. (See ATTACHMENT 9 for more information about the state historic tax credit program.) In addition to the state historic tax credit, there is a 20% federal historic tax credit available as well. Although an owner does not have to be part of a certified district to access these credits, their building would have to meet the eligibility requirements for individual listing in the National Register of Historic Places. The qualification requirements for individual listing are much more stringent than for contributing buildings in a district. Some buildings that would qualify *as part of the district* would not achieve Register eligibility status on their own and would therefore not be able to take advantage of the tax credit.

While access to tax credits was not the driving force behind designation of the Congress Street Historic District—indeed, the revised state tax credit program was announced well after this study was commenced—it would seem imprudent not to ensure that the proposed district meets all the necessary requirements for owners within the designated area to gain access to this important financial incentive. By staff's calculation, *130 properties within the proposed district would be eligible for historic tax credits.*

Historic Preservation staff worked closely with the Maine Historic Preservation Commission throughout the development of this proposal to ensure that the proposal, to the extent possible, meets National Park Service requirements. While the Maine Historic Preservation Commission does not have the authority to certify the district, the National Park Service asks for comment from the Commission in evaluating the City's request for district certification.

A letter from the Maine Historic Preservation Commission is enclosed as ATTACHMENT 6. Note that the few outstanding areas identified in MHPC's letter have been addressed to MHPC's satisfaction in the final district boundary map being recommended by the Historic Preservation Board.

H. Summary of Historic Preservation Board Review, Final Recommendation Regarding District Designation

The Historic Preservation Board held three preliminary workshops on the draft proposal before scheduling a public hearing and final deliberations. Workshops were held on September 17, October 1 and October 15. At the second workshop and again at the public hearing, the HP Board spent a considerable amount of time discussing several parcels at the edges of the proposed district that had been called into question by PDD or individual property owners during the first informal workshop. In preparation for these discussions, staff consulted again with the

Maine Historic Preservation Commission on the status of these edge properties and whether removing them from the district would jeopardize efforts to have the new district certified by the National Park Service. MHPC's analysis of and position on these parcels is included in their letter of November 14--see ATTACHMENT 6.) These discussions and analysis ultimately informed the final boundary revisions that the HP Board made in their final deliberations on November 19.

On November 19th, the Historic Preservation Board concluded its review, following a public hearing and formal deliberations. The Board voted unanimously to recommend designation of the "Congress Street Historic District" as delineated in maps enclosed as ATTACHMENTS 1a and 1b and as documented in the formal designation report (ATTACHMENT 2) and building inventory (ATTACHMENT 3.)

Note that as a result of the Historic Preservation Board's final deliberations, the historic district boundary map was amended to eliminate a number of additional properties at the edges of the district.

In reviewing the evolution of this proposal, the most significant change from the preliminary proposal first presented to property owners last April to the final recommendation presented to the Planning Board was the reduction in the size of the district. Through a series of boundary revisions, the district was contracted to include only the area with the strongest concentration of historic building stock. The final proposed district encompasses an area of approximately 73 acres, as compared to the 99-acre district originally envisioned—a 26% reduction. In the final proposal, 31 properties originally considered for inclusion in the district are now removed from the boundaries. Please refer to ATTACHMENT 1c for a comparison of the original and final proposed district boundaries.

The initial draft boundaries encompassed a number of areas at the edge of the district without significant concentrations of historic structures. Including these areas would have created a buffer zone ensuring that future development immediately adjacent to key historic structures would be reviewed by the Historic Preservation Board. Inclusion of these areas also would have provided a mechanism to protect and reinforce important gateways into the district. Ultimately, the decision was made to take a more conservative approach and contract the district boundaries. (The rationale behind contracting the district is described in more detail in the HP Board's formal written recommendation to the Planning Board—ATTACHMENT 4.)

Also on November 19th, the Historic Preservation Board voted to recommend a series of amendments to the historic preservation ordinance and site plan ordinance. The proposed text amendments are discussed in the following sections of this report.

I. Summary of Planning Board Review, Final Recommendation Regarding District Designation

The Planning Board held three workshops prior to its formal deliberations on January 27th. The first two workshops were held in close sequence with those of the Historic Preservation Board in order for comments and suggestions from each of the respective boards to be incorporated in the

final draft proposal. A final workshop was held after the Historic Preservation Board had forwarded its formal recommendation to the Planning Board.

At the Planning Board's January 27th public hearing, twenty members of the public offered comment. Those speaking included residents, architects, property owners, developers, real estate professionals, an expert in historic tax credits as well as representatives from Portland's Downtown District, Greater Portland Landmarks, Portland Society of Architects, Maine Historical Society and Maine Preservation. Sixteen individuals spoke in support of the designation, including the representatives of each of the organizations listed above. Four individuals spoke against the proposal.

In deliberations, Chair Silk reminded members that their charge, by ordinance, was to determine whether the minimum criteria for designation under the ordinance were met and whether or not the designation is in compliance with the Comprehensive Plan.

- The majority of the members stated that the proposal clearly meets the minimum criteria requirements of the ordinance for a new district and is consistent with the Comprehensive Plan.
- One member felt that other portions of the Comprehensive Plan could be in conflict with the portions that the proposal is in compliance with, and expressed concerns about the economic impact. He also stated that property owners have done well by Congress St without designation, noting that he "couldn't see where it is broke".
- Others stated that they felt strongly that the proposal is clearly in compliance with the Comp. Plan, noting that new historic districts are planned for and expected in the Comp. Plan, and that the City Council anticipated additional districts when approving the preservation ordinance in 1990.
- A member stated that the aspects of the Comp. Plan calling for new development in the downtown are not contradicted by the designation, as new construction is allowed in districts, and suggested that new buildings in historic districts have generally been better buildings than those outside districts.
- One member noted that the area west of High Street has a different density of landmarks than the area to the east, and wondered whether it was equally qualified for designation. (Staff was allowed to answer -- noting that historic districts typically do not have the density of landmarks found at the core of downtown, pointing out that the entire Old Port district has only six designated Landmarks within its boundaries).
- One member felt the district is too big and that designation might present unintended consequences.
- A member noted that the text changes address issues of duplicative reviews and clarify jurisdictions of the two Boards.

Following deliberations, the Planning Board voted 5-2 (Silk, Lowry, Patterson, Tevanian and Hall in favor; Odokara and Lewis opposed) to recommend to the City Council designation of the Congress Street Historic District as delineated by the Historic Preservation Board.

IV. RECOMMENDED AMENDMENTS TO HISTORIC PRESERVATION ORDINANCE

Although brought forward in conjunction with the Congress Street Historic District initiative, the proposed amendments were not specifically driven by the establishment of a new district. Rather, they are the result of a careful review of the existing ordinance language, which was done during the course of the Congress Street district study. The amendments are intended primarily to address a number of omissions or ambiguities that have long been identified in the existing text. The amendments do not substantively change the nature or scope of the historic preservation regulations or review process; they only clarify them.

Only one amendment relates specifically to the Congress Street Historic District. A provision was added stating that in the Congress Street Historic District new construction within the B3 zone shall follow the dimensional requirements of the underlying zone--- see Sec. 14-651 (a). While this intent is made clear in the district designation report, members of the business community requested that it be added to the ordinance text itself.

ATTACHMENT 13 is a copy of the full text of the historic preservation ordinance with the proposed amendments highlighted.

V. RECOMMENDED AMENDMENTS TO SITE PLAN ORDINANCE

The proposed site plan ordinance amendments are intended to more clearly define the respective jurisdictions and responsibilities of the planning board and historic preservation board where reviews by both boards are required. They are also intended to provide more guidance to the Planning Board when reviewing major projects abutting the boundaries of historic districts.

Based on concerns expressed by the business community about the potential for duplicative design review processes in those instances where a major development falls within a historic district, a new provision has been added. (See ATTACHMENT 14, Sec. 14-526 (a) 18 a.) The provision makes clear that design review authority rests with the Historic Preservation Board where there is overlapping jurisdiction. The provision also makes clear that developments subject to review under the historic preservation ordinance are exempted from the otherwise applicable design standards within the site plan ordinance, with the exception of a small number of specifically identified standards. These outstanding standards relate to issues not typically reviewed by the Historic Preservation Board, such as wind and shadow impacts, and will remain within the jurisdiction of the Planning Board.

In addition to the recommended new standard, an existing review standard is proposed to be amended. The current standard has been amended to provide more guidance to the Planning Board in its review of projects within 100 feet of a designated individual landmark or historic district boundary—see ATTACHMENT 14, Sec. 14-526 (a) 18 b. Under the existing language, the Planning Board must find that the proposed development is “not incongruous” to the character of the subject landmark or abutting portion of the district. Although “not incongruous” is an accepted term of art within the preservation field and appears in ordinances throughout the country, the Planning

Board has long expressed the view that the terminology is ambiguous and that the standard includes little guidance as to how “not incongruous” is to be determined. Alternative language has been developed which is intended to provide more guidance to the Planning Board. During its final deliberations, the Planning Board appeared to be satisfied that the amended ordinance standard addresses their identified concerns.

See ATTACHMENT 14 for proposed site plan ordinance amendments.

ATTACHMENTS

District Designation

1. Maps
 - a. Final recommended district boundary map
 - b. District boundary map with individual building classifications
 - c. Map showing evolution of district boundaries
2. Designation report
3. List of designated properties
4. Formal recommendation of the HP Board to Planning Board
5. History of Initiative and Public Review Process
6. Letter from Maine Historic Preservation Commission
7. Information on state historic preservation tax credit program
8. Economic impact of historic preservation
9. Sustainability and historic preservation
10. Summary of public outreach and notes from early public forums
11. Letters and e-mails received to date
12. Photos of historic rehab and new construction projects approved under historic preservation ordinance standards

Text Amendments

13. Historic preservation ordinance text, with proposed amendments
14. Proposed site plan ordinance text amendments

Amy Fischer <amy@amyfischerdesign.com>

12:57 PM (1 hour ago)



to planningboard@portlandmaine.gov

To The Portland Planning Board members:

I am writing to support the rejection of the PMA's request to reclassify 142 Free Street. I lived in Portland from 1976 until 1982 and I consider this building a significant structure historically. I do not believe this building should be reclassified as a non-contributing building in the Congress Street Historic District.

I was always shocked by the loss of the Railroad Station, which I knew when I first came to Portland, Maine.

We have learned by now, that once gone, these historic buildings become an architectural loss to the fabric of a city.

Why the Museum did not insist that this building be incorporated into their design as an entry to whatever more modern addition they needed for expansion absolutely stymies me.

Please do not allow this change in classification to occur.

Sincerely,
AMY FISCHER
Camden, ME

russo@maine.rr.com <russo@maine.rr.com>

Nov 27, 2023, 4:20:29 PM (16 hours ago)



to planningboard@portlandmaine.gov

Are you kidding me? Portland is the City it is because of Landmark and Portland residents who had the vision to save these historic buildings throughout the City, including my Grandfather's family 6 unit at 82 India Street. I remember as a child in the 1960s watching Union Station being demolished for a cheap Arlans Shopping Center and even at my young age at the time I knew that was just wrong!

As a Portland native, lifelong resident, and long-time Realtor, I am against demolishing this historic building. The museum's current building is pretty ugly as it is and I can't imagine what the glass addition monstrosity will look like. Please preserve this piece of Portland history so that we don't look back and regret yet another historic building gone. Let the developers use some creativity in designing the new space around this building. Why bother having zoning if you are not going to abide by it?

Stop the zone changes to accommodate this development madness here and everywhere in the city!

And for those of you who may not remember, take a look at these photos....Union Station before and after!



Before:



After:

And yes, this was considered great architecture in the 1960's....

Jean Russo

Harborcity Realty

Portland, Maine

William Hall <wpeaks@earthlink.net>

10:31 AM (18 minutes ago)



to planningboard@portlandmaine.gov

To the chair and members of the Portland Planning Board:

For today's workshop I would like to emphasize just one point from Greater Portland Landmarks' position statement:

- For a building to be designated as a contributing structure, it needs to meet just one of the criteria laid out in Subsection 17.4.1.A of Portland's Historic Preservation Ordinance. The former Chamber of Commerce Building meets 4 out of the 6 criteria.

In addition to being on the Landmarks board, I am a member of the Portland Museum of Art. So I truly admire the PMA's effort to remake its space in a way that takes the museum into the future as a remarkable and exciting public institution. However, I think it's extremely important to uphold Portland's land use code and reach a decision that is in conformance with the law. 142 Free Street certainly meets key criteria for preservation as a contributing structure. A decision contrary to that, allowing the building to be torn down, risks undermining historic preservation rules that have done so much to make Portland a unique, vibrant, and desirable place to live and visit.

Thank you for your consideration and for your service to the city of Portland.

Bill Hall

317 Pleasant Avenue

Peaks Island

Portland Planning Board member, 2006-2016

Solange Kellermann <solangekell@hotmail.com>

10:59 AM (4 hours ago)



to planning@portlandmaine.gov

Regarding the PMA's request to remove the old Childrens' Museum's historical significance status - wouldn't it have made more sense to make this request before spending a large sum of money to get plans for that plot of land? That poor planning aside, I am opposed to this building being torn down. Portland needs to keep it - it's part of Portland's history.

Solange Kellermann

Andrea Krasker Gavin <andreakrasker@hotmail.com>
to planning@portlandmaine.gov

Feb 5, 2024, 7:44:19 PM (12 hours ago)



Dear Members of the Portland Planning Board,

I am writing to express my support for the former children's museum at 142 Free Street, and my objections to the PMA's plan to demolish the building.

The PMA purchased the building knowing that it exists within the historic district, is itself an historic building and is subject to the rules outlined in Portland's historic ordinance. These rules exist to protect our beautiful city, to allow us to grow while protecting our history and character and to prevent Portland from turning into Anytown, USA.

142 Free Street has stood proudly in Congress Square for years. It is a recognizable landmark. Generations of families made wonderful memories in the building when it served as the children's museum.

As a member of one of those families, I was happy to see the former children's museum become a part of the PMA and looked forward to visiting the building again with my family as an addition to the art museum. I still am hopeful for that outcome. I believe that the PMA is acting with complete disregard for Portland's history and current rules and regulations. They have made no real effort to work with the building that they chose to purchase, or to solicit architectural designs that make use of the current building. Their conduct is disrespectful to the City of Portland and its rules and ordinances as well as disdainful of our history. The PMA should not be allowed to proceed as if rules do not apply to them. They should work with the building that they purchased. As an arts organization, I am confident that they have access to an abundance of creativity in considering how to configure the space to best meet their needs. They have the capacity to be a good neighbor and community member.

Please require the PMA to follow city rules. Please do not allow the destruction of the building at 142 Free Street.

Thank you for your consideration.

Andrea Krasker Gavin

Arlington Street, Portland

Andy Lilienthal <andy@campwinnebago.com>
to planningboard@portlandmaine.gov, Jennifer Graves

Dec 13, 2023, 3:00:39 PM (19 hours ago)



Dear Planning Board,

I am writing in support of the Portland Museum of Art's proposed campus expansion. As a student of history, I realize that the loss of the old Children's museum represents a precedent for some and hopefully, this seminal project can be an exception rather than the rule. Such an exception is needed if we are going to continue to help Portland become a regional and national beacon that will attract a diverse population of visitors and those who choose to settle in the city.

Here are some of the most salient and important reasons to allow the project to move forward

1. **The value of this project is what it adds** to Congress Square, Portland, and our communities, not what it takes away.
 - a. Once-in-a-lifetime opportunity to define our region by culture.
 - b. About way more than HPB or Planning Board—about the city's character, values, and future and should be championed.
 - c. We are committed to Congress Square's dynamism.
2. This is phase one of an expansion *and unification* project that will integrate our landmark buildings and maximize our properties holistically.
 - a. Free Street provides most economical and integrated art experience with existing campus and orientation, as well as Congress Square (we think that's important)
 - b. Spring Street has been identified as a site for support (potential admin, infrastructure, other use) and is targeted for phase 3.
3. Portland's Plan 2030 is rooted in vibrant, diverse, and complete neighborhoods, and **this gets the city on track.**
 - a. Thoughtful development, sustainably planned, in partnership with our communities, leading to an economic and cultural city center rooted in the arts, equity, and belonging.
4. **Congress Square, and Portland, needs this now.**
 - a. Businesses are closing
 - b. Buildings are vacant
 - c. City plan in disarray
 - d. Other neighborhoods (Washington Ave, Bayside) are thriving and the center of our city is wallowing
5. 142 Free Street is **an outlier of the PMA's campus**
 - a. Not a landmark building
 - b. Not a highlight of John Calvin Stevens (we should know bc we have 2 that are: Sweat and Homer Studio)
 - c. Has problematic history that doesn't speak to Portland's future (Chamber's direct connection with KKK, DeForest Perkins, and the façade's creation)
 - d. Has physical features that deter audiences and contrast with Portland Plan vision (formal columns were cited by Children's Museum as a physical barrier for families, new Mainers, and communities of color. They undermined the CMTM's mission and values as a cultural institution.
 - e. Again, this is not Union Station 2.0, this is replacing a non-landmark building in a struggling and disconnected neighborhood surrounded by vacant buildings with a landmark, visionary economic driver and grounding cultural epicenter that is collaboratively envisioned, sustainably built, and centered in belonging. A beacon!

1. This is a campus unification and expansion project in 3 phases, sparked by the growth and potential of our mission, *Art for All*.
2. *Art for All* is an innovative mission and vision that drives everything we do through a set of inclusive values. We were the first museum in the country to align our mission and values this way.
3. It's led to a period of unprecedented growth at the museum, with a record number of visitors in 2019, just before the pandemic. But we are running out of room, for people, for events, and for art.

4. Collectors, artists, foundations, and donors from around the world are looking to our museum as a place for their artworks—not New York or larger cities. In the last few years alone we have diversified our collection more significantly than any time in our 140 year history.
5. With *Art For All* as our foundation, it's time to unify and expand our campus and ensure Portland is defined by arts and culture. Developing 142 Free St. is the primary goal of the first phase.
6. The concept is by LEVER Architecture. Led by Chandra Robinson, LEVER is a leader in sustainable and innovative architecture, and one of the few firms in the world led by a woman of color.
7. The choice to partner with LEVER stemmed from a juried, international design competition, with more than 100 teams from 20 countries submitting proposals, and 46% of all lead firms led by women and people of color.
8. It was informed by more than 2,000 responses from our communities, via feedback from comment cards, listening sessions, forums, surveys and more. And as we get closer to breaking ground, we have continued to engage in substantial outreach to communities who have never felt like they belong in museums.
9. Of the 4 finalists, 47% preferred LEVER's concept—something we saw reflected in the PPH's online poll as well with a clear majority voting for LEVER. And of all feedback specific to LEVER's design, 93% was positive.
10. As we were conducting our competition, we also reached out to USM, who conducted an economic impact study based on our RFQ. They found that, when completed, adding 60k Sq. Ft. will double our economic impact across the board—significantly more jobs, labor income, sales, taxes, and direct tourism spending for our communities, businesses, and families.
11. What also excites us is the potential to impact rural and urban communities throughout Maine because of Mass Timber, the primary building material that defines the concept and LEVER's projects. As the most forested state, we have the opportunity to revitalize Maine communities far from Portland's economic center.
12. And we're working to capitalize on Mass Timber's potential by partnering with our representatives, government officials, indigenous leaders, environmental advocates, municipalities, community organizations, and business owners throughout Maine. It's why this project has the backing of USDA, New England Forestry Foundation, US Dept of Housing and Urban Development, and more.
13. Most importantly for our city, this project activates and furthers Portland's Comprehensive Plan 2030 in major ways.
14. When looking at Free Street, you can clearly see the legacy of poor urban planning following WWII. Our neighborhood was razed to make way for redevelopment that never materialized. As the leading cultural organization in the city and oldest arts institution in the state, we now have an opportunity to repair and reinvigorate our neighborhood.
15. The PMA Blueprint dovetails right into the values and structure of Portland's Plan, providing the city with a tailor-made project that checks off a host of desired outcomes. From economic goals to connecting the chain to reinforcing the center and completing neighborhoods, The PMA Blueprint is essentially an action plan for the city to leverage.
16. It's particularly aligned around the city's goals for diversity and equity, sustainability, identity, economy, and growth.
17. And The PMA Blueprint couldn't be timelier, because post-pandemic, we need a jolt. Congress Square is failing, with businesses closing at rapid paces, pedestrian traffic incredibly low, and vacant building languishing in what should be the heart of our city.
18. The Schwartz Building has stood vacant for more than 15 years, and local institutions such as Coffee By Design have determined Congress Square is not worth it.

19. We've lost longtime tenants such as Starbucks, Dogfish, and more. Even Harmon's Florists, who had been on Congress Square since 1887, decided to leave this year.

20. Combined with a city redevelopment project for Congress Square and the park that has been mismanaged and left unfinished, the time is now to enable the museum to lead our neighborhood and revitalize our city through this one-in-a-lifetime opportunity.

21. And we have the support of our neighbors, who know this is the right path forward to a vibrant and sustainable future.

22. When looked at holistically and considering the goals of Portland, the cultural and economic impacts, and the post-pandemic realities of our urban needs, we hope the PPH will join the thousands of people who have informed and supported this project. We believe it is exactly what the city needs at this time and for our future.

Many thanks for your consideration.

Best wishes,
Andy

Becky McKinnell <becky@ibeccreative.com>

Jan 19, 2024, 3:43:59 PM (5 days ago)



to planningboard@portlandmaine.gov, Graeme Kennedy

To the Portland Planning Board:

My name is Becky McKinnell and I'm the owner of iBec Creative, a local digital agency, and Wildwood Oyster Co., a handbag company headquartered at 177 High Street in Portland.

I am writing in support of the new building that PMA has proposed at 142 Free Street.

I am originally from Massachusetts and went to school at USM in 2003. I fell in love with Portland because of its proximity to the ocean, quaint size, art scene, and unique character. I loved Portland so much that I decided to stay in Maine and start my entrepreneurial journey here.

Even though I appreciate the historic charm of Portland, I am in support of the new building that PMA has proposed because this new building will become the next iconic building in Portland that will last hundreds of years. The PMA Blueprint has been developed with the input of thousands of Portlanders and represents the vision and needs of our diverse and vibrant communities. The economic impacts of The PMA Blueprint will transform our city and revitalize Congress Square.

There are exceptions to every rule and there is no better exception to make than for this thoughtful, inclusive, community building.

Sincerely,
Becky McKinnell

Brian Chin <brian@p3maine.com>

Nov 30, 2023, 11:57:19 AM (3 days ago)



to planningboard@portlandmaine.gov, Graeme Kennedy

Dear Members of the Planning Board,

I am writing to you on behalf of p3 Maine, a Portland business located at 434 Cumberland Avenue to express our enthusiastic support for the Portland Museum of Art's Blueprint initiative. As a neighboring business and an active member of our community, we have closely followed the development of this visionary project and believe it represents a critical opportunity for our city.

The PMA Blueprint is not just a plan; it is a culmination of the aspirations and inputs of thousands of Portland residents. It reflects the diverse and vibrant spirit of our communities and offers a tangible expression of our collective vision for the future. The meticulous process of gathering community input has ensured that the Blueprint aligns with the needs and desires of Portland's citizens, making it a true representation of our city's aspirations.

This project is a once-in-a-lifetime opportunity for Portland. It stands to significantly enhance our city's cultural and economic landscape. The full support of the Planning Board is essential to bring this vision to fruition. By backing this initiative, the Board will be championing a project that not only aligns with but also actively promotes the City of Portland's Comprehensive Plan 2030. The PMA Blueprint is more than an expansion of a museum; it is a vital step toward realizing our city's comprehensive plan for the future.

Moreover, the economic impacts of the PMA Blueprint cannot be overstated. It promises to transform our city, bringing a new dynamism to Congress Square and the surrounding areas. The revitalization that this project will bring is crucial for the economic growth and sustainability of Portland. It will enhance the city's appeal to residents, visitors, and businesses alike, creating a ripple effect of positive change throughout the region.

In conclusion, we at p3 firmly believe that the PMA Blueprint is a key to unlocking a brighter, more prosperous future for Portland. We urge the Planning Board to give this project its full and enthusiastic support. Together, we have the opportunity to shape a future that reflects the best of what our city can be.

Thank you for considering our perspective on this matter. We look forward to seeing the positive changes that the PMA Blueprint will bring to our beloved city.

Sincerely,
BRIAN CHIN

Bruce Wood <bruceweb607@gmail.com>

Feb 6, 2024, 1:17:11 PM (yesterday)



to planning@portlandmaine.gov

I am writing to support continued historical designation for the structure at 142 Free Street in Portland. This building is substantially unchanged on its exterior from when it was built in the mid-1800s and is a contributing structure in the Congress Street Historic District. It is a key structure in that historic district due to its exterior integrity, representing a kind of structure left over from that era that needs to be preserved for its unique history.

The PMA has vacant land elsewhere in the block that it can expand into without destroying such a contributing building. It could build behind 142 Free Street and tie both the subject building and its other historic buildings on Spring Street into the main building without damaging the street appearance of any of them.

Please deny the PMA request and encourage the PMA to consider expanding in another direction.

Bruce Wood
607 Chandler's Wharf
Portland, Maine 04101

Candice Lee <cthorntonlee@gmail.com>

10:47 AM (2 hours ago)



to planning@portlandmaine.gov

As someone who has been a historic preservationist since my preteens when I first saw a historic house, i feel the value of preserving our buildings of note. A great deal of thought and work was done to put through the historic preservation ordinance to protect our buildings. These building are integral to the beauty of our city. Without these buildings our city would be less impressive——danger of being cookie-cutter! if this ordinance is overturned, it would be like opening Pandora's Box. In the future if a historic building is in the way of a developer , they can just use this case as a precedent and tear down whatever they like. the PMA knew of this ordinance and chose to ignore it. They have space to do what they want to do. They should work with the building and bring harmony to this town as a result. Candice Lee, former board member Greater Portland Landmarks and Victoria Mansion

I'm Carol DeTine, 144 Vaughan Street in Portland. I am an architect and have been actively engaged in historic preservation in Portland for many years, including serving on the board of Greater Portland Landmarks.

I have to say that I have never, nor would I ever, advise a client of mine to move forward with design as far as the Museum has, without first going through *this process* to determine whether 142 Free St could be demolished. It was the Museum's choice, and theirs alone, to do that.

They knew that 142 Free Street was protected from demolition when they bought it in 2019. They knew that when they embarked upon a much touted international design competition for the Museum's expansion. Yet, the site map they included in their RFP doesn't even show this building – just a blank space colored in red and labeled “Developable land”.

I want to stress that this does not need to be an “either-or” situation. As a native of Buffalo, New York, I followed the design process for the new addition to the Albright Knox Art Gallery in Buffalo very closely. After publicly announcing their design, in the face of objections from the preservation community and the general public, the Albright Knox shifted gears.

They redesigned their project to respect the 1905 original building and the 1962 internationally acclaimed modern addition. Now called the AKG Museum, the new museum opened in September to much fanfare. One attendee said that it was like being at a Bills game. Executive Director Janne Siren said that the new museum was better because of preservation.

Like the Albright Knox, the Portland Museum of Art needs to reconsider its expansion plans. They are still in the Concept Design phase. As Mark Bessire said in his remarks before the Museum's public presentations of the four finalists' designs, quote:

“As we hear from our finalists and experience their visions for the PMA and our region, I'd like to underscore that we are viewing *concepts, not plans*. The

challenge presented to these teams was not to design *THE* new building, rather (to) develop ideas for what our campus *could be*, rooted in our values and in our mission of *Art for All*. The concepts presented (~~tonight~~) represent the qualities and character that make each of these finalist teams unique—(they are) not to provide exact blueprints for what’s to come.” (End quote.)¹

This statement seems to say that the designs that the Museum is showing all of us are not actually what will be built. Please keep that in mind as you consider the Museum’s application.

Reject their application.

Send them back to the Drawing Board.

They can achieve their goals without demolishing 142 Free Street.

Thank you.

¹ from the PMA website. Emphases (italics, all caps) are in the original text; parentheses are my additions/deletions to clarify the statement for reading at the Planning Board workshop.

Catherine Hatchett <catherinehatchett12@gmail.com> Dec 18, 2023, 3:33:51 PM (17 hours ago) ☐ ☐ ☐
to planningboard@portlandmaine.gov, gkenedy@portlandmuseum.org, lbrenner@portlandmuseum.org

Hello,

My name is Catherine and I'm writing on behalf of my family to show our support for the Portland Museum of Art's Blueprint project. My husband and I moved to Portland from the Washington, DC area over six years ago, and having left behind such an incredible museum scene we were grateful to find a place at the Portland Museum of Art.

However, it's important to us that as we grow our family, the community around us grows. Portland has done such a great job of that by opening the brand new children's museum, which we are also members of. We'd like to transition our son to a museum he can be proud of as he gets older, and this project seems like a step in that direction.

Thank you for your time, projects like the Blueprint project are why we decided to stay and raise our family in this community.

-Catherine, Walker, and Gus Hatchett

Newell, Christopher <christopher.newell@uconn.edu>

Dec 4, 2023, 11:30:24 AM (2 days ago)



to planningboard@portlandmaine.gov, gkennedy@portlandmuseum.org

To the City of Portland Planning Board,

My name is Chris Newell and I am a citizen of the Passamaquoddy Tribe at Motahkmikuhk where I was born and raised. I am writing this letter in support of the Portland Museum of Art's effort to expand its campus and, in turn, expand Portland's knowledge of its own history, which will require the removal of the existing building known as 142 Free Street.

Let me first be up front and say that I am a member of the winning design team working with LEVER Architecture to design the new wing for the PMA. I hope that knowledge does not deter from the value of what I have to say.

As someone who was on the ground floor with the current winning design before pen was ever put to paper on a proposal, I have intimate knowledge of how the concepts of the design proposal were created and what ultimately pushed the LEVER design over all others.

The most potent qualities of the design LEVER proposed are not just design itself, but the care the principal architect Chandra Robinson took in learning about Wabanaki peoples and our cosmologies and how that inspired the current design that is on the table. The new expansion features a swooping upside down arch roofline that is designed to be aligned to cradle the morning sun on the summer solstice. An important time not just to Wabanaki peoples, but to all peoples.

This care in incorporating Wabanaki peoples and our 12,000 year relational history to the landscape we now call Portland, ME is a nod to a history far beyond the colonial history the current building at 142 Free Street now represents. Colonial history and indeed the creation of Portland itself as a city are the end portions of the story of this current landscape. 142 Free Street represents the needs of colonial America from the 1800's on. The multiple uses of the building are a reflection of that. However, in its current state, it is not a building that can cater to the needs of Portland of the future.

Portland of the future will include children raised from k-12 with Wabanaki curriculum fully imbedded in their education. When those children become adults they will seek out places to educate their own children that reflect the values they were taught. The PMA Blueprint is looking to the very near future and very wisely choosing to expand its view of history to include Wabanaki peoples and our 12,000+ year relation to the land now known as Portland.

Knowing this benefits Portland, but more importantly, all of the region. The new PMA is a look ahead to a new understanding of what history actually is and who the storytellers actually are. It is also in line with the city's current efforts at incorporating Wabanaki histories and contemporary realities in education, but also in the arts. I cite the success of Portland Ovarions new show Wabanaki Stories which has now shown to four sold-out crowds at the Merrill Auditorium. Portland is at a beautiful crossroads of awakening and becoming a leader of the country in doing this work in meaningful ways that will effect generations to come.

For the above reasons, please accept my full endorsement of a move ahead with the new PMA Blueprint and the LEVER design. A new building, that will turn the idea of an art museum on its head, and will also signal a new day of inclusive histories of all people of this land.

The ask is to remove the historic landmark designation from 142 Free Street to make way for a better, more informed Portland.

Kci woliwon (Thank you),

Chris Newell

Co-founder

Akomawt Educational Initiative

classical Uprising

ORATORIO CHORALE • PORTLAND BACH EXPERIENCE • HORIZON VOICES

The City of Portland Planning Board
389 Congress St, 4th Floor
Portland, ME 04101

November 30, 2023

To whom it may concern,

On behalf of Classical Uprising, a Portland-based performing arts nonprofit, it is my great privilege to write in support of the Portland Museum of Art's *Blueprint* project.

As the Artistic Director of Classical Uprising, I have worked in collaboration with the Portland Museum of Art on many occasions and find it to be a beacon of acceptance, cultural appreciation, and a place with deep ties to, and love for, our community. As our city continues to grow and expand, we must remain unified in our goal of nurturing our beloved Portland into a place of creativity and belonging. *Blueprint* is a once-in-a-lifetime opportunity for our city and essential to the health of Maine's artistic ecosystem. It deserves the full support of the City of Portland's Planning Board.

Investing in the arts contributes to many facets of our city, both tangible and intangible. Tangibly, supporting local art and creative placemaking contributes significantly to a strong economy by increasing tourism and creating new jobs, and can be a catalyst for urban renewal and the revitalization of neighborhoods. I urge you to see that *Blueprint* activates and enhances the City of Portland's admirable Comprehensive Plan 2030, specifically speaking to the portion of the plan which reinforces the recognition that downtown Portland remains a predominant locus of arts and culture, economic, and civic health. The arts also play a crucial role in shaping and expressing the intangibles of community identity, fostering a sense of belonging and social cohesion, and even boosting mental health and well-being among Mainers.

Blueprint has been developed with deep respect for and input from thousands of Portlanders, representing the vision and needs of our diverse and vibrant communities. I am excited and fully supportive of the proposed expansion of the Portland Museum of Art and wholeheartedly believe that *Blueprint* will only enhance and embrace the growing performing arts scene in our community and the entire arts ecosystem as a whole.

If you have any questions, I can be reached at emily.isaacson@gmail.com or 207-522-6533.

Sincerely,



Emily Isaacson
Artistic Director

P.O. BOX 7259, PORTLAND, ME 04112 • MUSIC@CLASSICALUPRISING.ORG

Colin Jones <colin.f.jones@gmail.com>

11:50 AM (25 minutes ago)



to planningboard@portlandmaine.gov

Dear Members of the City of Portland Planning Board,

As a long time member of the Portland Museum of Art and spouse of someone who has dedicated her career to the advancement of the PMA, I am writing to express my unwavering **support for the PMA's request to re-classify 142 Free Street as "non-contributing"** to the Congress Street historic district.

The Portland Museum of Art stands as a beacon for the arts in Portland. The museum enriches the lives of local residents through its programming and exhibitions and serves as a magnet to bring visitors to Portland. The diverse range of programs, workshops, and events cater to individuals of all ages and backgrounds, fostering creativity, sparking dialogue, and nurturing a deeper understanding of art's significance in our lives.

As the Planning Board considers the PMA's request, it should consider the architectural significance of the proposed new building and the economic and cultural benefits that will accrue to Portland from building such an architecturally significant project.

Portland is at a crossroads. The Planning Board should embrace a project that can truly revitalize Congress Square businesses and spur economic development in the surrounding neighborhood.

This building is for the next generation and I urge you to support the PMA's request and support the PMA's vision for 142 Free Street.

Sincerely,
Colin Jones
Yarmouth, Maine

Craig Lorimer <cg4501@icloud.com>
to planning@portlandmaine.gov

Feb 7, 2024, 1:44:01 PM (19 hours ago)



February 7, 2024

To: Portland's Planning Board

Dear Board Members:

I would like to offer some comments to the Planning Board against the request of the Portland Museum of Art to override the Historic Preservation criteria and allow the former Chamber of Commerce/ Childrens' Museum Building at 142 Free Street to be reclassified and demolished.

I was born in Portland, lived for 20 years in the Greater Portland area, and have been a frequent return visitor to the city since then. Having grown up before the "mall era," Congress Street was the centerpiece of urban life for me. I always admired the historic buildings and the ambience of the district. Congress Square was to some extent the crossroads and hub of the city—Portland's "Times Square," if you will. Even with a variety of architectural styles and signage of different eras, it all blended together well.

The Chamber of Commerce building at 142 Free Street has been part of this harmonious blending of historic architecture in Congress Square. I have long regretted the loss of its handsome neighbor, the Libby Building, which was razed by the Portland Museum of Art. Old photos from the early 20th century show other stately brick buildings on Free Street that were demolished to provide parking lots. Despite these losses, Congress Square still retains much of its historic ambience. The former Chamber of Commerce building is a key factor in holding together the historic character of the area. Its demolition would be a significant loss. Buildings with Greek Revival architectural elements (portico with columns) were once a prominent feature on the Portland peninsula, but 142 Free Street is one of only three that remain.

Another significant concern is the precedent that this would set for other buildings in the historic district that could be reclassified to pave the way for their demolition. The Portland Museum of Art had other options for achieving its expansion goals without destroying a historic building. It is disappointing that these options were not seriously considered by the museum.

The Planning Board is no doubt aware that much of Portland's economic revival has been due to its historic architecture, even though much was lost during the urban renewal era. Similar benefits can be seen in other historic cities like Bath, ME, Portsmouth, NH, and Charleston, SC, which even better resisted the pressures to sweep away their historic structures. The city where I now live, Madison, WI, has already lost most of its historic buildings, and the loss continues—not through massive urban renewal, but simply in piecemeal fashion by gradual attrition whenever a developer wants to build a big glass and steel structure.

I earnestly hope that Portland's Planning Board will deny the request to reclassify and demolish the historic building at 142 Free Street.

Thank you.

Sincerely,

Craig Lorimer

4501 Gregg Road, Madison, WI 53705

Dana Friis-Hansen <dana@danafriis-hansen.com>

5:47 AM (3 hours ago)



to planning@portlandmaine.gov, Mark H. C. Bessire

Dear Planning Board Members,

I'm writing to address the historic preservation designation of 142 Free Street.

Portland is an amazing—and very actively changing—city. The Portland Museum of Art has a rich, 140-year-old history of which everyone should be proud. And yet, I am so impressed by the ways its leadership, through a broad community conversation and alignment with *Portland's Plan 2030*, is aggressively addressing the institutional limitations of its current physical infrastructure, with creativity, ambition, and inclusion by focusing on the credo, "Art for All."

I make these comments both as the recently retired Director and CEO of the Grand Rapids Art Museum who has worked in museums since 1982, and a PMA visitor since childhood. In fact, my early exposure to the PMA on trips with my grandmother led to my profession in the arts. I love this city, and return often since most of my family still live here, and am a summer resident (since birth).

The Portland Museum of Art has been an essential cultural institution for the city and the state since 1882. In past few decades, it has become recognized nationally and internationally for its art and educational programs and as a leader with innovative approaches to equity, community engagement, and sustainability. The PMA Blueprint, the global reach of open call for architects and selection process, and especially the role of a rigorous public feedback process along the way, represents a level of community commitment rare in the museum world. These processes serve as a solid platform to achieve the projected economic, cultural, and quality of life impact that will come from the completion of a major expansion.

The Grand Rapids Museum of Art, founded in 1910, did not thrive until it moved forward in 2007 to build its current facility, with the mandate to serve as a civic and cultural anchor. With its dramatic building by a then-emerging architect Kulapat Yantrasast, visitors are welcomed from multiple angles and entrances, as well as a broad public terrace, considered "the front porch of the city." Today's museums need to evolve to serve the expectations of current and future generations, with welcoming, engaging, flexible spaces, and the PMA proposal from LEVER Architects and their collaborators does just that—and very well.

Imagining a future based on the pillars of community, collection and campus, the PMA is wise to frame its expanded vision to incorporate and celebrate the cultural significance of its prime location on Congress Square, and its existing structures--the McLellan House, the L.D.M Sweat Memorial Galleries, the Clapp House, and the Payson Building. while addressing the needs and benefits of a 21st century museum facility on adjacent property to serve a growing, increasingly diverse audience within Maine and for those who visit.

I believe deeply in the importance of historic preservation, and with it, opportunity for review in relation to meet community needs and changing times. After reading the detailed report made by Historic Consultant Margaret Gaertner, and viewing the building from all angles in person, I believe a reconsideration and reclassification is due. Claims of its excellence in historical stature, architectural consistency, and community significance no longer holds. Too many alterations have been made across its lifetime to support "Contributing Status" of 142 Free Street, especially with the roofline, cupola, windows, and modern doors when renovated for the Children's' Museum. Viewed within the context of other District properties, including those which the Museum has stewarded with renovations and care, the historical significance of the former Chamber of Commerce is diminished.

I urge you to to weigh the potential of an expanded potential for the Portland Museum of Art in relation to the relative importance of 142 Free Street as it is today.

Sincerely,

Dana Friis-Hansen

706 West Avenue, Austin Texas, 78701

david m. blumenthal <davidblu@msn.com>

Feb 2, 2024, 2:47:40 PM (3 days ago)



to planning@portlandmaine.gov, info@portlandlandmarks.org

To: City of Portland Planning Board Members:

I am a former resident of Portland and I have always been interested in the preservation of Portland's buildings having both architectural and historic merit.

The PMA can achieve its expansion plans without demolishing the former Chamber of Commerce/ Children's Museum Building.

142 Free Street is a contributing structure in both the Spring Street National Historic District (1970) and in the Congress Street Local Historic District (2009).

Do not allow the PMA to destroy one of the City's most attractive and historic buildings.

DMB

David M. Blumenthal, Esq.

TO THE PORTLAND PLANNING BOARD:
142 FREE STREET / PORTLAND MUSEUM OF ART APPLICATION
TO RECLASSIFY THE BUILDING AS NON-CONTRIBUTING
TO THE CONGRESS STREET HISTORIC DISTRICT

10 January 2024

Contrary to the PMA position, 142 Free Street—as transformed in 1926-27 for the Portland Chamber of Commerce—remains a contributing building in the historic district. This has been demonstrated by the city's Historic Preservation Board, testimony submitted by Greater Portland Landmarks, and others.

However, more needs to be stated in refutation of PMA's dog-whistle slur against 142 Free Street. According to the museum's submission, "142 Free Street's current façade...was erected during the Jim Crow era. Our region is one that is striving to become more inclusive, dynamic, and diverse...and some architectural styles can carry unfortunate legacies of the past into the future that undermine these values and goals." Where is the proof? This argument condemns via baseless defamation. At least half the historic buildings in Portland date to the Jim Crow era. What is their future—what future for historic preservation in the city—if the museum's critique prevails? Or is it just Classical Revival buildings that carry "unfortunate legacies of the past"? By PMA's logic, the temple-front US Supreme Court should be demolished. What of the museum's own Classical Revival Sweat Memorial Galleries and Greek Revival Charles Clapp House?

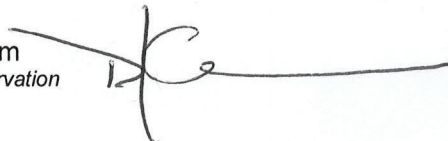
PMA's leadership doesn't acknowledge the Sweat Galleries honor Congressman L.D.M. Sweat, a racist. Sweat voted against repealing the Fugitive Slave Law in 1864. In 1865 he voted against ending slavery through the 13th Amendment. Rather than tarring 142 Free Street with the brush of racism, the museum needs to own its own history. Portland's Victoria Mansion addresses ties to slavery: PMA should too.

Because PMA has no valid case for reclassifying 142 Free Street as non-contributing to the Congress Street Historic District, its submission focuses on a shiny addition designed by LEVER Architecture, touting how it could contribute to diversity and inclusion, how it might make Portland more "welcoming" (ironic, since 142 Free was the city's welcome center for decades). Padded with unsubstantiated assertions, qualifiers and ballyhoo, the proposal states the project "will forever change Maine and New England. We will redefine our region, unite our communities, and sustain our economy for generations to come." Massive overreach. The proposed addition could bring real benefit, but the design is not going to "unite our communities" any more than another design could. Perhaps the most concrete impediment to diversity among PMA visitors is its \$25 entrance fee. Make the museum free to city residents; they will come. The economic boost the proposal trumpets is not specific to the LEVER design. All the chest-thumping masks the fact another design incorporating 142 Free Street could do just as much for museum goals, and more for the city's.

Although the PMA Blueprint professes commitment to community values, it fails to acknowledge the museum stands at the center of a historic district valued by the community. Historic preservation has been key to Portland's revival. It too is incorporated into the city's comprehensive plan. In assessing new construction here, context should be considered in that sense. Henry Cobb's Payson Building is a masterpiece of contextualism, yet modern. LEVER Architecture's context-be-damned proposal would fit Portland, Oregon, better than Portland, Maine. Mass timber is a technology centered in the Pacific Northwest. The mass timber fabrication plant nearest Maine stands in Quebec, 500 miles off. The nearest US plant is 1000 miles away. What is "green" about shipping tons of material hundreds, if not thousands of miles? By contrast, the nation's premier maker of brick, equal to that Cobb specified for the Payson Building, is 43 miles from the museum in Auburn, Maine.

Reclassifying 142 Free Street is unwarranted. PMA should reconsider its building plans with a new commitment to its built context and reusing this historic structure.

Thank you for your consideration,
David Chase, York / chase.email@maine.rr.com
*PMA member. Four decades' experience in historic preservation
& design review of new construction in historic districts*



David Chase <chase.email@maine.rr.com>

Feb 6, 2024, 4:59:32 PM (21 hours ago)



to planning@portlandmaine.gov

Please confirm that the testimony I submitted in January re historic classification for 142 Free Street will be in the package going to Planning Board members and available to the public on your website.

Thank you for your consideration,
David Chase

David Eaton <deaton@totalmortgage.com>

Feb 7, 2024, 3:52:55 PM (17 hours ago)



to planning@portlandmaine.gov

As a former member of the Portland Planning Board, I was involved in a vote to recommend the reclassification of a building in the Portland Company Historic District on Fore Street. I offer this to add some perspective to your current decision. A 1957 building was deemed contributing by the HP Board, but the developer wanted it removed to make room for a large walkway and outdoor plaza between Fore Street and the Eastern Waterfront walkway. City staff negotiated a permanent easement for public access and while the walkway is not yet finished, it will offer a great public asset for all to enjoy in perpetuity. To me at the time, it seemed like a great opportunity at a reasonable cost, and I spoke in favor of the reclassification. The Board agreed and so did the city council a few weeks later. I think the Planning Board's recommendation was that the reclassification was warranted due to the broader public interest served by the plan.

I believe the same logic should apply here. While I am not qualified to comment on the design, there is no doubt an expanded museum it will be a great asset, and open to the public. I know some find the design out of character, and I would leave it to others to weigh in whether any changes are necessary. But the city now has the leverage to fashion a compromise that will make most people satisfied, just as it did on Fore Street. I urge you to be bold and recommend reclassification of the building in question, perhaps with conditions. I believe this will allow the Downtown Historic District will maintain its architectural integrity, while embracing the opportunity to create new Landmarks. A great city should have a great art museum, and you can play a role in that result. Thank you.

David Eaton

52 Neal Street

David Eaton

David Gaines <davegaines@live.com>
to planning@portlandmaine.gov

Feb 6, 2024, 4:02:23 PM (22 hours ago)



Subject: Historic Preservation Designation - 142 Free St.

Commenter: David K. Gaines, 49 Deering Street, Portland ME 04101

I support the position of Greater Portland Landmarks that the building at 142 Free Street is a contributing historic building and that the PMA should not be allowed to tear it down and replace it with a building that does not contribute to Portland's sense of place.

The building at 142 Free Street, when seen with the H.H. Hay building and the Payson building of the PMA is an iconic symbol of Portland. It is recognized nearly as much as the Observatory and City Hall. The architects who designed the Payson building in 1980 did so under the assumption that the building at 142 Free Street would be preserved. Demolition of 142 Free Street would degrade the impact of the Payson design as well as the impact of the Hay building. The PMA is a museum in a neighborhood that is itself a museum. 142 Free Street should be preserved, and it should retain its status as a contributing historic structure.

The PMA initiated a public opinion campaign to sway public opinion against preserving 142 Free Street. They implied that the building at 142 Free Street symbolized white racist, Jim Crow culture in Maine. There is no historical evidence to support those remarks. Jim Crow was not in Maine. The PMA should not be rewarded for using such underhanded tactics. Please deny the PMA request to tear down 142 Free Street. It is an important contributor to Portland's sense of place.



David Greenham Consulting

December 5, 2023

Honorable members of the Portland Planning Board and City Council –

Please accept this letter of support for the Portland Museum of Art's Blueprint Project, and their important new building designed by the team at LEVER Architecture.

My name is David Greenham and I have been involved with arts and culture in Maine for more than 30 years. I have been following PMA's Blueprint Project since its inception. I understand and appreciate the concerns raised about replacing the former Chamber of Commerce Building with this new design.

I have great respect for the work of Greater Portland Landmarks and tremendous admiration for state historian Earle Shuttleworth and others who have recommended that this project be redesigned to feature the Stevens-designed building. They say that to allow the PMA project to move forward would be 'precedent-setting.'

They're right. It would be unprecedented. That's precisely why you should embrace the plan and remove the historic designation of the former Chamber of Commerce building.

It would be precedent-setting for the current leaders of the city of Portland to support the construction of a building that is not only honors Maine's rich lumbering heritage but is also specifically designed to acknowledge and celebrate the debt that we owe to the Indigenous peoples of our region.

From the beginning of planning LEVER has included Passamaquoddy citizen and former Executive Director of the Abbe Museum Chris Newell as the team's exclusion advisor. Chris is an inspirational and thoughtful leader. "I had always been raised with the worldview that all of the roads, the buildings, everything is an overlay above what our ancestors lived on for 12,000 years sustainably," Newell has said. Through his guidance, the design team and leaders of the PMA embraced the commitment to environmental stewardship and accessibility by adopting Indigenous practices and ideologies. This new building is representative of that commitment.

Greater Portland Landmarks was established in 1964 in the aftermath of the destruction of Portland's famous Union Station a few years earlier. They have realized tremendous success in preserving so many of Portland's important buildings. In partnership with Maine Historic Preservation Commission, and Maine Preservation, and the state's highly successful historic tax credit program many historic properties in Maine have been saved.

David Greenham Arts and Culture Consulting – david@davidgreenham.com – 207-242-1574

But please remember, this isn't a case where a beautiful building like Union Station will be demolished and replaced with a strip mall and a parking lot, or some other kind of 'non-contributing' building. It will be replaced with an iconic and important architectural jewel.

And it's a jewel that is long overdue in Portland and the state of Maine.

Despite the leadership of the aforementioned agencies, and the historic tax credits, there is not a single re-development project that has been so cognizant of ensuring that Maine's Indigenous history is recognized. Most of the projects simply continue to be what Chris Newell and others refer to as "artifacts of colonialism."

The PMA will take one historic structure that has outlived its usefulness and replace it with a stunning, thoughtful, and exciting building that will enhance the experience of a visit to downtown Portland.

We can learn so much from our Indigenous neighbors. Our job is to recognize that we stand on the shoulders of those who came before us, and we must prepare to support the generations to come. In many cultures this is referred to being 'shoulder ready.'

With their innovative and open design for their building expansion, attached to their already significant architectural holdings, the PMA is making sure that they are shoulder ready to support generations of artists and visitors to Portland.

There are so many challenging issues facing Portland and our state in the coming years. The approval of PMA's request for a designation change will ensure that we have a shining and exciting new landmark that celebrates our wonderful past, while looking brightly towards the future.

I urge your support for the PMA request.

Sincerely,

A handwritten signature in black ink, appearing to be 'David Greenham', with a stylized, flowing script.

David Greenham

Principal

David Greenham Arts and Culture Consulting

CÁLM <heycalmcartel@gmail.com>

Dec 1, 2023, 7:40:42 AM (3 days ago)



to planningboard@portlandmaine.gov, Gkennedy@portlandmuseum.org

Dear Planning Board Members,

I wholeheartedly support the construction of the new Portland Museum of Art (PMA) building. The current Children's Museum, which we consider to be a preservation of history, lacks any original architecture and serves no purpose in its current state. It has been gutted multiple times, rendering it obsolete. In contrast, the new PMA building offers us the opportunity to preserve the historic pillars and stained glass windows from the old museum while creating a new installation that truly revitalizes our city's cultural landscape.

Let us not cling to a relic that has lost its purpose. By embracing the new PMA building, we can create a landmark that combines the preservation of cherished elements from the past with a dynamic and meaningful contemporary space. This approach will not only honor our history but also invigorate our city's economy, attracting tourism and stimulating growth in our community.

I urge the Planning Board to support the construction of the new Portland Museum of Art building, leveraging the historic elements from the old Children's Museum in a fresh and innovative way. This will provide us with a space that simultaneously honors our heritage and propels us into a vibrant future of culture and economic prosperity.

Thank you for your thoughtful consideration.

Sincerely,

Dax L.

--

Lauren LeMatty
[302.377.7546](tel:302.377.7546)

CALM APOTHECARY

Deborah Fell
377 Cumberland Avenue
Portland, ME 04101

Members of the Planning Board,

I am writing in support of the Portland Museum of Art's expansion plan. The expansion will help create an invigorated downtown through the added infusion of art in a venue that encourages community engagement. The reason not to do it simply perpetuates a tired status quo.

Downtown Portland could use a boost. One sees numerous empty storefronts and office spaces up for lease. It does not feel like a thriving business district.

The negative response to the expansion plan being made by those wanting to keep the old children's museum building takes a narrow outlook. Preserving Portland's historic richness is certainly important. However, is this building, while indeed old, truly central to maintaining the stature of Portland architecture?

The PMA plan will create a setting that is positive for Portland, one that promotes community participation and involvement. It will provide a wide audience with access to art, theater and music and make downtown Portland and Congress Street a desirable destination. More people will mean better opportunities for local businesses to succeed and grow.

Of course, the beauty and history of Portland should be valued and preserved and change can be seen as a loss. However, such choices can be balanced with concerns for the common good. In this case, future gains for the community and the potential for building a new history outweigh holding to the past.

Sincerely,
Deborah Fell

Debbie J <dpjonpeaks@gmail.com>
to planning@portlandmaine.gov

Feb 6, 2024, 5:03:55 PM (21 hours ago)



To the Members of the Planning Board:

Why is the demolition of a property protected by Portland's Historic Preservation Ordinance even being considered?

Are all our civic leaders unfamiliar with our city's history, and/or too young to remember the demolition of Portland's beautiful Union Station in 1961?

142 Free Street, the former Children's Museum, meets four of the six criteria for protection, when only meeting one criterion is all that is required. What is the point of having a Historic Preservation Ordinance if it can be cast aside when convenient?

Must we destroy another of our city's historic buildings before we wake up and realize that we are destroying our city?

Please vote against reclassifying and demolishing 142 Free Street.

Thank you.

Deborah P. Jordan
33 Lyndon Avenue
Peaks Island, Maine 04108
[207-766-5801](tel:2077665801)

Dee Dee Wacksman <dswacks@hotmail.com>

9:14 AM (4 hours ago)



to planning@portlandmaine.gov

As a new resident of Cumberland county I have been impressed with the quality and number of historic buildings in the community. I have always been drawn to places of significance in the communities where I reside. It seems that the former Children's Museum building is one with a rich history and strong memories for downtown Portland. It would be a shame to destroy it when alternative reuse is available . Remember, once they are gone there's no bringing the back... train depot.

Edith Wacksman

14 Lilac Lane Scarborough

Public Comment: 142 Free Street Reclassification Isaue

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0 views



Dela Murphy @DelaHere <dela@delahere.com>

9:57 AM (1 minute ago)



to planning

Dear Planning Board,

I understand the Portland Museum of Art has requested special consideration to reclassify the former Chamber of Commerce Building at 142 Free Street to non-contributing so they may demolish the building. I ask that you concur with the Historic Preservation Board and deny this request.

- Based on the Historic Preservation Ordinance, 142 Free Street meets four of the six criteria to be considered contributing. The law and the building's status under that law is clear.
- The PMA was aware of this status when the building was purchased; however, they launched a design process with the intent to ignore the law. They are acting in bad faith in this redevelopment scheme.
- Special treatment undermines the Historic Preservation Ordinance and runs counter to it's intent. No matter how "prestigious" or "charismatic" a project or entity proffered is, our primary concern under this law should be for the long-term preservation of the buildings and assets we've already established define our city's existing character. New projects like the PMA's have endless opportunities for alternative development that don't chip away at or destroy existing contributing assets.

Please deny this request and affirm the law. Thank you for your thoughtful consideration.

Dela Murphy
61 India St #3, Portland

Hello,

I am writing to the Planning Board in the hope that you will approve the expansion of the Portland Museum of Art's expansion proposal. I am a long-time supporter of the PMA and view the museum as the premier cultural institution in Portland. I have been following with interest the PMA's expansion plans for several years. I was thrilled to see the model of the new facility and was pleased to see that the plans were vetted by the entire Portland community.

I believe that the old Children's Museum building, which is currently owned by the PMA, falls under the auspices of the Historical Preservation Commission and that body has (at least temporarily) blocked the museum's plans for expansion. The Planning Board has the ultimate say in this matter and I urge you to allow the museum to proceed. When the Planning Board weighs the benefits to the citizens of Portland of the multi-million-dollar PMA expansion, against the dubious benefit of preserving the shell of a vacant building, there is simply no comparison.

The newly renovated building will be an architectural gem, showcasing state-of-the-art environmental practices and paying homage in its design and construction materials to Portland's rich Native American history. The architectural plan integrates the various PMA buildings into a unified campus, improving accessibility and drawing both residents and visitors into the heart of Portland, an area that unfortunately has languished. The expansion will give new life to this area of the city.

At the present time businesses in the area around the museum are in trouble. Storefronts are vacant, and the trend seems to be accelerating. A multi-million-dollar expansion of the museum, financed largely by individual donors, will send a positive signal to the business community. It will spur growth and show that Portland is a city which is committed to moving forward, a city that values its cultural assets and a city which supports its public institutions. Portland's 2030 Plan lays out these guidelines in some detail.

In general, I am in favor of preserving historical neighborhoods, but I don't think the old Children's Museum building should be offered special protection. It has the grim exterior of a courthouse and I understand that it had a rather dubious history as well. What is the benefit to the city of keeping such an isolated structure intact? Is anyone going to come to Portland to look at it? Does it contribute in any way to the city? Who and what does it represent?

Could the old building be somehow incorporated into the new structure as some have proposed? The short answer is NO. Trying to somehow mash the two buildings together would look awful and would be enormously expensive to boot. If the PMA's application is denied, there is really nothing that the museum could really do with the old building other than to sell it, but I can't imagine any business that would want to buy it. It is also likely that many of the donors who have pledged money for the new building would withdraw their pledges, leaving the PMA, and the city of Portland worse off than before.

This is a once in a lifetime opportunity which will not come again. The museum has already raised tens of millions of dollars for construction and it is likely that they will be able to raise even more money when the project is fully approved by the Planning Commission.

After considering the benefits to the citizens of Portland, I am certain that the board will approve the Portland Museum of Art's proposal as submitted.

Sincerely,

Richard Fleming

TESTIMONY CONCERNING HISTORIC PRESERVATION DESIGNATION—142 FREE ST.

TO: THE PORTLAND PLANNING BOARD

As a young architect in the late 1970's I was proud to be a member of the design team working directly with Harry Cobb of I.M. Pei & Partners on the Payson addition to the Portland Museum of Art (PMA), a design largely based on the preservation and enhancement of historic buildings on the site.

I fully support the idea of PMA expansion, but not as currently proposed. The demolition of the former Chamber of Commerce Building (former Children's Museum) is unnecessary.

After fourteen years at the Pei firm, I entered the real estate business, leading the planning and implementation of several large urban projects. These complicated sites included historic structures, resulting in challenging but ultimately solvable preservation issues.

I subsequently served as President of the Los Angeles Conservancy, by membership the largest local preservation entity in the country. This three-part background---architecture, development and preservation---has convinced me that solutions exist for even the most challenging conflicts these endeavors may face. I believe that this is relevant to the Portland Museum expansion.

The former Chamber of Commerce Building---142 Free Street---is an historic building that has graced Portland for almost 100 years. The PMA leadership has framed their expansion argument as follows: we need adjacent land for expansion and therefore must demolish 142 Free Street. Without this land, expansion is impossible, and the public will reap none of the enormous community benefits that have been advertised.

This either/or proposition is just plain wrong.

The 142 Free Street site is 9800 square feet in size. PMA has jammed its proposed 60,000 square foot expansion into this tight site, resulting in a costly five-story structure that dwarfs its historic neighbors. PMA proposes a glassy new entry on Free Street, permanently closing off the Congress Square entry to the Payson Building, ironically just as the City of Portland is pursuing an expensive re-design of Congress Square that will only enhance the Payson entrance.

All of this, PMA states, is necessary for its expansion. But this position is misleading.

In 2006, PMA purchased the adjacent 38,000 square foot YWCA site in order to "secure the museum's future options and flexibility", to quote the PMA's own website. Now a parking lot and sparsely planted open space that is four times the size of the 142 Free Street property, the YWCA site could easily accommodate expansion with great visibility, its own entrance,

connection to the existing museum buildings, and sufficient land area to yield a cost-effective solution better scaled to the surrounding buildings.

PMA has rejected the YWCA site, claiming that it does not provide a good connection to the Payson Building. I dispute this conclusion; I believe that a motivated architect could create a compelling solution.

But even if PMA is correct, there is yet another alternative: demolish the Administration Wing of the original Payson Building, which is identical in size to 142 Free Street. This would provide an expansion site central to the entire museum complex and would facilitate connection to all museum components, while enabling future expansion to the YWCA site and maintaining the current museum entry fronting on Congress Square. 142 Free Street could house PMA administrative functions.

As one who worked on the original design, I would prefer that the Payson Building remain intact, but it is far better to replace a portion of it than to destroy 142 Free Street.

Portland's unique historic fabric need not be sacrificed in order to facilitate growth. The two are not mutually exclusive, as PMA has unfortunately framed the issue. A win-win outcome can be achieved if pursued in good faith.

PMA's claim that its expansion is totally dependent on the destruction of 142 Free Street is shortsighted and misguided. It deserves to be forcefully challenged by the city and soundly rejected.

Douglas Gardner
4064 Cresthaven Dr.
Westlake Village, CA 91362

PMA's request to permit removal of 142 Free St

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0 views



Douglas Howell <doug.howell813@gmail.c...
to planningboard@portlandmaine.gov

Jan 8, 2024, 8:52:19 PM (13 hours ago)



Dear Portland Planning Board members.

I am writing this letter to support the Portland Museum of Art's petition to consider removal of the building at 142 Free Street which is currently classified as a contributing historical structure in the Congress Street Historical District.

As long-term supporters of both the Portland Museum of Art and the Greater Portland Landmarks, my wife and I understand and appreciate the value of historic preservation. We purchased a circa 1760 Cape Cod home in 1979. We worked with Ursula Baier at Landmarks, Donald Philbrick JD, President, of Maine, Historical Society and craftsman from Strawberry Bank Museum to restore and expand our home, using historically correct materials. This house, although simple and even basic, has significant value to the town of Cape Elizabeth, as one of the few remaining colonial homes with connections to antiquity. The original homesteader was born in 1690 and arrived in the Massachusetts territory of Maine in about 1725. His lineage includes Sarah Elwell, accused of witchcraft in Salem and Senator Daniel Webster.

I hope to draw a distinction between our 30 year long home project and the building at 142 Free Street.

The appeal of the PMA to ask that the planning board reclassify 142 Free Street as a non-contributing building permits a dramatic, innovative, new landmark art building to proceed. The failure to do so requires careful analysis of the consequence and the negative impact on the city of Portland Comprehensive Plan, 2030.

During my 45 years as a physician at Maine Medical Center, I have witnessed major positive changes in our beloved city. Many of these have resulted from an influx of citizens of varied backgrounds, religions, ethnicities, and education. Their social, business and cultural sophistication need and want this revitalizing expansion that has been carefully developed and presented. We know that, after a lengthy competitive process, worldwide enthusiasm elicited one hundred four applications from top architectural firms in twenty countries. The process to select a winner was presented openly over many months, yielded over two thousand positive responses from local citizens and art devotees in a completely transparent way.

What we have come to realize is that Portland needs a new concept art museum – open, inviting to all, interactive, innovative – to help bind together our newly diverse community. The new major expansion of the PMA promises to become the center of the community, even more than it will function as a community center. At present, I know of no other art museum that has attempted this bold step.

Analysis of the economic, social and cultural impact on Portland of this project, as designed, is projected to be huge. The reigning example of such an innovative project is the Frank Gehry designed Guggenheim Museum Bilbao in Spain. Opened in 1997 in a small city of 350,000, over 4 million visitors toured in the first three years. To date, Time Magazine reported that just

economic activity alone has brought over €3 billion Euros to the Basque region after an overall investment of €100 million. The PMA's proposal is of similar scale, but will be sustainably built of Maine massed timber. This promises to be a once in a lifetime creation of a landmark building built for generations to come.

As planning board members, you are weighing the impact of continuing to list 142 Free Street as a contributing building. Many do not agree. Its historical integrity has been deeply altered from flawed major renovations, and yet, despite four attempted enterprises, it remains a failed building. Its history of failure includes use as a theater, a church, the Chamber of Commerce, and finally the Children's Museum of Maine. The last owners were unable to accomplish their goal of a children's museum serving all of our community and moved to a new modern expanded building. Their frustration with 142 Free Street has been expressed.

Architecturally, little remains of the original building. The most recent renovation in the 1920s by John Calvin Stevens, resulted in the addition of the white columns and portico, hardly a unique or an original feature copied throughout 20th century America. Removal of this minor achievement is justified in my opinion, considering his multiple existing major contributions throughout Portland and our region. We have been told that even his grandson assures us his grandfather would favor removal to permit the planned PMA vision.

In closing, the city and state have much to gain if removing 142 Free Street is allowed. To favor retention of this vastly altered and failed building will harm our city's future. Ironically, that is not the contribution intended by the Congress Street Historic District's creation in 2009.

Douglas Howell MD
South Portland, ME

Dugan Murphy <dugan@duganmurphy.com>

Feb 3, 2024, 9:12:07 AM (2 days ago)



to planning@portlandmaine.gov

Dear Planning Board,

I am writing in regards to the Portland Museum of Art's request to reclassify the former Chamber of Commerce Building at 142 Free Street to noncontributing status within the Congress Street Historic District. This request is ridiculous.

This building is over two centuries old with a facade that is well preserved from its redesign a century ago by famed architect John Calvin Stevens. The importance of its presence as part of the historic urban fabric of downtown Congress Street is exactly why all the work was put into researching it and the other contributing structures within that district and getting that district added to Portland's recognized collection of local historic districts. It is exactly why this city decided to adopt a historic preservation ordinance back in 1990. We, as a community, did not put these protections in place, just to have them revoked when a little inconvenient.

Whether or not to reclassify a building is a decision to be made based on the language of the Historic Preservation Ordinance. According to the ordinance, 142 Free Street is contributing. It meets four of the six criteria necessary to achieve this status. The ordinance only requires it to meet *one* of those criteria! So by law, the status is clear.

The Portland Museum of Art knew this when they purchased the building. It was absolutely no secret that there were protections already in place before they acquired it. If they are acting surprised, they are being disingenuous.

The Historic Preservation Board unanimously agrees that this request should be rejected. Please respect their expertise and issue a concurring decision. Doing so would also match public sentiment, as evidenced by the public comments so far, by a wide margin.

The Portland Museum of Art has a lot of property at their disposal. By law, they have many options for developing it, so they really have no grounds for asking the Planning Board to offer them unequal treatment of the law. They have been sitting for decades on the amazing, historic Clapp House without using it for anything the public can access. They have the ability to rehabilitate that structure. In 2007 they depleted Portland's woefully small and much-needed affordable housing supply when they demolished the YWCA building on Spring Street. They could find a new use for that underutilized parking lot and adjacent, unusable green space they put in its place. They could redesign the interior of 142 Free Street, build an addition to it, or pursue any of the many other expansion options available to them currently allowed by law, without going through this bald-faced, bad-faith reclassification process.

The PMA is a creative organization. Please deny this request so they can use that creativity in their ranks to develop an expansion plan that adheres to the law and suits their needs and the needs of the broader community by preserving the Chamber building.

Thank you for thoughtfully considering this issue.

Dugan Murphy
(he/him)
61 India St #3, Portland

To: Portland Planning Board
From: Earle G. Shettleworth, Jr.
37 Academy Street
Hallowell, Maine 04347
February 8, 2024

Agenda Item: Proposed Historic District Amendment, Congress Square Historic District. Reclassification of 142 Free Street as non-contributing.

I am writing to ask that the Planning Board support the Historic Preservation Board's unanimous finding to maintain the designation of 142 Free Street as a contributing building to the Congress Street Historic District. As a native of Portland who has studied the history and architecture of the city for sixty years, I want to affirm the significance of 142 Free Street as a work of John Calvin Stevens that contributes to the district.

While I question many of the statements made by attorney Mary E. Costigan in her January 31, 2024, letter to the Board on behalf of the Portland Museum of Art, I especially dispute her comments regarding Section 17.4.1.(A).

John Calvin Stevens (1855-1940) of Portland is recognized as Maine's leading late 19th-early 20th century architect. His sixty-year practice earned him a national reputation and a place in American architectural history. By the early 1900s, the Colonial Revival was Stevens' style of choice, as it was for many of his contemporaries. Thus, in 1926, when commissioned to transform the Free Street Baptist Church into the Portland Chamber of Commerce, he chose to evoke the historic appearance of the building by replacing its Victorian church façade with the impressive Colonial Revival columned façade we see today. While the architect drew inspiration from a drawing of the building in 1836, the façade is Stevens' original design that expresses his own vision of a classical building to enhance the public space of Congress Square. Columned buildings were then in vogue from Colby College's Miller Library to the U.S. Supreme Court Building.

Moreover, John Calvin Stevens' design for the Portland Chamber of Commerce reflects his advocacy for the early 20th century City Beautiful Movement, in which he sought to improve Portland with such public buildings as City Hall, the Sweat Memorial Gallery, and the Portland Water District complex. In his own words, his purpose was "to have all the city's institutions so built that they become points of interest and beauty." As such, the Stevens façade of 142 Free Street has been an integral part of the fabric of Congress Square for almost a century. It is a perfect companion for the Post-Modern classicism of Henry Cobb's Payson Building of 1983.

Based on my knowledge of Stevens' 1926 Portland Chamber of Commerce, I find Mary Costigan's statement that this project is "not an original design of John Calvin Stevens" to be without merit. Moreover, the fact that Stevens' drawings for the project do not survive should not be interpreted as a lack of significance. It was common practice in Stevens' office to discard drawings unlikely to be needed for future work. When the architect's grandson gave the firm's remaining drawings to the Maine Historical Society in 1972, they accounted for only fifty percent of the office's work.

The architectural significance of 142 Free Street that I have outlined is a primary reason for its listing as a contribution resource to Portland's Congress Street Historic District. Contrary to the Portland Museum's assertion, the City of Portland was correct in including 142 Free Street as a contributing building when it created the Congress Street Historic District in 2009. The appropriateness of this designation was confirmed by the National Park Service when it certified the district for the use of Federal historic tax credits. This designation should remain in place.

Edward Budway <EBudway@egcu.org>

2:02 PM (1 hour ago)



to planningboard@portlandmaine.gov, Gkennedy@portlandmuseum.org

Dear Portland Planning Board,

I am writing to you in support of the Portland Museum of Art (PMA). My organization and I have proudly worked alongside the team at the PMA as they've been an Evergreen Credit Union Community Partner for many years. Like other Portlanders and Mainers, we are very excited for the museum to realize the *The PMA Blueprint* vision and transform Portland's art experience for all.

A collaborative partner, the PMA is embracing the excitement and feedback of the greater Portland Community during their design process. The new blueprint represents a place of growth and opportunity for artists of all types in this city and around the world. With this new facility, the PMA may influence more aspiring artists who need space to learn and grow. Their new museum will also feature community gathering areas which can bring flexibility and opportunities to local organizations and businesses.

The Evergreen team and I are confident that *The PMA Blueprint* can transform our city and can help revitalize Congress Square. Portland Planning Board operations have already made great strides in making the city more walkable and open. The PMA's new facility will help further this work and bring more foot traffic into that area, benefitting local artists, art viewers and businesses alike. My team at Evergreen and I support the museum expansion plans, and we believe that their efforts should be encouraged and supported by those in Portland and beyond.

Sincerely,

Ed Budway

Vice President, Marketing

Evergreen Credit Union

Eileen Gillespie <etgillespie@gmail.com>

Nov 28, 2023, 4:11:19 PM (16 hours ago)



to planningboard@portlandmaine.gov

Dear Portland Planning Board,

I am in full support of re-classifying 142 Free Street to non-contributing status.

The PMA Blueprint Project is a once-in-a-lifetime opportunity to revitalize Congress Square and our beautiful city of Portland. The project serves our diverse communities, strengthens our neighborhoods, educates visitors, grows our economies, welcomes all.

The economic impact of this project will transform our city as it activates and enhances the City of Portland's Comprehensive Plan 2030.

I urge the Planning Board to fully support this project.

Thank you!

Eileen Gillespie

Elizabeth Cullen <cullenelizabeth@hotmail.com>
to planningboard@portlandmaine.gov, Graeme Kennedy

Dec 11, 2023, 2:17:14 PM (19 hours ago)



To whom it may concern:

I am writing this letter in support of the Portland Museum's Blueprint project.

I am a longtime resident of Brunswick, and an educator in the Brunswick school district for many years.

I am excited to learn of this new proposal for many reasons. The first that comes to mind is that Portland will be able to provide quality activities for our Maine youth, beyond the limitations of the current museum, and at the same time enhance Portland's cultural experiences for our growing diverse population.

Sincerely,

Elizabeth J Cullen

Ella Hudson <ella.hudson@gmail.com>

4:01 PM (2 minutes ago)



to planning@portlandmaine.gov

We are residents of Portland. We believe it would be a mistake to demolish the building at 142 Free Street to allow for expansion at PMA. We have read many opinions and letters that support the expansion (as do I) but without demolishing the building. Greater Portland Landmarks states it thus, "...They [law firm] have counseled us that the decision to redesignate 142 Free Street must be based on the Criteria in the Ordinance. It cannot be based on any other document, such as the new comprehensive plan, "Portland's Plan 2030".

The standards for rescission are clearly defined. The Planning Board and the City Council are limited to making their decisions based only on the Ordinance, the same standards the Historic Preservation Board applied in making their November decision.

While 142 Free Street is the focus of our advocacy, the issue is much larger: **Can the City of Portland ignore its own clearly defined ordinance to the benefit of one property owner? The land use rules are clearly set so everyone knows what is possible when they acquire a protected property.** There are many opinions on whether the proposed or the existing building is preferable. However, the City's Historic Preservation Ordinance, which has been instrumental in Portland's resurgence over the last thirty years, is very clear."

The rules are definitely clear.

Ella and Knapp Hudson
164 Deepwood Drive
Portland

Emma Gregg Brego
Director of Production
p3 Maine
434 Cumberland Ave
Portland, ME 04101
11/30/23

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

Dear Members of the Planning Board,

I am writing in my capacity as Director of Production at p3 Maine (and a lover of art!) to express my strong support for the Portland Museum of Art's (PMA) Blueprint. As someone who has been deeply involved in the cultural and economic development of our city, I am convinced that this project is of paramount importance to Portland's future.

The PMA Blueprint is a reflection of extensive community engagement and insight. It stands as a testament to the museum's commitment to embracing the diverse voices and visions of Portland's citizens. This project is more than an expansion; it is a bridge connecting the museum's historical legacy with the future aspirations of our community. The Blueprint's alignment with the input of thousands of Portlanders guarantees that it is not just a plan for the museum, but a plan for the people of Portland.

This initiative represents a transformative opportunity for our city. It is not merely an enhancement of our cultural infrastructure but a catalyst for broader urban renewal and economic growth. The Planning Board's support for the PMA Blueprint is crucial in realizing a project that embodies the spirit and objectives of the City of Portland's Comprehensive Plan 2030.

The economic implications of the PMA Blueprint are particularly compelling. The revitalization of Congress Square and the surrounding areas will spur economic growth, create jobs, and attract tourism. This project will serve as a cornerstone for further development and investment in our city, setting a precedent for thoughtful, community-driven urban planning.

I urge the Planning Board to recognize the transformative potential of the PMA Blueprint and offer it your full support. This project is a unique and critical opportunity to shape the future of Portland in a way that honors our heritage, celebrates our diversity, and embraces the possibilities of the future.

Thank you for your consideration of this important matter. I, along with many others in our community, am eager to witness the positive impact that the PMA Blueprint will have on our city.

Warm regards,

A handwritten signature in black ink, appearing to read 'Emma' followed by a stylized surname.

Emma Gregg Brego

Eric Handley <ewhcom@gmail.com>

Feb 2, 2024, 6:26:13 PM (3 days ago)



to planning@portlandmaine.gov

Hi

A comment on the proposed reclassification of 142 Free Street by the Portland Museum Of Art.

The reclassification is unnecessary and completely unjustified.

I agree with Portland Landmarks that the museum knew when they bought the building that it is a protected site within the National Register District.

I am a long term PMA member and enjoy multiple visits per year. Especially enjoying the area around High Street with the many older buildings some of which the PMA owns.

The plans submitted by the PMA are out of touch with the area, it would be nicer to see a more integrated expansion plan.

I am against the reclassification and the plans to demolish the building.

Eric Handley
56 Wilson Street Unit 4
Portland 04101

Eric Stark <eric.stark@maine.edu>

Feb 6, 2024, 1:12:58 PM (yesterday)



to planning@portlandmaine.gov

Hello Portland Planning

I am writing regarding 142 Free Street and the Portland Museum's desire to reclassify that building. I am an architect and professor of architecture at the University of Maine at Augusta. I live in Portland at 71 Beckett Street in a historic neighborhood (Munjoy Hill).

I strongly urge you to reclassify this building and allow the PMA to progress with their plans for the site and expansion of the museum. Given my experience as an architect, teacher, and homeowner, I am well versed in aspects of historic preservation. In fact, I am a proud member of Greater Portland Landmarks.

However, I strongly disagree with the GPL stand on 142 Free Street. While this building has history (it is old), it does not offer historic significance. It is a fairly nondescript Greek revival structure that has outlived its usefulness. At this point in Portland's history, the PMA has the financial and visionary opportunity to create a world-class museum complex. The benefits of the complex to Portland's cultural and artistic future is clear. In addition, the economic effects to greater Portland should also be clearly understood.

You have a chance to make Portland better for decades to come. Please do not let the small fact that a building was constructed some years ago stand in the way of Portland's progress!

Respectfully submitted,
Eric Stark
71 Beckett St
Portland, ME 04101

Erik Hayward <erik.hayward@gmail.com>

Dec 7, 2023, 9:58:58 AM (23 hours ago)



to planningboard@portlandmaine.gov, officeofthedirector@portlandmuseum.org

Dear Members of the Portland Planning Board:

I write to express my full support of the plans presented by the Portland Museum of Art (PMA) as part of its Blueprint Campus Unification Project. The proposed project represents a significant opportunity to bring vitality and progress to the city's arts district and Congress Square, which has not seen the revitalization underway on other parts of the peninsula.

From my experience working in Portland for twenty years and as a Trustee of the PMA, it appears that there is a very vocal minority of citizens opposed to this project based solely on the historic designation (misplaced in my opinion) of 142 Free Street. While I understand their concerns, I wish to convey to the Planning Board that there are many more people in support of this once-in-a-lifetime opportunity.

The regrettable loss of Portland's historic Union Station has served as the galvanizing force for the city's strong preference toward preservation. This is admirable, but it can only be extrapolated so far. The PMA's proposal compares in almost no way to that unfortunate loss which occurred in favor of the development of an uninspiring strip mall on St. John Street.

142 Free street will be replaced with a world-class cultural institution, developed by a renowned group of architects and designed with input from thousands of community members. The building itself, as much as the art and the programming contained therein, will be an attraction to Portland for generations. It will be accessible to all, and it will serve a far better and higher use than any possible reconfiguration of the current structure of 142 Free Street.

I strongly encourage the Portland Planning Board to give its full support to the PMA Blueprint project.

Thank you,
Erik Hayward

Members of the Portland Planning Board:

Following is my letter to Portland Press Herald which speaks in opposition to PMA's request to raze the building at 142 Free Street. Please deny that application.

As the owner and developer of a number of properties in southern Maine, including four past projects on the National Register of Historic Places, I am troubled by the Portland Museum of Art's current attempt to make an end-run around Portland's historic preservation ordinance. Preserved historic buildings are a meaningful part of what has made Portland so widely celebrated as a unique place. This newspaper's longtime home, now the Press Hotel, is a prime example of how historic buildings can be modernized and given new life.

While it is often easier and less costly to tear down an old structure and build new, rehabilitating historic buildings benefits the entire community – and the environment – and the availability of historic tax credits often helps the developer offset added costs.

In Portland, the rules are clear. If a building is deemed a contributing structure within a historic district, as is the 142 Free St. building, it cannot be demolished for reasons of expediency—regardless of who the owner is. The granting of historic preservation status to a building or district is a thorough and deliberative process; it is not a temporary condition until something “bigger and better” comes along. The PMA knew this when they purchased the building just a few years ago.

I hope that the Portland City Council will not bow to the pressure being applied by the PMA, and will uphold the city's historic preservation ordinance. While working with historic buildings requires creativity and extra diligence, there are many of us who have found ways to develop successful projects within Portland's historic districts.

What's important is that we all play by the same rules. That includes the PMA.

*Ford Reiche
Freeport*

George Brown <georgebrown06@gmail.com>

8:47 AM (2 minutes ago)



to planning@portlandmaine.gov

I'm 75 yrs old and have always admired the lines and design of this landmark. I also remember the Libby building that was torn down to make room for the PMA. 142 High has always been a significant building on the corner of High and Congress. You might as go after the HH Hays building while you're at it. It certainly won't fit into PMA vision for Congress St, it's too old.

Sent from my iPhone

Hailie Posey <hailieposey@gmail.com>

Dec 5, 2023, 4:39:25 PM (23 hours ago)



to planningboard@portlandmaine.gov

Dear Planning Board,

Please accept this email in support of the Portland Museum of Art's Blueprint Project. I believe that the exciting vision outlined in the Blueprint Project would be of benefit to Portland and all of Maine by bringing forth enhanced access to art, community engagement around the PMA collections, and economic revitalization. This is such an exciting project and opportunity for Portland.

As a supporter of the revitalization of PMA, I also support the necessary removal of the former Children's Museum building at 142 Free Street. The cultural and economic benefits of the proposed PMA building expansion far outweigh the historical significance of the Children's Museum building. The building has a problematic past, and the columned facade evokes a neoclassical vision that is steeped in prejudice and racism. Preservation of this particular building and its columns should not be the primary impediment to the expansion of the PMA. The former Children's Museum building does not embody the open, equitable, and accessible future we envision for Portland or our region.

Thank you for taking my position into account. I hope that the value of the proposed PMA building including its galleries, performance spaces, and community meeting spaces will remain at top of mind as you make your decision regarding 142 Free Street.

Sincerely,

Hailie Posey
21 Rumery Street
Saco, ME 04072



February 8, 2024

Portland Planning Board
389 Congress Street
Portland, ME 04101

Re: Proposed Reclassification of 142 Free Street

Dear Planning Board Members:

Please let me start by apologizing for the length of this letter. As one of the principal figures involved in the creation and certification of the Congress Street Historic District in 2008-2010, I have first-hand knowledge of how 142 Free Street's classification as "Contributing" was determined. With the personnel turnover in City Hall and the Portland Museum of Art since 2010, I hope the information I have to share can clarify many points of confusion about this question.

From 2005 to 2010, I worked with Deb Andrews in the Portland Planning Department staffing the historic preservation program. I was the principal researcher and co-author, with Deb, for the Congress Street Historic District Designation Report, and prepared the National Park Service Local Historic District Certification Application for the district.

Since leaving the City of Portland, I have written or co-written more than 30 National Register nominations, including commercial district nominations for Augusta, Lewiston, Waterville, Rumford, and Dover-Foxcroft. I have prepared the NPS Certification applications for the Portland Waterfront, Congress Street and Munjoy Hill historic districts in Portland and the West Chelsea historic district in New York City. I have extensive experience in determining Contributing and Non-Contributing status for buildings in commercial historic districts.

When working on the designation report for the Congress Street district, every building, site, structure, and object in the district was thoroughly researched, documented, and carefully analyzed to determine whether they contributed to the historic character and significance of the district. This included the Portland Chamber of Commerce Building at 142 Free Street, which was determined to be Contributing.

The recent report prepared by Margaret Gaertner for the Portland Museum of Art makes a reasonably coherent case for why the Portland Chamber of Commerce Building does not meet the requirements to individually listed in the National Register, and perhaps not to qualify for Landmark status under the Portland Historic Preservation Ordinance. At the same time, it makes an excellent case for why the building *should* be considered Contributing to the significance of the certified local district.

Interior alterations have no relevance to qualification as a Contributing building in a district and the mention of interior alterations in the report should be ignored. Window and door replacement and minor, reversible, alterations to the roof are commonly found on Contributing buildings in historic districts and are regularly approved as alterations under the standards of the ordinance by the Historic



Preservation Board. These in no way render the Chamber of Commerce Building non-contributing.

Historic changes to existing buildings are generally recognized to have significance in their own right if they date to the Period of Significance for the district or property. Additionally, these changes have more importance if also related to the district's Areas of Significance.

Portland's Historic Preservation Ordinance does not require identification of a period of significance when designating a district, unlike the National Register. What it does instead is require that a building be 50 years or older to be considered "contributing" to a district. By default, this creates a period of significance from the construction date of the oldest building in the district until 50 years before the time of designation. For the Congress Street district, this is 1789 to 1960. Alterations made to buildings in the district prior to 1960 are considered historically significant. This, of course, includes the 1926 alterations to the Chamber of Commerce Building by John Calvin Stevens.

While Portland's preservation ordinance does not require identification of the period of significance or areas of significance for a district to be designated, the Certification of the local district by the National Park Service does. The Congress Street Historic District was certified by the National Park Service on May 25, 2010, for the purpose of allowing the owners of contributing buildings to access state and federal historic tax credits. This certification is based upon documentation that the local historic district is essentially identical to a National Register Historic District.

As part of the Certification application, a Period of Significance and Areas of Significance had to be identified for the local district, which were not required for local designation. I worked closely with the Maine Historic Preservation Commission's National Register Coordinator and Guy Lapsley with National Park Service staff in Washington, DC to make these identifications.

The Period of Significance for the Certified Congress Street Historic District is 1785 to 1958 (with two later buildings identified as Contributing due to their exceptional architectural merit). The district is significant under Criteria A in several Areas including "Commerce," and under Criteria C in the Area of Architecture with John Calvin Stevens identified as one of the most important architects whose work is represented in the district.

Needless to say, a building substantially altered to accommodate the Chamber of Commerce in a district with "Commerce" as a primary Area of Significance is significant in that Area and significant to the district. Its architectural significance as a building substantially redesigned by John Calvin Stevens in 1926 hardly needs explanation.

As noted above, Certification of a local historic district allows owners of Contributing buildings access to state and federal historic tax credits. The NPS letter certifying the district (attached) states, "Please be



aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for continued benefits under the above laws."

Currently underway historic tax credit projects in the certified Congress Street district include the Chapman Building (Time & Temp) complex, the Fidelity Trust Company Building, and the New England Telephone and Telegraph Building. I am aware of at least five other historic tax credit projects currently being planned in the Congress Street Historic District. Tens of millions of dollars in state and federal historic tax credits for these projects are dependent on the Certified status of the local historic district.

You have a January 31, 2024, letter from attorney Mary Costigan, representing PMA, offering her opinions about the contributing status of Chamber of Commerce Building and some statements about recent communications with the National Park Service staff regarding possible effects changing the status of the Chamber of Commerce Building's designation status might have on the certification of the district. She then focuses on the "amendment" of certified local historic districts and speculates, "It is questionable whether the City would even have to notify NPS of the change in classification of one building." She also ignores the very relevant question of "why" the museum wants to reclassify the building – which is to demolish it.

As clearly described in the "Portland's Certified Local Government Status - Elimination of Project of Special Merit Provision by City Council – 2005" Memo in your packet, a provision in the Ordinance that would have allowed demolition of contributing buildings for "exceptional" new buildings had to be removed to achieve Certified Local Government status. For Ms. Costigan to argue that finding a loophole in the ordinance to achieve the same result as the rejected "Project of Special Merit" provision would have allowed, would not create any concerns for NPS is wishful thinking.

It is important to understand the differences between a Certified Local Historic District, a Certified Historic Preservation Ordinance, and a Certified Local Government, and how each plays into this issue. They are all distinct certifications by the National Park Service, and all apply to the Portland historic preservation program in different ways. All are potentially negatively affected by the demolition of a Contributing building in a Certified Historic District – in a domino effect. If the Certified District status is lost due the city allowing demolition of a Contributing building, it brings into question whether the Ordinance protections are adequate to qualify for Certification of the Ordinance, which then would threaten the Certified Local Government status providing access to historic preservation grant funds.

A local preservation ordinance that allows the demolition of structurally sound Contributing buildings, by whatever means, clearly does not meet NPS requirements for a Certified Ordinance, placing in jeopardy Portland's CLG designation and the NPS Certification of the Congress Street, Waterfront, and Munjoy Hill historic districts. Speculating about the meaning of "amend" in the NPS regulation does not change the very clear meaning of "Please be aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for



continued benefits under the above laws” in the NPS letter certifying the Congress Street Historic District.

In the real world, changing the designation status for the Chamber of Commerce Building for the purpose of demolishing it would at minimum create uncertainty and confusion for the property owners, developers, investors, and others involved in current and planned historic tax credit projects in Portland’s certified historic districts. Projects will be delayed (best case) or cancelled due to this uncertainty. The ability of the City to continue accessing Certified Local Government grant funding would equally become unclear, as this newly created loophole in the preservation ordinance will undermine the City’s CLG status.

In conclusion, as the unanimous vote of the Historic Preservation Board makes clear, there is no case under the criteria of the Portland Historic Preservation Ordinance for the reclassification of the Portland Chamber of Commerce Building at 142 Free Street from “Contributing” to “Non-Contributing.” Furthermore, doing so would create enormous uncertainty for other property owners in Portland’s certified historic districts. The NPS letter certifying the Congress Street district states, “Please be aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for continued benefits under the above laws.” Currently underway historic tax credit projects in the certified district have tens of millions of dollars in state and federal historic tax credits *dependent on the Certified status of the local historic district*.

I urge the Board to unanimously reject this request.

Sincerely,

Scott T. Hanson

Hanson Historic Consulting, LLC - 8 Pleasant Street - Topsham, ME 04086 - scott@hansonhistoric.com
207 620 6291



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

May 25, 2010

The Honorable Nicholas M. Mavodones, Jr.
Mayor of Portland
City Hall, 389 Congress Street, Portland, ME 04101-3509

Dear Mayor Mavodones:

The National Park Service is pleased to inform you as duly authorized representative that the Congress Street Historic District has been certified by the Secretary of the Interior for purposes of the Tax Reform Act of 1986, as substantially meeting all the requirements for listing in the National Register of Historic Places.

Individual property owners of depreciable buildings within this district can qualify for the Federal tax incentives for historic preservation by completing the Historic Preservation Certification Application -- Parts 1 and 2 and submitting them to the State Historic Preservation Office (SHPO). Application forms are available directly from the SHPO. Applications should be submitted as early as possible in the planning of a rehabilitation project.

Review boards and commissions should become familiar with the Secretary of the Interior's Standards for Rehabilitation, used by the Secretary in certifying rehabilitation work for the historic preservation tax incentives. The SHPO and the NPS are available to advise individuals and organizations about the Standards.

Please be aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for continued benefits under the above laws.

If you have any questions, please call me at (202) 354-2025.

Sincerely,

Guy M. Lapsley
Technical Preservation Services

cc: National Register
ME SHPO

Ian Jacob <iancasperjacob@gmail.com>

10:50 AM (5 hours ago)



to planning@portlandmaine.gov

Chair Mazer and members of the Planning Board,

Given that Portland's Land Use Code is clear about guidance for Amendment or Rescission of Designation (Subsection 17.5.9), it is NOT a question whether one supports or does not support 142 Free St either remaining Contributing or reclassified as Non-Contributing. You must follow the Land Use Code.

Subsection 17.5.9. states you are **only** to follow Subsections 17.4.1 (A) and (B) and Subsection 17.4.2. It does **not** say you are to look to the Comprehensive Plan for guidance. It does **not** say you are to take into account the applicant. The HP Board followed the Land Use Code and so should the Planning Board.

Your task is clear - follow the Subsection 17.5.9.

Thank you for your time and service.

Ian Jacob
59 State St.

Jack Montgomery <jackmontgomeryphotography@gmail.com>

8:50 AM (7 hours ago)



to planningboard@portlandmaine.gov

Dear Members of the Planning Board

I am writing in support of the Portland Museum of Art application for the reclassification of 142 Free Street. I know you have received a lot of communications on this matter, so I will keep mine brief. I spent fifty years studying and practicing law in Portland. I am also a photographer and continue to exhibit my work there as I have for thirty years.. While my wife and I live in Freeport, I have looked to the city as the cultural center of my life for more than half a century.

First, you have an opportunity to allow the construction of a world class facility that will be a great asset to Portland for the decades ahead. It will fill dead space (an empty white elephant of a building) with a dynamic structure that will be a hub for exciting and creative activities, that will draw art lovers to the city, will invigorate the neighborhood surrounding it and will engage every diverse cohort of our growing community.

Second, the so-called "risk of setting a precedent" is illusory. You are not bound by the rules of a court. You make decisions based upon the evidence. You are not bound in any way in future deliberations. Moreover, this circumstance is unique. This application involves a public project of the greatest cultural value. It is not a shopping mall or hotel that is at issue. Please, don't lock this district in amber at the expense of enhancing Portland as the most dynamic art and cultural center in Northern New England

Third, I would urge you to treat skeptically the argument "I think it's a great idea but it needs to be done a bit differently and somewhere else". This deflection can only assure that the idea will die or be pushed out so far into the future that it will not be realized in our lifetime. Please, be bold. Let's make this wonderful opportunity a reality.

Thank you.

