

PLANNING BOARD

Tuesday, May 26, 2026 at 4:30 PM
Room 24 (Basement Level of City Hall)
and Zoom



MEMBERS

Joseph Zamboni, Chair
Kelsey Robertson, Vice Chair
Eric Dinn
Nicholas Messina
David Silk
Austin Smith
Beverly Uhlenhake

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PUBLIC COMMENT INFORMATION:

To submit written public comment on an agenda item, email planningboard@portlandmaine.gov.

Submissions must be received by 12:00 pm the day before the Planning Board meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To

help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

AGENDA:

PUBLIC HEARING - 4:30 PM

- 1. ROLL CALL AND DECLARATION OF QUORUM**
- 2. COMMUNICATION AND REPORTS**
- 3. REPORT OF ATTENDANCE AT THE MEETING HELD ON MAY 12, 2026**

Workshop

1871 Forest Avenue: Din, Messina, Robertson, and Uhlenhake present. Smith and Silk recused; Zamboni absent.

Public Hearing

221 Congress Street: Din, Messina, Robertson, Smith, and Uhlenhake present. Silk and Zamboni absent.

9 Cedar Street: Din, Messina, Robertson, Smith, and Uhlenhake present. Silk recused; Zamboni absent.

4. REPORTS OF DECISIONS AT THE MEETING HELD ON MAY 12, 2026

- i. Major Site Plan; 221 Congress Street; GreenMars Real Estate Services, Applicant. Messina motioned, and Smith seconded a motion to approve the Site Plan Application. Vote 5-0 (Silk and Zamboni absent). Messina motioned, and Smith seconded a motion to adopt the findings contained in the May 12, 2026 Staff Report and draft approval letter, and to authorize the Board Chair to sign the approval letter as drafted. Vote 5-0 (Silk and Zamboni absent).
- ii. Major Site Plan; 9 Cedar Street; Boys & Girls Club of Southern Maine, Applicant. Messina motioned, and Smith seconded a motion to waive Site Plan Standard 13.6.2.B.2.c, which requires non-residential development abutting a residential zone to provide a landscaped buffer of no less than 10 feet in depth and six feet tall and instead allow a fenced buffer. Vote 5-0 (Silk recused and Zamboni absent). Messina motioned, and Smith seconded a motion to approve the Site Plan Application. Vote 5-0 (Silk recused and Zamboni absent). Messina motioned, and Smith seconded a motion to adopt the findings contained in the May 12, 2026 staff report and draft approval letter, and to authorize the Board Chair to sign the approval letter as drafted. Vote 5-0 (Silk recused and Zamboni absent).

5. NEW BUSINESS

- i. Map Amendments; 1220 Brighton Avenue; Portland Hotels, Inc., Applicant. The Planning Board will hold a hybrid public hearing to consider a zoning map amendment to rezone properties (265 A009002, 265 A001001, 265 A008001, and 265 A007001) from Transit Center Zone (TOD-2) to Commercial Corridor (B-4). A project and plan summary are available for

viewing on the city's CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number ZN-003527-2026.

- ii. Major Site Plan; 16 Purington Way; Main-Land Development Consultants, Inc, Applicant. **This item is being tabled to the June 23, 2026 Planning Board Meeting.** The Planning Board will hold a hybrid public hearing to consider an application for the development of eight new dwelling units across two lots. Each lot will contain one four-family building, with eight off-street parking spaces. The subject property is located within the Residential Neighborhood RN-3 zone. A project and plan summary are available for viewing on the city's CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number PL-003302-2025.
- iii. Major Site Plan; 0 Dalton Street; Main-Land Development Consultants, Inc, Applicant. **This item is being tabled to the June 23, 2026 Planning Board meeting.** The Planning Board will hold a hybrid public hearing to consider an application for the development of eight new dwelling units across two lots. Each lot will contain two, two-family buildings, totaling four units per lot, with eight off-street parking spaces in total. The subject property is located within the Residential Neighborhood RN-3 zone. A project and plan summary are available for viewing on the city's CSS Portal (<https://css.portlandmaine.gov/>) by referencing Plan Number PL-003335-2025.

1220 Brighton Avenue Rezoning from TOD-2 to B-4
 1220 Brighton Avenue
 Zoning Map Amendment
 ZN-003527-2026
 Portland West Realty, Inc, Applicant

Submitted to:	Portland Planning Board	Prepared By:	Rowen McAllister
Public Hearing Date:	May 26, 2026	Date:	May 20, 2026

I. INTRODUCTION

Portland West Realty, Inc (“Applicant”) is seeking a zoning map amendment to rezone the parcel at 1220 Brighton Avenue (“subject property”) from Transit Center Zone (TOD-2) to Commercial Corridor Zone (B-4) (Figure 1). The Applicant is seeking a map amendment to facilitate the development of a commercial restaurant business with a drive-through window in accordance with dimensional standards for the B-4 zone.

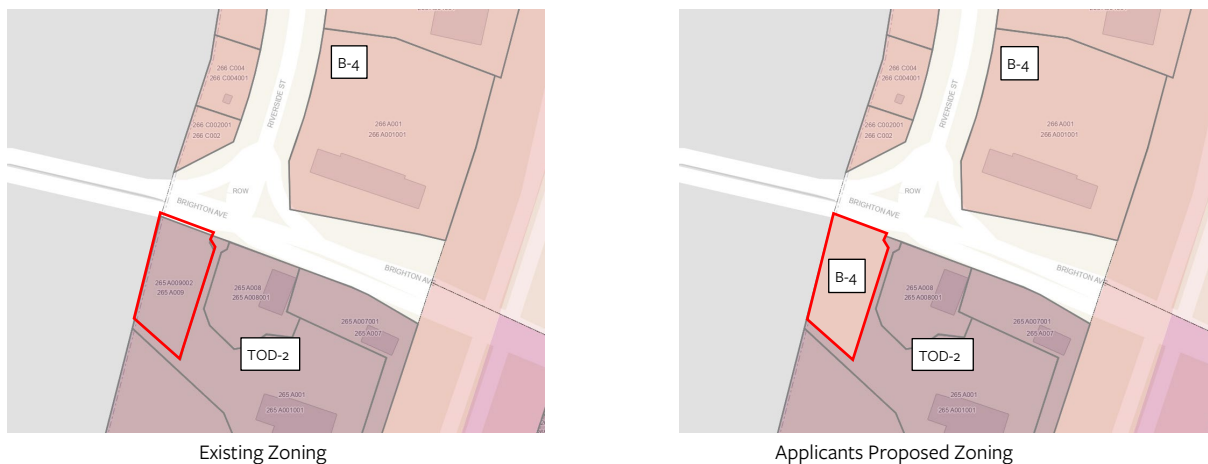


Figure 1: Existing zoning map and applicant's proposed zoning map amendment to B-4

The Planning and Urban Development Department mailed 48 notices advertising this meeting to interested parties and property owners within 500 feet of the site. The legal advertisement ran in the May 14, 2026 editions and May 15, 2026 of the *Portland Press Herald*. Additionally, the applicant held a neighborhood meeting on March 12, 2026.

Applicant: Portland West Realty, Inc
Applicant Representative: Brendan Barry, Marcus Clegg

II. REQUIRED REVIEWS

<i>Review</i>	<i>Applicable Standards</i>
Consistency with Portland’s Comprehensive Plan	Portland’s Plan 2030

III. PROJECT DATA

Existing Zoning	TOD-2 Transit Center Zone
Proposed Zoning	B-4 Commercial Corridor

IV. BACKGROUND & EXISTING CONDITIONS



Figure 2: Google image of 1220 Brighton Ave from November 2024

The subject property at 1220 Brighton Avenue is a vacant lot of approximately 27,000 square feet (0.62 acres) within the TOD-2 zone. The site is bounded by Brighton Avenue to the north, commercial uses to the east and south, and the Portland-Westbrook border to the west. The subject property is currently within and bordered by the TOD-2 zone to the east and south. The B-4 zone extends along the opposite side of Brighton Avenue to the north. The TOD-2 zone east of I-95 continues along the south side of Brighton Avenue, while the B-2 zone continues on the north side of Brighton Avenue east of I-95, as can be seen in Figure 3 below.

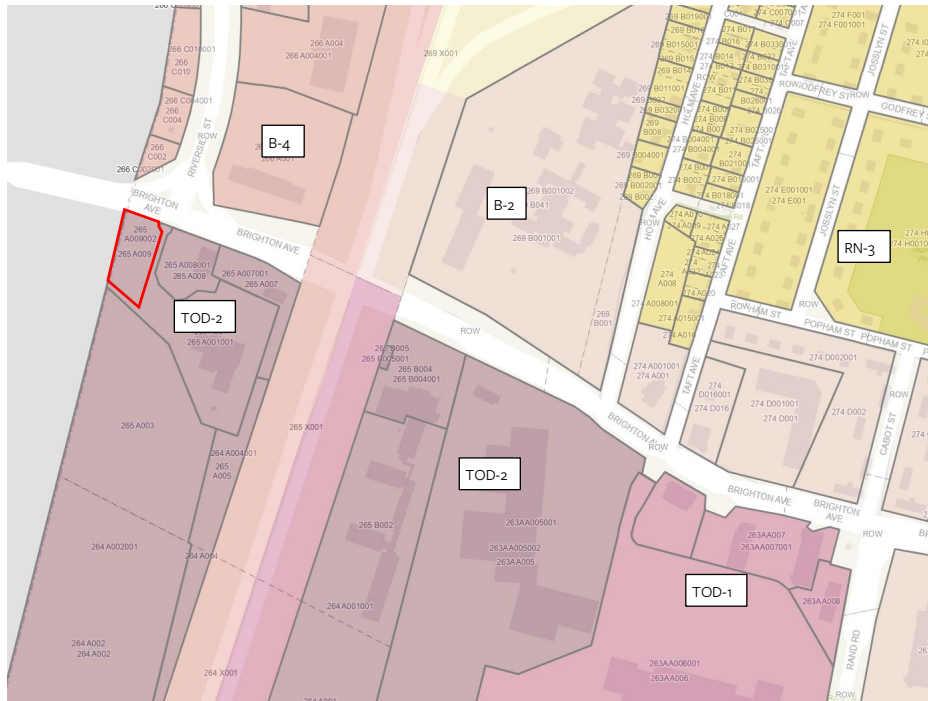


Figure 3: Zoning Map of Brighton Ave

There are multiple commercial uses within one-quarter mile of the subject property on Brighton Avenue, including a dentist office, hotels, and car dealerships. The Barron Center, the City’s rehabilitation and nursing home, and Portland Housing Authority’s Sagamore Village are also located within a half mile.

Across the Westbrook-Portland border, there are several existing commercial businesses and ongoing commercial development associated with Rock Row, which is a multi-phase development proposing residential, commercial, medical, entertainment, and retail uses. The zoning on the adjacent parcels in Westbrook directly supports the master-planned Rock Row development. The purpose of the zone, as provided in Westbrook’s Chapter 335 Land Use Code, is to enable high-quality, mixed-use commercial development which serves as a gateway to Westbrook, a regional economic hub, and as a destination for visitors and shoppers to the city and state.



Figure 4: Aerial View of Site

Many of the commercial structures along Brighton Avenue near the subject property reflect the automobile-oriented character of the corridor. The area is generally characterized by mid-sized commercial uses, heavy vehicular traffic, and drive-thru restaurants. This development pattern is influenced by the area’s close proximity to the Exit 48 interchange of the Maine Turnpike (I-95), with the subject site located approximately 2,000 feet from the interchange.



Figure 5: Site distance from interchange

However, there is also increasing pedestrian and bus transit infrastructure along this corridor. Two METRO lines run along this segment of Brighton Ave, including Route 4 and the Husky Line, which extends from Downtown Portland to Downtown Gorham. There are approximately 5 METRO bus stops within a half mile of the subject property. Metro is also currently conducting a Bus Rapid Transit study that would result in high-frequency bus service between Gorham Village, Westbrook, and Downtown Portland, via Brighton Avenue.

Background

The subject property was re-zoned from the B-4 zone to the TOD-2 zone in 2024 as part of ReCode, the City’s multi-year effort to modernize its land use code and implement Portland’s Plan 2030. During that process, staff and the Planning Board recommended rezoning properties along Brighton Avenue east of I-95 to TOD-1 and TOD-2, while retaining properties west of I-95, including the subject property, in the B-4 zone. The City Council ultimately introduced and adopted an amendment from the floor to rezone the

subject property and adjacent properties along Brighton Avenue, west of I-95, to TOD-2 as part of its approval of ReCode in [November 2024](#) (Order 71-24/25).

The property owner of 1220 Brighton Avenue also owns the adjacent property at 1200 Brighton Avenue, which contains a commercial medical office building and hotel. During development of the adjacent property, the owner installed a curb cut to serve the subject property and incorporated other improvements to support a complementary commercial use at that location, consistent with the B-4 zoning in effect at the time. However, no site plan application for the subject property was submitted prior to its rezoning to the TOD-2 zone.

The current conceptual plan for a restaurant with a drive-through is now prohibited under the current TOD-2 zoning. Therefore, the property owner sought a hardship variance from the Zoning Board of Appeals (ZBA). The variance request included seeking relief from the prohibition of the drive-through use along with variances for dimensional requirements relating to build-to minimum, height minimums, and minimum building length as a percentage of street frontage. In a decision dated October 2, 2025, the ZBA denied the requested variances as detailed in ZBA-003455-2025. Shortly after the decision of the ZBA, the property owner submitted a reconsideration request of the ZBA decision regarding the hardship variance, which was subsequently denied. On November 20, 2025, the property owner submitted an appeal of Portland's ZBA Decision in Cumberland County Superior Court. The ZBA decisions are included in this memo as attachments.

A letter from Tighe & Bond, Inc to the property owner, dated November 13, 2023, identified soil contamination at the subject property due to petroleum-related contaminants. Correspondence from the Maine Department of Environmental Protection (Maine DEP) to the Applicant, dated August 28, 2024, suggests any contamination is likely due to the site's former use as a sand and gravel extraction site landfill. Maine DEP outlined conditions for the safe use of the subject property, including proper handling and disposal of contaminated soil and installation of a vapor barrier and/or sub-slab depressurization system prior to occupancy. The Applicant states that Maine DEP recommended restrictions on certain sensitive uses including residential and institutional uses such as hospitals, nursing homes, childcare facilities, schools, and similar uses. Additionally, a letter from Jones & Beach Engineers, dated March 11, 2026, identifies the likely presence of clay deposits at the subject property and states such deposits would result in a more complicated and costly foundation system. Correspondence referencing contamination and soil conditions are included as attachments.