Very truly yours,

Jack Montgomery
Freeport

Jack Vreeland (NMDI) <jackvreeland@gmail.com>

9:48 AM (7 minutes ago)



to planningboard@portlandmaine.gov

Jack Vreeland
447 Deering Ave., Portland ME 04103
jackvreeland@gmail.com

February 7, 2024

City of Portland Planning Board
389 Congress St, 4th Floor, Portland, ME 04101

Subject: Public Comment on Historic Preservation Designation;
142 Free Street; Portland Museum of Art, Applicant

Dear Chair Brandon Mazer and Members of the Planning Board,

I have listened to the meetings of the Historic Preservation Board and Planning Board on the PMA's request. It is now clear that the Historic Preservation Ordinance details the process for the removal of a contributing building. The Greater Portland Landmarks' detailed analysis of this is clear: 142 Free Street is protected. The HPB rightly confirmed this position.

From your last meeting, the question was raised as to what options the Planning Board had in making its decision. It is becoming evident that you are required to adhere to the HP ordinance in making your decision.

The PMA either did not explore this prospect when they purchased the historic contributing building that was and is 142 Free Street, or simply chose to ignore the warnings they were given and assumed they would be given preferential treatment. The consequences of that risk-taking are now apparent. The PMA asking you to not follow the ordinance transfers all the risks they have taken to you. It opens the door to all sorts of questions, not just of basic equity about following our own City's rules but also of undermining the ordinance, which will certainly cause others to insist on the same treatment in the future.

Clarity is essential to the process, and the clear answer is to deny the PMA's request.

My hope is that the Planning Board will ask the PMA to step back and do what they should have done from the start: design a world-class museum that does not require a violation of the historic preservation ordinance.

The PMA insists their proposal is the best and only option. This is simply not true. There are creative examples all over the world of museums that have incorporated historic structures in exciting ways.

It can be done. The ordinance allows great flexibility in incorporating and modifying a contributing building. The Children's Museum's changes to 142 Street are evidence of this fact.

The PMA attaches many projected benefits to their expansion. All of which I support. Please encourage them to come to you with a creative solution that meets their objectives without asking you to ignore the HP ordinance.

Merrill Auditorium, as it stands today, is the product of a similar situation. A plan was put forward that would have demolished the historic features of the auditorium. The "Second Opinion Committee" showed that a better option could attain the acoustics without destroying the horseshoe balconies. Fortunately, this path was taken. We all benefit from this change of direction: a magnificent interior as well as better acoustics.

I hope everyone can now start to work towards a creative solution that will draw broad support. Please deny the PMA's request and encourage them to seek other solutions.

Thank you for your attention.

Sincerely,

Jack Vreeland

Janet Antich <jajantich@gmail.com>

Dec 2, 2023, 10:27:21 AM (yesterday)



to planningboard@portlandmaine.gov, gkennedy@portlandmuseum.org

To Members of the Planning Board:

We are writing to voice our support for the PMA Blueprint Project as it faces opposition from Portland Greater Landmarks.

As community members and neighbors to the PMA, we were involved as part of the Architect Selection Process Committee, which allowed us insight into the thoughtful and careful process with which the PMA began developing the design and concept for reunifying the museum campus.

Their initial intention, and the design they selected, represent a unique vision to make a space that will meet the needs of our diverse and vibrant communities. While the facade of a building holds importance, architecture is also about the space(s) created, and about the people who will enjoy those spaces. The new design aims to create a place that is open and welcoming to all, one in which the facade does not read as impenetrable.

Realizing that not all people may feel that a museum is a safe space for them, making the design itself open and engaging will be a clear message of inclusivity. The design calls for use of sustainable mass timber, materials which also help make this an exciting and unique approach.

The PMA plan presents an opportunity for Portland to walk the talk, to create spaces for this community to be present and be represented...to create a new landmark which is not something that has been seen before, but is proudly forward thinking.

We do understand the importance of historical landmarks ... there are places where a building like this might not make sense. But in this site and location, within the landscape of buildings and development of public spaces in downtown Portland, we believe the plans for the new PMA building would only bring positive transformation and deserves the full support of the planning board.

Thank you for your consideration.

Janet E Antich

russo@maine.rr.com <russo@maine.rr.com>

10:19 AM (3 hours ago)



to planning@portlandmaine.gov, Info

My comments for the record against razing 142 Free Street.

As a Portland native, lifelong resident, and long-time Realtor, I am against demolishing this historic building. The museum's current building and the proposed addition are too futuristic for this city. Please preserve this piece of Portland history (as Portland Landmarks works so hard to do) so that we don't look back and regret yet another historic building gone. Let the developers use some creativity in designing the new space around this building. Let's go with the plan that incorporates this historical building into the new building and keep the architectural integrity intact. Why bother having historical zoning if you are not going to abide by it?

And for those of you who may not remember, take a look at these photos....Union Station before and after!



Before:



After:

And yes, this was considered great architecture in the 1960's....

Jean Russo

Harborcity Realty

Portland, Maine

[207 775-1991](tel:2077751991)

Jennifer Graves <jenhgraves@gmail.com>

Dec 7, 2023, 9:45:51 AM (23 hours ago)



to planningboard@portlandmaine.gov

Dear Members of the City of Portland Planning Board,

I am writing to express my support for the Portland Museum of Art's request to remove the designation of 142 Free Street as a "contributing building" to the Congress Street historic district.

I am a former resident of Morning Street in Portland (2000-2006) and a 23-year employee of the Portland Museum of Art. As such, it's been a privilege to witness the tremendous amount of time, effort, and passion that my colleagues and our board have dedicated to planning for an expansion that will not only accommodate the extraordinary growth we are experiencing in our collections and programs but will also be a world-class example of inclusivity and accessibility for museums: [the PMA Blueprint](#).

I have listened with interest to the Historic Preservation Board's meetings on this matter, as well as the November 28th Planning Board meeting. I understand the complexities that the Planning Board and the City are facing with respect to un-designating a contributing building. However, I urge you to think long-term about the impact that the museum's growth could have on our community if the PMA is allowed to move forward. Our staff and board leadership have dedicated years of research and discussion to bring the organization to this point—it has not happened in a vacuum. There is reason and thought behind each decision that has gone into the creation of the PMA Blueprint.

Who in this community would benefit from 142 Free Street continuing to sit empty, falling further into disrepair and being ignored by prospective buyers, had the PMA not purchased the building from the Children's Museum? Does Congress Square need another vacant, dilapidated space marred by graffiti? What a heartbreaking prospect for those who love the City of Portland.

The PMA Blueprint expansion and campus unification project is, without a doubt, a once-in-a-lifetime opportunity for Portland. Let's work together—the PMA, the preservation community, and the City of Portland—to make the PMA Blueprint happen. The value that the PMA and the Blueprint project bring to this community far outweighs any value that 142 Free Street, in its current state, could ever possibly offer.

Thank you for your service to the City of Portland.

Sincerely,
Jennifer Graves
Cumberland

Jen Roth <jjroth315@yahoo.com>

Dec 1, 2023, 3:56:41 PM (2 days ago)



to planningboard@portlandmaine.gov, Allyson Martin, Graeme Kennedy

Dear Portland Planning Board-

I write to you today to ask for your support in the progress of The Portland Museum of Art Blueprint project. This project, and your support, will help to create new jobs, and stimulate the economy in an integral and important part of town much in need of a *boost*. The project will provide a safe and inclusive space for **all community** members to gather.

Congress Square sees businesses closing their doors daily and this is not okay. Why not support a project that will have such a positive impact on the growth, development, and inclusivity of Congress Square? This is truly a once-in-a-lifetime opportunity for the community and the city of Portland. This project deserves the full support of the Planning Board. The PMA Blueprint has been developed with input from thousands of Portlanders and (the PMA Blueprint) represents the vision and needs of our diverse and vibrant communities. This is a project that only has positive and long-lasting benefits for Portland.

I encourage you to support this initiative. It will be an amazing addition to a city in need of a boost. Thank you for your time and consideration.

Jennifer Roth
Proud PMA supporter

Letter in support of PMA's "Blueprint Project"

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0 views

**Jim Scherer** <jim@jimscherer.com>

Dec 6, 2023, 4:45:32 PM (16 hours ago)



to planningboard@portlandmaine.gov

To the Planning Board:

I am a member at the PMA and a 6 year resident in Falmouth ME, and I write to you to support the Museum's project.

Among Portland's cultural attractions, the PMA is right at the front. When we moved here 6 years ago from Boston, having a museum like the PMA made a difference in making our decision to move here. The vision for the new museum simply confirms that we made the right choice

It dismays me to know that there is resistance to this plan on the part of some. The Museum has clearly done its due diligence over at least two years, in consultation with multiple parties. In my opinion, the current structure at 142 Free Street has seen its day.

The Blueprint Project envisions a vibrant future for the entire city - let's embrace that!

With appreciation for letting me share these thoughts,
Jim Scherer
77 Babbidge Road
Falmouth, ME 04105

Jo Israelson <welcomingthestrangerart@gmail.com>
to planning@portlandmaine.gov

Feb 5, 2024, 5:55:00 PM (14 hours ago)



February 6, 2024

TO: Planning Board

FR: Jo Israelson (former Munjoy Hill resident)

RE: **Children's Museum**

As an advocate for historic districts, I am challenging a request by the Portland Museum of Art to change the historic status of the former Chamber of Commerce/Children's Museum of Maine building at 142 Free Street so that the museum can demolish the building as part of its planned expansion.

As an artist, I am opposed to reclassifying and demolishing the **Children's Museum**, a "contributing structure" within the Congress Street Historic District, for these reasons:

- The building meets four of the six criteria under Portland's Historic Preservation Ordinance (when only one is necessary);
- There is strong public support for preserving the building;
- It is important to maintain fair application and integrity of the Historic Preservation Ordinance.

David Chase, noted preservationist has recently written:

Destroying 142 Free Street and trashing the Payson Building smack of contempt for history, contempt for context, contempt for local ordinances."

No property owner should have the ability to arbitrarily demolish a historic structure, even if they feel that a new building replacement will be more "beautiful." Beauty is in the eye of the beholder.

The Children's Museum represents a different kind of beauty - much like a broken Japanese ceramic bowl repaired using Kintsugi technique. The bowl holds history - of the clay, of the artist and of its heritage. Its beauty is 'preserved' to be shared by everyone. The Childrens' Museum - as a container-does the same.

Joan Troccoli <jctroccoli@gmail.com>

3:55 PM (6 minutes ago)



to planningboard@portlandmaine.gov, Jennifer Graves

To: Portland Planning Commission
From: Joan Carpenter Troccoli, Ph. D.
Date: 8 February 2024

I am writing in support of the Portland Museum of Art's request that the current building at 142 Free Street be reclassified as "non-contributing" to the Congress Street Historic District, thus permitting the construction of LEVER Architects' design for an addition to the PMA to proceed.

My professional career as an art historian, curator, and museum administrator was centered around the preservation and interpretation of works of art. In retirement it has been my privilege to serve on the Board of Trustees of the PMA and contribute my enthusiastic support to its staff, who share my belief that art has a unique capacity to promote our understanding of the past and our appreciation for works of the human imagination across many cultures. At the same time, we believe that art museums are much more than repositories of things made by artists who lived long ago or far away. Art museums address our community's present and help shape its future. To fulfill their mission, museums must dedicate themselves to helping living people discover the myriad sources of enrichment, spiritual solace, and creative inspiration that reside in works of art.

Portland is growing rapidly, and it is natural to worry that the city may lose its historic character. The PMA has demonstrated its respect for Portland's past in its stewardship of the historic buildings on its downtown campus as well as its rescue and restoration of Winslow Homer's studio on Prouts Neck.

Successful cities are dynamic entities in which past, present, and future coexist in mutually beneficial ways. No building going up in Portland today will more effectively contribute to the essential interplay of old and new than that envisioned by LEVER for the PMA. The warmth of its mass timber structure and the tantalizing transparency of its walls of glass will invite citizens and visitors to explore the wonders within. At night, this building will be a beacon of light on Free Street and Congress Square. At every hour it will furnish panoramic views of the city and its natural setting.

It demands a tremendous investment of time, money, talent, courage, and goodwill to add a building of such quality and transformative potential to our cityscape. Much has already been done to realize this visionary work of architecture and the program it will contain. It would be a tragedy for the city to reject such an extraordinary opportunity. Please support the declassification of 142 Free Street.

Yours sincerely,

Joan Carpenter Troccoli, Ph. D.

Joanne Sterling <jsterling@rcn.com>

Jan 6, 2024, 3:47:05 PM (3 days ago)



to planningboard@portlandmaine.gov

To the Portland Planning Board:

I am writing to support the declassification of 142 Free Street as a historically significant building to facilitate the Portland Museum of Art's expansion plans into Congress Square. Even though its exterior was designed by John Calvin Stevens, the building currently at 142 Free Street is not a landmark building. It has undergone many renovations both inside and out. The building's physical features would hinder the PMA from implementing its plans to build a cultural epicenter that is collaboratively envisioned and sustainably built.

The PMA's plan to integrate a new building with its existing landmark buildings will orient the campus toward Congress Square and add to its dynamism, not take something away. An enhanced PMA campus in the Congress Square location will further define the area as "The Arts District." It will also create an attractive blend of historically-preserved buildings and a new sustainably-built contemporary one.

Portland's Plan 2030 is rooted in vibrant, diverse, and complete neighborhoods, and the PMA's proposal is on track with this plan. This is not Union Stations 2.0; it's a well-thought-out plan that will lead to a cultural city center rooted in the arts that builds community.

Approving the PMA's plan for expansion will give Congress Square the momentum that will help it thrive. I urge the Portland Planning Board to recommend that 142 Free Street be declassified as a historically significant building to enable the Portland Museum of Art to implement its ground-breaking plan for renovation.

Regards,
Joanne Sterling
107 Pleasant Ave.
Peaks Island, Maine
04108

Jody Sataloff <jsataloff@gmail.com>

11:22 AM (1 hour ago)



to planningboard@portlandmaine.gov, Graeme Kennedy

Good morning,

I'm writing this letter on behalf of the Portland Museum of Art's Blueprint Project.

After studying the various points raised by both sides of the issue, I am convinced that moving forward with this project is in the best interest of the city of Portland. Most compelling to me, perhaps, is the very fact that the exterior of 142 Free Street has, over the years, been changed on several occasions and in different ways without any concern for historic preservation and accuracy. Clearly historic preservation did not impede that work! That, coupled with the fact that the Greek Revival columns on the building connote a time of prejudice and racism as they were constructed by a Portland Chamber of Commerce that had close ties to the Ku Klux Klan. Even the Children's Museum itself, which formerly occupied the space, felt the effects of the negative impact of said columns and as a result offers its full support of the Blueprint Project.

It seems that the Project's positive effect on the city of Portland, both culturally and economically, outweighs any historical value of the building itself, and I urge you all to put aside your concerns and support the Museum's moving forward with the project.

I thank you for your time,
Most sincerely,

Jody Sataloff

John Coleman <jcoleman@theviaagency.com>
to planningboard@portlandmaine.gov, Mark Bessire

9:53 AM (1 hour ago)



Dear Planning Board and City Council Members,

My name is John Coleman, I am a citizen of Portland and I love this great City and want to see it prosper in the years to come. I am writing to give my full support to the new building expansion proposed by the Portland Museum of Art that will replace the old children's museum building. As way of background, I am the owner of the Baxter Library Building at 619 Congress St. I spent a great deal of my time and money renovating and protecting this great historical landmark, and see that the integrity and historical value of the Baxter Library Building is an important asset to our community. I believe some buildings are worth saving. But I also believe some aren't and every generation has an imperative to mark its epic with bold and visionary statements that claim their moment in time. The new PMA building is that kind of statement.

A few reasons why I believe this to be true:

1. A powerful and inclusive community statement: It's hard to do anything that is bold AND inclusive. Competing voices and needs can water things down. Watching how the PMA conducted their design process - that allowed for many points of input from many different constituents - gave me great confidence that the resulting design will serve the needs of the broadest array of our community members and while retaining its impact and uniqueness. In all honesty, the winning design wasn't necessarily my personal favorite, but I so believed in the process that I completely trust the best design and team was chosen.

2. Portland needs to be loud and proud: I am also the Chair and Founder of The VIA Agency, and spending decades of my life in advertising I have learned that real change happens when people have the courage to pursue big ideas. This new building is a BIG idea. And it will transform the entire City, if we are brave enough to bring it into existence. In our section of the City, Congress Square, I have seen its life slowly slip away with too many empty storefronts and not enough people and energy. This new building will be a dramatic shot of adrenaline that will be felt throughout our City and beyond.

3. Letting go can be liberating: There are times when the best path forward can only be followed by letting go of the things that hold us back. One of the goals of the museum expansion is to invite everyone to feel part of our creative community and to have more people feel engaged by the power of art. Too often museums are places that make people feel not wanted or welcomed. The false facade of the old children's museum, that is scabbed onto a blocky nondescript brick building that has seen many alterations over the years, seems to convey memories of plantations and palaces that were built to say "some of us are welcome, others are definitely not ". We should let go of this old relic and do everything we can to support the building of the inviting and visionary new PMA building.

Thank you all for your dedication and service to our great City.

With appreciation and gratitude,

John Coleman

JUDITH SANER <jasaner@aol.com>

Dec 7, 2023, 9:46:33 AM (23 hours ago)



to planningboard@portlandmaine.gov, gkenedy@portlandmuseum.org

To Portland Planning Board -

I am writing in support of the Portland Art Museum's proposed Blueprint Project for expansion with the adjacent property. This will be a "win-win" for museum attendees and for the city. The additional space and plans for use of the areas will open up incredible opportunities for broader community involvement and activities for all ages. A chance to continue to bring in a diverse audience, including more space for children's programs. And enhanced spaces for adults to enjoy too. The new building will bring people from near and far to see the innovative architecture and experience the site and the incredible collection of art inside.

The Portland Art Museum has been a draw for me for many years, and when I'm there I also patronize the restaurants and shops. I look forward to continuing this experience when the new building is completed. Please give it your approval.

Sincerely,

Judith Saner

York, Maine



PO Box 17533, Portland, ME 04112

8 February 2024

RE: CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS NONCONTRIBUTING

Chair Mazer and Members of the Planning Board,

We offer the following comments in addition to the letter submitted by our attorneys at Murray, Plumb & Murray.

Greater Portland Landmarks supports the expansion of the Portland Museum of Art but does not believe that the expansion necessitates the demolition of 142 Free Street, an action that would occur if the building was reclassified as non-contributing. Landmarks believes that the former Chamber of Commerce Building at 142 Free Street (more recently known as the Children's Museum building), clearly meets the historic preservation ordinance's criteria for designation as a contributing structure in a historic district. Landmarks strongly believes that the evidence that led to the building's original designation as a contributing building in the historic district continues to exist and meets the minimum criteria set forth in the Ordinance.

EVALUATION BASED ON CRITERIA

During any district designation process, each structure or site is carefully evaluated and assigned a classification of Landmark, contributing, or non-contributing. This was done for the Congress Street Historic District and documentation on each building was included as part of the required designation materials that were reviewed and approved by the Historic Preservation Board, the Planning Board, and the City Council.

Section 17.5.9 of the Ordinance, "*Amendment or Recission of a Designation*" identifies the standards for recission or amendment. The standards for a decision by the Planning Board are limited to those provided in Subsections 17.4.1(A) and (B), and Subsection 17.4.2. Subsection 17.4.1(A), sets out the minimum criteria for determining a building's significance, Subsection 17.4.1(B) sets out the criteria for determining if a historic district possesses a significant concentration, linkage, or continuity of structures, and Subsection 17.4.2, sets out the criteria for assessing the building's integrity, meaning its ability to convey its historical associations or attributes. The status of 142 Free Street was carefully considered. As we demonstrate below, the building met all of the criteria when it was originally classified as contributing. No significant changes to the building since that date or new information regarding its structural instability have been presented by the applicant that justify a change in the original determination. We encourage the Planning Board to consider the following in your discussion of the owner's request to reclassify the former Chamber of Commerce Building to noncontributing.

142 Free Street Still Meets the Minimum Criteria for Determining Significance

17.4.1.A. The ordinance limits consideration by the Board to the following criteria in making a determination on ... an area, site, structure, or object for designation by ordinance as a landmark or district:

17.4.1.A.1. Its value as a significant example of the cultural, historic, architectural, archaeological, or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States:

- The Chamber of Commerce Building is an example of the commercial significance of Congress Street within Portland in the first half of the 20th century. It is also an example of the significance and prominence of Portland's business community within the state and northern New England in the first half of the 20th century. At the turn of the 20th century Congress Street from City Hall to Congress Square was noted for its fashionable shops and large department stores. Particularly between 1900 and 1930, the Congress Street business district replaced Exchange Street and the

Old Port area as the business center of the city. At Congress Square this new commercial prominence is reflected in the construction of the Schwartz Building (1920), Eastland Hotel (1927), State Theater (1929), the third-story addition to the 1826 C.Q. Clapp Block/H.H. Hay Block (1922), and the alteration of the former Free Street Baptist Church for use by the Chamber of Commerce (1926).

17.4.1.A.4. Its exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.

- Redesigned in 1926 in the Colonial Revival Style, architects John Calvin Stevens and John Howard Stevens utilized the most popular style of the period. By the turn of the 20th century the Colonial Revival Style was one of the most predominant styles of architecture on the East Coast. It had quickly become the fashionable style in architecture following the Columbian Exposition of 1893 in Chicago. The style surged in prominence following World War I and again following World War II.

17.4.1.A.5. Its identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.

- John Calvin Stevens and his son John Howard Stevens are perhaps the most well-known and documented architects working in Portland at the turn of the 20th century. John Calvin Stevens' significance to Portland and Maine's architectural history is rivaled by his historic significance to Portland's Art community and to the PMA itself:

"He designed the museum's L.D.M. Sweat Memorial Galleries. More importantly, he was a leader and president of the group that founded the museum. And it was he who secured the patronage that made the institution a reality and gave it staying power. But the Portland Society of Art not only founded the PMA, it created what is now the robust and thriving Maine College of Art, which many consider to be the most highly energized art institution in the art-oriented state of Maine."

Portland Press Herald, July 5, 2015.

In addition to the Chamber of Commerce Building other significant examples of the Colonial Revival style by the firm include Biddeford City Hall (1896), South Portland's Roosevelt School (1927), Fryeburg Academy's Curtis and Cutter Halls (1930) and Portland's US Post Office (1934) on Forest Avenue.

17.4.1.A.6. Its representation of a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.

- The Chamber of Commerce Building is a contributing building within the Congress Street Historic District, an area locally designated in 2009 to document Portland's business district. The building's use by the Portland Chamber of Commerce for its offices from 1926-1993 expresses the commercial theme of the district. The building and its use are integral to an understanding of the Congress Street business district's development during the first half of the 20th century.

142 Free Street Still Possesses a Significant Linkage with Other Structures within the Historic District.

17.4.1.B. In the case of a nominated historic district, the Board shall also determine whether there is an interrelationship of resources within it which creates an identifiable entity, even if composed of a wide variety of resources. A district must convey a visual sense of the overall historic environment or be a grouping of historically or functionally related properties. A historic district can comprise both individually distinctive historic resources and historic resources that may lack individual distinction, but which contribute to the significance and visual character of the district as a whole.

The "eclecticism and layering of historical periods is the essence of the district's character and what makes it unique among Portland's historic districts."

Congress Street Historic District, Local Designation Narrative.

- While this section applies to historic districts, as stated above, the former Chamber of Commerce Building is a contributing building within the Congress Street Historic District. The Congress Street Historic District's commercial and civic buildings form a cohesive corridor that are physically related. They are also thematically related by their significant role in the commercial, social, and architectural development of the city. The former Chamber of Commerce Building expresses the commercial theme of the district and contributes to the district's visual character through its relationship to other historic buildings at Congress Square.
- Although adjacent to a large parking lot, the Chamber of Commerce Building is visually related to its neighbors across Free Street, 133-135 Free Street (c1810-1820) and the Landmark-designated Charles Q Clapp Block/HH Hay Block at 588 Congress Street (built 1826 and altered 1922 by John Calvin Stevens). The Chamber of Commerce Building is also thematically related to 133-135 Free Street and the HH Hay Block. All three are early buildings altered to meet the changing needs of the evolving business district in the early 20th century.
- The former Chamber of Commerce Building is also visually related to its neighbor, the Payson Wing of the Portland Museum of Art. The Payson Building, although built less than 50 years ago, is considered part of the Landmark-designated Museum campus. Together the two buildings' monumental facades help to define the eastern boundary of Congress Square, a significant node within the historic district.

142 Free Street Still Meets the Criteria of Building Integrity

The National Parks Service standards upon which Portland's ordinance is based, do not require the materials, features, and spaces of buildings to be original to be considered "historic" and "character-defining." A structure can be significant not only for the way it was originally constructed or crafted, but also for the way it was adapted at a later period to illustrate changing tastes, attitudes, and uses over a period of time. The Congress Street Historic District is largely significant as a commercial corridor, and the 1926 alterations of the 142 Free Street building reflect the evolving commercial character of Congress Square in the early 20th century. The period of its history from 1926 onward is the time-period from which its integrity is considered.

17.4.2. Integrity of Landmarks and Historic Districts. Any area, structure, or object that meets the criteria in Section 17.4.1 must also have sufficient integrity of location, design, condition, materials, and workmanship to make it worthy of preservation or restoration.

- **The former Chamber of Commerce Building possesses integrity of location** as it remains in its historic Free Street location.
- **The building retains its integrity of design**, although altered by replacement windows and doors, and additions necessary for code requirements and its use as a museum, the major Colonial Revival design features of the Chamber of Commerce building as designed by the Stevens firm (in particular at the Free Street elevation) have not been irretrievably destroyed. The building retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its design and reflect its appearance during its use by the Portland Chamber of Commerce. In the technical language of the historic preservation ordinance, the building retains its design integrity, its ability to convey the historical association and the physical attributes that were present during the nearly 60 years the building served as the Chamber's headquarters.
- **The building retains its integrity of condition**, as it is structurally sound according to the applicant's statements before the Historic Preservation Board, although like any building that has not been updated for a period of time, it would need to have some alterations for code requirements for any potential new use.
- **The building retains its integrity of materials**, although some historic materials have been lost through the replacement of windows and doors, the structure still retains significant amounts of historic materials including the masonry walls and extensive decorative trim and details of the temple front. In fact, the building's exterior condition is like many of its neighbors within the Congress Street Historic District. Most of the buildings within the district have undergone updates and alterations such as window or storefront replacements since their period of construction. However, the district's contributing buildings typically retain their original (mainly brick) facades, storefront use, and character-defining architectural details.

- **The building retains its integrity of workmanship**, although some historic workmanship was lost through the replacement of windows and doors, the structure still retains significant evidence of historic workmanship in the masonry walls and in the extensive decorative trim and details of the front façade. The loss of original window, door, and storefront materials is typical in the historic district.

The Chamber of Commerce Building was first identified as historically significant when it was included within the boundary of the Spring Street Historic District when that district was added to the National Register of Historic Places in 1970. After that listing, the building's exterior was minimally altered for its use by the Children's Museum in the early 1990s. Alterations to accommodate new uses are not necessarily evidence of lack of integrity, in fact the review standards are intentionally flexible to accommodate changes that facilitate a building's reuse (see attached images). When the building was documented for the Congress Street Historic District's designation report, the code required additions and rooftop alterations by the Children's Museum were noted and the alterations did not affect its contributing status. The alterations are reversible and therefore the altered features are not "irretrievably lost". The alterations have not significantly altered the character defining features of the building's Colonial Revival style, form, and primary facade, and do not detract from the overall appearance of the building.

A comparison using the 1958 Portland Press Herald photograph presented in the applicant's report and a more recent image of the buildings makes it clear that although alterations have occurred, the building retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its Colonial Revival design and reflect its appearance during the building's nearly 60 year use by the Portland Chamber of Commerce.



CONCLUSION

For a building to be designated as a contributing structure, it needs to meet just one of the criteria laid out in **Subsection 17.4.1.A** of Portland's Historic Preservation Ordinance. The former Chamber of Commerce Building meets 4 out of the 6 criteria. It also meets the criteria laid out in **Subsection 17.4.1.B.** and **Subsection 17.4.2** of the ordinance.

- It is significant to the cultural, historic, architectural heritage of the city.
- It exemplifies a significant architectural style.
- It is the work of an architect whose individual work is significant in the history or development of the City of Portland and the State of Maine.
- As the former home for nearly 60 years of the city's Chamber of Commerce, it expresses and contributes to the theme of the Congress Street Historic District, a cohesive corridor of commercial and civic buildings that are significant for their role in the commercial, social, and architectural development of the city from 1780-1958.
- Although minor alterations have been made to the exterior, it retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its design and reflect its appearance during its use by the Portland Chamber of Commerce. In the technical language of the historic preservation ordinance, the building retains its integrity, its ability to convey its

historical association and the physical attributes that were present during the nearly 60 years the building served as the headquarters of Portland's Chamber of Commerce.

The former Chamber of Commerce building continues to warrant its designation as a contributing building within the historic district. There is no basis for rescinding its designation. We hope that through your careful deliberations, you will agree that the evidence supports its current designation.

We urge the applicant to work with their consultants to incorporate 142 Free Street into their proposal, and to return to the Historic Preservation Board to obtain a Certificate of Appropriateness so that they may move forward with their expansion plans to create a more welcoming and inclusive museum.

Thank you for considering our views,

A handwritten signature in black ink, reading "Carol De Tine". The signature is written in a cursive, flowing style. The first name "Carol" is written in a larger, more prominent script, while "De Tine" is written in a slightly smaller, more compact script. The signature is positioned above a horizontal line.

Carol De Tine
Vice President of the Board of Trustees
Greater Portland Landmarks

Attachment:

Images of altered buildings which retain their historic character and significance in Portland's historic districts.

CHANGES

Alterations and additions do not render a building non-historic. Often alterations are part of a building's story and are examples of the district's evolution as the following examples illustrate.



Maine Historical Society



Library of Congress

In 1922 John Calvin Stevens altered the Charles Q. Clapp Block, adding a third story to the 1826 building. The building, long the home of the Hay Drug Store, was listed as an individual Landmark in the National Register of Historic Places in 1978. The substantial addition did not affect the building's eligibility for designation.

MECA's home, the former Porteous Mitchell and Braun Department Store, was initially only three bays wide, when built in 1904. It was doubled in size in 1911, and expanded to the rear (1917-1928) until it reached through the block to Free Street in 1953. Despite this series of expansions and a comprehensive redesign of its storefront, the building was found eligible for listing in the National Register in 1996. In 2009, the building was included as a landmark structure within the locally-designated Congress Street Historic District.



The George Hunt Block at 660 Congress (left), designated a Landmark building in the Congress Street Historic District, was built in 1886 as a residence, but significantly altered at the turn-of-the century with the addition of two storefronts for commercial use. Around the corner, the Dr. Israel Dana House at Longfellow Square was altered by a commercial storefront addition for the Maine Publicity Bureau in 1921. It is a contributing building in the Congress Street Historic District. These buildings, with their significant later modifications, tell a story about the area's evolution from a primarily residential neighborhood to Portland's commercial "Main Street", and contribute to one's understanding of Congress Street's development.

ALTERATIONS

Alterations and additions like the cupola and dormers added to accommodate the Children's Museum have not destroyed the architectural integrity of 142 Free Street. Guided by the Preservation Ordinance's *Review Standards* alterations and additions are often approved to accommodate new uses in historic buildings.



Dormers are often approved in Portland's historic districts. Several former warehouse buildings along Commercial Street in the Waterfront Historic District, including the Blake Building (left) have dormer additions. The dormers were found to meet the Preservation Ordinance's review standards and do not materially alter the building's historic character. Note also the significant modern addition to the left of the original building which was reviewed and approved by the Historic Preservation Board to accommodate a new use. These alterations and the addition do not affect the original building's contributing status within the historic district. Similarly the long shed dormer on the Chase Block (right) at 217 Commercial Street was reviewed and approved by the Historic Preservation Board to accommodate a new use and does not affect the original building's contributing status within the Waterfront Historic District.



The Historic Preservation Ordinance and its review standards (which are based on the Secretary of the Interior's *Standards*) are purposely flexible to accommodate changes needed for new uses and to meet code requirements. A new ADA entrance at the Rackleff Block at 129 Middle Street (left) replaces an original raised entrance. The building is individually listed on the National Register of Historic Places and is a landmark in the Waterfront Historic District. At 10 Dana Street (right), a new stair and elevator addition provides access to the upper floors of the McLaughlin Block, a contributing building in the Waterfront Historic District.

Elizabeth A. Boepple
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Sean R. Turley Esq.
sturley@mpmlaw.com
(207) 523-8202

February 7, 2024

Sent by email

Brandon Mazer, Chair
City of Portland Planning Board
389 Congress Street
4th Floor
Portland, Maine 04101
planningboard@portlandmaine.gov

Re: *Planning Board Consideration of Reclassification of 142 Free Street as Noncontributing*

Dear Chair Mazer and Members of the City of Portland Planning Board:

This firm serves as counsel to Greater Portland Landmarks (hereinafter “**Landmarks**”), which has worked tirelessly for more than half a century to ensure that Portland preserves its sense of place for all by advocating for the preservation and revitalization of the city’s rich architectural history. In furtherance of this critical objective, Landmarks opposes the request (the “**Request**”) by the Portland Museum of Art (the “**PMA**”) to reclassify the Chamber of Commerce building (the “**Building**”) located at 142 Free Street as not contributing to the Congress Street Historic District.

Landmarks will provide public comment objecting to the reclassification of the Building on the grounds that the building continues to satisfy the criteria set forth in section 17.4.1.A of the City of Portland zoning ordinance, the “**Recode**,” and section 17.4.2 of the ReCode (collectively the “**Criteria**”).

We write separately on behalf of Landmark to explain to the Board that the ReCode expressly forbids the Board from considering any provisions in the City’s comprehensive plan, “Portland’s Plan 2030” (the “**Plan**”), when it contemplates whether to recommend to the City Council that the Building be reclassified. Because the Board *only* has the authority to recommend a change to the classification of the Building by applying the Criteria, it would be a legal error for the Board to recommend the reclassification of the Building based on any provision of the Plan. Moreover, as Carol DeTine, Vice President of Greater Portland Landmarks illustrates in the attached letter, when the Board assesses 142 Free Street under the Criteria, the only conclusion the Board can come to is that the building should retain its classification.

We also wish to provide clarity with respect to the question of what impact the declassification and subsequent demolition of 142 Free Street may have on the Congress Street Certified Historic District.¹

¹ Mary Costigan’s January 31, 2024 letter to the Board speculates about the impact on the certification of the Historic District as possibly having a de minimus effect but no clearly defined answer. The attached Park Service letter proves otherwise.

The attached letter from the National Park Service, issued in 2010, states unequivocally: “Please be aware that changes to the historic district as presently certified *will* render its certification null and void and *will require recertification* of the revised district for continued benefits under the law.” What that means in practical terms is when the Certified District status is lost due to the City allowing demolition of 142 Free Street (a contributing building) it brings into question whether the Ordinance protections are adequate to qualify for Certification of the Ordinance, which then would threaten the Certified Local Government status providing access to historic preservation grant funds. The negative domino effect will ripple well beyond the loss of “just” one historic building.

I. The Criteria are the only substantive standards the Board may consider when reviewing the Request.

Any request to reclassify a structure is governed by ReCode § 17.5.9.² It provides:

Amendment or rescission of any designation shall be upon the request of a person or persons authorized to nominate the property or properties affected, or upon request of the City Council, and shall follow the procedure set forth in Section 17.5 for designation. The City Council may rescind or amend a designation only after all of these procedures have been followed. The standards for rescission or amendment applied by the Historic Preservation Board, Planning Board, and City Council shall be limited to those provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2. Amendments may include reclassification of a portion of a contributing property to noncontributing status, refinement or correction of design guidelines, maps, and other parts of any designation.³

This means that (a) the process outlined in ReCode § 17.5 provides the *exclusive* procedure by which the Historic Preservation Board, the Board and the City Council consider a request for the redesignation of a structure and (b) the ultimate decision as to whether to redesignate that structure *must* be based on compliance with the Criteria—not the Plan.

There are other scenarios when the Recode either requires or allows for the Board or Council to consider the Plan. When review occurs in accordance with ReCode § 17.4.1.D, the Board and Council are required to consider not only the criteria set forth in subsection A but also “the historic preservation goals included in [the Plan]” and “the effect of such designation on other aspects of the [Plan].”⁴ The ReCode also authorizes the Board, when making its recommendation to the Council regarding the *designation* of a historic district or structure, to articulate “recommendations with respect to the [Plan] relating to the proposed designation.”⁵

² The ReCode uses the term “amendment” to describe the process by which the classification of a structure is changed. *See* ReCode § 17.5.9.

³ ReCode § 17.5.9 (emphasis added).

⁴ ReCode § 17.4.1.D.

⁵ ReCode § 17.5.7. The authority to provide such a recommendation is an exercise of the Board’s broad power to prepare and recommend proposed revisions to the Plan to the Council. ReCode § 21.10.B (“[T]he [Board] shall have the following jurisdiction and authority: . . . To prepare and recommend to the [Council] changes in and amendments to the [Plan].”)

The presence of language in other provisions of Article 17 of the ReCode expressly providing the Board and Council the authority to make a historic designation based on the Plan and the absence of that language in ReCode § 17.5.9 can only be reasonably interpreted as a purposeful decision by the drafters of the ReCode to *not* allow the Board and Council to rely on its interpretation of the Plan in deciding whether or not to allow for rescission of the designation of the structure.⁶ Therefore, the recommendation of the Board and the decision of the Council *must be* based on the Criteria—nothing more, nothing less.

The Criteria are listed in ReCode § 17.4.1.A (“Minimum criteria for designation”) and ReCode § 17.4.2 (“Integrity of landmarks and historic districts”). They require the Board and Council to limit its consideration of the Request to the following characteristics of the Building:

1. “Its value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States.”⁷
2. “Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property.”⁸
3. “Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archeological or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States.”⁹
4. “Its exemplification of a significant architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design, detail, materials or craftsmanship.”¹⁰
5. “Its identification as the work of an architect, designer, engineer or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.”¹¹
6. Its representation of a significant cultural, historic, architectural, archeological or related theme expressed through distinctive areas, sites, structures or objects that may or may not be contiguous.¹²

⁶ See *Aydellott v. City of Portland*, 2010 ME 25, ¶ 12, 990 A.2d 1024 (Holding that the absence of a standard in one section of an ordinance present in another “suggests an intentional distinction”); see also *Russello v. United States*, 464 U.S. 16, 23 (1983) (“Where Congress includes particular language in one section of a statute but omits it in another section of the same Act, it is generally presumed that Congress acts intentionally and purposely in the disparate inclusion or exclusion.” (alterations omitted)).

⁷ ReCode § 17.4.1.A.1.

⁸ ReCode § 17.4.1.A.2.

⁹ ReCode § 17.4.1.A.3.

¹⁰ ReCode § 17.4.1.A.4.

¹¹ ReCode § 17.4.1.A.5.

¹² ReCode § 17.4.1.A.6.

7. “Any . . . structure . . . that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.”¹³

ReCode § 17.5.9 expressly provides that the Board cannot consider factors beyond the Criteria in reviewing a request to redesignate a structure.¹⁴ Thus, by the plain terms of the ReCode, the Board is prohibited from considering anything other than the Criteria when assessing whether the Building should be redesignated.

II. The Board lacks the authority to consider the Plan because that power is not expressly provided to it by ordinance or statute.

Even if the ReCode did not expressly prevent the Board from considering factors other than the Criteria, the fact that the ReCode does not expressly grant that power to the Board means they do not have the authority to review the Request based on its compliance with other standards, such as the provisions of the Plan.

Municipalities lack the inherent authority to regulate private property.¹⁵ Rather, “[m]unicipal corporations, as public bodies, may exercise only such powers as the Legislature has conferred upon them by law or which may have been granted to them directly by the Constitution.”¹⁶ By extension, if a power a municipal board purports to exercise is not expressly granted to it by statute or ordinance, then the board simply lacks the legal authority to act in that manner and any decision it reached based on an exercise of such authority is *ultra vires* and void.¹⁷

Furthermore, municipal boards cannot reach a decision based on its interpretation of a comprehensive plan unless expressly authorized to do so because the plan’s provisions are *not* standards to be applied in the context of considering a particular application or request. By statute, municipalities may control the use of private property through the implementation of zoning regulations if those regulations are “consistent with” the comprehensive plan and the municipality adopts a zoning map.¹⁸ The provisions of the comprehensive plan are not themselves regulations: “the comprehensive plan is just that—a

¹³ ReCode § 17.4.2.

¹⁴ ReCode § 17.5.9 (“The standards for rescission or amendment applied by the Historic Preservation Board, Planning Board, and City Council shall be limited to those provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2.” (emphasis added)).

¹⁵ *Town of Windham v. LaPointe*, 308 A.2d 286, 290 (Me. 1973) (“A town has no right to appropriate or interfere with private property, except so far as that right has been conferred by statute, either expressly or by necessary implication.”). As the Law Court explained in *Pike Indus., Inc. v. City of Westbrook*:

Land use regulation is an area in which the Legislature has explicitly restricted the home rule authority of municipal governments. Thus, municipalities may not, under the guise of home rule authority, circumvent the zoning procedures of the land use regulation statute.

2012 ME 78, ¶ 17, 45 A.3d 707.

¹⁶ *Schwanda v. Bonney*, 418 A.2d 163, 165 (Me. 1980).

¹⁷ See *Robinson v. Bd. of Appeals of Town of Kennebunk*, 356 A.2d 196, 200 (Me. 1976) (instructing that when a municipal board “clothe[s] its actions with a discretion nowhere granted to it by the [o]rdsinance,” then “[t]he [b]oard’s action is therefore *ultra vires* and void”).

¹⁸ 30-A M.R.S.A. § 4352.

plan—and the ordinances adopted pursuant to the plan are its regulatory teeth.”¹⁹ Whereas the comprehensive plan “sets out what is to be accomplished,” the ordinance provisions adopted by the municipality sets out concrete standards to ensure that the plan's objectives are realized.”²⁰ As a result, the Board may only decide whether to recommend to the Council that the Building be reclassified based on the substantive review standards set forth in the ReCode (i.e., the Criteria) and not the Plan.

We look forward to appearing before you when the Board takes up this matter at a future hearing. Until then, please let us know if the Board has any questions.

All our best,



Elizabeth A. Boepple, Bar No. 4422
eboepple@mpmlaw.com



Sean R. Turley, Bar No. 6351
sturley@mpmlaw.com

MURRAY PLUMB & MURRAY
75 Pearl Street, P.O. Box 9785
Portland, Maine 04104-5085
(207) 773-5651

¹⁹ Nestle Waters N. Am., Inc. v. Town of Fryeburg, 2009 ME 30, ¶ 19, 967 A.2d 702.

²⁰ *Id.* ¶ 24 (“The ordinance is the translation of the comprehensive plan's goals into measurable requirements for applicants.”)



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

May 25, 2010

The Honorable Nicholas M. Mavodones, Jr.
Mayor of Portland
City Hall, 389 Congress Street, Portland, ME 04101-3509

Dear Mayor Mavodones:

The National Park Service is pleased to inform you as duly authorized representative that the Congress Street Historic District has been certified by the Secretary of the Interior for purposes of the Tax Reform Act of 1986, as substantially meeting all the requirements for listing in the National Register of Historic Places.

Individual property owners of depreciable buildings within this district can qualify for the Federal tax incentives for historic preservation by completing the Historic Preservation Certification Application -- Parts 1 and 2 and submitting them to the State Historic Preservation Office (SHPO). Application forms are available directly from the SHPO. Applications should be submitted as early as possible in the planning of a rehabilitation project.

Review boards and commissions should become familiar with the Secretary of the Interior's Standards for Rehabilitation, used by the Secretary in certifying rehabilitation work for the historic preservation tax incentives. The SHPO and the NPS are available to advise individuals and organizations about the Standards.

Please be aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for continued benefits under the above laws.

If you have any questions, please call me at (202) 354-2025.

Sincerely,

Guy M. Lapsley
Technical Preservation Services

cc: National Register
ME SHPO

Letter of Support: Historic Preservation Designation - 142 Free Street

Subscribe ☐

0 views



Justin Alfond <jalfond@gmail.com>
to planningboard@portlandmaine.gov

11:51 AM (4 hours ago)



Historic Preservation Designation - 142 Free Street

February 8th, 2024

Dear Chair Mazer and esteemed members of the Portland Planning Board,

My name is Justin Alfond and I live at 143 Vaughan Street in Portland. I am writing to support the Portland Museum of Art's Blueprint Forward project and the re-classifying of 142 Free Street to "non-contributing" status.

I spent eight years representing the City of Portland in the Maine State Senate. During my public service, I learned a lot about listening to multiple viewpoints and appreciating the passion of those involved. With complex policy decisions, I believe one of the best approaches is to ask: "what will be better for the entire community?" After reviewing all sides' best arguments, I believe that approving the PMA's re-classifying is the best option for our entire community today and long into the future.

Walking around Congress Square illustrates major challenges for our city. It has been under construction for years, and recently three major businesses adjacent to the square have closed. Vacancies, combined with the possibility that future additional phases of Congress Square improvements by the city appear to be on hold, makes this decision even more pressing to our community.

Hundreds of community members have engaged with the PMA's vision for this project. Area businesses, arts institutions and many in the neighborhood and across our city are supportive of this relevant and forward-looking vision.

Supporting the PMA project will allow our community to enjoy a world-class building and educational and gathering space. Supporting the PMA project will allow their programming to flourish. Re-classifying will translate into tangible investments throughout Portland's economy. Finally, as your board knows better than most, the museum's plan is consistent with - and enhances - the City of Portland's Comprehensive 2030 Plan.

I urge you to fully support the re-classifying 142 Free Street to "non-contributing" status for the betterment of our fine city.

Sincerely,

Justin Alfond
143 Vaughan Street
Portland, ME 04102

Justin Alfond <jalfond@gmail.com>

Nov 28, 2023, 5:34:59 PM (15 hours ago)



to planningboard@portlandmaine.gov

Dear Chair Mazer and esteemed members of the Portland Planning Board,

My name is Justin Alfond and I live at 143 Vaughan Street in Portland. I am writing to support the re-classifying of 142 Free Street to “non-contributing” status.

The Portland Museum of Art has spent years working on a transformation project to replace the former Children's Museum and Theater of Maine. Their process of engaging the community was thorough and thoughtful. It's my understanding that the PMA Blueprint had thousands of Portlanders involved. The PMA request for proposal attracted architectural teams from around the globe and shined a bright light on the Portland community, architecture and its future. We are on the cusp of a once in a lifetime opportunity to support an inclusive design and programming in the heart of downtown.

It's worth noting that the PMA Blueprint is consistent with the City of Portland's Comprehensive 2030 Plan and enhances it. Additionally, the economic impact during and after the completion of the building will be dramatic for our city and state. Once completed the PMA building will further the revitalization plan for Congress Square.

I fully support the re-classifying 142 Free Street to “non-contributing” status and believe that it should receive full support from the Planning Board.

Sincerely,

Justin Alfond
143 Vaughan Street
Portland, ME 04120

Karen Snyder <karsny@yahoo.com>

8:04 AM (1 hour ago)



to Planning and Urban Development

Dear Planning Board Members,

I support the continued designation of 142 Free St. as a "contributing" status within Congress Street Historic District for just some of the following reasons:

- In the **Historic Preservation Ordinance, subsection 17.4.1.A**, only 1 of 6 criteria status can legally be met to become a "contributing" status. **142 Free St. building meets 4 of 6 of this criteria status in subsection 17.4.1.A.**
- The PMA's expansion can ACCOMODATE this building to showcase what architects in the past could build unlike what is being built now which it seems only cold, unimaginative, big square boxes with rectangular shapes with no open space or vegetation can only be mustered. Consequently, this architectural style of building will NEVER be replicated again and should continue to be protected.
- To remove a "contributing" designation status **would set a bad precedence for the future of Portland' historical buildings** that any building can illegally be stripped of historical protection in order for any organization no matter what reason given to disrespect and disregard's Portland's historical buildings.
- For Portland Art Museum management and benefactors to respect the "historical and cultural contribution" from artists but yet disregard and disrespect the 142 Free St. building's "cultural, architectural, and historical contribution" is quite disingenuous and hypocritical of them.

Consequently, the above primary reason that 142 Free St. LEGALLY adheres to the Historic Preservation ordinance to remain as "contributing" designation status in the Congress St Historic District should be enough for the Planning Board to ensure the "contributing" status designation within the Congress St. Historic District remains intact.

Regards,
Karen Snyder
D1 72 Waterville St

Karen Watson <kbwats@me.com>

Dec 11, 2023, 10:13:55 PM (11 hours ago)



to planningboard@portlandmaine.gov, Jennifer Graves

Dear members of the planning board,

I am writing in support of the Portland Museum of Art's plan to expand.

The new building at 142 Free Street will benefit all residents and visitors to our city. The expansion will create an open space for all.

Please consider the future and help bring vibrancy and this welcoming new building to life.

The museum draws visitors from all over the country. Portland Museum of Art is ready to take the museum and the city forward.

Please vote to allow this exciting new chapter unfold.

Sincerely,

Karen Watson

6 Bowdoin St

Portland Maine

Dear Portland Planning Board: Marpheen Chan, Brandon Mazer, Justin Baker, Maggie Stanley, Sean Murphy, David Silk and Austin Smith,

My name is Kristin Valdmanis and I am the President of the Board of Directors of the Children's Museum and Theatre of Maine. I am writing today to express my full support for the PMA's visionary project at our former home, 142 Free Street.

Here is a bit of real estate background. In 2019, CMTM and PMA entered into an agreement to sell our building. This arrangement was crucial for us. With the proceeds of the sale, we could finally move to Thompson's Point. For years, we struggled to find a buyer, chasing lowball offers, changing agents and companies, and aggressively marketing the space to our local community. There was no serious interest in 142 Free Street from any organizations in Portland. We attempted to bargain with all kinds of entities, including other non-profits, retail operations and government agencies. No luck.

In my opinion, no one in our city stepped up to shepherd the space. The only other possible offer that we considered was from a California-based supermarket chain that wanted to convert the building into a warehouse. Picturing that active corner of our city as cold storage space for an out of state group broke my heart as an art lover, as community leader and as a citizen. I strongly advocated to sell to the PMA because I believe that Portland will be stronger and better because of their stewardship.

The PMA is uniquely situated to turn that land into something revolutionary- a building that has been collectively developed with input of thousands of Portlanders and represents the vision and needs of our diverse and vibrant communities. This is a once-in-a-lifetime opportunity for our city, and deserves full support from the Planning Board. The PMA Blueprint activates and enhances the City of Portland's Comprehensive Plan 2030 and the economic impacts of The PMA Blueprint will transform our city and revitalize Congress Square.

In addition to serving on CMTM's board, I am also a board member of the PMA and MECA&D. I have also assisted in the revitalization of TEMPOArt, a public art forum in town. I care deeply about our creative community and work tirelessly to support their work. I believe wholeheartedly in the PMA's mission "ART FOR ALL", an admirable and bravely bold idea in the museum world where art is often hidden from the public behind imposing and opaque walls. Imagine the message we will send to all of the people of Portland and Maine when the transparent, glass walls rise from the old brick foundation of the Children's Museum and clearly, openly invite everyone to take part in the inspiring, eclectic collection at the PMA.

To that end, please note that the columns at 142 Free Street were often viewed by our CMTM visitors as an impediment. Many families (especially New Mainers) reported to us that they did not feel welcome entering our building because the formal, antiquated entrance created both a physical barrier (which could be much more ADA compliant) as well as psychologically intimidating. A large impetus for us to move to a modern, more generous space on Thompson's

Point was the misplaced, misused and out of date architecture of 142 Free St. To our board and staff, those columns silently spoke volumes to our visitorship. They seemed to imply that our museum was a formal institution that controlled the experience and the message. We at CMTM deeply value belonging, but our space clearly did not communicate that to the public.

Finally, on a personal note, I am a lover of old things. I am the daughter of both a museum educator and a historian. I am a collector of antiques and the keeper of many family heirlooms. I lived for years in the Richard Webb House at 29 Bowdoin Street in the West End and I painstakingly renovated a late 1800's cottage in Scarborough to bring it back to life. I do not believe in change for change sake. All things considered, I prefer to preserve things from the past for future generations. And yet, I find the insistence on protecting 142 Free Street as it stands to be misguided and overly academic. I do not proclaim to understand all of the nuances of the historic code and the legal issues connected to classification. But I do understand people. People want to feel inspired, connected and appreciated. Our buildings should reflect that welcoming desire. 142 Free Street does not. A new PMA building will do that beautifully.

Thank you very much for your service to our city and commitment to our growth and development. I respect your time and effort. Thank you for considering my point of view.

Sincerely,
Kristin Kellogg Valdmanis
35 Winslow Homer Road
Scarborough, ME 04074
kvaldmanis@hotmail.com
617-365-0345

December 4, 2023

Dear Portland Planning Board,

Re: The PMA Blueprint

I have enjoyed a decades long relationship with the Portland Museum of Art, both professionally and personally. I am writing this letter to urge you to support The PMA Blueprint.

The state of the world, our Country, Maine, and Portland is such that anyone trying to see a project through from concept to completion faces a dizzying number of obstacles. Sadly, we have gotten much better at stopping things from happening than we are at facilitating things. In my opinion Greater Portland Landmarks is another example of a well-intended group that believes its narrow view of what constitutes acceptable development should trump the views of the thousands of Portlanders who engaged with the PMA during the initial phases of The PMA Blueprint. The Portland Planning Board has the opportunity to take a larger view; to recognize what a unique and rare opportunity the PMA Blueprint presents; to realize how well it aligns with the City of Portland's Comprehensive Plan 2030; and to facilitate the revitalization of an entire sector of the city.

My experience with the PMA is that they are very thoughtful and highly genuine in their approach to their role in our community. I have never worked with any organization more committed to being truly inclusive for all the right reasons and with the correct perspective that it is the only path to real prosperity for everyone.

Years of being in a leadership position have taught me that no decision is popular with everyone, and I am sure that your service on the Planning Board reinforces that. I would encourage you to side with the considerable number of us who are confident that for decades to come the Portland Museum of Art as depicted in the PMA Blueprint will contribute far more to the people of Portland than the existing structure.

Sincerely,

Larry Wold

Lauren Collins <lauren.elis.collins@gmail.com>

Dec 1, 2023, 7:22:24 AM (3 days ago)



to planningboard@portlandmaine.gov

Dear Planning Board Members,

I am writing to passionately express my unwavering support for the construction of the new Portland Museum of Art (PMA) building in our beloved city. This exciting project holds tremendous economic potential, and we need not fear that embracing new architecture will undermine the preservation of our historic buildings. Just look to our neighboring city of Boston as an example of how new and historic architecture can beautifully coexist.

Boston has long been hailed as a city that embraces both innovation and history. It effortlessly blends modern architectural marvels with its rich historic landmarks, creating a captivating urban landscape. The Hancock Tower, for instance, stands tall and sleek amidst the iconic brownstone buildings of Beacon Hill. This harmonious blend showcases how a city can appreciate and celebrate its past while paving the way for a vibrant and prosperous future.

The new Portland Museum of Art building presents a similar opportunity for our city. By embracing this project, we can follow in Boston's footsteps and strike that perfect balance between preserving our historical charm and embracing the economic benefits that the PMA building will undoubtedly bring.

In conclusion, I implore the Planning Board to seize this once-in-a-lifetime opportunity by supporting the construction of the new Portland Museum of Art building. Let us draw inspiration from cities like Boston and create a harmonious blend of new and historic architecture that showcases our commitment to progress and our rich cultural heritage.

Thank you for considering my viewpoint on this vital matter. I trust that the Planning Board will make a well-informed decision in the best interest of our community.

Sincerely,

Lauren Collins

Portland, Maine

Lauren Fensterstocknew <lauren@laurenfensterstock.co... Jan 7, 2024, 9:50:44 AM (2 days ago)
 to planningboard@portlandmaine.gov, mdion@portlandmaine.gov, Graeme Kennedy, Elizabeth Jones,
 mbessire@portlandmuseum.org



January 7, 2024

Dear Mayor Dion and Planning Committee,

As a Portland resident of 24 years and an artist, I have been teeming with excitement at the prospect of our city building a world class museum campus that broadcasts all Maine has to offer and boldly leads our city into a green future. When I planned to write this letter, I was going to tell you how I followed the long inclusive process Portland Museum of Art took to develop the proposed site. I planned to write about the many levels of outreach I was able to participate in as a community member: sitting in on a listening session with artists; attending three community meetings before, during, and after the architecture selection process; and watching the live public presentations by architects. But having just received an advocacy letter against the project, I am struck by the larger issue at hand: *who does historic districting serve?*

Portland is home to numerous complete and original John Calvin Stevens buildings preserving the work and legacy of an architect who built over 1000 buildings in Maine. The structure at 142 Free St, formerly the home of the Children's Museum, was not built but *renovated* by Stevens. This shows that the architect himself valued the role of updating, innovating, and revisiting the needs of a community as it evolves. In keeping with this ethos, the building has been altered and changed numerous times over the years.

In the 24 years I have lived in Maine, this city has changed dramatically. So has our world. As a city, we have become more diverse and we have begun to speak with greater clarity about the inequities of our great nation's past. Portland Museum of Art has played a significant role in these changes: as they diversified their staff in major leadership positions, and emphasized programming that tells the history of our state through previously unheard voices.

A recent letter in the Press Herald argues that the historic ordinance "was designed so that we all play by the same rules and that no private property owner, developer, or public institution – regardless of its power and influence – gets to choose which buildings remain and which can be destroyed." The truth is that we don't all get to play by the same rules when historic districting preserves an inequitable past in favor of building a meaningful future. Families of influence and long tenure have been able to build and preserve a city that supports white Protestant legacies. In 1923, at just about the time of the John Calvin Stevens's Free Street renovation, Portland's Committee of 100 was instituted with help from Portland's active chapter of the KKK to limit the power of Jews, Catholics, and other "people from away" in this city. This white Protestant lock on municipal power was cemented just before the 1926 renovation of 142 Free St. with John Calvin Stevens's Colonial Revival facade, an architectural style that glorifies an idealized American mythos and reverberates with contemporaneous efforts to decrease the power of rising civil rights movements and growth in immigration.

An unyielding emphasis on preserving the past assures that those who have been in power remain in power. Portland's history is vibrant, and I am proud to be a part of this city. But as a Jew living in Portland, I wince when I hear anecdotal stories of The Cumberland Club and the Portland Country Club's refusal to admit Jews, the loss of a major Synagogue

to arson, and the removal of the Armenian and Jewish neighborhoods that were destroyed to lay Franklin arterial in 1967. A rigid emphasis on preserving a selective architectural past allows those in power to preserve their narratives and remain in positions of urban prominence while creating a stranglehold on others to have a voice or place.

For our city to be truly equitable, to be forward looking rather than backward, we must take brave steps. This involves embracing uncomfortable change and a willingness to create space for diverse narratives in the very heart of our public squares. If new voices can only speak on empty lots and peripheral parcels, they will remain forever marginalized. To prioritize equity, we must be willing to make space for it to occur. There are greater examples of JCS's work throughout the state of Maine, that show his vision more clearly than this much built and rebuilt structure. What does it say about our community when we cannot loosen our grasp on any small shard of history to make space for something truly extraordinary and groundbreaking?

Ultimately, I want to move toward beauty in all its forms. The possibility of adding an exciting, innovative building that draws from Wabanaki traditions and utilizes state-of-the-art ecological technologies to forefront Maine's timber industry is a breathtakingly exciting prospect. I ask that we take a moment to appreciate the enormity of this proposal: what it means to the diverse people of Maine, what these free public spaces and programming will inspire, and what this prominent example of a green future will yield. The press and audiences this project will draw will raise the profile of Maine's creative economy and further a tourist boom. The green innovations will encourage more sustainable building and show Maine as a leader in the urgent ecological crisis of our moment. It will also be beautiful. The benefits of this project outweigh any loss of a previous structure. This is a chance to look forward. Let us not miss the opportunities ahead, because we are unable to let go. Holding onto the past, makes us who we thought we were. Let's become who we can be.

Lauren Fensterstock.

Portland, Maine

Lauren Fensterstock

January 7, 2024

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As a Portland resident of 24 years and an artist, I have been teeming with excitement at the prospect of our city building a world class museum campus that broadcasts all Maine has to offer and boldly leads our city into a green future. When I planned to write this letter, I was going to tell you how I followed the long inclusive process Portland Museum of Art took to develop the proposed site. I planned to write about the many levels of outreach I was able to participate in as a community member: sitting in on a listening session with artists; attending three community meetings before, during, and after the architecture selection process; and watching the live public presentations by architects. But having just received an advocacy letter against the project, I am struck by the larger issue at hand: *who does historic districting serve?*

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Lauren Fensterstock.
Portland, Maine

Lauren LeMatty <laurenlematty@gmail.com>

Nov 30, 2023, 7:51:15 PM (3 days ago)



to planningboard@portlandmaine.gov

Dear Planning Board Members,

I am writing to passionately express my unwavering support for the construction of the new Portland Museum of Art (PMA) building in our beloved city. This exciting project is of immense significance to our community, and for good reason. The PMA Blueprint has been developed in collaboration with thousands of Portlanders- a blueprint that mirrors our collective vision and needs, making this a project that belongs to our diverse and vibrant communities. Denying support for this ambitious development would be a significant disservice to the people of Portland and deprive us of a rare opportunity to enhance our cultural landscape.

Large art museums bring inclusive benefits to diverse communities. They embody welcoming spaces that draw people from various backgrounds together to appreciate and engage with art. The new PMA building will be no exception, boasting accessibility measures to ensure everyone can participate and enjoy the cultural and artistic offerings seamlessly. From wheelchair ramps to glass walls that let everyone see in, a higher caliber of space for programming that promotes inclusivity, these institutions create a unifying environment where people can convene and celebrate the diversity defining our communities. By embracing the input of our diverse communities in the shaping of the museum's vision and programming, it becomes a potent instrument for community engagement, fostering a sense of pride and ownership among fellow community members.

Additionally, the economic impact of the new Portland Museum of Art building cannot be overstated. It presents an incredible opportunity for Portland to benefit from an increase in foot traffic, tourism, and cultural activities that the project brings to Congress Square. This influx of visitors will provide an infusion of economic revival, breathing much-needed life into the surrounding area. A perfect example is the Guggenheim Museum Bilbao- a museum that transformed Bilbao's economy and attracted tourists from around the world. The project proved to be a catalyst for economic transformation, leading to the emergence of new hospitality, entertainment, and creative sectors. The economic legacy of this museum is a testament to how a new museum can transform a city's fortunes, and we cannot afford to miss out on such an incredible opportunity!

In conclusion, I urge the Planning Board to embrace the new Portland Museum of Art building project. It is a once-in-a-lifetime opportunity that we must not pass up. By giving it full support, we contribute to the realization of the city's long-term goals and objectives. It is time to act and embrace the winds of change positively. Let's create a culturally rich, vibrant, and inclusive city that we can all be proud of.

Thank you for considering my perspective on this critical matter. I trust that the Planning Board will make a well-informed decision in the best interest of our community.

Sincerely,

Lauren LeMatty

Elizabeth Parsons <ecparsons33@hotmail.com>

Nov 30, 2023, 12:21:49 PM (3 days ago)



to planningboard@portlandmaine.gov, Victoria Pelletier

As historic district property owners who have had significant interaction with HP board and staff, we cannot imagine designing a major change to our residence that we knew ahead of time would go against the rules. Rationales given for the PMA's request seem a bit of a stretch—to put it mildly: the building dates from the Jim Crow era (What's the specific connection?); Congress Square is “struggling” (By what measures?): a new building will accord with the Comp Plan (How does creating enormous waste then using enormous amounts of new materials demonstrate eco-consciousness—a theme that runs throughout the plan?).

Our suggestion: recommend that the Council tell the PMA to abide by the same rules as the rest of us.

Lin and Elizabeth Parsons
44 Winter Street

marcgup@maine.rr.com <marcgup@maine.rr.com>

11:40 AM (1 hour ago)



to planningboard@portlandmaine.gov, gkenedy@portlandmuseum.org, Lane Brenner

To the Portland Planning Board,

I am a member of the Portland Museum of Art and a past member of Greater Portland Landmarks. I have also been a supporter of both organizations over the years and wanted to express my deepest support for the PMA Blueprint project. I also am an active community member and support many local organizations from Equality Maine, the Animal Refuge League, Portland Recovery Center, and the South Portland Food Cupboard.

A new innovative museum building at 142 Free Street will allow for more gallery space, performance space, and free community space. The winning design proposal will help with the continued economic revitalization of Portland in addition to providing a positive cultural impact for the city.

Increased jobs, more tourism, and more tax revenue along with a space that is welcoming and inclusive makes this an easy choice for me. I hope that the Planning Board will allow this project to move forward. The Blueprint project will be a wonderful addition to downtown Portland.

Best, Marc Gup

Dear Chair Mazer and esteemed members of the Portland Planning Board,

I am the co-founder of Indigo Arts Alliance. My husband Daniel Minter is the other founder of IAA. We have lived in Portland Maine for over twenty years and throughout our time have been very active in arts and culture across the state of Maine. I currently serve on the Maine Arts Commission and Daniel is a Board member of Creative Portland. We live at 441 Deering Ave in Portland.

I am writing to support the re-classifying of 142 Free Street to “non-contributing” status.

It is clear that the PMA Blueprint is consistent with the City of Portland's Comprehensive 2030 Plan and significantly adds to the vision of said plan. The economic impact during and after the completion of the building will benefit our city and state greatly. I was one of the many community members who was asked to participate in the informational sessions for this initiative. I have no doubt the new museum will make Portland a downtown destination that will enliven the currently un-welcoming corner of Free Street. The new museum structure reflects the inclusive vision of every community member who participated in the process of visioning the what the new museum could and should be.

As a person of color living in the state of Maine, this is a moment to undo the associations with the Ku Klux Klan (Chamber's direct connection with KKK, DeForest Perkins, and the façade's creation) and instead celebrate the diversity, values, and aspirations of ALL community members. Historic preservation has its benefits but not always. Especially when the existing structure is not even a landmark building. I grew up in Richmond, VA where there are countless “historically significant” structures. The uprisings of 2020 illuminated the fact that history has many stories, not all of which are factual or useful for all citizens. In the case of that state, the people were heard and many of those structures came down. This took bravery along with an innovative mindset toward progress.

I truly hope that you will take my advocacy for the PMA Blueprint seriously. The project has been thoughtfully developed and will surely lead to an economic and cultural city center rooted in the arts, equity, and belonging.

Most Sincerely,
Márçia Minter, PhD hc | She, Her
Chief Officer of Strategic Growth and Innovation
[Indigo Arts Alliance](#)
60 Cove St. Portland, ME 04101

Matt Cahill <matt@hogfish.org>

Dec 6, 2023, 6:58:39 PM (13 hours ago)



to planningboard@portlandmaine.gov, gkennedy@portlandmuseum.org, Lane Brenner, Edwin Cahill

To the Portland Planning Board,

I am the co-founder & director of Hogfish, a regenerative arts production company and artist residency in Cape Elizabeth and Portland. My husband and Hogfish co-founder and director Edwin Cahill was born at Maine Med and raised in Scarborough. His parents, Jon and Jan Cahill, were elementary school teachers in the Scarborough Public School system. His father Jon Cahill founded the popular "Gym Dandies" children's circus group in Scarborough.

Edwin's artistic and performance career began in Portland: from leading roles at Portland Players, to piano recitals, to dancing as the Rat King in Maine State Ballet's "Nutcracker", and led him all the way to Broadway, starring alongside such legends as Judy Kaye and Donna Murphy as well as working with Hal Prince and Stephen Sondheim.

When Edwin and I first met as artists in New York City in 2012, we realized that we both shared the experience of gay men trying to work in a field where stories about people like us were minimal to non-existent. We dreamed of a new company that was truly for all: where we and artists from other under-represented backgrounds on stage and film could be fully themselves, where audiences could see and be inspired by the true cornucopia of the human experience, where a community could be strengthened through arts that show a world where everyone truly matters and has a voice. That dream became Hogfish.

At first we thought this dream would stay in New York City. Edwin speaks about leaving Portland as a gay artistic teenager in the 90's, feeling that it was a city that did not welcome him as he fully was, eager for the diversity and artistic excellence of big cities. A classic brain/talent drain scenario.

And yet, on visits to Portland for the holidays and to see Edwin's family, we both started to get the sense that it might be possible after all to return to Maine as our full selves, a gay married couple, artists, and producers of Hogfish. Maine's recognition of same-sex marriage in 2012, federal recognition in 2015, a food scene far more diverse than Edwin's childhood favorites of Carbur's and the Village Cafe, and the region and field leading work in the visual arts done by the Portland Museum of Art which so closely mirrored are dreams with Hogfish of making art for truly for all, eventually inspired Edwin to once again call Maine home in 2018 and for us to begin our own non-profit arts company Hogfish in 2021.

As a new arts company in Portland with a kindred mission to the regional anchor of the PMA, we know that the PMA's leadership in the field has not only been a large part of what led us to call Maine home, but many other diverse artists and humans, whom we rely upon to build our community, make our art, and draw ever more diverse and talented people to the city. We also know from experience as producers that the greatest necessities for our work always boil down to time, space, and money. And featuring work by artists who have traditionally been excluded from the canon means we need more space. Either you choose one at the exclusion of the other, past colonial masterworks at the expense of marginalized voices, or marginalized voices at the expense of past colonial masterworks, or you create more space to hold both, and create a dialogue between them, where all can feel seen, heard, and welcome. It seems to us that is what the PMA is doing with its Blueprint project.

The whole country is slowly coming to terms with our colonial past and how to have conversations around it that feel fruitful and like they lead towards a greater sense of community rather than a diminished one. Statues and buildings are being torn down, names taken off buildings, because when space is limited, as it is for the PMA in Portland, the only realistic way to move forward for all is to say goodbye to stories, statues, and buildings that no longer serve the community we want to be, and to make new space, buildings, and programming that start to help us imagine a better world together. The PMA and their new building are doing just that, and I urge you with every fiber of my being as a new resident, artist, and small non-profit director of the greater Portland area and family member and friend of many Portland residents to support the PMA's Blueprint project.

Thank you for your time and consideration,
Matt Cahill

Maury Bohan <bohanm@icloud.com>

2:21 PM (2 hours ago)



to planningboard@portlandmaine.gov, gkennedy@portlandmuseum.org, Lane Brenner

To the Portland Planning Board,

When my husband and I moved to the Portland area in 2019 to be closer to grandchildren, we were excited to find that, in addition to the beauty and warmth of the area, we could also enjoy a community rich in cultural settings and events. To us, the Portland Museum of Art offered a lovely collection to enjoy on a rainy day, or a place to which we could bring guests visiting our city. We are thrilled, now, by the plans for expansion, and expect that in the future, the PMA will be the centerpiece of our visits to Portland, rather than just a filler. This is because the plan calls not for simply a new “structure”. Rather, we will see a world-class, expertly designed building (envisioned alongside Maine’s Indigenous communities), with three-times the gallery and performance space, a welcoming first floor meant for community gathering, and restaurant space to ensure that one can truly spend the day enjoying the art. This will be a true landmark for the city, and a major step in revitalizing the Congress Square neighborhood.

We understand the concerns that some people have about the removal of the old Children’s Museum. The building as it stands now, however, is not the same one that was built in 1830. Those Greek columns added in 1926 make for a tight, unwelcoming entrance with which the former occupants struggled. The new structure, on the other hand, with its breathtaking open facade, is expected to double the current number of PMA jobs, and add in 2027 approximately \$4.2 million in state and local tax revenue.

Given that thousands of visitors left their suggestions during the comments period of the design phase (and their winning vote honored), we feel that there is great support for the city to approve this one-in-a-lifetime cultural centerpiece for our region and ensure a vibrant, arts-focused, community. We hope the Planning Board will agree!

Sincerely,
Maury Bohan

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February 7, 2024

Sent by email

Brandon Mazer, Chair
City of Portland Planning Board
389 Congress Street
4th Floor
Portland, Maine 04101
planningboard@portlandmaine.gov

Re: *Planning Board Consideration of Reclassification of 142 Free Street as Noncontributing*

Dear Chair Mazer and Members of the City of Portland Planning Board:

This firm serves as counsel to Greater Portland Landmarks (hereinafter “**Landmarks**”), which has worked tirelessly for more than half a century to ensure that Portland preserves its sense of place for all by advocating for the preservation and revitalization of the city’s rich architectural history. In furtherance of this critical objective, Landmarks opposes the request (the “**Request**”) by the Portland Museum of Art (the “**PMA**”) to reclassify the Chamber of Commerce building (the “**Building**”) located at 142 Free Street as not contributing to the Congress Street Historic District.

Landmarks will provide public comment objecting to the reclassification of the Building on the grounds that the building continues to satisfy the criteria set forth in section 17.4.1.A of the City of Portland zoning ordinance, the “**Recode**,” and section 17.4.2 of the ReCode (collectively the “**Criteria**”).

We write separately on behalf of Landmark to explain to the Board that the ReCode expressly forbids the Board from considering any provisions in the City’s comprehensive plan, “Portland’s Plan 2030” (the “**Plan**”), when it contemplates whether to recommend to the City Council that the Building be reclassified. Because the Board *only* has the authority to recommend a change to the classification of the Building by applying the Criteria, it would be a legal error for the Board to recommend the reclassification of the Building based on any provision of the Plan. Moreover, as Carol DeTine, Vice President of Greater Portland Landmarks illustrates in the attached letter, when the Board assesses 142 Free Street under the Criteria, the only conclusion the Board can come to is that the building should retain its classification.

We also wish to provide clarity with respect to the question of what impact the declassification and subsequent demolition of 142 Free Street may have on the Congress Street Certified Historic District.¹

¹ Mary Costigan’s January 31, 2024 letter to the Board speculates about the impact on the certification of the Historic District as possibly having a de minimus effect but no clearly defined answer. The attached Park Service letter proves otherwise.

The attached letter from the National Park Service, issued in 2010, states unequivocally: “Please be aware that changes to the historic district as presently certified *will* render its certification null and void and *will require recertification* of the revised district for continued benefits under the law.” What that means in practical terms is when the Certified District status is lost due to the City allowing demolition of 142 Free Street (a contributing building) it brings into question whether the Ordinance protections are adequate to qualify for Certification of the Ordinance, which then would threaten the Certified Local Government status providing access to historic preservation grant funds. The negative domino effect will ripple well beyond the loss of “just” one historic building.

I. The Criteria are the only substantive standards the Board may consider when reviewing the Request.

Any request to reclassify a structure is governed by ReCode § 17.5.9.² It provides:

Amendment or rescission of any designation shall be upon the request of a person or persons authorized to nominate the property or properties affected, or upon request of the City Council, and shall follow the procedure set forth in Section 17.5 for designation. The City Council may rescind or amend a designation only after all of these procedures have been followed. The standards for rescission or amendment applied by the Historic Preservation Board, Planning Board, and City Council shall be limited to those provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2. Amendments may include reclassification of a portion of a contributing property to noncontributing status, refinement or correction of design guidelines, maps, and other parts of any designation.³

This means that (a) the process outlined in ReCode § 17.5 provides the *exclusive* procedure by which the Historic Preservation Board, the Board and the City Council consider a request for the redesignation of a structure and (b) the ultimate decision as to whether to redesignate that structure *must* be based on compliance with the Criteria—not the Plan.

There are other scenarios when the ReCode either requires or allows for the Board or Council to consider the Plan. When review occurs in accordance with ReCode § 17.4.1.D, the Board and Council are required to consider not only the criteria set forth in subsection A but also “the historic preservation goals included in [the Plan]” and “the effect of such designation on other aspects of the [Plan].”⁴ The ReCode also authorizes the Board, when making its recommendation to the Council regarding the *designation* of a historic district or structure, to articulate “recommendations with respect to the [Plan] relating to the proposed designation.”⁵

² The ReCode uses the term “amendment” to describe the process by which the classification of a structure is changed. *See* ReCode § 17.5.9.

³ ReCode § 17.5.9 (emphasis added).

⁴ ReCode § 17.4.1.D.

⁵ ReCode § 17.5.7. The authority to provide such a recommendation is an exercise of the Board’s broad power to prepare and recommend proposed revisions to the Plan to the Council. ReCode § 21.10.B (“[T]he [Board] shall have the following jurisdiction and authority: . . . To prepare and recommend to the [Council] changes in and amendments to the [Plan].”)

The presence of language in other provisions of Article 17 of the ReCode expressly providing the Board and Council the authority to make a historic designation based on the Plan and the absence of that language in ReCode § 17.5.9 can only be reasonably interpreted as a purposeful decision by the drafters of the ReCode to *not* allow the Board and Council to rely on its interpretation of the Plan in deciding whether or not to allow for rescission of the designation of the structure.⁶ Therefore, the recommendation of the Board and the decision of the Council *must be* based on the Criteria—nothing more, nothing less.

The Criteria are listed in ReCode § 17.4.1.A (“Minimum criteria for designation”) and ReCode § 17.4.2 (“Integrity of landmarks and historic districts”). They require the Board and Council to limit its consideration of the Request to the following characteristics of the Building:

1. “Its value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States.”⁷
2. “Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property.”⁸
3. “Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archeological or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States.”⁹
4. “Its exemplification of a significant architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design, detail, materials or craftsmanship.”¹⁰
5. “Its identification as the work of an architect, designer, engineer or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.”¹¹
6. Its representation of a significant cultural, historic, architectural, archeological or related theme expressed through distinctive areas, sites, structures or objects that may or may not be contiguous.¹²

⁶ See *Aydellott v. City of Portland*, 2010 ME 25, ¶ 12, 990 A.2d 1024 (Holding that the absence of a standard in one section of an ordinance present in another “suggests an intentional distinction”); see also *Russello v. United States*, 464 U.S. 16, 23 (1983) (“Where Congress includes particular language in one section of a statute but omits it in another section of the same Act, it is generally presumed that Congress acts intentionally and purposely in the disparate inclusion or exclusion.” (alterations omitted)).

⁷ ReCode § 17.4.1.A.1.

⁸ ReCode § 17.4.1.A.2.

⁹ ReCode § 17.4.1.A.3.

¹⁰ ReCode § 17.4.1.A.4.

¹¹ ReCode § 17.4.1.A.5.

¹² ReCode § 17.4.1.A.6.

7. “Any . . . structure . . . that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.”¹³

ReCode § 17.5.9 expressly provides that the Board cannot consider factors beyond the Criteria in reviewing a request to redesignate a structure.¹⁴ Thus, by the plain terms of the ReCode, the Board is prohibited from considering anything other than the Criteria when assessing whether the Building should be redesignated.

II. The Board lacks the authority to consider the Plan because that power is not expressly provided to it by ordinance or statute.

Even if the ReCode did not expressly prevent the Board from considering factors other than the Criteria, the fact that the ReCode does not expressly grant that power to the Board means they do not have the authority to review the Request based on its compliance with other standards, such as the provisions of the Plan.

Municipalities lack the inherent authority to regulate private property.¹⁵ Rather, “[m]unicipal corporations, as public bodies, may exercise only such powers as the Legislature has conferred upon them by law or which may have been granted to them directly by the Constitution.”¹⁶ By extension, if a power a municipal board purports to exercise is not expressly granted to it by statute or ordinance, then the board simply lacks the legal authority to act in that manner and any decision it reached based on an exercise of such authority is *ultra vires* and void.¹⁷

Furthermore, municipal boards cannot reach a decision based on its interpretation of a comprehensive plan unless expressly authorized to do so because the plan’s provisions are *not* standards to be applied in the context of considering a particular application or request. By statute, municipalities may control the use of private property through the implementation of zoning regulations if those regulations are “consistent with” the comprehensive plan and the municipality adopts a zoning map.¹⁸ The provisions of the comprehensive plan are not themselves regulations: “the comprehensive plan is just that—a

¹³ ReCode § 17.4.2.

¹⁴ ReCode § 17.5.9 (“The standards for rescission or amendment applied by the Historic Preservation Board, Planning Board, and City Council shall be limited to those provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2.” (emphasis added)).

¹⁵ *Town of Windham v. LaPointe*, 308 A.2d 286, 290 (Me. 1973) (“A town has no right to appropriate or interfere with private property, except so far as that right has been conferred by statute, either expressly or by necessary implication.”). As the Law Court explained in *Pike Indus., Inc. v. City of Westbrook*:

Land use regulation is an area in which the Legislature has explicitly restricted the home rule authority of municipal governments. Thus, municipalities may not, under the guise of home rule authority, circumvent the zoning procedures of the land use regulation statute.

2012 ME 78, ¶ 17, 45 A.3d 707.

¹⁶ *Schwanda v. Bonney*, 418 A.2d 163, 165 (Me. 1980).

¹⁷ See *Robinson v. Bd. of Appeals of Town of Kennebunk*, 356 A.2d 196, 200 (Me. 1976) (instructing that when a municipal board “clothe[s] its actions with a discretion nowhere granted to it by the [o]rdsinance,” then “[t]he [b]oard’s action is therefore *ultra vires* and void”).

¹⁸ 30-A M.R.S.A. § 4352.

plan—and the ordinances adopted pursuant to the plan are its regulatory teeth.”¹⁹ Whereas the comprehensive plan “sets out what is to be accomplished,” the ordinance provisions adopted by the municipality sets out concrete standards to ensure that the plan's objectives are realized.”²⁰ As a result, the Board may only decide whether to recommend to the Council that the Building be reclassified based on the substantive review standards set forth in the ReCode (i.e., the Criteria) and not the Plan.

We look forward to appearing before you when the Board takes up this matter at a future hearing. Until then, please let us know if the Board has any questions.

All our best,



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¹⁹ Nestle Waters N. Am., Inc. v. Town of Fryeburg, 2009 ME 30, ¶ 19, 967 A.2d 702.

²⁰ *Id.* ¶ 24 (“The ordinance is the translation of the comprehensive plan's goals into measurable requirements for applicants.”)



PO Box 17533, Portland, ME 04112

8 February 2024

RE: CONGRESS STREET HISTORIC DISTRICT - RECLASSIFICATION OF 142 FREE STREET AS NONCONTRIBUTING

Chair Mazer and Members of the Planning Board,

We offer the following comments in addition to the letter submitted by our attorneys at Murray, Plumb & Murray.

Greater Portland Landmarks supports the expansion of the Portland Museum of Art but does not believe that the expansion necessitates the demolition of 142 Free Street, an action that would occur if the building was reclassified as non-contributing. Landmarks believes that the former Chamber of Commerce Building at 142 Free Street (more recently known as the Children's Museum building), clearly meets the historic preservation ordinance's criteria for designation as a contributing structure in a historic district. Landmarks strongly believes that the evidence that led to the building's original designation as a contributing building in the historic district continues to exist and meets the minimum criteria set forth in the Ordinance.

EVALUATION BASED ON CRITERIA

During any district designation process, each structure or site is carefully evaluated and assigned a classification of Landmark, contributing, or non-contributing. This was done for the Congress Street Historic District and documentation on each building was included as part of the required designation materials that were reviewed and approved by the Historic Preservation Board, the Planning Board, and the City Council.

Section 17.5.9 of the Ordinance, "*Amendment or Recission of a Designation*" identifies the standards for recission or amendment. The standards for a decision by the Planning Board are limited to those provided in Subsections 17.4.1(A) and (B), and Subsection 17.4.2. Subsection 17.4.1(A), sets out the minimum criteria for determining a building's significance, Subsection 17.4.1(B) sets out the criteria for determining if a historic district possesses a significant concentration, linkage, or continuity of structures, and Subsection 17.4.2, sets out the criteria for assessing the building's integrity, meaning its ability to convey its historical associations or attributes. The status of 142 Free Street was carefully considered. As we demonstrate below, the building met all of the criteria when it was originally classified as contributing. No significant changes to the building since that date or new information regarding its structural instability have been presented by the applicant that justify a change in the original determination. We encourage the Planning Board to consider the following in your discussion of the owner's request to reclassify the former Chamber of Commerce Building to noncontributing.

142 Free Street Still Meets the Minimum Criteria for Determining Significance

17.4.1.A. The ordinance limits consideration by the Board to the following criteria in making a determination on ... an area, site, structure, or object for designation by ordinance as a landmark or district:

17.4.1.A.1. Its value as a significant example of the cultural, historic, architectural, archaeological, or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States:

- The Chamber of Commerce Building is an example of the commercial significance of Congress Street within Portland in the first half of the 20th century. It is also an example of the significance and prominence of Portland's business community within the state and northern New England in the first half of the 20th century. At the turn of the 20th century Congress Street from City Hall to Congress Square was noted for its fashionable shops and large department stores. Particularly between 1900 and 1930, the Congress Street business district replaced Exchange Street and the

Old Port area as the business center of the city. At Congress Square this new commercial prominence is reflected in the construction of the Schwartz Building (1920), Eastland Hotel (1927), State Theater (1929), the third-story addition to the 1826 C.Q. Clapp Block/H.H. Hay Block (1922), and the alteration of the former Free Street Baptist Church for use by the Chamber of Commerce (1926).

17.4.1.A.4. Its exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.

- Redesigned in 1926 in the Colonial Revival Style, architects John Calvin Stevens and John Howard Stevens utilized the most popular style of the period. By the turn of the 20th century the Colonial Revival Style was one of the most predominant styles of architecture on the East Coast. It had quickly become the fashionable style in architecture following the Columbian Exposition of 1893 in Chicago. The style surged in prominence following World War I and again following World War II.

17.4.1.A.5. Its identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.

- John Calvin Stevens and his son John Howard Stevens are perhaps the most well-known and documented architects working in Portland at the turn of the 20th century. John Calvin Stevens' significance to Portland and Maine's architectural history is rivaled by his historic significance to Portland's Art community and to the PMA itself:

"He designed the museum's L.D.M. Sweat Memorial Galleries. More importantly, he was a leader and president of the group that founded the museum. And it was he who secured the patronage that made the institution a reality and gave it staying power. But the Portland Society of Art not only founded the PMA, it created what is now the robust and thriving Maine College of Art, which many consider to be the most highly energized art institution in the art-oriented state of Maine."

Portland Press Herald, July 5, 2015.

In addition to the Chamber of Commerce Building other significant examples of the Colonial Revival style by the firm include Biddeford City Hall (1896), South Portland's Roosevelt School (1927), Fryeburg Academy's Curtis and Cutter Halls (1930) and Portland's US Post Office (1934) on Forest Avenue.

17.4.1.A.6. Its representation of a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.

- The Chamber of Commerce Building is a contributing building within the Congress Street Historic District, an area locally designated in 2009 to document Portland's business district. The building's use by the Portland Chamber of Commerce for its offices from 1926-1993 expresses the commercial theme of the district. The building and its use are integral to an understanding of the Congress Street business district's development during the first half of the 20th century.

142 Free Street Still Possesses a Significant Linkage with Other Structures within the Historic District.

17.4.1.B. In the case of a nominated historic district, the Board shall also determine whether there is an interrelationship of resources within it which creates an identifiable entity, even if composed of a wide variety of resources. A district must convey a visual sense of the overall historic environment or be a grouping of historically or functionally related properties. A historic district can comprise both individually distinctive historic resources and historic resources that may lack individual distinction, but which contribute to the significance and visual character of the district as a whole.

The "eclecticism and layering of historical periods is the essence of the district's character and what makes it unique among Portland's historic districts."

Congress Street Historic District, Local Designation Narrative.

- While this section applies to historic districts, as stated above, the former Chamber of Commerce Building is a contributing building within the Congress Street Historic District. The Congress Street Historic District's commercial and civic buildings form a cohesive corridor that are physically related. They are also thematically related by their significant role in the commercial, social, and architectural development of the city. The former Chamber of Commerce Building expresses the commercial theme of the district and contributes to the district's visual character through its relationship to other historic buildings at Congress Square.
- Although adjacent to a large parking lot, the Chamber of Commerce Building is visually related to its neighbors across Free Street, 133-135 Free Street (c1810-1820) and the Landmark-designated Charles Q Clapp Block/HH Hay Block at 588 Congress Street (built 1826 and altered 1922 by John Calvin Stevens). The Chamber of Commerce Building is also thematically related to 133-135 Free Street and the HH Hay Block. All three are early buildings altered to meet the changing needs of the evolving business district in the early 20th century.
- The former Chamber of Commerce Building is also visually related to its neighbor, the Payson Wing of the Portland Museum of Art. The Payson Building, although built less than 50 years ago, is considered part of the Landmark-designated Museum campus. Together the two buildings' monumental facades help to define the eastern boundary of Congress Square, a significant node within the historic district.

142 Free Street Still Meets the Criteria of Building Integrity

The National Parks Service standards upon which Portland's ordinance is based, do not require the materials, features, and spaces of buildings to be original to be considered "historic" and "character-defining." A structure can be significant not only for the way it was originally constructed or crafted, but also for the way it was adapted at a later period to illustrate changing tastes, attitudes, and uses over a period of time. The Congress Street Historic District is largely significant as a commercial corridor, and the 1926 alterations of the 142 Free Street building reflect the evolving commercial character of Congress Square in the early 20th century. The period of its history from 1926 onward is the time-period from which its integrity is considered.

17.4.2. Integrity of Landmarks and Historic Districts. Any area, structure, or object that meets the criteria in Section 17.4.1 must also have sufficient integrity of location, design, condition, materials, and workmanship to make it worthy of preservation or restoration.

- **The former Chamber of Commerce Building possesses integrity of location** as it remains in its historic Free Street location.
- **The building retains its integrity of design**, although altered by replacement windows and doors, and additions necessary for code requirements and its use as a museum, the major Colonial Revival design features of the Chamber of Commerce building as designed by the Stevens firm (in particular at the Free Street elevation) have not been irretrievably destroyed. The building retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its design and reflect its appearance during its use by the Portland Chamber of Commerce. In the technical language of the historic preservation ordinance, the building retains its design integrity, its ability to convey the historical association and the physical attributes that were present during the nearly 60 years the building served as the Chamber's headquarters.
- **The building retains its integrity of condition**, as it is structurally sound according to the applicant's statements before the Historic Preservation Board, although like any building that has not been updated for a period of time, it would need to have some alterations for code requirements for any potential new use.
- **The building retains its integrity of materials**, although some historic materials have been lost through the replacement of windows and doors, the structure still retains significant amounts of historic materials including the masonry walls and extensive decorative trim and details of the temple front. In fact, the building's exterior condition is like many of its neighbors within the Congress Street Historic District. Most of the buildings within the district have undergone updates and alterations such as window or storefront replacements since their period of construction. However, the district's contributing buildings typically retain their original (mainly brick) facades, storefront use, and character-defining architectural details.

- **The building retains its integrity of workmanship**, although some historic workmanship was lost through the replacement of windows and doors, the structure still retains significant evidence of historic workmanship in the masonry walls and in the extensive decorative trim and details of the front façade. The loss of original window, door, and storefront materials is typical in the historic district.

The Chamber of Commerce Building was first identified as historically significant when it was included within the boundary of the Spring Street Historic District when that district was added to the National Register of Historic Places in 1970. After that listing, the building's exterior was minimally altered for its use by the Children's Museum in the early 1990s. Alterations to accommodate new uses are not necessarily evidence of lack of integrity, in fact the review standards are intentionally flexible to accommodate changes that facilitate a building's reuse (see attached images). When the building was documented for the Congress Street Historic District's designation report, the code required additions and rooftop alterations by the Children's Museum were noted and the alterations did not affect its contributing status. The alterations are reversible and therefore the altered features are not "irretrievably lost". The alterations have not significantly altered the character defining features of the building's Colonial Revival style, form, and primary facade, and do not detract from the overall appearance of the building.

A comparison using the 1958 Portland Press Herald photograph presented in the applicant's report and a more recent image of the buildings makes it clear that although alterations have occurred, the building retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its Colonial Revival design and reflect its appearance during the building's nearly 60 year use by the Portland Chamber of Commerce.



CONCLUSION

For a building to be designated as a contributing structure, it needs to meet just one of the criteria laid out in **Subsection 17.4.1.A** of Portland's Historic Preservation Ordinance. The former Chamber of Commerce Building meets 4 out of the 6 criteria. It also meets the criteria laid out in **Subsection 17.4.1.B.** and **Subsection 17.4.2** of the ordinance.

- It is significant to the cultural, historic, architectural heritage of the city.
- It exemplifies a significant architectural style.
- It is the work of an architect whose individual work is significant in the history or development of the City of Portland and the State of Maine.
- As the former home for nearly 60 years of the city's Chamber of Commerce, it expresses and contributes to the theme of the Congress Street Historic District, a cohesive corridor of commercial and civic buildings that are significant for their role in the commercial, social, and architectural development of the city from 1780-1958.
- Although minor alterations have been made to the exterior, it retains its temple-form, major fenestration patterns, and the architectural details of its primary facade that are character defining elements of its design and reflect its appearance during its use by the Portland Chamber of Commerce. In the technical language of the historic preservation ordinance, the building retains its integrity, its ability to convey its

historical association and the physical attributes that were present during the nearly 60 years the building served as the headquarters of Portland's Chamber of Commerce.

The former Chamber of Commerce building continues to warrant its designation as a contributing building within the historic district. There is no basis for rescinding its designation. We hope that through your careful deliberations, you will agree that the evidence supports its current designation.

We urge the applicant to work with their consultants to incorporate 142 Free Street into their proposal, and to return to the Historic Preservation Board to obtain a Certificate of Appropriateness so that they may move forward with their expansion plans to create a more welcoming and inclusive museum.

Thank you for considering our views,

A handwritten signature in black ink that reads "Carol De Tine". The signature is written in a cursive, flowing style.

Carol De Tine
Vice President of the Board of Trustees
Greater Portland Landmarks

Attachment:

Images of altered buildings which retain their historic character and significance in Portland's historic districts.