V. PREVIOUS WORKSHOP

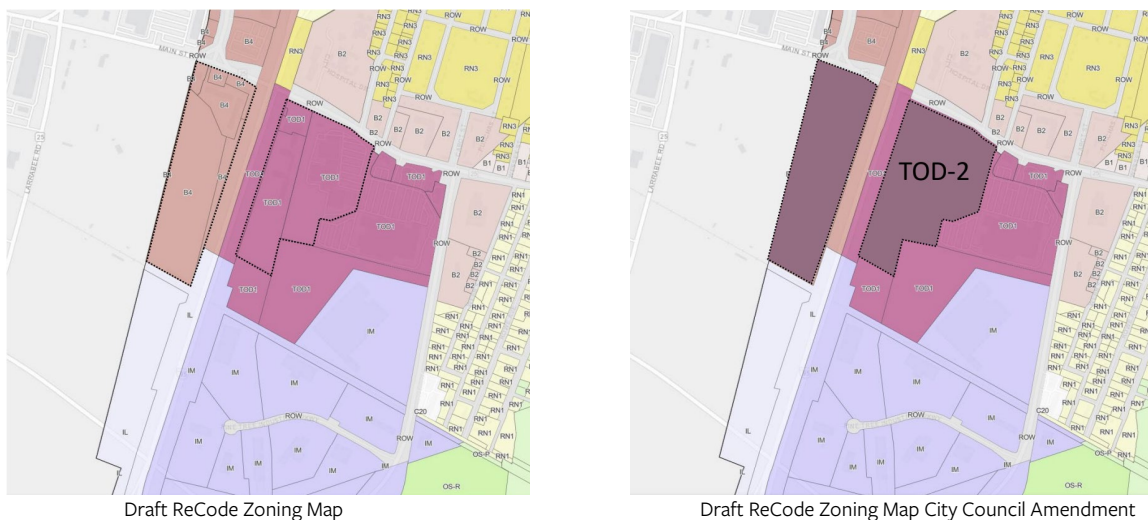
A Planning Board workshop was held on [April 14, 2026](#) for the zoning map amendment at the subject property. At the workshop, Planning Staff provided the Board and public with an overview of the applicant's proposed zoning map amendment. Staff reminded the Board that all zoning amendments must be found to be consistent with the policies and goals of [Portland's Comprehensive Plan](#), and shared goals from the Plan which could support both the TOD-2 zone and the proposed rezoning to B-4. The Board asked for more information about how the City Council's 2024 ReCode amendment compared to the Planning Board recommendations at the time.

The Applicant presented the proposed zoning map amendment as a way to support local economic goals of the Comprehensive Plan, as well as outlined the site constraints on the subject property relating to soil conditions and site contamination. The Board members requested that the Applicant more clearly address the goals and policies of the Comprehensive Plan.

There were several members of the public who commented at the workshop. Those in support of the amendment acknowledged the limitations faced by the Applicant due to the current land use patterns in the area. Residents in opposition to the amendment spoke to the importance of the long-term vision of Brighton Avenue as a transit-oriented corridor.

Planning Staff Response

The Planning Board requested additional information regarding the City Council amendment during the ReCode process which changed the subject property zoning to the TOD-2 zone. The following map provides a comparison of the initial TOD-1 and B-4 draft Zoning Map presented by Planning Staff and recommended by the Planning Board (left) and the final Zoning Map (right) as amended by City Council during the ReCode process.



The City Council’s introduction of the TOD-2 zone along this portion of Brighton Avenue, west of I-95, reflects a transformational vision for the corridor centered on existing and planned transit infrastructure. The rezoning, as recommended by Planning staff and the Planning Board, was intended to support increasingly dense urban development along this priority corridor east of I-95, where the general area was identified as a priority node in the Comprehensive Plan. Due to the presence of I-95, which serves as a significant physical barrier, as well as the surrounding development context and proximity to the Exit 48 interchange of the Maine Turnpike, Planning staff and the Planning Board recommended retaining the B-4 zoning west of I-95. The City Council ultimately included the area containing the subject property within the TOD-2 zone to further encourage density and transit-oriented development along Brighton Avenue.

VI. APPLICANT’S CONCEPTUAL DEVELOPMENT PROPOSAL

The proposed map amendment to rezone 1220 Brighton Avenue to B-4 would facilitate the development of a commercial business with a drive-through as shown in Figure 7 below.

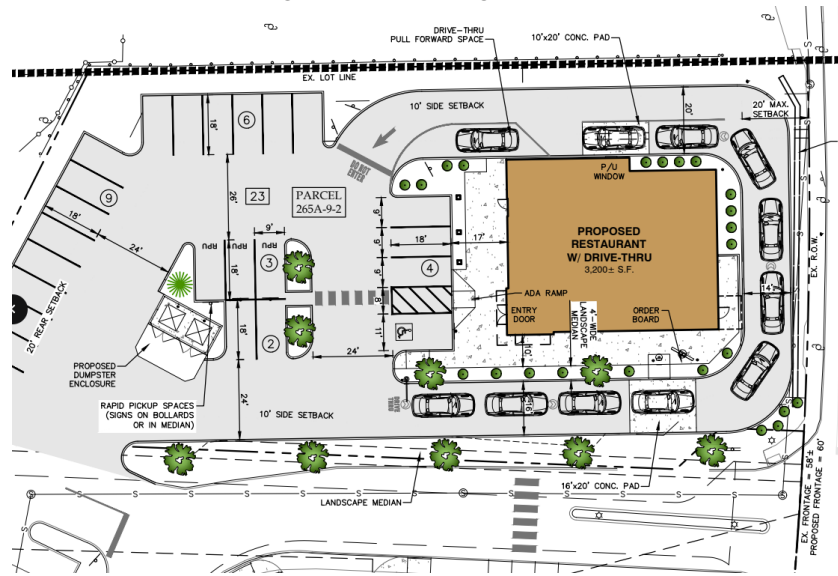


Figure 7: The conceptual site plan for 1220 Brighton Avenue

The current conceptual site plan does not meet the following use restrictions and dimensional standards of the TOD-2 zone:

- Prohibition of drive-through use and drive-through features - *Article 14-6.6.29(C)(3)*
- The minimum build-to zone (0-5 ft) – *Table 7-D*
- Minimum height (35 ft) – *Table 7-D*
- Minimum building length (80%) as percentage of street frontage– *Table 7-D*

Further, in zones where drive-throughs are permitted as an accessory use, all components of a drive-through, including stacking lanes, shall be located to the side or rear of the principal building where practicable, in accordance with *Article 14-6.6.29(C)(4)*.

The development contemplated at 1220 Brighton Avenue in this application is conceptual at this stage, and no site plan application has been submitted. Should the proposed rezoning to B-4 be approved by the City Council, a site plan application, addressing all applicable land use standards, would be required to be submitted by the applicant to facilitate the development of this project.

VII. PROPOSED ZONING MAP AMENDMENT

The Applicant proposes a zoning map amendment to change 1220 Brighton Avenue (265 A009002) from Transit Center Zone (TOD-2) to Commercial Corridor Zone (B-4). The current conceptual plan for the subject property does not meet the following use and dimensional requirements of the TOD-2 zone: prohibition of a drive-through and drive-through features, minimum build-to zone of 0-5 ft, minimum building height of 35 feet, and minimum building length covering at least 80% of street frontage. These

current use restrictions and dimensional standards in the TOD-2 zone serve as the basis for the amendment to revert the subject property to the B-4 zone.