CHANGES

Alterations and additions do not render a building non-historic. Often alterations are part of a building's story and are examples of the district's evolution as the following examples illustrate.



Maine Historical Society



Library of Congress

In 1922 John Calvin Stevens altered the Charles Q. Clapp Block, adding a third story to the 1826 building. The building, long the home of the Hay Drug Store, was listed as an individual Landmark in the National Register of Historic Places in 1978. The substantial addition did not affect the building's eligibility for designation.

MECA's home, the former Porteous Mitchell and Braun Department Store, was initially only three bays wide, when built in 1904. It was doubled in size in 1911, and expanded to the rear (1917-1928) until it reached through the block to Free Street in 1953. Despite this series of expansions and a comprehensive redesign of its storefront, the building was found eligible for listing in the National Register in 1996. In 2009, the building was included as a landmark structure within the locally-designated Congress Street Historic District.



The George Hunt Block at 660 Congress (left), designated a Landmark building in the Congress Street Historic District, was built in 1886 as a residence, but significantly altered at the turn-of-the century with the addition of two storefronts for commercial use. Around the corner, the Dr. Israel Dana House at Longfellow Square was altered by a commercial storefront addition for the Maine Publicity Bureau in 1921. It is a contributing building in the Congress Street Historic District. These buildings, with their significant later modifications, tell a story about the area's evolution from a primarily residential neighborhood to Portland's commercial "Main Street", and contribute to one's understanding of Congress Street's development.

ALTERATIONS

Alterations and additions like the cupola and dormers added to accommodate the Children's Museum have not destroyed the architectural integrity of 142 Free Street. Guided by the Preservation Ordinance's *Review Standards* alterations and additions are often approved to accommodate new uses in historic buildings.



Dormers are often approved in Portland's historic districts. Several former warehouse buildings along Commercial Street in the Waterfront Historic District, including the Blake Building (left) have dormer additions. The dormers were found to meet the Preservation Ordinance's review standards and do not materially alter the building's historic character. Note also the significant modern addition to the left of the original building which was reviewed and approved by the Historic Preservation Board to accommodate a new use. These alterations and the addition do not affect the original building's contributing status within the historic district. Similarly the long shed dormer on the Chase Block (right) at 217 Commercial Street was reviewed and approved by the Historic Preservation Board to accommodate a new use and does not affect the original building's contributing status within the Waterfront Historic District.



The Historic Preservation Ordinance and its review standards (which are based on the Secretary of the Interior's *Standards*) are purposely flexible to accommodate changes needed for new uses and to meet code requirements. A new ADA entrance at the Rackleff Block at 129 Middle Street (left) replaces an original raised entrance. The building is individually listed on the National Register of Historic Places and is a landmark in the Waterfront Historic District. At 10 Dana Street (right), a new stair and elevator addition provides access to the upper floors of the McLaughlin Block, a contributing building in the Waterfront Historic District.



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

May 25, 2010

The Honorable Nicholas M. Mavodones, Jr.
Mayor of Portland
City Hall, 389 Congress Street, Portland, ME 04101-3509

Dear Mayor Mavodones:

The National Park Service is pleased to inform you as duly authorized representative that the Congress Street Historic District has been certified by the Secretary of the Interior for purposes of the Tax Reform Act of 1986, as substantially meeting all the requirements for listing in the National Register of Historic Places.

Individual property owners of depreciable buildings within this district can qualify for the Federal tax incentives for historic preservation by completing the Historic Preservation Certification Application -- Parts 1 and 2 and submitting them to the State Historic Preservation Office (SHPO). Application forms are available directly from the SHPO. Applications should be submitted as early as possible in the planning of a rehabilitation project.

Review boards and commissions should become familiar with the Secretary of the Interior's Standards for Rehabilitation, used by the Secretary in certifying rehabilitation work for the historic preservation tax incentives. The SHPO and the NPS are available to advise individuals and organizations about the Standards.

Please be aware that changes to the historic district as presently certified will render its certification null and void and will require recertification of the revised district for continued benefits under the above laws.

If you have any questions, please call me at (202) 354-2025.

Sincerely,

Guy M. Lapsley
Technical Preservation Services

cc: National Register
ME SHPO

TO THE PORTLAN PLANNING BOARD

As a native Portlander and former resident of the city, I am writing to you, imploring you, in fact, to allow the Portland Museum of Art to pursue its goal of enhancing, improving and revitalizing Congress Square Park by allowing the museum to replace 142 Free St with a building more appropriate to the times.

I cannot fathom why there is so much opposition to this investment in the future. The building's many iterations over the last 150 years most recently morphed into The Childrens' Museum. A worthy cause, a worthy building – but not its original intent. The museum would take this initiative to the next generation as a custodian of enrichment to the landscape and its architecture. Imagine the economic impact the structure would have on the city, transforming Congress Square into a community for all. Not that the current updates have not helped; far from it. But this project would complete the picture and bring the entire area even into the next century.

This is a once-in-a-lifetime opportunity to represent the vision of our vibrant community. For the sake of the future, I urge the Planning Board to support the Museum's proposal.

As a trustee of the Museum for over 20 years, I of course have a bias; but I want that bias to be recognized by championing the Museum's Plan for the Future.

Cordially,
Nancy Kaye, Trustee Emeritus
Portland Museum of Art

February 8, 2024

Subject: Public Comment on Historic Preservation Designation; 142 Free Street; Portland Museum of Art, Applicant

City of Portland Planning Board
389 Congress St, 4th Floor
Portland, ME 04101

Dear Chair Brandon Mazer and Members of the Planning Board,

Despite supporting the idea of a PMA expansion, I am writing once again to encourage you each to reject the Portland Museum of Art's lengthy, but unconvincing arguments reclassify to 142 Free Street as non-contributing.

Here is why:

1) **No less an authority than former State Historian Earle Shettleworth has vouched for the architectural integrity and historical significance** of the "changed" 142 Free Street.

2) Architectural Historian Scott Stevens has personally **written to vouch for the thorough vetting process when 142 Free was designated**. Thus, its incarnation as City's Chamber of Commerce was significant and embodies the theme of Congress Street's commercial Historic District between 1780-1958.

3) **The minor exterior changes** (what the HPO governs) made during its adaptation to the Children's Museum are not enough to destroy its character as Colonial Revival style and the ongoing impression we get as we walk Congress Street — much as it made during its life as a center of the City's business and industry for 60 years.

4) That the plans to our own and other John Calvin Stevens buildings were discarded by the hundreds when the architects moved offices is irrelevant.

5) **The Historic Preservation Ordinance and its fair even-handed application and clear processes** has contributed greatly to our City. (See the Economic Impact report).

6) **The PMA is a steward of multiple historic buildings** — both the unused Children's Museum and the Clapp House. **Why can not radically inclusive and respectful redesign of their historic campus be possible?** I include the I.M. Pei/Cobb building, of course.

Museums and campuses all over the world have successfully employed other architects **less wedded to former plans**.

Why not try?

7) Art for All? **Rules apply to all, too:**

The Portland Museum of Art's intent to make Art more accessible to all, with more equity and representation is laudable. But they also need to follow the law. That is equity. That is fairness, too.

8) **How could ignoring** Historic Preservation protections of a contributing structure **NOT be precedent-setting?**

Please encourage the PMA to revisit their design plans and find a more creative solution that respects their significant historic assets. **It should be possible to have a win/win for** creative adaptive re-use of a **protected historic building and an exciting museum expansion.**

Please oppose reclassification and demolition of the former Chamber of Commerce building at 142 Free Street. I count on you to **support the integrity of the H. P. Ordinance by applying it equally to everybody.**

Thank you for listening.

Sincerely,

Nancy Montgomery, interpretive designer
Montgomery Design Inc.

447 Deering Ave., Portland, ME 04103

montgomerydesign@me.com

Nonsee Oumkasem <NOumkasem@portlandmuseum.org>

2:28 PM (1 hour ago)



to planningboard@portlandmaine.gov, Graeme Kennedy

Hi,

I would like to share my original ideas that initially came to mind, and I also respect other people's ideas, avoiding political discussions.

Firstly, the city of Portland is flourishing, attracting people from around the world to want to move here. Expanding the PMA will create jobs for the community and attract more visitors, providing a venue for out of state seminars and art appreciation. Local businesses need visitors from various locations to boost their services, contributing to economic growth.

These will greatly benefit our incredible city!

Nonsee

Manager of Visitor Experience & Safety

Pronouns: He/Him/His

Portland Museum of Art

Seven Congress Square

(Shipping: 99 Spring Street)

Portland, Maine 04101

Paige Carter <paige.davis@gmail.com>

10:41 AM (2 minutes ago)



to planningboard@portlandmaine.gov, gkennedy@portlandmuseum.org

To Portland Planning Board Members,

Today I write in support of the Portland Museum of Art's Project Blueprint, because of the importance to the city of Portland and more broadly to our great state. This is a once-in-a-lifetime opportunity for our city and deserves full support from the Planning Board.

The details of this project have not been planned and developed in a vacuum. Rather, the PMA Blueprint has been developed with input of thousands of Portlanders and represents the vision and needs of our diverse and vibrant communities.

Not only has the Museum incorporated perspectives from the community, we have also aligned to Portland's long term planning. The Blueprint Project activates and enhances the City of Portland's Comprehensive Plan 2030.

The economic impacts of this initiative will help to drive the transformation of our city and revitalize Congress Square.

It is my hope that the Portland Planning Board will join us in support of the Blueprint Project.

Best,
Paige Carter, Portland Museum of Art Trustee

patricia barber <rugbyvet88@yahoo.com>

8:15 AM (27 minutes ago)



to planning@portlandmaine.gov, patricia barber

To the Portland Planning Board

Jan 8, 2024

From: Patty Barber 21 King St Hiram Maine 04041

Regarding: Historic Designation Preservation 142 Free Street

Dear Planning Board Members;

I am writing in opposition to any redesignation of this Historic District or any buildings within, especially 142 Free Street.

I cannot believe that this item is even up for consideration. Did we learn nothing from the destruction of Union Station?

These Historic Buildings are the backbone of Portland. They are the link to the past, and the hope of the future stating that we in Maine are respectful of our roots, and treat all history with the reverence it deserves. Once these buildings are gone, they can never come back. Any attempt to 'reproduce it' will fall far short and be a mockery of the original. And the idea being floated to 'keep the facade' and tear down the rest is ludicrous.

These buildings have a soul and a personality and have withstood and witnessed much, similar to my elderly grandmother, and great uncle who came as immigrants to Portland and whose descendants have flourished here in Maine.

I urge you to vote no on any redesignation of 142 Free Street and retain the original building in whole. Portland made a promise to preserve these structures. Please don't renege on that promise to us.

Sincerely,

Patty Barber

whose ancestors came to Portland in the early 1900's and embraced its traditions

Patrick Boothe <boothepr@gmail.com>

Feb 7, 2024, 4:20:48 PM (16 hours ago)



to planningboard@portlandmaine.gov

To The Members of the Planning Board, City Council, and Portland community,

As a resident of Portland and a dedicated architect within our vibrant community, I often stand at the intersection of history and innovation, advocating passionately for the preservation of our cherished heritage while embracing the boundless possibilities of contemporary design. It is with great enthusiasm that I offer my unwavering support for the reclassification of 142 Free Street within the Congress Street Historic District.

With a career steeped in the restoration of our architectural treasures, I have witnessed firsthand the transformative power of preserving our past. Guided by principles of the National Park Standards for Historic Rehabilitation, I have had the privilege of breathing new life into more than a dozen buildings, each a testament to our collective commitment to honoring our roots.

In researching the question at 142 Free Street, I read Margaret Gaertner's illuminating report, "A History of 142 Free Street and Free Street at Congress Square," dated 7/5/2023, it becomes abundantly clear that the evolution of this building warrants a reconsideration of its classification. The layers of time, marked by alterations and the shifting landscape of Free Street, paint a portrait of change and adaptation that cannot be overlooked.

Yet, beyond the confines of history, I am compelled to acknowledge the potential in front of us. The proposal put forth by the Portland Museum of Art expansion represents not only a remarkable architectural endeavor but also a beacon of inspiration for our community. In its boldness, we find a promise of renewal, a symbol of progress that speaks to the limitless horizons of our collective imagination.

In supporting this endeavor, we affirm our commitment not only to preserving our past but also to fostering a future rich with innovation and creativity. It is in the delicate balance between tradition and innovation that we find the true essence of our identity as a community.

With gratitude for the opportunity to lend my voice to this important discussion, I extend my wholehearted endorsement for the reclassification of 142 Free Street to be a non-contributing building of the historic district. May we continue to chart a course guided by reverence for our heritage and boundless optimism for the future.

Warm regards,

Patrick Boothe, AIA
Maine Licensed Architect
86 Woodford Street, Portland, Maine 04103

PC Pollard <mloretta60@gmail.com>

Jan 14, 2024, 6:35:18 PM (2 days ago)



to planningboard@portlandmaine.gov

To the Chair and members of the Planning Board,

Please recognize that the Directors of the PMA's assertion that *why* they propose to ignore 142 Free Street's status as a contributing building in the Congress St. historic district is because the new building they intend to replace it with is so special, is hardly justification for ignoring the law.

The Historic Preservation Ordinance requires the same level of scrutiny to *remove* a building from its contributing status as was required in the first place to *include* it. Nothing about the building has so significantly changed that could justify its demolition according to the law.

Thank you,
Penny Pollard
29 Deering St.

eter Callnan <pcallnan@honeckotoole.com>

9:26 AM (3 hours ago)



to planning@portlandmaine.gov

This message was sent securely using Zix[®]

I've lived in Portland since 1985 and have always thought the building to be impressive and elegant. Let's not make a big mistake and destroy it. It can surely be put to good use and be an important part of redesigning Congress Square.

Thank you for your consideration.

Peter J Callnan, CPA

104 North Street
Portland, Me 04101

February 7, 2024

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

By E-mail to planningboard@portlandmaine.gov and planning@portlandmaine.gov

Re: 142 Free Street – Application for declassification as a “contributing structure” in the Congress Street Historic District

Dear Members of the Portland Planning Board:

It is exciting that the Portland Museum of Art is planning a significant expansion of its landmark headquarters between Spring Street and Congress Square. There is a concern, however, that its focus on the site of the former Chamber of Commerce/Children’s Museum building next door may violate both the letter and the spirit of Portland’s laws and ordinances regulating the historic character of large parts of the city.

Over the last half-century, Portland has established some 11 historic districts covering a good part of the Peninsula. Some of these are National Register Historic Districts, accepted and approved by the National Park Service. Others were established under Portland’s own historic preservation ordinance and then certified by the National Park Service as Certified Local Historic Districts.

Under both regimens, the standards for becoming a historic district are similar. The area in question must contain a certain proportion of “contributing” buildings or structures that impart to the district a distinct sense of historical authenticity. This is determined by a painstaking inventory of the structures within the proposed boundaries to determine which ones can be considered “contributing” based on a number of defined criteria. These inventories are usually assembled with the help of expert consultants. They are then reviewed successively, first by the Portland Historic Preservation Board, then by the Planning Board and finally by the City Council.

Once a building has been finally classified as “contributing” to a historic district, however, it can legally be “declassified” only upon a positive finding by Portland’s governing body that 1) the building was wrongly classified in the first instance and does not in fact meet the criteria with which it was associated, or 2) the building has become seriously deteriorated since it was classified. There is no provision that permits declassifying a contributing building because its owner would like to replace it with a new, even a splendid new, structure. There is no provision that permits declassifying a contributing building because the City’s comprehensive plan has come to promote development of a different kind.

These are the rules by which City and its various departments and Boards are required to play. And it is easy to see that these rules are vital and necessary to maintenance of historic districts and the advantages that they bring. The historic districts would have little meaning or stability if city officials could declassify a protected structure based on a proposal to build something new and attractive in its place.

It might be noted that the stability of historic districts is very important to the National Park Service. If it gets the impression that a city is not faithfully adhering to the rules by which historic districts are created and maintained, it is empowered to withdraw its certification of the district or the city as a sponsor of districts and cut off access to millions of dollars in tax credits as well as direct grants for historic preservation purposes.

As the Planning Board considers the request of the Portland Museum of Art to declassify the contributing structure here in question, the only consideration should be whether the original classification was in error. There does not appear to be any suggestion that the building has deteriorated to an extent to warrant declassification on that ground. While it is not the purpose of this letter to address this point, it does appear that the building in question was originally found to satisfy not merely one, but several of the criteria to be classified as "contributing." It would be remarkable if, upon reexamination, it is found to have satisfied none of them.

Portland's historic districts have effectively preserved a sense of past epochs of Portland's history. They play a major role in making Portland an attractive goal for tourists and visitors as well as a special place within which to live and work. As documented in a recent third-party evaluation, the presence of Portland's historic districts has brought a net economic benefit to the city.

More specifically, redevelopers of contributing buildings in both National Register and certified local historic districts are eligible for Federal and State income tax credits for restoring and repurposing their properties. Portland property owners have received tens of millions of dollars in such tax credits, and pending projects stand to receive millions of dollars more.

It is respectfully requested that the Portland Planning Board, in considering the PMA case, will be guided by governing law and ordinances and will reach a decision that respects the integrity of Portland's historic districts. While the PMA is to be applauded and encouraged in its plans for expansion, such expansion must respect the legally protected fabric of the city in which it has its home.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter L. Murray". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Peter L. Murray

Peter Quesada <pquesada@forerivercompany.com>

Feb 6, 2024, 1:26:01 PM (yesterday)



to planningboard@portlandmaine.gov, Ric Quesada

I am writing regarding the upcoming public hearing to consider the request of the Portland Museum of Art to reclassify the former Children's Museum as a non-contributing building in the Congress Street Historic District. Terbax Realty, of which we are the shareholders, owns the building at 562 Congress Street and 123 Free Street, on the corner of Free and Oak Streets in the Historic District. We are in favor of the re-classification. We believe the building has been so modified over the years that there is little left to justify considering the building 'contributing,' that the change will not jeopardize the integrity or atmosphere of that portion of the Historic District, and that the proposed redevelopment will in fact enhance the Portland Museum, a or perhaps the core component of the Historic District. Thank you for this opportunity to comment.

Peter Quesada
Terbax Realty
5 Milk Street
PO Box 7525
Portland, ME 04112
(207) 772-6404
(207) 772-9078 fax
Direct line: (207) 772-8286 x203
pquesada@forerivercompany.com

Philip Pendleton <pependle@gmail.com>

Feb 7, 2024, 1:49:15 PM (19 hours ago)



to planning@portlandmaine.gov

I am Philip E Pendleton, Portland resident and an architectural historian and historic preservation professional for some 35 years.

The PMA is an impressive cultural institution, and practically everyone in town is looking forward to seeing the museum expand its facilities and its exhibit presentation.

However, that does not give the PMA management the right to run roughshod over the city's historic architectural landscape, or over the city's legal structure of safeguards that were implemented to protect and promote its architectural integrity and status as a livable community.

The PMS is fully capable of adjusting its plans to protect 142 Free Street and integrate that structure into the plan as a contributing component.

Sincerely,

Phil Pendleton
77 Park Street, Apt D
Sent from my iPhone

Randy Harding <rzharding@gmail.com>

Dec 10, 2023, 10:27:13 AM (22 hours ago)



to planningboard@portlandmaine.gov, gkenedy@portlandmuseum.org

Dear Planning Board members,

I am writing to you in support of the proposed expansion for the Portland Museum of Art (PMA).

I support removing the historic designation of the former Children's Museum and Theatre of Maine building needed to allow them to proceed with the expansion.

PMA's new building with its mass timber, terracotta, and glass, and with nods to Maine communities and history, will be a stunning new cultural landmark. They sponsored an international design competition which included several months of taking community input. The result is a design from the winning firm LEVER architectural that is truly for people and for communities and tailored specific to Portland and all of Maine.

This will far exceed the community value of maintaining an older building that is relatively unknown and insignificant when compared to other historic landmarks.

Thank you

Randy Harding

Rebecca Falzano <rebecca.falzano@gmail.com>
to planningboard@portlandmaine.gov, Graeme Kennedy

Dec 12, 2023, 12:38:33 PM (20 hours ago)



Dear Members of the Portland Planning Board,

I am writing to express my wholehearted support for the Portland Museum of Art's ambitious Blueprint project and the proposed reclassification of the existing structure at 142 Free Street. As a concerned and engaged member of the community and a Portland business owner, I firmly believe that this project represents a crucial step towards revitalizing our city both economically and culturally.

The PMA's commitment to engaging with the community over the past two years through extensive sessions, workshops, town halls, and surveys is commendable. The inclusive approach taken in the open and juried international design competition, which involved showcasing 3D models of proposed designs for public feedback, demonstrates a genuine effort to ensure that the project aligns with the values and aspirations of the diverse communities it serves.

Here are some key reasons why I support the PMA Blueprint project and the reclassification of 142 Free Street:

1. **Economic Revitalization:** The transformation of Congress Square and the doubling of the museum's impact are promising prospects for downtown Portland. Bringing in over 300,000 visitors annually will undoubtedly have a positive economic impact, providing new opportunities for local businesses and contributing to the overall vibrancy of our city.
2. **Cultural Impact:** In the face of global challenges such as the pandemic and climate change, it is evident that strong cultural centers are essential for the resilience and sustainability of cities. The PMA, with its rich collection and commitment to fostering a sense of belonging for all, plays a pivotal role in securing Portland's cultural heart.

While acknowledging the importance of preserving our history, I believe there are instances where exceptions are warranted. In the case of 142 Free Street, the building's troubled history and the need for growth make a compelling case for reclassification. The changes made to the structure over the years, coupled with its association with the Ku Klux Klan, underscore the importance of reassessing its status.

The columns and Neoclassical design, while historically significant, carry a troubling legacy that inhibits the inclusive and welcoming atmosphere that the PMA aims to create. Understanding the potential interpretations of architectural styles is crucial, and I believe that supporting a structure with such a problematic past may hinder the city's progress toward a more inclusive and equitable future.

In conclusion, I applaud the PMA's vision for the future and its dedication to creating a museum that reflects the values, diversity, and aspirations of our community. I urge you to consider the broader impact of the PMA Blueprint project on our city's economic and cultural landscape and support the reclassification of 142 Free Street as a step towards building a more inclusive and forward-looking Portland.

Thank you for your time and consideration. I look forward to witnessing the positive transformation that the PMA Blueprint project will bring to our beloved city.

Sincerely,

Rebecca Falzano
4 Mountain Road
Falmouth, ME 04105
rebecca.falzano@gmail.com

reene patterson <reenemaine@gmail.com>

Feb 2, 2024, 2:11:59 PM (3 days ago)



to planning@portlandmaine.gov

Dear Planning Board Members,

I am writing to you to express my sincere regret that we could possibly lose another irreplaceable historic building in the City of Portland. And the fact that it is the Portland Museum of Art that wants to remove the old Chamber of Commerce building and replace it with a modern addition to the existing Museum is unconscionable. It definitely has made me consider ending my Museum membership.

I volunteer for Greater Portland Landmarks at both the Observatory and at the 5th Maine Regiment Memorial Hall on Peaks Island. This organization has worked very hard to bring attention to the residents of Portland, and the entire State, of the importance of maintaining our important historic structures. We have only to remember the loss of Union Station to understand that once gone, these beautiful buildings can never be replaced.

I am sure the PMA can incorporate 142 Free St. into their new expansion plans. Just like the Current Museum building integrated the McClellan House and the Sweat Memorial Galleries, the old Chamber of Commerce building needs to remain in place.

Please consider the fact that once a building is gone, it is gone forever.

Thank you,
Reene Patterson
19 Maple Street, Apt. C
Brunswick ME 04011

Rhoda Renschler <rsrench@msn.com>

8:36 AM (7 minutes ago)



to planning@portlandmaine.gov

Thank you all for your service to our community.

Please retain the zoning that was put in place to protect the historic fabric of our community and save 142 Free Street. Support an alternative to the museum expansion for a new design could be spectacular and more innovative.

Portland can have both: historic districts with exciting new designs.

Rhoda Renschler
37 Channel Road
South Portland, Maine
04106

Richard Barnes <richard.barnes05@gmail.com>

11:34 AM (1 hour ago)



to planning@portlandmaine.gov

Dear Planning Board members,

This building is covered by the Portland Historic District ordinance, which has been in place since 1970 and re-confirmed in 2009. PMA Trustees knew this when they purchased the building, and it was known to the four architectural firms that were invited to submit to the design competition for the Museum's expansion.

To request that this building be torn down in the face of that history because the Trustees chose a design firm that wanted them to press for a change in designation for a building that has been deemed to be of historic significance on two different occasions is cynicism of the highest order.

The ordinance was enacted after the destruction of Union Station, the loss of which still resonates today. PMA and the Payson Bldg, the McClellan-Swett House are key elements of Portland Downtown, the Arts District, and stand out amid so many other cookie-cutter buildings that dot the Peninsula. The PMA can expand in a manner that preserves one of John Calvin Stevens' major downtown buildings.

Do not grant the request.

Richard Barnes

Sally <oldhamseg@gmail.com>

Feb 7, 2024, 4:07:11 PM (17 hours ago)



to planning@portlandmaine.gov, Kevin Kraft

Dear Chair Mazer and Members of the Planning Board,

I write to urge you to uphold the contributing status of 142 Free Street, the former Chamber of Commerce Building, within the Congress Street Historic District. The City's Corporation Counsel has advised city staff that the recommendation regarding this reclassification request must be based on the criteria included in the city's ordinance. Other considerations are not relevant to this decision.

The museum's attorney has provided a statement essentially stating that the building meets none of the ordinance's criteria for significance. The unanimous opinion of the Historic Preservation Board to uphold the contributing status is based on their familiarity with relevant federal, state and local standards. With my experience having worked at the National Register of Historic Places in the Department of the Interior, I believe they have evaluated the contributing status accurately. The carefully researched statements regarding evidence of the building's contributing qualities are clearly delineated also in Greater Portland Landmarks' written statement.

The consultant report submitted by the museum contains interesting facts about the history of the building, but it fails to synthesize this information and to evaluate it based on federal, state and local Preservation guidelines. The 1926 appearance of the former Chamber of Commerce Building, designed by John Calvin Stevens and John Howard Stevens, provides the basis for determining this to be a contributing building in the historic district. In conclusion, I urge you to carefully evaluate the information before you and to recommend to the City Council that the contributing status of 142 Free Street be maintained.

Thank you for considering my views,
Sally Oldham
118 Congress Street
Portland

Samuel Carter <samuel.m.carter@gmail.com>

Feb 6, 2024, 2:23:58 PM (23 hours ago)



to planningboard@portlandmaine.gov, gkennedy@portlandmuseum.org

To the Portland Planning Board:

I support the Portland Museum of Art's planned expansion onto the site of the current 142 Free Street building.

I strongly urge you to support the demolition of that current building that is a clash of architectural styles (Federalist meets Greek revival?) and which has no reasonable means of expanding the Museum's need for increased gallery space, administrative offices, secure on-site storage, and studios for visiting artists. The floorplan in the current building is terribly laid out due to the former occupants' needs to bring it up to ADA compliance.

Opponents to the Museum's expansion project claim the current building has historical value merely because a jobber architect who designed houses on the West End had his name associated with this building. But these same opponents likely aren't members of the Museum, do not visit the museum periodically to enjoy the art on display, or support the Museum's mission to inject much-needed vitality into the heart of Portland. "Look at what happened to Union Station!" they cry, overlooking the fact that Union Station was not a jumbled up mess and was indeed an example of beauty in architecture, where form followed function. The hue and cry of "Historic Preservation!" in Portland should not necessarily be applied always to tawdry, boring, and uninspiring coagulations of brick and mortar.

With the expansion of the Portland Museum of Art into a new, larger, more accessible, and (let's be honest) attractive space, tourists from around the world will want to visit Portland. The economic impact of the project will increase the number of jobs and grow the city's income. This isn't just some project for elitists -- the expansion into a new building will have a lasting economic impact on citizens living in and around Portland, and will inspire regional artists (not known for their "elite" tendencies) to pursue their passion.

Please approve the Portland Museum of Art's expansion project.

Thanks,
Sam Carter
Yarmouth resident and Museum member

Sarah Mills <scmills45@gmail.com>

11:48 AM (1 hour ago)



to planningboard@portlandmaine.gov

I am in agreement with Greater Portland Landmarks in its position regarding the PMA re-design, specifically, preserving 142 Free Street.

I am surprised that those at the PMA who have been involved in developing the new plans have ignored the current status of this historic building. I hope that it was a mistake and not a situation of extreme hubris, disregarding the current status.

Sincerely,
Sarah Cross Mills, Portland Citizen

sarahWithAnH <sarah.vatter@gmail.com>

3:29 PM (18 minutes ago)



to planningboard@portlandmaine.gov, gkennedy@portlandmuseum.org, Lane Brenner

Dear Portland Planning Board,

I hope this message finds you well. I'm reaching out to you as a fellow community member who cares deeply about our neighborhood's growth and cultural vibrancy.

To that end, I was surprised to learn that something so many Portlanders, myself included, have excitedly followed along with and voted for, The PMA's Blueprint initiative, is facing opposition. It's disheartening to see a project that so many got to take part in between attending the architects' presentations at a town hall-style meeting and viewing all holds so much promise being met with resistance.

This community-supported initiative will make Portland a downtown destination and seeks to replace the aging and intimidating corner of Free Street with a more innovative museum structure, one that reflects the inclusive vision of every community member who participated in the process of the new building.

I understand that growth often involves tough decisions, and I hope you will keep in mind that this building has undergone numerous alterations with zero regard for historic consistency. Moreover, the associations with the Ku Klux Klan underscore the need for change and some homage to the original inhabitants of this land, as the new building will do. Our community deserves a space that truly represents our diversity, values, and aspirations.

As a Maine resident for over ten years, I thank you for standing with our community and honoring the cultural growth and downtown revitalization that so many of us envision for Portland.

Regards,

Sarah Vatter
sarah.vatter@gmail.com
23 Bramhall Street
Portland, ME 04102

Sean Wilkinson <sean@might-main.com>

Dec 7, 2023, 4:31:25 PM (16 hours ago)



to planningboard@portlandmaine.gov, Graeme Kennedy

Hello, my name is Sean Wilkinson, and I am writing in support of Portland Museum of Art's Blueprint Project.

A lifelong Mainer, I always loved visiting Portland, and moved here in 1997 to attend Maine College of Art. My art history lectures were in the auditorium in the Payson Building, and I've always loved walking through the galleries there. I was a work-study student in MECA's admin office in the Clapp House (now owned by PMA), and loved the contrast of that Greek Revival building standing across the street from the Brutalist hotel across the street. I loved how they were united by the timeless modernity of the Payson Building. I worked as a bartender at Free Street Taverna (now the defunct DogFish), and loved that little postage stamp brick saltbox, across the street from the rambling flatiron-looking Hay Block that pointed down to the Porteous Building where I attended many classes. I took my graphic design classes in the Baxter Building, and I loved how that Romanesque Revival building was abutted by the gritty Fine Arts Cinema (now Geno's), and the low-slung Joe's Smoke Shop — what looked like a small house dropped in the middle of a parking lot. I lived in the Trelawney Building, and looked out over this varied landscape with a lot of love. Portland has always felt like a city that adapts and evolves to the changing needs of its populace, and improves its position when it can (that little low-slung smoke shop is now a well designed apartment building overlooking Longfellow Square, and Joe's has a vastly improved new home on the first floor). Portland evolves. Portland does not stagnate. That's what makes it feel like home.

I started a business called Might & Main here in 2010, branding and designing dozens of restaurants around the city. We've worked on restaurant brands in a wide variety of buildings, from Eventide, Hugo's, and Honey Paw in a 1920s former garage and storefront on Middle Street; to Central Provisions in a 5-story 1800s grocery store and barrel repository; to Woodford F&B, in a former mid-century car dealership; to EVO, in a newly built hotel occupying a former parking lot. They've all become icons of the city. They've all won prestigious culinary awards. And they've been able to attain this status because they have the customers to support their businesses. They have the customers because people see Portland as a creative destination full of iconic places. A destination that's always adapting and improving. A place where arts, culture, and cuisine abut a vital working waterfront and a hearty population of intrepid locals. It seems short sighted to me that the kind of incredible evolution that the Blueprint Project would bring to our city should be halted by stubborn clinging to something that feels historic, yet hasn't been a vital part of Portland's downtown for decades.

We started working with The Children's Museum years ago to launch the campaign of their new building on Thompson's Point, and there were many reasons this move was necessary. Chief among them were the unwelcoming and outdated facade that felt out of place on today's Free Street, and the decrepit state of the building itself. In the winter months, everyone in the cramped meeting room would wear coats, jackets, hats, and sometimes gloves because the building never quite reached a comfortable temperature. Their move to the Point has signaled an amazing evolution of their brand, and increased capacity for their incredible work, but also the failure of their old building to function as a basic structure. In my love letter to the city of Portland, 142 Free Street never quite registers as something worth noting.

What *does* excite me is the opportunity to create another world-class advancement for Portland at the hands of the PMA. Their vision is like nothing I've seen for our city, and could prove to bring life back to a withering downtown center — to bring more visitors to patronize our restaurants, galleries, venues, hotels, and shops. To support the people who make those establishments work every day. To support the great people who have worked to effect positive change in the city, and not stand stubbornly in history for the sake of history, only to obstruct the kind of evolution that has made Portland a legendary destination year after year.

I've had the good fortune to work all around the country, and to see what makes a city seem relevant and inviting. Shouldn't we be the stewards of our current, relevant history? The new history that reflects our growing, diversifying community? This isn't the same Portland of the 1900s, thank goodness. We need more visionary projects like this museum's expansion, and less obstinate naysaying in the face of promise and change.

Thank you,

February 7, 2024

Dear Members of the Planning Board,

Re:142 Free Street

We write to urge you to deny the Portland Museum of Art's request to remove the Contributing designation from the former Chamber of Commerce Building at 142 Free Street.

As residents of the West End Historic District for over forty years, we appreciate the benefits that have accrued to our neighborhood and the city from the creation and maintenance of our Historic Districts and the Historic Preservation Ordinance. We rely on the city to enforce and protect this and all other ordinances.

The designation of 142 Free Street as a Contributing building was correct and justified when the Congress Street Historic District was created in 2009. For its extensive headquarters renovation in 1926, the Chamber of Commerce chose the John Calvin Stevens firm, the city's most prominent architects at the time. They produced a Colonial Revival style building that made a clear statement that still speaks to us today of their city's economic vitality and strong civic pride. The key features of the facade – the temple form, window pattern, and architectural details – all survive in Portland's commercial center. Nothing has changed these contributing factors, and, after a thorough review of the facts, the Historic Preservation Board's decision recently confirmed the original designation. No sound basis exists for the Planning Board to overrule the Preservation Board's judgement in this matter.

The PMA's request to demolish the building is shameful. The Museum has made no effort to try to comply with the ordinance. Rather, they decided they know best what is worthy of preservation. They have planned from the beginning of their expansion project to attack the building's designation and, through that, our Historic Preservation Ordinance. Simply put, they must be held to the same standard as any other citizen, institution, builder, or developer if our Historic Preservation Ordinance is to maintain its integrity.

We urge you to uphold 142 Free Street's designation as a Contributing building. Then the Museum can revert to a process they should have followed from the outset: bring the community together around an expansion that meets their needs and respects the community they serve by adhering to the Historic Preservation Ordinance.

Thank you.

Sincerely,



Seth and Laura Sprague

28 Orchard St.

Portland, ME 04102

Shirley Helfrich <shirley.helfrich@gmail.com>

10:52 AM (3 hours ago)



to planning@portlandmaine.gov

To: Planning Board members

From: Shirley Helfrich, 60 Candlewyck Terrace, Portland, ME 04102

I urge you to consider the importance of upholding the historic preservation policies for the city of Portland that are currently in place. Regardless of whether the building at 142 Free Street is of historic importance to everyone, in my opinion it is crucial to maintain the integrity of the process that was begun to maintain the historic value of buildings in our city. I was dismayed to learn that the design I voted for disregarded these policies, and to my knowledge, the Portland Museum of Art did not make the demolition of 142 High Street widely known in the design process for the public. I would recommend that the museum consider alternate plans at this time, even though I understand it would involve further expense and new design submissions. Thank you.

Shirley Helfrich

Portland Museum of Art member

Feb 4, 2024, 2:23:36 PM (18 hours



SMCCLOSKEY@maine.rr.com <SMCCLOSKEY@maine.... ago>
to planning@portlandmaine.gov

Dear Planning Board,

Below is a letter that I sent to the Portland Press Herald. Thanks for reading it.

The PMA's high-handed effort to defy the Historic Preservation Ordinance's protection of 142 Free Street makes me wonder if such an ordinance, had it been in place in 1961, would have saved the late and lamented Union Station from the wrecker's ball. Possibly not, as the developer at that time could have won over the deciders with arguments similar to the PMA's in favor of demolishing the former Children's Museum.

The irony is that every business in the strip mall that replaced Union Station could have been housed within it. On the same hand, every aspect of the PMA's goals for expansion could be accommodated within a design that preserves 142 Free Street. Indeed, the PMA has such a design in hand--the one submitted by one of the four finalists in the design competition, Toshiko Mori's group.

I ask the Planning Board to keep the present classification of 142 Free Street and encourage the PMA and Portland Landmarks to work together cooperatively so that each can achieve its worthy goals.

Staci Hanscom <slpartin_nc@yahoo.com>

Feb 6, 2024, 12:28:00 PM (yesterday)



to planning@portlandmaine.gov

I firmly believe that 142 Free Street should remain as a contributing structure in the Spring Street National Register Historic District (1970) and in the Congress Street Local Historic District (2009). As a former National Register writer and evaluator for the State of New York, I can say with authority that removing a contributing structure from an historic district undermines the entire purpose of the district itself. 142 Free Street is a historic building, despite any interior changes made through the years. The Portland Museum of Art had/has options to accommodate this building in its original RFP, and they should not be rewarded now for ignoring the rules set out for historic preservation on the city, state and national level.

Below I have attached an article, which appears to be relevant to the issue, assuming the ordinance mentioned is still on the books.

[The Lewiston Journal - Google News Archive Search](#)

Staci Hanscom
33 Heather Rd.
Portland

tina petra <tinapetra@gmail.com>

Dec 2, 2023, 12:36:58 PM (yesterday)



to planningboard@portlandmaine.gov, Jennifer Graves

To whom it may concern:

I am writing in support of the PMA's endeavor to build a special and architecturally significant addition to the currently existing museum buildings, which no longer provide adequate space. This design has been developed over many months of research and input from a broad variety of the Portland community in order to best represent the needs of our diverse population.

Other research included the commission of a comprehensive history of the 142 Free Street building site. In it, historian Margaret Gaertner carefully outlined the various iterations of the oft-changed building over the past almost 200 years. A theater became a church, another church, then a Chamber of Commerce and then a Children's Museum. Each time the building changed hands, it also changed physically--steeple added, windows changed, brick to stucco over brick. In 1992 it was declared a historically significant building by the Preservation Board of Portland. But the building as it remains now, has literally only the facade built in 1922 with John Calvin Stevens as architect. It was not "designed" by him per se, but created from a historical drawing that he believed represented what the original theater looked like. Because of the many changes, it is far from the building that was originally there.

The PMA is a champion of architecture, and has a collection of historically significant buildings now that are carefully maintained, including one in a beaux-arts style designed by John Calvin Stevens. Therefore, the decision regarding the status of the existing 142 Free street was not made lightly.

The new, sustainable building, designed by LEVER Architects and to be built largely from Mass Timber, will add to that collection. I truly believe that it will become a beloved structure, with its open design welcoming to all. The economic impacts of the Blueprint Project will help revitalize Congress Square and bring attention to the city. It will enhance the City of Portland's Comprehensive Plan 2030.

Because of the above, I ask that you vote in favor of reclassifying the existing 142 Free Street building as a non-contributing structure.

Sincerely,

Tina Petra
Trustee, Portland Museum of Art

Tony Payne <tpayne53@gmail.com>

Feb 2, 2024, 12:47:05 PM (3 days ago)



to planningboard@portlandmaine.gov, Elizabeth Jones

Born and raised in Portland, I photographed the demolition of the Libby Building on Congress Square that made way for the new museum. I recorded that transformation as I did with the construction of One City Center, another investment in Portland's future. I love how cities evolve and reinvent themselves.

While the Libby Building had stood for years housing a variety of businesses, it had no particular thread to explain its significance to Portland's heritage. Similarly, though the one-time chamber of commerce building on Free Street has housed various non-profits, it isn't a site of such significance that it's restoration and repurposing would become a must-see landmark.

In contrast, the proposed modern addition to the I.M. Pei-designed museum would be a significant addition to the cultural fabric of the Congress Square District, Portland's "heart of the arts".

I am a huge fan of historic properties having managed a dozen restored 1860s buildings in the Old Port during the Old Port's 1980s resurgence. I also was the originator of Friends of Post Office Park that transformed a government services parking lot to green space. I love the vitality of this city.

Every great city not only boasts world-class museums but showcases their collections in visually interesting properties.

Please let the museum continue its immeasurably positive contribution to Portland's reputation with a significant landmark addition.

Thank you for your consideration and public service. - Tony Payne

Tony Payne

Victoria Bonebakker <vbonebakker@gmail.com>

Feb 7, 2024, 4:17:15 PM (16 hours ago)



to planningboard@portlandmaine.gov

> I am writing to urge you to respect the 3 decades old Historic Preservation Ordinance under which 142 Free Street was designated as a Contributing Structure, its having been determined as meeting 4 out of the 6 criteria when only 2 were required. To disrespect the Ordinance is in effect eviscerate it. Accepting the requested reclassification is to create an exception and a precedent that will fatally weaken the protections of the Ordinance, as one proposed demolition follows another until Portland loses its history, its character and its appeal going forward.

> The Portland Museum of Art's presumption that it can bully its way over the intended hurdle of the Ordinance is reprehensible. It was aware of 142Free Street's status as a contributing structure when it purchased the building and when it commissioned the new design, which not incidentally tinkers with both the facade and the back of the award winning Payson building. The museum owns a large empty lot on Spring Street (as well as the Clapp house). Its expansion should take place there. The Payson building is a more than sufficient presence on Congress Square.

> I urge the Planning Board to deny the Museum's request to reclassify 142 Free St from a contributing to a non contributing structure.

>

> Victoria Bonebakker

> 91 Park Street

> Portland 04101

142 Free Street

0 views

Subscribe **William Hall** <wpeaks@earthlink.net>

10:09 AM (6 hours ago)



to planningboard@portlandmaine.gov

To the chair and members of the Portland Planning Board:

For this important public hearing, I would like to emphasize just one point from Greater Portland Landmarks' position statement:

- For a building to be designated as a contributing structure, it needs to meet just one of the criteria laid out in Subsection 17.4.1.A of Portland's Historic Preservation Ordinance. The former Chamber of Commerce Building meets 4 out of the 6 criteria.

In addition to being on the Landmarks board, I am a member of the Portland Museum of Art. So I truly admire the PMA's effort to remake its space in a way that takes the museum into the future as a remarkable and exciting public institution. I just don't believe that a good redesign has to include the demolishing a perfectly sound historic building.

I do think it's extremely important to uphold Portland's land use code and reach a decision that is in conformance with the law. 142 Free Street certainly meets key criteria for preservation as a contributing structure. A decision contrary to that, allowing the building to be torn down, risks undermining historic preservation rules that have done so much to make Portland a unique, vibrant, and desirable place to live and visit.

In a related but different perspective, the greenest building is frequently the one that is already built. Tearing down 142 Free Street, with the wasteful loss of its embodied energy and then the disposal of remains, does not seem to conform to the city's efforts to mitigate the effects of climate change and global warming.

Thank you for your consideration and for your service to the city of Portland.

Bill Hall

317 Pleasant Avenue

Peaks Island

Portland Planning Board member, 2006-2016

Alexander Jaegerman, FAICP
398 Spring Street
Portland, ME 04102

February 9, 2024

Re: Historic Preservation Designation – 142 Free Street

Chair Mazer and Members of the Portland Planning Board:

I am writing to urge you to recommend to the City Council that the former Chamber of Commerce building and Childrens Museum at 142 Free Street must retain its Contributing Building status under the Historic Preservation Ordinance.

When the Historic Preservation ordinance was adopted originally in 1990, it included a provision called Project of Special Merit that would have enabled the City Council to allow a new civic building to displace a contributing building. That provision was eliminated from the ordinance in 2005 when the City amended the ordinance to comply with the Secretary of the Interior's Standards for Historic Preservation to qualify Portland to become a Certified Local Government. The amendments were the result of an audit of Portland's ordinance conducted by the Maine Historic Preservation Commission that identified several provisions in Portland's ordinance that would have disqualified Portland from designation as a CLG.

The building at 142 Free Street has been determined to meet the criteria for a contributing building by the Historic Preservation Board. Ample testimony has been provided by experts from Greater Portland Landmarks, Earle Shettleworth, and others demonstrating that the building meets four of the six criteria, while only one is needed to qualify. These findings are practically beyond dispute. The Planning Board is tasked with upholding the ordinances of the City of Portland. To do so in this case, you must vote to retain the Contributing Building status of 142 Free Street.

Thank you for your consideration.

Alec Jaegerman

February 12, 2024

Portland Planning Board
Brandon Mazer, Chair

Dear Mr. Mazer and Planning Board Members,

Aside from breaking Portland's Historic Preservation laws, the PMA's building design for its proposed addition is a threat to our environment.

A full city-block wide glass wall 5 stories high will be a beacon for bird collisions. Cornell Lab magazine *Living Bird* (Winter 2024, p.50) states "Scientists estimate that up to 1 billion birds die each year after colliding with windows in the United States and Canada." Architects are currently asked to prevent bird strikes by paying more attention to the design of glass buildings in cities. Birds need strong clues on or around glass to warn them that an object is actually there.

This huge glass structure will need lots of heat in Maine winters and cooling in Maine summers. The Environmental Protection Agency calls these massive glass designs "urban heat Islands". The glass will absorb heat from the sun during the day, which at night will dissipate, causing temperatures around city buildings to rise as much as 22 F degrees. It will heat all of the precipitation that comes in contact with its walls. This run-off then heads down to the Fore River. The Friends of Casco Bay state on their website that "over the course of a decade, the Gulf of Maine warmed faster than 99% of the global ocean." The PMA's addition will contribute to this dangerous warming trend.

The PMA says they are committed to "inclusion, diversity, and equity." The health of our environment should to be part of their equation.

Eugenia O'Brien
1376 Westbrook Street
Portland, ME 04102
(207) 232-0717

Jenny Potter Scheu <jpscheu@zwi.net>

8:38 AM (1 hour ago)



to planning@portlandmaine.gov

Planning Board members,
I see no reason why the 142 Free Street building must remain intact.
Please allow the PMA to use that site for the expanded museum.

The building was completely gutted and changed for the Children's Museum renovations many years ago.
I walk by the building every day. It is an empty shell, poorly maintained, and is not JC Stevens' best work!

I am a decades long member of Greater Portland Landmarks and a licensed Maine Architect.
While I appreciate much of what GPL does, I think that they are completely wrong on this issue.

The PMA expansion plan is very exciting for that neighborhood and for the City of Portland.
Please vote to support the museum project, NOT to protect 142 Free Street.

Thanks for your hard work,
Jenny Scheu

Redhouse Architects + Studio
61 Pleasant Street
Portland ME 04101
jpscheu@zwi.net
[207-773-8681](tel:207-773-8681)

Portland Planning Board

Re: Historic Preservation Designation, 142 Free Street Demolition
Hearing date: 13 February 2024

Date: 7 February 2024

To: Members of the Planning Board

I attended the 28 November Planning Board hearing on the Portland Museum of Art (PMA) request to demolish 142 Free St. A number of PMA's statements for the demolition are neither accurate nor legitimate and often hollow for the following:

PMA- 142 Free Street is not worthy of historic preservation because of too many physical changes to the original building.

+ Response- The building has stood on that ground for hundreds of years. The last change was over one hundred years ago by John Calvin Stevens, historically Maine's most significant local architect.

Historical Precedents (significant building with changes over time): Basilica Palladiana, Vicenza; Piazza del Campidoglio, Rome; colonial New England farmhouses; Fenway Park, Boston

PMA- Only the PMA's final selected design will offer the additional space requirements for displaying the growing art collection.

+ Response- The public was never allowed to see, offer opinions and judge for themselves any design(s) that utilized 142 as part of a solution. Excluding public opinion on this option was not transparent, inclusive, or fair. It appears that a directive in the competition brief from the PMA to the design teams indicated that demolition of 142 was preferred - without public input.

PMA- We want the museum to be a landmark building.

+ Response- It already is. One of our nation's premier architectural firms, I. M. Pei, with architect and founding principal, Henry Cobb, designed the 1983 Payson addition. Cobb's professional biographical achievements includes the Payson as one of his significant buildings. He spoke of utilizing Maine historic building elements and concepts in his design to compliment 142 Free St.

(Note: The LEVER design will also bore a large hole in the Payson on the Congress Square facade, defacing this building, too. If space is so badly needed, why demolish existing gallery space?)

PMA- Congress Sq. is in economic crisis because two coffee shops have closed and the public redesign of this area is slow to be completed. Only the PMA can save the day.

+ Response- Restaurant and beverage shops are coming and going all time. This area of town could be in transition because city supported development and growth is in other areas (ex. Base of Munjoy Hill, Commercial St., Back Cove), and lack of Class ‘A’ office space in this area of town.

(Note: If the PMA is so concerned about local coffee shops, why is a competitive restaurant, presumably with a coffee shop, included in the final design?)

PMA- Our economic feasibility report states that the LEVER design will be an economic generator for Portland per Portland’s Comprehensive Plan.

+ Response- Was the report generated after the LEVER design was selected by the PMA? If so, the purpose of the report might be contrived to support, reinforce (prop up) the selected design, not to guide what design, including the reuse of 142, would be most successful for economic development. Wouldn’t any design be an economic generator, including the reuse of 142 Free St.?

PMA- If a new addition is built on our Spring Street site, the museum would be turning its back on Congress Sq.

+ Response- Why? The existing main entry could remain facing Congress Sq. and a connection to the addition on Spring St. be made from the Payson.

PMA- To have a sustainable (“green”) building, 142 needs to be demolished in order to build with ‘mass timber’.

+ Response- US/EPA: More than 90% of total construction debris is produced by demolition of existing buildings. Reuse of existing buildings could reduce emissions by 40%.

Cases studied for embodied energy: the ‘greenest building’ is reusing the existing one (“The Greenest Building: Quantifying the Environmental Value of Building Reuse” by National Trust for Historic Preservation).

Demolishing a solid, building code compliant structure is not a sustainable solution; it is a wasteful use of resources.

Also, mass timber sustainability claims must be reviewed by INDEPENDENT sources, not timber councils that exist to promote and market wood products. Questions: How was the timber harvested?, forest management (soil erosion, water run-off)?, did local indigenous tribes approve?, is the manufacturing process sustainable?, is the distance to transport finished products considered for added carbon emissions?

There is not yet enough independent data to support the “greenness” claim of mass timber according to guidance in ‘Bloomberg, Green’ and ‘BuildingGreen’.

CONCLUSIONS: It appears that the demolition of 142 Free Street was predetermined by the PMA prior to announcing the design competition, and architects were not encouraged to reuse 142 in the competition brief. The public never got to assess the reuse of 142 as a possible design solution, suggesting this was not an open, fair and

transparent process for receiving public comments on all possible design solutions as the PMA claims.

The PMA economic benefits report, should be carefully reviewed for bias assumptions before accepting the results as valid. It is very conceivable that any addition would generate similar economic benefits, if any significant long term benefits were generated at all. But it is not as if Portland needs more construction projects at this time for economic growth and stability.

It is lamentable how little attention has been communicated by the PMA on the display of art. If more space for a growing collection was the prime needs requirement, why hasn't the PMA focused emphasis on promoting the quality of display space in the LEVER design? Why wasn't a design team with more experience in new museum design and exhibition space selected? (I could find only one exhibit installation and one interior remodel on the LEVER website.) Isn't space for displaying art designed with the art collection in mind? Was this addressed and carefully reviewed by the PMA in the LEVER design? How will direct daylight entering the addition effect the displaying of art? The quality of space for displaying art is not apparent in the LEVER design, which could result in poor reviews from national experts in museum design and our own art community.

It is important to remember that the PMA has open land on which to build, not necessitating the demolition of 142 Free Street for an addition.

Robert Kahn
94 Rackleff St.
Portland, ME

Berry Manter <berrymanter@yahoo.com>

Feb 9, 2024, 4:44:41 PM (3 days ago)



to Planning Board

Dear Planning Board Members,

I am strongly opposed to the reclassification of the former Childrens' Museum at 142 Free St., now part of the PMA campus.

- In recent times developers have exploited historical properties, (45 Eastern Promenade, 58 Fore, etc.) a diminished designation of this building, dating back to pre-Civil War, sets a dangerous precedence with regard to preservation within our city. Respect for preservation should not be taken lightly — how to integrate the past with the present matters.
- The PMA Campus is a COLLECTION of important and historically designated buildings and should be regarded as an architecturally integrated museum. The art housed within the museum dates back over two centuries — there is a place for buildings that also date back to early Portland history.
- The loss of a supporting structure undermines the visual community of surrounding designated historic blocks.
- Will the emboldened PMA next request to tear down it's other historic structures?
- While I add this as subjective and personal, I am an artist and graduate of MeCA-S (PSA), I value and seek out both contemporary and early creative works. However, I have struggled with the quality of exhibition space provided by the I.M.Pei building and question if the original building that was demolished to make way for this was a right choice. Let's consider very carefully. There is nothing about the classic structure of 142 Free Street that cannot be incorporated and re-designed to be quality museum space.
- Lastly, I am dismayed at the lack of vision to fail to incorporate this building into the campus. (I understand that some of the proposals that were not chosen for PMA's expansion conveyed how to do so.) I find a level of arrogance in PMA's expressed desire to dismiss the designated historic value of this building — given the known environmental impact of new construction vs. retaining a building, as well as the value of changing periods of art and architecture over time within Portland.

Again, allowing a designation change for this building reflects the same "promise of urban renewal" of a half century ago — Please, just don't do it.

Sincerely,

Berry Manter
Portland

Bryan M Dench <bd1949@maine.rr.com>

Feb 12, 2024, 7:07:31 PM (14 hours ago)



to planning@portlandmaine.gov

Dear Chairman Mazur and members of the board,

I came to Portland in 1972 to attend Law School and have lived in this community for many years. One of the things that is special and attractive about the City of Portland is its commitment to its history, including its architectural history. This is not something to be dispensed with lightly.

In addition to the compelling legal analysis presented by Portland Landmarks, with which I agree, it is important to consider how each decision to eliminate an historic structure diminishes the quality and character of our city. For legal reasons the board should not entertain its decertification as a contributing structure. For cultural, historical, and ethical reasons, it should retain the Greek classical style building that is one of the lynchpins of the Congress Square district as a contributing structure.

Thank you for your consideration,
Bryan

Bryan Dench Portland, Maine [207-333-0695](tel:207-333-0695)



February 12, 2024

Chair Mazer and Members of the Portland Planning Board,

The Portland Regional Chamber of Commerce represents over 1,300 members in eight communities in Greater Portland, employing over 75,000 Mainers. Please accept our letter of strong support for the Portland Museum of Art's application to reclassify their property located at 142 Free Street from a "contributing" building in the Congress Street Historic District to a "non-contributing" building.

Standards are not ironclad rules, otherwise there would be no need for a quasi-judicial review of them by no less than three bodies as outlined in Portland's land use code (Historic Preservation Board, Planning Board, and City Council). Rather, they are guidelines, the interpretation of which depends on the perspectives of the reviewing body. The Historic Preservation Board has a discrete role as reflected in their name and tends towards the most conservative interpretation of protection ordinances. Thus, our land use code is designed to submit applications of this nature through a more extensive process which includes the Planning Board. While their focus is on preservation, yours is on planning and thus that is the perspective through which you should evaluate this application against the relevant standards.

From an economic perspective, there has not been a more dangerous moment for the continued vitality of the Congress Street Corridor since the construction of the Maine Mall and the subsequent retreat of small businesses and foot traffic from our city's downtown core. Within the last several years since the onset of the pandemic, retail vacancies in the vicinity of this site have increased dramatically, and foot traffic has decreased. When this last happened in the 1970s, it took decades of work to reverse this trend through the addition of the Children's Museum and Theatre, the reinvigoration of the State Theatre, and the renovation of the Porteous Building in the 1990s to house the Maine College of Art and Design. It was only after these significant cultural and civic amenities were added to the corridor that businesses were again a sustainable enterprise. Similarly, this 21st century moment of retreat demands the addition to and transformation of this square and corridor to bring vitality and business growth back to the area. The addition of the PMA expansion and the significant efforts the city, state, and private philanthropy are making to redesign Congress Square will go a long way towards this goal.

This property is a site of transformation within a neighborhood of transformation, and we find the application demonstrates that that history of transformation is a vital piece of context for the board to consider when weighing the standards in the land use code under your purview. We purchased the building in the 1920s and commissioned a renovation that followed tremendous changes to the building no less than four previous times, initially in 1830 and then again in 1836, 1856 and 1876. Similarly, when we sold the building after 65 years of ownership in the early 1990s, the property transformed again. All these changes were in pursuit of modern and innovative uses of the space, and none would have been allowed if the interpretation of the current standards by the historic preservation lobby were to have been the controlling perspective of the correct application of those standards. Instead, we ask you to embrace that theme of transformation and apply the standards in the manner set forth by the applicant which clearly demonstrates this building's lack of historic significance and value.

Sincerely,

Quincy Hentzel
President & CEO

February 9, 2024

Chair Mazer and Members of the Planning Board,

I have read and listened to statements that representatives of the Portland Museum of Art have made regarding early conversations with me or "city staff" about the Museum's intent to demolish the former Children's Museum (Chamber of Commerce building). Given references to my input and the suggestion that PMA proceeded as they did upon my advice, I feel compelled to correct the record.

Months before I retired as Historic Preservation Program Manager for the City of Portland, I met with PMA Director Mark Bessire and Board member Cyrus Hagge to discuss the Museum's plans for a new wing. They spoke at length about the prospects for an exciting new addition and its promise to draw new audiences to the museum. They also shared the master plan that Scott Simons had developed for the project. They did not address the obvious absence of the Children's Museum building on the plans or the fact that the project, in the Museum's view, was predicated on the demolition of the building. It was only when I raised the question and reminded them of the building's contributing status within the Congress Street Historic District that we engaged in a discussion about what steps would be required should the museum elect to pursue their plan as proposed. Mr. Bessire and Mr. Hagge stressed that the master plan was only a preliminary planning document, that the solution shown in the plan was subject to change and that the Museum intended to hold a national design competition for the project.

In our meeting, I encouraged representatives of PMA to meet with the Historic Preservation Board as soon as possible to resolve the question of the building's contributing status and before they proceeded with any competition. I also told them that if they elected to move forward with a design competition without resolving this threshold question, they needed to a) identify the Children's Museum as a contributing building within a local historic district; and b) request that design teams explore design schemes that incorporated all or part of the Children's Museum building into the proposal. I also informed them that the "project of special merit" provision, which had been included in the historic preservation ordinance when it was adopted in 1990 (and which might have been employed to make the case for replacement) was removed from the ordinance in 2004 as required by the Maine Historic Preservation Commission and National Park Service in order for Portland to gain Certified Local Government status. Finally, I pressed them about potential alternative scenarios for the siting of an addition.

At the conclusion of our meeting, it was my understanding that PMA would be requesting a preliminary workshop with the Historic Preservation Board in the near future. As months went by, I was surprised that PMA had not done so. Soon after I retired in May 2022, I learned that the Museum had commenced with the design competition and that their RFP did not identify the Children's Museum building's inclusion within a historic district, let alone its contributing status. I also learned that the RFP did not request or encourage consideration of a design scheme that included the Children's Museum building.

Thank you for the opportunity to clarify my early input to PMA representatives.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah Andrews". The signature is fluid and cursive, with the first name being more prominent.

Deborah Andrews

former City of Portland Historic Preservation Program Manager

Sharyn Howell <sharyn.howell48@gmail.com>

Feb 9, 2024, 6:57:34 PM (3 days ago)



to Portland Maine Planning Board

To Portland Planning Board Members,

I have been involved with PMA for many years as a Docent and, more recently, as a Trustee.

I am sending this message to implore you to support the expansion of PMA, as designed by Lever Architects.

During our weeks for the community to view the four different architectural models, approximately 2,000 visitors (over 90% of voters) chose Lever!

I think that it is a glorious opportunity to enhance, beautify and rejuvenate Congress Square, which is, I believe, one of the most significant intersections in our beautiful state.

My husband and I purchased a 1760's house in Cape Elizabeth in 1979. We remain very grateful for the wonderful help and support we received from Greater Portland Land Marks. Their guidance during our longterm restoration was invaluable and very appreciated. And they awarded us a GPLM plaque. We have donated to them many times, generously, because of our admiration for this organization.

But I believe there are strong reasons to support PMA's next phase. The plan that PMA will become a community center, offering free open space for all, is just one of the benefits. Indigenous symbolism of the design is another. The response of highly admired artists, who have donated, or have promised to, their works to adorn new spaces is remarkable.

Please help this expansion to proceed. I believe your grandchildren will thank you.

Sincerely,

Sharyn Howell
25 Cove Lane
South Portland Me
04107

Planning & Urban Development
Christine Grimando, AICP
Director



MEMORANDUM

To: Chair O'Brien and Members of the Historic Preservation Board

From: Christine Grimando, Director of Planning & Urban Development

Date: August 24, 2023

Subject: Request to Reclassify 142 Free Street

Introduction

The Portland Museum of Art (PMA) has submitted a request (Attachment 1) to have their property at 142 Free Street reclassified from a contributing to a noncontributing structure within the Congress Street Historic District. To consider the request, two members of the Historic Preservation Board would need to initiate the amendment/rescission process. Below is a brief summary of the materials submitted in support of the reclassification request, procedural guidance, as well as a highlighting of pertinent sections of the Historic Preservation article (Article 17) of the City's [Land Use Code](#) (Attachment 2). The below doesn't include a substantive discussion of the proposal, which would follow once the amendment process was begun.

PMA Request

The package submitted by PMA in support of their request includes some history of the museum and its stewardship of museum buildings, including McLellan House, the Winslow Homer Studio, and the Charles Shipman Payson Building. It also introduces the topic of PMA's strategic plan, the recent International Design Competition for the campus, and the changing needs and vision of the institution. This information serves as context to their petition. Central to the Historic Preservation Board's consideration of their request, it includes an analysis of 142 Free Street's integrity according to National Register Guidelines and Portland's Historic Preservation integrity standards (Sec. 17.2 and 17.4.2), and a report on the *History of 142 Free Street and Free Street at Congress Square*, prepared by Margaret Gaetner, Historic Building Consultant which examines the history of the building and its alterations over time.

Amendment or Rescission of Designation

Section 17.5.9, *Amendment or rescission of designation*, states that amendment or rescission of a designation is prompted by any person or persons authorized to nominate a property or properties, or upon the request of the City Council. In the case of the current petition, PMA is asking to start a process to modify the district, specifically to reclassify 142 Free Street from contributing to non-contributing. No other change to the district is proposed.

Sec. 17.5.2.A identifies who can initiate a nomination for a district. This request to reclassify 142 Free Street is before the Board to utilize option 17.5.2.A.3: *By written petition of one or more owners of affected property in the case of a district, provided two members of the Historic Preservation Board must sponsor the petition.*

If two members of the Board were to sponsor the petition, the amendment would be considered pending. The process for review of the nomination to amend/rescind is then the same as that for a nomination to create a new designation, with a proposed district being reviewed by the Historic Preservation Board, the Planning Board, and ultimately the City Council. Immediate next steps would include the Planning & Urban Development Department notifying property owners within the district and the Historic Preservation Board conducting a preliminary workshop on the nomination within 60 days. The decision to sponsor the petition by two Board members does not signify a formal vote on the rescission.

Criteria For Amendment

The Board's recommendation for whether to reclassify 142 Free Street's status will depend on whether the materials in support of the application sufficiently address how the building does not meet the standards for designation. The criteria for amendment is limited to those provided in sections 17.4.1(A) and (B), Minimum criteria for designation, and Subsection 17.4.2, Integrity of Landmarks and Historic Districts (Attachment 2). The definition of noncontributing will also be useful to the review.

Historic Preservation Board Consideration

Staff will provide an overview of the request, the process, and the criteria at the September 6th Board meeting. That communication will provide an opportunity for the Board to discuss the request and to indicate if they'd like to sponsor the petition. The City's Land Use Code does not require that the Board take any action on the petition, but as PMA has gone to significant effort to address the criteria for designation in making this request, staff heartily recommends that two members of the Board sponsor this item, which would then allow the amendment to reclassify 142 Free Street to have a thorough public review and vote. Upon two or more members of the Board indicating they would like to nominate this amendment, the formal process to consider reclassifying the building will begin and the item will be on an upcoming Historic Preservation Board agenda for consideration.

Attachments

1. PMA Application
2. Chapter 14, Article 17 Excerpts

**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: September 15, 2023
RE: Sponsorship of the Request to Amend the Congress Street Historic District
MEETING: September 20, 2023

At the September 6, 2023 Historic Preservation Board Meeting, Planning Director Christine Grimando provided an overview of the request by the Portland Museum of Art to reclassify 142 Free Street as noncontributing within the Congress Street Historic District. In order for the requested amendment to progress through review by this Board, the Planning Board, and City Council, two members of the Historic Preservation Board needed to sponsor the request.

At the September 6 meeting, Chair O'Brien and Vice Chair Miller voiced their sponsorship of the request meaning that the amendment is considered initiated. This communication is being provided as a formal recording of that sponsorship.

The amendment has been scheduled for a first workshop with the Historic Preservation Board on October 4, 2023.

Office of Corporation Counsel
Michael I. Goldman, *Corporation Counsel*
Amy R. McNally, *Associate Corporation Counsel*
Nicole M. Albert, *Associate Corporation Counsel*
Rachel L. Millette, *Associate Corporation Counsel*
Avery A. Dandreta, *Associate Corporation Counsel*



MEMORANDUM

To: Chair Brandon Mazer and Members of the Portland Planning Board

From: Amy McNally, Associate Corporation Counsel

Date: February 23, 2024

Subject: Proposal to Amend Classification of 142 Free Street

Introduction

Our office was asked to provide a legal opinion on the Planning Board's scope of review of the proposal submitted by Portland Museum of Art ("PMA") to amend the existing designation applicable to 142 Free Street so as to reclassify the building from a contributing structure to a noncontributing structure in the Congress Street Historic District under Article 17 of the City's Land Use Code ("Proposal"). The purpose of this memo is to provide legal guidance as to whether the Planning Board may consider the Comprehensive Plan in its analysis of PMA's Proposal, or if it is limited to the designation standards provided in Section 17.4.1 (A) and (B) when it makes its recommendation to the City Council pursuant to Section 17.5.9.

Background

Section 17.5 of the Land Use Code governs the nomination, consideration and designation of historical landmarks and districts in the City. Nominations can be initiated for designation of an area, site, structure or object. Sections 17.5.2 through 17.5.8 outline the procedure for a nomination, consideration and designation which includes review and consideration by the City's Historical Preservation Board, the Planning Board and the City Council.

The Planning Board's procedure for making its recommendation to the City Council is set forth in Section 17.5.6. The Board is tasked with making a "determination including written findings as to whether the nominated district meets the criteria for designation in Section 17.4." As the Board is aware, Sections 17.4.1.(A)(1)-(6) outline the criteria the Board must consider when making a determination on a proposed nomination. Sections 17.4.1 (B) & (C) are not applicable to the Proposal currently pending before the Board. In addition to the criteria in section 17.4.1

(A) (and subsections (B) and (C) where applicable), Section 17.4.1. (D) requires the Planning Board and City Council to apply the “historic preservation goals included in the City’s Comprehensive Plan” and consider “the effect of such designation on other aspects of the Comprehensive Plan of the City” when making a determination on a proposed nomination. Under Section 17.4.2, any structure up for nomination must also have “sufficient integrity of location, design, condition, material and workmanship to make it worthy of preservation or restoration.”

Section 17.5.8, which sets forth the City Council’s action following the Planning Board’s recommendation regarding designation of a district, includes the following in subsection (B):

“Designation of a district shall be accompanied by a list, including the address, of every site, structure and object in the district. Every site, structure, or object shall be assigned a classification of landmark, contributing, or noncontributing, indicating their degree of cultural, historic, architectural, or archaeological significance. This list may be amended thereafter by the City Council upon recommendation from the Historic Preservation Board and Planning Board under the same procedures as set forth above. Where there are no express findings by the City Council in the designation ordinance, there shall be a presumption that the City Council found that all requirements of Section 17.4 were met.” (emphasis added)

Section 17.5.9, which is separately titled and immediately follows 17.5.8 in sequence, speaks to the process required for the amendment or rescission of any designation. Specifically:

“Amendment or rescission of any designation shall be upon the request of a person or persons authorized to nominate the property or properties affected, or upon request of the City Council, and shall follow the procedure set forth in Section 17.5 for designation. The City Council may rescind or amend a designation only after all of these procedures have been followed. The standards for rescission or amendment applied by the Historic Preservation Board, Planning Board, and City Council shall be limited to those provided in Subsections 17.4.1(A) and (B) and Subsection 17.4.2. Amendments may include reclassification of a portion of a contributing property to noncontributing status, refinement or correction of design guidelines, maps, and other parts of any designation.” (emphasis added)

Question Presented

I understand a question was raised at the Board’s most recent meeting as to whether the portion of Section 17.5.8 (B) underlined above or Section 17.5.9 titled “Amendment or rescission of designation” governs the Board’s review of PMA’s pending Proposal. This is a threshold question because if Section 17.5.9 applies, the Board may only consider Subsections 17.4.1(A) and (B) and 17.4.2. In the alternative, if Section 17.5.8(B) controls, the Board may also consider the City’s Comprehensive Plan pursuant to Section 17.4.1(D) which is expressly omitted under Section 17.5.9.

Analysis

There are several guiding principles of ordinance interpretation that are helpful in this circumstance. First, Maine courts have been clear that language must be given its “plain and ordinary meaning” and examined “in the context of the entire ordinance.” *Rockland Plaza Realty Corp. v. City of Rockland*, 2001 ME 81, ¶ 12, 772 A.2d 256; *Convery v. Town of Wells*, 2022 ME 35, ¶ 10, 276 A.3d 504. Ordinances must also not be interpreted to create “absurd, inconsistent, unreasonable or illogical results.” *Odiorne Lane Solar, LLC v. Town of Eliot*, 2023 ME 67, ¶14, 304 A.3d 253. Additionally, words in the ordinance “must be given meaning and not treated as meaningless and superfluous.” *Wong v. Hawk*, 2012 ME 125, ¶ 8, 55 A.3d 425.

The plain language of the first sentence in Section 17.5.9 states that it applies to the amendment or rescission of “any” designation. Noting the explicit lack of restriction in the introductory sentence, it is reasonable for this Board to interpret Section 17.5.9 to apply broadly. A building such as 142 Free Street, which was previously identified as a contributing structure, is a part of the existing historic district designation in which it lies. The change in the classification of the building from contributing to noncontributing would thereby amend the designation and would fall within the broad scope contemplated by Section 17.5.9.

The closing sentence of Section 17.5.9 indicates that amendments “may” include “*reclassification of a portion of a contributing property to noncontributing status, refinement or correction of design guidelines, maps, and other parts of any designation.*” I understand the applicant argues that this last sentence was intended to bring a limited subset of amendments under Section 17.5.9 and leave all the rest to be amended as part of the “list” in the City Council’s purview under Section 17.5.8. The plain language of Section 17.5.9 does not support that interpretation. Instead, the use of “may” is indicative of nonexclusive examples of amendments for illustrative purposes only, and is clearly not intended to otherwise limit the scope of the section. In fact, the language signals that reclassification of a building, or a part thereof, is considered an amendment to the designation. This is telling because even reclassification of part of a structure would spur an amendment to the list under Section 17.5.8(B). It makes little practical sense to interpret Section 17.5.9 to carve out reclassification of a portion of a contributory building as the one outlier that falls under 17.5.9, while reclassification of an entire building would not be considered an amendment that triggered the same section. Interpreting the final sentence as limiting its applicability to those specific examples listed would directly conflict with the first sentence of Section 17.5.9 (which references the “[a]mendment or rescission of any designation”), render it meaningless and create an absurd and illogical result. Therefore, the examples listed in Section 17.5.9 should not be interpreted to be exclusive but should instead be interpreted to provide examples of some unobvious circumstances to which the section applies.

Additionally, if the language in Section 17.5.8 (B) underlined in the excerpt herein controlled all changes to the “list,” it would apply so broadly it would subsume Section 17.5.9 entirely and render it meaningless. For example, significant changes to the list could effectively rescind an

entire district if enough buildings or landmarks were removed from the list. Likewise, additions or deletions from the list have the ability to amend the boundaries of a district so as to make it unrecognizable from its original designation. Allowing such significant amendments to designations by virtue of amending the list without invoking Section 17.5.9 runs contrary to the plain language of the ordinance and would create an absurd and illogical result.

Finally, Section 1.6.2 of the Land Use Code directs that “[i]f any provision of this Land Use Code contains an actual, implied, or apparent conflict with another provision of this code, the more restrictive provision shall control.” Here, Section 17.5.9 provides an explicit and more restrictive analysis governing amendments or rescissions of any designation. Because PMA’s Proposal seeks to amend the existing designation by reclassifying a structure within a district, this Board should review it under Section 17.5.9.

Conclusion

For the above reasons, this Board should look to Section 17.5.9 as controlling when it reviews the Proposal submitted by PMA.

Seth Sprague <sethsprague310@gmail.com>

Sat, Apr 20,
4:19 PM (2 days
ago)

to Anna, Anna, April, Kate, Mark, Pious, Regina, Roberto, Victoria, publiccomment

Dear Mayor Dion and Portland City Councilors,

Re: 142 Free Street

We urge you to uphold the contributing status of 142 Free Street and preserve the integrity of the Historic Preservation Ordinance. Both the Historic Preservation Board and Planning Board correctly applied the Ordinance's guidelines, denying the Portland Museum of Art's (PMA) request to de-list and demolish the building. No valid argument exists to overturn these rulings.

If the PMA were to make the effort to work within the City's guidelines, they could surely create a world-class development plan without demolishing an important building and jeopardizing the integrity of our Historic Preservation Ordinance which has been an essential component of the City's economic vitality and historic distinction.

Thank you.

Sincerely,

Seth Sprague and
Laura F. Sprague
28 Orchard St.
Portland, ME 04102

'Abbie McMillen' via Public Comment

Sun, Apr 21,
8:01 AM (1 day
ago)

to publiccomment

Re: 142 Free Street

I am a long time, part time resident of Portland, lucky enough to reside in an historically protected district on Munjoy Hill when I'm not in Brooksville. I have fond memories of almost weekly visits to the children's museum when my grandson was young. I also support the art museum, BUT I DO NOT SUPPORT DEMOLISHING the historical building to create a glass-faced, intrusive structure so out of character with the Portland I have loved for over 60 years. PMA, you can do better. Back to the drawing boards, please!

Abbie McMillen
28 Vesper St Portland ME, and Brooksville, ME

Sent from my iPhone

MEMORANDUM
City Council Agenda Item

FROM:

DATE: April 8, 2024

SUBJECT: Order 181-23/24 Amendment to Portland City Code Chapter 14 RE: Floodplain Management - Sponsored by the Planning Board, Brandon Mazer, Chair

SPONSOR: Brandon Mazer, Chair, Portland Planning Board

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 4/22/2024

Final

Action 5/6/2024

Can action be taken at a later date: No New FEMA FIRMs will go into effect on June 20, 2024, and the City must amend its corresponding floodplain regulations in advance of this date.

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

PRESENTATION: Brandon Mazer, Chair of Planning Board (10 minutes)

I. SUMMARY

The Planning Board has unanimously (7-0) recommended a set of zoning text amendments to Articles 3 and 12 of the land use code to the City Council to comply with the requirements of FEMA and the Maine Floodplain Management Program.

II. AGENDA DESCRIPTION

On March 26, 2024, the Planning Board unanimously recommended a set of zoning text amendments to the City Council (7-0) that correspond to revisions to the State of Maine's model floodplain ordinance and the adoption of new FEMA Flood Insurance Rate Maps (FIRMs) for Cumberland County. Amendments to the City's ordinance are required to maintain the City's standing in the National Flood Insurance Program (NFIP). The deadline for the adoption of text amendments reflecting the state's model ordinance and the FEMA FIRMs is June 20, 2024. The proposed amendments as recommended by the Planning Board include changes to Articles 3 and 12 of the City's land use code.

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

III. BACKGROUND

The City's original floodplain management regulations and subsequent amended versions were adopted from the model ordinances created by the State of Maine Floodplain Management Program. As a participant in the National Flood Insurance Program (NFIP), the City is required to update the floodplain ordinance anytime FEMA makes major changes to the FIRMs, and the Maine Floodplain Management Program Coordinator must approve these changes and updates based on the state's current model ordinance. The proposed changes to Article 3 and Article 12 reflect the state's most recent model floodplain ordinance and have been reviewed by the state's floodplain management program. Under FEMA and state requirements, the City is required to adopt these updates by June 20, 2024. The New Flood Insurance Rate Maps (FIRMs) will go into effect on this date.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The amendments as recommended by the Planning Board will bring the City into compliance with the requirements of the State of Maine's Floodplain Management Program and FEMA, in order for the City to remain in the NFIP.

V. FINANCIAL IMPACT

The recommended amendments will have no immediate financial impact on the City. However, it should be noted that if the recommended text amendments are not adopted, the City's participation in the National Flood Insurance Program would be jeopardized, which could have long-term financial implications.

VI. STAFF ANALYSIS AND BACKGROUND

A report on the recommended text amendments is included as part of the City Council packet.

VII. RECOMMENDATION

The Planning Board considered the proposed amendments at a public hearing on March 26, 2024. Based on materials provided in the Planning Board memo dated March 22, 2024, public testimony, and other information provided during the Planning Board's review process and at the March 26, 2024 public hearing, the Planning Board voted 7-0 to find that the enclosed text amendments to Chapter 14 of the City Code, Articles 3 and 12 to meet the State of Maine Floodplain Management Program requirements are consistent with *Portland's Comp Plan 2030* and therefore recommends adoption of said amendments to City Council.

VIII. LIST ATTACHMENTS

1. Amendment - Floodplain Management Text Amendments to Articles 3 & 12 of the Land Use Code
2. Floodplain Text Amend_ CC Report_Final
3. AttA_Model COP Floodplain Management Ordinance
4. AttB_FEMA Approved COP FIRMs_06_20_2024_Reduced_Size
5. AttC_Letter of Final Determination_12_20_23
6. AttD_LOMRs Memo with FEMA Definitions
7. AttE_3. Definitions_COP redlines_floodplain_final_CC
8. AttF_12. Floodplain_COP redlines_final_CC
9. AttG_Floodplain Management Program Updates FAQ for CoP
10. AttH_Timeline of Public Engagement
11. AttI_PC - George Rheault_3-25-2024

Prepared by:

Date: 04/08/2024

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

**CITY OF PORTLAND
IN THE CITY COUNCIL**

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

AMENDMENT TO PORTLAND CITY CODE CHAPTER 14

RE: FLOODPLAIN MANAGEMENT

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

*That Chapter 14, Articles 3 & 12 are hereby amended to read
as follows, on the following pages:*

3 DEFINITIONS

Accessory dwelling unit. A dwelling unit subordinate in size to the principal residential structure(s) on a lot and located either within the principal residential structure(s) or in an accessory structure.

Adjacent grade (within the floodplain). For the purposes of calculating floor elevation in areas of special flood hazard, the natural elevation of the ground surface prior to the construction next to the proposed wall of a structure.

Adult business establishment. Any business, including but not limited to any bookstore, newsstand, novelty store, nightclub, bar, cabaret, amusement arcade, or theater, which:

- A. Keeps for public patronage or permits or allows the operation of any adult amusement device as defined in Chapter 4 of the City of Portland Code of Ordinances; or
- B. Customarily, meaning more often than an average of one calendar week during any calendar month of operation, exhibits motion pictures or displays any other visual representation described or advertised as being “X rated” or “for adults only,” or which customarily excludes persons from any portion of the premises by reason of immaturity of age by the use of such, or similar, phrases; or
- C. Is adjudged to be in violation of 17 M.R.S. §§ 2911, 2912.

Affordable housing. Housing for which the percentage of income a household is charged in rent and other housing expenses or must pay in monthly mortgage payments (including

condominium/HOA fees, mortgage insurance, other insurance and real estate taxes), does not exceed 30% of a household’s income, or other amount established in City regulations that does not vary significantly from this amount.

After-hours entertainment license. Any of the music, dancing, and special entertainment licenses required or authorized by Chapter 4, Article III of the City of Portland Code of Ordinances.

Agriculture. The practice of farming, including the cultivation of the soil for the growing of crops and rearing of animals to provide food and other products. Agriculture may include nurseries, greenhouses, and truck gardens, provided that there is no sale of products not produced on the premises.

Airport restricted access areas. Runways, taxiways, and other areas of the Jetport accessible to aircraft, whether access is restricted by the Federal Aviation Administration or not.

Alley. Any way designed primarily for vehicular and pedestrian or utility access to the back or side of premises otherwise abutting on a street, except driveways unless officially designated otherwise.

Animal-related services. Establishments principally for the training or boarding of animals. Such uses shall not include veterinary services.

Approval. An affirmative decision on an application, including an approval with conditions.

Appurtenance. A device or structure not designed for human occupancy and attached to the exterior of a building.

Area of shallow flooding. Area designated AO and AH zone on the Flood Insurance Rate Map (FIRM) with a 1 % or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard. The land in the floodplain having a 1% or greater chance of flooding in any given year as specifically identified in the most recently adopted FEMA Flood Insurance Study for the City of Portland.

Auto service station. A business selling gasoline, diesel, or propane fuel, providing services specific to electric vehicles, or providing motor vehicle repairs including, but not limited to, tune-ups, engine repair, brake work, muffler replacement, tire repair, or similar activities. Such businesses may also include car-washes and/or vacuums.

Back office use. An office-related use with minimal public visitation and minimal direct service to the general public, primarily to provide support services to larger organizations such as educational institutions, social service agencies, or business headquarters.

Bar. Any establishment required to be licensed to sell alcoholic beverages for on-premises consumption, which is not regularly used for the purpose of providing full-course meals, as defined in

Title 28-A of the Maine Revised Statutes, on the premises.

Base flood. The flood having a 1% chance of being hereof or exceeded in any given year (i.e., a 100-year storm).

Basement. Area of building that includes a floor that is subgrade (below ground level) on all sides.

Bed and breakfast. A building that contains between two and nine guest rooms; is used to provide or offer overnight accommodations for transient guests; has an owner, manager, or operator living in the building as a permanent resident; does not provide cooking facilities in any of the guest rooms; and does not provide meals other than breakfast, which shall be offered only to overnight guests.

Blasting operations. The use of explosives for purposes of breaking up and removing soil, rock, and ledge, related to construction and development of real estate within the city.

Breakaway wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without damage to the elevated portion of the building or supporting foundation system.

Building. A roofed and walled structure built for permanent use.

Building, accessory. A detached roofed and walled structure that is incidental and subordinate in area and extent, and/or use to the principal building(s) on

the property. A lot may have more than one accessory building.

Building addition. Any increase to footprint, floor area, or volume of an existing building.

Building alteration. A change or rearrangement in the structural supports, exterior appearance, or removing from or otherwise affecting the exterior appearance of a building.

Buildings, attached. Two or more independent buildings that share at least one common party wall but have full building separation and independent principal entries; not free-standing. Attached buildings may or may not have common ownership.

Building, principal. The main roofed and walled structure on a lot having the predominant area, extent, and/or use. A lot may have more than one principal building. When a garage is attached to the principal building in a substantial manner as by an enclosed area with roof or common wall, it shall be considered as a part of the principal building.

Clinics. Any establishment where patients are examined and treated by one or more health care providers, such as, but not limited to, physicians, dentists, psychologists, or social workers. Clinics may include laboratory services and facilities for ambulatory or outpatient surgical procedures.

Coastal AE Zone. The portion of the coastal high hazard area with wave heights between 1.5 feet and 3.0 feet and bounded by a line labeled the “Limit of Moderate Wave Action” (LiMWA) on a Flood Insurance Rate Map (FIRM). VE Zone floodplain construction standards are applied to development,

new construction, and substantial improvements in the Coastal AE Zone.

Coastal high hazard area. ±An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are designated as Zone VE and Zone AE bounded by a line labeled “Limit of Moderate Wave Action” (LiMWA) on a Flood Insurance Rate Map (FIRM).

Coastal wetland. All tidal and subtidal lands; all lands with vegetation present that is tolerant of salt water and that occurs primarily in a salt water or estuarine habitat; and/or any swamp, marsh, bog, beach, flat, or other contiguous low land that is subject to tidal action during the highest tide level for the year in which an activity is proposed as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes.

Containment wall. Wall surrounding all sides of an above ground tank to contain any spills or leaks.

Commercial vessel. Any watercraft used principally in a business or trade, including common carriers of passenger or freight, whether for governmental, nonprofit, or emergency purposes, but not including pleasure craft used principally for recreational purposes.

Common areas. Portions of a lodging house which are available for use by all residents of the lodging house. Common areas shall include, but are not limited to, one or more of the following: kitchens,

living rooms, recreation rooms, improved basements, and finished porches. Bathrooms, stairways, hallways, and storage areas shall not be counted as common areas.

Communication studio. A commercial or public communication facility, including radio and television broadcasting and receiving stations and studios.

Community hall. A building or portion of a building used for social, recreational, artistic, civic, or educational community functions. Such a facility would be open to the public for such functions, which, for example, could include but not be limited to performances, dance, exhibitions, cultural exchange, training programs and workshops, neighborhood meetings, or gatherings. As part of these functions and activities, it shall be permissible to serve food, subject to other applicable codes and ordinances.

Condominium. Any interest in real estate created pursuant to the Unit Ownership Act, 33 M.R.S. § 560 et seq., or its equivalent, as it may from time to time be amended.

Congregate care facility. A residential development intended to facilitate aging in place that includes individual dwelling units with support services which provide assistance to residents. The population of a congregate care facility shall consist of persons 55 years of age or older and their spouses. A congregate care facility may also accommodate the needs of persons with disabilities and their spouses that are younger than 55 years of age, provided the majority of the residents are 55

years of age or older. Services to be provided shall include the following:

- A.** Transportation for essential support activities.
- B.** Provision of at least one meal per day.
- C.** Programmed social activities which are facilitated by staff.
- D.** Provision of personal care services including, but not limited to, housekeeping, laundry, and minimal health monitoring.
- E.** Installation of emergency call buttons or systems in each unit.

Correctional pre-release facility. A facility housing up to 12 persons, plus staff, serving a primary clientele of persons in correctional pre-release programs.

Drive-through. A facility which provides a service directly to a motor vehicle occupant and where the customer drives a motor vehicle onto the premises and to a window or mechanical device through or by which the customer is served with or without exiting the vehicle. Drive-throughs do not include major or minor auto service stations.

Drive-through features. Features associated with drive-throughs including but not limited to designated travel or stacking lanes, intercom systems, menu boards, service windows, kiosks, mechanical devices, etc.

Dwelling unit. One or more rooms forming a single unit for habitation by one family, including food preparation, living, sanitary, and sleeping facilities.

Dwelling, multi-family. A building or portion thereof containing three or more dwelling units.

Dwelling, single-family. A single building containing one dwelling unit.

Dwelling, two-family. A single building containing two dwelling units.

Earth-moving activity. Any removal or placement, excavation, filling, stockpiling, or grading of soil, earth, loam, sand, gravel, rock, and other mineral deposits.

Easement. A right, privilege, or liberty which one has in land owned by another for some special and definite purpose.

Elevation certificate. An official form (FEMA form FF-206-FY-22-152, as amended) that is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program.

Emergency operations. Operations conducted for the public health, safety, or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury.

Emergency shelter. A facility providing temporary overnight shelter to homeless individuals in a dormitory-style or per-bed arrangement.

Entrance, principal. The main point of access for pedestrians into a building. A building may have more than one principal entrance.

Esplanade. That portion of a street which is located between the curbline and the edge of the sidewalk closest to the street.

Essential services. The construction, alteration, or maintenance of gas, electrical, or communication facilities; steam, fuel, electric power, or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles, and related equipment; gas, oil, water, slurry, or other similar pipelines; municipal sewage lines, collection, or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants, and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

Explosives. Any material or container containing a chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion and that contains any oxidizing and combustible materials or other ingredients in such proportions, quantities, or packaging that an ignition by fire, by friction, by compound or mixture may cause such a sudden generation of highly heated gasses that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, but shall not mean the components for handloading rifle, pistol and shotgun ammunition, or fireworks.

Family. One or more individuals related by blood, marriage, civil union, adoption, or guardianship and/or up to eight unrelated individuals living together in a dwelling unit as a single nonprofit housekeeping unit.

Fill. Soil, earth, loam, sand, gravel, rock and other mineral deposits.

Filling. The placement of soil, earth, loam, sand, gravel, rock and other mineral deposits. Filling shall include stockpiling.

Fixture, fully shielded. A light fixture or luminous tube constructed and mounted such that all light emitted by the fixture or tube, either directly from the lamp, tube, or a diffusing element, or indirectly by reflection or refraction from any part of the light fixture, is projected below the horizontal. If the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube is not fully shielded.

Flag. A fabric sheet of square, rectangular, or triangular shape having no enclosing or supporting framework that is typically mounted on a pole.

Flood or flooding.

A. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

B. The collapse or subsidence of land along a shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by

an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined above.

Flood elevation study. An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones applicable to the city.

Floodplain or floodprone area. Any land area susceptible to being inundated by water from any source (see Flood or Flooding).

Floodplain management. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain management regulations. Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing. Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real estate, to water and sanitary facilities, structures, and their contents.

Floodway encroachment lines. The lines marking the limits of floodways on federal, state, and local floodplain maps.

Foundation. The supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frost walls, or other base consisting of concrete, block, brick, or similar material.

Freeboard. A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed, which could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions.

Freshwater wetland. Freshwater swamps, marshes, bogs, and/or similar areas which are both:

- F.** Of ten or more contiguous acres or of less than ten contiguous acres and adjacent to a surface water body except for any river, stream or brook such that, in a natural state, the combined surface area is in excess of ten acres or of less than ten acres that is depicted on the Shoreland Zoning map.
- G.** Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal

circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

Functionally-dependent use (within the floodplain). A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

General office. An office for the conducting or managing of a business or the practice of a profession, including that of a licensed health care provider, so long as such office does not include laboratory services and facilities for ambulatory surgical procedures.

General services. Establishment primarily engaged in rendering services to persons or business on a fee basis, including but not limited to banks, health clubs, laundries, employment services, management services, personnel services, or maintenance services.

Handicapped family unit. A dwelling unit which provides living facilities for handicapped persons. A handicapped family unit may also provide counseling and support services. Staff members may also be included in the population.

Helistop. An area used for the landing of helicopters at any location other than an airport. Such area shall include a landing area or pad, and may include parking required for access to the landing area or pad, a loading and unloading area for emergency vehicles, and other related facilities other than maintenance and repair facilities.

Hospital. An institution providing health services, primarily on an inpatient basis, and medical or surgical care of the sick or injured, including as an integral part of the institution such related facilities as laboratories, outpatient departments, training facilities, central service facilities, and staff offices.

Hostel. An overnight lodging facility for transient guests that provides sleeping rooms and common spaces for cooking. A hostel shall not be used as an emergency shelter.

Hotel. A building used for more or less temporary occupancy of individuals who are lodged with or without meals.

Impervious surface. Area covered with low-permeability material that is highly resistant to infiltration by water, such as asphalt, concrete, or rooftop, and areas such as gravel roads and unpaved parking areas that will be compacted through design or use to reduce their permeability.

Industrial, high-impact. Industrial activity involving the manufacturing, packaging, assembly, or distribution of finished products from either raw materials or previously prepared material which are generally incompatible with residential, commercial, and lower-impact industrial uses and sensitive

natural areas due to their high generation of traffic, noise levels, emissions, lighting, and odors.

Industrial, low-impact. Industrial activity involving the manufacturing, packaging, assembly, or distribution of finished products from previously prepared material, including but not limited to the following: artist studios, bakeries; breweries; distilleries; bottling; coffee roasters; commercial kitchens; pharmaceuticals; machine shops; watchmakers; makers of precision instruments, musical instruments, toys and sporting goods, pottery and ceramics using only previously pulverized clay, wood products, jewelry; assembly of electrical components; canteen services; tool and die shops; plant and tree nurseries; and the packaging of foods. Low-impact industrial uses do not include the processing of raw materials or salvaging operations. Low-impact industrial uses are generally compatible, due to their size and nature of impact, with residential, commercial and other low impact industrial uses.

Intermediate care facility. A facility which provides, on a regular basis, health-related care and services for more than 13 individuals who do not require the degree of care and treatment which a hospital or extended care facility is designed to provide but who, because of their mental or physical condition, require such care and services above the level of room and board. Said facility must be licensed as a board care, residential care facility or equivalent pursuant to the regulations promulgated by the State of Maine Department of Health and Human Services.

Kitchen facilities. Facilities used for the preparation of meals, including refrigerators and

devices used for the cooking and preparation of food.

Limit of Moderate Wave Action (LiMWA). The landward limit of the 1.5 foot breaking wave within a Coastal AE Zone. These areas are bounded by a line labeled “Limit of Moderate Wave Action” (LiMWA) on a Flood Insurance Rate Map (FIRM). The LiMWA line delineates that portion of the Special Flood Hazard Area (SFHA) landward of a VE zone in which the principal sources of flooding are astronomical high tides, storm surges, or tsunamis, not riverine sources. These areas may be subject to wave effects, velocity flows, erosion, scour, or combinations of these forces. The floodplain development and construction standards for VE Zones will be applied in the Coastal AE Zone.

Locally-established datum. For purposes of the floodplain ordinance, an elevation established for a specific site to which other elevation at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or any other established datum and is used in areas where mean sea level data is too far from a specific site to be practically used.

Lodging house. A house, building or portion thereof containing two or more rooming units, as well as common areas, and providing such units to individuals on not less than a monthly basis for compensation.

Long-term or extended care facility. An institution or a distinct part of an institution that is licensed or approved to provide full-time convalescent or chronic care, or health care under medical

supervision for 24 or more consecutive hours, to nine or more individuals who, by reason of advanced age, illness, or infirmity are unable to care for themselves, and who are not related to the governing authority by marriage, blood, or adoption.

Lot. A parcel or area of land that is designated as an individual unit for use, development, or ownership that is either: a) a parcel or area of land that is separately described in a deed or on a plan recorded in the Cumberland County Registry of Deeds; b) a contiguous combination of such lots under common ownership and designated as one unit for development; or c) a newly established parcel meeting all the dimensional requirements of the zone in which it is located.

Lot of record. A nonconforming parcel or area of land that: a) is separately described in a deed or on a plan recorded in the Cumberland County Registry of Deeds as of the date designated in the relevant provision of this chapter and b) conformed to the requirements of this chapter as of the date designated in the relevant provision of this chapter.

Lowest floor (within the floodplain). The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of ~~this division~~ Article 12.

Low-income household. A household having an income not exceeding 80% of median income for

area of residence as set forth in regulations promulgated from time to time by the United States Department of Housing and Urban Development pursuant to 42 U.S.C. sections 1437 et seq.

Low-income housing unit for rent. A dwelling unit for which:

- A.** The rent is affordable to a household earning 80% or less of Area Median Income (AMI) as defined by the United States Department of Housing and Urban Development (HUD).
- B.** The unit is rented to a household earning 80% or less of AMI.
- C.** The requirements of (A) and (B) above are limited by deed restriction or other legally binding agreement for the applicable length of time in this ordinance.

Low-income housing unit for sale. A dwelling unit for which:

- A.** The sale price is affordable to a household earning 100% or less of Area Median Income (AMI).
- B.** The unit is sold to a household earning 100% or less of AMI.
- C.** The requirements of (A) and (B) above are limited by deed restriction or other legally binding agreement for future sales for the applicable length of time in this ordinance.

Manufactured housing. A structural unit or units designed for residential occupancy and constructed in a manufacturing facility and then transported by the use of its own chassis or placement on an independent chassis to a building site. The term includes any type of building which is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and may

be purchased or sold by a dealer in the interim. For purposes of this article, two types of manufactured housing are included. They are:

- A.** Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the standards required by the United States Government Department of Housing and Urban Development, as such standards are from time to time revised or amended, meaning structures, transportable in one or more sections, which in the traveling mode are 14 body feet or more in width and are 750 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning, and electrical systems contained therein. This term also includes any structure which meets all the requirements of this subparagraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401 et seq.; and
- B.** Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the state's Manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to



required utilities, including the plumbing, heating, air conditioning, or electrical systems contained therein.

Any unit which does not fall within the definitions of this section and which is legally sited within the city on December 18, 1989, may be relocated to any location in the city in which manufactured housing is allowed.

Manufactured housing park. A parcel of land under unified ownership approved by the Planning Board under 30-A M.R.S. § 4358 for the placement of single-component manufactured housing.

Marijuana cultivation facility. A cultivation facility required to be licensed pursuant to 28-B M.R.S. § 201 or any other facility engaged primarily in the business of planting, propagation, growing, harvesting, drying, curing, grading, trimming, or other processing of marijuana, including mature marijuana plants, immature marijuana plants, seedlings, and marijuana seeds, for use or sale.

Marijuana manufacturing facility. A manufacturing facility required to be licensed pursuant to 22 M.R.S. § 2423-F or 28-B M.R.S. § 201.

Marijuana product. As defined by 22 M.R.S. § 2422 or 28-B M.R.S. § 102.

Marijuana retail store. A retail establishment licensed to sell marijuana, marijuana products, immature marijuana plants, and seedlings to adult use or medical marijuana customers. A marijuana retail store is only authorized as a principal use, and is not permitted as an accessory use. A marijuana retail store may not exceed a maximum gross floor

area of 2,000 square feet. A marijuana retail store shall not include a registered dispensary.

Marijuana testing facility. A facility licensed to develop, research and test marijuana, marijuana products and other substances as defined by 22 M.R.S. § 2422 or 28-B M.R.S. § 102.

Marina. A commercial operation providing floats, slips, and piers intended primarily for berthing of noncommercial vessels and the provision of related services such as supplies, fuel, equipment and repairs, which may be provided both to tenants and non-tenants.

Mean sea level (within the floodplain). For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD), or other datum, to which base flood elevations shown on the City's FIRM are referenced.

Military personnel berthing. A building, or portion thereof, which is primarily used as, and intended for, temporary living quarters for military personnel.

Moderate-income household. A household having an income not exceeding 120% of median income for area of residence as set forth in regulations promulgated from time to time by the United States Department of Housing and Urban Development pursuant to 42 U.S.C. sections 1437 et seq.

Multi-family development. The construction or creation of three or more dwelling units on any parcel of land or the addition of two or more dwelling units cumulatively within a three-year period.

Multiplex. A residential development consisting of three or more horizontally or vertically attached dwelling units, or a series of such attached dwelling units, and the construction of at least one building.

National Geodetic Vertical Datum (NGVD). The national vertical datum, a standard established in 1929, which is used by the National Flood Insurance Program (NFIP). NGVD is based upon mean sea level in 1929 and also has been called “1929 Mean Sea Level (MSL)”.

Neighborhood center. A building or portion of a building used for recreational, artistic, social, educational, health, culture, or similar activities and services, usually owned and operated by a public or nonprofit group or agency. As part of these functions and activities, it shall be permissible to serve food, subject to other applicable codes and ordinances.

Non-commercial vessel berthing. The use of berthing space for berthing of watercraft other than commercial vessels. Berthing space used in the following manner shall not be included in the calculation of the number of linear feet under this use category:

- A.** Space used principally for sale or repair of vessels.
- B.** Commercial vessel tenant space used by a noncommercial vessel for a period not exceeding ten consecutive days while the primary commercial vessel tenant is conducting its business or trade.

Normal high-water line (non-tidal waters). That line which is apparent from visible markings,

changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. Areas contiguous with rivers that support non-forested wetland vegetation and hydric soils and that are at the same or lower elevation as the water level of the river during the period of normal high-water are considered part of the river.

North American Vertical Datum (NAVD). The national datum whose standard was established in 1988, which is the new vertical datum used by the National Flood Insurance Program (NFIP) for all new Flood Insurance Rate Maps. NAVD is based upon vertical datum used by other North American countries such as Canada and Mexico and was established to replace NGVD because of constant movement of the earth’s crust, glacial rebound and subsidence, and the increasing use of satellite technology.

Office park. Separate office buildings planned, constructed, or managed on an integrated coordinated basis.

Off-peninsula. All land located north of I-295.

100-year flood. See base flood.

On-peninsula. All land located south of I-295.

Open space. Any park and any other area outside of a building open to the public.

Owner. Any person that has any interest, legal or beneficial, in any parcel or lot.



Piers, docks, wharves, bridges and other structures and uses extending over or beyond the normal high-water line or within a wetland, temporary. Structures which remain in or over the water for less than seven months in any period of 12 consecutive months.

Piers, docks, wharves, bridges and other structures and uses extending over or beyond the normal high-water line or within a wetland, permanent. Structures which remain in or over the water for seven months or more in any period of 12 consecutive months.

Place of assembly. A building or portion of a building used as a community hall, neighborhood center, private club, or fraternal organization, or place of religious assembly. This definition shall not include buildings or portions of buildings used as a community hall, neighborhood center, private and fraternal organization, or place of religious assembly where 15 or fewer people, not including the permanent residents of a single-family dwelling, assemble.

Place of religious assembly. A building or portion of a building used for religious worship or instruction including, but not limited to, churches, synagogues, masjids, mosques, and other places of worship.

Planned residential unit development (PRUD). A residential subdivision consisting of attached or detached dwellings intended for separate ownership and land to be owned and used in common, with open spaces, recreational areas, access ways, and buildings which are designed, built, and managed in accordance with a unified development plan.

Planned unit development (PUD). A development consisting of either detached or attached single-family dwelling units and commercial or other uses, on substantially-sized properties of greater than 20 acres and designed to be compatible with the surrounding built and natural environment.

Plant canopy. As defined by 28-B M.R.S. § 102.

Preschool facility. Facility which provides a regular program of care and protection for children generally younger than those attending elementary school, which may also encompass daycare facilities.

Private club or non-profit social and recreational facility. A private club or nonprofit social and recreational facility is open exclusively to members and to their bona fide guests accompanying them, in order to promote fellowship, social living, proper recreation, civic responsibility, neighborhood responsibility, community welfare, or other endeavors. It shall be permissible to serve food and meals on such premises provided adequate dining room space and kitchen facility are available and are provided within all regulations of this Land Use Code and other applicable codes and ordinances.

Recent floodplain soils. Recent floodplain soils include the following soil series as described and identified by the National Cooperative Soil Survey: Alluvial, Charles, Cornish, Fryeburg, Hadley, Limerick, Lovewell, Medomak, Ondawa, Podunk, Rumney, Saco, Suncook, and Winooski.

Recreational vehicle. A vehicle that is:

A. Built on a single chassis;

- B. 400 square feet or less when measured at the largest horizontal projection, not including slideouts;
- C. Designed to be self-propelled or permanently towable by a motor vehicle; and,
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recreation and amusement centers. Facilities equipped for the conduct of sports or indoor leisure time recreation activities, including games of skill or games of chance licensed either by the City of Portland or by the State of Maine. Such facilities may limit admission either to members or to persons paying an entrance fee.

Registered dispensary. A registered medical marijuana dispensary as defined by 22 M.R.S. § 2422.

Registered patient. As defined by 22 M.R.S. § 2422.

Regulatory floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. When not designated on the Flood Insurance Rate Map (FIRM), it is considered to be the channel of a river or other watercourse and the adjacent land areas to a distance of 1/2 the width of the floodplain, as measured from the normal high-water mark to the upland limit of the floodplain.

Repair services. Establishments primarily engaged in rendering services related to the maintenance or repair of goods. In industrial zones only, repair services shall include motor vehicle repair services.

Restaurant. Any food service establishment with indoor seating capacity for ten or more patrons.

Retail. Any shop or store offering goods or merchandise to the general public for direct consumption and not for resale, or food service establishment with indoor seating capacity for nine or fewer patrons. Retail shall not include gasoline, diesel, or propane fuel sales.

Riverine. Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Roadway. That portion of a street between the regularly established curblines, or that part of a street or alley devoted to vehicular traffic.

Rooming unit. One or more rooms forming a single unit used, or intended to be used, for living and sleeping purposes by an individual or a family, but not designed for food preparation. In a suite of rooms, each room that provides sleeping accommodations shall be counted as one rooming unit for the purpose of this chapter.

Self-storage facility. A fully enclosed building with individual, secured units (accessed with or without supervision) used for the exclusive purpose of storage of non-hazardous business or personal materials.

Sexually explicit. The display or depiction of sex organs during actual or simulated sexual intercourse or sexual acts as defined in 17 A.M.R.S. § 251.

Sheltered care group home. A facility which, in addition to providing food and shelter to a defined



population of up to 12 individuals, provides guidance or counseling services as a primary function of the facility.

Shore frontage. The length of a lot bordering on a water body or wetland measured in a straight line between the intersections of the lot lines with the shoreline.

Sidewalk. That portion of a street not included in the roadway, and devoted in whole or part to pedestrian traffic.

Site. All contiguous land under the same ownership or control, whether proposed for development or not, except where development is limited to a lot or lots within a subdivision.

Small-scale marijuana caregiver. A registered caregiver who sells or dispenses marijuana to no more than five individual registered patients in any one calendar month; does not process or manufacture marijuana using chemicals or solvents; and cultivates no more than: 1) 250 square feet of plant canopy where located in a single-family dwelling or commercial space; or 2) 125 square feet of plant canopy where located in a dwelling unit within a two-family or multi-family building.

Solar access. Space open to the sun and clear of overhangs or shade, including orientation of buildings and lots to the sun, so as to permit the use of active and/or passive solar energy systems on individual properties.

Solar energy system. A complete assembly consisting of one or more solar collectors and associated mounting hardware or equipment,

intended to provide for the collection, storage, and distribution of solar energy for heating or cooling, electricity generation, or solar/thermal hot water systems. Solar energy systems shall include the following:

- A. Accessory solar energy system.** A system as defined above where power generation is incidental to a principal use, which may take the form of either a building integrated or roof-mounted solar array of any size, or a ground-mounted array occupying less than 1,000 square feet of air-space over ground area.
- B. Minor solar energy system.** A system as defined above where power generation is considered a principal use, which may take the form of either a building- or roof-mounted solar array of any size, or a ground-mounted system occupying between 1,000 and 9,999 square feet of ground area.
- C. Major solar energy system.** A system as defined above where power generation is considered a principal use, which may take the form of either a building or roof-mounted solar array of any size, or a ground-mounted system occupying greater than 10,000 square feet of ground area.

Solar energy system, building-integrated. A solar energy system that is an integral part of a principal or accessory building and include, but are not limited to, photovoltaic or hot water systems that are contained within roofing materials, windows, walls, skylights and awnings.

Solar energy system, ground-mounted. Also known as free-standing solar energy systems, a solar energy system that is structurally mounted to the

ground. The panels may be stationary or revolving and of any size.

Solar energy system, roof-mounted. A solar energy system in which solar panels are mounted on top of the structure of a roof either as a flush-mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

Sounds, impulse. Sound events characterized by brief excursions of sound pressure, each with a duration of less than 1 second.

Sounds, tonal. Sound waves usually perceived as a hum or whine because their instantaneous sound pressure varies essentially as a simple sinusoidal function of time.

Special Flood Hazard Area. [See area of special flood hazard.](#)

Special needs independent dwelling unit. A dwelling unit developed and managed by a nonprofit organization for habitation by persons with special social, physical or mental needs beyond strictly economic needs. Such persons shall be provided required levels of supervision, care and/or counseling services appropriate to their special needs, and the services shall be provided by either the sponsoring nonprofit agency or through another entity with which the agency has entered into a contractual arrangement.

Sports complex. One or more facilities located on the same parcel of land where athletic events are held and with a combined seating capacity of at least 6,000 seats.

Stockpiling. Any placement or creation of piles or loads of soil, loam, sand, gravel, rock, or other mineral deposits upon a site for the purpose of storage, warehousing, or reserving for future use.

Stormwater retention area. A pond or basin used for the permanent storage of stormwater runoff.

Stormwater detention area. A storage area for the temporary storage of stormwater runoff which does not contain water during non-storm conditions.

Stream. A free-flowing body of water from the outlet of the confluence of two perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5-minute series topographic map, or if not available, a 15-minute series topographic map, to the point where the body of water becomes a river or flows to another water body or wetland within a shoreland area, or any stream designated within a Stream Protection Zone.

Street. A public way established by or maintained under public authority, or a way dedicated to the use of the public and appearing on the official map of the city.

Street line. The line of demarcation between private property and a street.

Street, cul-de-sac or dead end. A street with only one outlet.

Structure. Anything constructed or erected of more than one member having a permanent or

semi-permanent location on another structure or in or on the ground, including without limitation buildings, fences, gazebos, signs, antennas, satellite sending or receiving dishes, and swimming pools. Stockpiles shall be considered structures for the purposes of dimensional requirements.

Studios for artists and craftspeople. A facility for the production of arts and crafts products such as paintings, sculpture, or other arts, or the practice of arts such as music or dance, or the production of custom, hand-crafted, or limited production of products such as furniture, wood, clay, and metal products, publications, and similar low-impact arts and crafts activities.

Subdivider. Any individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself, herself, or for another.

Subdivision. As defined in 30 A M.R.S. § 4401 and 4402.

Tasting room. A facility for the sampling of beer, wine, spirits, other alcoholic or non-alcoholic beverages, or food.

Telecommunication tower. Radio masts or tower structures built primarily to hold telecommunication antennas.

Tenant. Any occupant in lawful possession of a rental unit, whether by lease, sublease, or otherwise.

Theater or performance hall. Any establishment devoted to showing motion pictures, or for dramatic, musical, or live performances.

Transient guest. A person who occupies a facility offering accommodations on an overnight basis for compensation and whose actual occupancy is limited to no more than 15 days out of any 60-day period.

Tributary stream. A channel between defined banks created by the action of surface water, which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydrologically with other water bodies. Tributary stream does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity.

Upland edge of a wetland. The boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation and/or the highest annual tide level, including all areas affected by tidal action. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation, or where the soils support the growth of wetland vegetation but such vegetation is dominated by woody stems that are six meters or taller.

Use. The purpose for which land or structures thereon is designed, arranged, or intended to be

occupied, or for which it is occupied, maintained, rented, or leased.

Utility substation. Any sewage or water pumping station, electric power substation, transformer station, telephone equipment enclosures, or other similar structures owned or operated by a utility.

Vegetation. All live trees, shrubs, ground cover, and other plants including, without limitation, trees both over and under four inches in diameter, measured at four and one-half feet above ground level.

Very low-income household. A household having an income not exceeding 50% of median income for area of residence as set forth in regulations promulgated from time to time by the United States Department of Housing and Urban Development pursuant to 42 U.S.C. section 1437 et seq.

Warehousing, storage, and distribution. The storage of goods, wares, and merchandise in a warehouse from which distribution occurs. May include wholesale use, but not retail or direct sales to consumers.

Watercourse. Any natural or artificial stream, river, creek, ditch, channel, swale, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, or which has a definite channel, bed, and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Water-dependent uses. Those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in,

coastal or inland waters and which cannot be located away from these waters.

Wetlands (outside of shoreland zones). Those areas which have two or more of the following:

- A. A water table at or near the surface during the growing season;
- B. Very poorly drained soils, including Sebago mucky peat; or
- C. Obligate wetland vegetation.

Very poorly drained soils and obligate wetland vegetation shall be as defined and illustrated in the United States Department of Interior, Fish and Wildlife Service publication of Wetland Plants of the State of Maine (1986).

Wind energy system. A wind energy generator and all associated facilities.

Wind energy system, useful life. The period for which the system has been designed by the manufacturer to operate in a safe manner, including the period during which new parts and refurbishment allow it to continue operating safely.

Wholesale. Sale for resale, not for direct consumption.

Workforce housing unit for rent. A dwelling unit for which:

- A. The rent is affordable to a household earning 80% or less than of AMI.
- B. The unit is rented to a household earning 80% or less of AMI.
- C. The requirements of (A) and (B) above are limited by deed restriction or other legally binding agreement for the applicable length of time in this ordinance.

Workforce housing unit for sale. A dwelling unit for which:

- A.** The purchase price is affordable to a household earning 80% or less of AMI.
- B.** The unit is sold to a household earning 80% or less of AMI.
- C.** The requirements of (A) and (B) above are limited by deed restriction or other legally binding agreement for the applicable length of time in this ordinance.

12 FLOODPLAIN MANAGEMENT

12.1 PURPOSE

Certain areas of the City of Portland, Maine are subject to periodic flooding, causing serious damage to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968. Therefore, the City of Portland, Maine, has chosen to become a participating community in the National Flood Insurance Program and agrees to comply with the 42 USC Section 4001 et seq. requirements of the National Flood Insurance Act of 1968 (P.L. 90-448), as amended from time to time as delineated in this article. It is the intent of the City of Portland to require the recognition and evaluation of flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards.

The National Flood Insurance Program, established in the aforesaid act, provides that areas of the city having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas. This article establishes a Flood Hazard Development Permit system and review procedure for development activities in the designated flood hazard areas of the city. The purposes of this article are to reduce future flood risks and losses, protect against financial and human loss resulting from flood disasters, and to control the placement of structures, construction materials, and methods used to minimize potential property damage due to flooding. The City of Portland has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to

Title 30-A M.R.S. § 2001-3007, 4352, 4401-4407, and Title 38 M.R.S. § 440.

12.2 APPLICABILITY

This article applies to all land areas, uses, structures, and land use activities lying in the special flood hazard areas, Zones A, AE, AO, AH, and VE, as identified by the Federal Emergency Management Agency in a report entitled *Flood Insurance Study - City of Portland, Cumberland County, Maine, County of Cumberland*, with accompanying “Flood Insurance Rate Map,” dated July 17, 1986 June 20, 2024. This *Flood Insurance Study* with accompanying maps, and any subsequent amendments thereto, including Letters of Map Revision approved by FEMA, is hereby adopted by reference and declared to be a part of this Land Use Code.

12.3 DEFINITIONS STRUCTURE AND DEVELOPMENT TYPES

Area of special flood hazard. The land in the floodplain having a 1% or greater chance of flooding in any given year as specifically identified in the most recently adopted FEMA Flood Insurance Study for the City of Portland.

Base flood. The flood having a 1% chance of being hereof or exceeded in any given year (i.e., a 100-year storm).

Coastal high hazard area. The area subject to high velocity waters, including but not limited to, hurricane wave wash or tsunamis. The area is designated on the flood insurance rate map as zone V1-30.

Development. Any man-made change to improved or unimproved real estate, including but not limited to, the construction of, alteration to, or addition to any buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.

Flood boundary and floodway map. The official map issued by the Federal Emergency Management Agency (FEMA) on which the boundaries of the flood have been designated. This may alternatively be referred to as a flood hazard boundary map.

Flood insurance rate map. The official map (FIRM) on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones applicable to the city.

Floodproofing. Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real estate, to water and sanitary facilities, structures, and their contents.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot as designated on the flood boundary and floodway map. When not designated on the flood boundary and floodway map, it is considered to be the channel of a river or other watercourse and the adjacent land areas to a distance of 1/2 the width of the flood plain, as measured from the normal high-water mark to the upland limit of the flood plain.

Lowest floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this division.

Mean high tide. The mean height of tidal high waters at a particular point or station over a period of time to such length that increasing its length does not appreciably change this mean. For tidal waters, the cycle of change covers a period of 19 years, and mean high tide is defined as the average of the high waters over a 19 period.

Mean sea level. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on the city's FIRM are referenced.

Structure.

12.3.1 Structure types

- A.** For the purposes of this article, structure shall mean Aa walled and roofed building. A, ~~including a~~ gas or liquid storage tank; that is principally above ground, ~~or manufactured housing.~~ "Principally above ground," as used above, means either that at least 2/3 of its floor to ceiling height is above the average adjoining ground level, or at least 51% of the actual cash value of the structure, less land value, is above ground ~~is also a structure.~~
- B.** Accessory structure shall mean a structure which is on the same parcel of property as a

principal structure and the use of which is incidental to the use of the principal structure.

C. The following types of structures shall have the following meanings:

1. *Agricultural structure.* Structures that are used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.
2. *Elevated building.* A non-basement building that is:
 - a. Built, in the case of a building in Zones A, AE, AO, or AH, so that the top of the elevated floor, or in the case of a building in Zones VE or Coastal AE, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of pilings, columns, posts, or piers; and,
 - b. Adequately anchored to not impair the structural integrity of the building during a flood of up to two feet above the magnitude of the base flood.

In the case of Zones A, AE, AO, or AH, elevated building also includes a building elevated by means of fill or solid foundation perimeter walls with hydraulic openings sufficient to facilitate the unimpeded movement of flood waters, as required in Subsection 12.4.5(N) In the case of Zones VE or Coastal AE, elevated building also includes a building otherwise meeting the definition of elevated building,

even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of subsection 12.4.5(R)(2)(c)(iii).

3. *Historic structure.* Any structure that is:
 - a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
 - c. Individually listed on a Maine state inventory of historic places at such time that one is created; or,
 - d. Designated as a local landmark or identified as a contributing property under Article 17.
4. *Manufactured home.* A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

5. Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. Existing manufactured home park or subdivision shall mean a manufactured home park or subdivision that was recorded in the deed registry prior to July 17, 1986.

12.3.2 Development classifications

A. Development. Any human-made change to improved or unimproved real estate. This includes, but is not limited to, buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials; and the storage, deposition, or extraction of materials.

B. New construction. Structures for which the “start of construction” commenced on or after July 17, 1986 and includes any subsequent improvements to such structures. For purposes of this article, start of construction shall mean the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation

for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, or modification of any construction element, whether or not that alteration affects the external dimensions of the building.

C. Minor development. All development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. It also includes, but is not limited to: accessory structures as provided in subsection 12.4.5(L), mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers

D. Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50% of the market value of the structure before the damage occurred.

E. Substantial improvement. Any ~~repair~~, reconstruction, ~~rehabilitation~~, addition, ~~to~~ or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure ~~either before the~~

~~improvement or repair is started~~start of construction of the improvements. This term includes structures which have incurred substantial damage, regardless of the actual work performed. ~~or, if the structure has been damaged and is being restored, before the damage occurred. For purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.~~The term does not, however, include:

1. ~~A~~any project for improvement of a structure to correct existing violations~~comply with existing~~ of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum~~solely~~ necessary to assure safe living conditions; ~~or~~
- ~~1.2. for a~~Any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as a historic structure, and a variance is obtained from the Zoning Board of Appeals, listed on the National Register of Historic Places or a state inventory of historic places.

12.4 FLOOD HAZARD DEVELOPMENT PERMIT

12.4.1 Permit required

- A. The Zoning Administrator shall be designated as the local floodplain administrator. The floodplain administrator shall have the authority to implement the commitment made to administer

and enforce the requirements for participation in the National Flood Insurance Program.

- ~~A.B.~~ Before any construction or other development as defined Subsection 12.3.2, including the placement of manufactured homes, begins within any areas of special flood hazard, a Flood Hazard Development Permit shall be obtained from the Building Authority, except as established in Section 12.5. This permit shall be required prior to issuance of a building permit, if one is required, and shall be in addition to any other permit, site plan, and subdivision review which may be required pursuant to the codes and ordinances of the City of Portland. If only a site plan is required for a development, the Flood Hazard Development Permit shall be obtained prior to approval of the site plan.

12.4.2 Filing of application

The application for a Flood Hazard Development Permit shall be submitted in writing to the Building Authority and shall include the following:

- A. A final site plan, where applicable, showing information as required by Article 14.
- B. A final subdivision plat, where applicable, providing information as required in Article 15. For any development which does not meet the minimum threshold as a development requiring site plan review, the following information shall be provided:
- C. The name, address, and phone number of the applicant, owner, and contractor.
- D. A map with address indicating the location of the development site.
- E. ~~A~~site plan showing the location of existing and proposed development, including but not limited to specific dimensions of existing and proposed structure(s), wastewater disposal

facilities, water supply facilities, areas to be ~~developed~~ cut and filled, and the dimensions of the lot.

- F. A statement of the intended use of any structure and/or ~~other~~ development.
- G. A statement of the cost of the development including all materials and labor.
- H. A statement of the type of wastewater disposal system proposed.
- I. Specification of dimensions of the proposed structure and/or development.
- J. For new construction and substantial improvements, tThe elevation in relation to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or to a locally established datum for Zone A only, of the:

1. Base flood at the proposed site of all new or substantially improved structures, which is determined:

a. ~~in Zones A-30, AE, AO, AH, V-30, and VE from data contained in the Flood Insurance Study — City of Portland, Cumberland County, Maine;~~

~~a.b. in Zone A, to be the elevation of the ground at the intersection of the flood plain boundary and a line perpendicular to the shoreline which passes along the ground through the site of the proposed building~~ In Zone A:

i. From any base flood elevation data from federal, state, or ~~other~~ technical sources (such as FEMA's Quick-2 model, FEMA 265), including information

obtained pursuant to Subsection 12.4.5(M) and 12.4.4.(B)4, or

~~ii.~~ In the absence of all data described in Subsection 12.4.2(J)(1)(b)(i), information to demonstrate that the structure shall meet the elevation requirement in Subsections 12.4.5(H)(4)(b), 12.4.5(I)(4)(b), or 12.4.5(J)(4)(b).

- 2. Highest and lowest grades at the site adjacent to the walls of the proposed building.
- 3. Lowest floor, including basement, and whether or not such structures contain a basement.
- 4. Lowest machinery and equipment servicing the building.
- ~~4.5.~~ Level, in the case of nonresidential structures only, to which the structure will be floodproofed.

K. For new construction and substantial improvements, A a description of an elevation reference point established on the site of all new ~~developments or substantially improved structures for which elevation standards apply as required in Subsection 12.4.5.~~

L. For new construction and substantial improvements, a written certification by:

- 1. A professional land surveyor that the grade elevations shown on the application are accurate.
- ~~2.~~ A professional land surveyor, registered professional engineer or architect that the base flood elevation shown on the application is accurate Either an elevation certificate (FEMA Form 8-31, 03/97, as amended) completed by a professional

- land surveyor, registered professional engineer, or architect, or, for nonresidential structures to be floodproofed, a floodproofing certificate (FEMA Form 81-65, 05/93, as amended) completed by a registered professional engineer or architect. These certificates verify that the elevations shown on the application are accurate.
- M.** For new construction and substantial improvements, the following ~~certifications as required in Subsection 12.4.5~~ by a registered professional engineer or architect ~~that structures meet the review standards of Subsection 12.4.5:~~
1. ~~A floodproofing certificate (FEMA form FF-206-FY-22-153, as amended) to verify that the floodproofing methods for any nonresidential structures will meet the floodproofing criteria of Subsection 12.4.5(I); and other applicable standards of Subsection 12.4.5.~~
 2. ~~A V-Zone Certificate to verify that the construction in coastal high hazard areas, Zones VE and Coastal AE, will meet the criteria of Subsection 12.4.5(R); and other applicable standards in Subsection 12.4.5.~~
 3. ~~A Hydraulic Openings Certificate to verify that engineered hydraulic openings in foundation walls will meet the standards of Subsection 12.4.5(N)(2)(a).~~
- N.** A certified statement from a registered professional engineer or architect that bridges will meet the standards of Subsection 12.4.5(O)
- O.** A certified statement from a registered professional engineer or architect that containment walls will meet the standards of Subsection 12.4.5(P).
- N.P.** A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.
- O.Q.** A statement of construction plans describing in detail how each applicable development standard in Subsection 12.4.5 will be met.
- P.R.** Cross section(s) of the site acceptable to the Public Works Authority.
- 12.4.3 Fee**
- A nonrefundable Flood Hazard Development Permit fee as established by the City Council ~~for all minor development and for all new construction and substantial improvements~~ shall be paid to the Building Authority, and a copy of a receipt for the same shall accompany the application. ~~An additional fee may be charged if the Code Enforcement Officer, Planning Board, and/or Board of Appeals needs the assistance of a professional engineer or other expert. The expert's fee shall be paid in full by the applicant within 10 days after the City submits a bill to the applicant. Failure to pay the bill shall constitute a violation of the ordinance and be grounds for issuance of a stop work order. An expert shall not be hired by the City at the expense of an applicant until the applicant has either consented to such hiring in writing or been given an opportunity to be heard on the subject. An applicant who is dissatisfied with a decision to hire expert assistance may appeal that decision to the Board of Appeals.~~
- 12.4.4 Review procedure**
- A.** Upon determination by the Building Authority that an application is complete, the Building

Authority shall coordinate review of the application by the City to assure that proposed developments are reasonably safe from flooding. No permit shall be issued until the Building Authority finds that the development proposal is in compliance with the standards of this article. Compliance with the provisions of this article shall be required prior to beginning any development as defined herein.

- B.** The Building Authority shall, when reviewing subdivisions under Article 15 and other proposed developments that require review under Article 14 or federal law, state law, or local ordinances or regulations and all projects on five or more acres, or in the case of manufactured home parks divided into two or more lots, assure that:

1. All such proposals are consistent with the need to minimize flood damage.
2. All public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages.
3. Adequate drainage is provided so as to reduce exposure to flood hazards.
4. All proposals include base flood elevations, flood boundaries and, in a river~~avine~~ floodplain, floodway data. These determinations shall be based on engineering practices recognized by the Federal Emergency Management Agency.
5. Any proposed development plan must include a condition of plan approval requiring that structures on lots in the development be constructed in accordance with Subsection 12.4.5 of this article. Such requirement shall be included in any deed, lease, purchase and sale

agreement, or document transferring or expressing an intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The condition shall clearly articulate that the municipality may enforce any violation of the construction requirement. The construction requirement shall also be clearly stated on any map, plat, or plan as part of the approval process.

- ~~B.C.~~** In the review of all Flood Hazard Development Permit applications for compliance with the standards herein:

1. The Building Authority shall utilize:
 - a. ~~†~~The base flood and floodway data contained in the *Flood Insurance Study – Cumberland County, Maine*, as described in Section 12.2.
 - b. In special flood hazard areas where base flood elevation and floodway data are not provided in the above cited study, the ~~Planning Building Authority, or Planning Board as appropriate,~~ shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from federal, state, or other ~~reasonably reliable~~technical sources, including information obtained pursuant to Subsection 12.4.2(J)(1)(b)(i), 12.4.5(M), and 12.4.4(B)(4), in order to administer this article.
 - a.c. When a base flood elevation is established in a Zone A by methods outlined in Section 12.4.2(J)(1)(b)(ii), that data shall be submitted to the

Maine Floodplain Management Program.

2. The Building Authority shall make interpretations of the location of boundaries of special flood hazard areas shown on the maps described in Section 12.2.

6-3. Prior to approval of issuance of the Flood Hazard Development Permit, the Building Authority shall determine that all necessary permits have been obtained from those federal, state, and local authorities from which prior approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1343~~4~~ as may be amended from time to time), provided, however, that conditional approval may be granted pending proof of receipt of any required permits, but no Flood Hazard Development Permit shall be finally issued until proof of issuance of all such other permits is received by the Building Authority.

7-4. The Building Authority shall notify adjacent municipalities, the Maine Department of Environmental Protection and the Maine Floodplain Management Program, prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Emergency Management Agency.

5. The Building Authority shall maintain, as a permanent record, copies of all Flood Hazard Development Permit applications, corresponding permits issued, and data relevant thereto, including reports of the Board of Appeals on variances granted

under the provisions of Section 12.6-7 of this article, and copies of elevation certificates, floodproofing certificates, certificates of compliance, and certifications of design standards required under the provisions of Sections 12.4 and 12.56.

12.4.5 Review standards

All development in areas of special flood hazard shall meet the following standards:

- A. All development.** All development shall:
 1. Be designed or modified and adequately anchored to prevent flotation (excluding piers and docks), collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 2. Use construction materials that are resistant to flood damage.
 3. Use construction methods and practices that will minimize flood damage.
 4. Use electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding conditions.
- B. Water supply.** All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.
- C. Sanitary sewage systems.** All new and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.

D. On-site waste disposal systems. On site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during floods.

E. Altered or relocated watercourses. All development associated with altered or relocated portions of a watercourse shall be constructed and maintained in such a manner that no reduction occurs in the flood carrying capacity of the watercourse.

F. Utilities. New construction or substantial improvement of any structure (including manufactured homes) located within:

1. Zones A, AE, AO, and AH shall have the bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, permanent fixtures and components, HVAC ductwork and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure, elevated to at least two feet above the base flood elevation.
2. Zone VE shall meet the requirements of Subsection 12.4.5(R)(2)(a).

G. Physical changes to the natural landscape. Certain development projects, including but not limited to, retaining walls, sea walls, levees, berms, and rip rap, can cause physical changes that affect flooding conditions.

1. All development projects in Zones AE and VE that cause physical changes to the natural landscape shall be reviewed by a professional engineer to determine whether or not the project changes the base flood elevation, zone, and/or the flood hazard boundary line.

a. If the professional engineer determines, through the use of

engineering judgement, that the project would not necessitate a Letter of Map Revision (LOMR), a certified statement shall be provided.

b. If the professional engineer determines that the project may cause a change, a hydrologic and hydraulic analysis that meets current FEMA standards shall be performed.

2. If the hydrologic and hydraulic analysis performed indicates a change to the base flood elevation, zone, and/or the flood hazard boundary line, the applicant may submit a Conditional Letter of Map Revision (C-LOMR) request to the Federal Emergency Management Agency for assurance that the as-built project will result in a change to the Flood Insurance Rate Map. Once the development is completed, a request for a Letter of Map Revision (LOMR) shall be initiated.

3. If the hydrologic and hydraulic analysis performed show a change to the base flood elevation, zone, and/or the flood hazard boundary line, as soon as practicable, but no later than six months after the completion of the project, the applicant shall submit the technical data to FEMA in the form of a Letter of Map Revision request.

F.H. Residential. New construction or substantial improvement of any residential structure located within:

1. Zones ~~A+30~~, AE, AO, and AH shall have the lowest floor (including basement) elevated to at least two feet above the base flood elevation.

2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide flood water away from the proposed structures.
3. Zone AO shall have the lowest floor (including basement) elevated above the highest adjacent grade:
 - a. At least two feet higher than the depth specified in feet on the ~~community's~~ Flood Insurance Rate Map, or
 - b. At least three feet if no depth number is specified.

~~4.~~ Zone A shall have the lowest floor (including basement) elevated:

~~a.~~ To at least two feet above the base flood elevation utilizing information obtained pursuant to Subsections 12.4.2(J)(1)(b)(i)D(2), 12.4.4(BC)(4), or 12.4.4(EB)(4), or:

~~a.b.~~ In the absence of all data described above, to at least two feet above the highest adjacent grade to the structure.

~~4.5.~~ Zones ~~V1-30~~ and VE and Coastal AE shall meet the requirements of Subsection 12.4.5(~~PR~~).

G.I. Nonresidential. New construction or substantial improvement of any nonresidential structure located within:

1. Zones ~~A1-30~~, AE, AO, and AH shall have the lowest floor (including basement) elevated to at least two feet above the base flood elevation, or together with attendant utility and sanitary facilities shall:
 - a. Be floodproofed to at least two feet above the base flood elevation so that

below that elevation the structure is watertight with walls substantially impermeable to the passage of water;

- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
- c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Subsection 12.4.2(~~GM~~)(N), and (O) and shall include a record of the elevation above mean sea level to which the structure is floodproofed.

2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide flood water away from the proposed structures.
3. Zone AO shall have the lowest floor (including basement) elevated above the highest adjacent grade:
 - a. At least two feet higher than the depth specified in feet on the ~~community's~~ Flood Insurance Rate Map; or
 - b. At least three feet if no depth number is specified; or
 - c. Together with attendant utility and sanitary facilities be floodproofed to meet the elevation requirements of this subsection and floodproofing standards of Subsection 12.4.5(~~G~~).

4. Zone A shall have the lowest floor (including basement) elevated:
- a. ~~To~~ at least two feet above the base flood elevation utilizing information obtained pursuant to Subsections 12.4.2(~~DK~~)(12)(b)(i), 12.4.4(~~BC~~)(4), 12.4.4(~~EB~~)(4); or-
 - b. In the absence of all data described in Subsection 12.4.5(l)(4)(a), to at least two feet above the highest adjacent grade to the structure, or
 - a.c. Together with attendant utility and sanitary facilities, be floodproofed to two feet above the base elevation established in Subsection 12.4.5(l)(4)(a) or (b) above and meet the floodproofing standards of Subsection 12.4.5(l)(1)(a), (b), and (c).
- 4.5. Zones ~~V1-30~~ and VE and Coastal AE shall meet the requirements of Subsection 12.4.5(~~PR~~).

H.J. Manufactured homes. New or substantially improved manufactured homes located within:

1. Zones ~~A1-30~~, AE, AO, and AH shall:
 - a. ~~Be elevated on a permanent foundation~~ such that the lowest floor is at least two feet above the base flood elevation;
 - a.b. Be on a permanent foundation, which may be poured masonry slab or foundation walls, with hydraulic openings, or may be reinforced piers or block supports, any of which support the manufactured home so that no weight is supported by its wheels and axles; and
 - b.c. Be securely anchored to an adequately anchored foundation

system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to:

- i. Over the top ties anchored to the ground at the four corners of the manufactured home, plus two additional ties per side at intermediate points (manufactured homes less than 50 feet long require one additional tie per side).
- ii. Frame ties at each corner of the home, plus five additional ties along each side at intermediate points (manufactured homes less than 50 feet long require four additional ties per side).
- iii. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.

2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide flood water away from the proposed structures.
3. Zone AO shall have the lowest floor (including basement) elevated above the highest adjacent grade:
 - a. At least two feet higher than the depth specified in feet on the ~~community's~~ Flood Insurance Rate Map, or
 - b. At least three feet if no depth number is specified, and
 - c. Meet the anchoring requirements of Subsection 12.4.5(~~HJ~~)(1)(~~bc~~).
4. Zone A shall:

- a. Be elevated on a permanent foundation, as described in Subsection 12.4.5(J)(1)(b), such that the lowest floor (including basement of the manufactured home) is at least two feet above the base flood elevation utilizing information obtained pursuant to Subsection ~~12.4.2(D)(2)~~, 12.4.2(J)(1)(b)(i), 12.4.4(~~BC~~)(4), or 12.4.4(~~EB~~)(4), or:
- a.b. In the absence of all data described in Section 12.4.5(J)(4)(a), to at least two feet above the highest adjacent grade to the structure, and
- b.c. Meet the anchoring requirements of Subsection 12.4.45(~~JB~~)(21)(c).
5. Zones ~~V1-30 and~~ VE and Coastal AE shall meet the requirements of Subsection 12.4.5(~~PR~~).
- I.K. Recreational vehicles.** Recreational vehicles located within:
1. Zones A, AE, AO, A1-30, and AH, and AE shall either:
 - a. Be on the site for fewer than 180 consecutive days, ~~or~~ and
 - b. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions, ~~or~~:
 - b.c. Be permitted in accordance with the elevation and anchoring requirements for manufactured homes in Subsection 12.4.5(J)(1).
 2. Zones ~~V1-30 and~~ VE and Coastal AE shall meet the requirements of either Subsection 12.4.5(~~IK~~)(1)(a) and ~~12.4.5(I)(1)(b)~~, or 12.4.5(~~PR~~).
- L. Accessory structures.** New construction or substantial improvement of accessory structures, as defined in Subsection 12.3.1, shall be exempt from the elevation criteria required Subsections 12.4.5(H) and (I) if all other requirements of Subsection 12.4.5 and all the following requirements are met.
1. Accessory structures located within Zones ~~A1-30, AE, AO, AH, and A~~ shall ~~be exempt from the elevation criteria required in Subsection 12.4.5(F) and 12.4.5(G) if all other requirements of Subsection 12.4.5 and all the following requirements are met.~~ Accessory structures shall:
 - a. Meet the requirements of Subsection 12.4.5(A)(1) to (4) as applicable.
 - ~~1. Be 500 square feet or less and have a value less than \$3,000.~~
 - b. Be limited in size to a one-story two-car garage.
 - a.c. Have unfinished interiors and not be used for human habitation.
 - b.d. Have hydraulic openings, as specified in Subsection 12.4.5(~~LN~~)(2), in at least two different walls of the accessory structure.
 - e.e. Be located outside the floodway.
 - d.f. When possible be constructed and placed on the building site so as to offer the minimum resistance to the flow of flood waters and be placed further from the source of flooding than is the primary structure.
 - g. Have only ground fault interrupt electrical outlets. The electric service disconnect shall be located above the

base flood elevation and when possible outside the special flood hazard area.

h. Be located outside the Coastal AE Zone.

2. Accessory structures in Zones VE and Coastal A shall meet the requirements of Subsection 12.4.5(R).

J.M. Floodways

1. In Zones ~~A1-30~~ and AE riverine areas, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted within a regulatory floodway in riverine areas, for which a regulatory floodway is designated on the ~~community's~~ Flood Insurance Rate Map ~~or flood boundary and floodway map~~, unless a technical evaluation certified by a registered professional engineer is provided demonstrating that such encroachments will not result in any increase in flood levels within the ~~community~~ during the occurrence of the base flood discharge.
2. In Zones ~~A1-30~~ and AE riverine areas, for which no regulatory floodway is designated, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted in the floodway as determined in (3) below, unless a technical evaluation certified by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing

development and anticipated development:

- a. Will not increase the water surface elevation of the base flood more than one foot at any point within the ~~community~~ city.
- b. Is consistent with the technical criteria contained in FEMA's guidelines and standards for flood risk analysis and mapping. Chapter 5 entitled "Hydraulic Analyses," Flood Insurance Study—Guidelines and Specifications for Study Contractors (FEMA 37/January 1995, as amended).
3. In Zones ~~A1-30~~ and AE, and A riverine areas for which no regulatory floodway is designated, the regulatory floodway is determined to be the channel of the river or other watercourse and the adjacent land areas to a distance of 1/2 the width of the floodplain as measured from the normal high-water mark to the upland limit of the floodplain. Encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted unless a technical evaluation certified by a registered professional engineer is provided meeting the requirements of (2) above.

K.N. Enclosed areas below the lowest

floor/Hydraulic openings/flood vents. New construction or substantial improvement of any structure in Zones ~~A1-30~~, AE, AO, and AH, ~~and A~~ that meets the development standards of Subsection 12.4.5, including the elevation requirements of Subsection 12.4.5(~~HF~~), (~~GI~~), or (~~JH~~) and is elevated on posts, columns, piers, piles, ~~"stilts,"~~ or crawl spaces may be enclosed

below the base flood elevation requirements provided all the following criteria are met or exceeded:

1. Enclosed areas are not basements as defined in Article 3.
2. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement must either:
 - a. Be engineered and certified by a registered professional engineer or architect, or
 - b. Meet or exceed the following minimum criteria:
 - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of the enclosed area;
 - ii. The bottom of all openings shall be below the base flood elevation and no higher than ~~one~~two ~~feet~~ above the lowest grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the entry and exit of flood waters automatically without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means.
3. The enclosed area shall not be used for human habitation.
4. The enclosed areas are usable solely for building access, parking vehicles, or storing

of articles and equipment used for maintenance of the building.

L.O. Bridges. New construction or substantial improvement of any bridge in Zones ~~A-30~~, AE, AO, AH, ~~A, V-30~~, and VE shall be designed such that:

1. When possible, the lowest horizontal member (excluding the pilings, or columns) is elevated to at least two feet above the base flood elevation.
2. A registered professional engineer shall certify that:
 - a. The structural design and methods of construction shall meet the elevation requirements of this section and the floodway standards of Subsection 12.4.5(~~KM~~).
 - b. The foundation and superstructure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all structural components. Water loading values used shall be those associated with the base flood.

M.P. Containment walls. New construction or substantial improvement of any containment wall shall meet the following requirements by zone:

1. Zones ~~A, A-30~~, AE, ~~AO~~, AH, ~~V-30~~, and VE shall:
 - a. ~~H~~Have the containment wall elevated to at least two feet above the base flood elevation;
 - b. ~~H~~Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy, ~~and~~.

~~a.c.~~ bBe certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Subsection 12.4.2-(M), (N), and (O).

2. Zones AO and AH shall have adequate drainage paths around containment walls on slopes, to guide flood water away from the proposed walls.
3. Zone AO shall have the top of the containment wall elevated above the highest adjacent grade:
 - a. ~~a~~At least two feet higher than the depth specified in feet on the ~~community's~~ Flood Insurance Rate Map; or
 - b. ~~a~~At least three feet if no depth number is specified, and
 - ~~a.c.~~ Shall meet the requirements of Subsection 12.4.5(P)(1)(b) and (c).

~~3. Zone A shall have the containment wall elevated to at least two feet above the base flood elevation utilizing information obtained pursuant to Subsections 12.4.2(D)(2), 12.4.4(B)(4), or 12.4.4(C)(1).~~

N-Q. Wharves, piers, and docks. New construction or substantial improvement of wharves, piers, and docks are permitted in Zones A, A1-30, AE, AO, AH, V1-30, and VE, in and over water and seaward of the mean high tide if the following requirements are met:

1. In Zones A, AE, AO, and AH, w~~h~~ wharves, piers, and docks shall comply with all

applicable local, state, and federal regulations, or-

2. In Zone VE, Commercial wharves, piers, and docks ~~involving fill shall adhere to the design and construction standards contained in the U.S. Army Corps of Engineers' Shore Protection Manual.~~ shall have a registered professional engineer develop or review the structural design, specifications, and plans for construction.

O-R. Coastal floodplains

1. All new construction located within Zones ~~A1-30, AE, A, V1-30,~~ and VE shall ~~comply with all applicable local, state, and federal regulations~~ be located landward of the reach of mean high tide except as provided in Subsection 12.4.5(R)(6).

2. New construction or substantial improvement of any structure located within Zones ~~V1-30 or~~ VE or Coastal AE shall:

a. Have the bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, permanent fixtures and components, HVAC ductwork and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure, elevated to at least two feet above the base flood elevation. Systems, fixtures, equipment, and components shall not be mounted on or penetrate through walls intended to break away under flood loads.

~~a.b.~~ bBe elevated on posts or columns such that:

- i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to two feet above the base flood elevation.
 - ii. The pile or column foundation and the elevated portion of the structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.
 - iii. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state and local building standards.
- c. ~~New construction or substantial improvement of any structure located within Zones V1-30 or VE shall~~ H-h have the space below the lowest floor:
- i. Free of obstructions, or
 - ii. Constructed with open wood lattice work; or insect screening intended to collapse under wind and water without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting piles or columns, or
 - iii. Constructed with non-supporting breakaway walls which have a design safe loading resistance of not less than 10 or more than 20 pounds per square foot.
- d. Require Aa registered professional engineer or architect ~~shall to:~~
- i. ~~d~~Develop or review the structural design, specifications, and plans for the construction, which must meet or exceed the technical criteria contained in the *Coastal Construction Manual* (FEMA-55/~~February, 1986~~).
 - ii. ~~A registered professional engineer or architect shall~~ Certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the criteria of Subsections 12.4.5(~~RP~~)(2)(~~b~~), (~~c~~), and (~~d~~) and (~~3~~).
- 3. The use of fill for structural support in Zones ~~V1-30 and VE~~ and Coastal AE is prohibited.
 - 4. Human alteration of sand dunes within Zones ~~V1-30 and VE~~ and Coastal AE is prohibited unless it can be demonstrated that such alterations will not increase potential flood damage.
 - 5. The ~~enclosed areas~~ area below the lowest floor may be used solely for parking vehicles, building access, and storage.
 - 6. Lobster sheds and fishing sheds may be located seaward of mean high tide and shall be exempt from the elevation requirement in Subsection 12.4.5(~~IG~~) only ~~upon if -reviewed~~ and approved as a conditional use ~~at~~ by the Planning Authority or Planning Board ~~Zoning Board of Appeals~~, as provided in Section 12.5, and if all the following requirements of

Subsections 12.4.5(A), (~~KM~~), and (~~LN~~) are met:

- a. The conditional use shall be limited to low value structures such as metal or wood sheds 200 square feet or less and shall not exceed more than one story.
- b. The structure shall be securely anchored to the wharf or pier to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components.
- c. The structure will not adversely increase wave or debris impact forces affecting nearby buildings.
- d. The structure shall have unfinished interiors and shall not be used for human habitation.
- e. Any mechanical, utility equipment and fuel storage tanks must be anchored and either elevated or floodproofed to two-feet above the base flood elevation.
- f. All electrical outlets shall be ground fault interrupt type. The electrical service disconnect shall be located on shore above the base flood elevation and when possible outside the special flood hazard area. If a flood hazard permit application is granted, the applicant shall be notified in writing that flood insurance is not available for structures located entirely over water or seaward of mean high tide.

12.4.6 Permit

A. Upon determination that the development or substantial improvement plan is in compliance with this article, the Building Authority shall issue one of the following Flood Hazard Development Permits based on the type of development:

1. *Two-part Flood Hazard Development Permit for elevated structures.* Part I shall authorize the applicant to build a structure to and including the first horizontal floor only above the base flood level. At that time the applicant shall provide the Code Enforcement Officer with an “under construction”-~~second~~ elevation certificate (FEMA form FF-206-FY-22-152) completed by a professional land surveyor; ~~registered professional engineer or architect~~ based on the Part I permit construction, “as built,” for verifying compliance with the elevation requirements of Subsections 12.4.5(~~FH~~), (~~GI~~), (~~HJ~~), or (~~PR~~). Following review of the elevation certificate data, which shall take place within 72 hours of receipt of the application, or as soon as practicable thereafter, the Code Enforcement Officer shall issue Part II of the Flood Hazard Development Permit. Part II shall authorize the applicant to complete the construction project.
2. *Flood Hazard Development Permit for floodproofing of nonresidential structures.* This permit shall apply for nonresidential structures that are new construction or substantially improved nonresidential structures that are not being elevated but that meet the floodproofing standards of Subsection 12.4.5(~~IG~~)(1). The application

- for this permit shall include a floodproofing certificate signed by a registered professional engineer or architect.
3. *Flood Hazard Development Permit for minor development*. This permit shall apply for all other development and building permits that are not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. This includes, but is not limited to: accessory structures as provided for in Subsection 12.4.5(HL), mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures, and nonstructural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers.
 - B. For development that requires review and approval as a conditional use, as provided for in this article, the Flood Hazard Development Permit application shall be acted upon by the Zoning Board of Appeals as required under Section 12.5.

12.5 CONDITIONAL USE REVIEW

12.5.1. Review authority

The Zoning Board of Appeals shall hear and approve, approve with conditions, or disapprove all applications for conditional uses provided for in this article. An applicant informed by the Building Authority that a conditional use approval is required

shall file an application for the permit with the Zoning Board of Appeals.

12.5.2 Review procedure

- A. The Flood Hazard Development Permit application with additional information attached addressing how each of the conditional use criteria specified in this article will be satisfied may serve as the application for the conditional use review.
- B. Before deciding any application, the Zoning Board of Appeals shall hold a public hearing on the application within thirty days of their receipt of the application.
- C. If the Zoning Board of Appeals finds that the application satisfies all relevant requirements of this article, the Zoning Board of Appeals must approve the application or approve with conditions within 45 days of the date of the public hearing.
- D. A conditional use approval issued under the provisions of this article shall expire if the work or change involved is not commenced within 180 days of the approval by the Zoning Board of Appeals.
- E. The applicant shall be notified by the Zoning Board of Appeals in writing over the signature of the Chair of the Board of Appeals that flood insurance is not available for structures located entirely over water or seaward of mean high tide.

12.5.3 Expansion of conditional uses

No existing building or use of premises may be expanded or enlarged without approval under this section if that building or use was established or constructed under a previous conditional use approval or if it is a building or use which would

require a conditional use approval if being newly-established or constructed under this article.

12-512.6 CERTIFICATE OF COMPLIANCE

A. A certificate of compliance shall be signed by the Building Authority stating that a structure is in compliance with all of the provisions of this article.

B. No land in an area of special flood hazard shall be occupied or used in violation of this article, and no structure in such an area which is developed or substantially improved shall be occupied until a ~~Certificate~~ certificate of ~~C~~compliance is issued by the Building Authority. Said ~~C~~certificate of ~~C~~compliance shall be issued only after the Building Authority has received all permits and certificates from the applicant as required by this article.

C. For new construction or substantial improvement of any elevated structure, the applicant shall submit to the Building Authority:

1. An elevation certificate (FEMA form FF-206-FY-22-152) completed by a professional land surveyor for compliance with Subsection 12.4.5(H), (I), (J), or (R).

2. For structures in Zones ~~V1-30~~ and ~~VE~~ and Coastal ~~AE~~ and for floodproofed structures, a written certification by a registered professional engineer or architect shall be provided to the Building Authority stating that the design and methods of construction used are in compliance with the applicable provisions of Subsection 12.4.5(R)(2)(b), (c), and (d).

D. The applicant shall submit written notification to the Building Authority that the development is complete and complies with the provisions of this article.

~~A-E.~~ Within ~~310~~ working days, the Building Authority shall review the elevation certificate (FEMA form FF-206-FY-22-152) and the applicant's written notification and, upon determination that the development conforms with the provisions of this article, shall issue a certificate of compliance.

12-612.7 VARIANCES AND APPEALS

12.7.1 Authority

A. The Board of Appeals of the City of Portland may, upon written application of an aggrieved party, hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made, or failure to act, in the administration or enforcement of the provisions of this article.

~~A-B.~~ The Board of Appeals may authorize variances, meaning the granting of relief -from the provisions of this article, as authorized in Subsection 2.3.11 except:

- 1.** As otherwise expressly provided in Subsection 2.3.11(E).
- 2.** Variances shall not be granted within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

12.7.2 Standards

Subsection 2.3.11 notwithstanding, variances from the requirements of this article shall be granted only upon:

- A.** A showing of good and sufficient cause.
- B.** A determination that should a flood comparable to the base flood occur, the granting of a variance will not result in increased flood heights, additional threats to public safety, or public expense, or create

nuisances, cause fraud or victimization of the public, or conflict with existing local laws or ordinances.

- C. A showing that the issuance of the variance will not conflict with other state, federal, or local laws or ordinances.
- D. A determination that failure to grant the variance would result in “undue hardship,” which in this subsection means:
 - 1. That the land in question cannot yield a reasonable return unless a variance is granted.
 - 2. That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.
 - 3. That the granting of a variance will not alter the essential character of the locality.
 - 4. That the hardship is not the result of action taken by the applicant or a prior owner.
- E. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and the Board of Appeals may impose such conditions to a variance as is deemed necessary.

12.7.3 Standards for specific variances

- A. Variances may be issued for new construction, substantial improvements, or other development for the conduct of a functionally-dependent use provided that:
 - 1. The criteria in Subsection 12.7.2 and 12.4.5(M) are met.
 - 2. The structure or other development is protected by methods that minimize flood

damage during the base flood and create no additional threats to public safety.

A.B. Variances may be issued for the repair, reconstruction, rehabilitation, or restoration of historic structures upon the determination that:

- 1. The development meets the criteria of Subsection 12.7.6.2.
- 2. The proposed repair, reconstruction, rehabilitation, or restoration will not preclude the structure’s continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

B.C. Variances may be issued for new construction, and substantial improvements, ~~or other development for the conduct of a functionally-dependent use of agricultural structures being used for the conduct of agricultural uses~~ provided that:

- 1. The development meets the criteria of Subsection 12.7.26 and Subsection 12.4.5 are met.
- 2. The development meets the criteria of Subsection 12.4.5(M) and (N).
- ~~2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.~~

12.7.4 Notice to applicants

Any applicant who meets the criteria of ~~this section~~ Subsections 12.7.2 and 12.7.3(A), (B), or (C) shall be notified by the Board of Appeals in writing with the signature of the Chair of the Board of Appeals that:

- A. The issuance of a variance to construct a structure below the base flood level will result in greatly increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage.
- B. Such construction below the base flood level increases risks to life and property.
- C. The applicant agrees in writing that the applicant is fully aware of all the risks inherent in the use of land subject to flooding, assumes those risks and agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use land located in a floodplain and that the applicant individually releases the municipality from any claims the applicant may have against the municipality that are related to the use of land located in a floodplain.

~~B. The above Subsections 12.6.4(A)(1), (2), and (3) shall be included with or on all applications for a variance hereunder, as well as the following statements:~~

- ~~1. The applicant understands and is fully aware of all of the risks inherent in the use of land subject to flooding and understands and agrees that they are fully assuming any potential or actual liability resulting therefrom. Applicant agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use the land located in a flood plain and that the applicant individually releases the municipality from any claims the applicant may have against the municipality that are related to the use of land located in a flood plain. Applicant further understands and agrees that the City has no responsibility~~

~~therefore, and in the event a variance is granted to applicant, applicant agrees to inform any purchaser, assignee, or other transferee of applicant of the existence of said variance and of this agreement.~~

- ~~2. Applicant shall signify in writing that they have read, understands, and agrees to all of the stipulations in this Subsections 12.6.4(A) and (B).~~

12.7.5 Record of variances

The Board of Appeals shall submit to the Building Authority a report of all variance actions, including justification for the granting of the variance and an authorization for the Building Authority to issue a Flood Hazard Development Permit, which includes any conditions to be attached to said permit.

12.7.6 Appeal procedure

- A. An administrative appeal may be taken to the Board of Appeals by an aggrieved party within 30 days after receipt of a written decision of the Building Authority.
- B. Upon being notified of an appeal, the Building Authority shall transmit to the Board of Appeals all of the documents constituting the record of the decision appealed from.
- C. The Board of Appeals shall hold a public hearing on the appeal within 35 days of its receipt of an appeal request.
- D. The person filing the appeal shall have the burden of proof.
- E. The Board of Appeals shall decide all appeals within 35 days after the close of the hearing and shall issue a written decision on all appeals.
- F. Any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court

in accordance with state laws within 45 days from the date of any decision of the Board of Appeals.

12.712.8 RECORDS & REPORTING

- A.** The Building Authority shall maintain, as a permanent record, copies of all Flood Hazard Development Permits issued, certificates of compliance and data relevant thereto, including reports of the Board of Appeals on variances granted hereunder.
- B.** The Building Authority shall be responsible for filing such annual reports regarding participation in the National Flood Insurance Program as may be required by FEMA. Said annual reports shall include, but not be limited to, a report on implementation of this article and on any variances granted hereunder. A copy of such annual reports shall also be sent to the Maine Floodplain Management Program.

12.812.9 PENALTIES

It shall be the duty of the Building Authority to enforce the provisions of this ordinance pursuant to Title 30-A M.R.S. § 4452. The penalties contained in Title 30-A M.R.S. § 4452 shall apply to any violation of this ordinance. In addition to any other actions, the Building Authority, upon determination that a violation exists, shall submit a declaration to the Administrator of the Federal Insurance Administration requesting a denial of flood insurance. The valid declaration shall consist of:

- A.** The name of the property owner and address or legal description of the property sufficient to confirm its identity and location.
- B.** A clear and unequivocal declaration that the property is in violation of a cited state or local law, regulation, or ordinance.

- C.** A clear statement that the public body making the declaration has authority to do so and a citation to that authority.

Evidence that the property owner has been provided notice of the violation and the prospective denial of insurance.

- D.** A clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

12.10 ABROGATION

This ordinance repeals and replaces any municipal ordinance previously enacted to comply with the National Flood Insurance Act of 1968 (P.L. 90-488, as amended).

12.11 DISCLAIMER OF LIABILITY

The degree of flood protection required by the ordinance is considered reasonable but does not imply total flood protection.



PLANNING BOARD REPORT
TO CITY COUNCIL
PORTLAND, MAINE
Text Amendments
to Articles 3 & 12 of the Land Use Code
City of Portland, Applicant

Submitted to:	Mayor and City Councilors	Prepared By:	Ann Machado, Floodplain Administrator Kevin Deneault, GIS Mapping Specialist Natasha Kypfer, Senior Planner
Council First Read:	April 22, 2024	Date:	April 9, 2024
Council Hearing Date:	May 6, 2024		

I. INTRODUCTION

On March 26, 2024, the Planning Board unanimously (7-0) recommended a set of zoning text amendments to Articles 3 and 12 of the land use code to the City Council to comply with the requirements of the Maine Floodplain Management Program and FEMA. The recommended changes to Articles 3 (Definitions) and 12 (Floodplain Management) of the Land Use Code are required to maintain the City's standing in the National Flood Insurance Program (NFIP). The FEMA and state-mandated deadline for adoption of these text amendments is June 20, 2024, for the City of Portland to continue to participate in the NFIP.

II. BACKGROUND AND CONTEXT

The National Flood Insurance Act of 1968 established the National Flood Insurance Program (NFIP). The NFIP is managed by the Federal Emergency Management Agency (FEMA) and the NFIP program is voluntary. Its purpose is to allow residents in participating communities to purchase flood insurance at a subsidized rate through the program. In return, the community agrees to adopt specific floodplain guidelines to reduce flood risk and loss due to flooding. The City of Portland joined the National Flood Insurance Program and adopted the first floodplain management regulations on July 7, 1986 (Ord. No. 660-86, 7-7-86) creating Div. 26A §§ 14-450.1—14-450.8 in Chapter 14 of the City of Portland Code of Ordinances. All Floodplain management regulations in Div. 26A were subsequently amended in 1987 and 1998 (Ord. No. 579-87, 6-15-87; Ord. No. 156-98, 11-16-98). The most recent amended version of the floodplain management regulations went into effect on December 1, 2020, approved by the City Council under Recode Phase 1 (Ord. No. 103-20/21), and are located in Article 12 of the Land Use Code.

The original floodplain management regulations and subsequent amended versions were adopted from model ordinances created by the Maine Floodplain Management Program, currently located in the Maine Department of Agriculture, Conservation & Forestry. As part of the NFIP, the City is required to update the floodplain ordinance anytime FEMA makes changes to the Flood Insurance Rate Maps (FIRMS). Before making any changes, the State of Maine Floodplain Management Program Coordinator must approve any changes made to the City's floodplain ordinance based on the current model ordinance (Attachment A). Under the current proposed changes, the City has chosen to place the definitions from the model floodplain ordinance into Article 3 of the Land Use Code, so both Article 12 and Article 3 need to be amended.

In addition to the floodplain management regulations, the NFIP also creates Flood Insurance Rate Maps (FIRMS) (Attachment B). These maps indicate the areas within the City that are located in a Special Flood Hazard Area (SFHA) and need to meet the requirements currently outlined in Article 12 of the Land Use

Code. SFHAs contain different defined flood zone areas and they include zones A, AE, AO, AH, AR, and VE. All zones contain a Base Flood Elevation (BFE), except for zone A. The BFE is measured in feet from o' at mean sea level. The first FEMA FIRMs in the City of Portland went into effect on July 17, 1986. Some of the individual FIRMs were revised in 1998 by FEMA and other FIRMs along the Fore River, the waterfront, and Fall Brook were revised by Letters of Map Revisions (LOMRs) approved by FEMA in 2012 and 2014.

FEMA proposed updated maps for Cumberland County in 2009 and 2013. Both times, the City of Portland, with the assistance of a consultant and in collaboration with surrounding communities, questioned the methodology that FEMA used, claiming that a more precise methodology existed. Using a more precise methodology, FEMA released the new FIRMs on April 14, 2017. After FEMA unveiled the new maps, there was an appeal period where communities could challenge them. Portland and other communities in Cumberland County hired a consultant and outside legal counsel to request revisions to the FEMA flood maps. FEMA did not accept the requested revisions at the time, due to a mathematical conversion technicality.

It should be noted that, after FEMA denied the City's requested revisions during the appeal period, the City's consultant submitted applications for Letters of Map Revision (LOMRs) for several of the FEMA FIRM maps. A LOMR provides the ability to change or modify a federal Insurance Rate Map(FIRM).. FEMA has since approved the LOMRs, which will be incorporated into the FEMA FIRMs effective June 21, 2024 (Attachment D).

On December 20, 2023, FEMA issued the Letter of Final Determination (LFD), a letter that FEMA mails to the Chief Executive Officer of a community stating that new or updated FIRMs will become effective in six months. A certified copy was mailed to the Mayor (Attachment C). Under FEMA requirements, the new FIRMs will go into effect on June 20, 2024, six months after the LFD was issued to the City. The City is required to amend its floodplain management regulations (Article 3 and Article 12) and have them accepted by the State Floodplain Management Program in advance of this date. The new FIRMs will be adopted in conjunction with the revisions to Article 3 and Article 12.

Overall, the new FIRMs will have various impacts on the properties that are located along the shoreline and inland water bodies that flood. These changes include

- Properties being removed from or added to the Special Flood Hazard Area (SFHA)
- Base Flood Elevations (BFE) increasing or decreasing
- Changes to a property's SFHA designation (zone)

The new FIRMs are available for public viewing at:

<https://portlandme.maps.arcgis.com/apps/webappviewer/index.html?id=975da31f7aff455d8da5ae0776efac55>

III. PROCESS TO DATE AND PROPOSED TEXT AMENDMENTS

Once the City received the LFD on the FEMA FIRMs, a working group was formed, consisting of the City's Emergency Management Coordinator and various members from the Planning and Urban Development Department, the Permitting and Inspections Department, the Public Works Department, and Corporation Counsel. The working group met periodically to outline the steps that need to be taken to adopt revisions to the City's floodplain management regulations in advance of the June 20, 2024, FEMA deadline.

One critical action that was completed by the working group consisted of updating all City website pages referencing the approved FEMA flood maps. In addition, all flood map viewers were updated with new links and attachments, making these materials available for public viewing.

The next step was to update Article 3 (Definitions) and Article 12 (Floodplain Management) based on the model ordinance created by the Maine Floodplain Management Program (Attachment A). Amendments required by the State include:

- Updates to the purpose statement
- The incorporation of new floodplain definitions
- Updates to permit application requirements
- The addition of standards for utilities and physical changes to the natural landscape within SFHAs
- Modifications to standards for manufactured homes, accessory structures, floodways, wharves, piers, docks, and coastal floodplains within SFHAs
- The addition of a conditional use review procedure
- Modifications to submission requirements for certificates of compliance
- The addition of standards for review of subdivision and site plan
- Updates to variances and appeals language, to add standards for specific variances and to outline appeal procedure

The draft amendments to Article 3 and Article 12 (Attachments E & F) are a direct response to the State's model ordinance, which must be followed as part of the NFIP.

The working group sent initial draft amendments to the members of the State's Floodplain Management Program for review on February 9, 2024.

The working group received initial feedback on February 23, 2024, and, based on this feedback and Planning Board input, made another round of revisions which were resubmitted to the State on March 1, 2024. The State requested three minor changes on March 15, 2024, which have been incorporated into the amendments as recommended by the Planning Board.

Staff received final confirmation from the Maine Floodplain Management Program's Program Coordinator on March 28, 2024, that Portland's proposed ordinance was acceptable. If/once adopted by the City Council, staff will provide a Clerk-certified copy to the Maine Floodplain Management Program.

IV. CITY COUNCIL WORKSHOP

At the City Council workshop held on March 25, 2024, the Council members in attendance asked a number of questions related to the draft text amendments and the new FEMA FIRMs. Councilors asked about particular areas affected by changes to the maps (which include the islands, the Capisic Brook watershed, and East Deering), what happens if the FEMA maps do not get approved, the financial obligations associated with FEMA-required flood insurance, and the process for public engagement and outreach around the changes, particularly to the FIRMs. In response to questions on this topic, a timeline of the public outreach around this effort is included as Attachment H.

V. PLANNING BOARD DELIBERATION

The Planning Board met twice to review draft text amendments, once in a workshop setting and once at a public hearing. Throughout the Board's review, there was one public comment (Attachment I). The Board's discussion focused on definitions and review standards for certain structures. The Board sought

confirmation that the amendments outlined in the State’s model ordinance must be adopted in order to remain within the NFIP, and acknowledged limited discretion on the proposed text amendments.

VI. CONSISTENCY WITH MAINE STATE FLOODPLAIN MANAGEMENT PROGRAM REQUIREMENTS + THE COMPREHENSIVE PLAN

Staff finds that the proposed text amendments are consistent with *Portland’s Plan 2030*, in that they meet the State’s Floodplain Management Program requirements and thereby allow the City to maintain standing with the National Flood Insurance Program, which is called out specifically as a goal of the comprehensive plan. *Portland’s Plan* states that the City should “[c]ontinue to participate in the FEMA Community Rating System, which qualifies the City for discounts on flood insurance and certain emergency financial assistance” (21) and also suggests that the City “[i]ntegrate best practices for adaptive waterfront strategies, including adaptive construction techniques, stormwater infrastructure and utilities, site protection, floodproofing, and risk avoidance, into the City’s technical standards and land use code” (36).

VII. PLANNING BOARD RECOMMENDATION

The Planning Board considered the proposed amendments at a public hearing on March 26, 2024. On the basis of the City of Portland Land Use Code, Portland’s Comprehensive Plan, public comment, the information provided in the public hearing on March 26, 2024, the Planning Board voted 7-0 to find that the enclosed text amendments to Chapter 14 of the City Code, Articles 3 and 12 to meet the State of Maine Floodplain Management Program requirements are consistent with *Portland’s Plan 2030*, and therefore recommended adoption of said amendments to the City Council.

VIII. ATTACHMENTS

- A. Model Floodplain Management Ordinance, from Maine Floodplain Management Program
- B. Preliminary FEMA FIRMs, Effective June 20, 2024
- C. Letter of Final Determination, Issued December 20, 2023
- D. LOMRs Memo with FEMA Definitions Sheet
- E. Land Use Code, Article 3: Definitions, Redline
- F. Land Use Code, Article 12: Floodplain Management, Redline
- G. City of Portland Floodplain Management Program Update FAQs
- H. Public Outreach Summary
- I. Public Comment: George Rheault, 3/25/2024

FLOODPLAIN MANAGEMENT ORDINANCE

FOR THE

CITY OF PORTLAND, MAINE

ENACTED:

Date

EFFECTIVE:

Date

CERTIFIED BY:

Signature

CERTIFIED BY:

Print Name

Title

Affix Seal

FLOODPLAIN MANAGEMENT ORDINANCE

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ARTICLE I - PURPOSE AND ESTABLISHMENT

Certain areas of the City of Portland, Maine are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968.

Therefore, the City of Portland, Maine has chosen to become a participating community in the National Flood Insurance Program and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as delineated in this Floodplain Management Ordinance.

It is the intent of the City of Portland, Maine to require the recognition and evaluation of flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards.

The City of Portland has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Title 30-A MRSA, Sections 3001-3007, 4352, 4401-4407, and Title 38 MRSA, Section 440.

The National Flood Insurance Program, established in the aforesaid Act, provides that areas of the City of Portland having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas. This Ordinance establishes a Flood Hazard Development Permit system and review procedure for development activities in the designated flood hazard areas of the City of Portland, Maine.

The areas of special flood hazard, Zones A, AE, AO, AH, and VE for the City of Portland, Cumberland County, Maine, identified by the Federal Emergency Management Agency in a report entitled “Flood Insurance Study – Cumberland County, Maine” dated June 20, 2024, with accompanying “Flood Insurance Rate Map” dated June 20, 2024, are hereby adopted by reference and declared to be a part of this Ordinance.

ARTICLE II - PERMIT REQUIRED

The Building Authority shall be designated as the local Floodplain Administrator. The Floodplain Administrator shall have the authority to implement the commitment made to administer and enforce the requirements for participation in the National Flood Insurance Program.

Before any construction or other development (as defined in Article XIV), including the placement of manufactured homes, begins within any areas of special flood hazard established in Article I, a Flood Hazard Development Permit shall be obtained from the Building Authority, except as provided in Article VII. This permit shall be in addition to any other permits which may be required pursuant to the codes and ordinances of the City of Portland, Maine.

ARTICLE III - APPLICATION FOR PERMIT

The application for a Flood Hazard Development Permit shall be submitted to the Building Authority and shall include:

- A. The name, address, and phone number of the applicant, owner, and contractor;
- B. An address and a map indicating the location of the construction site;
- C. A site plan showing locations of existing and/or proposed development, including but not limited to structures, sewage disposal facilities, water supply facilities, areas to be cut and filled, and lot dimensions;
- D. A statement of the intended use of the structure and/or development;
- E. A statement of the cost of the development including all materials and labor;
- F. A statement as to the type of sewage system proposed;
- G. Specification of dimensions of the proposed structure and/or development;

[Items H-K.3. apply only to new construction and substantial improvements.]

- H. The elevation in relation to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or to a locally established datum in Zone A only, of the:
 - 1. base flood at the proposed site of all new or substantially improved structures, which is determined:
 - a. in Zones AE, AO, AH, and VE from data contained in the "Flood Insurance Study - Cumberland County, Maine," as described in Article I; or,
 - b. in Zone A:
 - (1) from any base flood elevation data from federal, state, or other technical sources (such as FEMA's Quick-2 model, FEMA 265), including information obtained pursuant to Article VI.M. and IX.D.; or,
 - (2) in the absence of all data described in Article III.H.1.b.(1), information to demonstrate that the structure shall meet the elevation requirement in Article VI.H.4.b., Article VI.I.4.b., or Article VI.J.4.b.
 - 2. highest and lowest grades at the site adjacent to the walls of the proposed building;
 - 3. lowest floor, including basement; and whether or not such structures contain a basement;
 - 4. lowest machinery and equipment servicing the building; and,
 - 5. level, in the case of non-residential structures only, to which the structure will be floodproofed.

- I. A description of an elevation reference point established on the site of all developments for which elevation standards apply as required in Article VI;
- J. A written certification by:
 - 1. a Professional Land Surveyor that the grade elevations shown on the application are accurate; and,
 - 2. a Professional Land Surveyor, registered professional engineer or architect that the base flood elevation shown on the application is accurate.
- K. The following certifications as required in Article VI by a registered professional engineer or architect:
 - 1. a Floodproofing Certificate (FEMA Form FF-206-FY-22-153, as amended), to verify that the floodproofing methods for any non-residential structures will meet the floodproofing criteria of Article VI.I., and other applicable standards in Article VI;
 - 2. a V-Zone Certificate to verify that the construction in coastal high hazard areas, Zone VE and Coastal AE Zone, will meet the criteria of Article VI.R.; and other applicable standards in Article VI;
 - 3. a Hydraulic Openings Certificate to verify that engineered hydraulic openings in foundation walls will meet the standards of Article VI.N.2.a.;
 - 4. a certified statement that bridges will meet the standards of Article VI.O.;
 - 5. a certified statement that containment walls will meet the standards of Article VI.P.
- L. A description of the extent to which any water course will be altered or relocated as a result of the proposed development; and,
- M. A statement of construction plans describing in detail how each applicable development standard in Article VI will be met.

ARTICLE IV - APPLICATION FEE AND EXPERT'S FEE

A non-refundable application fee as established by the City Council for all minor development and for all new construction or substantial improvements shall be paid to the Building Authority and a copy of a receipt for the same shall accompany the application.

An additional fee may be charged if the Code Enforcement Officer, Planning Board, and/or Board of Appeals needs the assistance of a professional engineer or other expert. The expert's fee shall be paid in full by the applicant within 10 days after the town submits a bill to the applicant. Failure to pay the bill shall constitute a violation of the ordinance and be grounds for the issuance of a stop work order. An expert shall not be hired by the municipality at the expense of an applicant until the applicant has either consented to such hiring in writing or been given an opportunity to be heard on the subject. An applicant

who is dissatisfied with a decision to hire expert assistance may appeal that decision to the Board of Appeals.

ARTICLE V - REVIEW STANDARDS FOR FLOOD HAZARD DEVELOPMENT PERMIT APPLICATIONS

The Building Authority shall:

- A. Review all applications for the Flood Hazard Development Permit to assure that proposed developments are reasonably safe from flooding and to determine that all pertinent requirements of Article VI (Development Standards) have been, or will be met;
- B. Utilize, in the review of all Flood Hazard Development Permit applications:
 - 1. the base flood and floodway data contained in the "Flood Insurance Study - Cumberland County, Maine," as described in Article I;
 - 2. in special flood hazard areas where base flood elevation and floodway data are not provided, the Building Authority shall obtain, review, and reasonably utilize any base flood elevation and floodway data from federal, state, or other technical sources, including information obtained pursuant to Article III.H.1.b.(1); Article VI.M.; and Article IX.D., in order to administer Article VI of this Ordinance; and,
 - 3. when the community establishes a base flood elevation in a Zone A by methods outlined in Article III.H.1.b.(1), the community shall submit that data to the Maine Floodplain Management Program.
- C. Make interpretations of the location of boundaries of special flood hazard areas shown on the maps described in Article I of this Ordinance;
- D. In the review of Flood Hazard Development Permit applications, determine that all necessary permits have been obtained from those federal, state, and local government agencies from which prior approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1344;
- E. Notify adjacent municipalities, the Department of Environmental Protection, and the Maine Floodplain Management Program prior to any alteration or relocation of a water course and submit copies of such notifications to the Federal Emergency Management Agency;
- F. If the application satisfies the requirements of this Ordinance, approve the issuance of one of the following Flood Hazard Development Permits, based on the type of development:
 - 1. A two-part Flood Hazard Development Permit for elevated structures. Part I shall authorize the applicant to build a structure to and including the first horizontal floor only above the base flood level. At that time the applicant shall provide the Code Enforcement Officer with an "under construction" Elevation Certificate completed by a Professional Land Surveyor based on the Part

I permit construction for verifying compliance with the elevation requirements of Article VI, paragraphs H., I., J., or R. Following review of the Elevation Certificate data, which shall take place within 72 hours of receipt of the application, the Code Enforcement Officer shall issue Part II of the Flood Hazard Development Permit. Part II shall authorize the applicant to complete the construction project; or,

2. A Flood Hazard Development Permit for Floodproofing of Non-Residential Structures that are new construction or substantially improved non-residential structures that are not being elevated but that meet the floodproofing standards of Article VI.I.1. The application for this permit shall include a Floodproofing Certificate signed by a registered professional engineer or architect; or,
3. A Flood Hazard Development Permit for Minor Development for all development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. Minor development also includes but is not limited to: accessory structures as provided for in Article VI.L., mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers.

For development that requires review and approval as a Conditional Use, as provided for in this Ordinance, the Flood Hazard Development Permit Application shall be acted upon by the Planning Board as required in Article VII.

- G. Maintain, as a permanent record, copies of all Flood Hazard Development Permit Applications, corresponding Permits issued, and data relevant thereto, including reports of the Board of Appeals on variances granted under the provisions of Article X of this Ordinance, and copies of Elevation Certificates, Floodproofing Certificates, Certificates of Compliance, and certifications of design standards required under the provisions of Articles III, VI, and VIII of this Ordinance.

ARTICLE VI - DEVELOPMENT STANDARDS

All developments in areas of special flood hazard shall meet the following applicable standards:

A. All Development - All development shall:

1. be designed or modified and adequately anchored to prevent flotation (excluding piers and docks), collapse, or lateral movement of the development resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. use construction materials that are resistant to flood damage;
3. use construction methods and practices that will minimize flood damage; and,

4. use electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during flooding conditions.
- B. **Water Supply** - All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.
- C. **Sanitary Sewage Systems** - All new and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
- D. **On Site Waste Disposal Systems** - On site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during floods.
- E. **Watercourse Carrying Capacity** - All development associated with altered or relocated portions of a watercourse shall be constructed and maintained in such a manner that no reduction occurs in the flood carrying capacity of the watercourse.
- F. **Utilities** - New construction or substantial improvement of any structure (including manufactured homes) located within:
1. Zones A, AE, AO, and AH shall have the bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, permanent fixtures and components, HVAC ductwork and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure, elevated to at least two feet above the base flood elevation.
 2. Zone VE shall meet the requirements of Article VI.R.2.
- G. **Physical Changes to the Natural Landscape** - Certain development projects, including but not limited to, retaining walls, sea walls, levees, berms, and rip rap, can cause physical changes that affect flooding conditions.
1. All development projects in Zones AE and VE that cause physical changes to the natural landscape shall be reviewed by a Professional Engineer to determine whether or not the project changes the base flood elevation, zone, and/or the flood hazard boundary line.
 - a. If the Professional Engineer determines, through the use of engineering judgement, that the project would not necessitate a Letter of Map Revision (LOMR), a certified statement shall be provided.
 - b. If the Professional Engineer determines that the project may cause a change, a hydrologic and hydraulic analysis that meets current FEMA standards shall be performed.
 2. If the hydrologic and hydraulic analysis performed indicates a change to the base flood elevation, zone, and/or the flood hazard boundary line, the applicant may submit a Conditional Letter of Map Revision (C-LOMR) request to the Federal Emergency Management Agency for assurance

that the as-built project will result in a change to the Flood Insurance Rate Map. Once the development is completed, a request for a Letter of Map Revision (LOMR) shall be initiated.

3. If the hydrologic and hydraulic analysis performed show a change to the base flood elevation, zone, and/or the flood hazard boundary line, as soon as practicable, but no later than 6 months after the completion of the project, the applicant shall submit the technical data to FEMA in the form of a Letter of Map Revision request.

H. Residential - New construction or substantial improvement of any residential structure located within:

1. Zones AE, AO, and AH shall have the lowest floor (including basement) elevated to at least two feet above the base flood elevation.
2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from the proposed structures.
3. Zone AO shall have the lowest floor (including basement) elevated above the highest adjacent grade:
 - a. at least two feet higher than the depth specified in feet on the community's Flood Insurance Rate Map; or,
 - b. at least three feet if no depth number is specified.
4. Zone A shall have the lowest floor (including basement) elevated:
 - a. to at least two feet above the base flood elevation utilizing information obtained pursuant to Article III.H.1.b.(1); Article V.B.; or Article IX.D., or;
 - b. in the absence of all data described in Article VI.H.4.a., to at least two feet above the highest adjacent grade to the structure.
5. Zone VE and Coastal AE Zone (as defined) shall meet the requirements of Article VI.R.

I. Non-Residential - New construction or substantial improvement of any non-residential structure located within:

1. Zones AE, AO, and AH shall have the lowest floor (including basement) elevated to at least two feet above the base flood elevation, or together with attendant utility and sanitary facilities shall:
 - a. be floodproofed to at least two feet above the base flood elevation so that below that elevation the structure is watertight with walls substantially impermeable to the passage of water;

- b. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and,
 - c. be certified by a registered professional engineer or architect that the floodproofing design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Article III.K., and shall include a record of the elevation above mean sea level to which the structure is floodproofed.
- 2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from the proposed structures.
- 3. Zone AO shall have the lowest floor (including basement) elevated above the highest adjacent grade:
 - a. at least two feet higher than the depth specified in feet on the community's Flood Insurance Rate Map; or,
 - b. at least three feet if no depth number is specified; or,
 - c. together with attendant utility and sanitary facilities, be floodproofed to meet the elevation requirements of this section and floodproofing standards of Article VI.I.1.
- 4. Zone A shall have the lowest floor (including basement) elevated:
 - a. to at least two feet above the base flood elevation utilizing information obtained pursuant to Article III.H.1.b.(1); Article V.B.; or Article IX.D., or;
 - b. in the absence of all data described in Article VI.I.4.a., to at least two feet above the highest adjacent grade to the structure; or,
 - c. together with attendant utility and sanitary facilities, be floodproofed to two feet above the elevation established in Article VI.I.4.a. or b. and meet the floodproofing standards of Article VI.I.1.a., b., and c.
- 5. Zone VE and Coastal AE Zone (as defined) shall meet the requirements of Article VI.R.

J. Manufactured Homes - New or substantially improved manufactured homes located within:

- 1. Zones AE, AO, and AH shall:
 - a. be elevated such that the lowest floor (including basement) of the manufactured home is at least two feet above the base flood elevation;

- b. be on a permanent foundation, which may be poured masonry slab or foundation walls, with hydraulic openings, or may be reinforced piers or block supports, any of which support the manufactured home so that no weight is supported by its wheels and axles; and,
 - c. be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to:
 - (1) over-the-top ties anchored to the ground at the four corners of the manufactured home, plus two additional ties per side at intermediate points (manufactured homes less than 50 feet long require one additional tie per side); or by,
 - (2) frame ties at each corner of the home, plus five additional ties along each side at intermediate points (manufactured homes less than 50 feet long require four additional ties per side).
 - (3) All components of the anchoring system described in Article VI.J.1.c.(1) & (2) shall be capable of carrying a force of 4800 pounds.
2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from the proposed structures.
 3. Zone AO shall have the lowest floor (including basement) of the manufactured home elevated above the highest adjacent grade:
 - a. at least two feet higher than the depth specified in feet on the community's Flood Insurance Rate Map; or,
 - b. at least three feet if no depth number is specified; and,
 - c. meet the anchoring requirements of Article VI.J.1.c.
 4. Zone A shall:
 - a. be elevated on a permanent foundation, as described in Article VI.J.1.b., such that the lowest floor (including basement) of the manufactured home is at least two feet above the base flood elevation utilizing information obtained pursuant to Article III.H.1.b.(1); Article V.B.; or Article IX.D.; or,
 - b. in the absence of all data described in Article VI.J.4.a., to at least two feet above the highest adjacent grade to the structure; and,
 - c. meet the anchoring requirements of VI.J.1.c.
 5. Zone VE and Coastal AE Zone (as defined) shall meet the requirements of Article VI.R.

K. Recreational Vehicles - Recreational Vehicles located within:

1. Zones A, AE, AO, and AH shall either:
 - a. be on the site for fewer than 180 consecutive days; and,
 - b. be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or,
 - c. be permitted in accordance with the elevation and anchoring requirements for "manufactured homes" in Article VI.J.1.
2. Zone VE and Coastal AE Zone (as defined) shall meet the requirements of either Article VI.K.1.a. and b., or Article VI.R.

L. **Accessory Structures** - New construction or substantial improvement of Accessory Structures, as defined in Article XIV, shall be exempt from the elevation criteria required in Article VI.H. & I. above, if all other requirements of Article VI and all the following requirements are met.

1. Accessory Structures located in Zone A, AE, AO, and AH, shall:
 - a. meet the requirements of Article VI.A.1. through 4., as applicable;
 - b. be limited in size to a one-story two car garage;
 - c. have unfinished interiors and not be used for human habitation;
 - d. have only ground fault interrupt electrical outlets. The electric service disconnect shall be located above the base flood elevation and, when possible, outside the Special Flood Hazard Area;
 - e. be located outside the floodway;
 - f. when possible be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters and be placed further from the source of flooding than is the primary structure;
 - g. have hydraulic openings, as specified in Article VI.N.2., in at least two different walls of the accessory structure; and
 - h. be located outside the Coastal AE Zone.
2. Accessory Structures in Zone VE and Coastal A Zones shall meet the requirements of Article VI.R.

M. **Floodways** -

1. In Zone AE riverine areas, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted within a regulatory floodway which is designated on the community's Flood Insurance Rate Map unless a technical evaluation certified by a registered professional engineer is provided demonstrating that such encroachments will not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 2. In Zones A and AE riverine areas, for which no regulatory floodway is designated, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted in the floodway as determined in Article VI.M.3. unless a technical evaluation certified by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing development and anticipated development:
 - a. will not increase the water surface elevation of the base flood more than one foot at any point within the community; and,
 - b. is consistent with the technical criteria contained in FEMA's guidelines and standards for flood risk analysis and mapping.
 3. In Zones A and AE riverine areas, for which no regulatory floodway is designated, the regulatory floodway is determined to be the channel of the river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain as measured from the normal high water mark to the upland limit of the floodplain.
- N. **Hydraulic Openings/Flood Vents** - New construction or substantial improvement of any structure in Zones A, AE, AO, and AH, that meets the development standards of Article VI, including the elevation requirements of Article VI, paragraphs H., I., or J. and is elevated on posts, columns, piers, piles, or crawl spaces may be enclosed below the base flood elevation requirements provided all the following criteria are met or exceeded:
1. Enclosed areas are not "basements" as defined in Article XIV;
 2. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement must either:
 - a. be engineered and certified by a registered professional engineer or architect; or,
 - b. meet or exceed the following minimum criteria:
 - (1) a minimum of two openings having a total net area of not less than one square inch for every square foot of the enclosed area;

- (2) the bottom of all openings shall be below the base flood elevation and no higher than two feet above the lowest grade; and,
 - (3) openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the entry and exit of flood waters automatically without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means;
 3. The enclosed area shall not be used for human habitation; and,
 4. The enclosed areas are usable solely for building access, parking of vehicles, or storage.
- O. **Bridges** - New construction or substantial improvement of any bridge in Zones A, AE, AO, AH, and VE shall be designed such that:
1. when possible, the lowest horizontal member (excluding the pilings or columns) is elevated to at least two feet above the base flood elevation; and,
 2. a registered professional engineer shall certify that:
 - a. the structural design and methods of construction shall meet the elevation requirements of this section and the floodway standards of Article VI.M.; and,
 - b. the foundation and superstructure attached thereto are designed to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all structural components. Water loading values used shall be those associated with the base flood.
- P. **Containment Walls** - New construction or substantial improvement of any containment wall located within:
1. Zones A, AE, AO, AH, and VE shall:
 - a. have the containment wall elevated to at least two feet above the base flood elevation;
 - b. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and,
 - c. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Article III.K.
 2. Zones AO and AH shall have adequate drainage paths around containment walls on slopes, to guide floodwater away from the proposed walls.

3. Zone AO shall have the top of the containment wall elevated above the highest adjacent grade:
 - a. at least two feet higher than the depth specified in feet on the community's Flood Insurance Rate Map; or,
 - b. at least three feet if no depth number is specified; and,
 - c. shall meet the requirements of Article VI.P.1.b. & c.

Q. Wharves, Piers, and Docks - New construction or substantial improvement of wharves, piers, and docks are permitted in and over water and seaward of the mean high tide if the following requirements are met:

1. in Zones A, AE, AO, and AH, wharves, piers, and docks shall comply with all applicable local, state, and federal regulations; or,
2. in Zone VE, wharves, piers, and docks shall have a registered professional engineer develop or review the structural design, specifications, and plans for the construction.

R. Coastal Floodplains -

1. New construction located within Zones AE and VE shall be located landward of the reach of mean high tide except as provided in Article VI.R.7.
2. New construction or substantial improvement of any structure located within Zone VE or Coastal AE Zone shall have the bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, permanent fixtures and components, HVAC ductwork and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure, elevated to at least two feet above the base flood elevation. Systems, fixtures, equipment, and components shall not be mounted on or penetrate through walls intended to break away under flood loads.
3. New construction or substantial improvement of any structure located within Zone VE and Coastal AE Zones (as defined) shall:
 - a. be elevated on posts or columns such that:
 - (1) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to at least two feet above the base flood elevation;
 - (2) the pile or column foundation and the elevated portion of the structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components; and,
 - (3) water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state and local building standards.