VIII. ZONING ANALYSIS

Overview of Zoning Purpose Statements: Existing Versus Proposed Zoning

The purpose statement for each zone under consideration is listed below:

Existing zones:

TOD-2 Transit Center Zone: *“To provide for and encourage the development of high-intensity mixed-use, compact urban neighborhoods that support Portland’s investment in high frequency transit infrastructure through permissions for a highly dense, pedestrian-scale built environment and a broad range of uses that allow residents to live, work, shop, dine, and pursue cultural and recreational opportunities while enjoying a range of mobility choices. The TOD-2 zone is intended to allow for the creation of vibrant, accessible, 24-hour neighborhoods at suitable locations on or near the peninsula.”*

Proposed Zone:

B-4 Commercial Corridor: *“To provide locations in the city for the development and operation of businesses serving a regional or larger market, to provide locations for large-scale commercial uses that require larger land areas to accommodate their operations, and to support moderate to high-density housing including three-family, four-family, townhouse, and multi-family structures. Standards of the B-4 zone acknowledge the need to maintain automobile access while encouraging improvement of the pedestrian environment and accommodating alternative modes of transportation.”*

Use Comparison of Existing and Proposed Zones

As provided in Table 2, there are several noteworthy differences in use permissions between the TOD-2 and B-4 zones. Overall, the B-4 zone allows a broader range of uses than the TOD-2 zone, including uses that are typically more auto-oriented and operationally intensive. In contrast, while the TOD-2 zone permits a narrower range of uses, it is generally intended to support more intensive, compact, mixed-use development in locations that are walkable and well served by transit. For example, the B-4 zone permits lower density residential uses, and larger-scale commercial uses, such as self-storage facilities, car dealerships, and greenhouses. The B-4 zone also permits marijuana-related uses, whereas the TOD-2 zone does not. Only two uses are prohibited in the B-4 zone and allowed in the TOD-2 zone, which are elementary, middle, and secondary schools and hostels.

Table 2 provides a comparison of the permitted uses between existing and proposed zone. Uses marked with a ‘P’ are permitted uses in the zone. A ‘C’ indicates a conditional use. A blank space means the use is not permitted. The differences between TOD-2 and B-4 are highlighted in blue.

TABLE 2: PERMITTED AND CONDITIONAL USES IN TOD-2 and B-4		TOD-2	B-4
R e s i d e n t i a l	Two-family dwellings		P
	Three-family dwellings		P
	Four-family dwellings		P
	Town house dwellings	P	P
	Multi-family dwellings	P	P
	Live/work dwellings	P	P
	Lodging houses	P	P
I n s t i t u t i o n a l	Child care facilities	P	P
	Clinics	P	P
	Cultural Facilities	P	P
	Elementary, middle, and secondary schools	P	
	Emergency Shelters		C
	Governmental uses	P	P
	Places of assembly	P	P
	Post-secondary schools	P	P
	Residential care facilities (small)	P	P
	Residential care facilities (large)	P	P
C o m m e r c i a l & O t h e r	Auto, boat, related dealerships		P
	Auto service stations		P
	Bars	P	P
	Conventional halls	P	P
	Funeral homes		P
	General offices and services	P	P
	Greenhouses/nurseries		C
	Hostels	P	
	Hotels	P	P
	Intermodal Transportation facilities	P	P
	Marijuana retail stores		P
	Registered marijuana dispensary		P
	Market gardens		P
	Recreation and amusement centers	P	P
	Restaurants	P	P
Retail (all square feet)	P	P	
Small-scale marijuana caregiver		P	

Specialty food service	P	P
Theater and performance halls	P	P
Veterinary services	P	P
Animal-related services		P
Communication studios	P	P
Dairies		P
Impound lots		P
Laboratory and research facilities		P
Low-impact industrial	P	P
Marijuana manufacturing facilities		P
Marijuana testing facilities		P
Printing and publishing		P
Self-storage facilities		P
Studios for artists and craftspeople	P	P
Warehousing, storage, and distribution		P
Parks and open space	P	P
Social service centers		C
Solar energy systems (minor)	P	P
Solar energy systems (major)		C
Utility substations	P	P
Wind energy systems (minor)	C	C

Dimensional Comparison of Existing and Proposed Zones

The dimensional standards in the existing and proposed zones reflect the differences in their respective purpose statements. The TOD-2 zone is intended to facilitate high-density, pedestrian-oriented, mixed-use development that supports the City’s investment in high-frequency transit infrastructure. Meanwhile, the B-4 zone allows for lower-density development, larger lots, and a less restrictive build-to zone to accommodate larger-scale commercial uses. As shown in Table 3, the proposed re-zoning to the B-4 zone would establish a minimum lot area of 10,000 square feet and a street frontage requirement of 60 ft. The build-to zone would increase to 0-20 feet, and the build-to percentage would decrease to 50%. If re-zoned to B-4, the required building length as a percentage of street frontage would be removed entirely.

Table 3 provides a comparison of the dimensional requirements between the two proposed zones.

TABLE 3: DIMENSIONAL REQUIREMENTS	TOD-2	B-4
Lot area (min.)	None	10,000 SF
Street frontage (min)	None	60 ft.
Build-to Zone	0-5 ft.	0-20 ft.
Build-to percentage (min)	100%	50%
Building length as a percentage of street frontage (min)	80%	None

Blank wall area (max)	20 ft.	40 ft.
Rear Setback (min)	None, except 20 ft. if abutting a lot in a residential zone.	None, except 20 ft. if abutting a lot in a residential zone.
Side Setback, interior (min)	None, except 10 ft. if abutting a lot in a residential zone.	None, except 10 ft. if abutting a lot in a residential zone.
Structure height (max.)	Min: 35 ft Max: 85 ft	65 ft.
Landscaped open space ratio (min)	10%	20%

IX. COMPREHENSIVE PLAN ANALYSIS

Portland's Plan 2030

The following analysis provides a framework to assist the Board in its review of the proposed zoning map amendment. Relevant goals and policies of Portland's Plan 2030 are identified below.

The Comprehensive Plan's Future Land Use section offers a framework for how the City can strategically plan for growth and guide future changes. The Plan identifies areas to be prioritized for growth that supports concentrated mixed-use activity and complete neighborhoods, as shown below.



Figure 8: Visions of Portland's Plan 2030

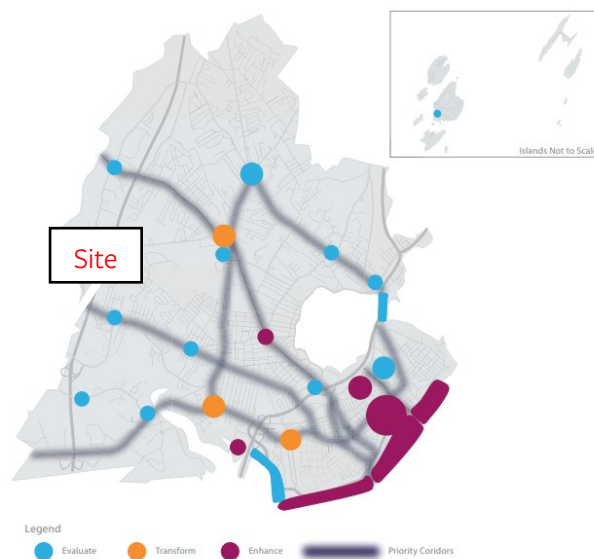


Figure 9: Portland's Plan 2030 Priority Nodes and Corridors from the Future Land Use Section

In the Future Land Use section, Brighton Avenue is identified as a priority corridor for further evaluation and potential investment to serve neighborhood needs, while the nearby intersection of Brighton Avenue and Rand Road (east of I-95) is identified as a priority node. The ReCode process evaluated the potential for growth along this portion of Brighton Ave, which resulted in the area being rezoned to TOD-1 and TOD-2.

In addition to the Future Land Use section, the Comprehensive Plan policies and goals also offer a framework for reviewing proposed map amendments. The identification of Brighton Ave priority corridor and the subsequent ReCode changes reflect Transportation and Environment Goals of the Comprehensive Plan:

Transportation:

- Future Strategies: Create incentives to spur transit-oriented, mixed-use development along corridors and in areas that can support high-quality transit service.
- Future Strategies: Support initiatives to strategically increase the frequency and span of service, on-time reliability, and geographic scope of transit service.

Environment:

- Local Goal: Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation.

However, the applicant has identified the following relevant Comprehensive Plan goals, which encourage the development of the property under the B-4 zone:

Economy:

- Local Goal: Create economic prosperity by growing Portland's tax and employment base
 - Future Strategies: Modify ordinances and make strategic investments to better promote business development and job creation in priority areas.

Environment

- Local Goal: Support Sustainable Land Use and Transportation Policies
 - Future Strategies: Plan for the mitigation and redevelopment of brownfields to support productive uses and a healthier environment for residents.

The Applicant states that the dimensional restrictions of the current zoning along with the contamination and soil conditions on the property limit the development potential of the property under the use and dimensional requirements of the TOD-2 zone. The applicant asserts that rezoning the property to B-4 would allow for the introduction of a new commercial use and facilitate the productive reuse of a contaminated site, thereby advancing the Economic and Environmental goals of the Comprehensive Plan.

Summary

The subject property's current TOD-2 zoning aligns with the Comprehensive Plan's long-term vision for a more compact, mixed-use, and pedestrian-oriented Brighton Avenue corridor. The use standards reflect an intent to support neighborhoods where residents can “*work, live, shop, and dine,*” and the dimensional

standards encourage a “*pedestrian-scale built environment*” that emphasizes building placement close to the street, with an active and continuous street wall, rather than automobile-oriented development. The rezoning of this portion of Brighton Avenue from B-4 to TOD-2 in 2024 reflected an intent to transition this corridor over time toward a more compact, mixed-use, and pedestrian-oriented development pattern.

However, the proposed rezoning to B-4 would address the economic and environmental constraints affecting the subject property. Existing development along Brighton Avenue west of I-95 is characterized by large-scale commercial uses with prominent parking and other design elements supporting automobile use. These established land use patterns are generally consistent with the use and dimensional standards of the B-4 zone. As the applicant notes, the B-4 zone is intended to support businesses serving a regional or larger market and to accommodate automobile access, consistent with the zone’s purpose statement. The applicant further asserts that this development pattern aligns with certain economic and environmental goals of the Comprehensive Plan.

Accordingly, the proposed rezoning presents a trade-off between accommodating existing development patterns and site-specific constraints and supporting broader Comprehensive Plan objectives related to growth along identified corridors and the coordination of transportation and development. In considering this amendment, the Board should evaluate whether the proposed rezoning is consistent with the goals and policies of the Comprehensive Plan and whether it would advance those objectives in the context of this site and the surrounding area.

X. STAFF RECOMMENDATION

While both the TOD-2 and B-4 zones could be found consistent with the Comprehensive Plan, staff recommend that the Planning Board consider rezoning the subject property and adjacent parcels, including 1210 Brighton Avenue, 1200 Brighton Avenue, and 1188 Brighton Avenue from TOD-2 to B-4 (see Figure 10). Expanding the B-4 rezoning area would create a more consistent land use pattern west of I-95 along Brighton Avenue and facilitate the redevelopment of underutilized sites in a manner more compatible with the existing context and automobile-oriented character of the area. The character of this section of the corridor is shaped by its close proximity to the Exit 48 interchange and the surrounding auto-oriented development extending into Westbrook, which serves both regional and larger market demands.

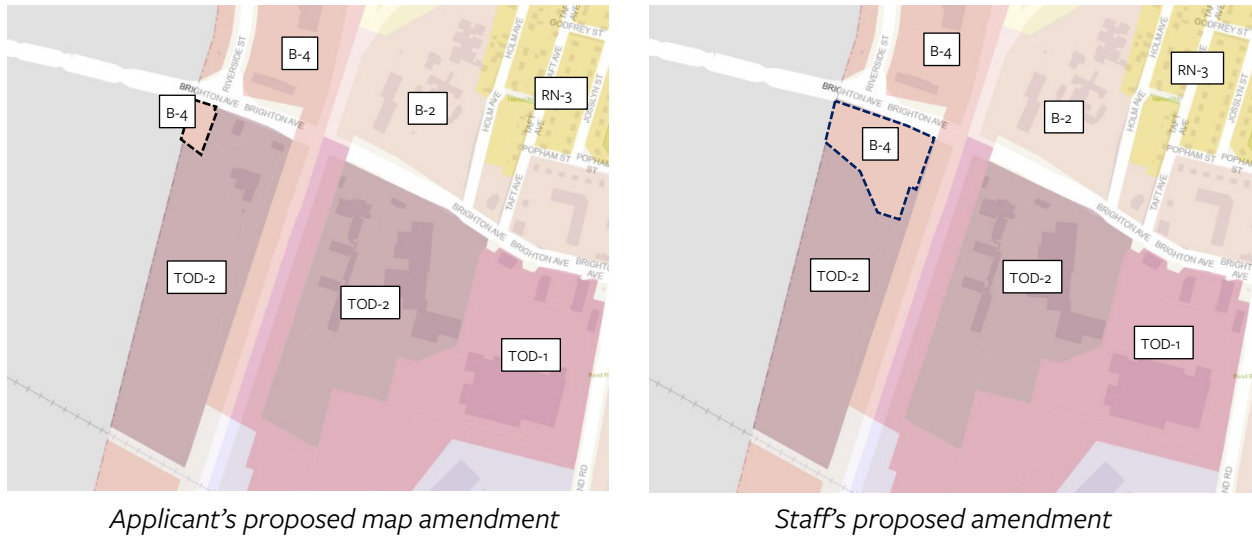


Figure 10: Comparison between Applicant's and staff's proposed rezoning

The purpose statement of the B-4 zone is more closely aligned with the existing context and anticipated future conditions of this area, as it is intended to provide locations for businesses serving regional markets, accommodate large-scale commercial uses requiring larger land areas, and support moderate- to high-density housing. The standards of the B-4 zone recognize the continued importance of automobile access while also encouraging improvements to the pedestrian environment and accommodating alternative modes of transportation. The B-4 zone would continue to permit a mix of commercial and residential uses while establishing dimensional and use standards that are better aligned with the intended development pattern for this section of Brighton Avenue. Relevant Comprehensive Plan policies include:

- *Promote an economic climate that increases job opportunities and overall economic well-being*
- *Create economic prosperity by growing Portland's tax and employment base.*
- *To encourage orderly growth and development in appropriate areas of each community.*
- *To encourage and promote affordable decent, housing opportunities for all Maine citizens.*
- *Pursue policies to enable people who work in Portland to have the option to live in Portland.*

Retaining the TOD-2 zone for the remaining area to the south is recommended due to the long-term plans and vision for Rock Row, which spans both Westbrook and Portland. Future phases of Rock Row (Phase III and beyond) are anticipated to develop as a denser, walkable, mixed-use urban village that is more consistent with the intent of the City's TOD zoning districts, as illustrated in the Rock Row campus master plan (Figure 11).



Figure 11: Rock Row Campus Plan

XI. PUBLIC COMMENT

One public comment has been received as of May 20, 2026.

A neighborhood meeting was held by the applicant on March 12, 2026, at The Hampton Inn, 1210 Brighton Avenue at 5:30pm. There were no members of the public in attendance.

XII. PROPOSED MOTIONS

On the basis of materials submitted by the applicant, the City of Portland Land Use Code, Portland’s Comprehensive Plan, public comment, and the information provided in the public hearing on May 12, 2026 for the application ZN-003527-2026, and/or other findings, the Planning Board finds that the proposed zoning map amendment [is/is not] consistent with the Comprehensive Plan for the city of Portland; therefore, the Planning Board [recommends/does not recommend] to the City Council adoption of the Zoning Map Amendment as shown in the map below to rezone parcels 265 A009002 (1220 Brighton Ave), 265 A001001 (1210 Brighton Ave), 265 A008001 (1200 Brighton Ave), and 265 A007001 (1188 Brighton Ave) to the B-4 zone.