- b. have the space below the lowest floor:
 - (1) free of obstructions; or,
 - (2) constructed with open wood lattice-work, or insect screening intended to collapse under wind and water without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting piles or columns; or,
 - (3) constructed with non-supporting breakaway walls that have a design safe loading resistance of not less than 10 or more than 20 pounds per square foot.
- c. require a registered professional engineer or architect to:
 - (1) develop or review the structural design, specifications, and plans for the construction, which must meet or exceed the technical criteria contained in the *Coastal Construction Manual*, (FEMA-55); and,
 - (2) certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the criteria of Article VI.R.3.
- 4. The use of fill for structural support in Zone VE and Coastal AE Zones is prohibited.
- 5. Human alteration of sand dunes within Zone VE and Coastal AE Zones is prohibited unless it can be demonstrated that such alterations will not increase potential flood damage.
- 6. The area below the lowest floor shall be used solely for parking vehicles, building access, and storage.
- 7. Conditional Use - Lobster sheds and fishing sheds may be located seaward of mean high tide and shall be exempt from the elevation requirement in Article VI.I. only if permitted as a Conditional Use following review and approval by the Planning Board, as provided in Article VII, and if all the following requirements and those of Article VI.A., VI.M., and VI.N. are met:
 - a. The conditional use shall be limited to low value structures such as metal or wood sheds 200 square feet or less and shall not exceed more than one story.
 - b. The structure shall be securely anchored to the wharf or pier to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components.
 - c. The structure will not adversely increase wave or debris impact forces affecting nearby buildings.
 - d. The structure shall have unfinished interiors and shall not be used for human habitation.

- e. Any mechanical, utility equipment, and fuel storage tanks must be anchored and either elevated or floodproofed to at least two feet above the base flood elevation.
- f. All electrical outlets shall be ground fault interrupt type. The electrical service disconnect shall be located on shore above the base flood elevation and, when possible, outside the Special Flood Hazard Area.

ARTICLE VII - CONDITIONAL USE REVIEW

The Planning Board shall hear and decide upon applications for conditional uses provided for in this Ordinance. The Planning Board shall hear and approve, approve with conditions, or disapprove all applications for conditional uses. An applicant informed by the Building Authority that a Conditional Use Permit is required shall file an application for the permit with the Planning Board.

A. Review Procedure for a Conditional Use Flood Hazard Development Permit

- 1. The Flood Hazard Development Permit Application with additional information attached addressing how each of the conditional use criteria specified in the Ordinance will be satisfied may serve as the permit application for the Conditional Use Permit.
- 2. Before deciding any application, the Planning Board shall hold a public hearing on the application within thirty days of their receipt of the application.
- 3. If the Planning Board finds that the application satisfies all relevant requirements of the ordinance, the Planning Board must approve the application or approve with conditions within 45 days of the date of the public hearing.
- 4. A Conditional Use Permit issued under the provisions of this Ordinance shall expire if the work or change involved is not commenced within 180 days of the issuance of the permit by the Planning Board.
- 5. The applicant shall be notified by the Planning Board in writing over the signature of the Chairman of the Planning Board that flood insurance is not available for structures located entirely over water or seaward of mean high tide.

B. Expansion of Conditional Uses

- 1. No existing building or use of premises may be expanded or enlarged without a permit issued under this section if that building or use was established or constructed under a previously issued Conditional Use Permit or if it is a building or use which would require a Conditional Use Permit if being newly-established or constructed under this Ordinance.

ARTICLE VIII - CERTIFICATE OF COMPLIANCE

No land in a special flood hazard area shall be occupied or used and no structure which is constructed or substantially improved shall be occupied until a Certificate of Compliance is issued by the Building Authority subject to the following provisions:

- A. For New Construction or Substantial Improvement of any elevated structure the applicant shall submit to the Building Authority:
 - 1. an Elevation Certificate completed by a Professional Land Surveyor for compliance with Article VI, paragraphs H., I., J., or R.; and,
 - 2. for structures in Zone VE and Coastal AE Zone (as defined), certification by a registered professional engineer or architect that the design and methods of construction used are in compliance with Article VI.R.3.
- B. The applicant shall submit written notification to the Building Authority that the development is complete and complies with the provisions of this ordinance.
- C. Within 10 working days, the Building Authority shall:
 - 1. review the required certificate(s) and the applicant's written notification; and,
 - 2. upon determination that the development conforms to the provisions of this ordinance, shall issue a Certificate of Compliance.

ARTICLE IX - REVIEW OF SUBDIVISION AND DEVELOPMENT PROPOSALS

The Planning Board shall, when reviewing subdivisions and other proposed developments that require review under other federal law, state law, local ordinances or regulations, and all projects on 5 or more disturbed acres, or in the case of manufactured home parks divided into two or more lots, assure that:

- A. All such proposals are consistent with the need to minimize flood damage.
- B. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.
- C. Adequate drainage is provided so as to reduce exposure to flood hazards.
- D. All proposals include base flood elevations, flood boundaries, and, in a riverine floodplain, floodway data. These determinations shall be based on engineering practices recognized by the Federal Emergency Management Agency.
- E. Any proposed development plan must include a condition of plan approval requiring that structures on any lot in the development having any portion of its land within a Special Flood Hazard Area are to be constructed in accordance with Article VI of this ordinance. Such requirement will be included in any deed, lease, purchase and sale agreement, or document transferring or expressing an intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The

condition shall clearly articulate that the municipality may enforce any violation of the construction requirement and that fact shall also be included in the deed or any other document previously described. The construction requirement shall also be clearly stated on any map, plat, or plan to be signed by the Planning Board or local reviewing authority as part of the approval process.

ARTICLE X - APPEALS AND VARIANCES

The Board of Appeals of the City of Portland may, upon written application of an aggrieved party, hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Code Enforcement Officer or Planning Board in the administration or enforcement of the provisions of this Ordinance.

The Board of Appeals may grant a variance from the requirements of this Ordinance consistent with state law and the following criteria:

- A. Variances shall not be granted within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
- B. Variances shall be granted only upon:
 - 1. a showing of good and sufficient cause; and,
 - 2. a determination that should a flood comparable to the base flood occur, the granting of a variance will not result in increased flood heights, additional threats to public safety, public expense, or create nuisances, cause fraud or victimization of the public, or conflict with existing local laws or ordinances; and,
 - 3. a showing that the issuance of the variance will not conflict with other state, federal, or local laws or ordinances; and,
 - 4. a determination that failure to grant the variance would result in "undue hardship," which in this sub-section means:
 - a. that the land in question cannot yield a reasonable return unless a variance is granted; and,
 - b. that the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; and,
 - c. that the granting of a variance will not alter the essential character of the locality; and,
 - d. that the hardship is not the result of action taken by the applicant or a prior owner.
- C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and the Board of Appeals may impose such conditions to a variance as is deemed necessary.

- D. Variances may be issued for new construction, substantial improvements, or other development for the conduct of a functionally dependent use provided that:
1. the criteria of Article X.A. through C. and Article VI.M. are met; and,
 2. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- E. Variances may be issued for the repair, reconstruction, rehabilitation, or restoration of Historic Structures upon the determination that:
1. the development meets the criteria of Article X.A. through C.; and,
 2. the proposed repair, reconstruction, rehabilitation, or restoration will not preclude the structure's continued designation as a Historic Structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- F. Variances may be issued for new construction and substantial improvement of Agricultural Structures being used for the conduct of agricultural uses provided that:
1. the development meets the criteria of Article X.A. through C.; and,
 2. the development meets the criteria of Article VI.M. and Article VI.N.
- G. Any applicant who meets the criteria of Article X.A. through C. and Article X.D., E., or F. shall be notified by the Board of Appeals in writing over the signature of the Chairman of the Board of Appeals that:
1. the issuance of a variance to construct a structure below the base flood level will result in greatly increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage; and,
 2. such construction below the base flood level increases risks to life and property; and,
 3. the applicant agrees in writing that the applicant is fully aware of all the risks inherent in the use of land subject to flooding, assumes those risks, and agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use land located in a floodplain and that the applicant individually releases the municipality from any claims the applicant may have against the municipality that are related to the use of land located in a floodplain.
- H. Appeal Procedure for Administrative and Variance Appeals
1. An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party within thirty days after receipt of a written decision of the Code Enforcement Officer or Planning Board.

2. Upon being notified of an appeal, the Code Enforcement Officer or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the documents constituting the record of the decision appealed from.
3. The Board of Appeals shall hold a public hearing on the appeal within thirty-five days of its receipt of an appeal request.
4. The person filing the appeal shall have the burden of proof.
5. The Board of Appeals shall decide all appeals within thirty-five days after the close of the hearing and shall issue a written decision on all appeals.
6. The Board of Appeals shall submit to the Building Authority a report of all variance actions, including justification for the granting of the variance and an authorization for the Building Authority to issue a Flood Hazard Development Permit, which includes any conditions to be attached to said permit.
7. Any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court in accordance with State laws within forty-five days from the date of any decision of the Board of Appeals.

ARTICLE XI - ENFORCEMENT AND PENALTIES

- A. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance pursuant to Title 30-A MRSA § 4452.
- B. The penalties contained in Title 30-A MRSA § 4452 shall apply to any violation of this Ordinance.
- C. In addition to other actions, the Code Enforcement Officer, upon identifying a violation, may submit a declaration to the Administrator of the Federal Insurance Administration requesting a flood insurance denial. The valid declaration shall consist of:
 1. the name of the property owner and address or legal description of the property sufficient to confirm its identity or location;
 2. a clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation, or ordinance;
 3. a clear statement that the public body making the declaration has authority to do so and a citation to that authority;
 4. evidence that the property owner has been provided notice of the violation and the prospective denial of insurance; and,

5. a clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

ARTICLE XII - VALIDITY AND SEVERABILITY

If any section or provision of this Ordinance is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

ARTICLE XIII - CONFLICT WITH OTHER ORDINANCES

This Ordinance shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, bylaw, permit, or provision of law. Where this Ordinance imposes a greater restriction upon the use of land, buildings, or structures, the provisions of this Ordinance shall control.

ARTICLE XIV - DEFINITIONS

Unless specifically defined below, words and phrases used in this Ordinance shall have the same meaning as they have at common law, and to give this Ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

Accessory Structure - a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure.

Adjacent Grade - the natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Agricultural Structure - structures that are used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.

Area of Shallow Flooding - a designated AO and AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard - land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified in the Flood Insurance Study cited in Article I of this Ordinance.

Base Flood - a flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

Basement - any area of a building that includes a floor that is subgrade (below ground level) on all sides.

Breakaway Wall - a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Building - see **Structure**.

Certificate of Compliance - a document signed by the Code Enforcement Officer stating that a structure is in compliance with all of the provisions of this Ordinance.

Coastal AE Zone - The portion of the Coastal High Hazard Area with wave heights between 1.5 feet and 3.0 feet and bounded by a line labeled the “Limit of Moderate Wave Action” (LiMWA) on a Flood Insurance Rate Map (FIRM). VE Zone floodplain construction standards are applied to development, new construction, and substantial improvements in the Coastal AE Zone.

Coastal High Hazard Area - An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal High Hazard Areas are designated as Zone VE and Zone AE bounded by a line labeled “Limit of Moderate Wave Action” (LiMWA) on a Flood Insurance Rate Map (FIRM).

Code Enforcement Officer - a person certified under Title 30-A MRSA, Section 4451 (including exceptions in Section 4451, paragraph 1) and employed by a municipality to enforce all applicable comprehensive planning and land use laws.

Conditional Use - a use that, because of its potential impact on surrounding areas and structures, is permitted only upon review and approval by the Planning Board pursuant to Article VII.

Containment Wall - a wall surrounding all sides of an above ground tank to contain any spills or leaks.

Development - any manmade change to improved or unimproved real estate. This includes, but is not limited to, buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials; and the storage, deposition, or extraction of materials.

Elevated Building - a non-basement building that is:

- a. built, in the case of a building in Zones A, AE, AO, or AH, so that the top of the elevated floor, or in the case of a building in Zone VE or Coastal AE Zone, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of pilings, columns, posts, or piers; and,
- b. adequately anchored to not impair the structural integrity of the building during a flood of up to two feet above the magnitude of the base flood.

In the case of Zones A, AE, AO, or AH, **Elevated Building** also includes a building elevated by means of fill or solid foundation perimeter walls with hydraulic openings sufficient to facilitate the unimpeded movement of flood waters, as required in Article VI.N. In the case of Zone VE and Coastal AE Zone, **Elevated Building** also includes a building otherwise meeting the definition of elevated building, even

though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of Article VI.R.3.b.(3).

Elevation Certificate - an official form (FEMA Form FF-206-FY-22-152, as amended) that is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program.

Existing Manufactured Home Park or Subdivision - a manufactured home park or subdivision that was recorded in the deed registry prior to the adoption date of the community's first floodplain management regulations.

Flood or Flooding -

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 1. The overflow of inland or tidal waters.
 2. The unusual and rapid accumulation or runoff of surface waters from any source.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

Flood Elevation Study - an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Flood Insurance Rate Map (FIRM) - an official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study - see **Flood Elevation Study**.

Floodplain or Floodprone Area - any land area susceptible to being inundated by water from any source (see **Flood or Flooding**).

Floodplain Management - the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain Management Regulations - zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing - any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and contents.

Floodway - see **Regulatory Floodway**.

Floodway Encroachment Lines - the lines marking the limits of floodways on federal, state, and local floodplain maps.

Freeboard - a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed, which could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions.

Functionally Dependent Use - a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Historic Structure - any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or,
 2. Directly by the Secretary of the Interior in states without approved programs.

Limit of Moderate Wave Action (LiMWA) - The landward limit of the 1.5 foot breaking wave within a Coastal AE Zone. These areas are bounded by a line labeled "Limit of Moderate Wave Action" (LiMWA) on a Flood Insurance Rate Map (FIRM). The LiMWA line delineates that portion of the Special Flood Hazard Area (SFHA) landward of a VE zone in which the principal sources of flooding are astronomical high tides, storm surges, or tsunamis, not riverine sources. These areas may be subject to

wave effects, velocity flows, erosion, scour, or combinations of these forces. The floodplain development and construction standards for VE Zones will be applied in the Coastal AE Zone.

Locally Established Datum - for purposes of this ordinance, an elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or any other established datum and is used in areas where Mean Sea Level data is too far from a specific site to be practically used.

Lowest Floor - the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements described in Article VI.N. of this Ordinance.

Manufactured Home - a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured Home Park or Subdivision - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level - for the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD), or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Minor Development - all development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. It also includes but is not limited to: accessory structures as provided for in Article VI.L., mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers.

National Geodetic Vertical Datum (NGVD) - the national vertical datum, a standard established in 1929, which is used by the National Flood Insurance Program (NFIP). NGVD is based upon mean sea level in 1929 and has been called "1929 Mean Sea Level" (MSL).

New Construction - structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

North American Vertical Datum (NAVD) - the national datum whose standard was established in 1988, which is the new vertical datum used by the National Flood Insurance Program (NFIP) for all new Flood Insurance Rate Maps. NAVD is based upon the vertical data used by other North American countries

such as Canada and Mexico and was established to replace NGVD because of constant movement of the earth's crust, glacial rebound and subsidence, and the increasing use of satellite technology.

100-year flood - see **Base Flood**.

Recreational Vehicle - a vehicle that is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection, not including slideouts;
- c. designed to be self-propelled or permanently towable by a motor vehicle; and,
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway -

- a. the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height, and,
- b. when not designated on the community's Flood Insurance Rate Map, it is considered to be the channel of a river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain, as measured from the normal high water mark to the upland limit of the floodplain.

Riverine - relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Special Flood Hazard Area - see **Area of Special Flood Hazard**.

Start of Construction - the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, or modification of any construction element, whether or not that alteration affects the external dimensions of the building.

Structure - for floodplain management purposes, a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.

Substantial Damage - damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement - any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or,
- b. Any alteration of a Historic Structure, provided that the alteration will not preclude the structure's continued designation as a historic structure, and a variance is obtained from the Board of Appeals.

Variance - a grant of relief by a community from the terms of a floodplain management regulation.

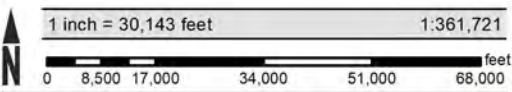
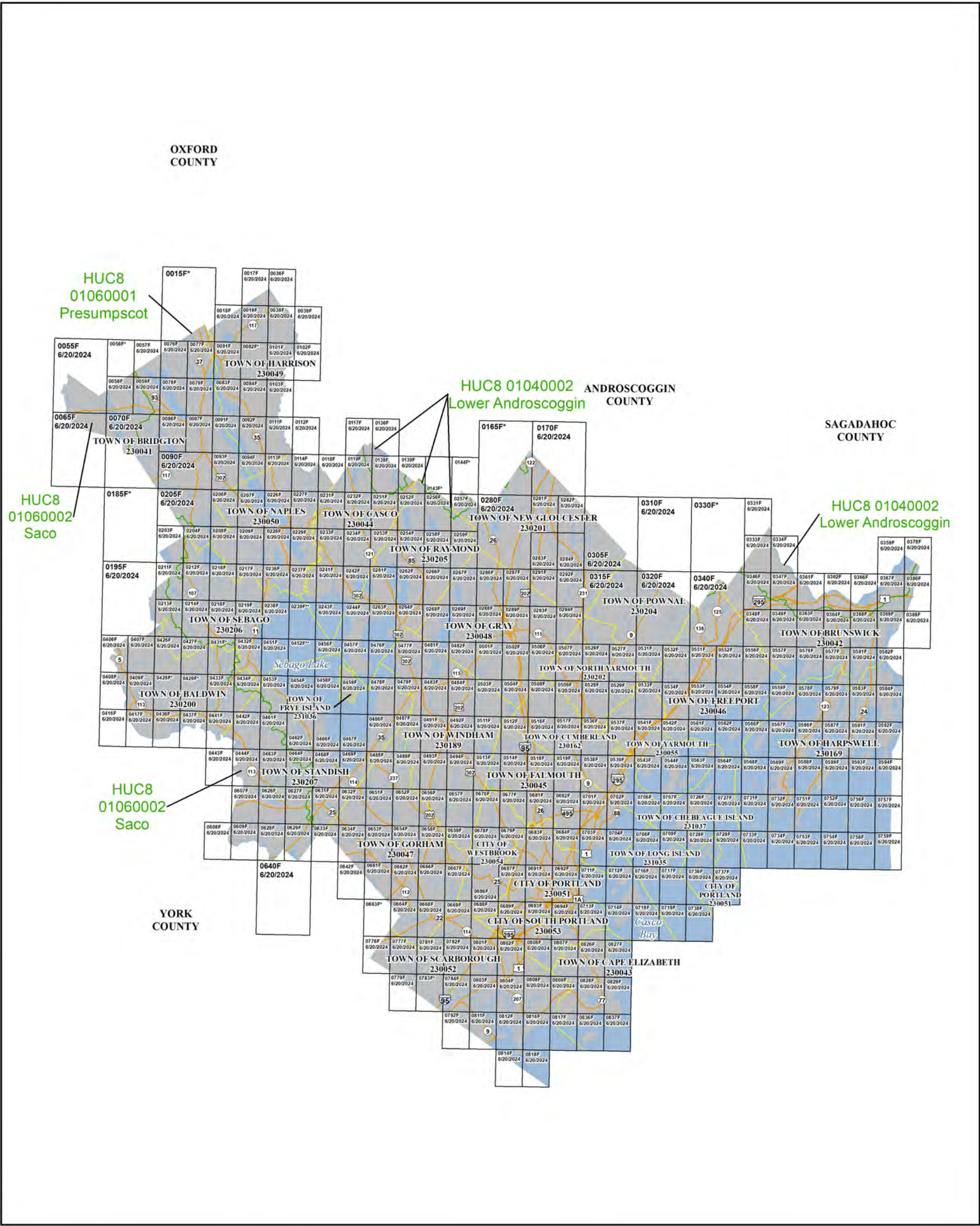
Violation - the failure of a structure or development to comply with a community's floodplain management regulations.

ARTICLE XV - ABROGATION

This ordinance repeals and replaces any municipal ordinance previously enacted to comply with the National Flood Insurance Act of 1968 (P.L. 90-488, as amended).

ARTICLE XVI - DISCLAIMER OF LIABILITY

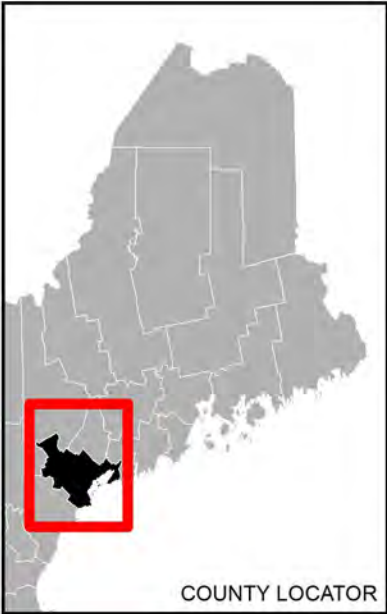
The degree of flood protection required by the ordinance is considered reasonable but does not imply total flood protection.



Map Projection:
Universal Transverse Mercator Zone 19 North;
North American Datum 1983

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SEE FLOOD INSURANCE STUDY FOR ADDITIONAL INFORMATION



* PANEL NOT PRINTED - NO SPECIAL FLOOD HAZARD AREAS
** PANEL NOT PRINTED - AREA WITHIN ZONE AE (EL 267)

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP INDEX

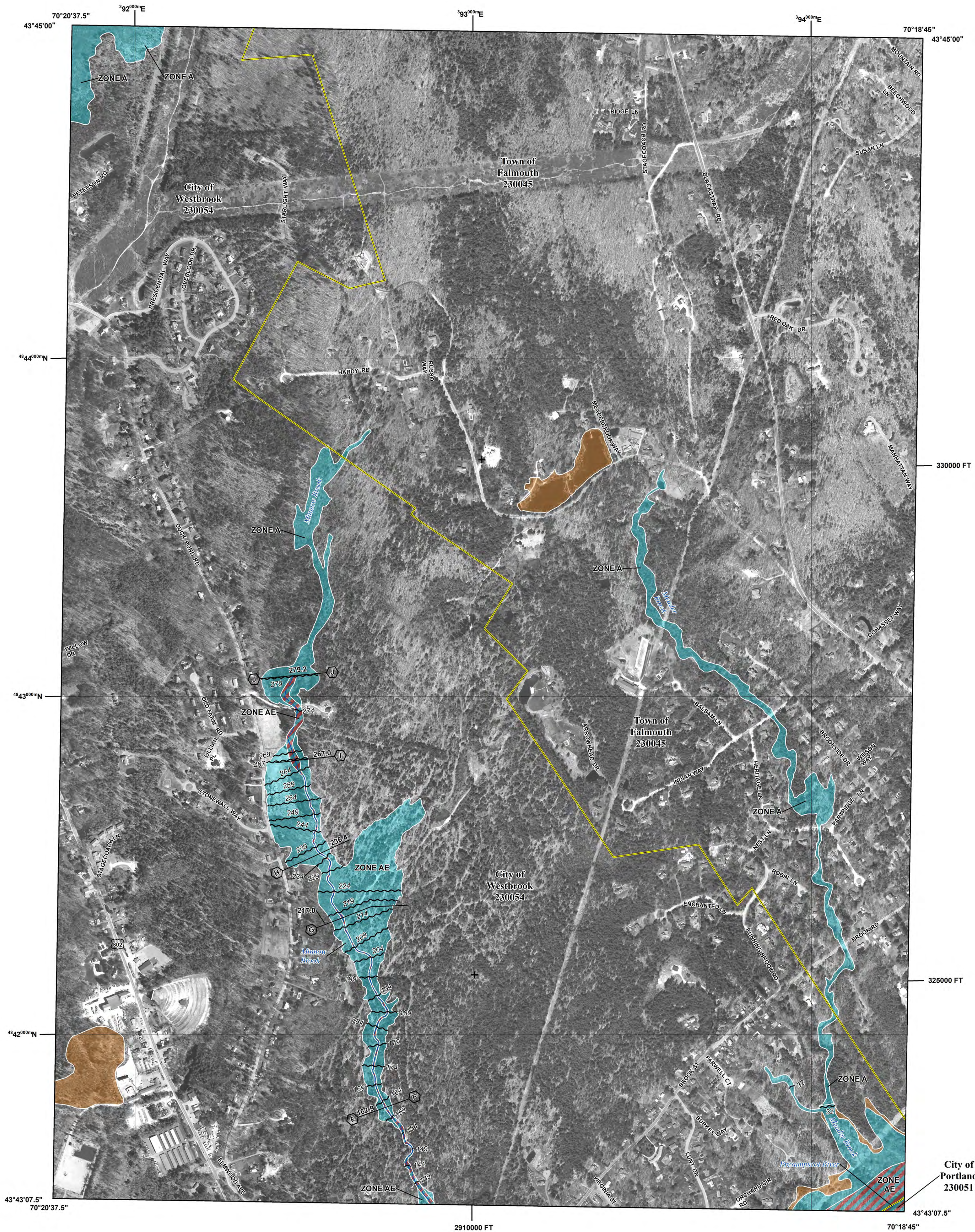
CUMBERLAND COUNTY, MAINE (All Jurisdictions)

PANELS PRINTED:

0017, 0018, 0019, 0036, 0038, 0039, 0055, 0057, 0058, 0059, 0065, 0070, 0076, 0077, 0078, 0079, 0081, 0083, 0084, 0086, 0087, 0090, 0091, 0092, 0093, 0094, 0101, 0102, 0103, 0111, 0112, 0113, 0114, 0117, 0118, 0119, 0136, 0138, 0139, 0170, 0195, 0203, 0204, 0205, 0206, 0207, 0208, 0209, 0211, 0212, 0213, 0214, 0216, 0217, 0218, 0219, 0226, 0227, 0228, 0229, 0231, 0232, 0233, 0234, 0236, 0237, 0238, 0241, 0242, 0243, 0244, 0251, 0252, 0253, 0254, 0256, 0257, 0258, 0259, 0261, 0262, 0263, 0264, 0266, 0267, 0268, 0269, 0280, 0281, 0282, 0283, 0284, 0286, 0287, 0288, 0289, 0291, 0292, 0293, 0294, 0305, 0310, 0315, 0320, 0331, 0333, 0334, 0340, 0346, 0347, 0348, 0349, 0359, 0361, 0362, 0363, 0364, 0366, 0367, 0368, 0369, 0378, 0386, 0388, 0406, 0407, 0408, 0409, 0416, 0417, 0426, 0427, 0432, 0433, 0434, 0436, 0437, 0441, 0442, 0443, 0444, 0451, 0453, 0454, 0456, 0457, 0458, 0459, 0461, 0462, 0463, 0464, 0466, 0467, 0468, 0469, 0476, 0477, 0478, 0479, 0481, 0482, 0483, 0484, 0486, 0487, 0488, 0489, 0491, 0492, 0493, 0494, 0501, 0502, 0503, 0504, 0506, 0507, 0508, 0509, 0511, 0512, 0513, 0514, 0516, 0517, 0518, 0519, 0526, 0527, 0528, 0529, 0531, 0532, 0533, 0534, 0536, 0537, 0538, 0539, 0541, 0542, 0543, 0544, 0551, 0552, 0553, 0554, 0556, 0557, 0558, 0559, 0561, 0562, 0563, 0564, 0566, 0567, 0568, 0569, 0576, 0577, 0578, 0579, 0581, 0582, 0583, 0584, 0586, 0587, 0588, 0589, 0591, 0592, 0593, 0594, 0607, 0608, 0609, 0626, 0627, 0628, 0629, 0631, 0632, 0633, 0634, 0640, 0642, 0651, 0652, 0653, 0654, 0656, 0657, 0658, 0659, 0661, 0662, 0664, 0666, 0667, 0668, 0669, 0676, 0677, 0678, 0679, 0681, 0682, 0683, 0684, 0686, 0687, 0688, 0689, 0691, 0692, 0693, 0694, 0701, 0702, 0703, 0704, 0706, 0707, 0708, 0709, 0711, 0712, 0713, 0714, 0716, 0717, 0718, 0719, 0726, 0727, 0728, 0729, 0731, 0732, 0733, 0734, 0736, 0737, 0738, 0751, 0752, 0753, 0754, 0756, 0757, 0758, 0759, 0776, 0777, 0779, 0781, 0782, 0784, 0792, 0801, 0802, 0803, 0804, 0806, 0807, 0808, 0809, 0811, 0812, 0814, 0816, 0817, 0818, 0826, 0827, 0828, 0829, 0836, 0837



MAP NUMBER
23005CIND0A
EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

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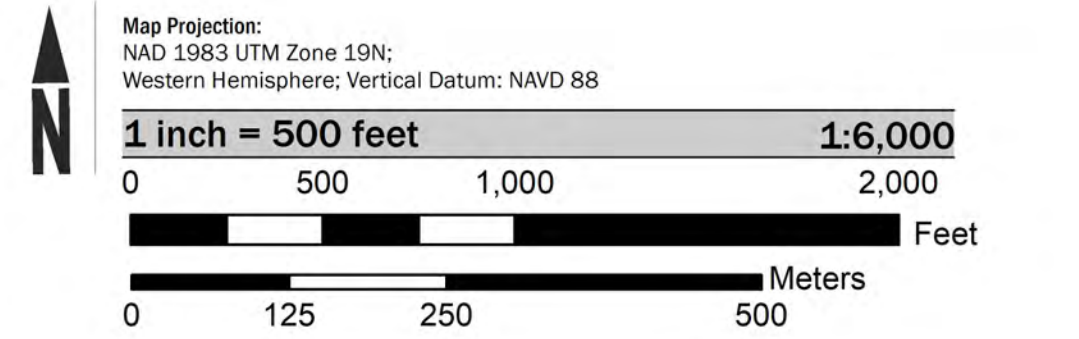
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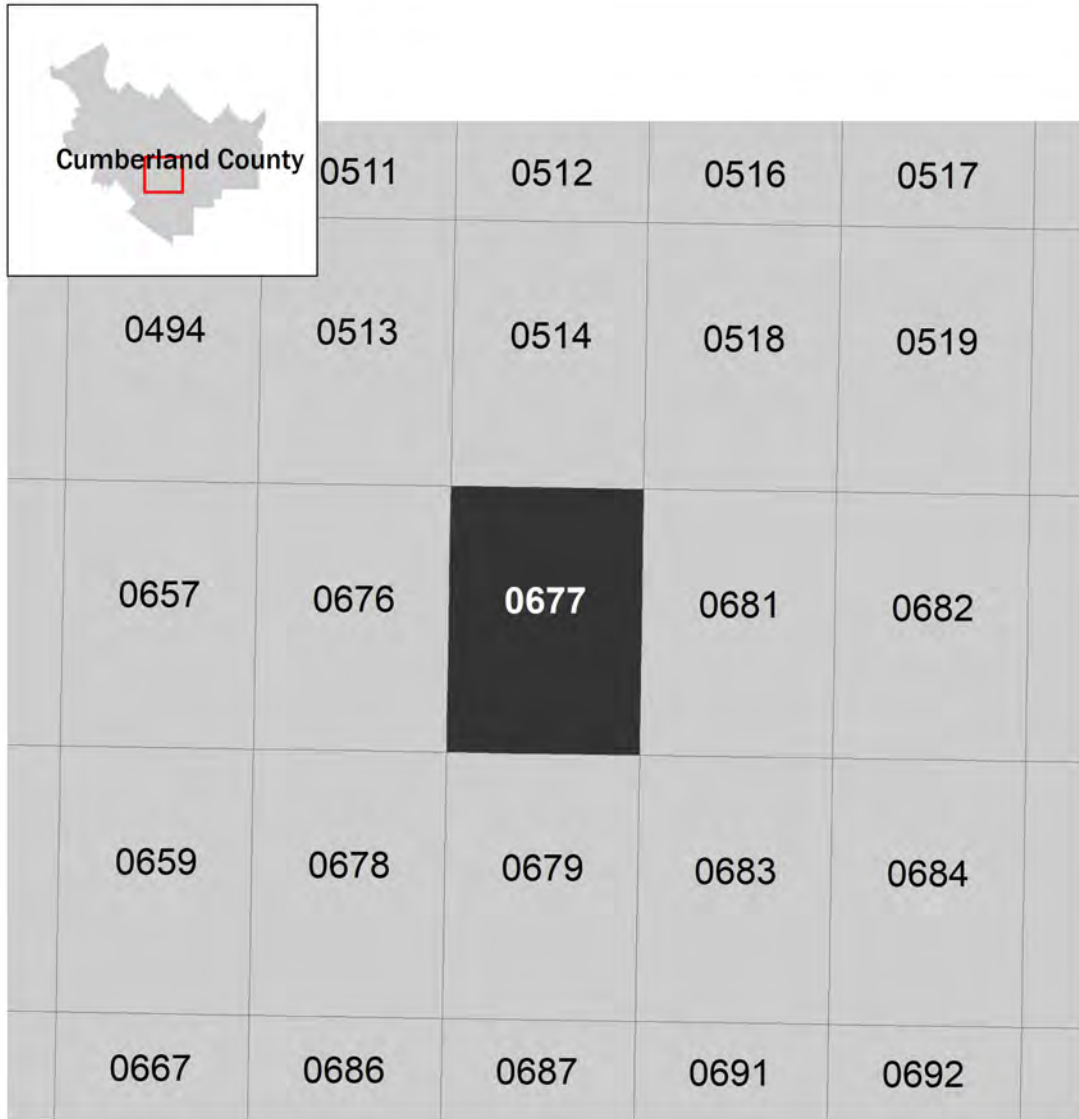
Basemap information shown on this FIRM provided in digital format by State of Maine, Maine office of GIS (MeGIS). This information was derived from MeGIS, dated 2012.

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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

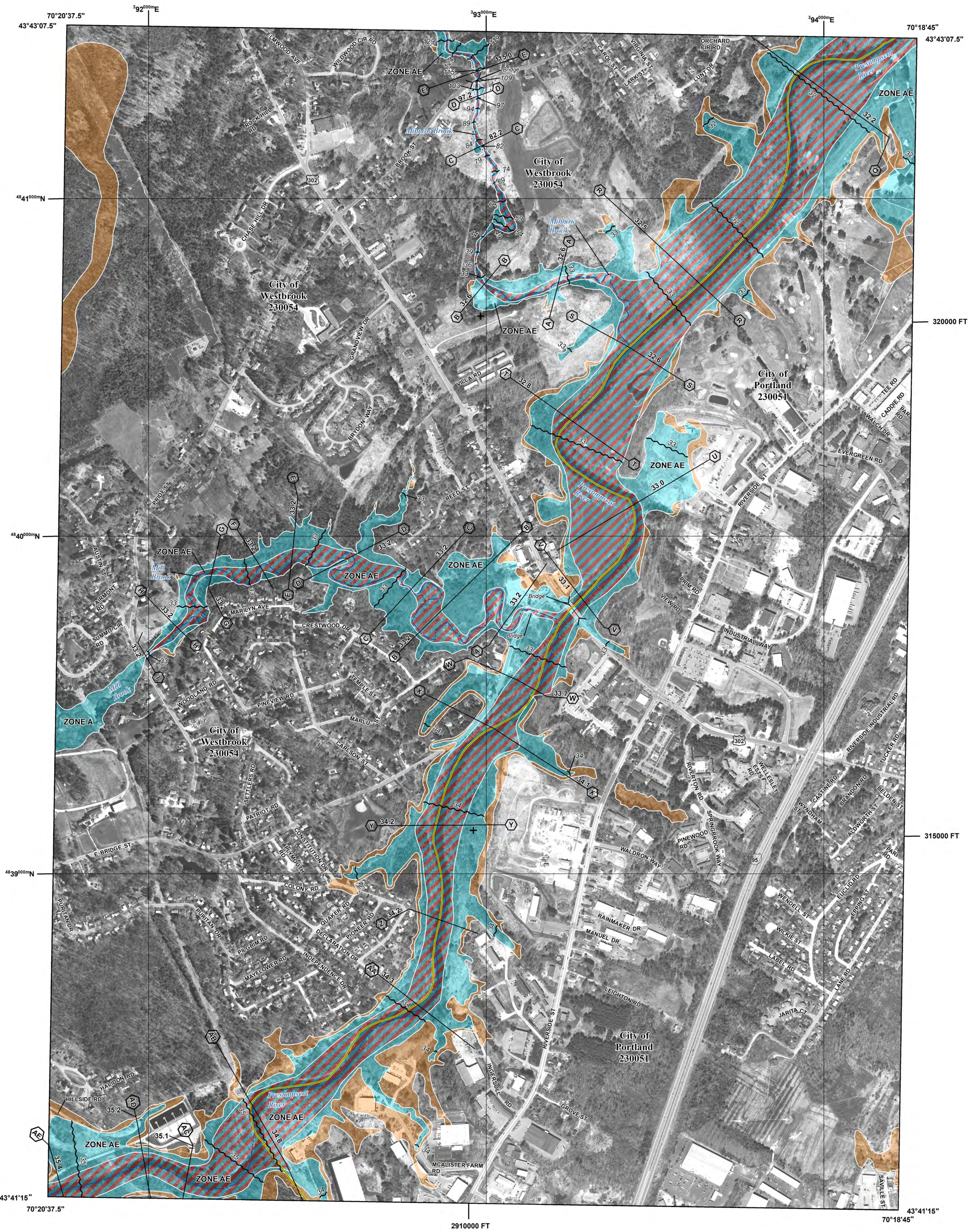
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0677 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0677	F
PORTLAND, CITY OF	230051	0677	F
WESTBROOK, CITY OF	230054	0677	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0677F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

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SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone A,V, A99
With BFE or Depth Zone AE, AO, AH, VE, AR

Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Area with Reduced Flood Risk due to Levee See Notes. Zone X

Area with Flood Risk due to Levee Zone D

OTHER AREAS

Area of Minimal Flood Hazard Zone X

Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

OTHER FEATURES

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

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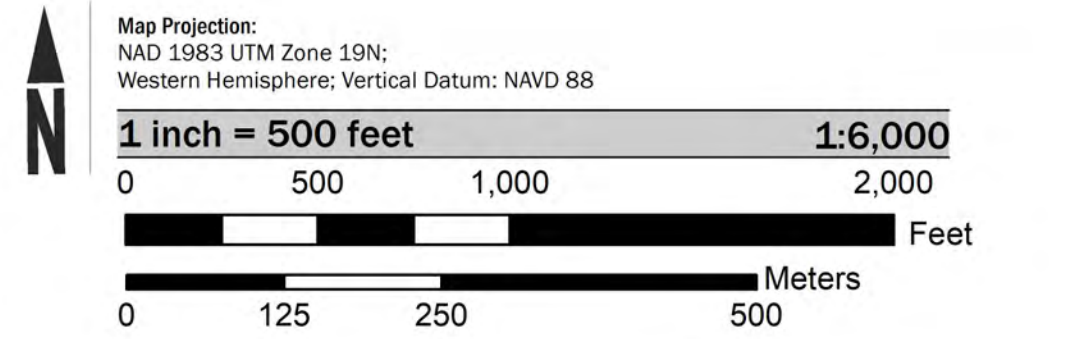
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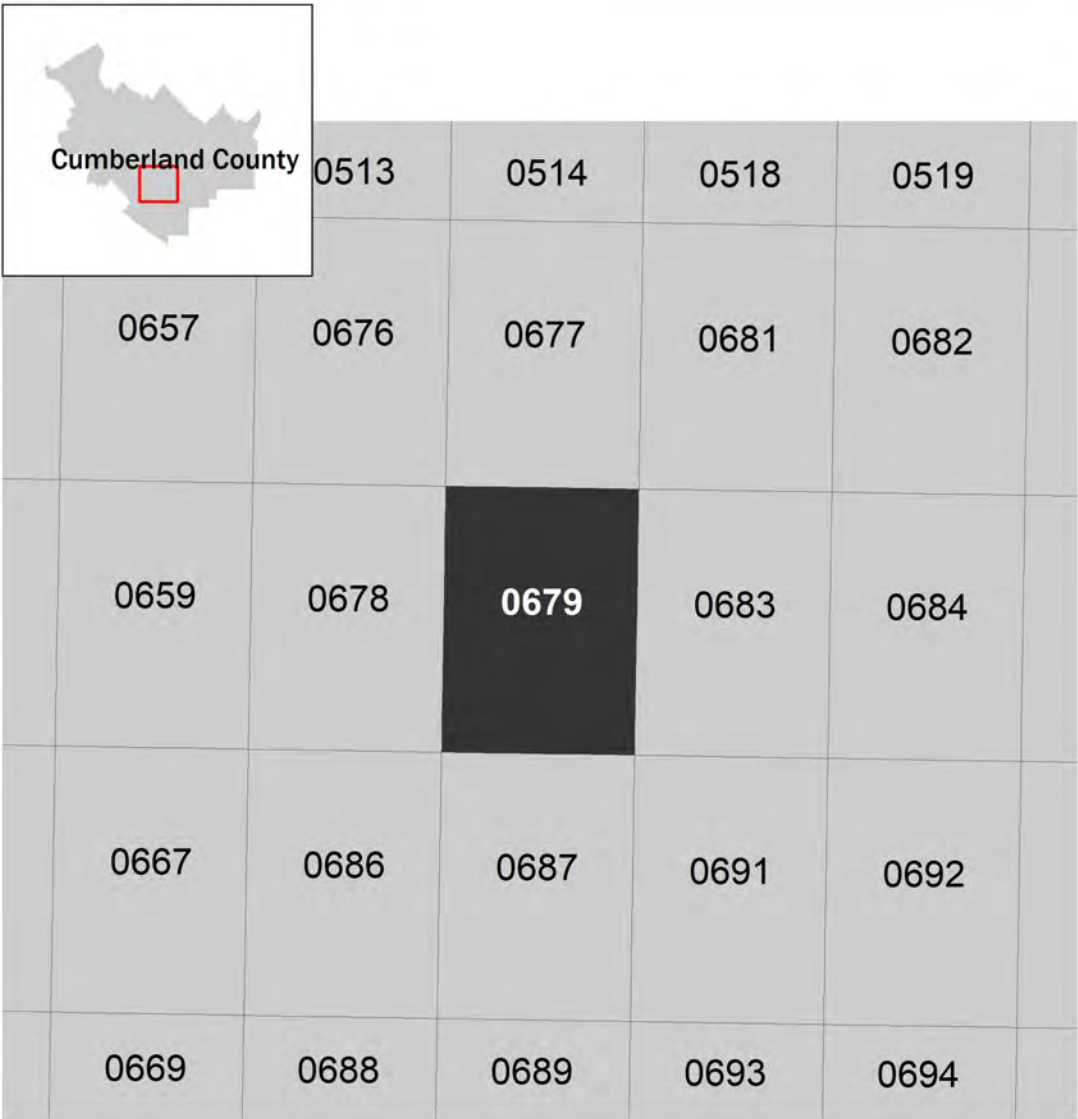
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SCALE



PANEL LOCATOR



National Flood Insurance Program

FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE

All Jurisdictions

PANEL 0679 of 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
PORTLAND, CITY OF	230051	0679	F
WESTBROOK, CITY OF	230054	0679	F

VERSION NUMBER

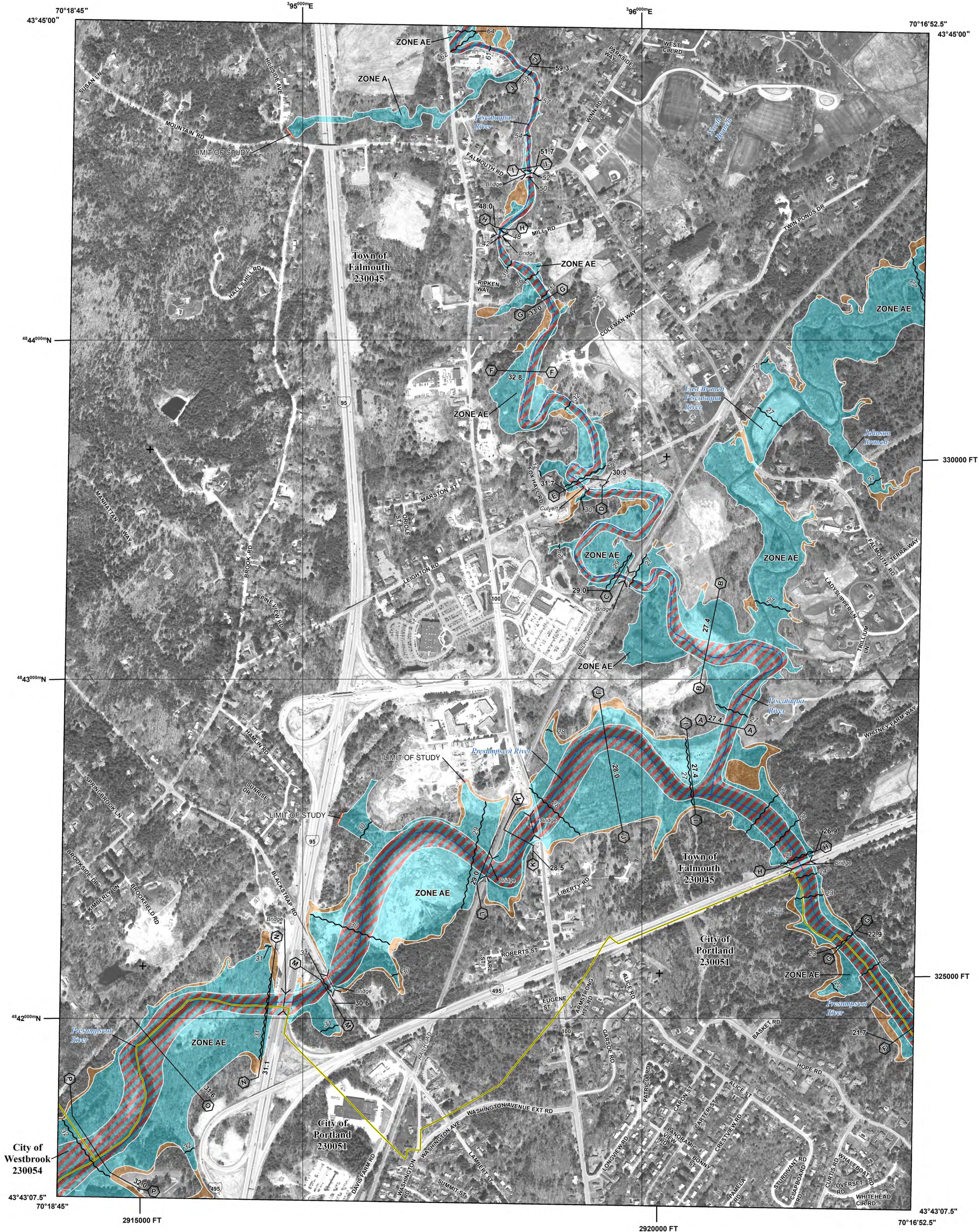
2.3.2.1

MAP NUMBER

23005C0679F

EFFECTIVE DATE

June 20, 2024



FLOOD HAZARD INFORMATION

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[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

Without Base Flood Elevation (BFE)
Zone A,V, A99
With BFE or Depth Zone AE, AO, AH, VE, AR

Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas
of 1% annual chance flood with average
depth less than one foot or with drainage
areas of less than one square mile Zone X

Future Conditions 1% Annual
Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee
See Notes. Zone X

Area with Flood Risk due to Levee Zone D

NO SCREEN Area of Minimal Flood Hazard Zone X

Area of Undetermined Flood Hazard Zone D

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance
Water Surface Elevation

Coastal Transect

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

OTHER AREAS OF FLOOD HAZARD

OTHER AREAS

GENERAL STRUCTURES

OTHER FEATURES

NOTES TO USERS

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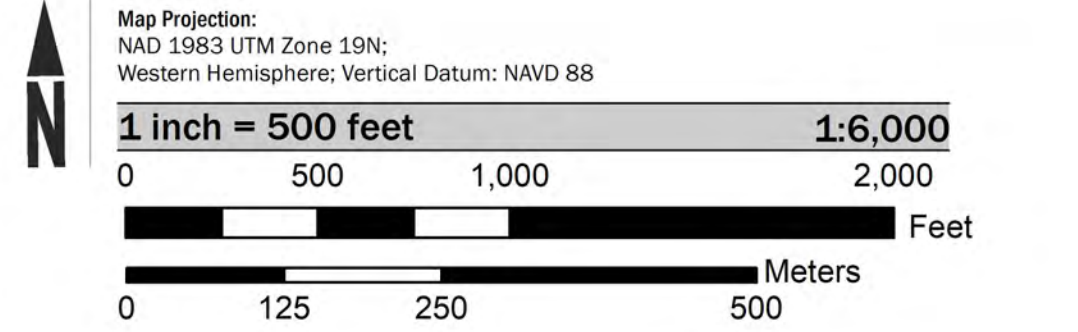
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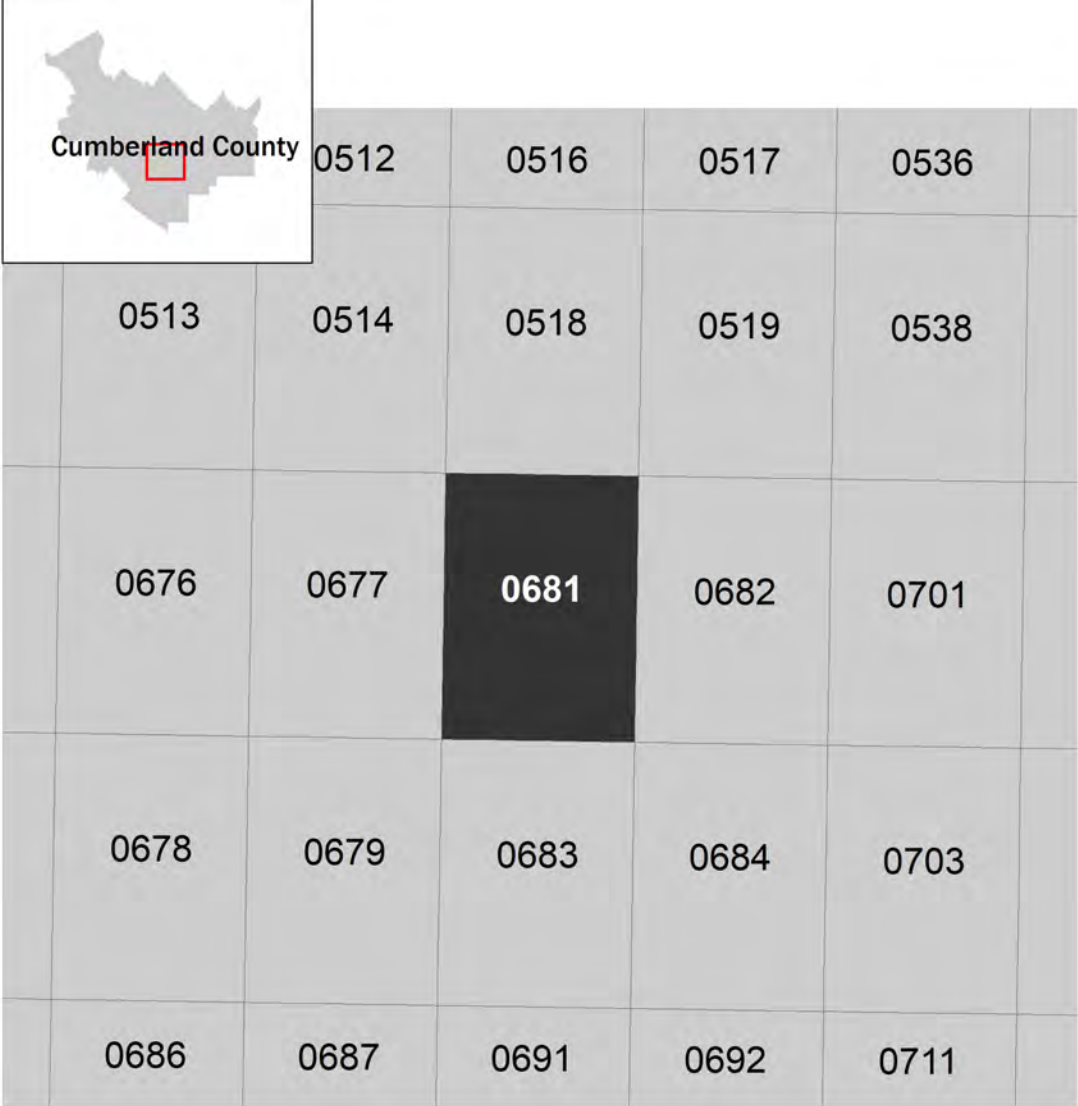
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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0681 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0681	F
PORTLAND, CITY OF	230051	0681	F
WESTBROOK, CITY OF	230054	0681	F

VERSION NUMBER
2.3.2.1
MAP NUMBER
23005C0681F
EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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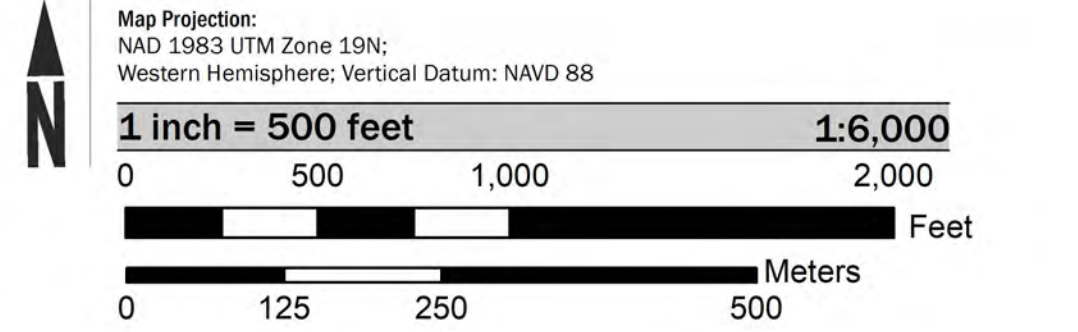
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SCALE



PANEL LOCATOR

	0516	0517	0536	0537
	0514	0518	0519	0538
	0514	0518	0519	0538
	0514	0518	0519	0538
	0514	0518	0519	0538
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	0687	0691	0692	0711
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National Flood Insurance Program

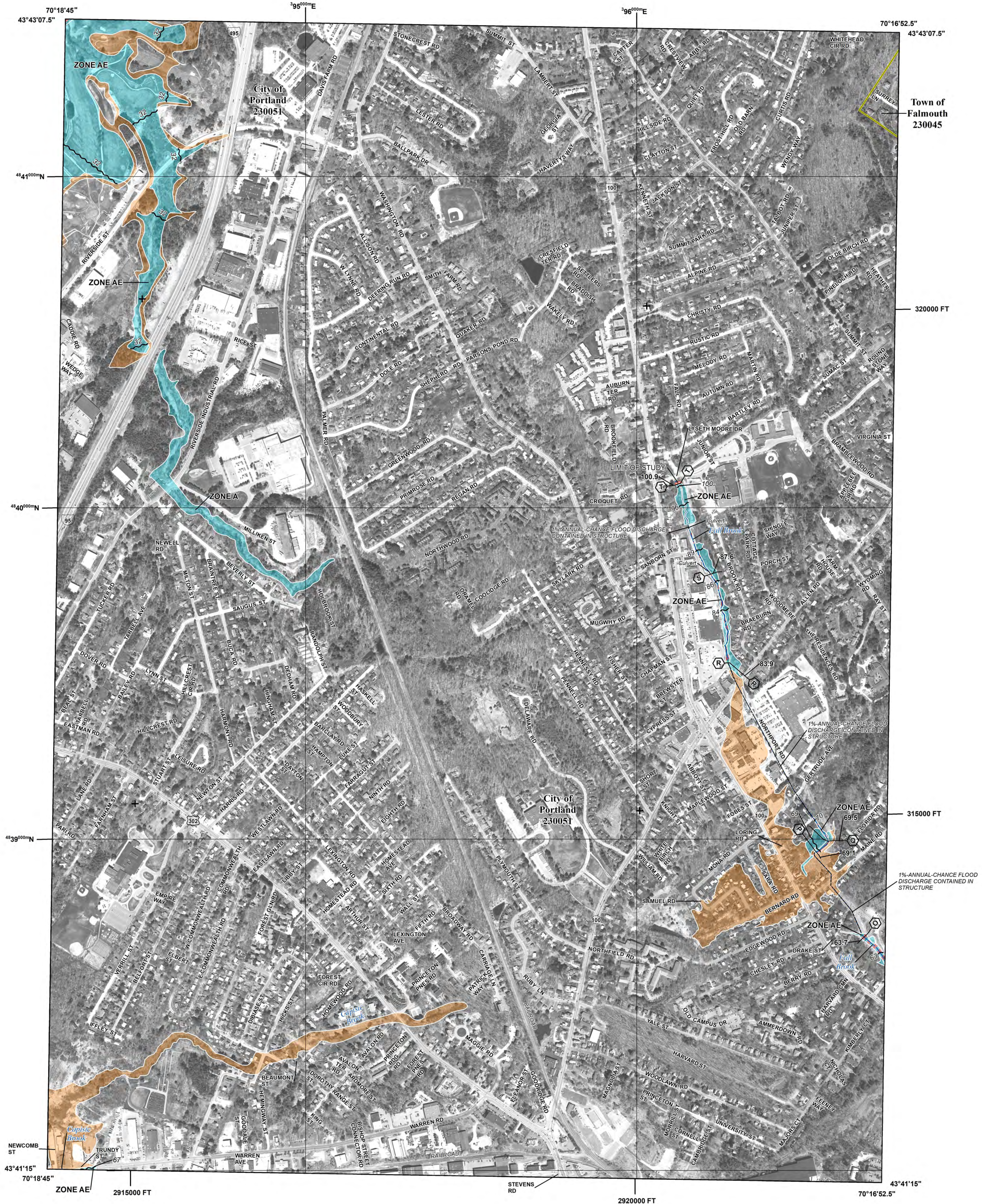
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0682 of 0837

Panel Contains:

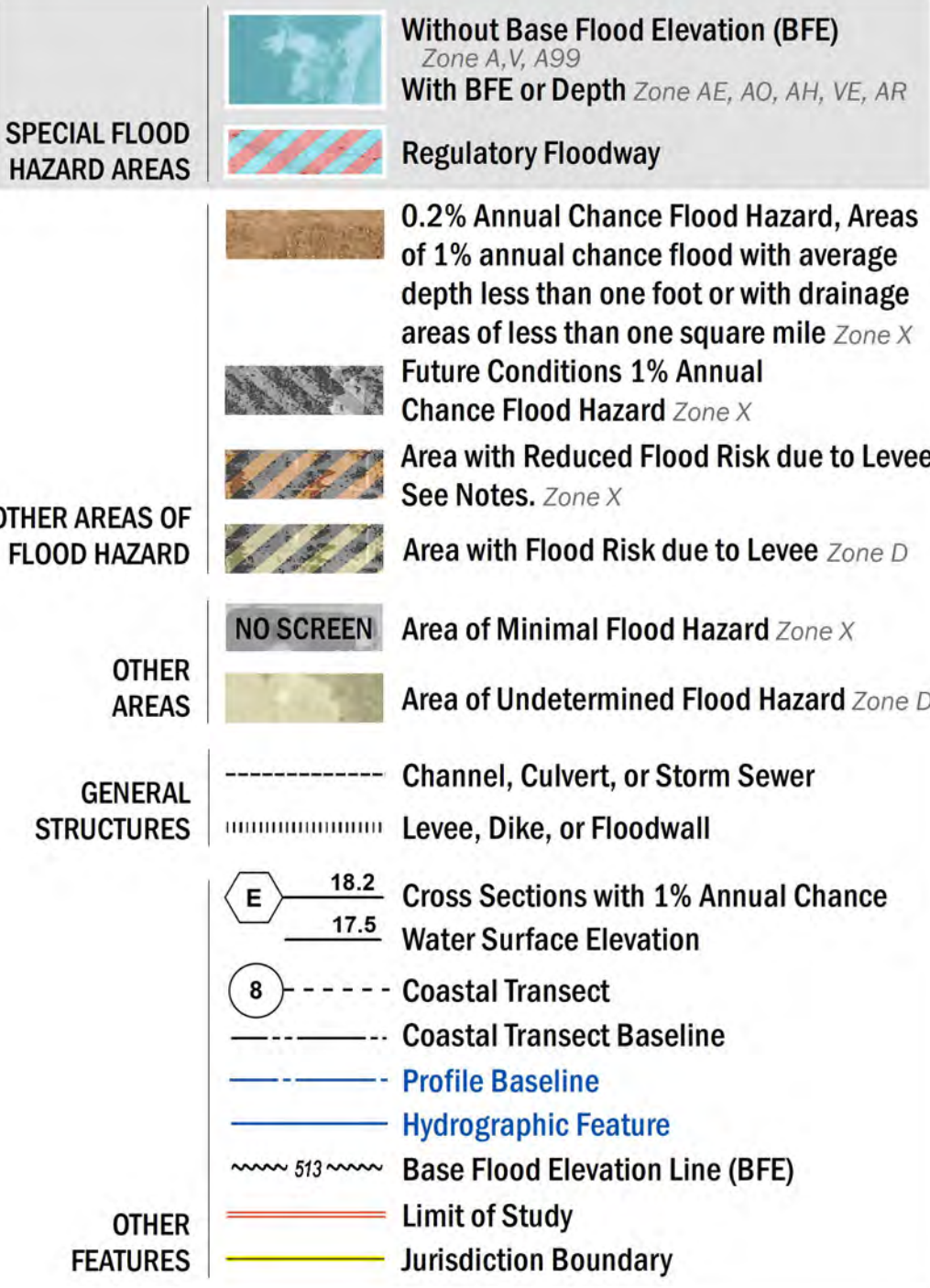
COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0682	F
PORTLAND, CITY OF	230051	0682	F

VERSION NUMBER
2.3.2.1
MAP NUMBER
23005C0682F
EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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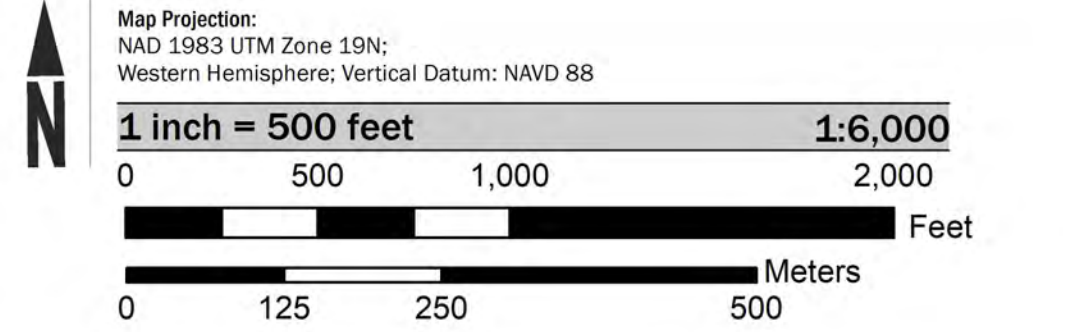
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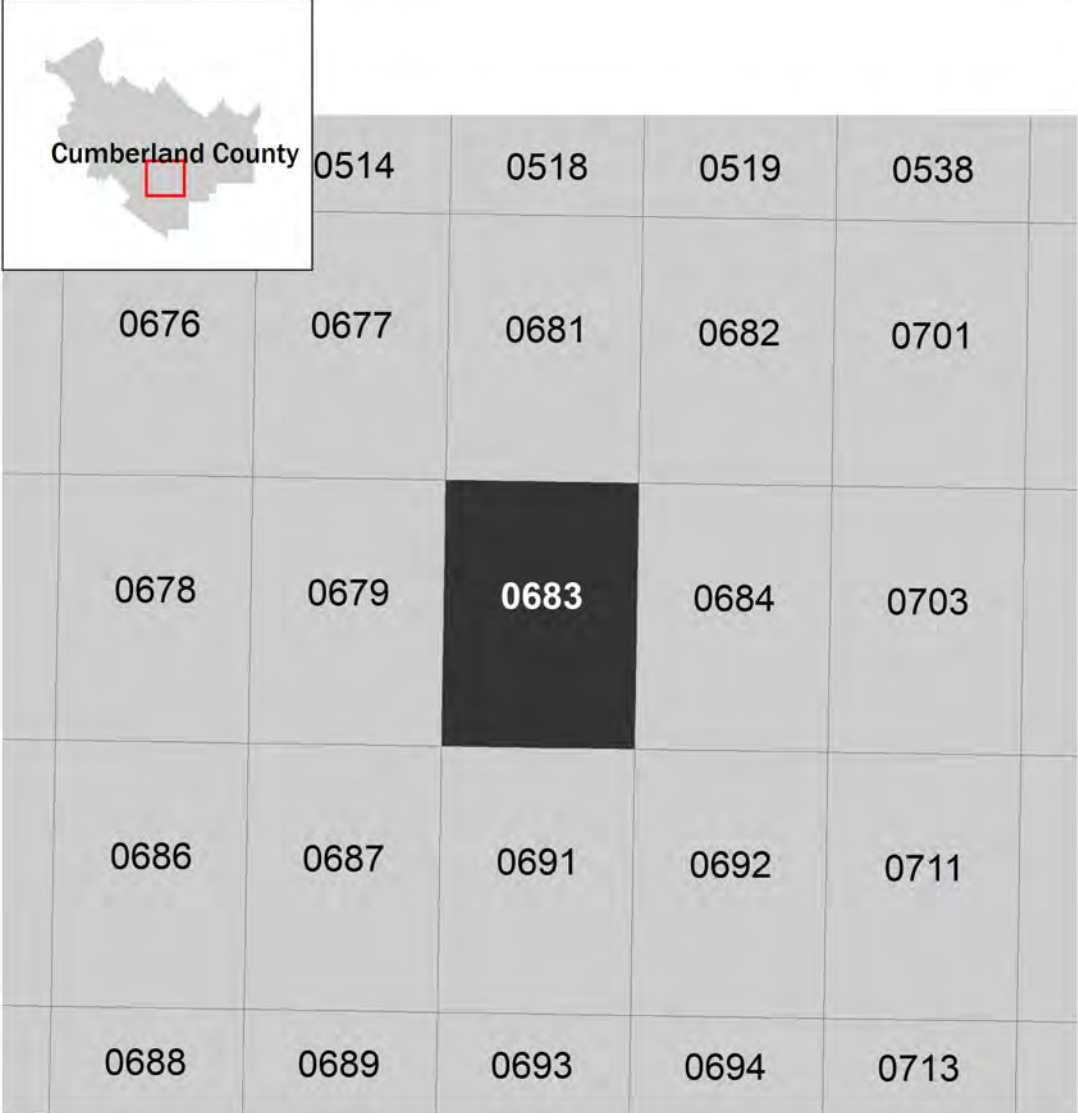
Basemap information shown on this FIRM provided in digital format by State of Maine, Maine office of GIS (MeGIS). This information was derived from MeGIS, dated 2012.

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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

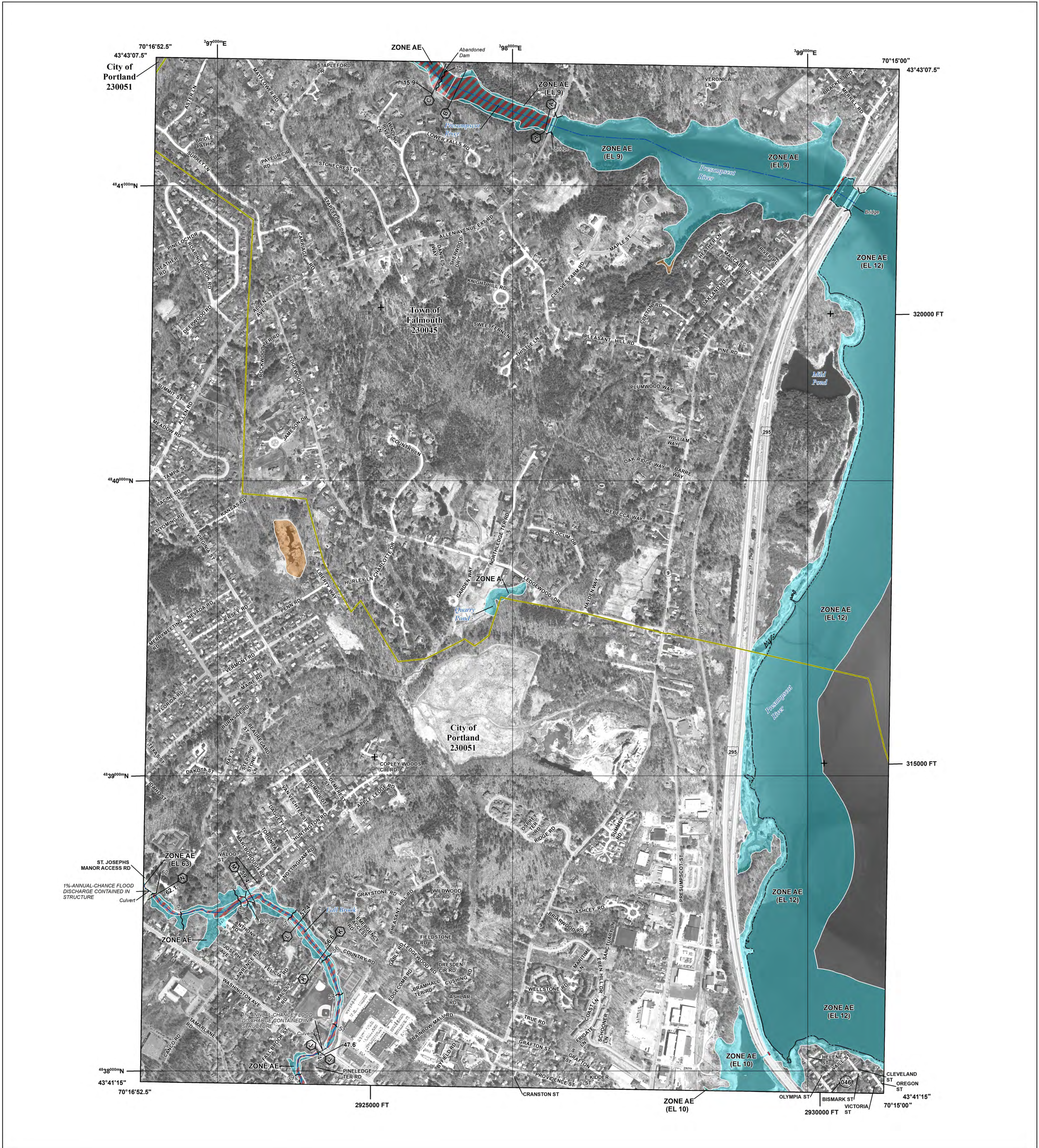
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0683 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0683	F
PORTLAND, CITY OF	230051	0683	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0683F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
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[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A.V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Jurisdiction Boundary

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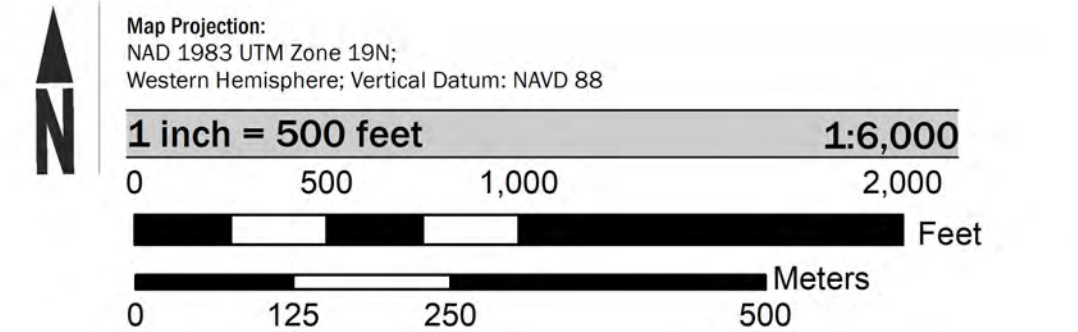
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The AE Zone category has been divided by a Limit of Moderate Wave Action (LIMWA). The LIMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LIMWA (or between the shoreline and the LIMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

Limit of Moderate Wave Action (LIMWA)

SCALE



PANEL LOCATOR

0518	0519	0538	0539	
0677	0681	0682	0701	0702
0679	0683	0684	0703	0704
0687	0691	0692	0711	0712
0689	0693	0694	0713	0714

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0684 of 0837

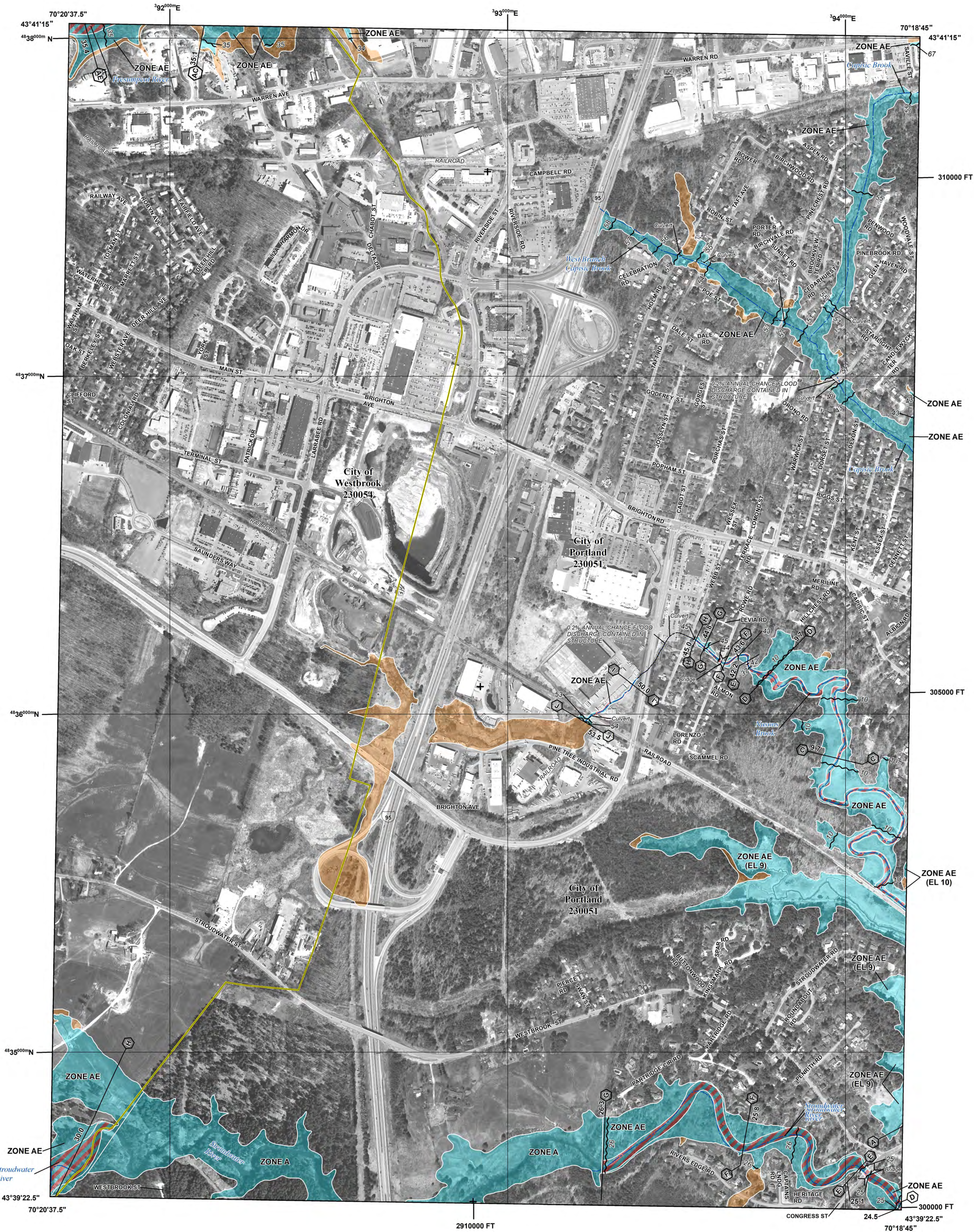
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0684	F
PORTLAND, CITY OF	230051	0684	F

VERSION NUMBER
2.3.2.1

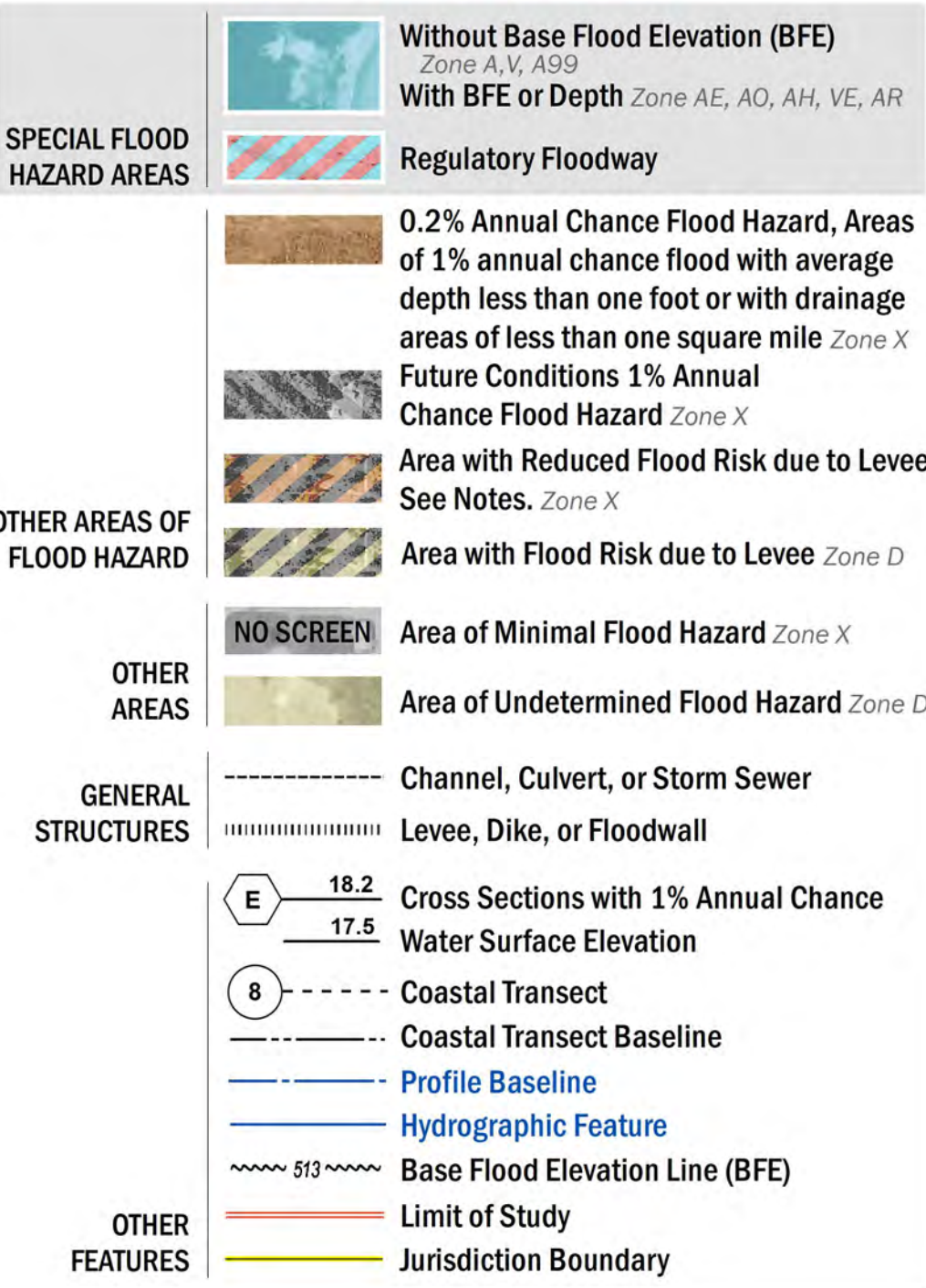
MAP NUMBER
23005C0684F

EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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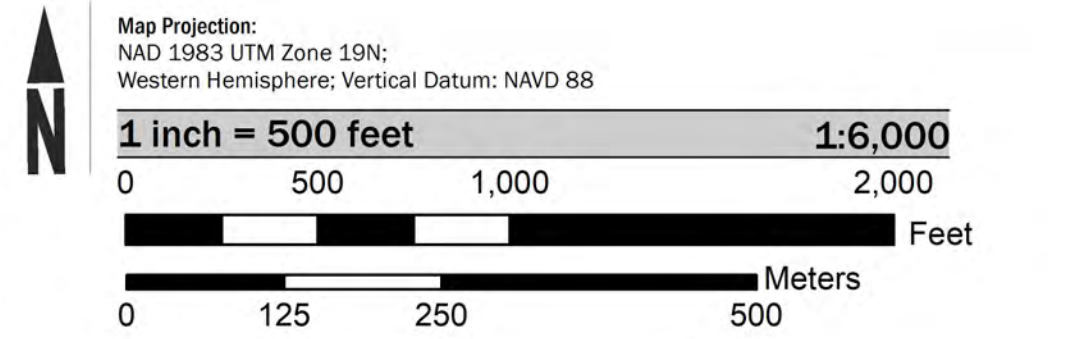
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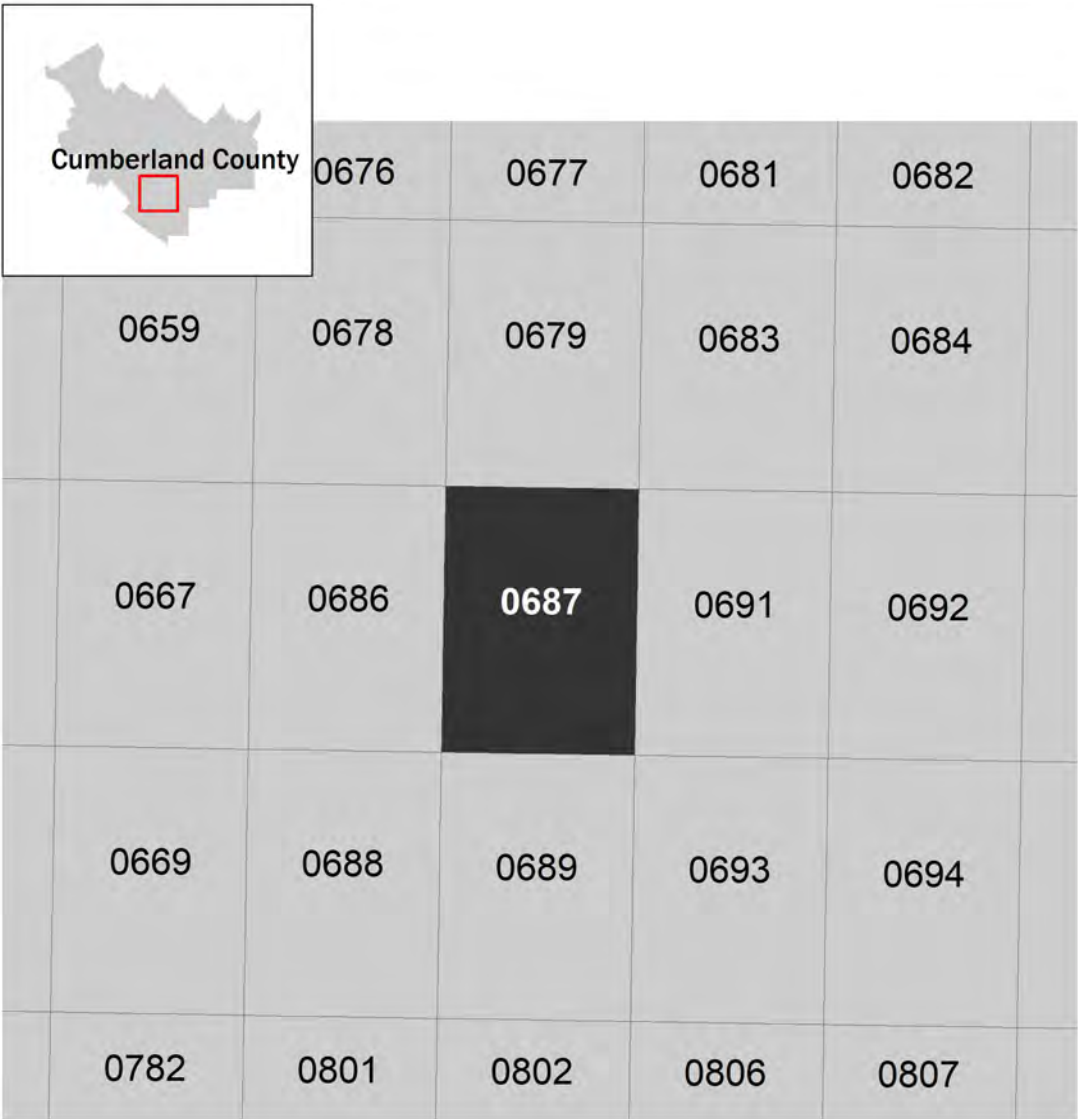
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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL **0687** OF **0837**

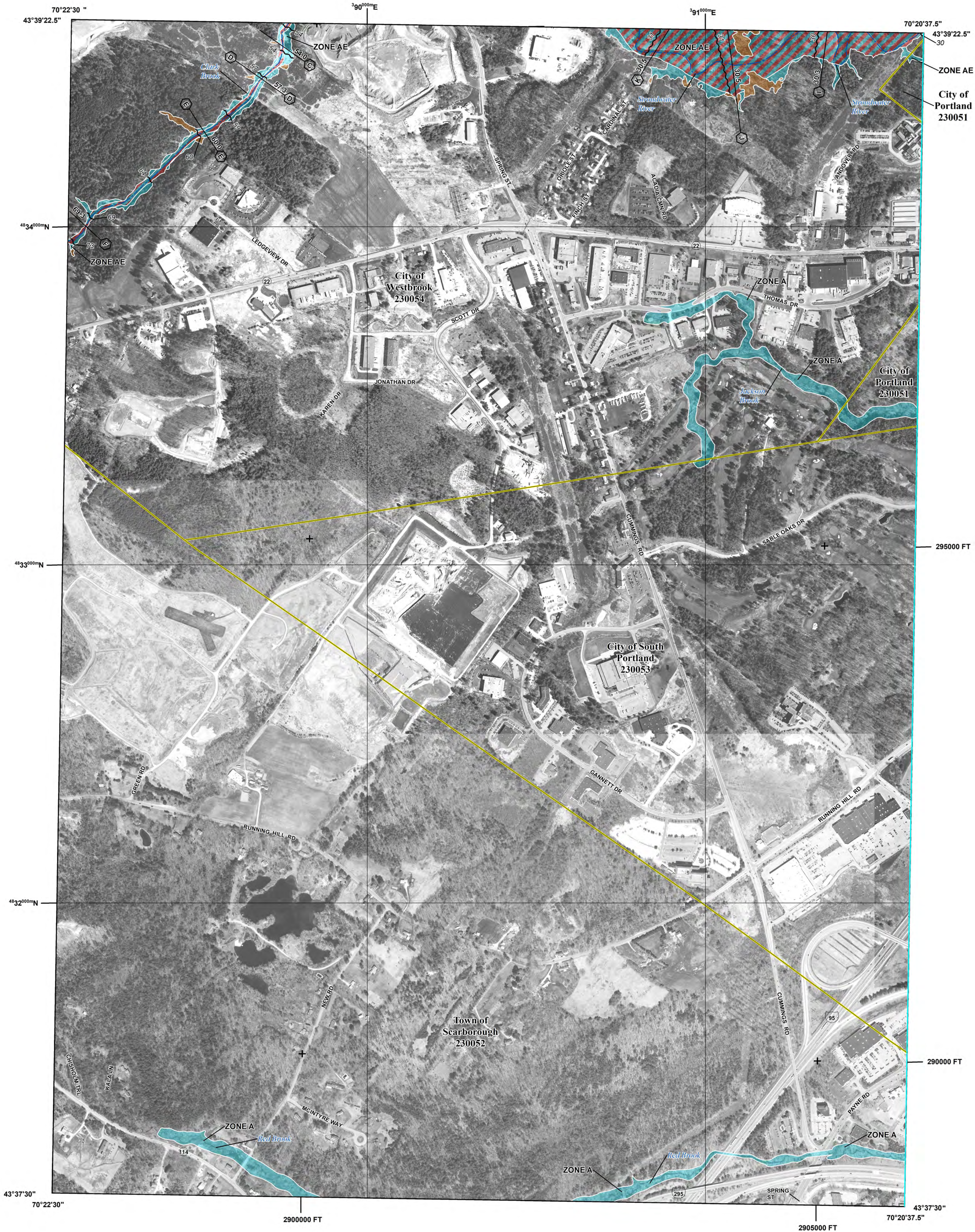
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
PORTLAND, CITY OF	230051	0687	F
WESTBROOK, CITY OF	230054	0687	F

VERSION NUMBER
2.3.2.1

MAP NUMBER
23005C0687F

EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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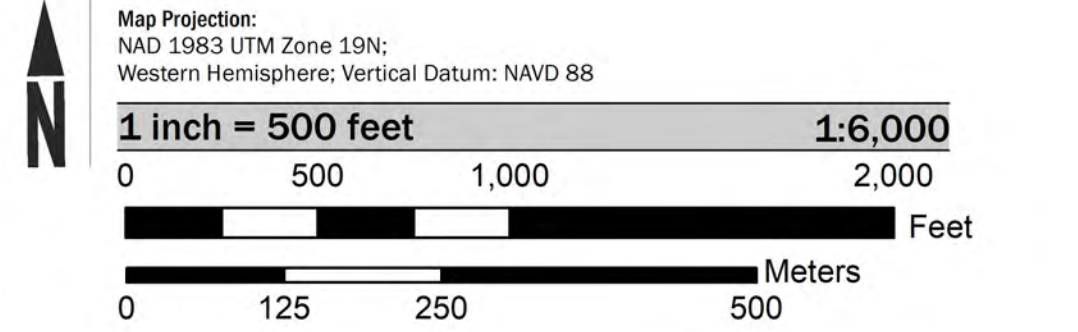
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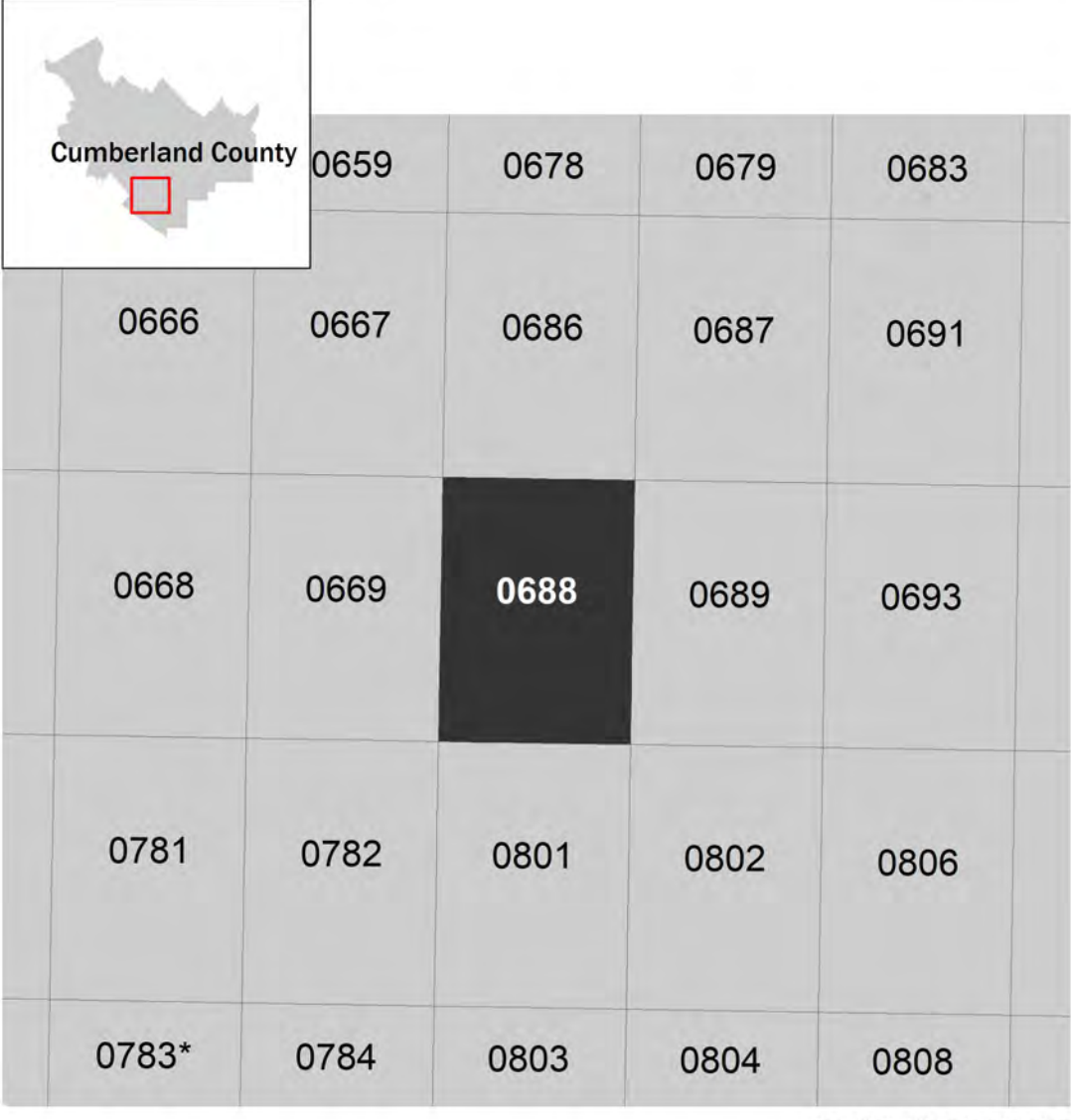
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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0688 OF 0837