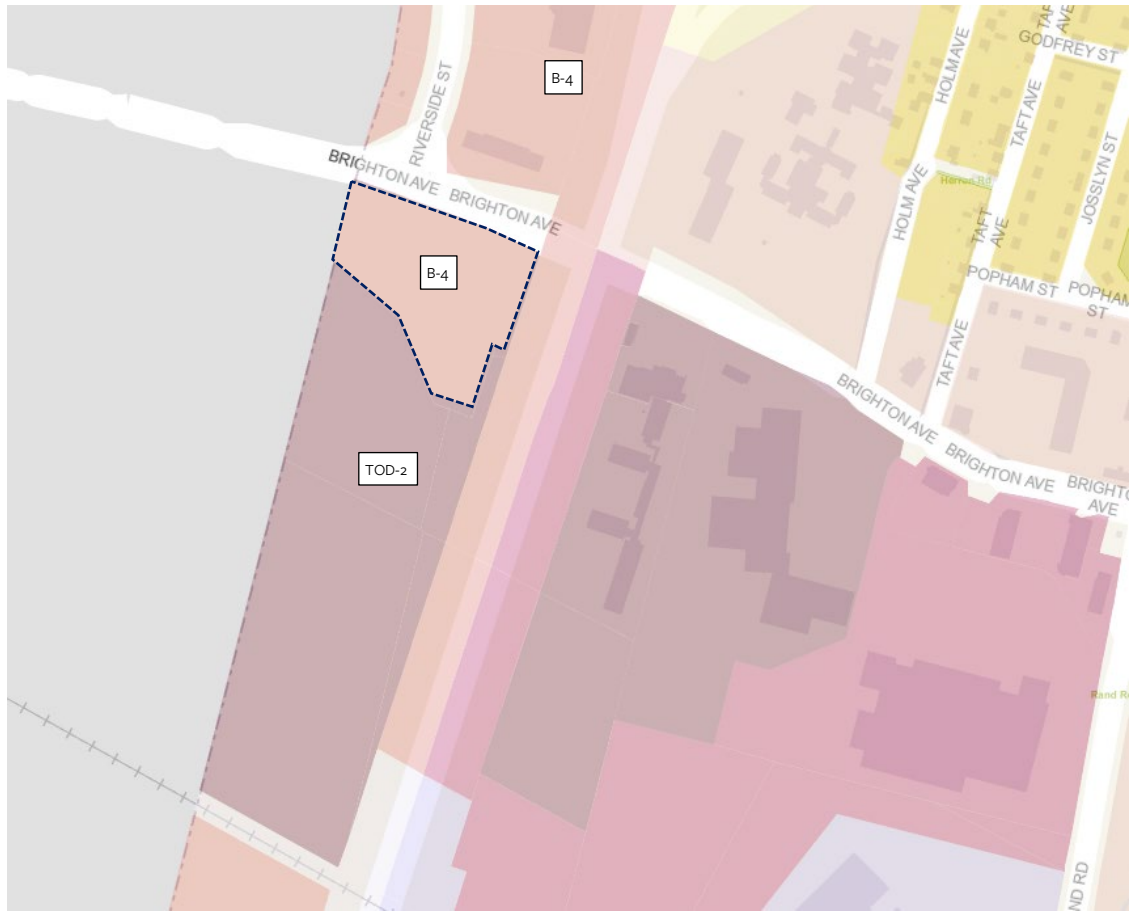


Figure 12: Zoning Map amendment for 1220, 1210, 1200, and 1188 Brighton Avenue

X. ATTACHMENTS

APPLICANT’S SUBMITTAL

- A. Cover Letter
- B. Consistency Letter
- C. Amendment Checklist
- D. Deed
- E. Vicinity Map
- F. Zoning Map
- G. Concept Site Plan
- H. Neighborhood Meeting Materials
- I. Memorandum from Jones & Beach Engineers, Inc., dated March 11, 2026
- J. Correspondence from Maine Department of Environmental Protection, dated December 15, 2023
- K. Environmental Sample Report from Tighe&Bond, dated November 13, 2023
- L. Letter from Maine Department of Environmental Protection, dated August 28, 2024

STAFF ATTACHMENTS

- S1. Variance Application for 1220 Brighton Ave submitted by Portland West Realty, dated September 8, 2025
- S2. Decision of the Zoning Board of Appeals regarding Variance Application, dated October 2, 2025
- S3. Decision of the Zoning Board of Appeals regarding A Request to Reconsider submitted by Portland West Realty, dated November 6, 2025
- S4. Planning Board Memo, dated April 14, 2026

PORTLAND WEST REALTY, INC.

1150 Brighton Avenue

Portland, ME 04102

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

September 8, 2025

Dear Members of the Zoning Board of Appeals,

Portland West Realty, Inc. is the owner of 1220 Brighton Avenue, Portland, Maine (the “Property”). The Property is located on the Westbrook-Portland city boundary line and near Exit 48 on Interstate-95. ExxonMobil Oil Corporation previously owned the Property where it operated a gas station and automobile service center. While owned by ExxonMobil, the Property contained underground storage tanks (“UST”). The USTs leaked and created an underground spill of diesel fuel and other hazardous materials. Prior to selling the Property, ExxonMobil removed the USTs and completed a Voluntary Action Response Program (“VRAP”) with the Maine Department of Environmental Protection. As a required component of the VRAP, restrictions were imposed on the Property preventing the Property from being used for any residential, hospital, nursing home facility, childcare, playground/recreational area, school or any other similar use. The City’s adoption of the new Land Use Code in late 2024 further imposed restrictions on the Property that, in conjunction with the VRAP restrictions, prevents the Property from being developed.

Portland West Realty, Inc. is seeking a variance to allow for the development of a Panera Bread location with drive-through services on the Property. The structure to be constructed on the Property, as proposed, would be (i) shorter than the minimum height of thirty-five (35) feet, (ii) greater than the minimum build-to-zone of 0-5 feet from the street; and (iii) less than the minimum building length as a percentage of street frontage as required in the TOD-2 Zone. Having a Panera Bread move from its location in Westbrook to the Property would create a location for commuters to pick up healthy food and beverages easily and conveniently without a large disruption to the morning or evening work commutes in and out of the City. Furthermore, this variance will allow for an otherwise undevelopable piece of real estate to support and complement other nearby Portland businesses while generating tax revenue for the City.

In sum, Portland West Realty, Inc. requests that the Zoning Board of Appeals grants a hardship variance for the Property such that a Panera Bread drive-through location may be constructed thereon.

Sincerely,

Kamlesh Patel

President of Portland West Realty, Inc.



CITY OF PORTLAND
Permitting and Inspections Department
Zoning Board of Appeals
Variance Appeal Application

Applicant Information:

Applicant Name: Brendan Barry Phone: (207) 210-6281
 Business Name (if applicable): Marcus Clegg Email: btb@marcusclegg.com
 Mailing Address: 16 Middle Street, Suite 501, Portland, Maine 04101
 Is the applicant an agent, representative, or lessee of the property owner/purchaser? Yes No
 Name of Property Owner/Purchaser: Portland West Realty, Inc. Phone: (207) 807-1127
 Business Name (if applicable): _____ Email: kopatel@me.com
 Mailing Address: 1150 Brighton Ave., Portland, ME 04102

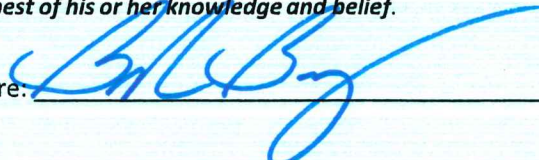
Property and Project Information:

Property Address: 1220 Brighton Ave. Zone: TOD-2
 Tax Assessor's CBL: 265 A 9-2 Current Use of Property: Vacant Land
Chart # Block # Lot #
 Seeking a Variance from the Portland Land Use Ordinance, Chapter 14, Section 6.6.2(c)(3) and Table 7-D*
 Description of Proposed Variance: To allow a building to be built on the property that is less than the minimum height requirement of 35', to allow the building to be set back more than 5' from the road and for the building to be used as a drive-through business.