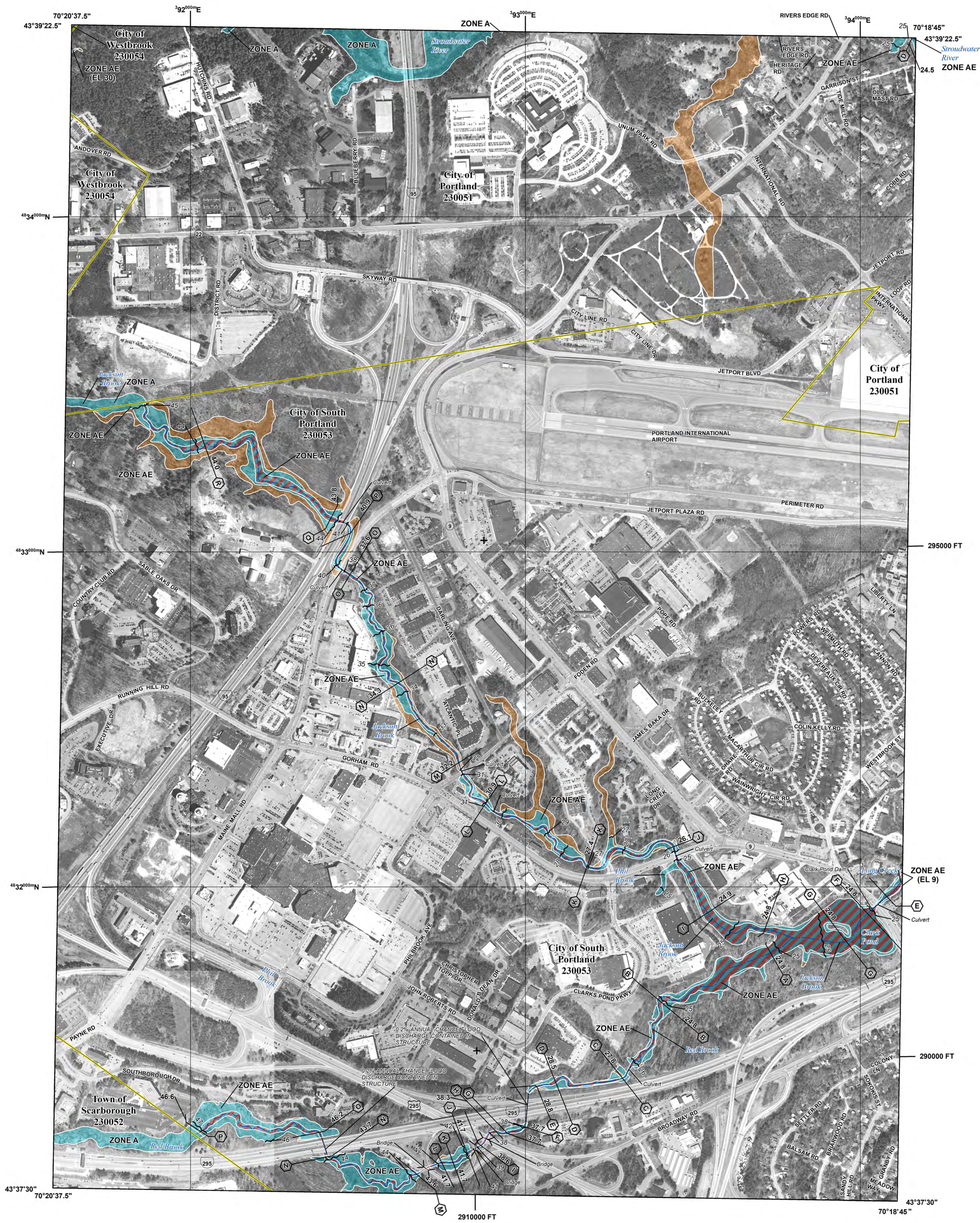
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
PORTLAND, CITY OF	230051	0688	F
SCARBOROUGH, TOWN OF	230052	0688	F
SOUTH PORTLAND, CITY OF	230053	0688	F
WESTBROOK, CITY OF	230054	0688	F

VERSION NUMBER
2.3.2.1

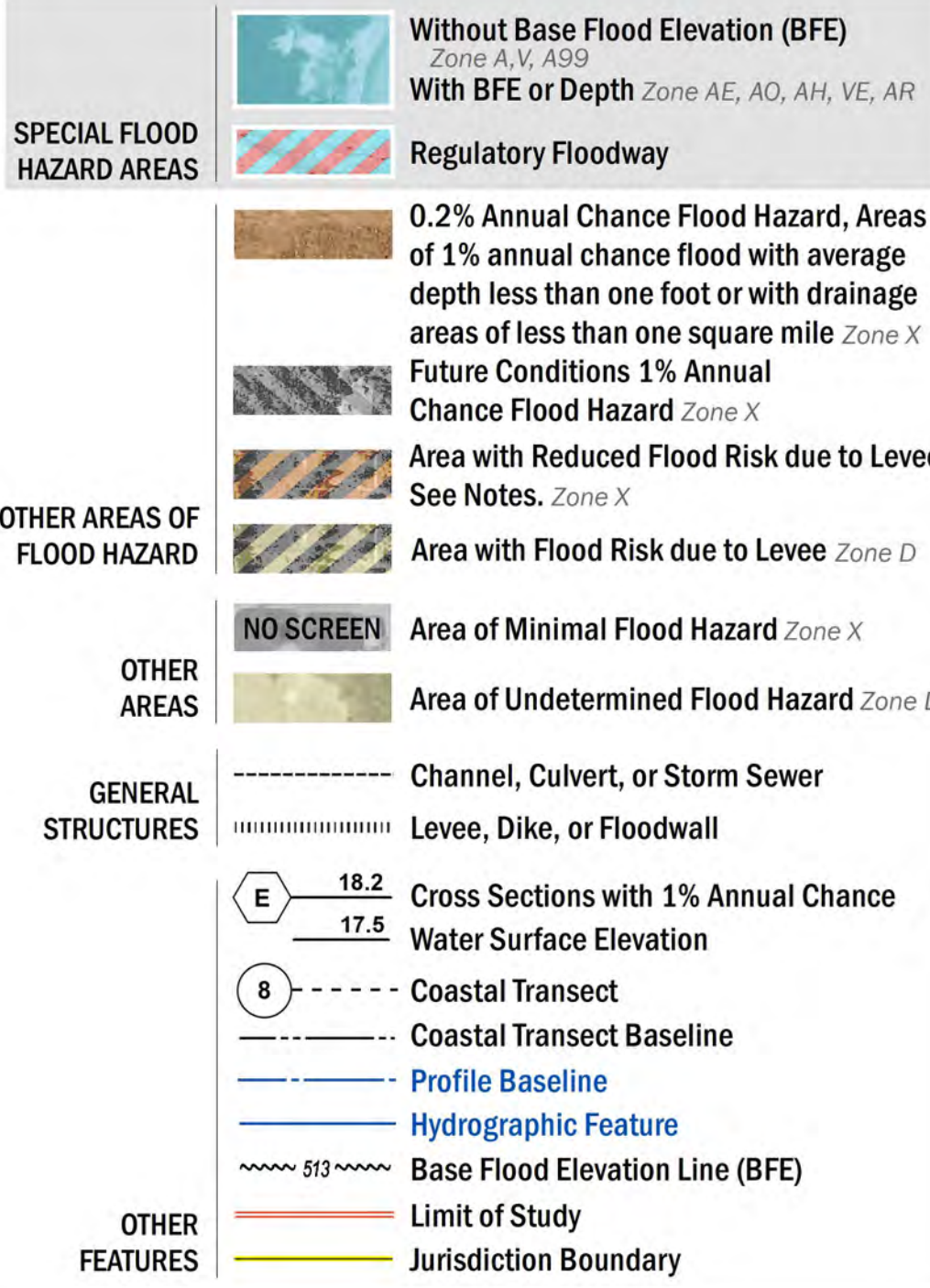
MAP NUMBER
23005C0688F

EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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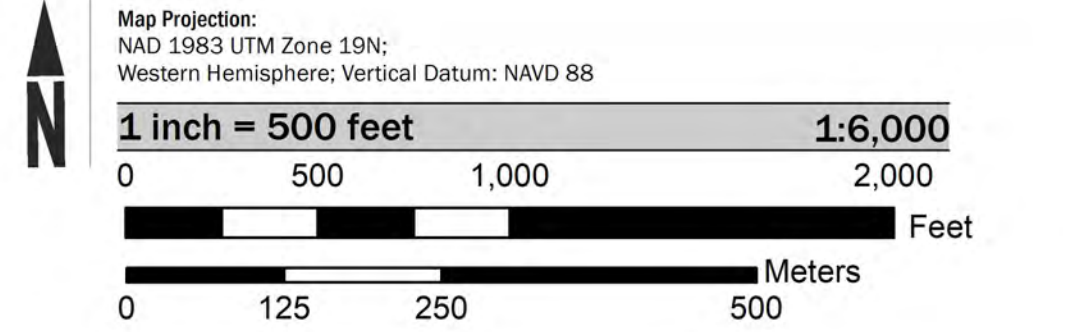
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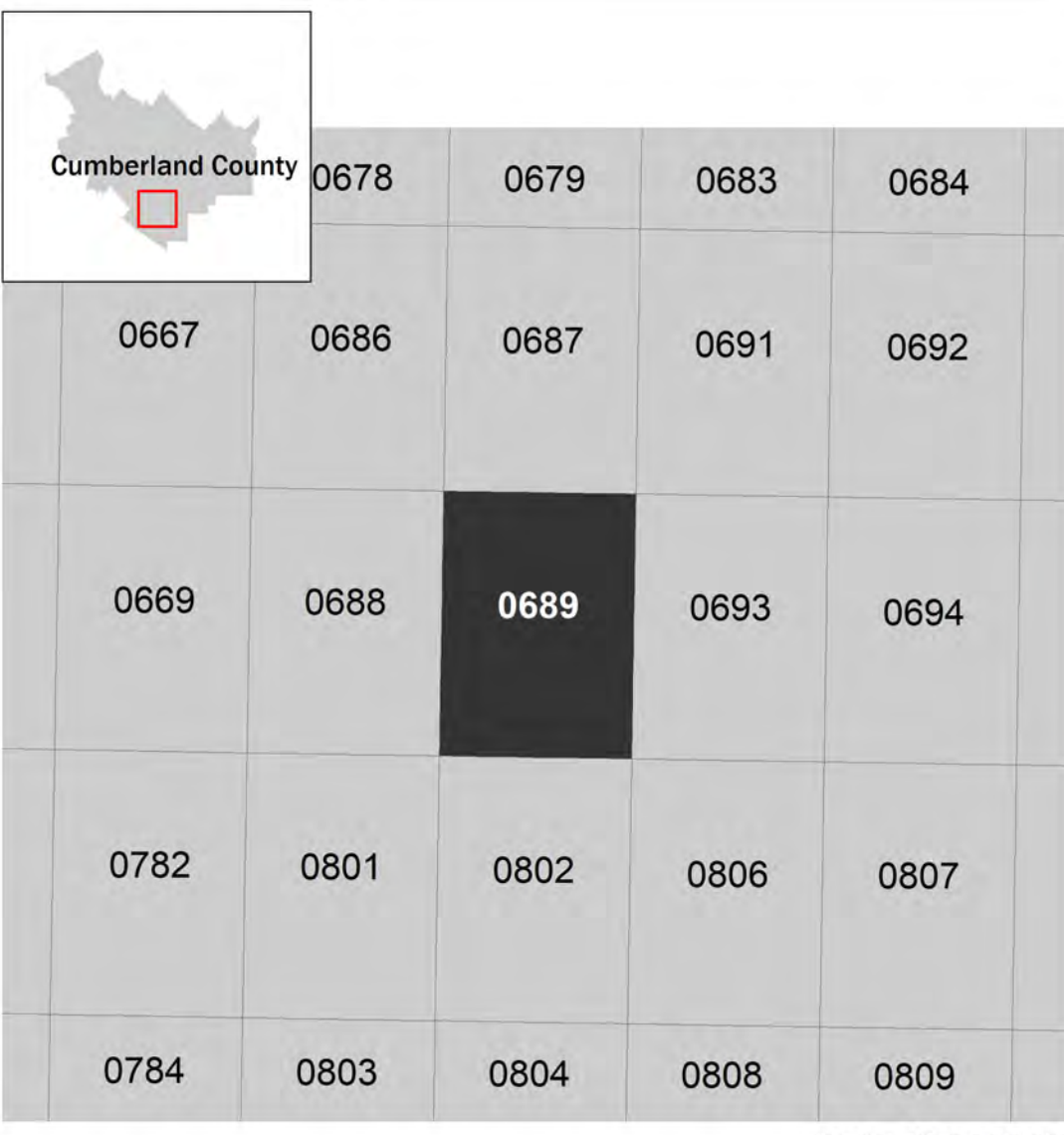
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SCALE



PANEL LOCATOR



National Flood Insurance Program

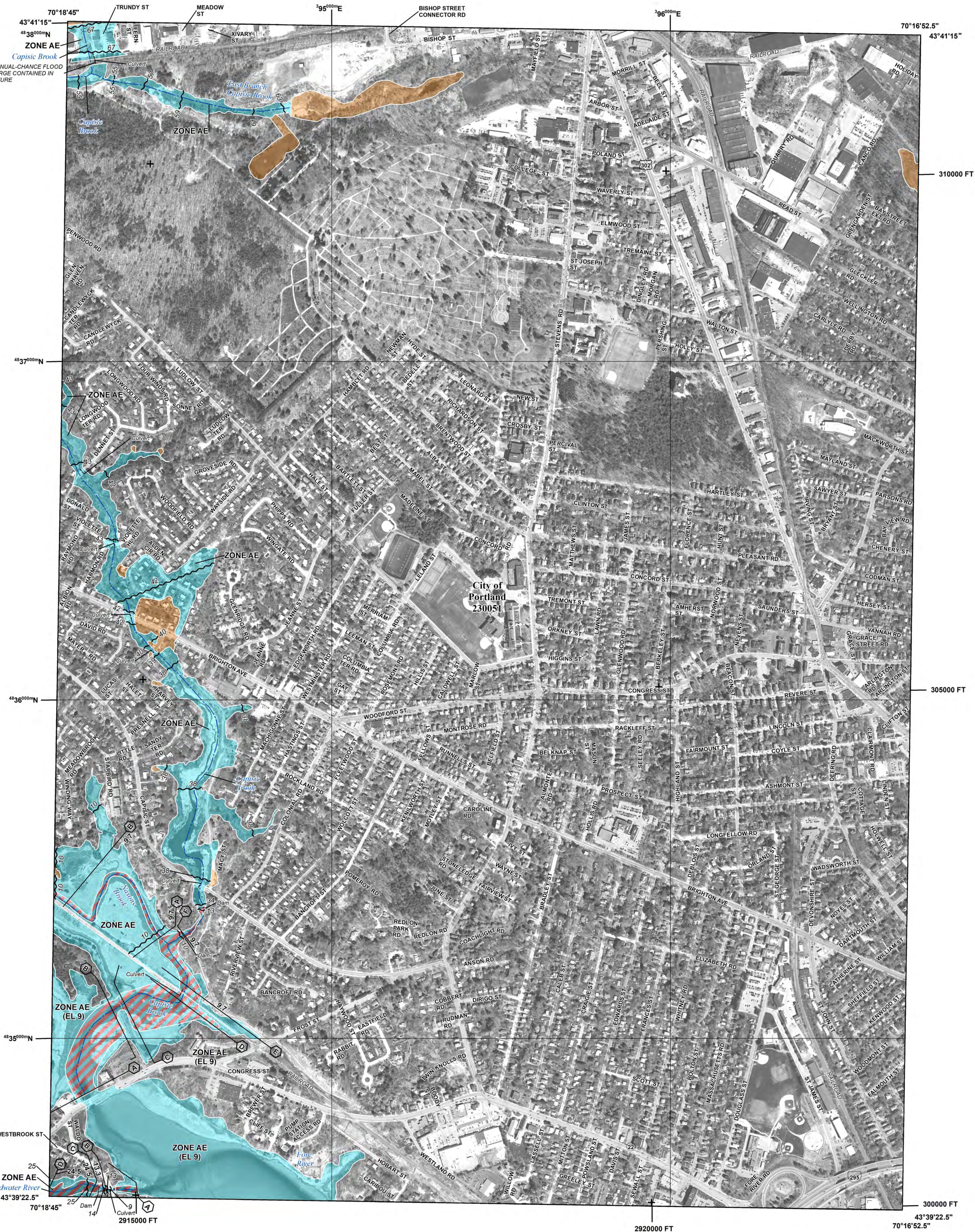
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0689 of 0837

Panel Contains:

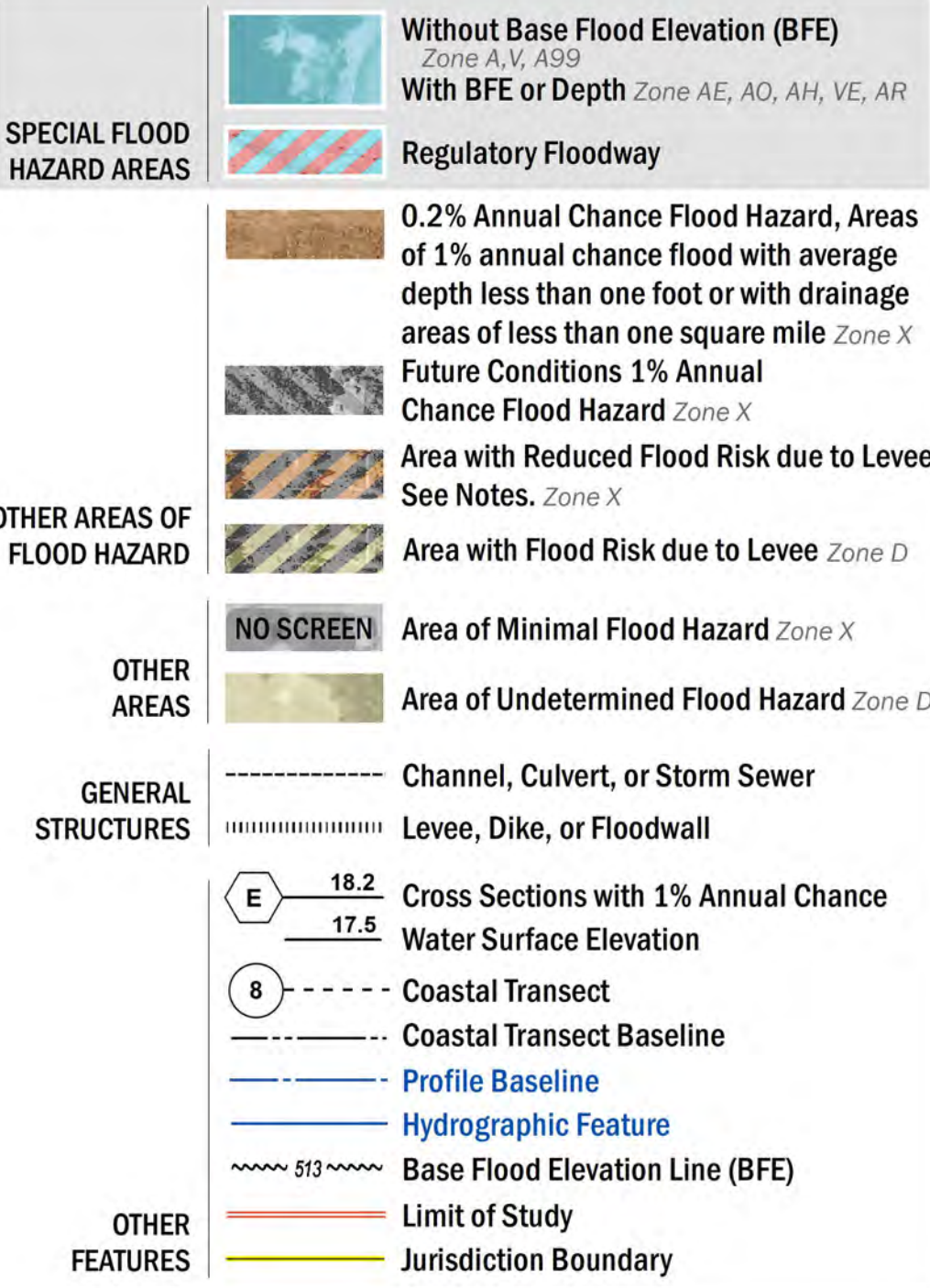
COMMUNITY	NUMBER	PANEL	SUFFIX
PORTLAND, CITY OF	230051	0689	F
SCARBOROUGH, TOWN OF	230052	0689	F
SOUTH PORTLAND, CITY OF	230053	0689	F
WESTBROOK, CITY OF	230054	0689	F

VERSION NUMBER
2.3.2.1
MAP NUMBER
23005C0689F
EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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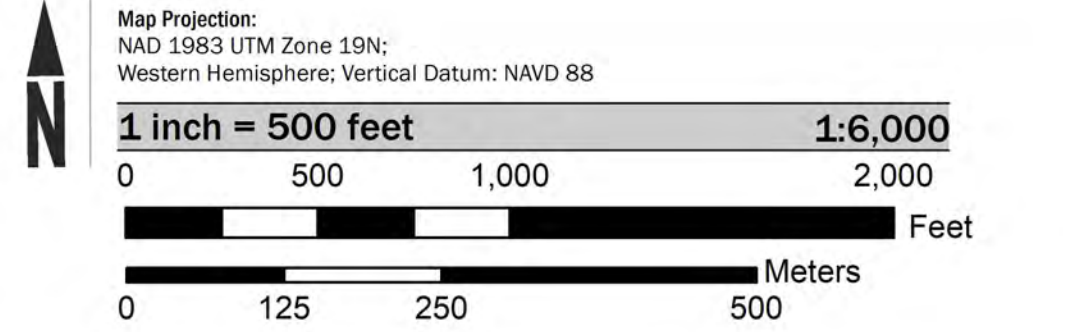
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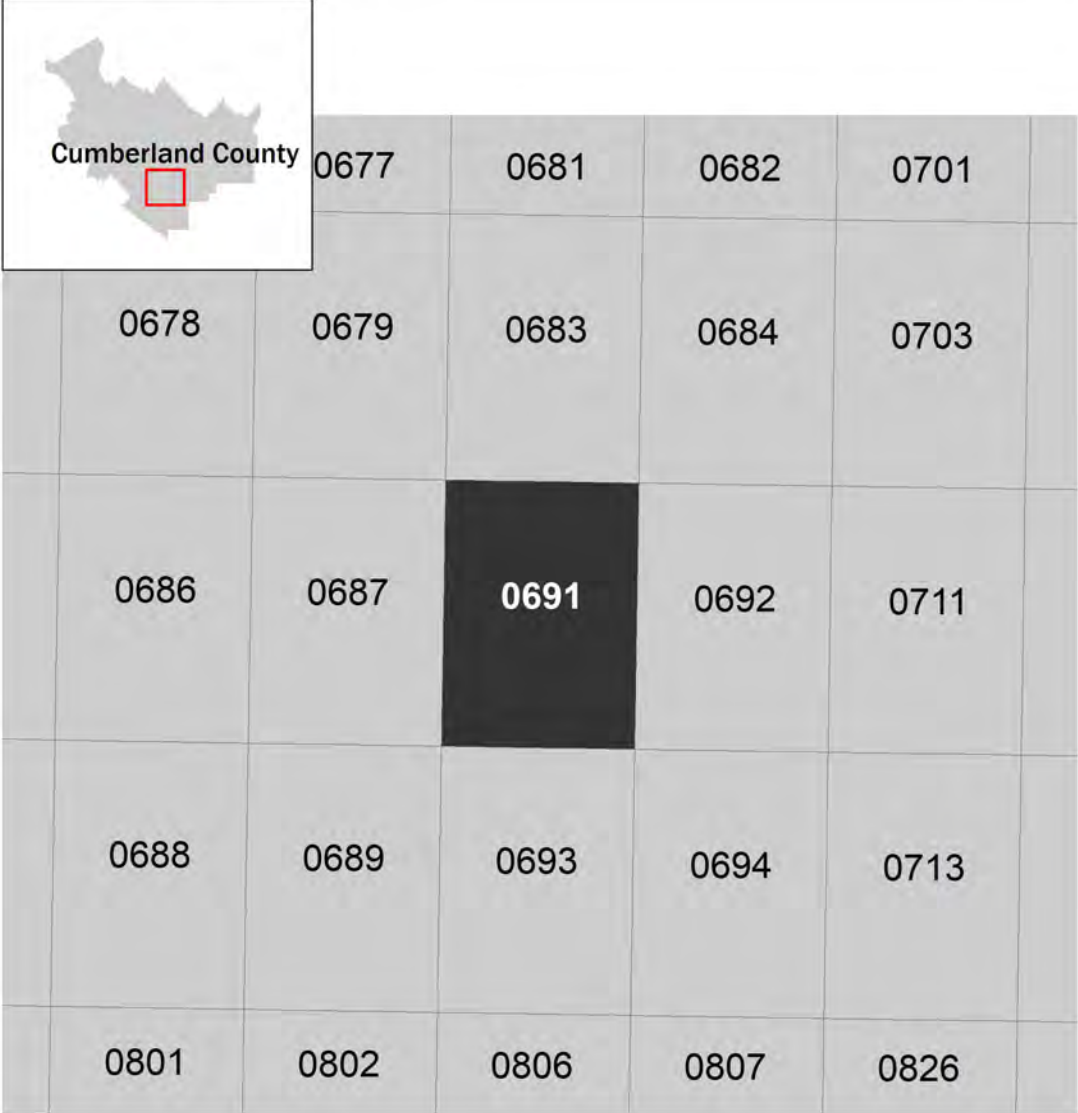
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SCALE



PANEL LOCATOR



National Flood Insurance Program

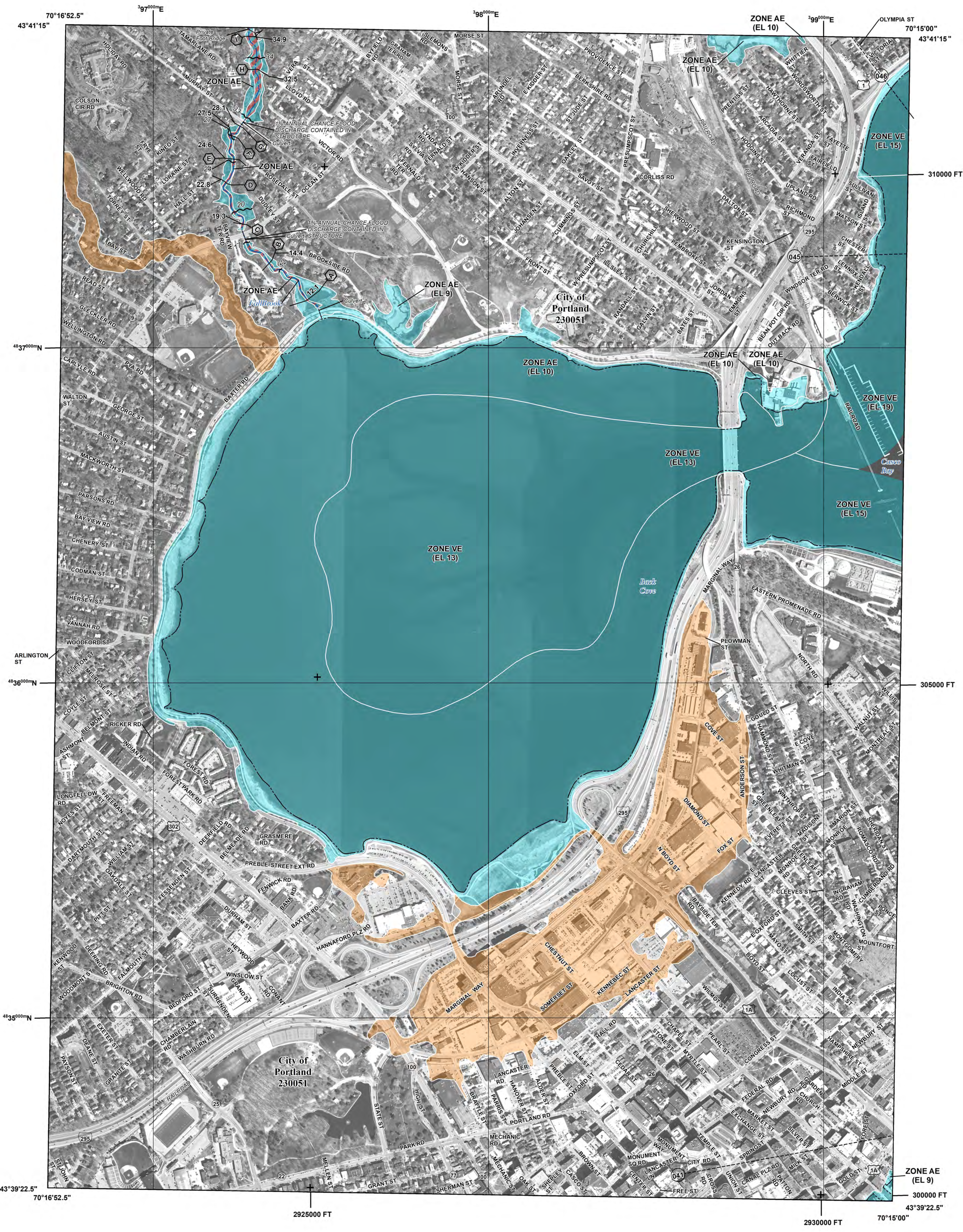
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0691 OF 0837

Panel Contains:

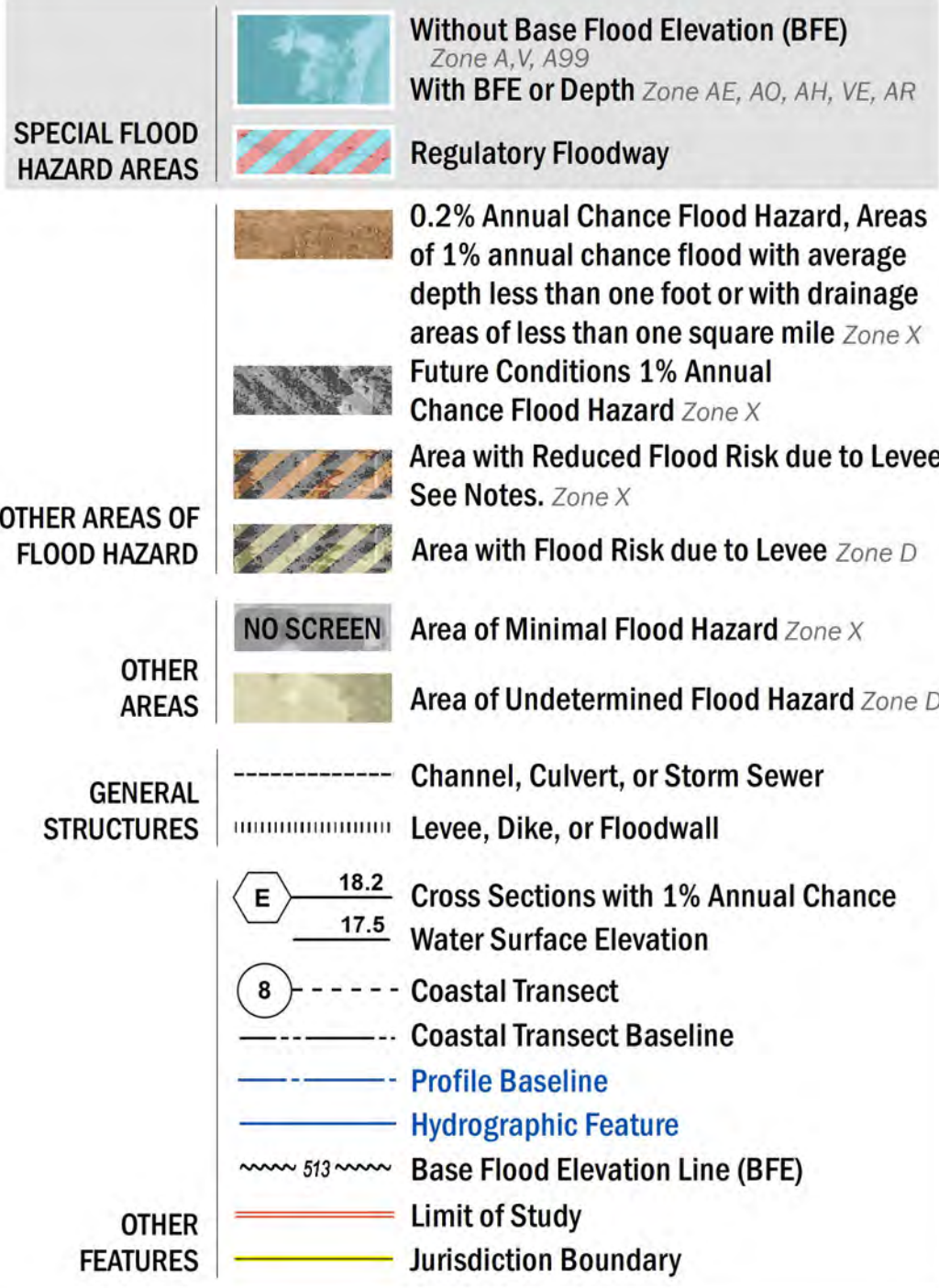
COMMUNITY	NUMBER	PANEL	SUFFIX
PORTLAND, CITY OF	230051	0691	F

VERSION NUMBER
2.3.2.1
MAP NUMBER
23005C0691F
EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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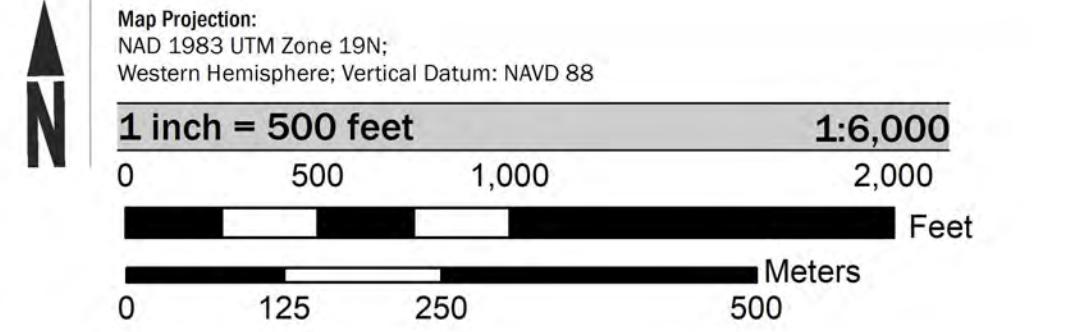
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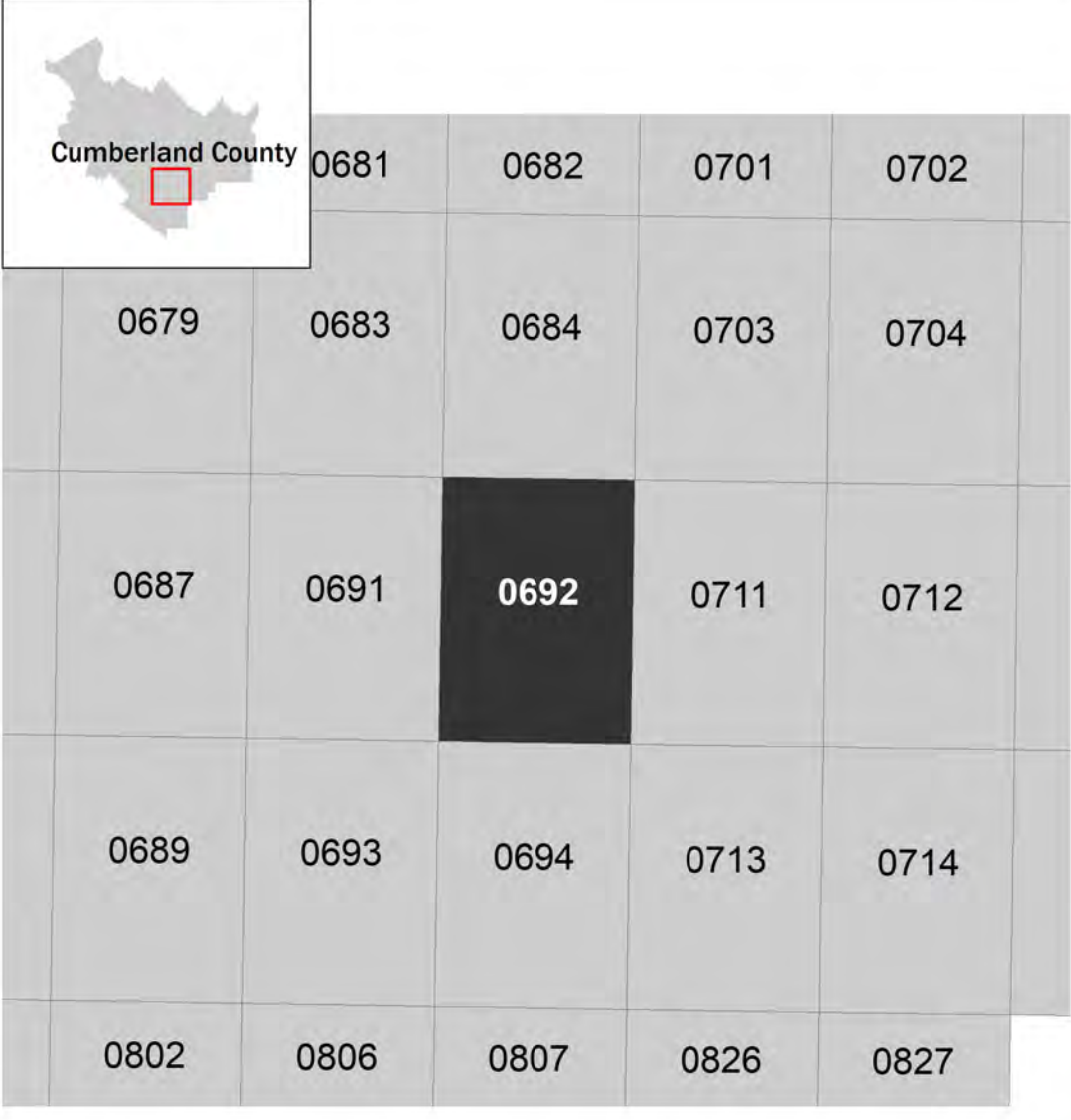
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SCALE



PANEL LOCATOR



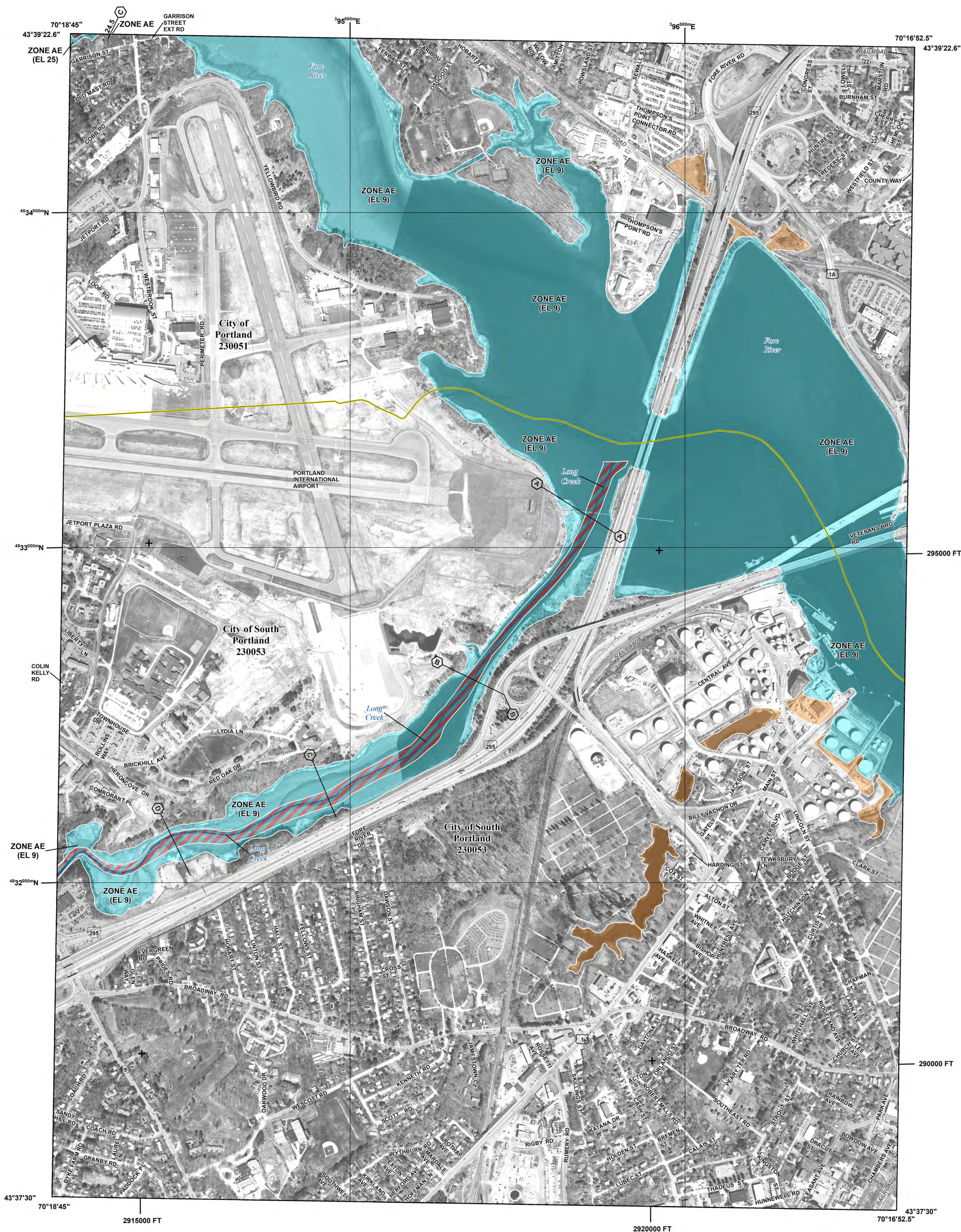
National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0692 of 0837

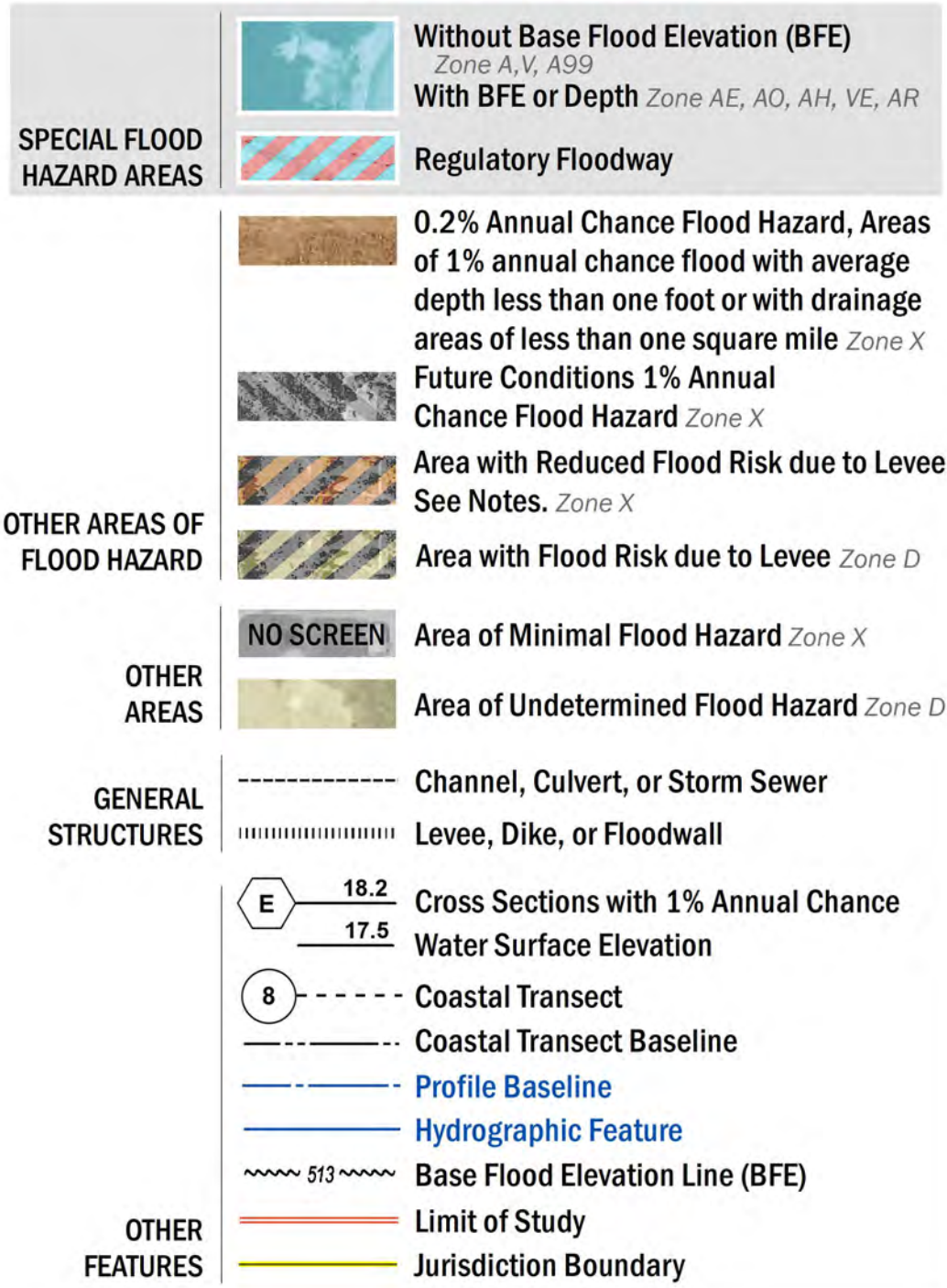
Panel Contains:
COMMUNITY PORTLAND, CITY OF
NUMBER 230051
PANEL 0692
SUFFIX F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0692F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

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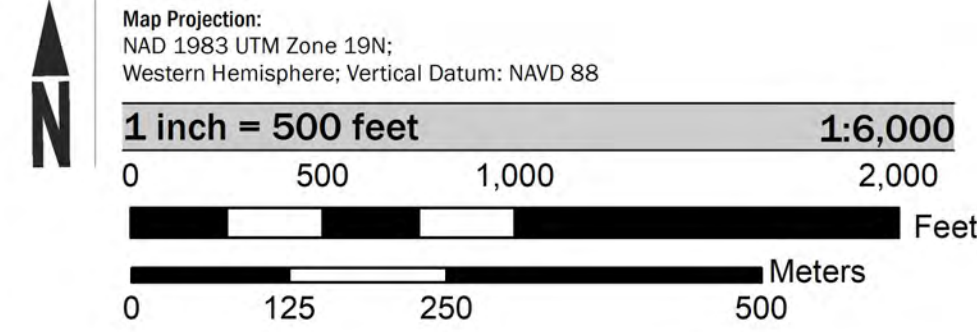
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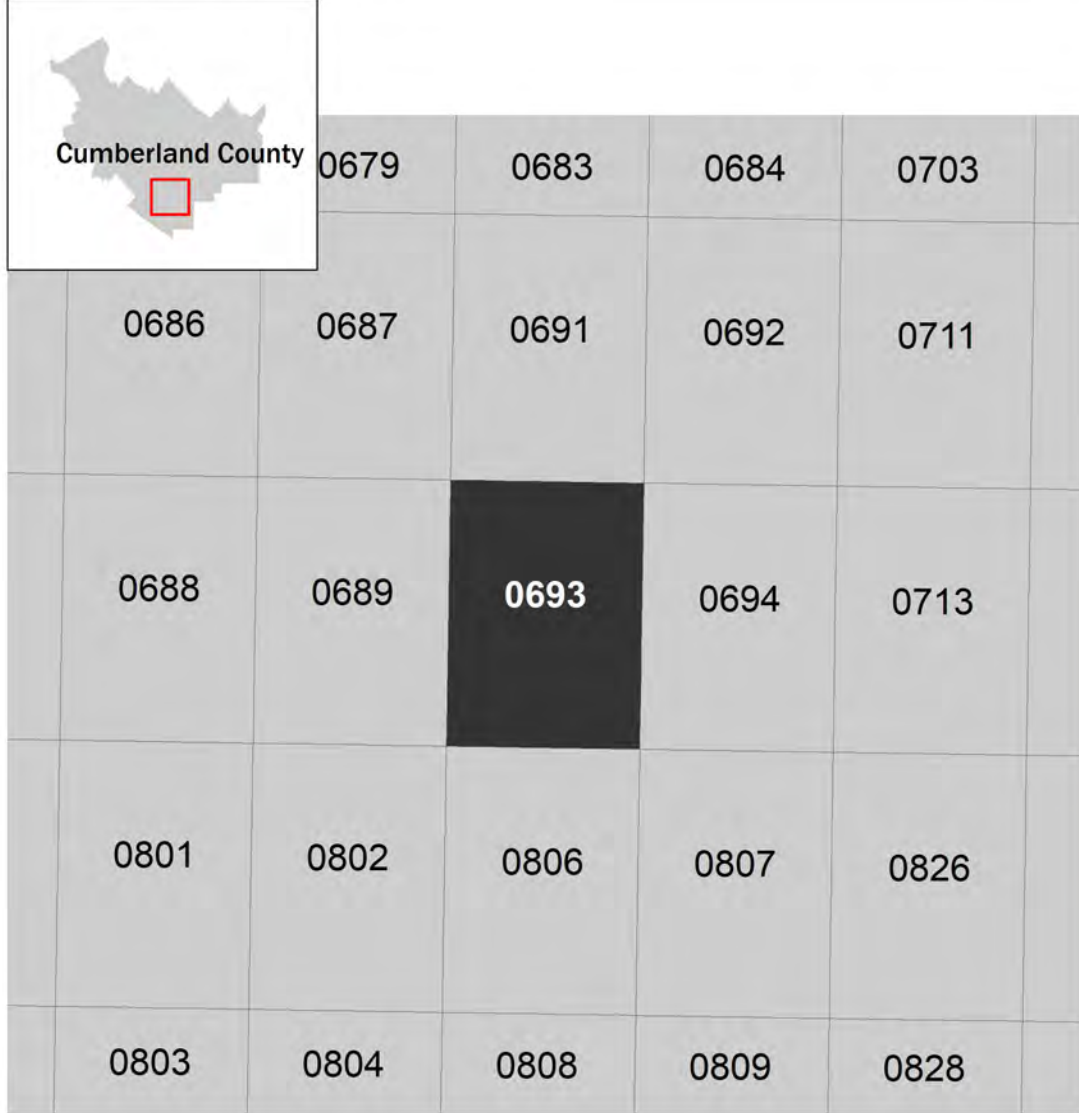
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SCALE



PANEL LOCATOR



National Flood Insurance Program

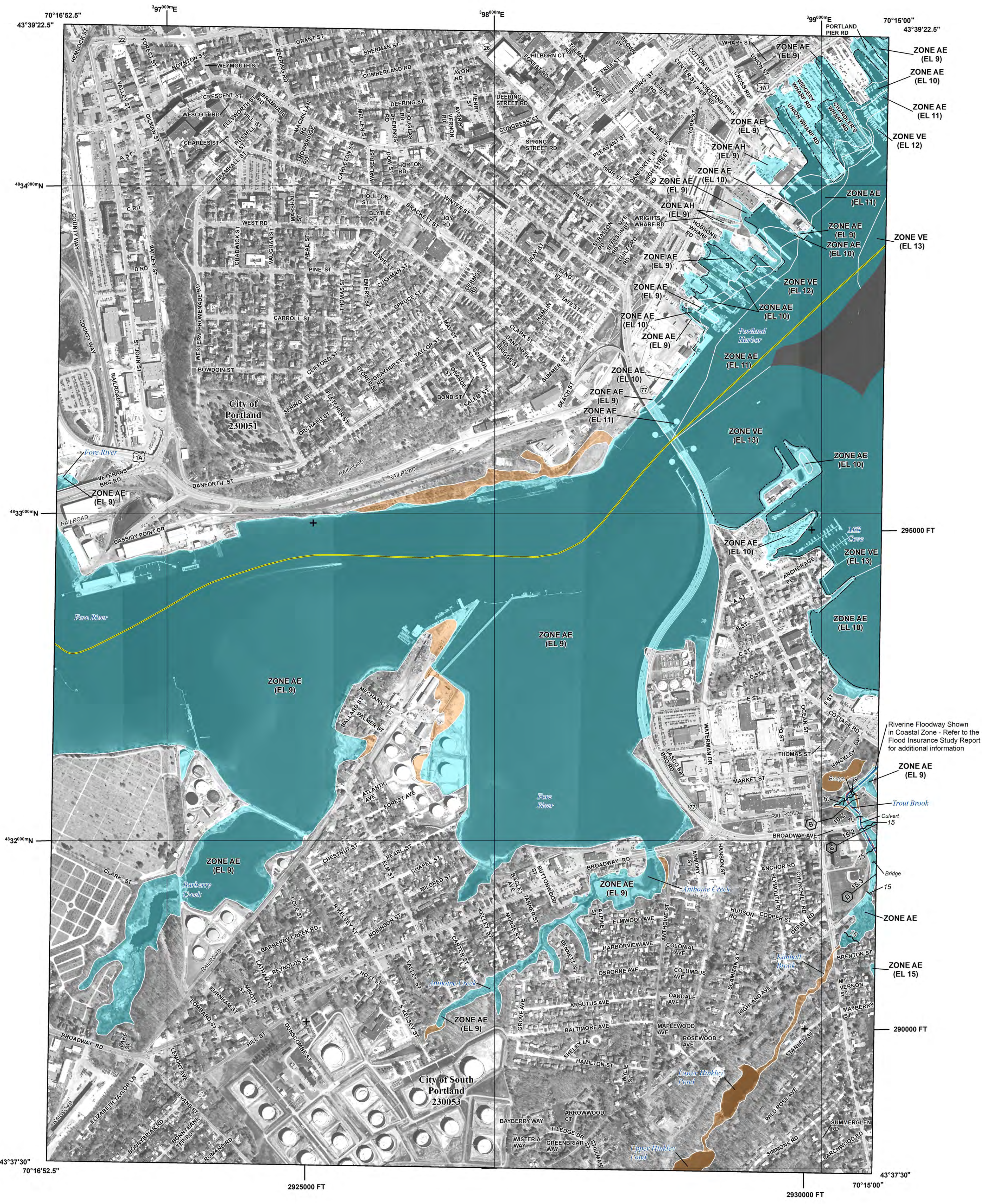
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0693 of 0837

Panel Contains:	COMMUNITY	NUMBER	PANEL	SUFFIX
	PORTLAND, CITY OF	230051	0693	F
	SOUTH PORTLAND, CITY OF	230053	0693	F

VERSION NUMBER
2.3.2.1
MAP NUMBER
23005C0693F
EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone A.V, A99
With BFE or Depth Zone AE, AO, AH, VE, AR

Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee See Notes. Zone X

Area with Flood Risk due to Levee Zone D

OTHER AREAS

Area of Minimal Flood Hazard Zone X

Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

OTHER FEATURES

NOTES TO USERS

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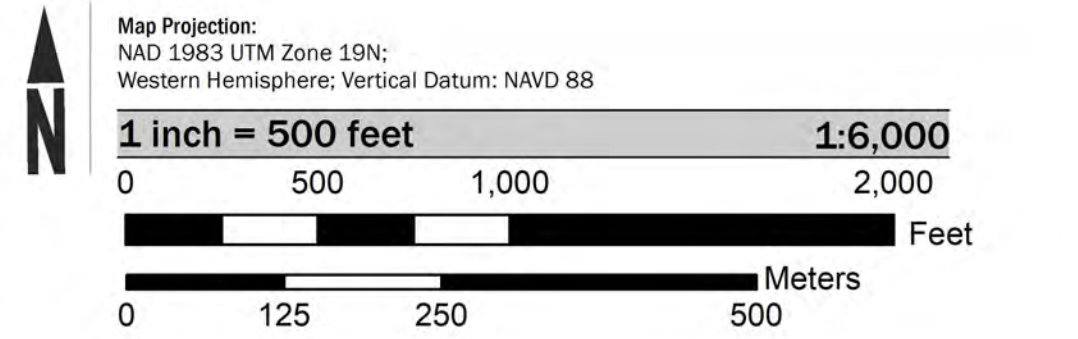
For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

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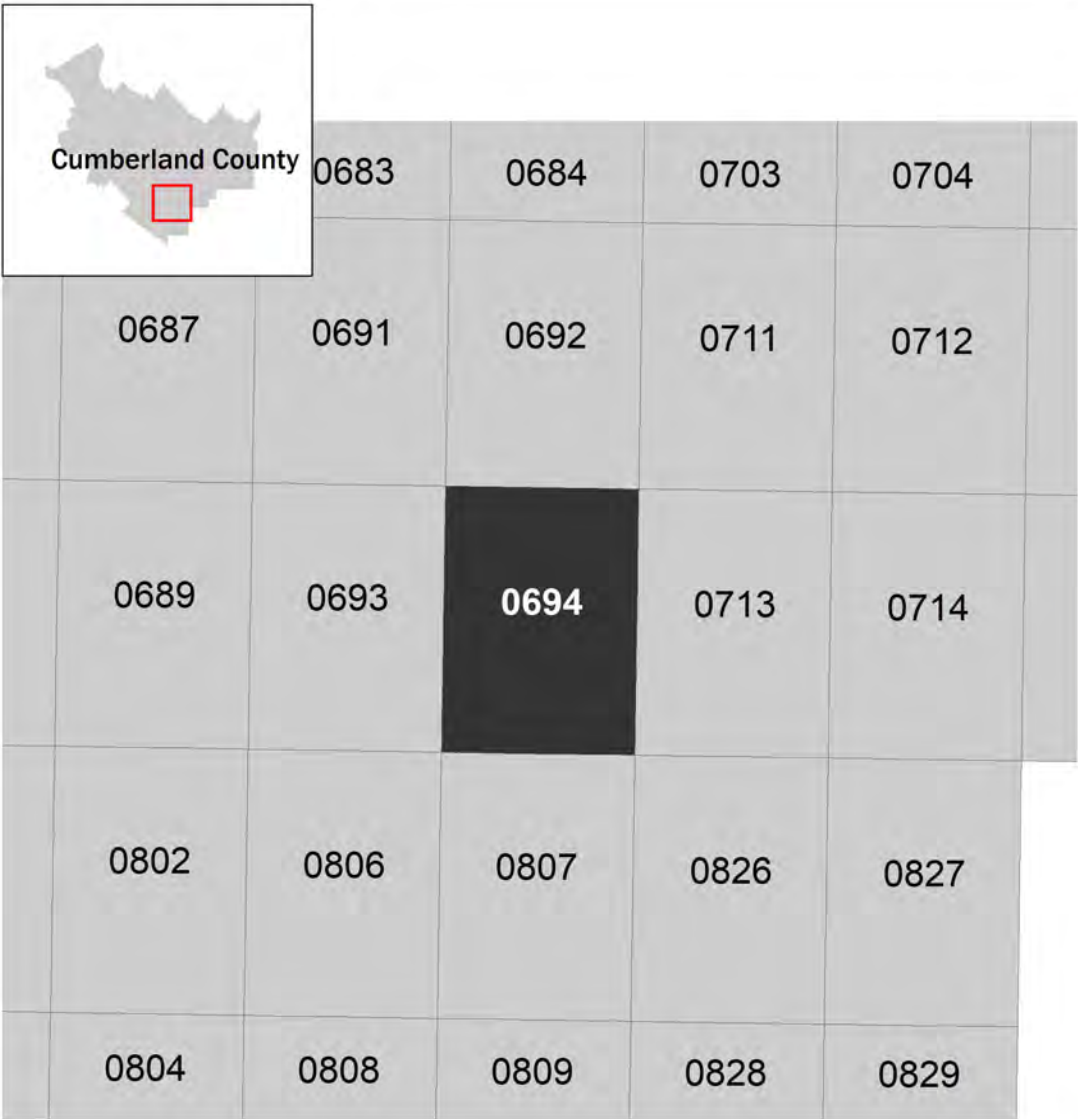
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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0694 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
PORTLAND, CITY OF	230051	0694	F
SOUTH PORTLAND, CITY OF	230053	0694	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0694F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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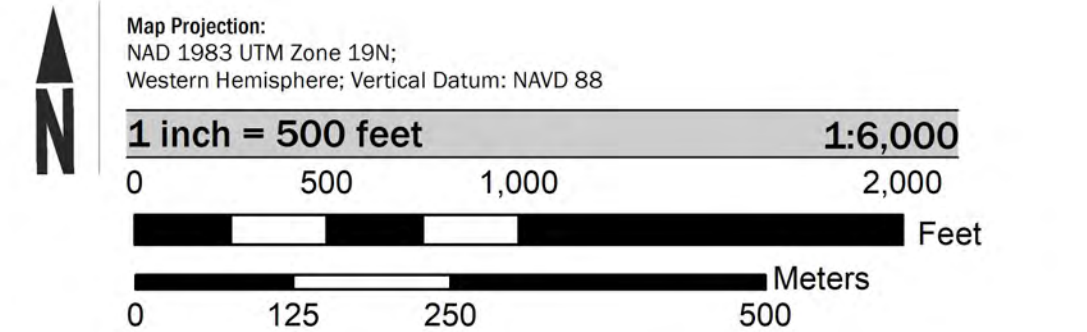
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The AE Zone category has been divided by a Limit of Moderate Wave Action (LIMWA). The LIMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LIMWA (or between the shoreline and the LIMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

Limit of Moderate Wave Action (LIMWA)

SCALE



PANEL LOCATOR

0519	0538	0539	0543
0681	0682	0701	0702
0683	0684	0703	0704
0691	0692	0711	0712
0693	0694	0713	0714

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

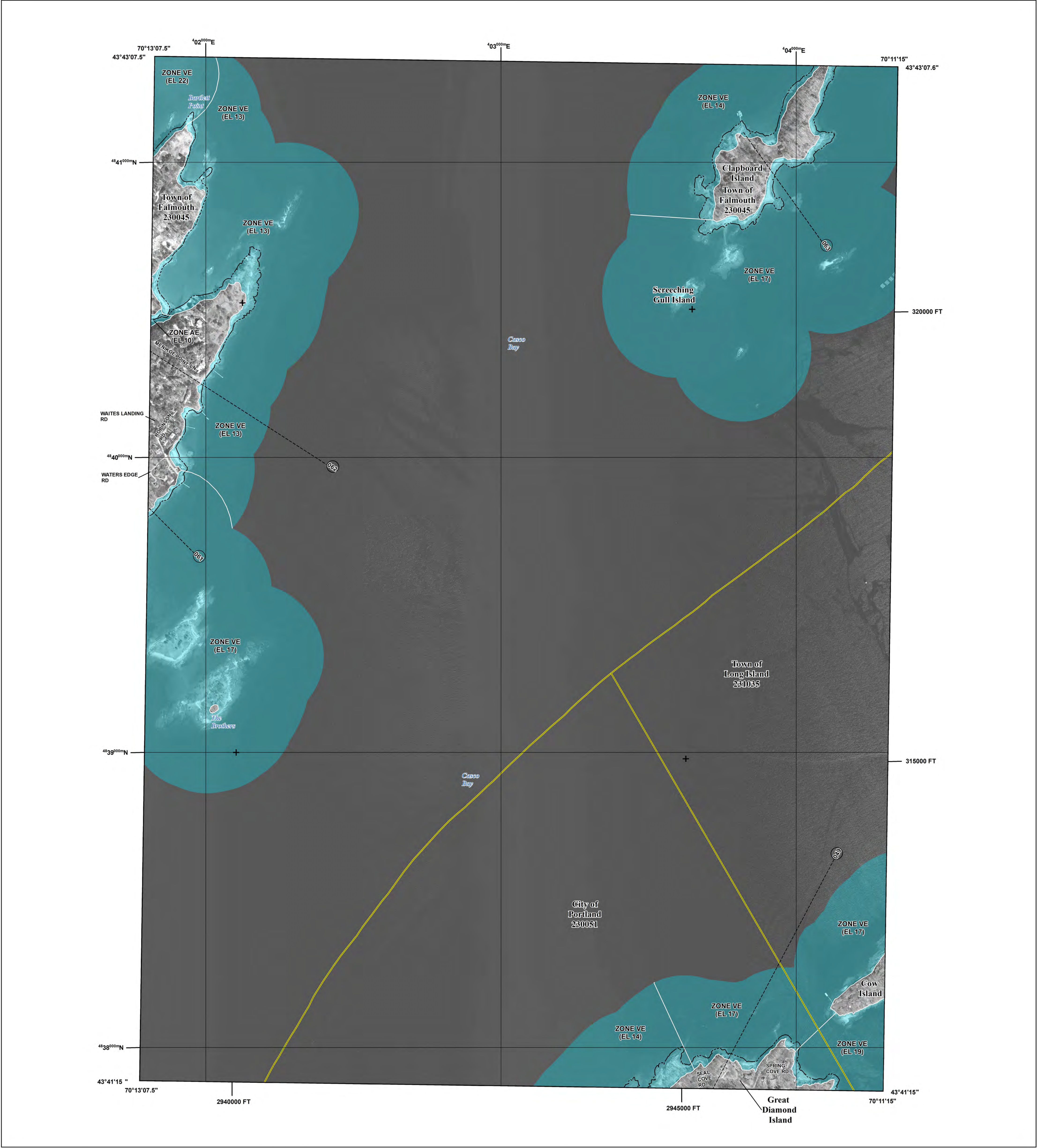
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0703 of 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0703	F
PORTLAND, CITY OF	230051	0703	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0703F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
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[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

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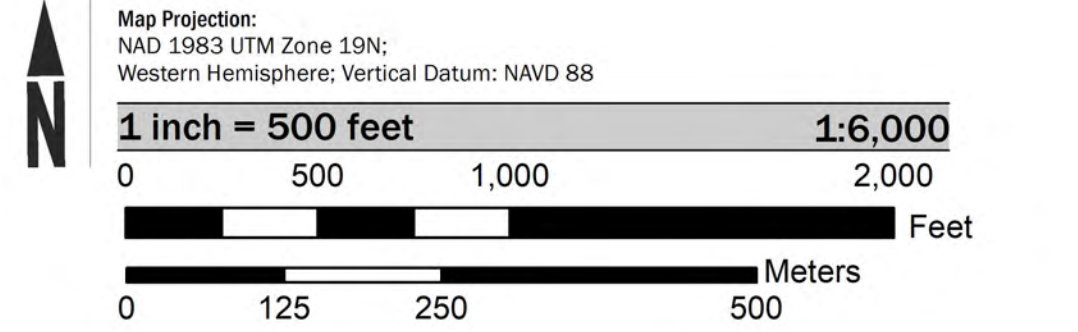
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SCALE



PANEL LOCATOR

	0538	0539	0543	0544
0682	0701	0702	0706	0707
0684	0703	0704	0708	0709
0692	0711	0712	0716	0717
0694	0713	0714	0718	0719

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

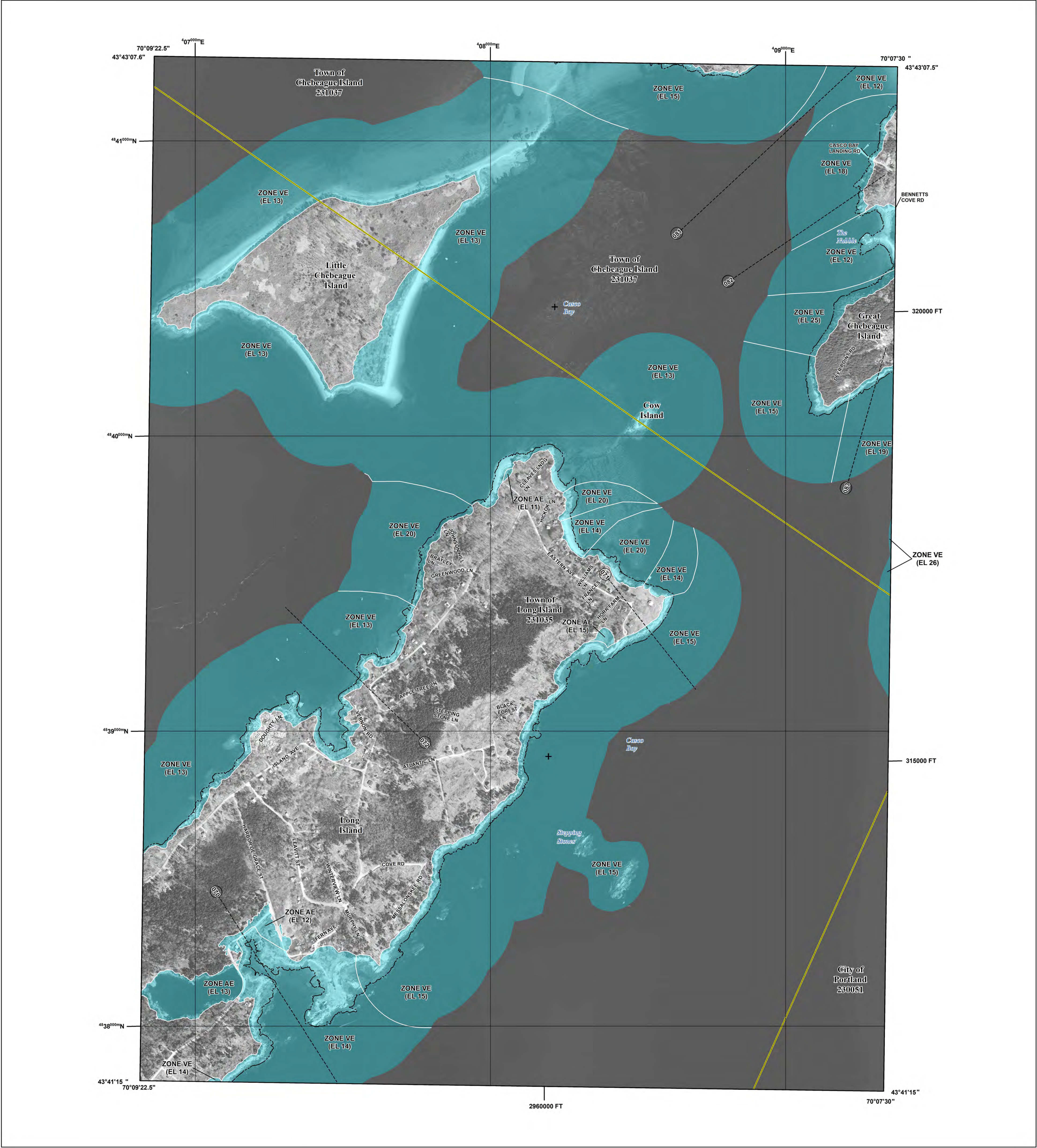
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0704 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0704	F
LONG ISLAND, TOWN OF	231035	0704	F
PORTLAND, CITY OF	230051	0704	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0704F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

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[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

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For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

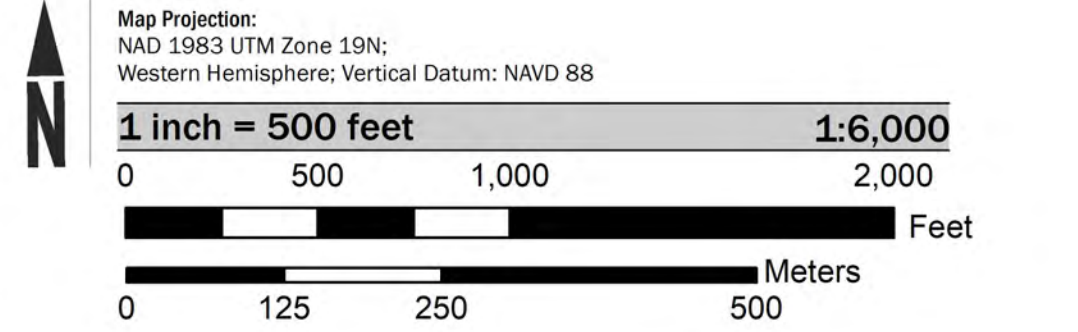
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Coastal Barrier Resources System (CBRS) areas and "otherwise protected areas" (OPAs) are no longer shown on this map panel, but still may be present in this community. Current information on these areas is provided by the U.S. Fish & Wildlife Service (FWS). NFIP flood insurance is not available within CBRS areas for structures that are built or substantially improved on or after the dates indicated by FWS. Users should reference the most up-to-date information provided by FWS to determine NFIP insurance eligibility. The official maps and additional information regarding CBRS areas are provided on the FWS website at: www.fws.gov/cbra. FEMA also includes the official boundaries from FWS on our interactive and dynamic flood maps available through the FEMA Map Service Center.

SCALE



PANEL LOCATOR

0543	0544	0563	0564	
0702	0706	0707	0726	0727
0704	0708	0709	0728	0729
0712	0716	0717	0736	0737
0714	0718	0719	0738	

National Flood Insurance Program

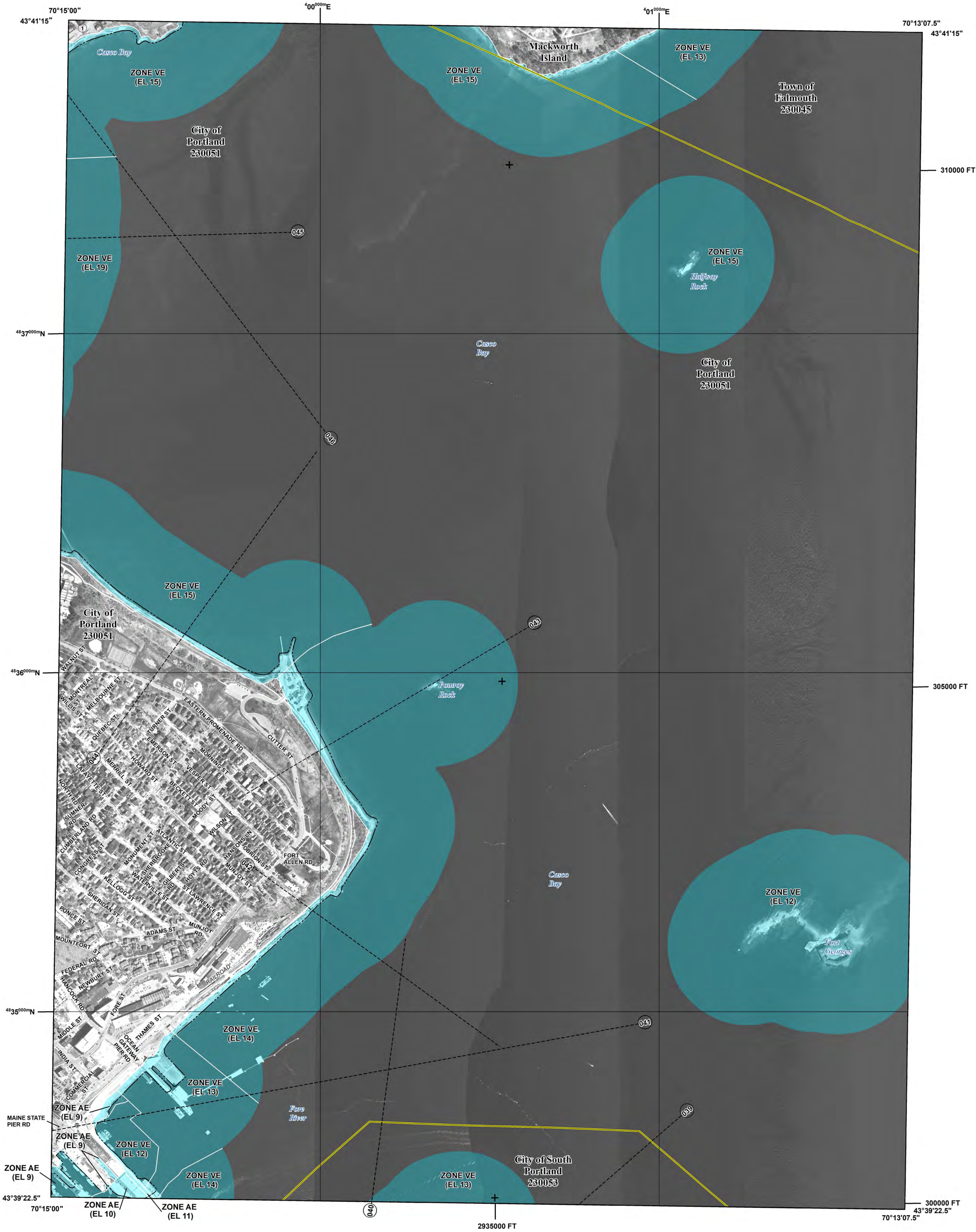
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0709 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CHEBEAGUE ISLAND, TOWN OF	231037	0709	F
LONG ISLAND, TOWN OF	231035	0709	F
PORTLAND, CITY OF	230051	0709	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0709F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

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		Regulatory Floodway
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		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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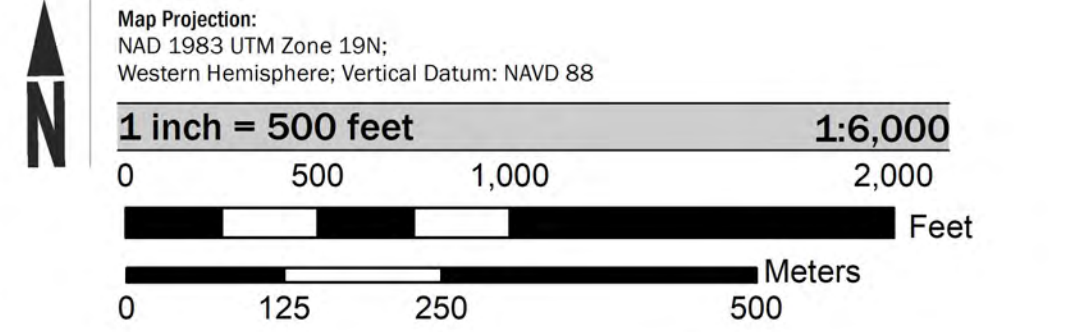
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SCALE



PANEL LOCATOR

0682	0701	0702	0706	
0683	0684	0703	0704	0708
0691	0692	0711	0712	0716
0693	0694	0713	0714	0718
0806	0807	0826	0827	

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

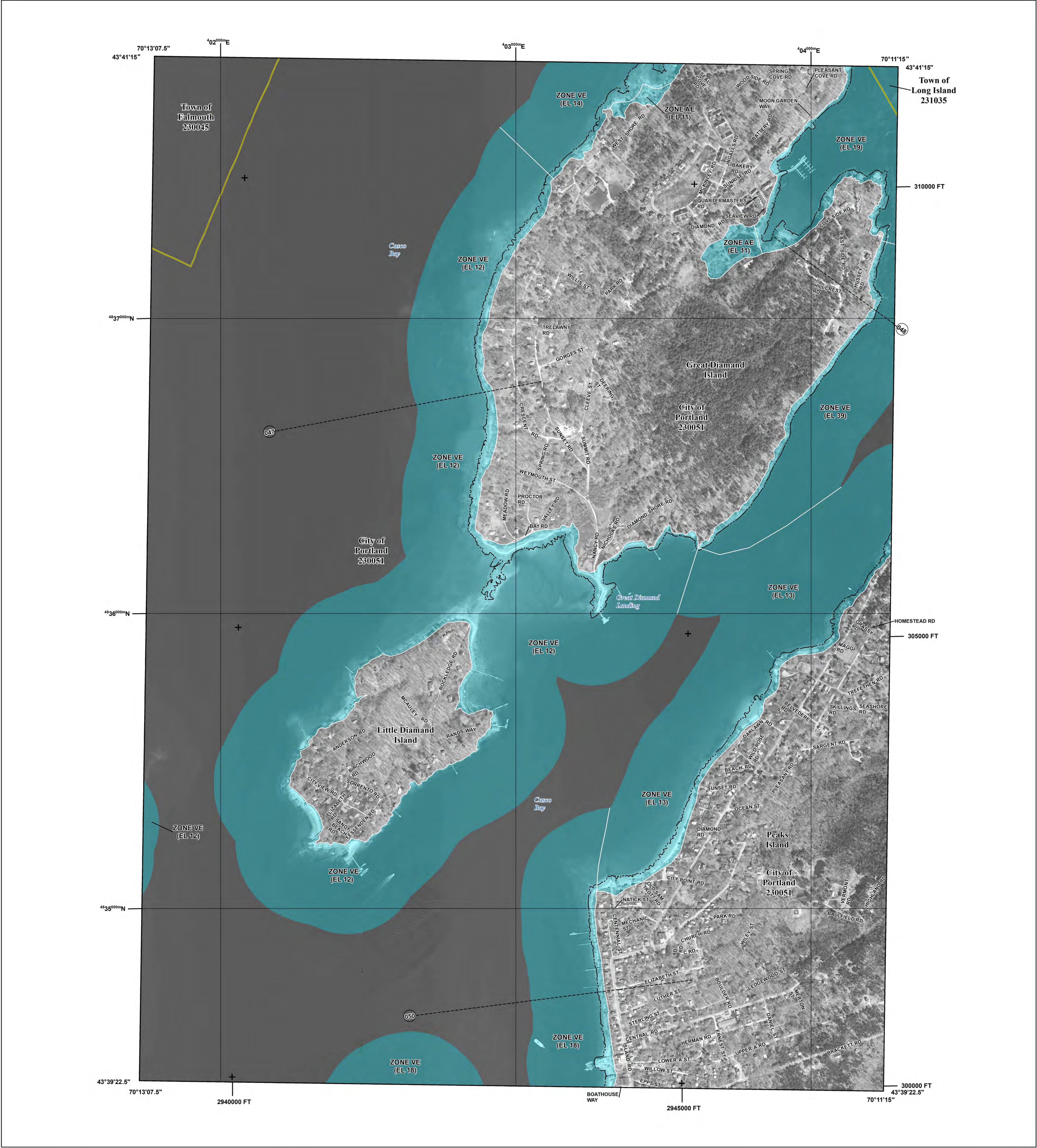
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0711 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0711	F
PORTLAND, CITY OF	230051	0711	F
SOUTH PORTLAND, CITY OF	230053	0711	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0711F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

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Without Base Flood Elevation (BFE)
Zone A,V, A99

Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee See Notes. Zone X

Area with Flood Risk due to Levee Zone D

Area of Minimal Flood Hazard Zone X

Area of Undetermined Flood Hazard Zone D

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

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SCALE

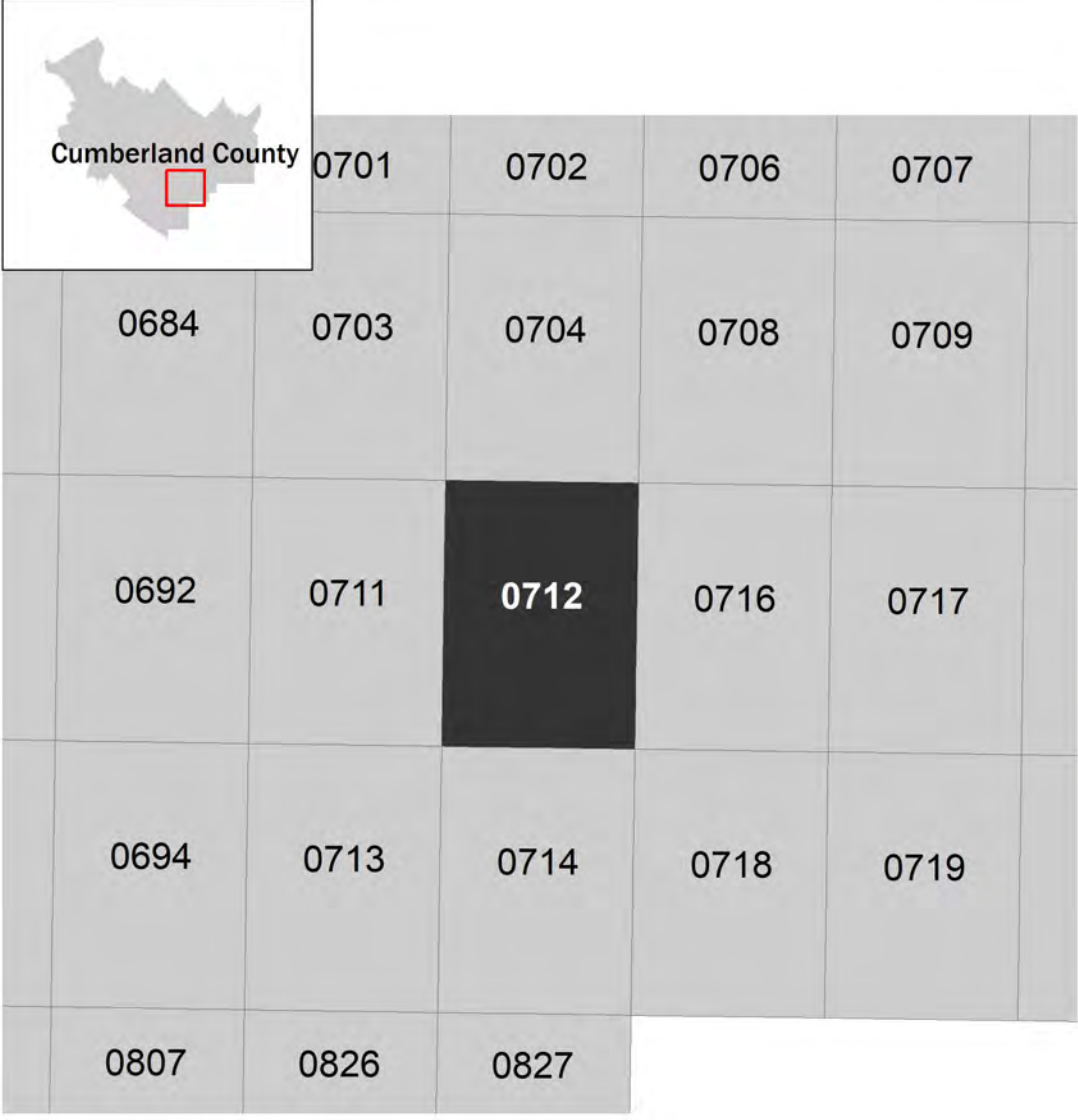
Map Projection:
NAD 1983 UTM Zone 18N;
Western Hemisphere; Vertical Datum: NAVD 88

1 inch = 500 feet

0 500 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0712 OF 0837

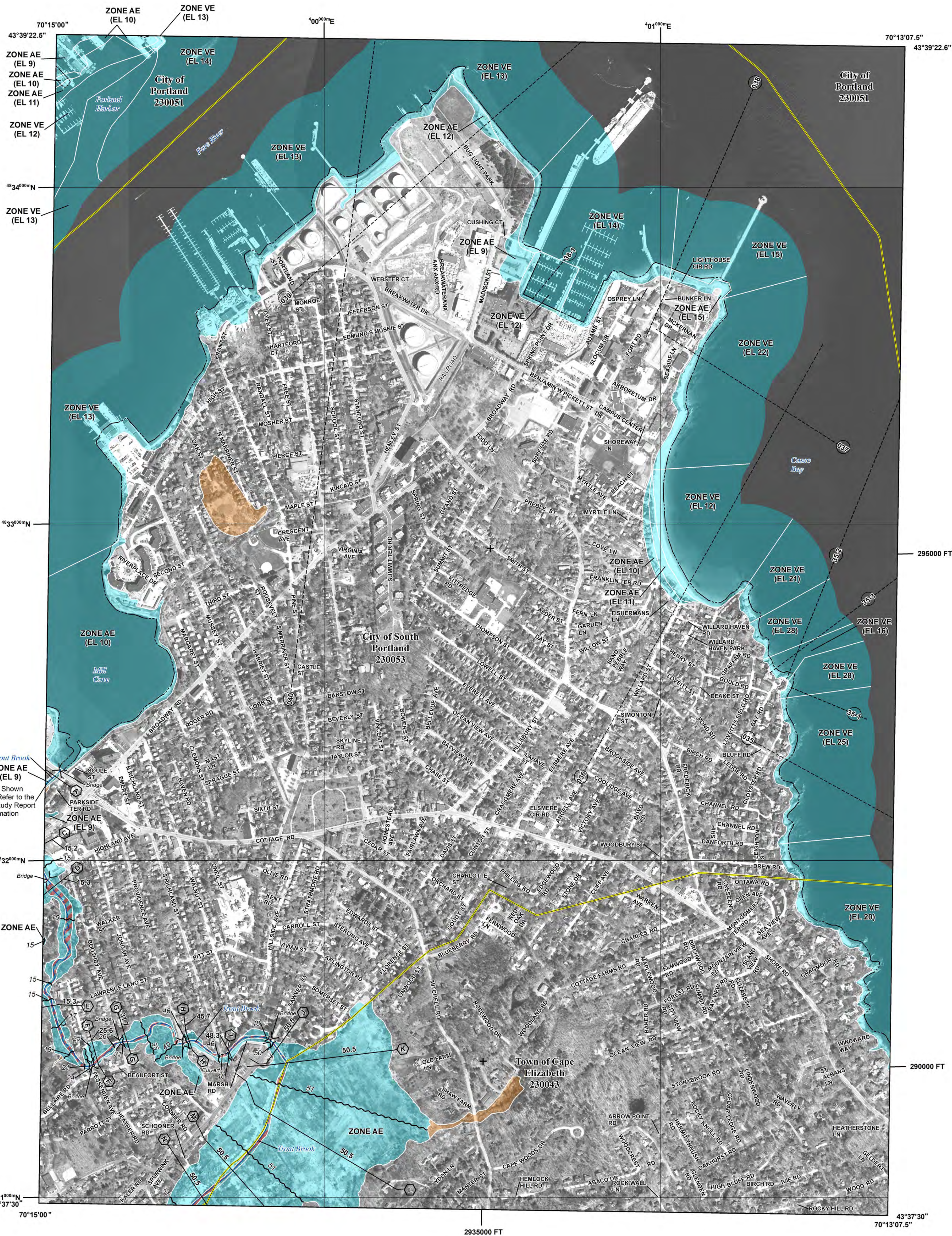
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
FALMOUTH, TOWN OF	230045	0712	F
LONG ISLAND, TOWN OF	231035	0712	F
PORTLAND, CITY OF	230051	0712	F

VERSION NUMBER
2.3.2.1

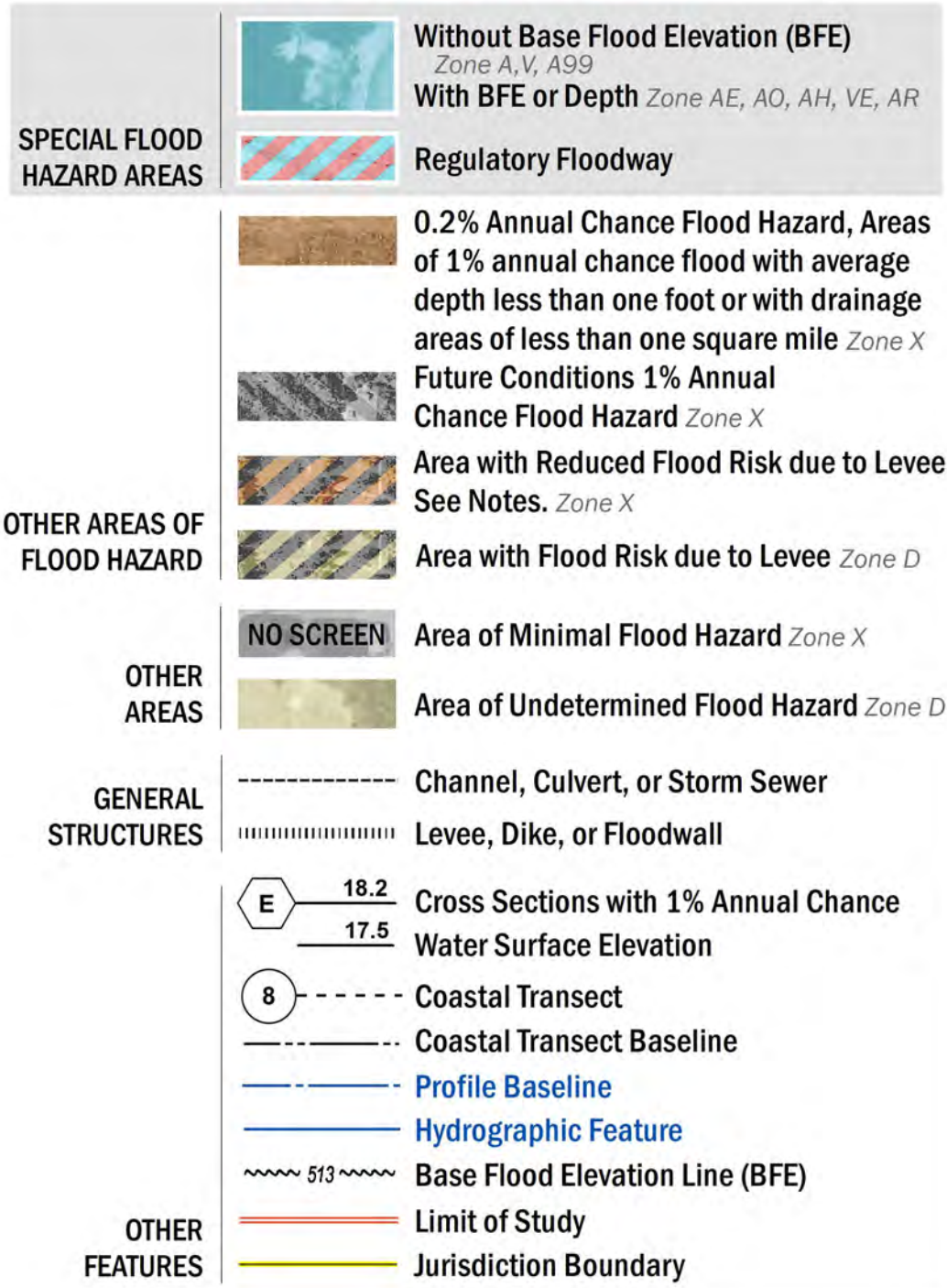
MAP NUMBER
23005C0712F

EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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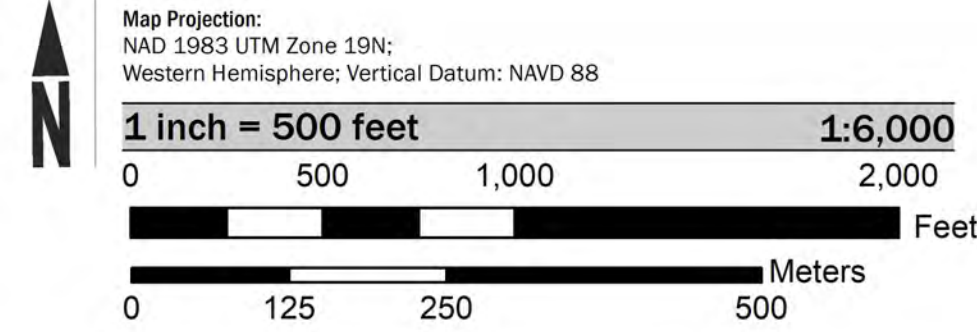
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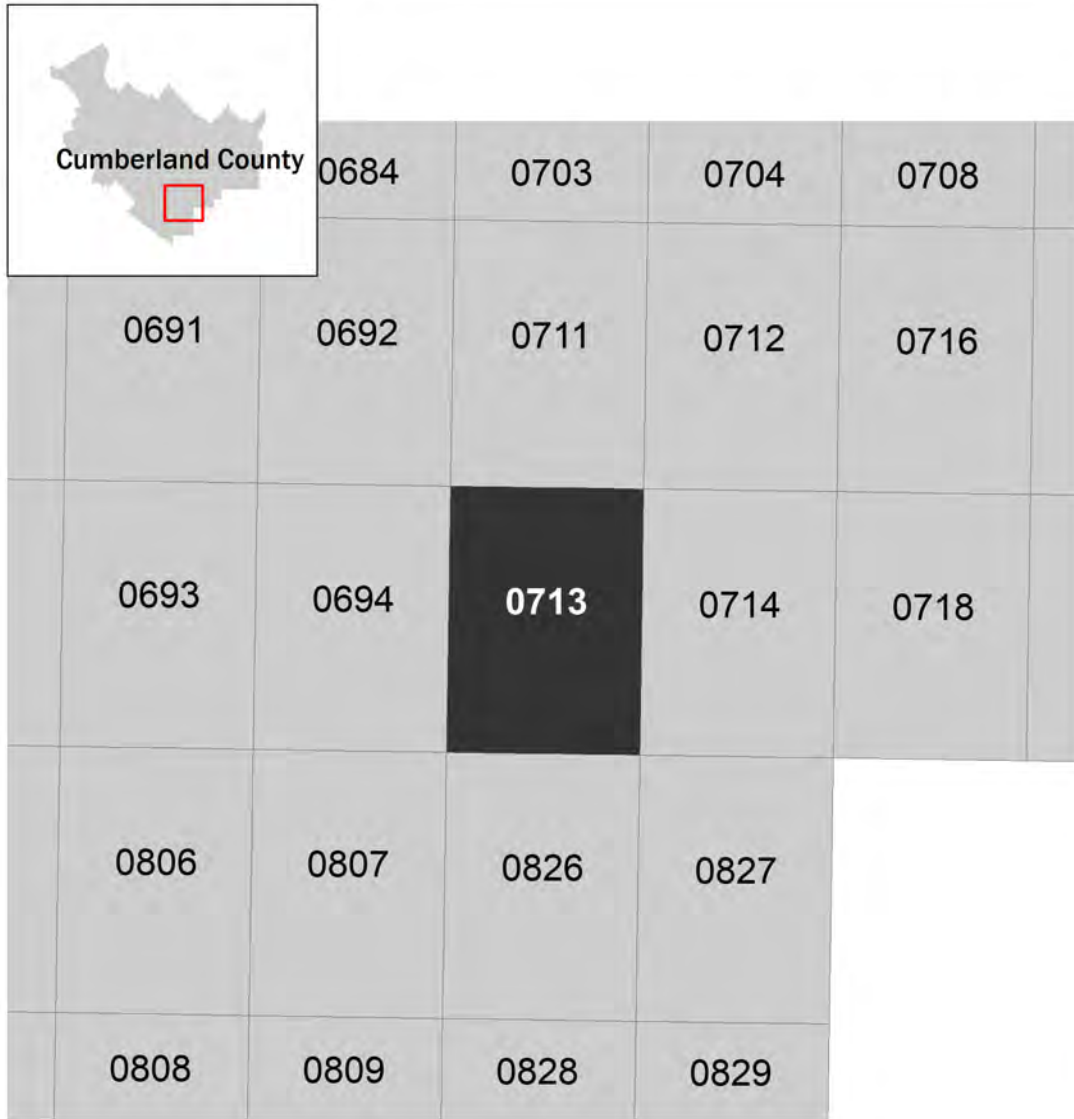
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SCALE



PANEL LOCATOR



National Flood Insurance Program

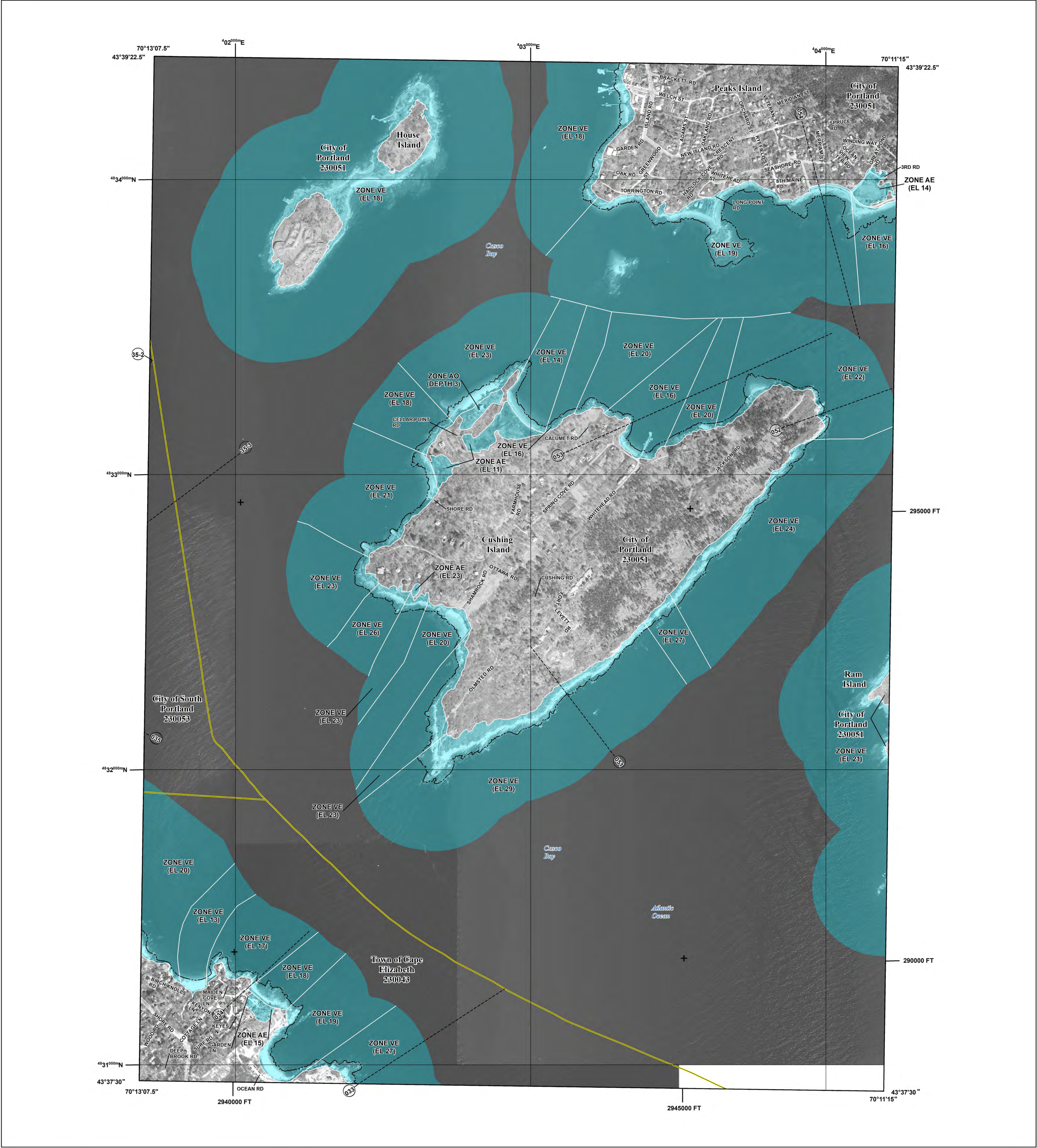
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0713 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CAPE ELIZABETH, TOWN OF	230043	0713	F
PORTLAND, CITY OF	230051	0713	F
SOUTH PORTLAND, CITY OF	230053	0713	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0713F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

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SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
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		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

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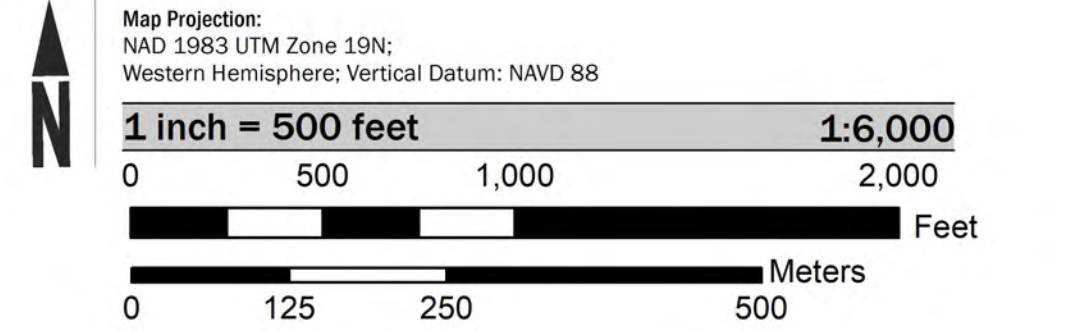
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SCALE



PANEL LOCATOR

0703	0704	0708	0709	
0692	0711	0712	0716	0717
0694	0713	0714	0718	0719
0807	0826	0827		
0809	0828	0829		

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

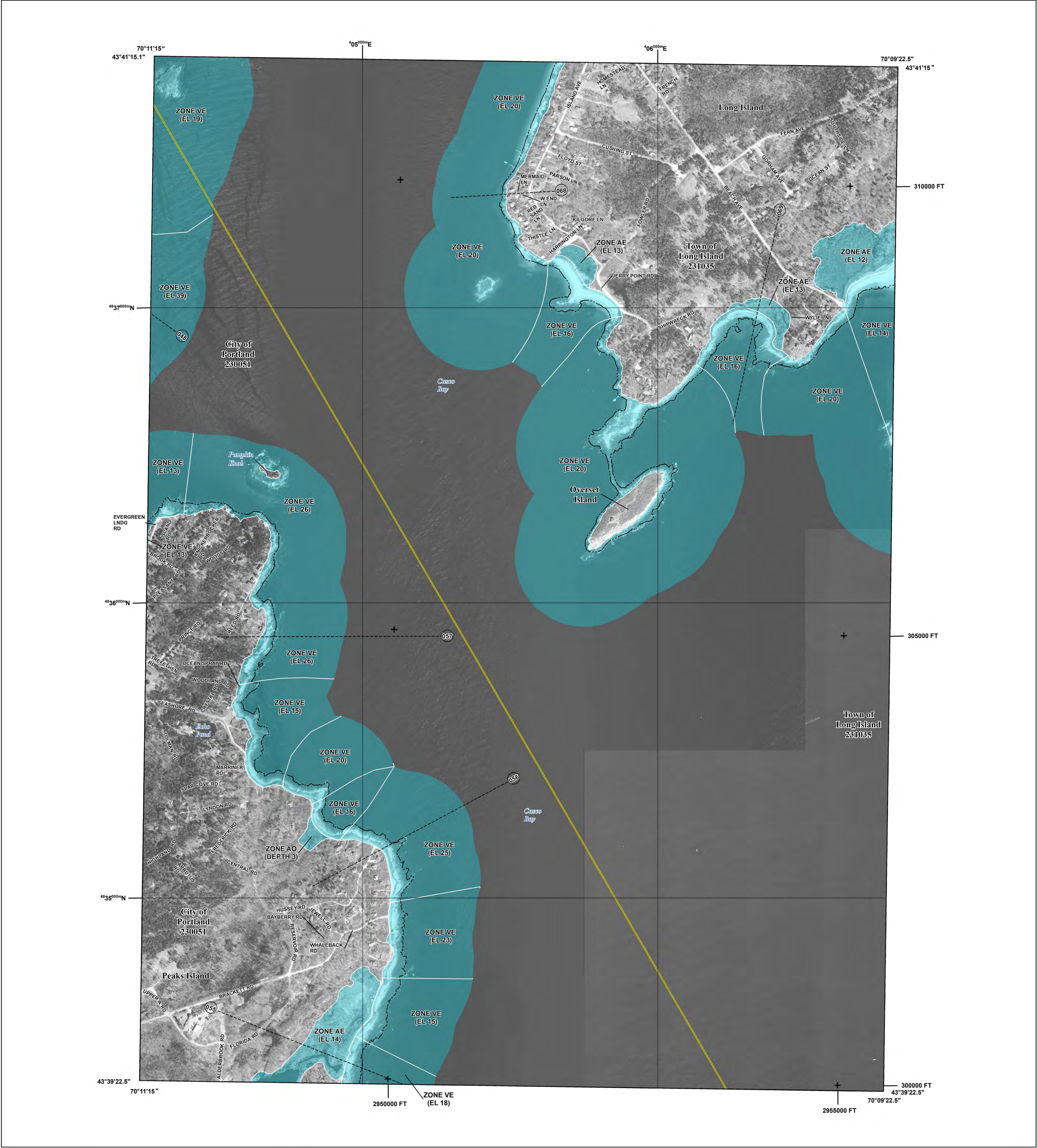
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0714 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CAPE ELIZABETH, TOWN OF	230043	0714	F
PORTLAND, CITY OF	230051	0714	F
SOUTH PORTLAND, CITY OF	230053	0714	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0714F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
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[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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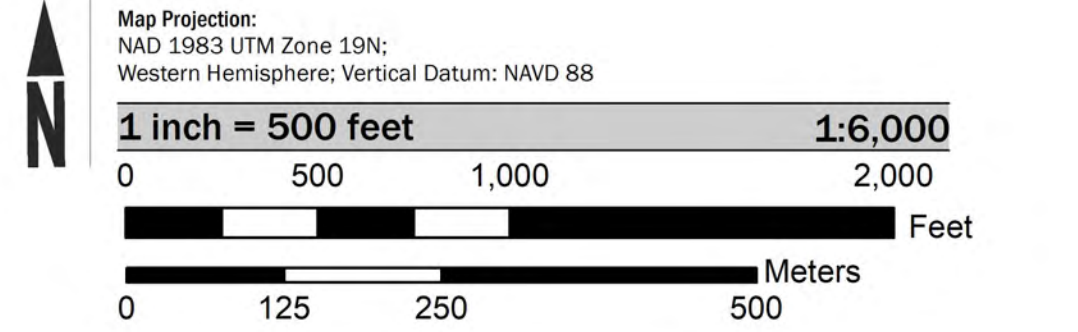
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SCALE



PANEL LOCATOR

0702	0706	0707	0726	
0703	0704	0708	0709	0728
0711	0712	0716	0717	0736
0713	0714	0718	0719	0738
0826	0827			

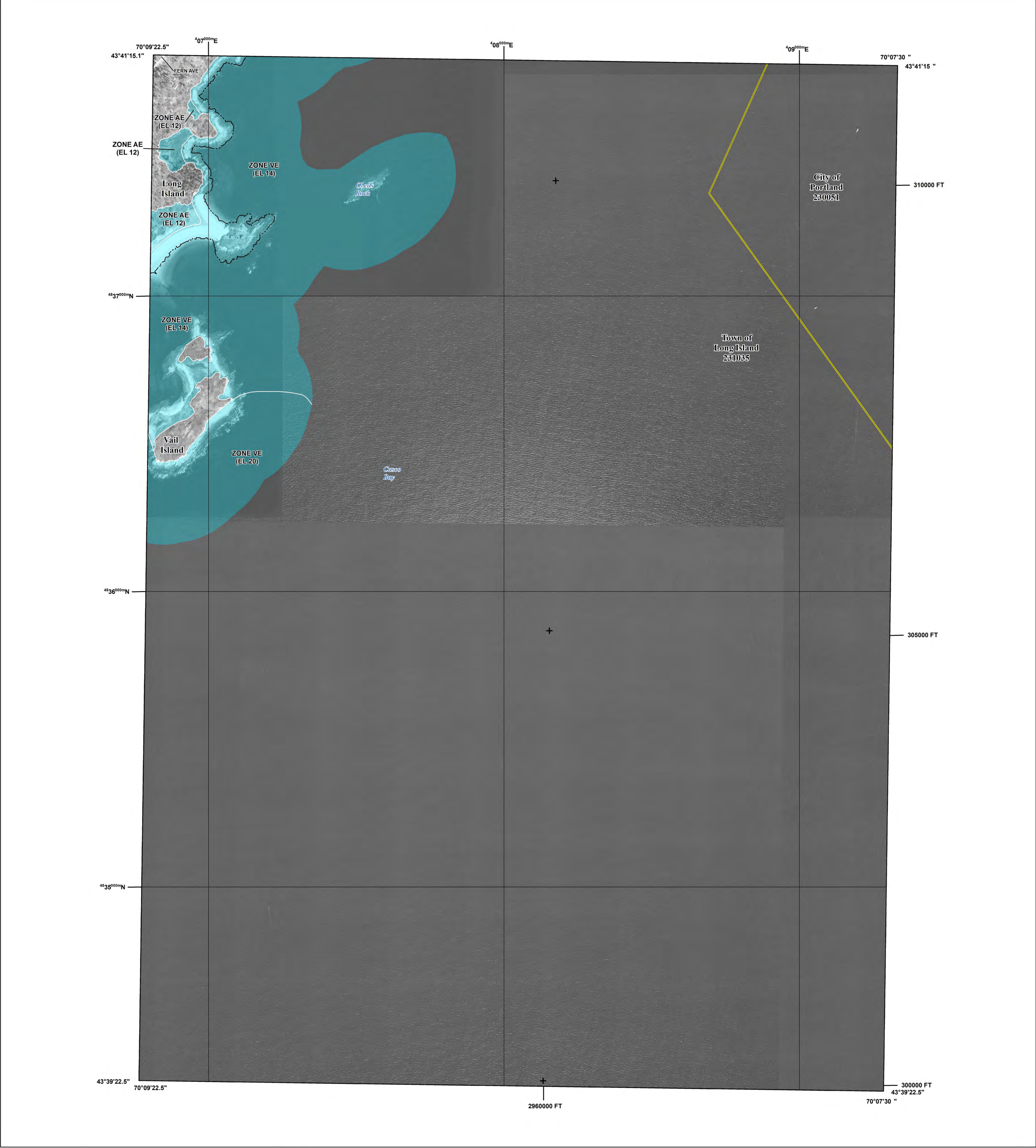
National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0716 OF 0837

Panel Contains:			
COMMUNITY	NUMBER	PANEL	SUFFIX
LONG ISLAND, TOWN OF	231035	0716	F
PORTLAND, CITY OF	230051	0716	F

VERSION NUMBER
2.3.2.1
MAP NUMBER
23005C0716F
EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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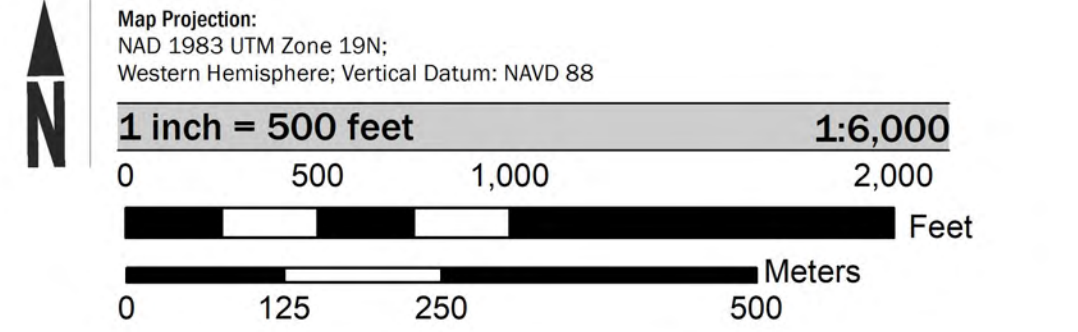
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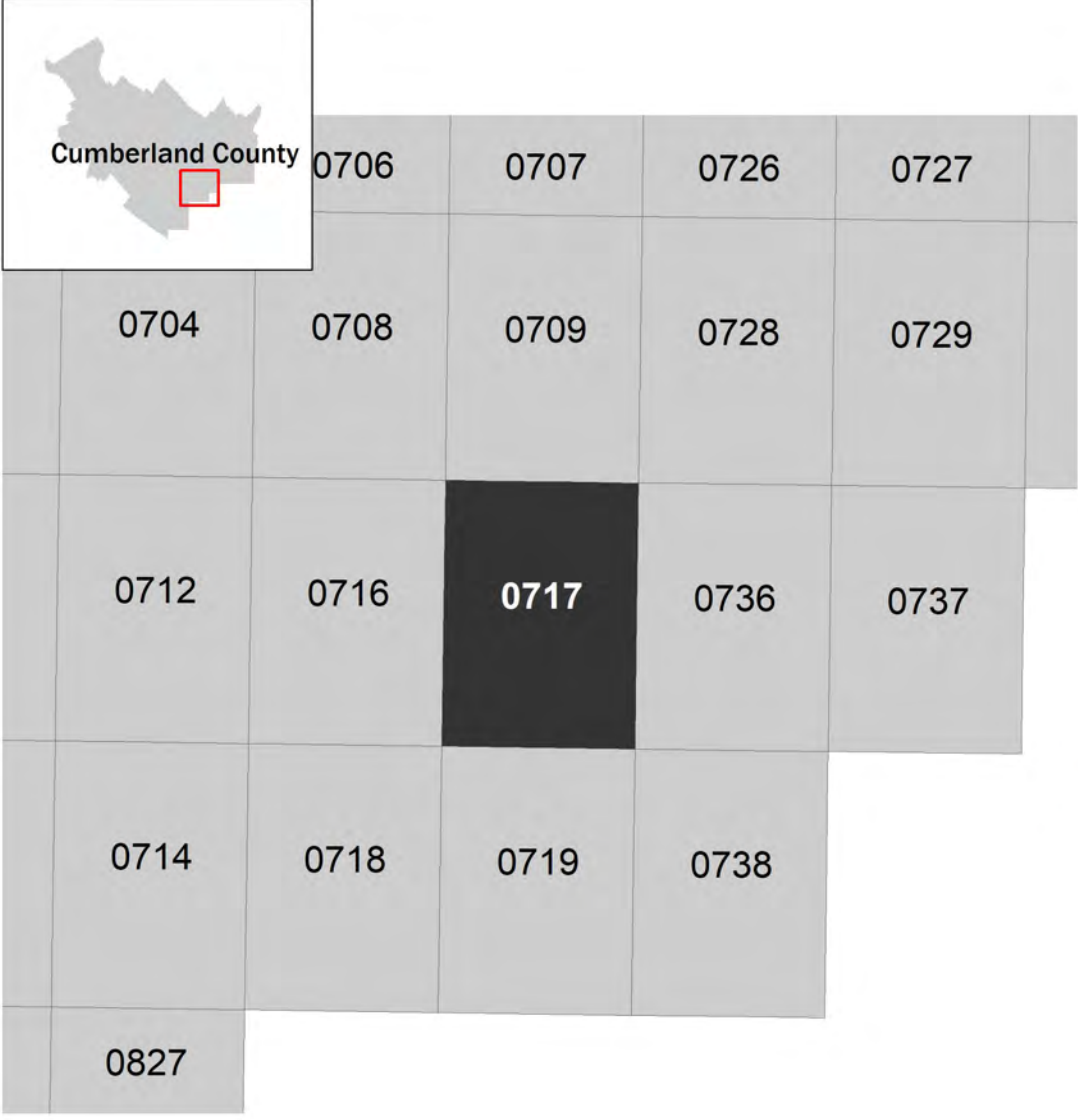
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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL **0717** OF **0837**

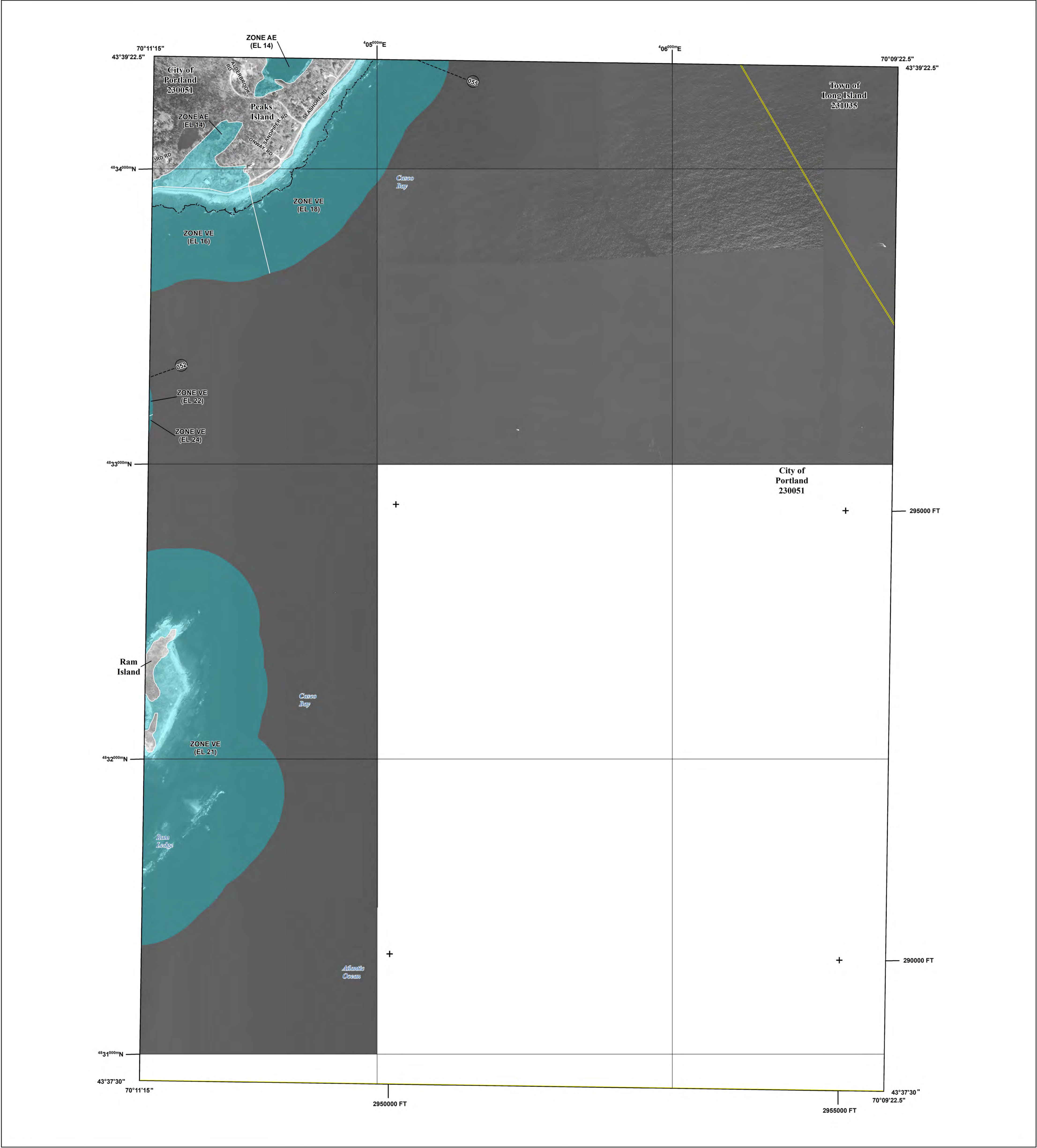
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
LONG ISLAND, TOWN OF	231035	0717	F
PORTLAND, CITY OF	230051	0717	F

VERSION NUMBER
2.3.2.1

MAP NUMBER
23005C0717F

EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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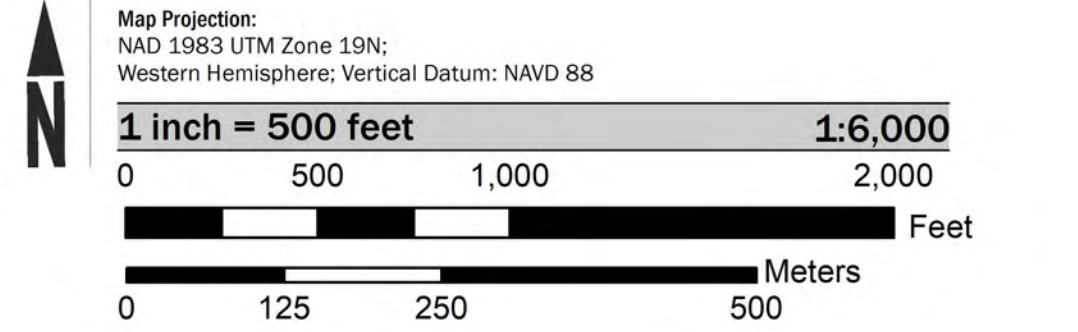
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SCALE



PANEL LOCATOR

0704	0708	0709	0728	
0711	0712	0716	0717	0736
0713	0714	0718	0719	0738
0826	0827			
0828	0829			

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL **0718** OF **0837**

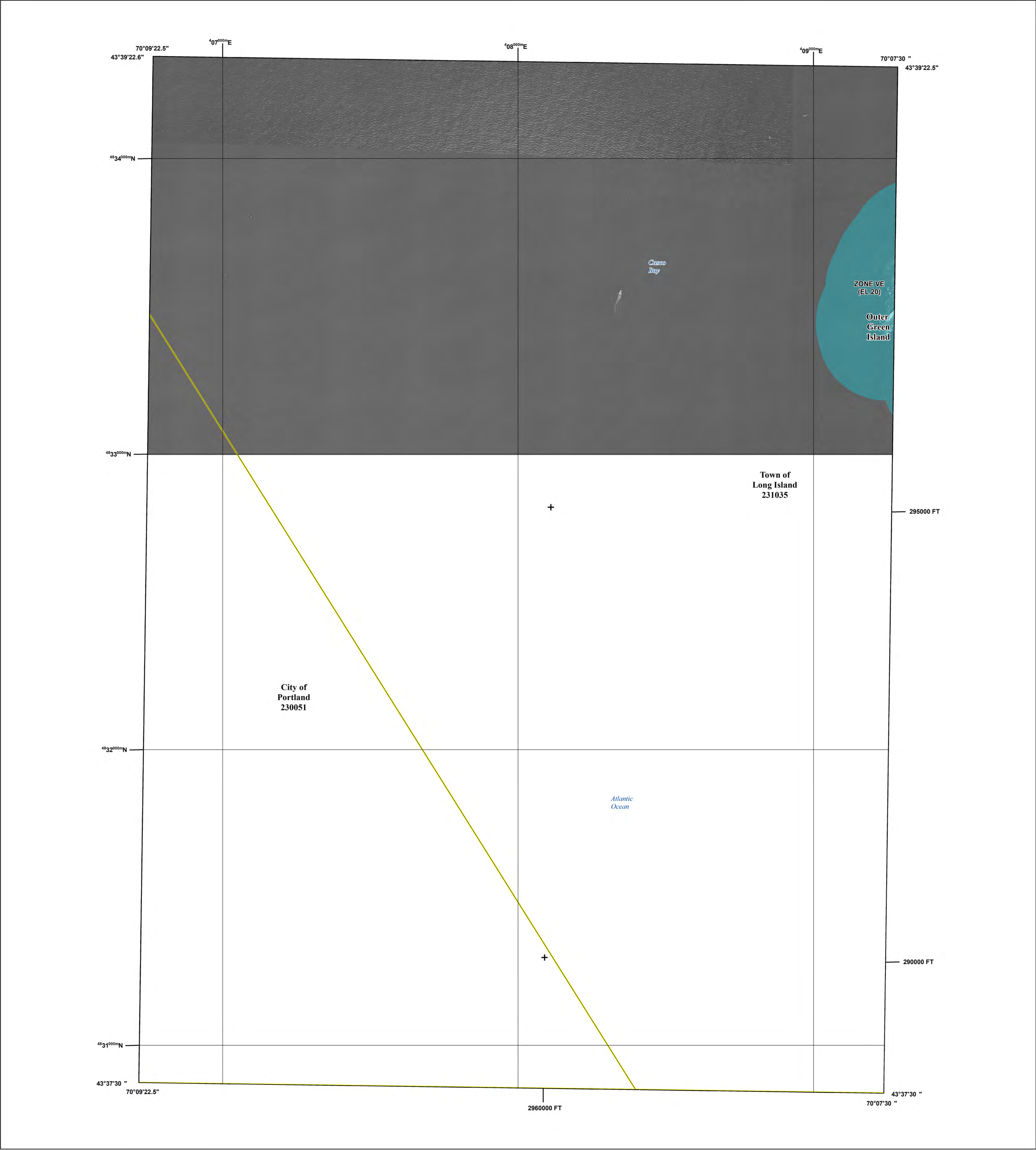
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
LONG ISLAND, TOWN OF	231035	0718	F
PORTLAND, CITY OF	230051	0718	F

VERSION NUMBER
2.3.2.1

MAP NUMBER
23005C0718F

EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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OTHER AREAS OF FLOOD HAZARD		Regulatory Floodway
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		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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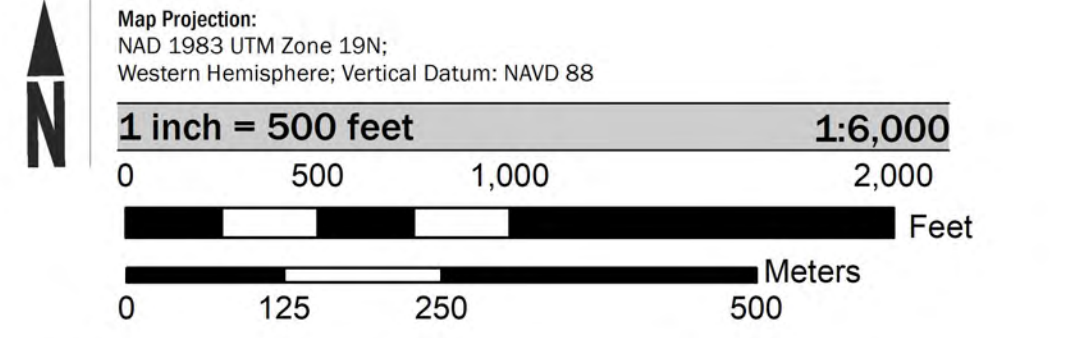
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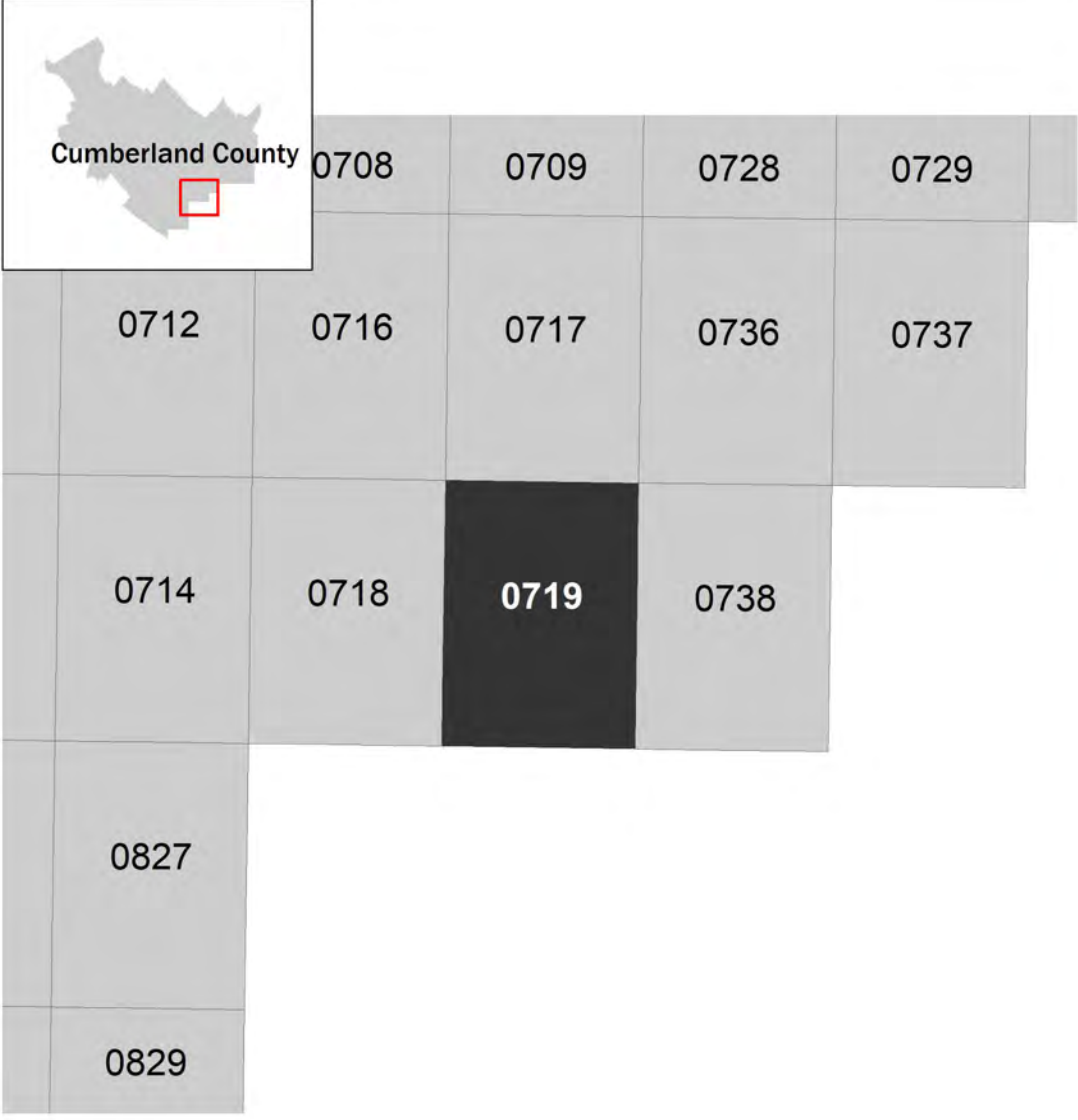
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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL **0719** OF **0837**

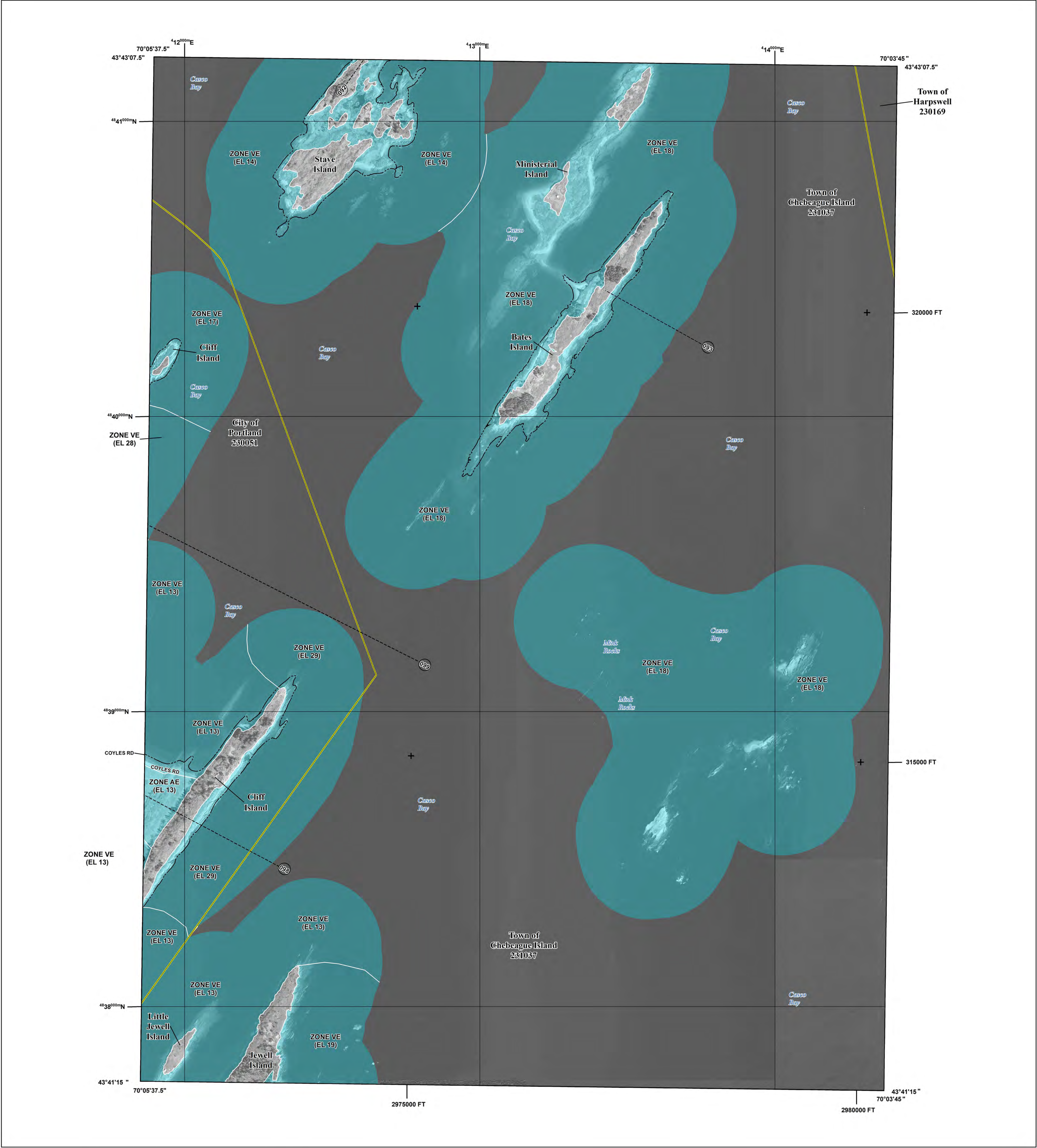
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
LONG ISLAND, TOWN OF	231035	0719	F
PORTLAND, CITY OF	230051	0719	F

VERSION NUMBER
2.3.2.1

MAP NUMBER
23005C0719F

EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

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SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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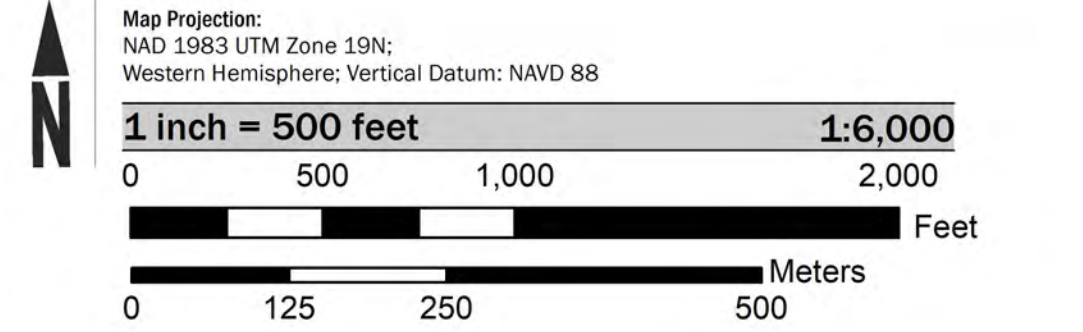
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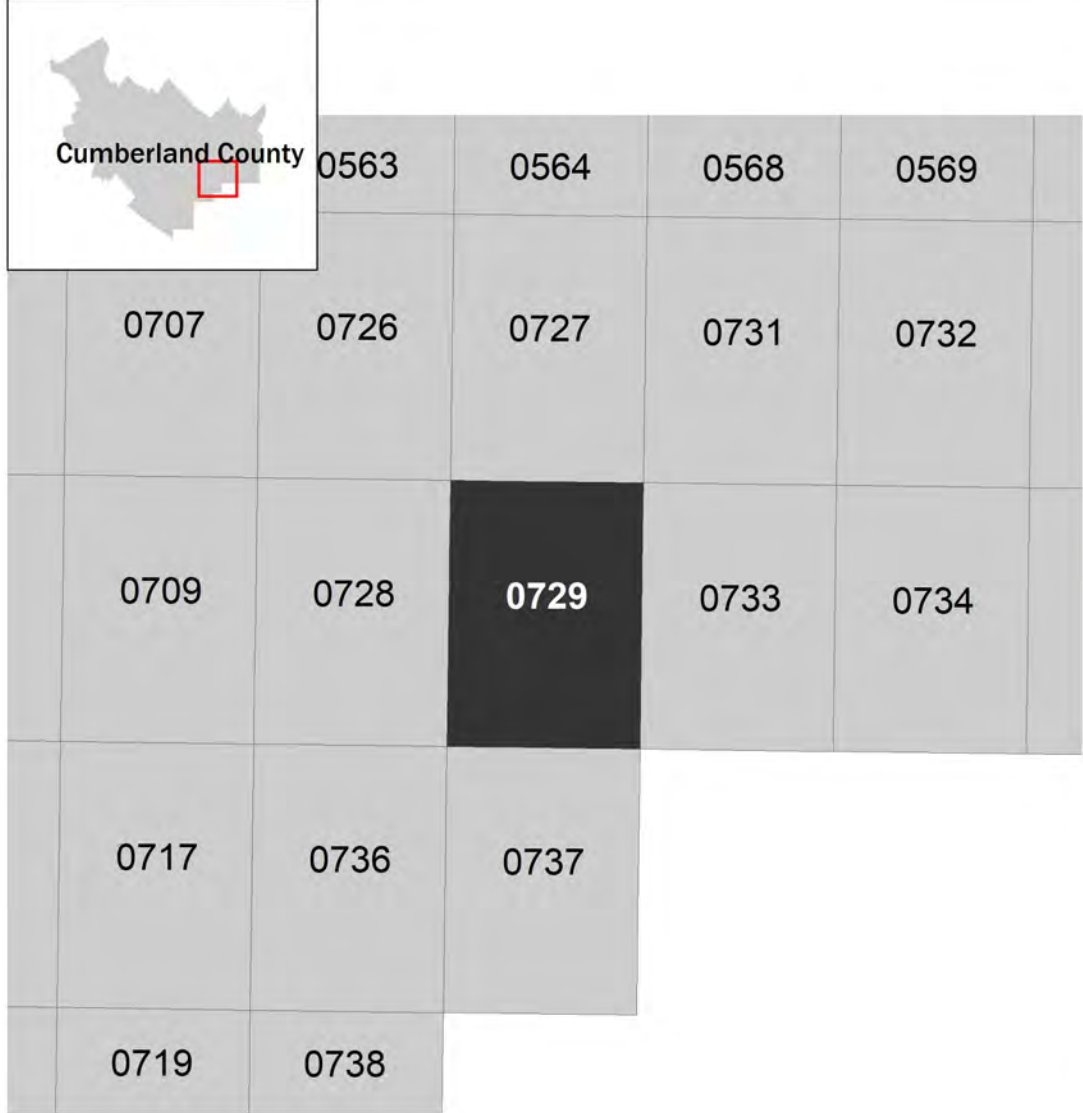
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Coastal Barrier Resources System (CBRS) areas and "otherwise protected areas" (OPAs) are no longer shown on this map panel, but still may be present in this community. Current information on these areas is provided by the U.S. Fish & Wildlife Service (FWS). NFIP flood insurance is not available within CBRS areas for structures that are built or substantially improved on or after the dates indicated by FWS. Users should reference the most up-to-date information provided by FWS to determine NFIP insurance eligibility. The official maps and additional information regarding CBRS areas are provided on the FWS website at: www.fws.gov/cbra. FEMA also includes the official boundaries from FWS on our interactive and dynamic flood maps available through the FEMA Map Service Center.

SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

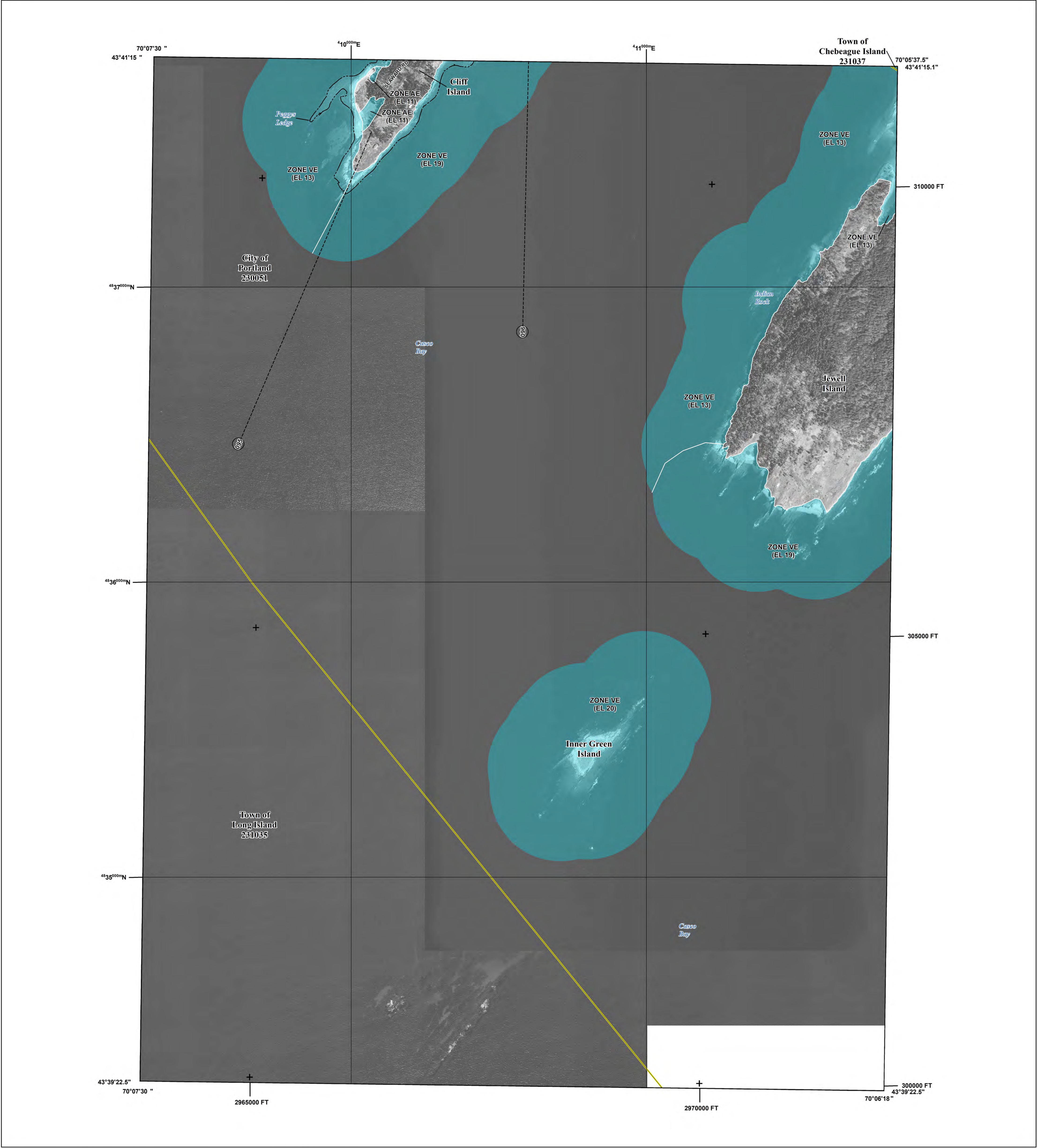
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0729 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CHEBEAGUE ISLAND,	231037	0729	F
TOWN OF HARPSWELL, TOWN OF	230169	0729	F
PORTLAND, CITY OF	230051	0729	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0729F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

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		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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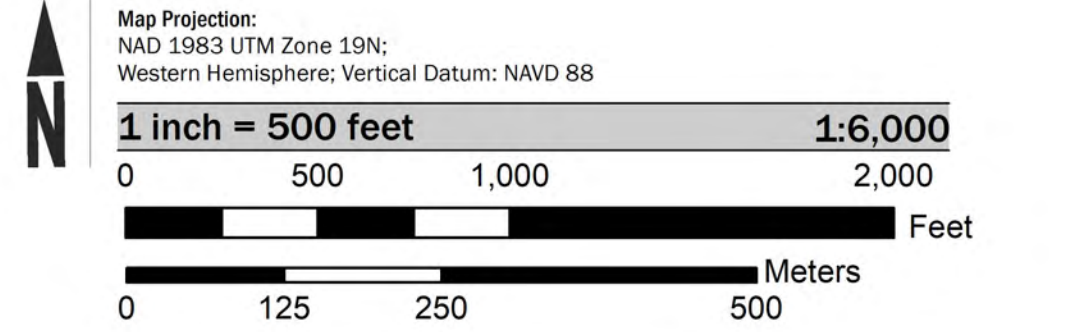
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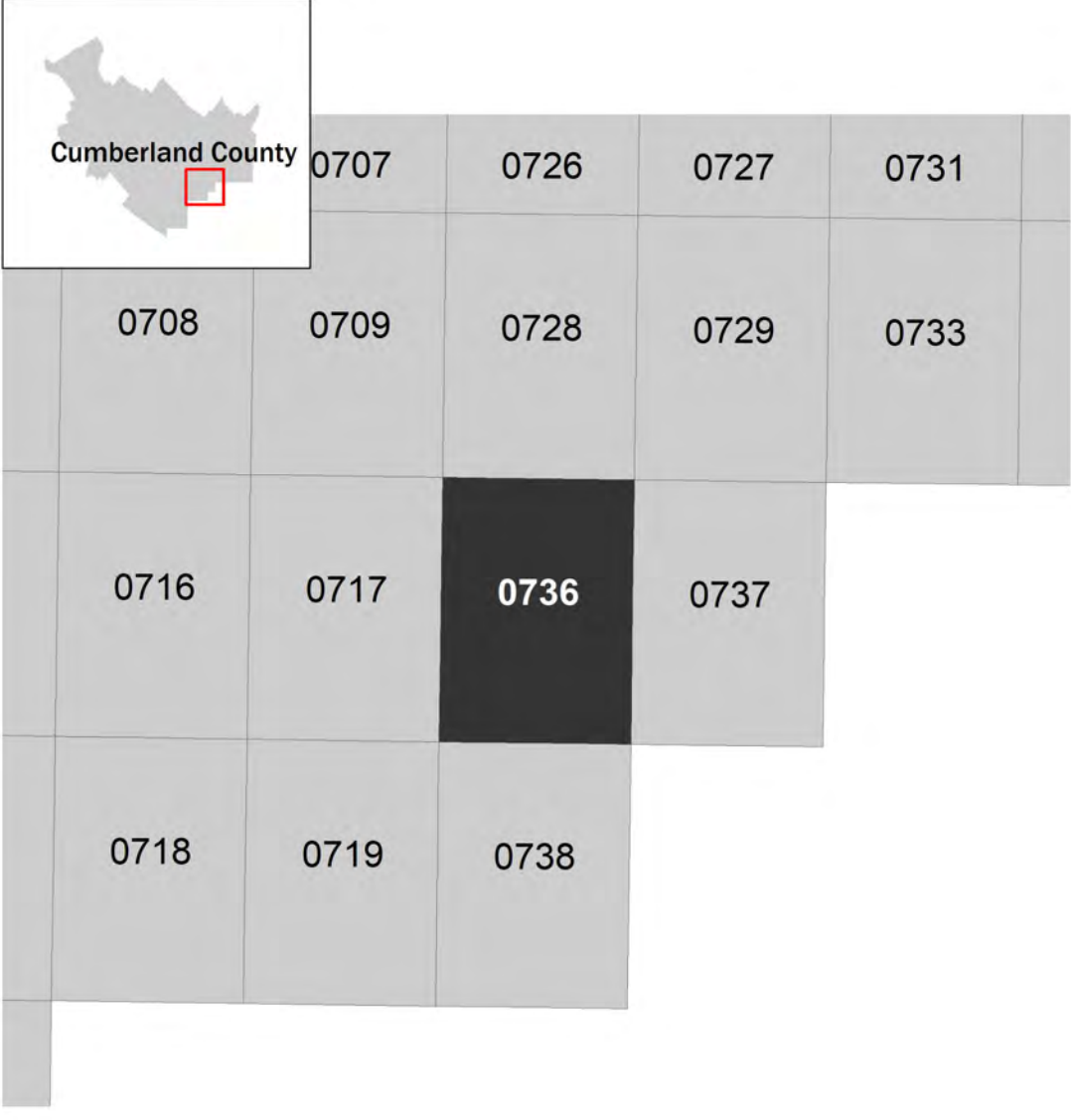
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SCALE



PANEL LOCATOR



National Flood Insurance Program

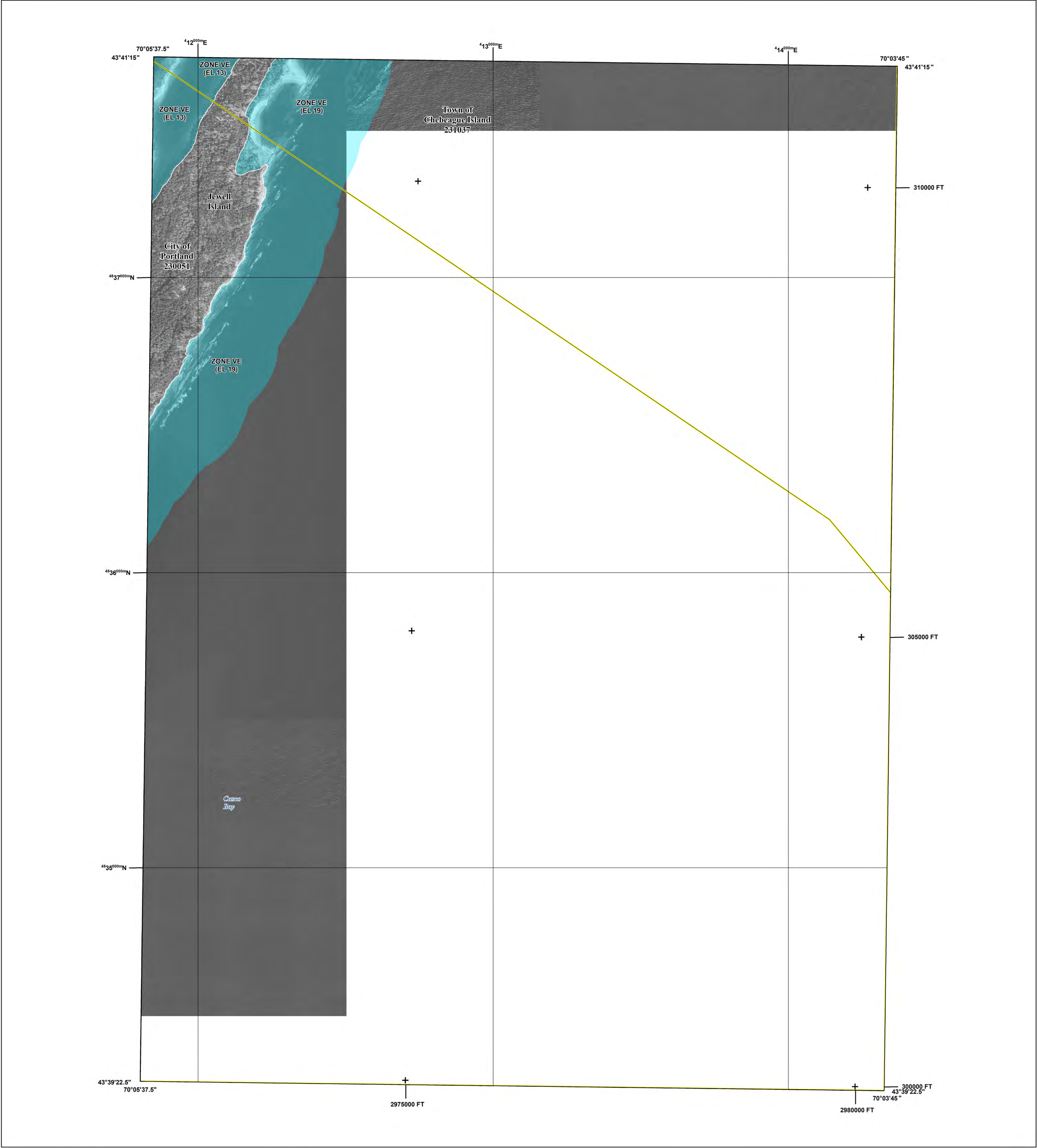
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0736 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CHEBEAGUE ISLAND, TOWN OF	231037	0736	F
LONG ISLAND, TOWN OF	231035	0736	F
PORTLAND, CITY OF	230051	0736	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0736F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

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		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Mapping and Insurance eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at <https://masc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number listed above.

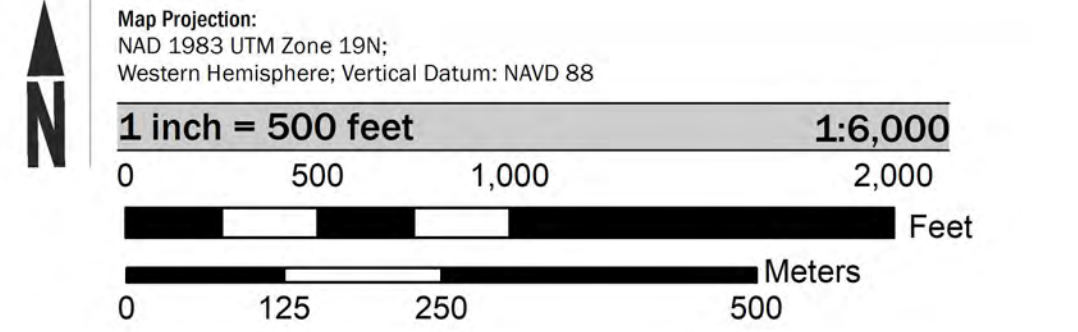
For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

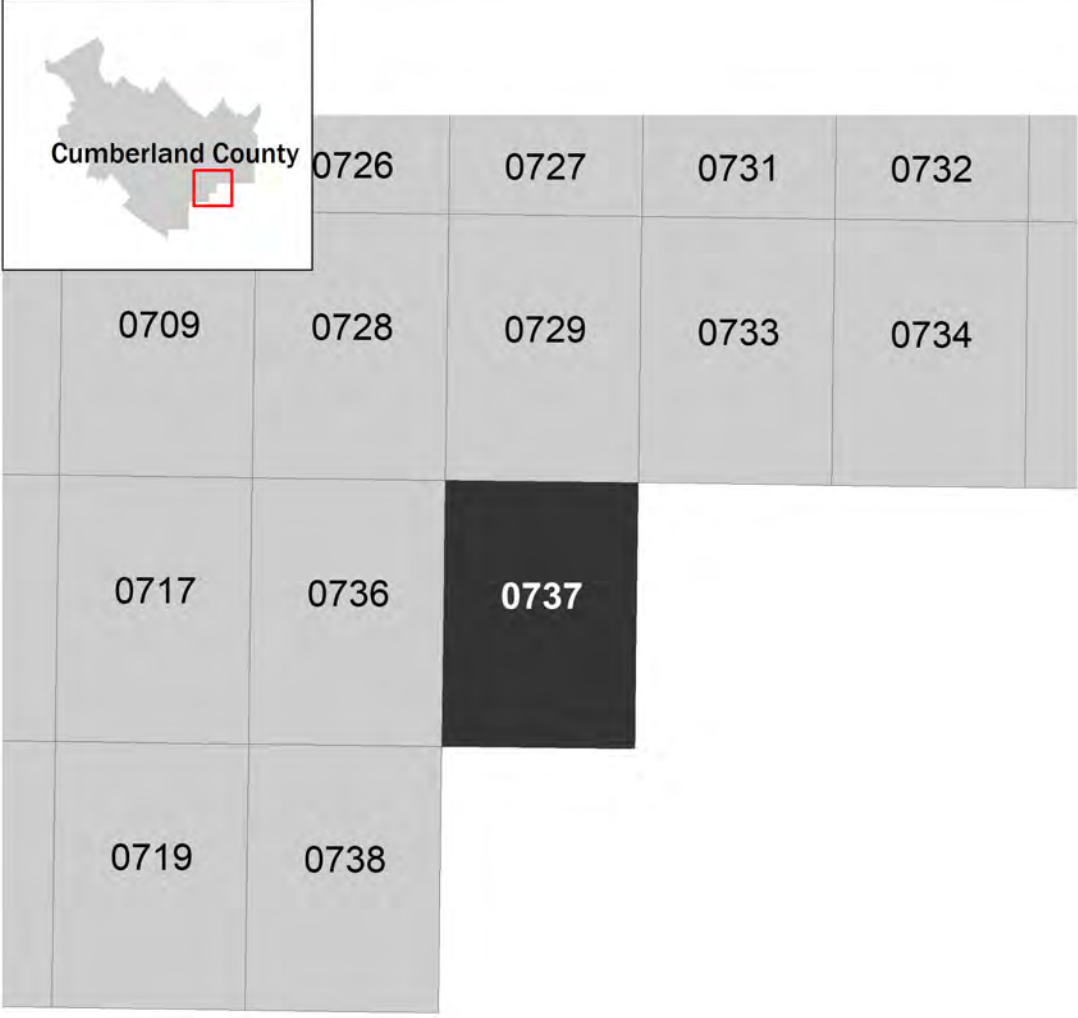
Basemap information shown on this FIRM provided in digital format by State of Maine, Maine office of GIS (MeGIS). This information was derived from MeGIS, dated 2009 and 2012.

The map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and FDTs may reflect stream channel distances that differ from what is shown on the map.

SCALE



PANEL LOCATOR



National Flood Insurance Program

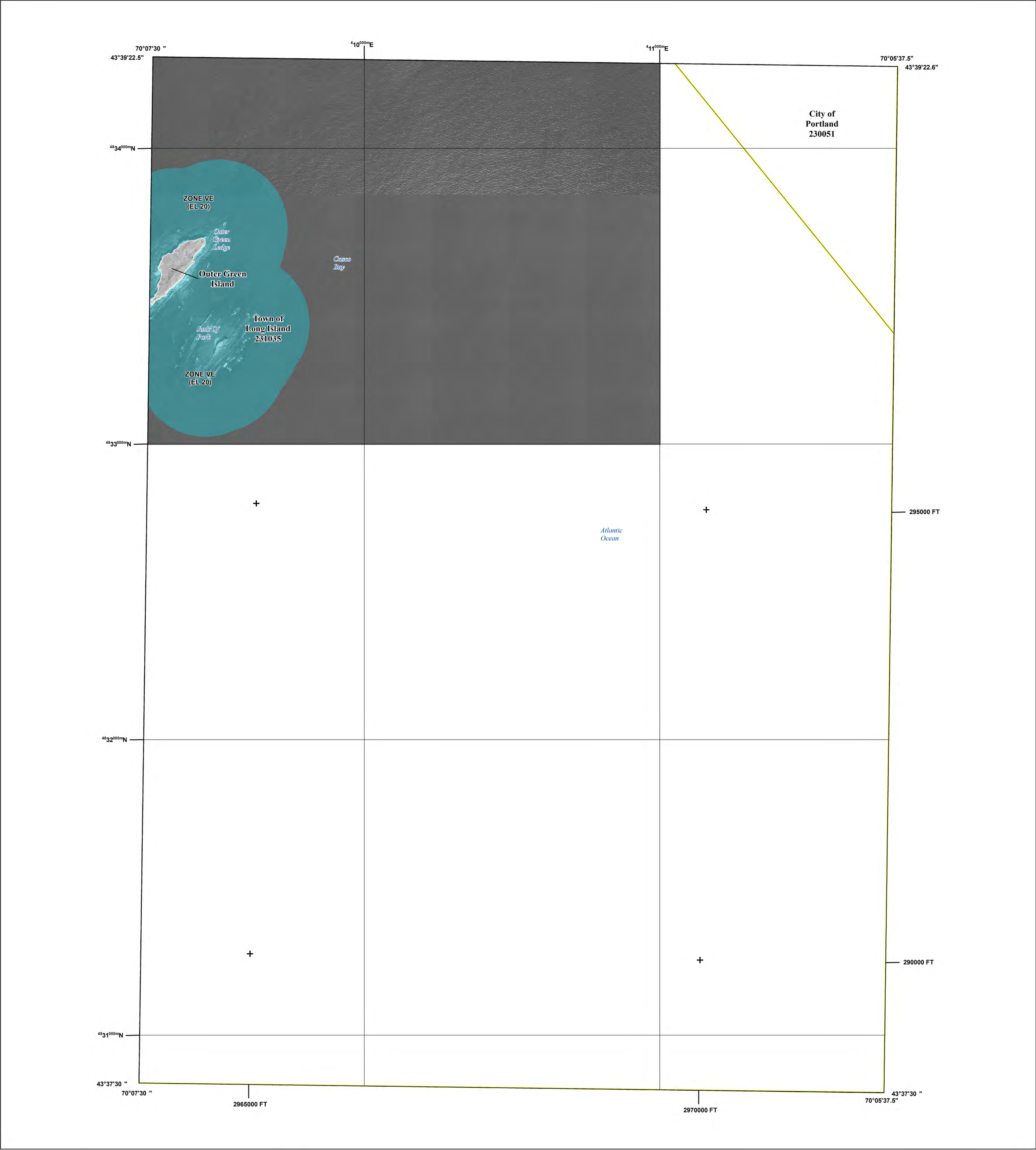
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CUMBERLAND COUNTY, MAINE
All Jurisdictions

PANEL 0737 OF 0837

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CHEBEAGUE ISLAND,	231037	0737	F
TOWN OF			
PORTLAND, CITY OF	230051	0737	F

VERSION NUMBER 2.3.2.1
MAP NUMBER 23005C0737F
EFFECTIVE DATE June 20, 2024



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

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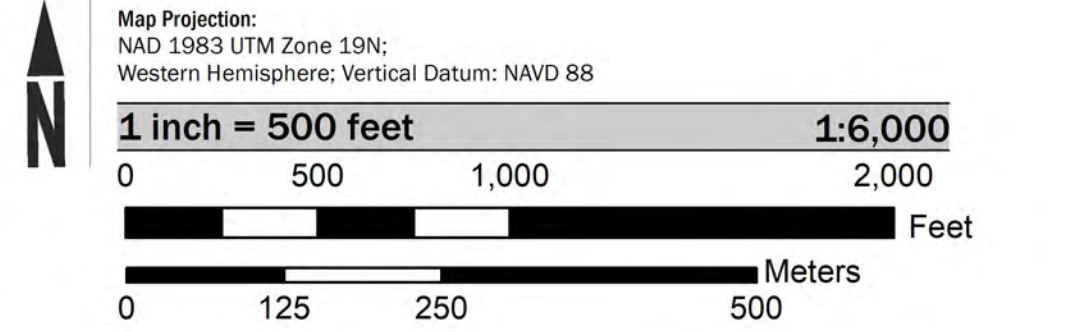
For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

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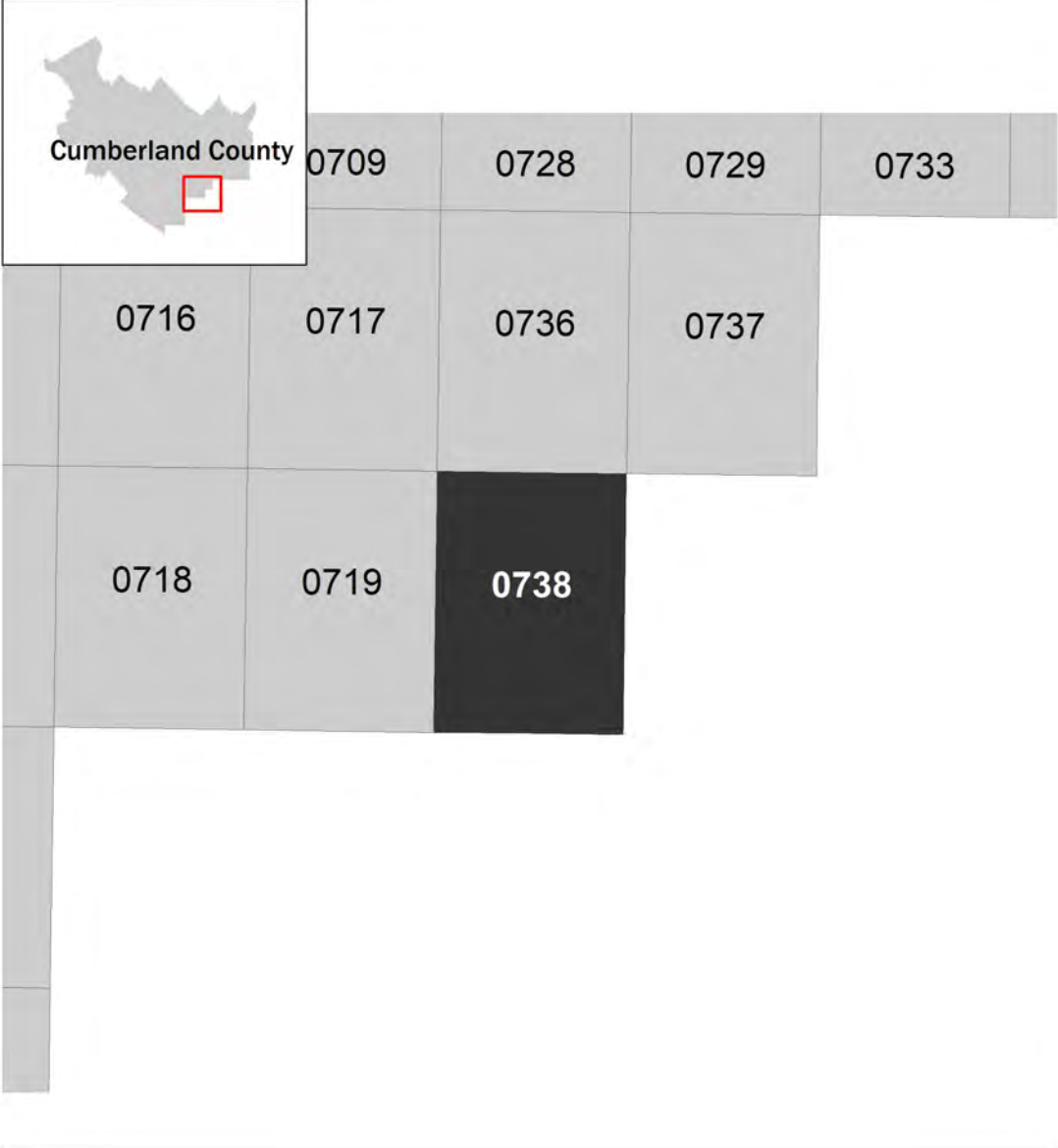
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SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

Panel 0738 of 0837

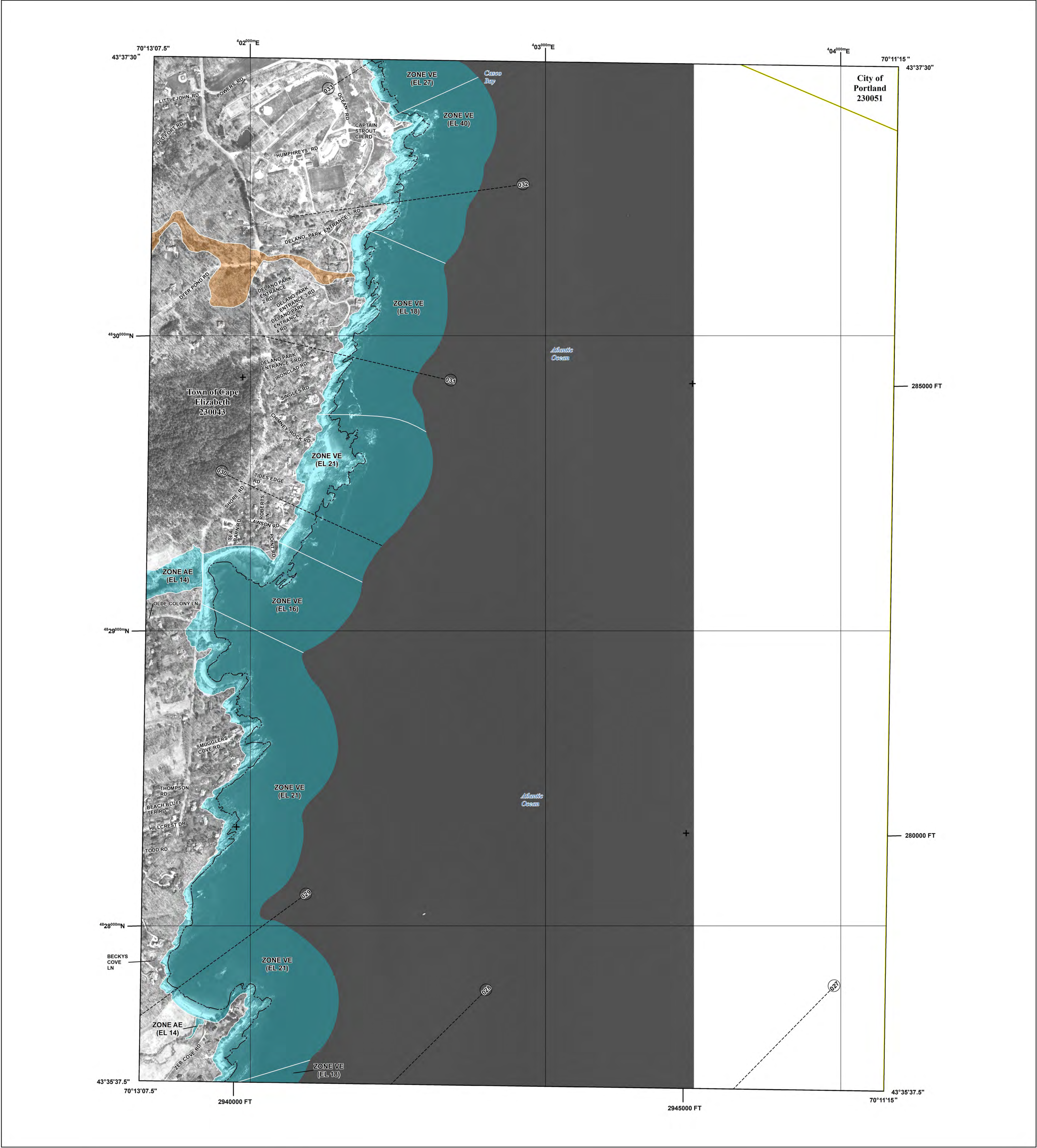
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
LONG ISLAND, TOWN OF	231035	0738	F
PORTLAND, CITY OF	230051	0738	F

VERSION NUMBER
2.3.2.1

MAP NUMBER
23005C0738F

EFFECTIVE DATE
June 20, 2024



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A,V, A99
		Regulatory Floodway
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		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
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		Coastal Transect
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary

NOTES TO USERS

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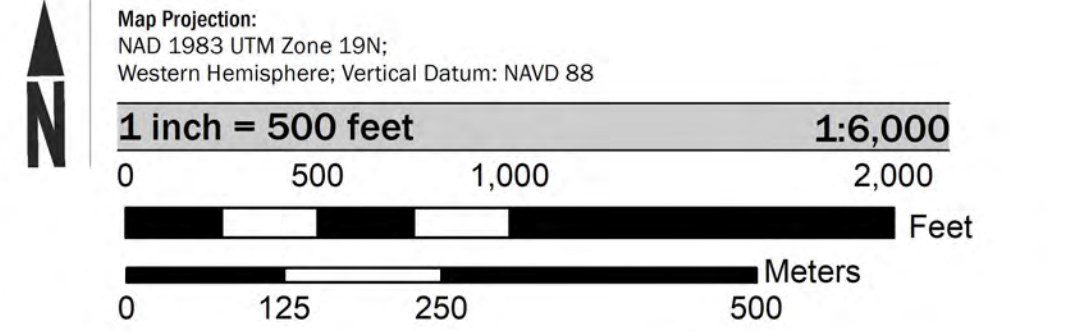
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Basemap information shown on this FIRM provided in digital format by State of Maine, Maine office of GIS (MeGIS). This information was derived from MeGIS, dated 2012.

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SCALE



PANEL LOCATOR

	0711	0712	0716	0717
	0694	0713	0714	0718
	0807	0826	0827	0719
	0809	0828	0829	
	0817	0836	0837	

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

CUMBERLAND COUNTY, MAINE
All Jurisdictions

Panel **0827** of **0837**

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
CAPE ELIZABETH, TOWN OF	230043	0827	F
PORTLAND, CITY OF	230051	0827	F

VERSION NUMBER
2.3.2.1

MAP NUMBER
23005C0827F

EFFECTIVE DATE
June 20, 2024



Federal Emergency Management Agency

Washington, D.C. 20472

December 20, 2023

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P

The Honorable Kate Snyder
Mayor, City of Portland
389 Congress Street
Portland, Maine 04101

Community Name: City of Portland,
Cumberland County,
Maine
Community No.: 230051
Map Panels Affected: See FIRM Index

Dear Mayor Snyder:

This is to notify you of the final flood hazard determination for Cumberland County, Maine (All Jurisdictions), in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper has elapsed. FEMA did receive an appeal regarding the proposed flood hazard determinations during that time. The technical data submitted in support of the appeal has been evaluated and the appeal has been resolved in accordance with the requirements of 44 CFR Part 67. We determined that changes were warranted based on the submitted data and have incorporated the applicable changes on the final copies of the Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for your community.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on June 20, 2024. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

It must be emphasized that all the standards specified in 44 CFR Part 60.3(d) and (e) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this Paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3(d) and (e);
2. Adopting all the standards of 44 CFR Part 60.3(d) and (e) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3(d) and (e).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3(d) and (e) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended, and 44 CFR Part 59.24.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Susan Baker, NFIP State Coordinator for Maine by telephone at (207) 287-8063. If you should require any additional information, we suggest that you contact the Director, Mitigation Division of FEMA, Region 1 at (617) 956-7576 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis V. Rodriguez, P.E.
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

Enclosure:
Final SOMA

cc: Community Map Repository
Caity Hager, Emergency Management Coordinator, City of Portland

FINAL SUMMARY OF MAP ACTIONS

Community: PORTLAND, CITY OF

Community No: 230051

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on June 20, 2024.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMR	12-01-0692P	11/09/2012	COMMERICAL STREET PORTLAND ME	2300510013B 2300510014B	23005C0692F 23005C0694F 23005C0711F 23005C0713F
LOMR	13-01-1727P	03/20/2014	FALL BROOK WATERSHED STUDY	2300510002C 2300510007C	23005C0683F 23005C0684F 23005C0692F

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

FINAL SUMMARY OF MAP ACTIONS

Community: PORTLAND, CITY OF

Community No: 230051

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	199500109R01	04/28/1994	46 MAINE AVENUE	2300510007B	23005C0683F
LOMA	199600155R01	07/24/1996	1214 WASHINGTON STREET	2300510007B	23005C0683F
LOMA	98-01-056A	01/09/1998	TAX MAP 109B, BLOCK F, LOT 34 - ISLAND AVENUE	2300510004B	23005C0728F
LOMA	98-01-150A	01/30/1998	TAX MAP 437, BLOCK B, LOT 3 - 35 SARA LANE	2300510007B	23005C0683F
LOMA	98-01-176A	02/18/1998	MEADOW VIEW PARK - LOT 81 - 22 SARA LANE	2300510007B	23005C0683F
LOMA	98-01-780A	07/17/1998	RAY GARDENS - LOTS 36-40 - 10 MARLBOROUGH ROAD	2300510007B	23005C0684F
LOMA	98-01-790A ¹	07/22/1998	ISLAND AVENUE	2300510004B	23005C0709F
LOMA	98-01-830A	07/24/1998	40 BERNARD STREET - ASSESSMENT MAP 437, LOT 87, BLOCK E	2300510007B	23005C0683F
LOMA	98-01-844A	08/07/1998	MEADOW VIEW PARK I - LOT 45 - 25 SARA LANE	2300510007B	23005C0683F
LOMA	98-01-864A	08/12/1998	MEADOW VIEW PARK - LOT 79 - 32 SARA LANE	2300510007B	23005C0683F
LOMA	99-01-160A	12/18/1998	MEADOWVIEW PARK, SECTION C - LOT 1 - 56 MONA ROAD	2300510007C	23005C0683F
LOMA	99-01-260A	12/30/1998	1272 WASHINGTON AVENUE	2300510007C	23005C0683F
LOMA	99-01-320A	02/05/1999	THE PINES, SECTION A - LOTS 16 & 17	2300510007C	23005C0683F
LOMA	99-01-506A	03/19/1999	ASSESSORS MAP 437 - BLOCK E, LOT 92 - 16 BERNARD ROAD	2300510007C	23005C0683F
LOMA	99-01-554A	03/19/1999	20 BERNARD ROAD	2300510007C	23005C0683F
LOMA	99-01-908A	06/16/1999	21 SARA LANE	2300510007C	23005C0683F

FINAL SUMMARY OF MAP ACTIONS

Community: PORTLAND, CITY OF

Community No: 230051

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	99-01-922A	06/18/1999	1262 WASHINGTON AVE	2300510007C	23005C0683F
LOMA	99-01-1154A	09/10/1999	29 MAINE AVENUE	2300510007C	23005C0683F
LOMA	99-01-1106A	09/22/1999	1268 WASHINGTON AVENUE	2300510007C	23005C0683F
LOMA	00-01-0140A	12/17/1999	31 SAMUEL ROAD	2300510007C	23005C0683F
LOMA	00-01-0120A	02/11/2000	28 SARA LANE	2300510007C	23005C0683F
LOMA	00-01-1112A	10/12/2000	1220 WASHINGTON AVENUE	2300510007C	23005C0683F
LOMA	00-01-0848A	10/24/2000	1316 WESTBROOK STREET	2300510012C	23005C0687F
LOMA	00-01-1100A	10/24/2000	84 COMMERCIAL STREET	2300510014B	23005C0692F
LOMA	01-01-0388A	02/21/2001	15 EDGEWOOD AVENUE	2300510007C	23005C0683F
LOMA	01-01-1030A	06/29/2001	62 MONA ROAD	2300510007C	23005C0683F
LOMA	01-01-1222A	08/17/2001	83 MONA ROAD	2300510007C	23005C0683F
LOMA	02-01-0600A	03/29/2002	LOT 10, BLOCK D, TAX MAP 433-24-26 VAILL STREET	2300510008B	23005C0684F
LOMA	02-01-1142A	06/05/2002	31 SARA LANE	2300510007C	23005C0683F
LOMA	02-01-1450A	10/04/2002	22 VAILL STREET	2300510008B	23005C0684F
LOMA	04-01-0188A	12/15/2003	66 SAMUEL ROAD - LOT 2, MEADOW VIEW PARK, SECTION D	2300510007C	23005C0683F
LOMA	04-01-0712A	03/04/2004	23 EDGEWOOD AVENUE	2300510007C	23005C0683F
LOMR-F	04-01-1366A	08/09/2004	1259 WASHINGTON AVENUE--LOT 8, WADCO PARK	2300510007C	23005C0683F

FINAL SUMMARY OF MAP ACTIONS

Community: PORTLAND, CITY OF

Community No: 230051

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	04-01-1554A	09/16/2004	LOT 83, MEADOW VIEW PARK -- 12 SARA LANE	2300510007C	23005C0683F
LOMA	04-01-1666A	10/12/2004	LOT 35, PLAN OF MEADOW VIEW PARK - 23 SAMUEL ROAD	2300510007C	23005C0683F
LOMA	04-01-1734A	10/25/2004	LOT 51, SECTION B, MEADOW VIEW PARK -- 27 SAMUEL ROAD	2300510007C	23005C0683F
LOMA	05-01-0282A	04/01/2005	1282 WASHINGTON AVENUE -- TAX MAP 437, BLOCK B, LOT 69	2300510007C	23005C0683F
LOMA	05-01-0540A	06/03/2005	1241 WASHINGTON AVENUE -- BLOCK A, TAX LOT 29	2300510007C	23005C0683F
LOMA	07-01-0251A	12/12/2006	MEADOW VIEW PARK, SECTION B, LOTS 33 & 34 -- 17 SAMUEL ROAD (ME)	2300510007C	23005C0683F
LOMA	07-01-0282A	12/19/2006	LOT 33, SECTION B, PLAN OF MEADOW VIEW PARK	2300510007C	23005C0683F
LOMA	07-01-0297A	01/04/2007	1245 WASHINGTON AVENUE (ME)	2300510007C	23005C0683F
LOMA	07-01-0408A	02/01/2007	THE PINES, SECTION A, PORTION OF LOTS 3-4 -- 1227 WASHINGTON AVENUE	2300510007C	23005C0683F
LOMA	07-01-0279A	04/19/2007	LOT 72, MEADOW VIEW PARK, SECTION B -- 18 SAMUEL ROAD (ME)	2300510007C	23005C0683F
LOMA	07-01-0785A	05/29/2007	1276 WASHINGTON AVENUE (ME)	2300510007C	23005C0683F
LOMA	07-01-0933A	07/17/2007	LOT 68 -- 40 MONA ROAD	2300510007C	23005C0683F
LOMA	07-01-0909A	07/24/2007	WADCO PARK, LOT 34 -- 15 LORING AVENUE (ME)	2300510007C	23005C0683F
LOMR-F	07-01-1104A	10/11/2007	1230 WASHINGTON AVENUE -- TAX MAP 437, BLOCK E, LOT 80	2300510007C	23005C0683F
LOMA	08-01-0089A	01/17/2008	BLOCK H, LOT 1, BUILDINGS 1 & 2 -- 450 COMMERCIAL STREET	2300510013B	23005C0694F
LOMA	08-01-0307A	01/17/2008	LOTS 189-190, THE PINES, SECTION A -- 33 MAINE AVENUE	2300510007C	23005C0683F
LOMA	08-01-0971A	07/10/2008	WASHINGTON PARK, LOT 3 -- 11 EDGEWOOD AVENUE	2300510007C	23005C0683F

FINAL SUMMARY OF MAP ACTIONS

Community: PORTLAND, CITY OF

Community No: 230051

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	08-01-0988A	07/15/2008	Lot 5-6, Washington Park Subdivision - 19 Edgewood Avenue	2300510007C	23005C0683F
LOMA	09-01-0346A	12/23/2008	TAX MAP 402, BLOCK C, PARCEL 1 -- 1269 WASHINGTON AVENUE	2300510007C	23005C0683F
LOMA	09-01-0997A	05/19/2009	MEADOW VIEW PARK, LOT 4 -- 19 LORING AVENUE	2300510007C	23005C0683F
LOMA	10-01-0261A	01/08/2010	LOT 6, STROUDWATER WOODS SUBDIVISION -- 120 PARTRIDGE CIRCLE	2300510012C	23005C0687F
LOMA	11-01-0277A	12/23/2010	LOTS 58 AND 59, WINDSOR HEIGHTS -- 32 LENNOX STREET	2300510008B	23005C0692F
LOMA	11-01-1766A	06/28/2011	SPRAGUE ENERGY PORTLAND TERMINAL, TAX MAP 072, LOT 3--92 CASSIDY POINT ROAD, RUBB BUILDINGS 3 & 5	2300510016B	23005C0694F
LOMA	12-01-1402A	04/12/2012	TAX MAP 433-H-1 -- 11 CLEVELAND STREET	2300510008B	23005C0684F
LOMA	12-01-1938A	07/10/2012	LOT 9, WASHINGTON PARK -- 33 EDGEWOOD AVENUE	2300510007C	23005C0683F
LOMA	12-01-1840A	07/17/2012	BLOCK E, LOT 78 -- 1234 WASHINGTON AVENUE	2300510007C	23005C0683F
LOMA	12-01-2069A	07/24/2012	48 BERNARD ROAD	2300510007C	23005C0683F
LOMA	13-01-0124A	10/23/2012	LOTS 134, 135, 136, OCEAN VIEW PARK-- 29 OREGON STREET	2300510008B	23005C0684F
LOMA	13-01-0220A	11/27/2012	TAX MAP 273, BLOCK J, LOT 16 -- 5 POE STREET	2300510006C	23005C0687F
LOMA	13-01-0538A	01/08/2013	MAP 284, LOT G-20 -- 78 DENNETT STREET	2300510006C	23005C0691F
LOMA	13-01-1198A	02/11/2013	Lot 7, Stroudwater Woods Subdivision - 100 Partridge Circle	2300510012C	23005C0687F
LOMA	13-01-2129A	07/16/2013	TAX MAP 333, BLOCK K, LOT 16 -- 159 BEVERLY STREET	2300510001B	23005C0683F
LOMR-F	13-01-2188A	08/29/2013	TAX MAP 245, BLOCK A, LOT 5 -- 64 BLUEBERRY ROAD	2300510012C	23005C0687F 23005C0689F
LOMA	14-01-0558A	11/21/2013	TAX MAP 437, BLOCK B, LOT 2 -- 41 SARA LANE	2300510007C	23005C0683F

FINAL SUMMARY OF MAP ACTIONS

Community: PORTLAND, CITY OF

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LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	14-01-1923A	04/29/2014	TAX MAP 105, BLOCK Y – 11 ROCKLEDGE AVENUE	2300510014B	23005C0712F
LOMA	14-01-2181A	07/01/2014	LOT 402C002, BLOCK 402C002 - 1265 Washington Avenue	2300510007C	23005C0683F
LOMA	15-01-0242A	01/08/2015	TAX MAP 31, LOT 34 – 250 COMMERCIAL STREET	2300510013B	23005C0694F
LOMA	15-01-0949A	01/14/2015	Lot Lot #1, Chapman Heights Subdivision - 16 Mayer Road	2300510012C	23005C0691F
LOMA	15-01-1677A	06/09/2015	BERLIN MILLS WHARF -- 400 COMMERCIAL STREET	2300510013B	23005C0694F
LOMR-VZ	17-01-0303A ¹	12/02/2016	OCEAN VIEW LAND COMPANY, LOT 98 -- 143 STEPPING STONE LANE	2300510004B 2300510010B	23005C0709F
LOMA	17-01-2313A	09/01/2017	230 COMMERCIAL STREET	2300510013B	23005C0694F
LOMA	17-01-1809A	09/06/2017	1 UNION WHARF	2300510013B	23005C0694F
LOMA	18-01-2034A ¹	10/19/2018	772 ISLAND AVENUE	2300510004B	23005C0709F
LOMR-VZ	20-01-0090A	11/26/2019	111 REED AVENUE	2300510009B 2300510015B	23005C0716F
LOMA	21-01-0884A	05/17/2021	789 WARREN AVENUE	2300510006C	23005C0679F
LOMR-VZ	21-01-1535A ¹	10/28/2021	PLAN OF OCEAN VIEW LAND COMPANY, LOTS 111 & 112 – 164 ATLANTIC LANE	2300510010B	23005C0709F
LOMA	22-01-0489A	03/18/2022	THOMPSON'S POINT, LOT 8-10 -- 205/207/235 THOMPSONS POINT ROAD	2300510013B	23005C0693F
LOMR-VZ	22-01-0639A	05/13/2022	HOUSE ISLAND	2300510014B	23005C0714F

¹This LOMC was issued in City of Portland but is now located in Town of Long Island

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

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3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	199500204R01	02/07/1995	No Information Available	1
LOMA	190100003D&D	01/31/1996	50 PORTLAND PIER	4
LOMA	199600082R01	05/07/1996	No Information Available	1
LOMA	500031652R01	11/20/1997	62 MONA ROAD	6
LOMA	00-01-0118A	05/09/2000	1220 WASHINGTON AVENUE	6
LOMA	04-01-0912A	04/08/2004	LOT 3, NORTH GATE -- 554 SEASHORE AVENUE	3
LOMA	07-01-0539A	05/15/2007	400 COMMERCIAL STREET -- Berlin Mills Wharf (ME)	6
LOMR	11-01-1058P	09/27/2011	GREAT MAINE WHARF	4
LOMR	12-01-0271P	09/14/2012	CUSHING ISLAND	4
LOMA	21-01-0177A	11/20/2020	58 Fore Street	3
LOMA	21-01-1299A	08/30/2021	1 MARINA WAY	3
LOMA	23-01-0233A	01/18/2023	45 EASTERN PROMENADE	3

FINAL SUMMARY OF MAP ACTIONS

Community: PORTLAND, CITY OF

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1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

City of Portland | Department of Public Works

Kevin Deneault, *GIS Mapping Specialist*



City of Portland, Maine FEMA Letter of Map Revisions (LOMR)

FEMA approved the Letter of Map Revisions (LOMR) for the City of Portland, Maine on February 5, 2024. These Letter of Map Revisions will be approved by the City on June 21, 2024. A Letter of Map Revision represents any changes to the hydrologic or hydraulic characteristics of a flooding source and any modifications to the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Areas (SFHA). As part of the National Flood Insurance Program process, all revisions are individually submitted and then reviewed by FEMA on an ongoing basis. Once the LOMR's are approved by FEMA, revisions are then incorporated into the official FEMA flood maps. The FEMA approved LOMR's for the City of Portland are focused on Peaks Island and Cliff Island.