Please submit all applicable items listed on the **Application Process and Instructions** sheet. You are welcome to submit any additional documents and exhibits that may support your application. Provide answers to the Variance Addendum, found on page 2 of this form.

* Variance sought under Table 7-D includes: (i) minimum build-to-zone; (ii) minimum structure height; and (iii) minimum building length as a percentage of street frontage.

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

Applicant signature:  Date: 09/11/2025

389 Congress Street, Room 315 • Portland, Maine 04101 • 207-874-8703
 zoning@portlandmaine.gov • www.portlandmaine.gov



CITY OF PORTLAND
Permitting and Inspections Department
Addendum to Variance Appeal Application

The applicant will provide answers to the four statements below.

Section 2.3.11.B of the Land Use Ordinance states that a variance may be granted by the Zoning Board of Appeals only where strict application of the ordinance, or a provision thereof, to the petitioner and his property would cause undue hardship. The board will consider the answers and evidence provided the applicant in response to the four statements below in determining whether “undue hardship” exists.

1. The land in question cannot yield a reasonable return unless a variance is granted. [Note: “failure to yield a ‘reasonable return’ means ‘the practical loss of all beneficial use of the land...Reasonable return does not mean maximum return.” *Rowe v. City of South Portland, 730 A.2d 673, 675 (ME 1999)(citations omitted.)*]

Yes No

Reason and supporting facts:

Please see attached.

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

Yes No

Reason and supporting facts:

Please see attached.

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

Yes No

Reason and supporting facts:

Please see attached.

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

Yes No

Reason and supporting facts:

Please see attached.

Responses to Portland West Realty, Inc.'s Hardship Variance Application

1. When the applicant purchased 1220 Brighton Avenue (the "Property"), it was part of a larger parcel. The applicant developed a comprehensive plan for development of entire site which included the Hampton Inn, another site (currently occupied by Aspen Dental) and the Property, which the applicant had always intended to be leased to a business that would utilize a drive through. The Property is the last parcel on the site to be developed so the "character" of the entire development has already been established and the Property can only be used in a way that fits in with the rest of the project. Further limiting the options for use of the Property is its size - 0.65 acre. In addition, the Property is subject to various restrictive covenants because of a certain Voluntary Response Action Plan ("VRAP") conducted by the Maine DEP and a predecessor owner to remediate a hazardous material spill at the Property. The restrictive covenants prevent the Property from being used for any residential, nursing home facility, childcare, playground/recreation area, school or other similar use (the "Restrictions").

Under the new Land Use Code, effective November 4, 2024 (the "Recode") the Property is located in the Transit-Oriented Development Zone-2 ("TOD-2"). In TOD-2, buildings are required to be a minimum of 35 feet tall and a minimum length equal to 80% of the lot's street frontage. As applied to the Property, to comply with all zoning requirements, the structure on the Property would be a minimum of three stories tall and be approximately 75 feet in length. To prevent the structure from being built in a manner that would take away from the character of the locality (i.e., to prevent the building from being built in an abnormal shape), the structure would be at least 60 feet in width. Based on the foregoing dimensions, a fully compliant structure would contain approximately 13,500 total square feet of space on a lot that is only 0.65 acres in area. The remaining area of the Property would only be able to accommodate 38 parking spaces, including three handicapped accessible spaces.

While the applicant recognizes that the Recode in general, and the TOD-2 zone in particular, are intended to encourage use of public transportation, as a practical matter, the applicant cannot merely hope to find tenant-businesses whose employees, clients and customers will all utilize public transportation. As such, the applicant has consulted with leasing professionals and confirmed that any potential tenant is highly likely to expect sufficient on-site parking as a precondition to leasing any space. Here, if a structure were built on the Property in accordance with TOD-2 requirements, there would be insufficient on-site parking to attract tenants. The concept plan of the Property with a fully compliant structure as described above is included in this application packet as Concept Plan 19.

Furthermore, the Recode prevents any form of drive-through in TOD-2 despite the fact that drive-throughs are allowed in zone B-4 which is located directly across the street from the Property. Permitted uses in TOD-2 which are not already prohibited under the Restrictions, are not true options for the Property's development given the size of the lot. As outlined above, there is insufficient on site parking to attract a tenant who would operate a sit-down restaurant, hotel, office building, place of assembly, convention/performance hall or amusement center. Furthermore,

the adjacent Hampton Inn makes development of the Property as a hotel impractical.

In sum, the TOD-2 dimensional requirements in conjunction with the size of the Property would make it impossible for the applicant to lease 13,500 square feet of space for permitted purposes. Furthermore, given that the entire site was developed in anticipation of a drive-through on the Property, the prohibition of drive-throughs makes it virtually impossible for the applicant to attract a tenant for any ground floor use. Therefore, without a variance, the Property cannot be developed in any way that is economically feasible. In short, without a variance, the Property is essentially worthless.

2. The Property was previously utilized as a gas station which contained underground storage tanks. The Restrictions imposed on the Property, which are not a general condition of the neighborhood, prevent the Property from being developed in several different manners. Additionally, the new zoning restrictions imposed on TOD-2 under the Recode further restrict the Property's use such that the Property requires a variance to yield a reasonable return. Therefore, the need for a variance is due to the unique circumstances of the Property.

3. The proposed variance will not alter the character of the locality. Directly across the street from the Property is zoned B-4 which specifically allows for drive-through buildings as an accessory use. Additionally, numerous buildings nearby are similar in height to the proposal and have drive-through service. The requested variance would allow Panera Bread to move from its current location across the street from the Property in Westbrook and into a new, easily accessible location in Portland. The proposed Panera Bread location will not alter but rather will support the essential character of the locality and its existing infrastructure. Other permitted uses in TOD-2 which are not prohibited under the Restrictions will not add value to the locality because there is already a surplus of hotels, lodging, offices and retail stores nearby.

4. The hardship is caused by the new zoning restrictions imposed by the new Recode in conjunction with the Restrictions on the Property. As shown in a letter from the Maine DEP dated August 2, 2002 (see letter enclosed in application packet), the Restrictions were required to be imposed on the Property as part of the VRAP and were not caused by a prior owner. The combination of the new zoning constraints and the Restrictions limits the Property's development potential exponentially. A variance is necessary for any future development of the Property.