The individual LOMR affected panels from the FEMA Flood Insurance Rate Maps (FIRMs) include 23005C0714F, 23005C0716F, 23005C0718F, and 23005C0728F. The majority of these changes focused around the Special Flood Hazard Areas (SFHA): Zone VE, Zone AE, Zone AO, and Zone AH.

Zone VE, also known as a coastal high hazard area where storm surge, wave action, and fast-moving water can cause extensive damage during a base flood event. In order to address the added wave hazard, more stringent building practices are required in Zone VE. On newer maps or revisions, Zone VE may be used rather than numbered V Zones to accommodate current FEMA methodologies and mapping practices. Next, **Zone AE** indicates areas that have at least a 1%-annual-chance of being flooded, but where wave heights are less than 3 feet. **Zone AO** are areas with a 1% or greater chance of shallow flooding each year, usually in the form of sheet flow, with an average depth ranging from 1 to 3 feet. Finally, **Zone AH** refers to areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet.

On Peaks Island, there were a couple of focus areas where the LOMR changes occurred. These include areas along the north side of the island adjacent to Pumpkin Knob. The revisions in this area of the island include changes to the velocity zone elevations and transects. Essentially the mapping and modeling lowered the velocity zone elevations from what was previously represented, due to an increase in wave exposure and the steepness of the shoreline. This mapping can be seen on FIRM Panel 716. Further, at the southeastern end of Peaks Island just northeast of Cushing, there are LOMR changes to the velocity zone elevations and base flood elevations (BFE) due to lowered transects, modeling calculations, and the steepness of the shoreline. The mapping of this area is outlined in FIRM Panels 714 and 718.

Cliff Island is another area where LOMR changes occurred. The focus area on Cliff Island was towards the east-facing side of the island closest to Griffin Road and along Church Road. These changes included lowering of velocity zone elevations and resizing the VE zone to a much smaller area to account for changes to wave exposure and the steepness of the shoreline. These adjustments can be seen on FIRM Panel 728.

If there are any further questions or concerns regarding these LOMR changes, please do not hesitate to reach out to the City's Zoning Administrator, Ann Machado.

Definitions of FEMA Flood Zone Designations

Flood zones are geographic areas that the FEMA has defined according to varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area.

Moderate to Low Risk Areas

In communities that participate in the NFIP, flood insurance is available to all property owners and renters in these zones:

ZONE	DESCRIPTION
B and X (shaded)	Area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods. B Zones are also used to designate base floodplains of lesser hazards, such as areas protected by levees from 100-year flood, or shallow flooding areas with average depths of less than one foot or drainage areas less than 1 square mile.
C and X (unshaded)	Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level. Zone C may have ponding and local drainage problems that don't warrant a detailed study or designation as base floodplain. Zone X is the area determined to be outside the 500-year flood and protected by levee from 100-year flood.

High Risk Areas

In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all of these zones:

ZONE	DESCRIPTION
A	Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas; no depths or base flood elevations are shown within these zones.
AE	The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.
A1-30	These are known as numbered A Zones (e.g., A7 or A14). This is the base floodplain where the FIRM shows a BFE (old format).
AH	Areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones.
AO	River or stream flood hazard areas, and areas with a 1% or greater chance of shallow flooding each year, usually in the form of sheet flow, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Average flood depths derived from detailed analyses are shown within these zones.
AR	Areas with a temporarily increased flood risk due to the building or restoration of a flood control system (such as a levee or a dam). Mandatory flood insurance purchase requirements will apply, but rates will not exceed the rates for unnumbered A zones if the structure is built or restored in compliance with Zone AR floodplain management regulations.
A99	Areas with a 1% annual chance of flooding that will be protected by a Federal flood control system where construction has reached specified legal requirements. No depths or base flood elevations are shown within these zones.

High Risk - Coastal Areas

In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all of these zones.

ZONE	DESCRIPTION
V	Coastal areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves. These areas have a 26% chance of flooding over the life of a 30-year mortgage. No base flood elevations are shown within these zones.
VE, V1 - 30	Coastal areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones.

Undetermined Risk Areas

ZONE	DESCRIPTION
D	Areas with possible but undetermined flood hazards. No flood hazard analysis has been conducted. Flood insurance rates are commensurate with the uncertainty of the flood risk.

From FEMA Map Service Center:

<https://msc.fema.gov/portal/resources/productsandtools>

3 DEFINITIONS

Accessory dwelling unit. A dwelling unit subordinate in size to the principal residential structure(s) on a lot and located either within the principal residential structure(s) or in an accessory structure.

Adjacent grade (within the floodplain). For the purposes of calculating floor elevation in areas of special flood hazard, the natural elevation of the ground surface prior to the construction next to the proposed wall of a structure.

Adult business establishment. Any business, including but not limited to any bookstore, newsstand, novelty store, nightclub, bar, cabaret, amusement arcade, or theater, which:

- A. Keeps for public patronage or permits or allows the operation of any adult amusement device as defined in Chapter 4 of the City of Portland Code of Ordinances; or
- B. Customarily, meaning more often than an average of one calendar week during any calendar month of operation, exhibits motion pictures or displays any other visual representation described or advertised as being “X rated” or “for adults only,” or which customarily excludes persons from any portion of the premises by reason of immaturity of age by the use of such, or similar, phrases; or
- C. Is adjudged to be in violation of 17 M.R.S. §§ 2911, 2912.

Affordable housing. Housing for which the percentage of income a household is charged in rent and other housing expenses or must pay in monthly mortgage payments (including

condominium/HOA fees, mortgage insurance, other insurance and real estate taxes), does not exceed 30% of a household’s income, or other amount established in City regulations that does not vary significantly from this amount.

After-hours entertainment license. Any of the music, dancing, and special entertainment licenses required or authorized by Chapter 4, Article III of the City of Portland Code of Ordinances.

Agriculture. The practice of farming, including the cultivation of the soil for the growing of crops and rearing of animals to provide food and other products. Agriculture may include nurseries, greenhouses, and truck gardens, provided that there is no sale of products not produced on the premises.

Airport restricted access areas. Runways, taxiways, and other areas of the Jetport accessible to aircraft, whether access is restricted by the Federal Aviation Administration or not.

Alley. Any way designed primarily for vehicular and pedestrian or utility access to the back or side of premises otherwise abutting on a street, except driveways unless officially designated otherwise.

Animal-related services. Establishments principally for the training or boarding of animals. Such uses shall not include veterinary services.

Approval. An affirmative decision on an application, including an approval with conditions.

Appurtenance. A device or structure not designed for human occupancy and attached to the exterior of a building.

Area of shallow flooding. Area designated AO and AH zone on the Flood Insurance Rate Map (FIRM) with a 1 % or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard. The land in the floodplain having a 1% or greater chance of flooding in any given year as specifically identified in the most recently adopted FEMA Flood Insurance Study for the City of Portland.

Auto service station. A business selling gasoline, diesel, or propane fuel, providing services specific to electric vehicles, or providing motor vehicle repairs including, but not limited to, tune-ups, engine repair, brake work, muffler replacement, tire repair, or similar activities. Such businesses may also include car-washes and/or vacuums.

Back office use. An office-related use with minimal public visitation and minimal direct service to the general public, primarily to provide support services to larger organizations such as educational institutions, social service agencies, or business headquarters.

Bar. Any establishment required to be licensed to sell alcoholic beverages for on-premises consumption, which is not regularly used for the purpose of providing full-course meals, as defined in

Title 28-A of the Maine Revised Statutes, on the premises.

Base flood. The flood having a 1% chance of being hereof or exceeded in any given year (i.e., a 100-year storm).

Basement. Area of building that includes a floor that is subgrade (below ground level) on all sides.

Bed and breakfast. A building that contains between two and nine guest rooms; is used to provide or offer overnight accommodations for transient guests; has an owner, manager, or operator living in the building as a permanent resident; does not provide cooking facilities in any of the guest rooms; and does not provide meals other than breakfast, which shall be offered only to overnight guests.

Blasting operations. The use of explosives for purposes of breaking up and removing soil, rock, and ledge, related to construction and development of real estate within the city.

Breakaway wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without damage to the elevated portion of the building or supporting foundation system.

Building. A roofed and walled structure built for permanent use.

Building, accessory. A detached roofed and walled structure that is incidental and subordinate in area and extent, and/or use to the principal building(s) on

the property. A lot may have more than one accessory building.

Building addition. Any increase to footprint, floor area, or volume of an existing building.

Building alteration. A change or rearrangement in the structural supports, exterior appearance, or removing from or otherwise affecting the exterior appearance of a building.

Buildings, attached. Two or more independent buildings that share at least one common party wall but have full building separation and independent principal entries; not free-standing. Attached buildings may or may not have common ownership.

Building, principal. The main roofed and walled structure on a lot having the predominant area, extent, and/or use. A lot may have more than one principal building. When a garage is attached to the principal building in a substantial manner as by an enclosed area with roof or common wall, it shall be considered as a part of the principal building.

Clinics. Any establishment where patients are examined and treated by one or more health care providers, such as, but not limited to, physicians, dentists, psychologists, or social workers. Clinics may include laboratory services and facilities for ambulatory or outpatient surgical procedures.

Coastal AE Zone. The portion of the coastal high hazard area with wave heights between 1.5 feet and 3.0 feet and bounded by a line labeled the “Limit of Moderate Wave Action” (LiMWA) on a Flood Insurance Rate Map (FIRM). VE Zone floodplain construction standards are applied to development,

new construction, and substantial improvements in the Coastal AE Zone.

Coastal high hazard area. ±An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are designated as Zone VE and Zone AE bounded by a line labeled “Limit of Moderate Wave Action” (LiMWA) on a Flood Insurance Rate Map (FIRM).

Coastal wetland. All tidal and subtidal lands; all lands with vegetation present that is tolerant of salt water and that occurs primarily in a salt water or estuarine habitat; and/or any swamp, marsh, bog, beach, flat, or other contiguous low land that is subject to tidal action during the highest tide level for the year in which an activity is proposed as identified in tide tables published by the National Ocean Service. Coastal wetlands may include portions of coastal sand dunes.

Containment wall. Wall surrounding all sides of an above ground tank to contain any spills or leaks.

Commercial vessel. Any watercraft used principally in a business or trade, including common carriers of passenger or freight, whether for governmental, nonprofit, or emergency purposes, but not including pleasure craft used principally for recreational purposes.

Common areas. Portions of a lodging house which are available for use by all residents of the lodging house. Common areas shall include, but are not limited to, one or more of the following: kitchens,

living rooms, recreation rooms, improved basements, and finished porches. Bathrooms, stairways, hallways, and storage areas shall not be counted as common areas.

Communication studio. A commercial or public communication facility, including radio and television broadcasting and receiving stations and studios.

Community hall. A building or portion of a building used for social, recreational, artistic, civic, or educational community functions. Such a facility would be open to the public for such functions, which, for example, could include but not be limited to performances, dance, exhibitions, cultural exchange, training programs and workshops, neighborhood meetings, or gatherings. As part of these functions and activities, it shall be permissible to serve food, subject to other applicable codes and ordinances.

Condominium. Any interest in real estate created pursuant to the Unit Ownership Act, 33 M.R.S. § 560 et seq., or its equivalent, as it may from time to time be amended.

Congregate care facility. A residential development intended to facilitate aging in place that includes individual dwelling units with support services which provide assistance to residents. The population of a congregate care facility shall consist of persons 55 years of age or older and their spouses. A congregate care facility may also accommodate the needs of persons with disabilities and their spouses that are younger than 55 years of age, provided the majority of the residents are 55

years of age or older. Services to be provided shall include the following:

- A.** Transportation for essential support activities.
- B.** Provision of at least one meal per day.
- C.** Programmed social activities which are facilitated by staff.
- D.** Provision of personal care services including, but not limited to, housekeeping, laundry, and minimal health monitoring.
- E.** Installation of emergency call buttons or systems in each unit.

Correctional pre-release facility. A facility housing up to 12 persons, plus staff, serving a primary clientele of persons in correctional pre-release programs.

Drive-through. A facility which provides a service directly to a motor vehicle occupant and where the customer drives a motor vehicle onto the premises and to a window or mechanical device through or by which the customer is served with or without exiting the vehicle. Drive-throughs do not include major or minor auto service stations.

Drive-through features. Features associated with drive-throughs including but not limited to designated travel or stacking lanes, intercom systems, menu boards, service windows, kiosks, mechanical devices, etc.

Dwelling unit. One or more rooms forming a single unit for habitation by one family, including food preparation, living, sanitary, and sleeping facilities.

Dwelling, multi-family. A building or portion thereof containing three or more dwelling units.

Dwelling, single-family. A single building containing one dwelling unit.

Dwelling, two-family. A single building containing two dwelling units.

Earth-moving activity. Any removal or placement, excavation, filling, stockpiling, or grading of soil, earth, loam, sand, gravel, rock, and other mineral deposits.

Easement. A right, privilege, or liberty which one has in land owned by another for some special and definite purpose.

Elevation certificate. An official form (FEMA form FF-206-FY-22-152, as amended) that is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program.

Emergency operations. Operations conducted for the public health, safety, or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury.

Emergency shelter. A facility providing temporary overnight shelter to homeless individuals in a dormitory-style or per-bed arrangement.

Entrance, principal. The main point of access for pedestrians into a building. A building may have more than one principal entrance.

Esplanade. That portion of a street which is located between the curbline and the edge of the sidewalk closest to the street.

Essential services. The construction, alteration, or maintenance of gas, electrical, or communication facilities; steam, fuel, electric power, or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles, and related equipment; gas, oil, water, slurry, or other similar pipelines; municipal sewage lines, collection, or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants, and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

Explosives. Any material or container containing a chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion and that contains any oxidizing and combustible materials or other ingredients in such proportions, quantities, or packaging that an ignition by fire, by friction, by compound or mixture may cause such a sudden generation of highly heated gasses that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, but shall not mean the components for handloading rifle, pistol and shotgun ammunition, or fireworks.

Family. One or more individuals related by blood, marriage, civil union, adoption, or guardianship and/or up to eight unrelated individuals living together in a dwelling unit as a single nonprofit housekeeping unit.

Fill. Soil, earth, loam, sand, gravel, rock and other mineral deposits.

Filling. The placement of soil, earth, loam, sand, gravel, rock and other mineral deposits. Filling shall include stockpiling.

Fixture, fully shielded. A light fixture or luminous tube constructed and mounted such that all light emitted by the fixture or tube, either directly from the lamp, tube, or a diffusing element, or indirectly by reflection or refraction from any part of the light fixture, is projected below the horizontal. If the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube is not fully shielded.

Flag. A fabric sheet of square, rectangular, or triangular shape having no enclosing or supporting framework that is typically mounted on a pole.

Flood or flooding.

- A.** A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1.** The overflow of inland or tidal waters.
 - 2.** The unusual and rapid accumulation or runoff of surface waters from any source.
- B.** The collapse or subsidence of land along a shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by

an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined above.

Flood elevation study. An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones applicable to the city.

Floodplain or floodprone area. Any land area susceptible to being inundated by water from any source (see Flood or Flooding).

Floodplain management. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain management regulations. Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing. Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real estate, to water and sanitary facilities, structures, and their contents.

Floodway encroachment lines. The lines marking the limits of floodways on federal, state, and local floodplain maps.

Foundation. The supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frost walls, or other base consisting of concrete, block, brick, or similar material.

Freeboard. A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed, which could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions.

Freshwater wetland. Freshwater swamps, marshes, bogs, and/or similar areas which are both:

- F.** Of ten or more contiguous acres or of less than ten contiguous acres and adjacent to a surface water body except for any river, stream or brook such that, in a natural state, the combined surface area is in excess of ten acres or of less than ten acres that is depicted on the Shoreland Zoning map.
- G.** Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal

circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

Functionally-dependent use (within the floodplain). A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

General office. An office for the conducting or managing of a business or the practice of a profession, including that of a licensed health care provider, so long as such office does not include laboratory services and facilities for ambulatory surgical procedures.

General services. Establishment primarily engaged in rendering services to persons or business on a fee basis, including but not limited to banks, health clubs, laundries, employment services, management services, personnel services, or maintenance services.

Handicapped family unit. A dwelling unit which provides living facilities for handicapped persons. A handicapped family unit may also provide counseling and support services. Staff members may also be included in the population.

Helistop. An area used for the landing of helicopters at any location other than an airport. Such area shall include a landing area or pad, and may include parking required for access to the landing area or pad, a loading and unloading area for emergency vehicles, and other related facilities other than maintenance and repair facilities.

Hospital. An institution providing health services, primarily on an inpatient basis, and medical or surgical care of the sick or injured, including as an integral part of the institution such related facilities as laboratories, outpatient departments, training facilities, central service facilities, and staff offices.

Hostel. An overnight lodging facility for transient guests that provides sleeping rooms and common spaces for cooking. A hostel shall not be used as an emergency shelter.

Hotel. A building used for more or less temporary occupancy of individuals who are lodged with or without meals.

Impervious surface. Area covered with low-permeability material that is highly resistant to infiltration by water, such as asphalt, concrete, or rooftop, and areas such as gravel roads and unpaved parking areas that will be compacted through design or use to reduce their permeability.

Industrial, high-impact. Industrial activity involving the manufacturing, packaging, assembly, or distribution of finished products from either raw materials or previously prepared material which are generally incompatible with residential, commercial, and lower-impact industrial uses and sensitive

natural areas due to their high generation of traffic, noise levels, emissions, lighting, and odors.

Industrial, low-impact. Industrial activity involving the manufacturing, packaging, assembly, or distribution of finished products from previously prepared material, including but not limited to the following: artist studios, bakeries; breweries; distilleries; bottling; coffee roasters; commercial kitchens; pharmaceuticals; machine shops; watchmakers; makers of precision instruments, musical instruments, toys and sporting goods, pottery and ceramics using only previously pulverized clay, wood products, jewelry; assembly of electrical components; canteen services; tool and die shops; plant and tree nurseries; and the packaging of foods. Low-impact industrial uses do not include the processing of raw materials or salvaging operations. Low-impact industrial uses are generally compatible, due to their size and nature of impact, with residential, commercial and other low impact industrial uses.

Intermediate care facility. A facility which provides, on a regular basis, health-related care and services for more than 13 individuals who do not require the degree of care and treatment which a hospital or extended care facility is designed to provide but who, because of their mental or physical condition, require such care and services above the level of room and board. Said facility must be licensed as a board care, residential care facility or equivalent pursuant to the regulations promulgated by the State of Maine Department of Health and Human Services.

Kitchen facilities. Facilities used for the preparation of meals, including refrigerators and

devices used for the cooking and preparation of food.

Limit of Moderate Wave Action (LiMWA). The landward limit of the 1.5 foot breaking wave within a Coastal AE Zone. These areas are bounded by a line labeled “Limit of Moderate Wave Action” (LiMWA) on a Flood Insurance Rate Map (FIRM). The LiMWA line delineates that portion of the Special Flood Hazard Area (SFHA) landward of a VE zone in which the principal sources of flooding are astronomical high tides, storm surges, or tsunamis, not riverine sources. These areas may be subject to wave effects, velocity flows, erosion, scour, or combinations of these forces. The floodplain development and construction standards for VE Zones will be applied in the Coastal AE Zone.

Locally-established datum. For purposes of the floodplain ordinance, an elevation established for a specific site to which other elevation at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or any other established datum and is used in areas where mean sea level data is too far from a specific site to be practically used.

Lodging house. A house, building or portion thereof containing two or more rooming units, as well as common areas, and providing such units to individuals on not less than a monthly basis for compensation.

Long-term or extended care facility. An institution or a distinct part of an institution that is licensed or approved to provide full-time convalescent or chronic care, or health care under medical

supervision for 24 or more consecutive hours, to nine or more individuals who, by reason of advanced age, illness, or infirmity are unable to care for themselves, and who are not related to the governing authority by marriage, blood, or adoption.

Lot. A parcel or area of land that is designated as an individual unit for use, development, or ownership that is either: a) a parcel or area of land that is separately described in a deed or on a plan recorded in the Cumberland County Registry of Deeds; b) a contiguous combination of such lots under common ownership and designated as one unit for development; or c) a newly established parcel meeting all the dimensional requirements of the zone in which it is located.

Lot of record. A nonconforming parcel or area of land that: a) is separately described in a deed or on a plan recorded in the Cumberland County Registry of Deeds as of the date designated in the relevant provision of this chapter and b) conformed to the requirements of this chapter as of the date designated in the relevant provision of this chapter.

Lowest floor (within the floodplain). The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of ~~this division~~ Article 12.

Low-income household. A household having an income not exceeding 80% of median income for

area of residence as set forth in regulations promulgated from time to time by the United States Department of Housing and Urban Development pursuant to 42 U.S.C. sections 1437 et seq.

Low-income housing unit for rent. A dwelling unit for which:

- A. The rent is affordable to a household earning 80% or less of Area Median Income (AMI) as defined by the United States Department of Housing and Urban Development (HUD).
- B. The unit is rented to a household earning 80% or less of AMI.
- C. The requirements of (A) and (B) above are limited by deed restriction or other legally binding agreement for the applicable length of time in this ordinance.

Low-income housing unit for sale. A dwelling unit for which:

- A. The sale price is affordable to a household earning 100% or less of Area Median Income (AMI).
- B. The unit is sold to a household earning 100% or less of AMI.
- C. The requirements of (A) and (B) above are limited by deed restriction or other legally binding agreement for future sales for the applicable length of time in this ordinance.

Manufactured housing. A structural unit or units designed for residential occupancy and constructed in a manufacturing facility and then transported by the use of its own chassis or placement on an independent chassis to a building site. The term includes any type of building which is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and may

be purchased or sold by a dealer in the interim. For purposes of this article, two types of manufactured housing are included. They are:

- A. Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the standards required by the United States Government Department of Housing and Urban Development, as such standards are from time to time revised or amended, meaning structures, transportable in one or more sections, which in the traveling mode are 14 body feet or more in width and are 750 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning, and electrical systems contained therein. This term also includes any structure which meets all the requirements of this subparagraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401 et seq.; and
- B. Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the state's Manufactured Housing Act and regulations, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to



required utilities, including the plumbing, heating, air conditioning, or electrical systems contained therein.

Any unit which does not fall within the definitions of this section and which is legally sited within the city on December 18, 1989, may be relocated to any location in the city in which manufactured housing is allowed.

Manufactured housing park. A parcel of land under unified ownership approved by the Planning Board under 30-A M.R.S. § 4358 for the placement of single-component manufactured housing.

Marijuana cultivation facility. A cultivation facility required to be licensed pursuant to 28-B M.R.S. § 201 or any other facility engaged primarily in the business of planting, propagation, growing, harvesting, drying, curing, grading, trimming, or other processing of marijuana, including mature marijuana plants, immature marijuana plants, seedlings, and marijuana seeds, for use or sale.

Marijuana manufacturing facility. A manufacturing facility required to be licensed pursuant to 22 M.R.S. § 2423-F or 28-B M.R.S. § 201.

Marijuana product. As defined by 22 M.R.S. § 2422 or 28-B M.R.S. § 102.

Marijuana retail store. A retail establishment licensed to sell marijuana, marijuana products, immature marijuana plants, and seedlings to adult use or medical marijuana customers. A marijuana retail store is only authorized as a principal use, and is not permitted as an accessory use. A marijuana retail store may not exceed a maximum gross floor

area of 2,000 square feet. A marijuana retail store shall not include a registered dispensary.

Marijuana testing facility. A facility licensed to develop, research and test marijuana, marijuana products and other substances as defined by 22 M.R.S. § 2422 or 28-B M.R.S. § 102.

Marina. A commercial operation providing floats, slips, and piers intended primarily for berthing of noncommercial vessels and the provision of related services such as supplies, fuel, equipment and repairs, which may be provided both to tenants and non-tenants.

Mean sea level (within the floodplain). For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD), or other datum, to which base flood elevations shown on the City's FIRM are referenced.

Military personnel berthing. A building, or portion thereof, which is primarily used as, and intended for, temporary living quarters for military personnel.

Moderate-income household. A household having an income not exceeding 120% of median income for area of residence as set forth in regulations promulgated from time to time by the United States Department of Housing and Urban Development pursuant to 42 U.S.C. sections 1437 et seq.

Multi-family development. The construction or creation of three or more dwelling units on any parcel of land or the addition of two or more dwelling units cumulatively within a three-year period.

Multiplex. A residential development consisting of three or more horizontally or vertically attached dwelling units, or a series of such attached dwelling units, and the construction of at least one building.

National Geodetic Vertical Datum (NGVD). The national vertical datum, a standard established in 1929, which is used by the National Flood Insurance Program (NFIP). NGVD is based upon mean sea level in 1929 and also has been called “1929 Mean Sea Level (MSL)”.

Neighborhood center. A building or portion of a building used for recreational, artistic, social, educational, health, culture, or similar activities and services, usually owned and operated by a public or nonprofit group or agency. As part of these functions and activities, it shall be permissible to serve food, subject to other applicable codes and ordinances.

Non-commercial vessel berthing. The use of berthing space for berthing of watercraft other than commercial vessels. Berthing space used in the following manner shall not be included in the calculation of the number of linear feet under this use category:

- A. Space used principally for sale or repair of vessels.
- B. Commercial vessel tenant space used by a noncommercial vessel for a period not exceeding ten consecutive days while the primary commercial vessel tenant is conducting its business or trade.

Normal high-water line (non-tidal waters). That line which is apparent from visible markings,

changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. Areas contiguous with rivers that support non-forested wetland vegetation and hydric soils and that are at the same or lower elevation as the water level of the river during the period of normal high-water are considered part of the river.

North American Vertical Datum (NAVD). The national datum whose standard was established in 1988, which is the new vertical datum used by the National Flood Insurance Program (NFIP) for all new Flood Insurance Rate Maps. NAVD is based upon vertical datum used by other North American countries such as Canada and Mexico and was established to replace NGVD because of constant movement of the earth’s crust, glacial rebound and subsidence, and the increasing use of satellite technology.

Office park. Separate office buildings planned, constructed, or managed on an integrated coordinated basis.

Off-peninsula. All land located north of I-295.

100-year flood. See base flood.

On-peninsula. All land located south of I-295.

Open space. Any park and any other area outside of a building open to the public.

Owner. Any person that has any interest, legal or beneficial, in any parcel or lot.



Piers, docks, wharves, bridges and other structures and uses extending over or beyond the normal high-water line or within a wetland, temporary. Structures which remain in or over the water for less than seven months in any period of 12 consecutive months.

Piers, docks, wharves, bridges and other structures and uses extending over or beyond the normal high-water line or within a wetland, permanent. Structures which remain in or over the water for seven months or more in any period of 12 consecutive months.

Place of assembly. A building or portion of a building used as a community hall, neighborhood center, private club, or fraternal organization, or place of religious assembly. This definition shall not include buildings or portions of buildings used as a community hall, neighborhood center, private and fraternal organization, or place of religious assembly where 15 or fewer people, not including the permanent residents of a single-family dwelling, assemble.

Place of religious assembly. A building or portion of a building used for religious worship or instruction including, but not limited to, churches, synagogues, masjids, mosques, and other places of worship.

Planned residential unit development (PRUD). A residential subdivision consisting of attached or detached dwellings intended for separate ownership and land to be owned and used in common, with open spaces, recreational areas, access ways, and buildings which are designed, built, and managed in accordance with a unified development plan.

Planned unit development (PUD). A development consisting of either detached or attached single-family dwelling units and commercial or other uses, on substantially-sized properties of greater than 20 acres and designed to be compatible with the surrounding built and natural environment.

Plant canopy. As defined by 28-B M.R.S. § 102.

Preschool facility. Facility which provides a regular program of care and protection for children generally younger than those attending elementary school, which may also encompass daycare facilities.

Private club or non-profit social and recreational facility. A private club or nonprofit social and recreational facility is open exclusively to members and to their bona fide guests accompanying them, in order to promote fellowship, social living, proper recreation, civic responsibility, neighborhood responsibility, community welfare, or other endeavors. It shall be permissible to serve food and meals on such premises provided adequate dining room space and kitchen facility are available and are provided within all regulations of this Land Use Code and other applicable codes and ordinances.

Recent floodplain soils. Recent floodplain soils include the following soil series as described and identified by the National Cooperative Soil Survey: Alluvial, Charles, Cornish, Fryeburg, Hadley, Limerick, Lovewell, Medomak, Ondawa, Podunk, Rumney, Saco, Suncook, and Winooski.

Recreational vehicle. A vehicle that is:

A. Built on a single chassis;

- B. 400 square feet or less when measured at the largest horizontal projection, not including slideouts;
- C. Designed to be self-propelled or permanently towable by a motor vehicle; and,
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recreation and amusement centers. Facilities equipped for the conduct of sports or indoor leisure time recreation activities, including games of skill or games of chance licensed either by the City of Portland or by the State of Maine. Such facilities may limit admission either to members or to persons paying an entrance fee.

Registered dispensary. A registered medical marijuana dispensary as defined by 22 M.R.S. § 2422.

Registered patient. As defined by 22 M.R.S. § 2422.

Regulatory floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. When not designated on the Flood Insurance Rate Map (FIRM), it is considered to be the channel of a river or other watercourse and the adjacent land areas to a distance of 1/2 the width of the floodplain, as measured from the normal high-water mark to the upland limit of the floodplain.

Repair services. Establishments primarily engaged in rendering services related to the maintenance or repair of goods. In industrial zones only, repair services shall include motor vehicle repair services.

Restaurant. Any food service establishment with indoor seating capacity for ten or more patrons.

Retail. Any shop or store offering goods or merchandise to the general public for direct consumption and not for resale, or food service establishment with indoor seating capacity for nine or fewer patrons. Retail shall not include gasoline, diesel, or propane fuel sales.

Riverine. Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Roadway. That portion of a street between the regularly established curblines, or that part of a street or alley devoted to vehicular traffic.

Rooming unit. One or more rooms forming a single unit used, or intended to be used, for living and sleeping purposes by an individual or a family, but not designed for food preparation. In a suite of rooms, each room that provides sleeping accommodations shall be counted as one rooming unit for the purpose of this chapter.

Self-storage facility. A fully enclosed building with individual, secured units (accessed with or without supervision) used for the exclusive purpose of storage of non-hazardous business or personal materials.

Sexually explicit. The display or depiction of sex organs during actual or simulated sexual intercourse or sexual acts as defined in 17 A.M.R.S. § 251.

Sheltered care group home. A facility which, in addition to providing food and shelter to a defined

population of up to 12 individuals, provides guidance or counseling services as a primary function of the facility.

Shore frontage. The length of a lot bordering on a water body or wetland measured in a straight line between the intersections of the lot lines with the shoreline.

Sidewalk. That portion of a street not included in the roadway, and devoted in whole or part to pedestrian traffic.

Site. All contiguous land under the same ownership or control, whether proposed for development or not, except where development is limited to a lot or lots within a subdivision.

Small-scale marijuana caregiver. A registered caregiver who sells or dispenses marijuana to no more than five individual registered patients in any one calendar month; does not process or manufacture marijuana using chemicals or solvents; and cultivates no more than: 1) 250 square feet of plant canopy where located in a single-family dwelling or commercial space; or 2) 125 square feet of plant canopy where located in a dwelling unit within a two-family or multi-family building.

Solar access. Space open to the sun and clear of overhangs or shade, including orientation of buildings and lots to the sun, so as to permit the use of active and/or passive solar energy systems on individual properties.

Solar energy system. A complete assembly consisting of one or more solar collectors and associated mounting hardware or equipment,

intended to provide for the collection, storage, and distribution of solar energy for heating or cooling, electricity generation, or solar/thermal hot water systems. Solar energy systems shall include the following:

- A. Accessory solar energy system.** A system as defined above where power generation is incidental to a principal use, which may take the form of either a building integrated or roof-mounted solar array of any size, or a ground-mounted array occupying less than 1,000 square feet of air-space over ground area.
- B. Minor solar energy system.** A system as defined above where power generation is considered a principal use, which may take the form of either a building- or roof-mounted solar array of any size, or a ground-mounted system occupying between 1,000 and 9,999 square feet of ground area.
- C. Major solar energy system.** A system as defined above where power generation is considered a principal use, which may take the form of either a building or roof-mounted solar array of any size, or a ground-mounted system occupying greater than 10,000 square feet of ground area.

Solar energy system, building-integrated. A solar energy system that is an integral part of a principal or accessory building and include, but are not limited to, photovoltaic or hot water systems that are contained within roofing materials, windows, walls, skylights and awnings.

Solar energy system, ground-mounted. Also known as free-standing solar energy systems, a solar energy system that is structurally mounted to the

ground. The panels may be stationary or revolving and of any size.

Solar energy system, roof-mounted. A solar energy system in which solar panels are mounted on top of the structure of a roof either as a flush-mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

Sounds, impulse. Sound events characterized by brief excursions of sound pressure, each with a duration of less than 1 second.

Sounds, tonal. Sound waves usually perceived as a hum or whine because their instantaneous sound pressure varies essentially as a simple sinusoidal function of time.

Special Flood Hazard Area. [See area of special flood hazard.](#)

Special needs independent dwelling unit. A dwelling unit developed and managed by a nonprofit organization for habitation by persons with special social, physical or mental needs beyond strictly economic needs. Such persons shall be provided required levels of supervision, care and/or counseling services appropriate to their special needs, and the services shall be provided by either the sponsoring nonprofit agency or through another entity with which the agency has entered into a contractual arrangement.

Sports complex. One or more facilities located on the same parcel of land where athletic events are held and with a combined seating capacity of at least 6,000 seats.

Stockpiling. Any placement or creation of piles or loads of soil, loam, sand, gravel, rock, or other mineral deposits upon a site for the purpose of storage, warehousing, or reserving for future use.

Stormwater retention area. A pond or basin used for the permanent storage of stormwater runoff.

Stormwater detention area. A storage area for the temporary storage of stormwater runoff which does not contain water during non-storm conditions.

Stream. A free-flowing body of water from the outlet of the confluence of two perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5-minute series topographic map, or if not available, a 15-minute series topographic map, to the point where the body of water becomes a river or flows to another water body or wetland within a shoreland area, or any stream designated within a Stream Protection Zone.

Street. A public way established by or maintained under public authority, or a way dedicated to the use of the public and appearing on the official map of the city.

Street line. The line of demarcation between private property and a street.

Street, cul-de-sac or dead end. A street with only one outlet.

Structure. Anything constructed or erected of more than one member having a permanent or



semi-permanent location on another structure or in or on the ground, including without limitation buildings, fences, gazebos, signs, antennas, satellite sending or receiving dishes, and swimming pools. Stockpiles shall be considered structures for the purposes of dimensional requirements.

Studios for artists and craftspeople. A facility for the production of arts and crafts products such as paintings, sculpture, or other arts, or the practice of arts such as music or dance, or the production of custom, hand-crafted, or limited production of products such as furniture, wood, clay, and metal products, publications, and similar low-impact arts and crafts activities.

Subdivider. Any individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself, herself, or for another.

Subdivision. As defined in 30 A M.R.S. § 4401 and 4402.

Tasting room. A facility for the sampling of beer, wine, spirits, other alcoholic or non-alcoholic beverages, or food.

Telecommunication tower. Radio masts or tower structures built primarily to hold telecommunication antennas.

Tenant. Any occupant in lawful possession of a rental unit, whether by lease, sublease, or otherwise.

Theater or performance hall. Any establishment devoted to showing motion pictures, or for dramatic, musical, or live performances.

Transient guest. A person who occupies a facility offering accommodations on an overnight basis for compensation and whose actual occupancy is limited to no more than 15 days out of any 60-day period.

Tributary stream. A channel between defined banks created by the action of surface water, which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydrologically with other water bodies. Tributary stream does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity.

Upland edge of a wetland. The boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation and/or the highest annual tide level, including all areas affected by tidal action. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation, or where the soils support the growth of wetland vegetation but such vegetation is dominated by woody stems that are six meters or taller.

Use. The purpose for which land or structures thereon is designed, arranged, or intended to be

occupied, or for which it is occupied, maintained, rented, or leased.

Utility substation. Any sewage or water pumping station, electric power substation, transformer station, telephone equipment enclosures, or other similar structures owned or operated by a utility.

Vegetation. All live trees, shrubs, ground cover, and other plants including, without limitation, trees both over and under four inches in diameter, measured at four and one-half feet above ground level.

Very low-income household. A household having an income not exceeding 50% of median income for area of residence as set forth in regulations promulgated from time to time by the United States Department of Housing and Urban Development pursuant to 42 U.S.C. section 1437 et seq.

Warehousing, storage, and distribution. The storage of goods, wares, and merchandise in a warehouse from which distribution occurs. May include wholesale use, but not retail or direct sales to consumers.

Watercourse. Any natural or artificial stream, river, creek, ditch, channel, swale, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, or which has a definite channel, bed, and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Water-dependent uses. Those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in,

coastal or inland waters and which cannot be located away from these waters.

Wetlands (outside of shoreland zones). Those areas which have two or more of the following:

- A. A water table at or near the surface during the growing season;
- B. Very poorly drained soils, including Sebago mucky peat; or
- C. Obligate wetland vegetation.

Very poorly drained soils and obligate wetland vegetation shall be as defined and illustrated in the United States Department of Interior, Fish and Wildlife Service publication of Wetland Plants of the State of Maine (1986).

Wind energy system. A wind energy generator and all associated facilities.

Wind energy system, useful life. The period for which the system has been designed by the manufacturer to operate in a safe manner, including the period during which new parts and refurbishment allow it to continue operating safely.

Wholesale. Sale for resale, not for direct consumption.

Workforce housing unit for rent. A dwelling unit for which:

- A. The rent is affordable to a household earning 80% or less than of AMI.
- B. The unit is rented to a household earning 80% or less of AMI.
- C. The requirements of (A) and (B) above are limited by deed restriction or other legally binding agreement for the applicable length of time in this ordinance.

Workforce housing unit for sale. A dwelling unit for which:

- A.** The purchase price is affordable to a household earning 80% or less of AMI.
- B.** The unit is sold to a household earning 80% or less of AMI.
- C.** The requirements of (A) and (B) above are limited by deed restriction or other legally binding agreement for the applicable length of time in this ordinance.

12 FLOODPLAIN MANAGEMENT

12.1 PURPOSE

Certain areas of the City of Portland, Maine are subject to periodic flooding, causing serious damage to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968. Therefore, the City of Portland, Maine, has chosen to become a participating community in the National Flood Insurance Program and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-448), as amended from time to time as delineated in this article. It is the intent of the City of Portland to require the recognition and evaluation of flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards.

The National Flood Insurance Program, established in the aforesaid act, provides that areas of the city having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas. This article establishes a Flood Hazard Development Permit system and review procedure for development activities in the designated flood hazard areas of the city. The purposes of this article are to reduce future flood risks and losses, protect against financial and human loss resulting from flood disasters, and to control the placement of structures, construction materials, and methods used to minimize potential property damage due to flooding. The City of Portland has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to

Title 30-A M.R.S. § 2001-3007, 4352, 4401-4407, and Title 38 M.R.S. § 440.

12.2 APPLICABILITY

This article applies to all land areas, uses, structures, and land use activities lying in the special flood hazard areas, Zones A, AE, AO, AH, and VE, as identified by the Federal Emergency Management Agency in a report entitled *Flood Insurance Study - City of Portland, Cumberland County, Maine, County of Cumberland*, with accompanying “Flood Insurance Rate Map,” dated July 17, 1986 June 20, 2024. This *Flood Insurance Study* with accompanying maps, and any subsequent amendments thereto, including Letters of Map Revision approved by FEMA, is hereby adopted by reference and declared to be a part of this Land Use Code.

12.3 DEFINITIONS STRUCTURE AND DEVELOPMENT TYPES

Area of special flood hazard. The land in the floodplain having a 1% or greater chance of flooding in any given year as specifically identified in the most recently adopted FEMA Flood Insurance Study for the City of Portland.

Base flood. The flood having a 1% chance of being hereof or exceeded in any given year (i.e., a 100-year storm).

Coastal high hazard area. The area subject to high velocity waters, including but not limited to, hurricane wave wash or tsunamis. The area is designated on the flood insurance rate map as zone V1-30.

Development. Any man-made change to improved or unimproved real estate, including but not limited to, the construction of, alteration to, or addition to any buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.

Flood boundary and floodway map. The official map issued by the Federal Emergency Management Agency (FEMA) on which the boundaries of the flood have been designated. This may alternatively be referred to as a flood hazard boundary map.

Flood insurance rate map. The official map (FIRM) on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones applicable to the city.

Floodproofing. Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real estate, to water and sanitary facilities, structures, and their contents.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot as designated on the flood boundary and floodway map. When not designated on the flood boundary and floodway map, it is considered to be the channel of a river or other watercourse and the adjacent land areas to a distance of 1/2 the width of the flood plain, as measured from the normal high-water mark to the upland limit of the flood plain.

Lowest floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this division.

Mean high tide. The mean height of tidal high waters at a particular point or station over a period of time to such length that increasing its length does not appreciably change this mean. For tidal waters, the cycle of change covers a period of 19 years, and mean high tide is defined as the average of the high waters over a 19 period.

Mean sea level. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on the city's FIRM are referenced.

Structure.

12.3.1 Structure types

- A.** For the purposes of this article, structure shall mean Aa walled and roofed building. A, ~~including a~~ gas or liquid storage tank; that is principally above ground, ~~or manufactured housing.~~ "Principally above ground," as used above, means either that at least 2/3 of its floor to ceiling height is above the average adjoining ground level, or at least 51% of the actual cash value of the structure, less land value, is above ground ~~is also a structure.~~
- B.** Accessory structure shall mean a structure which is on the same parcel of property as a

principal structure and the use of which is incidental to the use of the principal structure.

C. The following types of structures shall have the following meanings:

1. *Agricultural structure.* Structures that are used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.
2. *Elevated building.* A non-basement building that is:
 - a. Built, in the case of a building in Zones A, AE, AO, or AH, so that the top of the elevated floor, or in the case of a building in Zones VE or Coastal AE, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of pilings, columns, posts, or piers; and,
 - b. Adequately anchored to not impair the structural integrity of the building during a flood of up to two feet above the magnitude of the base flood.

In the case of Zones A, AE, AO, or AH, elevated building also includes a building elevated by means of fill or solid foundation perimeter walls with hydraulic openings sufficient to facilitate the unimpeded movement of flood waters, as required in Subsection 12.4.5(N) In the case of Zones VE or Coastal AE, elevated building also includes a building otherwise meeting the definition of elevated building,

even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of subsection 12.4.5(R)(2)(c)(iii).

3. *Historic structure.* Any structure that is:
 - a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
 - c. Individually listed on a Maine state inventory of historic places at such time that one is created; or,
 - d. Designated as a local landmark or identified as a contributing property under Article 17.
4. *Manufactured home.* A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

5. Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. Existing manufactured home park or subdivision shall mean a manufactured home park or subdivision that was recorded in the deed registry prior to July 17, 1986.

12.3.2 Development classifications

A. Development. Any human-made change to improved or unimproved real estate. This includes, but is not limited to, buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials; and the storage, deposition, or extraction of materials.

B. New construction. Structures for which the "start of construction" commenced on or after July 17, 1986 and includes any subsequent improvements to such structures. For purposes of this article, start of construction shall mean the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation

for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, or modification of any construction element, whether or not that alteration affects the external dimensions of the building.

C. Minor development. All development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. It also includes, but is not limited to: accessory structures as provided in subsection 12.4.5(L), mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers

D. Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50% of the market value of the structure before the damage occurred.

E. Substantial improvement. Any ~~repair~~, reconstruction, ~~rehabilitation~~, addition, ~~to~~ or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure ~~either before the~~

~~improvement or repair is started~~start of construction of the improvements. This term includes structures which have incurred substantial damage, regardless of the actual work performed. ~~or, if the structure has been damaged and is being restored, before the damage occurred. For purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.~~The term does not, however, include:

1. ~~A~~any project for improvement of a structure to correct existing violations~~comply with existing~~ of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum~~solely~~ necessary to assure safe living conditions. ~~or~~
- ~~1.2. for a~~Any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as a historic structure, and a variance is obtained from the Zoning Board of Appeals, listed on the National Register of Historic Places or a state inventory of historic places.

12.4 FLOOD HAZARD DEVELOPMENT PERMIT

12.4.1 Permit required

- A. The Zoning Administrator shall be designated as the local floodplain administrator. The floodplain administrator shall have the authority to implement the commitment made to administer

and enforce the requirements for participation in the National Flood Insurance Program.

- ~~A.B.~~ Before any construction or other development as defined Subsection 12.3.2, including the placement of manufactured homes, begins within any areas of special flood hazard, a Flood Hazard Development Permit shall be obtained from the Building Authority, except as established in Section 12.5. This permit shall be required prior to issuance of a building permit, if one is required, and shall be in addition to any other permit, site plan, and subdivision review which may be required pursuant to the codes and ordinances of the City of Portland. If only a site plan is required for a development, the Flood Hazard Development Permit shall be obtained prior to approval of the site plan.

12.4.2 Filing of application

The application for a Flood Hazard Development Permit shall be submitted in writing to the Building Authority and shall include the following:

- A. A final site plan, where applicable, showing information as required by Article 14.
- B. A final subdivision plat, where applicable, providing information as required in Article 15. ~~For any development which does not meet the minimum threshold as a development requiring site plan review, the following information shall be provided:~~
- C. The name, address, and phone number of the applicant, owner, and contractor.
- D. A map with address indicating the location of the development site.
- E. ~~A~~site plan showing the location of existing and proposed development, including but not limited to specific dimensions of existing and proposed structure(s), wastewater disposal

facilities, water supply facilities, areas to be ~~developed~~ cut and filled, and the dimensions of the lot.

- F. A statement of the intended use of any structure and/or ~~other~~ development.
- G. A statement of the cost of the development including all materials and labor.
- H. A statement of the type of wastewater disposal system proposed.
- I. Specification of dimensions of the proposed structure and/or development.
- J. For new construction and substantial improvements, tThe elevation in relation to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or to a locally established datum for Zone A only, of the:

1. Base flood at the proposed site of all new or substantially improved structures, which is determined:

a. ~~in Zones A-30, AE, AO, AH, V-30, and VE from data contained in the Flood Insurance Study — City of Portland, Cumberland County, Maine;~~

~~a.b. in Zone A, to be the elevation of the ground at the intersection of the flood plain boundary and a line perpendicular to the shoreline which passes along the ground through the site of the proposed building~~ In Zone A:

i. From any base flood elevation data from federal, state, or ~~o~~ other technical sources (such as FEMA's Quick-2 model, FEMA 265), including information

obtained pursuant to Subsection 12.4.5(M) and 12.4.4.(B)4, or

~~ii.~~ In the absence of all data described in Subsection 12.4.2(J)(1)(b)(i), information to demonstrate that the structure shall meet the elevation requirement in Subsections 12.4.5(H)(4)(b), 12.4.5(I)(4)(b), or 12.4.5(J)(4)(b).

- 2. Highest and lowest grades at the site adjacent to the walls of the proposed building.
- 3. Lowest floor, including basement, and whether or not such structures contain a basement.
- ~~4.~~ Lowest machinery and equipment servicing the building.
- ~~4.5.~~ Level, in the case of nonresidential structures only, to which the structure will be floodproofed.

K. For new construction and substantial improvements, A a description of an elevation reference point established on the site of all new ~~developments or substantially improved structures for which elevation standards apply as required in Subsection 12.4.5.~~

L. For new construction and substantial improvements, a written certification by:

- 1. A professional land surveyor that the grade elevations shown on the application are accurate.
- ~~2.~~ A professional land surveyor, registered professional engineer or architect that the base flood elevation shown on the application is accurate Either an elevation certificate (FEMA Form 81-31, 03/97, as amended) completed by a professional

- land surveyor, registered professional engineer, or architect, or, for nonresidential structures to be floodproofed, a floodproofing certificate (FEMA Form 81-65, 05/93, as amended) completed by a registered professional engineer or architect. These certificates verify that the elevations shown on the application are accurate.
- M.** For new construction and substantial improvements, the following ~~certifications as required in Subsection 12.4.5~~ by a registered professional engineer or architect ~~that structures meet the review standards of Subsection 12.4.5:~~
1. ~~A floodproofing certificate (FEMA form FF-206-FY-22-153, as amended) to verify that the floodproofing methods for any nonresidential structures will meet the floodproofing criteria of Subsection 12.4.5(I); and other applicable standards of Subsection 12.4.5.~~
 2. ~~A V-Zone Certificate to verify that the construction in coastal high hazard areas, Zones VE and Coastal AE, will meet the criteria of Subsection 12.4.5(R); and other applicable standards in Subsection 12.4.5.~~
 3. ~~A Hydraulic Openings Certificate to verify that engineered hydraulic openings in foundation walls will meet the standards of Subsection 12.4.5(N)(2)(a).~~
- N.** ~~A certified statement from a registered professional engineer or architect that bridges will meet the standards of Subsection 12.4.5(O).~~
- O.** ~~A certified statement from a registered professional engineer or architect~~ that containment walls will meet the standards of Subsection 12.4.5(P).
- N.P.** ~~A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.~~
- O.Q.** ~~A statement of construction plans describing in detail how each applicable development standard in Subsection 12.4.5 will be met.~~
- P.R.** ~~Cross section(s) of the site acceptable to the Public Works Authority.~~
- 12.4.3 Fee**
A nonrefundable Flood Hazard Development Permit fee as established by the City Council ~~for all minor development and for all new construction and substantial improvements~~ shall be paid to the Building Authority, and a copy of a receipt for the same shall accompany the application. ~~An additional fee may be charged if the Code Enforcement Officer, Planning Board, and/or Board of Appeals needs the assistance of a professional engineer or other expert. The expert's fee shall be paid in full by the applicant within 10 days after the City submits a bill to the applicant. Failure to pay the bill shall constitute a violation of the ordinance and be grounds for issuance of a stop work order. An expert shall not be hired by the City at the expense of an applicant until the applicant has either consented to such hiring in writing or been given an opportunity to be heard on the subject. An applicant who is dissatisfied with a decision to hire expert assistance may appeal that decision to the Board of Appeals.~~
- 12.4.4 Review procedure**
A. Upon determination by the Building Authority that an application is complete, the Building

Authority shall coordinate review of the application by the City to assure that proposed developments are reasonably safe from flooding. No permit shall be issued until the Building Authority finds that the development proposal is in compliance with the standards of this article. Compliance with the provisions of this article shall be required prior to beginning any development as defined herein.

- B.** The Building Authority shall, when reviewing subdivisions under Article 15 and other proposed developments that require review under Article 14 or federal law, state law, or local ordinances or regulations and all projects on five or more acres, or in the case of manufactured home parks divided into two or more lots, assure that:

1. All such proposals are consistent with the need to minimize flood damage.
2. All public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages.
3. Adequate drainage is provided so as to reduce exposure to flood hazards.
4. All proposals include base flood elevations, flood boundaries and, in a river~~avine~~ floodplain, floodway data. These determinations shall be based on engineering practices recognized by the Federal Emergency Management Agency.
5. Any proposed development plan must include a condition of plan approval requiring that structures on lots in the development be constructed in accordance with Subsection 12.4.5 of this article. Such requirement shall be included in any deed, lease, purchase and sale

agreement, or document transferring or expressing an intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The condition shall clearly articulate that the municipality may enforce any violation of the construction requirement. The construction requirement shall also be clearly stated on any map, plat, or plan as part of the approval process.

- ~~B.C.~~** In the review of all Flood Hazard Development Permit applications for compliance with the standards herein:

1. The Building Authority shall utilize:
 - a. ~~†~~The base flood and floodway data contained in the *Flood Insurance Study – Cumberland County, Maine*, as described in Section 12.2.
 - b. In special flood hazard areas where base flood elevation and floodway data are not provided in the above cited study, the Planning Building Authority, or Planning Board as appropriate, shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from federal, state, or other ~~reasonably reliable~~technical sources, including information obtained pursuant to Subsection 12.4.2(J)(1)(b)(i), 12.4.5(M), and 12.4.4(B)(4), in order to administer this article.
 - ~~a.c.~~ When a base flood elevation is established in a Zone A by methods outlined in Section 12.4.2(J)(1)(b)(ii), that data shall be submitted to the

Maine Floodplain Management Program.

2. The Building Authority shall make interpretations of the location of boundaries of special flood hazard areas shown on the maps described in Section 12.2.

6-3. Prior to approval of issuance of the Flood Hazard Development Permit, the Building Authority shall determine that all necessary permits have been obtained from those federal, state, and local authorities from which prior approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1343~~4~~ as may be amended from time to time), provided, however, that conditional approval may be granted pending proof of receipt of any required permits, but no Flood Hazard Development Permit shall be finally issued until proof of issuance of all such other permits is received by the Building Authority.

7-4. The Building Authority shall notify adjacent municipalities, the Maine Department of Environmental Protection and the Maine Floodplain Management Program, prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Emergency Management Agency.

5. The Building Authority shall maintain, as a permanent record, copies of all Flood Hazard Development Permit applications, corresponding permits issued, and data relevant thereto, including reports of the Board of Appeals on variances granted

under the provisions of Section 12.6-7 of this article, and copies of elevation certificates, floodproofing certificates, certificates of compliance, and certifications of design standards required under the provisions of Sections 12.4 and 12.56.

12.4.5 Review standards

All development in areas of special flood hazard shall meet the following standards:

- A. All development.** All development shall:
 1. Be designed or modified and adequately anchored to prevent flotation (excluding piers and docks), collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 2. Use construction materials that are resistant to flood damage.
 3. Use construction methods and practices that will minimize flood damage.
 4. Use electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding conditions.
- B. Water supply.** All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.
- C. Sanitary sewage systems.** All new and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.

D. On-site waste disposal systems. On site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during floods.

E. Altered or relocated watercourses. All development associated with altered or relocated portions of a watercourse shall be constructed and maintained in such a manner that no reduction occurs in the flood carrying capacity of the watercourse.

F. Utilities. New construction or substantial improvement of any structure (including manufactured homes) located within:

1. Zones A, AE, AO, and AH shall have the bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, permanent fixtures and components, HVAC ductwork and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure, elevated to at least two feet above the base flood elevation.
2. Zone VE shall meet the requirements of Subsection 12.4.5(R)(2)(a).

G. Physical changes to the natural landscape. Certain development projects, including but not limited to, retaining walls, sea walls, levees, berms, and rip rap, can cause physical changes that affect flooding conditions.

1. All development projects in Zones AE and VE that cause physical changes to the natural landscape shall be reviewed by a professional engineer to determine whether or not the project changes the base flood elevation, zone, and/or the flood hazard boundary line.
 - a. If the professional engineer determines, through the use of

engineering judgement, that the project would not necessitate a Letter of Map Revision (LOMR), a certified statement shall be provided.

b. If the professional engineer determines that the project may cause a change, a hydrologic and hydraulic analysis that meets current FEMA standards shall be performed.

2. If the hydrologic and hydraulic analysis performed indicates a change to the base flood elevation, zone, and/or the flood hazard boundary line, the applicant may submit a Conditional Letter of Map Revision (C-LOMR) request to the Federal Emergency Management Agency for assurance that the as-built project will result in a change to the Flood Insurance Rate Map. Once the development is completed, a request for a Letter of Map Revision (LOMR) shall be initiated.
3. If the hydrologic and hydraulic analysis performed show a change to the base flood elevation, zone, and/or the flood hazard boundary line, as soon as practicable, but no later than six months after the completion of the project, the applicant shall submit the technical data to FEMA in the form of a Letter of Map Revision request.

F.H. Residential. New construction or substantial improvement of any residential structure located within:

1. Zones ~~A+30~~, AE, AO, and AH shall have the lowest floor (including basement) elevated to at least two feet above the base flood elevation.

2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide flood water away from the proposed structures.
3. Zone AO shall have the lowest floor (including basement) elevated above the highest adjacent grade:
 - a. At least two feet higher than the depth specified in feet on the ~~community's~~ Flood Insurance Rate Map, or
 - b. At least three feet if no depth number is specified.

~~4.~~ Zone A shall have the lowest floor (including basement) elevated:

~~a.~~ To at least two feet above the base flood elevation utilizing information obtained pursuant to Subsections 12.4.2(J)(1)(b)(i)D(2), 12.4.4(BC)(4), or 12.4.4(EB)(4), or:

~~a.b.~~ In the absence of all data described above, to at least two feet above the highest adjacent grade to the structure.

~~4.5.~~ Zones ~~V1-30~~ and VE and Coastal AE shall meet the requirements of Subsection 12.4.5(~~PR~~).

G.I. Nonresidential. New construction or substantial improvement of any nonresidential structure located within:

1. Zones ~~A1-30~~, AE, AO, and AH shall have the lowest floor (including basement) elevated to at least two feet above the base flood elevation, or together with attendant utility and sanitary facilities shall:
 - a. Be floodproofed to at least two feet above the base flood elevation so that

below that elevation the structure is watertight with walls substantially impermeable to the passage of water;

- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
- c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Subsection 12.4.2(~~GM~~)(N), and (O) and shall include a record of the elevation above mean sea level to which the structure is floodproofed.

2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide flood water away from the proposed structures.
3. Zone AO shall have the lowest floor (including basement) elevated above the highest adjacent grade:
 - a. At least two feet higher than the depth specified in feet on the ~~community's~~ Flood Insurance Rate Map; or
 - b. At least three feet if no depth number is specified; or
 - c. Together with attendant utility and sanitary facilities be floodproofed to meet the elevation requirements of this subsection and floodproofing standards of Subsection 12.4.5(~~G~~).

4. Zone A shall have the lowest floor (including basement) elevated:
- a. ~~To~~ at least two feet above the base flood elevation utilizing information obtained pursuant to Subsections 12.4.2(~~DK~~)(12)(b)(i), 12.4.4(~~BC~~)(4), 12.4.4(~~EB~~)(4); or-
 - b. In the absence of all data described in Subsection 12.4.5(l)(4)(a), to at least two feet above the highest adjacent grade to the structure, or
 - a.c. Together with attendant utility and sanitary facilities, be floodproofed to two feet above the base elevation established in Subsection 12.4.5(l)(4)(a) or (b) above and meet the floodproofing standards of Subsection 12.4.5(l)(1)(a), (b), and (c).
- 4.5. Zones ~~V1-30~~ and VE and Coastal AE shall meet the requirements of Subsection 12.4.5(~~PR~~).

H.J. Manufactured homes. New or substantially improved manufactured homes located within:

1. Zones ~~A1-30~~, AE, AO, and AH shall:
 - a. ~~Be elevated on a permanent foundation~~ such that the lowest floor is at least two feet above the base flood elevation;
 - a.b. Be on a permanent foundation, which may be poured masonry slab or foundation walls, with hydraulic openings, or may be reinforced piers or block supports, any of which support the manufactured home so that no weight is supported by its wheels and axles; and
 - b.c. Be securely anchored to an adequately anchored foundation

system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to:

- i. Over the top ties anchored to the ground at the four corners of the manufactured home, plus two additional ties per side at intermediate points (manufactured homes less than 50 feet long require one additional tie per side).
- ii. Frame ties at each corner of the home, plus five additional ties along each side at intermediate points (manufactured homes less than 50 feet long require four additional ties per side).
- iii. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.

2. Zones AO and AH shall have adequate drainage paths around structures on slopes, to guide flood water away from the proposed structures.
3. Zone AO shall have the lowest floor (including basement) elevated above the highest adjacent grade:
 - a. At least two feet higher than the depth specified in feet on the ~~community's~~ Flood Insurance Rate Map, or
 - b. At least three feet if no depth number is specified, and
 - c. Meet the anchoring requirements of Subsection 12.4.5(~~HJ~~)(1)(~~bc~~).
4. Zone A shall:

- a. Be elevated on a permanent foundation, as described in Subsection 12.4.5(J)(1)(b), such that the lowest floor (including basement of the manufactured home) is at least two feet above the base flood elevation utilizing information obtained pursuant to Subsection ~~12.4.2(D)(2)~~, 12.4.2(J)(1)(b)(i), 12.4.4(BC)(4), or 12.4.4(EB)(4), or:
 - a.b. In the absence of all data described in Section 12.4.5(J)(4)(a), to at least two feet above the highest adjacent grade to the structure, and
 - b.c. Meet the anchoring requirements of Subsection 12.4.45(JB)(21)(c).
 5. Zones ~~V1-30~~ and VE and Coastal AE shall meet the requirements of Subsection 12.4.5(PR).
- I.K. Recreational vehicles.** Recreational vehicles located within:
1. Zones ~~A, AE, AO, A1-30, and AH, and AE~~ shall either:
 - a. Be on the site for fewer than 180 consecutive days, ~~or~~ and
 - b. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions, ~~or~~:
 - b.c. Be permitted in accordance with the elevation and anchoring requirements for manufactured homes in Subsection 12.4.5(J)(1).
 2. Zones ~~V1-30~~ and VE and Coastal AE shall meet the requirements of either Subsection 12.4.5(K)(1)(a) and ~~12.4.5(I)(1)(b)~~, or 12.4.5(PR).
- L. Accessory structures.** New construction or substantial improvement of accessory structures, as defined in Subsection 12.3.1, shall be exempt from the elevation criteria required Subsections 12.4.5(H) and (I) if all other requirements of Subsection 12.4.5 and all the following requirements are met.
1. Accessory structures located within Zones ~~A1-30, AE, AO, AH, and A~~ shall be exempt from the elevation criteria required in Subsection 12.4.5(F) and 12.4.5(G) if all other requirements of Subsection 12.4.5 and all the following requirements are met. Accessory structures shall:
 - a. Meet the requirements of Subsection 12.4.5(A)(1) to (4) as applicable.
 - ~~1.~~ Be 500 square feet or less and have a value less than \$3,000.
 - b. Be limited in size to a one-story two-car garage.
 - a.c. Have unfinished interiors and not be used for human habitation.
 - b.d. Have hydraulic openings, as specified in Subsection 12.4.5(LN)(2), in at least two different walls of the accessory structure.
 - e.e. Be located outside the floodway.
 - d.f. When possible be constructed and placed on the building site so as to offer the minimum resistance to the flow of flood waters and be placed further from the source of flooding than is the primary structure.
 - g. Have only ground fault interrupt electrical outlets. The electric service disconnect shall be located above the

base flood elevation and when possible outside the special flood hazard area.

h. Be located outside the Coastal AE Zone.

2. Accessory structures in Zones VE and Coastal A shall meet the requirements of Subsection 12.4.5(R).

J.M. Floodways

1. In Zones ~~A1-30~~ and AE riverine areas, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted within a regulatory floodway in riverine areas, for which a regulatory floodway is designated on the ~~community's~~ Flood Insurance Rate Map ~~or flood boundary and floodway map~~, unless a technical evaluation certified by a registered professional engineer is provided demonstrating that such encroachments will not result in any increase in flood levels within the ~~community~~ during the occurrence of the base flood discharge.
2. In Zones ~~A1-30~~ and AE riverine areas, for which no regulatory floodway is designated, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted in the floodway as determined in (3) below, unless a technical evaluation certified by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing

development and anticipated development:

- a. Will not increase the water surface elevation of the base flood more than one foot at any point within the ~~community~~ city.
- b. Is consistent with the technical criteria contained in FEMA's guidelines and standards for flood risk analysis and mapping. Chapter 5 entitled "Hydraulic Analyses," Flood Insurance Study—Guidelines and Specifications for Study Contractors (FEMA 37/January 1995, as amended).
3. In Zones ~~A1-30~~ and AE, and A riverine areas for which no regulatory floodway is designated, the regulatory floodway is determined to be the channel of the river or other watercourse and the adjacent land areas to a distance of 1/2 the width of the floodplain as measured from the normal high-water mark to the upland limit of the floodplain. Encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted unless a technical evaluation certified by a registered professional engineer is provided meeting the requirements of (2) above.

K.N. Enclosed areas below the lowest

floor/Hydraulic openings/flood vents. New construction or substantial improvement of any structure in Zones ~~A1-30~~, AE, AO, and AH, ~~and A~~ that meets the development standards of Subsection 12.4.5, including the elevation requirements of Subsection 12.4.5(~~HF~~), (~~GI~~), or (~~JH~~) and is elevated on posts, columns, piers, piles, ~~"stilts,"~~ or crawl spaces may be enclosed

below the base flood elevation requirements provided all the following criteria are met or exceeded:

1. Enclosed areas are not basements as defined in Article 3.
2. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement must either:
 - a. Be engineered and certified by a registered professional engineer or architect, or
 - b. Meet or exceed the following minimum criteria:
 - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of the enclosed area;
 - ii. The bottom of all openings shall be below the base flood elevation and no higher than ~~one~~two ~~feet~~ above the lowest grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the entry and exit of flood waters automatically without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means.
3. The enclosed area shall not be used for human habitation.
4. The enclosed areas are usable solely for building access, parking vehicles, or storing

of articles and equipment used for maintenance of the building.

L.O. Bridges. New construction or substantial improvement of any bridge in Zones ~~A-30~~, AE, AO, AH, ~~A, V-30~~, and VE shall be designed such that:

1. When possible, the lowest horizontal member (excluding the pilings, or columns) is elevated to at least two feet above the base flood elevation.
2. A registered professional engineer shall certify that:
 - a. The structural design and methods of construction shall meet the elevation requirements of this section and the floodway standards of Subsection 12.4.5(~~KM~~).
 - b. The foundation and superstructure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all structural components. Water loading values used shall be those associated with the base flood.

M.P. Containment walls. New construction or substantial improvement of any containment wall shall meet the following requirements by zone:

1. Zones ~~A, A-30~~, AE, ~~AO~~, AH, ~~V-30~~, and VE shall:
 - a. ~~H~~have the containment wall elevated to at least two feet above the base flood elevation;
 - b. ~~H~~have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy, ~~and~~.

~~a.c.~~ bBe certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Subsection 12.4.2-(M), (N), and (O).

2. Zones AO and AH shall have adequate drainage paths around containment walls on slopes, to guide flood water away from the proposed walls.
3. Zone AO shall have the top of the containment wall elevated above the highest adjacent grade:
 - a. ~~a~~At least two feet higher than the depth specified in feet on the ~~community's~~ Flood Insurance Rate Map; or
 - b. ~~a~~At least three feet if no depth number is specified, and
 - ~~a.c.~~ Shall meet the requirements of Subsection 12.4.5(P)(1)(b) and (c).

~~3. Zone A shall have the containment wall elevated to at least two feet above the base flood elevation utilizing information obtained pursuant to Subsections 12.4.2(D)(2), 12.4.4(B)(4), or 12.4.4(C)(1).~~

N-Q. Wharves, piers, and docks. New construction or substantial improvement of wharves, piers, and docks are permitted in Zones A, A1-30, AE, AO, AH, V1-30, and VE, in and over water and seaward of the mean high tide if the following requirements are met:

1. In Zones A, AE, AO, and AH, w~~h~~ wharves, piers, and docks shall comply with all

applicable local, state, and federal regulations, or-

2. In Zone VE, Commercial wharves, piers, and docks ~~involving fill shall adhere to the design and construction standards contained in the U.S. Army Corps of Engineers' Shore Protection Manual.~~ shall have a registered professional engineer develop or review the structural design, specifications, and plans for construction.

O-R. Coastal floodplains

1. All new construction located within Zones ~~A1-30, AE, A, V1-30,~~ and VE shall ~~comply with all applicable local, state, and federal regulations~~ be located landward of the reach of mean high tide except as provided in Subsection 12.4.5(R)(6).
2. New construction or substantial improvement of any structure located within Zones ~~V1-30 or~~ VE or Coastal AE shall:
 - a. Have the bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, permanent fixtures and components, HVAC ductwork and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure, elevated to at least two feet above the base flood elevation. Systems, fixtures, equipment, and components shall not be mounted on or penetrate through walls intended to break away under flood loads.
 - ~~a.b.~~ bBe elevated on posts or columns such that:

- i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to two feet above the base flood elevation.
 - ii. The pile or column foundation and the elevated portion of the structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.
 - iii. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state and local building standards.
- c. ~~New construction or substantial improvement of any structure located within Zones V1-30 or VE shall~~ H-h have the space below the lowest floor:
- i. Free of obstructions, or
 - ii. Constructed with open wood lattice work; or insect screening intended to collapse under wind and water without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting piles or columns, or
 - iii. Constructed with non-supporting breakaway walls which have a design safe loading resistance of not less than 10 or more than 20 pounds per square foot.
- d. Require Aa registered professional engineer or architect ~~shall to:~~
- i. ~~d~~Develop or review the structural design, specifications, and plans for the construction, which must meet or exceed the technical criteria contained in the *Coastal Construction Manual* (FEMA-55/~~February, 1986~~).
 - ii. ~~A registered professional engineer or architect shall~~ Certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the criteria of Subsections 12.4.5(~~RP~~)(2)(~~b~~), (~~c~~), and (~~d~~) and (~~3~~).
- 3. The use of fill for structural support in Zones ~~V1-30 and VE~~ and Coastal AE is prohibited.
 - 4. Human alteration of sand dunes within Zones ~~V1-30 and VE~~ and Coastal AE is prohibited unless it can be demonstrated that such alterations will not increase potential flood damage.
 - 5. The ~~enclosed areas~~ area below the lowest floor may be used solely for parking vehicles, building access, and storage.
 - 6. Lobster sheds and fishing sheds may be located seaward of mean high tide and shall be exempt from the elevation requirement in Subsection 12.4.5(~~IG~~) only ~~upon if -reviewed~~ and approved as a conditional use ~~at~~ by the Planning Authority or Planning Board ~~Zoning Board of Appeals~~, as provided in Section 12.5, and if all the following requirements of

Subsections 12.4.5(A), (~~KM~~), and (~~LN~~) are met:

- a. The conditional use shall be limited to low value structures such as metal or wood sheds 200 square feet or less and shall not exceed more than one story.
- b. The structure shall be securely anchored to the wharf or pier to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components.
- c. The structure will not adversely increase wave or debris impact forces affecting nearby buildings.
- d. The structure shall have unfinished interiors and shall not be used for human habitation.
- e. Any mechanical, utility equipment and fuel storage tanks must be anchored and either elevated or floodproofed to two-feet above the base flood elevation.
- f. All electrical outlets shall be ground fault interrupt type. The electrical service disconnect shall be located on shore above the base flood elevation and when possible outside the special flood hazard area. If a flood hazard permit application is granted, the applicant shall be notified in writing that flood insurance is not available for structures located entirely over water or seaward of mean high tide.

12.4.6 Permit

A. Upon determination that the development or substantial improvement plan is in compliance with this article, the Building Authority shall issue one of the following Flood Hazard Development Permits based on the type of development:

1. *Two-part Flood Hazard Development Permit for elevated structures.* Part I shall authorize the applicant to build a structure to and including the first horizontal floor only above the base flood level. At that time the applicant shall provide the Code Enforcement Officer with an “under construction”-~~second~~ elevation certificate (FEMA form FF-206-FY-22-152) completed by a professional land surveyor; ~~registered professional engineer or architect~~ based on the Part I permit construction, “as built,” for verifying compliance with the elevation requirements of Subsections 12.4.5(~~FH~~), (~~GI~~), (~~HJ~~), or (~~PR~~). Following review of the elevation certificate data, which shall take place within 72 hours of receipt of the application, or as soon as practicable thereafter, the Code Enforcement Officer shall issue Part II of the Flood Hazard Development Permit. Part II shall authorize the applicant to complete the construction project.
2. *Flood Hazard Development Permit for floodproofing of nonresidential structures.* This permit shall apply for nonresidential structures that are new construction or substantially improved nonresidential structures that are not being elevated but that meet the floodproofing standards of Subsection 12.4.5(~~IG~~)(1). The application

- for this permit shall include a floodproofing certificate signed by a registered professional engineer or architect.
3. *Flood Hazard Development Permit for minor development*. This permit shall apply for all other development and building permits that are not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. This includes, but is not limited to: accessory structures as provided for in Subsection 12.4.5(HL), mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures, and nonstructural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers.
 - B. For development that requires review and approval as a conditional use, as provided for in this article, the Flood Hazard Development Permit application shall be acted upon by the Zoning Board of Appeals as required under Section 12.5.

12.5 CONDITIONAL USE REVIEW

12.5.1. Review authority

The Zoning Board of Appeals shall hear and approve, approve with conditions, or disapprove all applications for conditional uses provided for in this article. An applicant informed by the Building Authority that a conditional use approval is required

shall file an application for the permit with the Zoning Board of Appeals.

12.5.2 Review procedure

- A. The Flood Hazard Development Permit application with additional information attached addressing how each of the conditional use criteria specified in this article will be satisfied may serve as the application for the conditional use review.
- B. Before deciding any application, the Zoning Board of Appeals shall hold a public hearing on the application within thirty days of their receipt of the application.
- C. If the Zoning Board of Appeals finds that the application satisfies all relevant requirements of this article, the Zoning Board of Appeals must approve the application or approve with conditions within 45 days of the date of the public hearing.
- D. A conditional use approval issued under the provisions of this article shall expire if the work or change involved is not commenced within 180 days of the approval by the Zoning Board of Appeals.
- E. The applicant shall be notified by the Zoning Board of Appeals in writing over the signature of the Chair of the Board of Appeals that flood insurance is not available for structures located entirely over water or seaward of mean high tide.

12.5.3 Expansion of conditional uses

No existing building or use of premises may be expanded or enlarged without approval under this section if that building or use was established or constructed under a previous conditional use approval or if it is a building or use which would

require a conditional use approval if being newly-established or constructed under this article.

12-512.6 CERTIFICATE OF COMPLIANCE

A. A certificate of compliance shall be signed by the Building Authority stating that a structure is in compliance with all of the provisions of this article.

B. No land in an area of special flood hazard shall be occupied or used in violation of this article, and no structure in such an area which is developed or substantially improved shall be occupied until a ~~Certificate~~ certificate of ~~Compliance~~ compliance is issued by the Building Authority. Said ~~C~~certificate of ~~C~~compliance shall be issued only after the Building Authority has received all permits and certificates from the applicant as required by this article.

C. For new construction or substantial improvement of any elevated structure, the applicant shall submit to the Building Authority:

1. An elevation certificate (FEMA form FF-206-FY-22-152) completed by a professional land surveyor for compliance with Subsection 12.4.5(H), (I), (J), or (R).

2. For structures in Zones ~~V1-30~~ and ~~VE~~ and Coastal ~~AE~~ and for floodproofed structures, a written certification by a registered professional engineer or architect shall be provided to the Building Authority stating that the design and methods of construction used are in compliance with the applicable provisions of Subsection 12.4.5(R)(2)(b), (c), and (d).

D. The applicant shall submit written notification to the Building Authority that the development is complete and complies with the provisions of this article.

~~A-E.~~ Within ~~310~~ working days, the Building Authority shall review the elevation certificate (FEMA form FF-206-FY-22-152) and the applicant's written notification and, upon determination that the development conforms with the provisions of this article, shall issue a certificate of compliance.

~~12-6~~12.7 VARIANCES AND APPEALS

12.7.1 Authority

A. The Board of Appeals of the City of Portland may, upon written application of an aggrieved party, hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made, or failure to act, in the administration or enforcement of the provisions of this article.

~~A-B.~~ The Board of Appeals may authorize variances, meaning the granting of relief -from the provisions of this article, as authorized in Subsection 2.3.11 except:

- 1.** As otherwise expressly provided in Subsection 2.3.11(E).
- 2.** Variances shall not be granted within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

12.7.2 Standards

Subsection 2.3.11 notwithstanding, variances from the requirements of this article shall be granted only upon:

- A.** A showing of good and sufficient cause.
- B.** A determination that should a flood comparable to the base flood occur, the granting of a variance will not result in increased flood heights, additional threats to public safety, or public expense, or create

nuisances, cause fraud or victimization of the public, or conflict with existing local laws or ordinances.

- C. A showing that the issuance of the variance will not conflict with other state, federal, or local laws or ordinances.
- D. A determination that failure to grant the variance would result in “undue hardship,” which in this subsection means:
 - 1. That the land in question cannot yield a reasonable return unless a variance is granted.
 - 2. That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.
 - 3. That the granting of a variance will not alter the essential character of the locality.
 - 4. That the hardship is not the result of action taken by the applicant or a prior owner.
- E. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and the Board of Appeals may impose such conditions to a variance as is deemed necessary.

12.7.3 Standards for specific variances

- A. Variances may be issued for new construction, substantial improvements, or other development for the conduct of a functionally-dependent use provided that:
 - 1. The criteria in Subsection 12.7.2 and 12.4.5(M) are met.
 - 2. The structure or other development is protected by methods that minimize flood

damage during the base flood and create no additional threats to public safety.

A.B. Variances may be issued for the repair, reconstruction, rehabilitation, or restoration of historic structures upon the determination that:

- 1. The development meets the criteria of Subsection 12.7.6.2.
- 2. The proposed repair, reconstruction, rehabilitation, or restoration will not preclude the structure’s continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

B.C. Variances may be issued for new construction, and substantial improvements, ~~or other development for the conduct of a functionally-dependent use of agricultural structures being used for the conduct of agricultural uses~~ provided that:

- 1. The development meets the criteria of Subsection 12.7.26 and Subsection 12.4.5 are met.
- 2. The development meets the criteria of Subsection 12.4.5(M) and (N).
- ~~2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.~~

12.7.4 Notice to applicants

Any applicant who meets the criteria of ~~this section~~ Subsections 12.7.2 and 12.7.3(A), (B), or (C) shall be notified by the Board of Appeals in writing with the signature of the Chair of the Board of Appeals that:

- A. The issuance of a variance to construct a structure below the base flood level will result in greatly increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage.
- B. Such construction below the base flood level increases risks to life and property.
- C. The applicant agrees in writing that the applicant is fully aware of all the risks inherent in the use of land subject to flooding, assumes those risks and agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use land located in a floodplain and that the applicant individually releases the municipality from any claims the applicant may have against the municipality that are related to the use of land located in a floodplain.

~~B. The above Subsections 12.6.4(A)(1), (2), and (3) shall be included with or on all applications for a variance hereunder, as well as the following statements:~~

- ~~1. The applicant understands and is fully aware of all of the risks inherent in the use of land subject to flooding and understands and agrees that they are fully assuming any potential or actual liability resulting therefrom. Applicant agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use the land located in a flood plain and that the applicant individually releases the municipality from any claims the applicant may have against the municipality that are related to the use of land located in a flood plain. Applicant further understands and agrees that the City has no responsibility~~

~~therefore, and in the event a variance is granted to applicant, applicant agrees to inform any purchaser, assignee, or other transferee of applicant of the existence of said variance and of this agreement.~~

- ~~2. Applicant shall signify in writing that they have read, understands, and agrees to all of the stipulations in this Subsections 12.6.4(A) and (B).~~

12.7.5 Record of variances

The Board of Appeals shall submit to the Building Authority a report of all variance actions, including justification for the granting of the variance and an authorization for the Building Authority to issue a Flood Hazard Development Permit, which includes any conditions to be attached to said permit.

12.7.6 Appeal procedure

- A. An administrative appeal may be taken to the Board of Appeals by an aggrieved party within 30 days after receipt of a written decision of the Building Authority.
- B. Upon being notified of an appeal, the Building Authority shall transmit to the Board of Appeals all of the documents constituting the record of the decision appealed from.
- C. The Board of Appeals shall hold a public hearing on the appeal within 35 days of its receipt of an appeal request.
- D. The person filing the appeal shall have the burden of proof.
- E. The Board of Appeals shall decide all appeals within 35 days after the close of the hearing and shall issue a written decision on all appeals.
- F. Any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court

in accordance with state laws within 45 days from the date of any decision of the Board of Appeals.

12.712.8 RECORDS & REPORTING

- A. The Building Authority shall maintain, as a permanent record, copies of all Flood Hazard Development Permits issued, certificates of compliance and data relevant thereto, including reports of the Board of Appeals on variances granted hereunder.
- B. The Building Authority shall be responsible for filing such annual reports regarding participation in the National Flood Insurance Program as may be required by FEMA. Said annual reports shall include, but not be limited to, a report on implementation of this article and on any variances granted hereunder. A copy of such annual reports shall also be sent to the Maine Floodplain Management Program.

12.812.9 PENALTIES

It shall be the duty of the Building Authority to enforce the provisions of this ordinance pursuant to Title 30-A M.R.S. § 4452. The penalties contained in Title 30-A M.R.S. § 4452 shall apply to any violation of this ordinance. In addition to any other actions, the Building Authority, upon determination that a violation exists, shall submit a declaration to the Administrator of the Federal Insurance Administration requesting a denial of flood insurance. The valid declaration shall consist of:

- A. The name of the property owner and address or legal description of the property sufficient to confirm its identity and location.
- B. A clear and unequivocal declaration that the property is in violation of a cited state or local law, regulation, or ordinance.

- C. A clear statement that the public body making the declaration has authority to do so and a citation to that authority.

Evidence that the property owner has been provided notice of the violation and the prospective denial of insurance.

- D. A clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

12.10 ABROGATION

This ordinance repeals and replaces any municipal ordinance previously enacted to comply with the National Flood Insurance Act of 1968 (P.L. 90-488, as amended).

12.11 DISCLAIMER OF LIABILITY

The degree of flood protection required by the ordinance is considered reasonable but does not imply total flood protection.

Frequently Asked Questions

1. What is a floodplain management program?

Floods can happen everywhere, but most insurance policies do not cover flood damage. Since 1968, the **National Flood Insurance Program (NFIP)** has made subsidized flood insurance available to property owners, renters, and businesses in flood-prone areas—but only in communities that have adopted land use ordinances and flood maps that identify and regulate development in flood-prone areas. The City of Portland floodplain management regulations and flood map form its **floodplain management program**.

2. What is a flood map?

Flood maps—known as **Flood Insurance Rate Maps (FIRMs)**—show how likely it is that an area will flood. These maps are a tool that communities use to identify which areas have the highest risk of flooding and are an integral part of the City's floodplain management program. Flood maps are also used by mortgage lenders to determine flood insurance rates and requirements.

3. Who updates flood maps?

The **Federal Emergency Management Agency (FEMA)** is responsible for maintaining and updating flood maps for the 20,000 communities nationwide that participate in the National Flood Insurance Program. Each year, FEMA conducts studies of flood hazards and selects certain communities for FEMA-initiated mapping updates.

4. How are flood maps updated?

Typically, flood maps are updated through a FEMA-initiated mapping update. After conducting flood hazard studies, FEMA issues proposed new flood maps—known as **Preliminary Maps**. Two key steps must happen for FEMA's Preliminary Maps to become final:

- **Letter of Final Determination:** After FEMA issues its Preliminary Maps, a 90-day appeal period starts. During this appeal period, a community may file a written objection to FEMA and propose an alternative engineering analysis of flood hazards and alternative flood maps. The community must prove to FEMA that its alternative analysis and maps are scientifically and technically more accurate than the Preliminary Maps. If no appeals are filed, or once all appeals are resolved, FEMA issues a **Letter of Final Determination (LFD)** that establishes an effective date for the updated flood maps. The effective date is typically six months after the LFD date.
- **Community Adoption:** Once FEMA issues the LFD, affected communities have six months to adopt or amend their floodplain management program, including the updated flood maps, through their usual ordinance adoption process. This is known as **community adoption**.

The Preliminary Maps become effective on the date listed in the LFD. After the effective date, the flood maps are referred to as Flood Insurance Rate Maps or FIRMs.

Community Adoption -

The process by which a municipality adopts or amends its floodplain management program.

FEMA - The Federal Emergency Management Agency.

FIRM - The official Flood Insurance Rate Map, or flood map, for a community.

Floodplain Management Program - A municipality's floodplain management rules and flood map that allows property owners, renters, and businesses to buy subsidized flood insurance through the NFIP.

LFD - Letter of Final Determination, which is issued by FEMA after all appeals of its Preliminary Maps are resolved.

LOMR - Letter of Map Revision, generally initiated by a landowner by which FEMA can officially revise specific portions of a flood map.

NFIP - The National Flood Insurance Program managed by FEMA and delivered to the public by private insurance companies and the federal government.

Preliminary Map - A flood map proposed by FEMA as part of a FEMA-initiated mapping update.

5. Is FEMA proposing flood map updates for Cumberland County?

Yes. The flood maps for Cumberland County have not been updated by FEMA since 1986. FEMA initiated map updates for the communities in Cumberland County many times over the past fifteen years, starting in 2009 and continuing through 2023.

6. Why have the Preliminary Maps for Cumberland County not been finalized yet?

FEMA's Preliminary Maps for Cumberland County exaggerate the flood risks in certain coastal areas and, if adopted without revision, would cause some property owners to need to purchase costly flood insurance even though flood risks on their properties may be low. For this reason, in October 2018, a handful of municipalities, including the City of Portland, appealed FEMA's Preliminary Maps. The municipalities hired an environmental engineering firm to develop an alternative hydrogeological model and analysis that identifies, with greater scientific accuracy than FEMA's Preliminary Maps, the likely flood hazard areas along the coast. In August 2019, FEMA determined that the alternative model contained a unit conversion error—specifically, a part of the model was left in meters and not converted to feet. Despite requests to allow the engineering firm to correct this minor error, FEMA denied all of the municipal appeals.

Two municipalities challenged the denial, which delayed FEMA's issuance of the Letter of Final Determination (LFD) for several years. The appeals have now been resolved and FEMA issued its LFD for Cumberland County on January 20, 2024. Affected municipalities now have six months from the LFD issue date—until June 20, 2024—to incorporate FEMA's updated flood maps into their floodplain management program.

7. What is a LOMR and how will it affect community adoption of FEMA's Preliminary Maps?

City officials considered challenging FEMA's denial, but ultimately concluded that a legal challenge would be costly and risky. Instead, the City pursued a community-initiated flood map revision process—known as the **Letter of Map Revision (LOMR)**—to surgically correct the exaggerated flood risks on FEMA's Preliminary Maps.

A LOMR does not replace a flood map or the process by which FEMA updates its flood maps. Rather, the LOMR process allows a community to petition FEMA to revise flood hazard information on a specific part of a flood map, known as a panel. A revised panel, once approved by FEMA, is automatically incorporated into the flood map. No community adoption process is required.

Using the LOMR process, the City is working with FEMA to ensure that appropriate adjustments to the exaggerated flood risks on FEMA's Preliminary Maps are incorporated into the updated flood maps on or shortly after June 20, 2024—the FIRM effective date.

8. What happens if the City does not timely update floodplain management program?

A community that fails to adopt the updated flood maps within the six-month community adoption period will be suspended from the National Flood Insurance Program (NFIP). Suspension from the NFIP will have immediate adverse effects: flood insurance policies cannot be renewed and new policies cannot be written. In addition, mortgage loans and disaster assistance are severely limited in communities that are suspended from the NFIP.

9. How do I determine how the updated floodplain management program will affect my property and development plans?

FEMA's Preliminary Maps, as well as the City-initiated LOMRs can be reviewed at City Hall in the Permitting and Inspections Department in Room 315 at 389 Congress Street, Portland, Maine 04101. If you have any questions about the revision or its effect on your property, please contact Ann Machado, Zoning Administrator, at (207) 874-8709 or amachado@portlandmaine.gov.



Timeline of Public Engagement

The City of Portland received the revised preliminary FEMA FIRM maps on April 14, 2017.

August 2018: On August 9, 2018, the City of Portland sent notification via postcard mailing to property owners impacted by the revised preliminary FEMA maps, alerting them to possible changes to their flood zone designation. The proposed FEMA maps were also posted on the City's website at that time. Individual property owners were alerted as to the 90-day appeal period beginning on August 2, 2018.

The City of Portland received the Letter of Final Determination (LFD) on December 20, 2023 stating that the preliminary FEMA maps will be effective June 20, 2024.

January 2024: The City of Portland published a formal Public Notice in the January 23, 2024 edition of the *Portland Press Herald*, which alerted the public of their intent to revise the Base Flood Elevations (BFE) and Special Flood Hazard Area (SFHA) affecting certain coastal areas within the municipality.

February 2024: Legal advertisements for the Planning Board workshop on February 27, 2024, relative to the Text Amendments to Articles 3 and 12 of the Land Use Code, were posted in the February 17, 2024 and February 20, 2024 editions of the *Portland Press Herald*.

March 2024: Legal advertisements for the Planning Board public hearing on March 26, 2024, relative to the Text Amendments to Articles 3 and 12 of the Land Use Code, were posted in the March 16, 2024 and March 19, 2024 editions of the *Portland Press Herald*.

April 2024: On April 3, 2024, the City's Permitting and Inspections Department mailed a letter to all property owners impacted by the FEMA Letter of Map Revisions (LOMRs) stating they are effective June 21, 2024. This letter indicated possible property reclassifications of Base Flood Elevations (BFE) and Special Flood Hazard Areas (SFHA) for these properties.

On April 3, 2024, the City of Portland sent notification via postcard to all 1,500± property owners impacted by the floodplain maps that go into effect June 20, 2024. This notice alerted home owners to possible property reclassifications of Base Flood Elevations (BFE) and Special Flood Hazard Areas (SFHA) for these properties.

George Rheault <george.rheault@gmail.com>

11:59 AM (7 minutes ago)



to Planning Board, kkraft, jmy

No surprise that the vast, complex and years-long FEMA flood map updating process would land as quietly as possible at the foot of the Planning Board. A process whereby mostly well-to-do property owners are subsidized by the rest of us for making dodgy land-use decisions that then compound themselves as such actions lead us to the very state of climate change that makes the dodgy land-use even harder to justify and subsidize with relatively cheap flood insurance is bound to end in disaster. And thus no surprise that everyone with any official role in the process is happy to bury their heads in the beach sand for as long as they can politically get away with it (until such time as the beach sand gets washed away by storm surge and rising sea levels).

QUESTION #1:

Who in Portland submitted the appeal referenced in the FEMA letter? What were the substantive changes that FEMA deemed "warranted" and shouldn't the public get to see the "before and after" so we can establish who was adept enough (and well-funded enough) to bend the process to their ends?

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) proposed flood hazard determinations for your community in the local newspaper. FEMA did receive an appeal regarding the proposed flood hazard determination time. The technical data submitted in support of the appeal has been evaluated and has been resolved in accordance with the requirements of 44 CFR Part 67. The changes were warranted based on the submitted data and have incorporated the changes on the final copies of the Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for your community.

QUESTION #2:

Capisic Pond is a man-made retention basin. Shouldn't the Planning Board be urging the City of Portland to remove the dam that causes the impoundment of potentially hazardous and costly flood waters upstream of Capisic Pond so that FEMA can rework the flood maps to reflect better flood resilience in the impacted areas? The Capisic Pond dam was destroyed once during a 1950s hurricane event and rebuilt. Why would we be doubling down on bad watershed practices like this?