DLN: 2419476

QUITCLAIM DEED WITH COVENANT

KNOW ALL BY THESE PRESENTS, that Portland Hotels, Inc., a Maine corporation having its principal place of business in Portland, Cumberland County, Maine, in consideration of one dollar (\$1.00) and other good and valuable consideration paid by Portland West Realty, Inc., a Maine corporation whose mailing address is 1150 Brighton Ave., Portland, ME 04102, the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey, and forever quitclaim unto the said Portland West Realty, Inc., its successors and assigns forever, the following described premises:

A certain lot or parcel of land situated on the southwesterly side of Brighton Avenue in Portland, Cumberland County, Maine bounded and described as follows:

Beginning at an iron pipe set on the southerly sideline of said Brighton Avenue, where it intersects with the boundary line running between the City of Portland and Westbrook, said point of beginning also lying on a course of S14°04'10"W, 5.41 feet from a drill hole in an 8"x8" granite monument on said boundary;

Thence, in an easterly direction on a curve to the right along the southerly sideline of Brighton Avenue, having a radius of 1,382.07 feet and an arc length of 111.48 feet, to a point on the northwesterly corner of land now or formerly of Portland Hotels, Inc. As described in Book 20821, Page 316;

Thence along said Portland Hotels, Inc. land on the following courses and distances:

S17°31'34"W, a distance of 25.00 feet to a point;

S27°28'26"E, a distance of 18.38 feet to a point;

S17°31'34"W, a distance of 204.84' feet to a point;

S13°27'39"W, a distance of 28.21 feet to a pipe found and land now or formerly of Dirigo Center Developers, LLC as described in Book 34380, Page 164;

Thence, along land now or formerly Dirigo Center Developers, LLC, N48°19'47"W 125.00 feet to the boundary line of said Portland and Westbrook;

Thence, along land of now or formerly Dirigo Center Developers, LLC land, N14°04'10"E 216.26 feet to the point of beginning, containing 28,290± square feet.


Reference is made to a plan titled "ALTA/NSPS land title survey 1220 Brighton Avenue Portland, Cumberland county, Maine made for Portland Hotels, Inc." dated December 13, 2023, by Owen Haskell, inc.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said Portland Hotels, Inc., its successors and assigns to its use and behoof forever.


And it does covenant with the said Grantee, its successors and assigns, that it shall and will warrant and defend the premises to the said Grantee, its successors and assigns, forever, against the lawful claims and demands of all persons claiming by, through, or under it.

IN WITNESS WHEREOF, Portland Hotels, Inc., the said Grantor has caused this deed to be executed by its duly authorized President, this 10th day of the month of February, 2025.

Signed, Sealed and Delivered in the presence of:



PORTLAND HOTELS, INC.

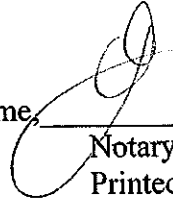
By: 

Kamlesh Patel
President

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.

On February 10, 2025, personally appeared the above-named Kamlesh Patel, the duly authorized President of Portland Hotels, Inc., in his said capacity, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said corporation.

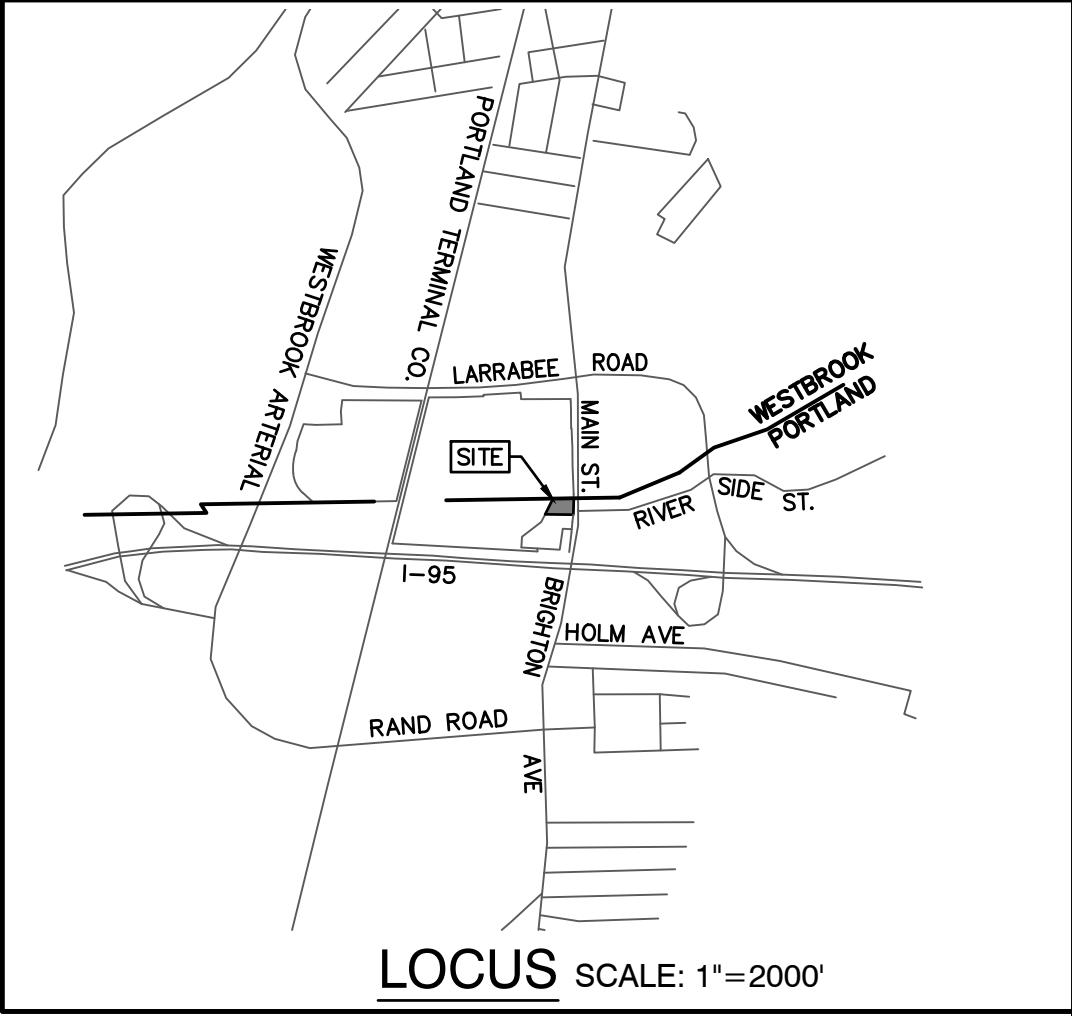
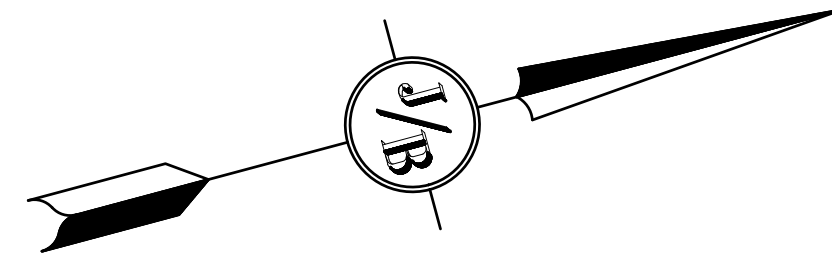
Before me,



Notary Public/Attorney-at-Law

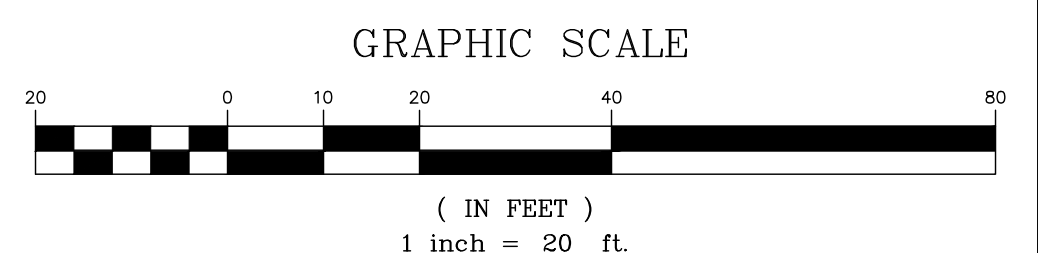
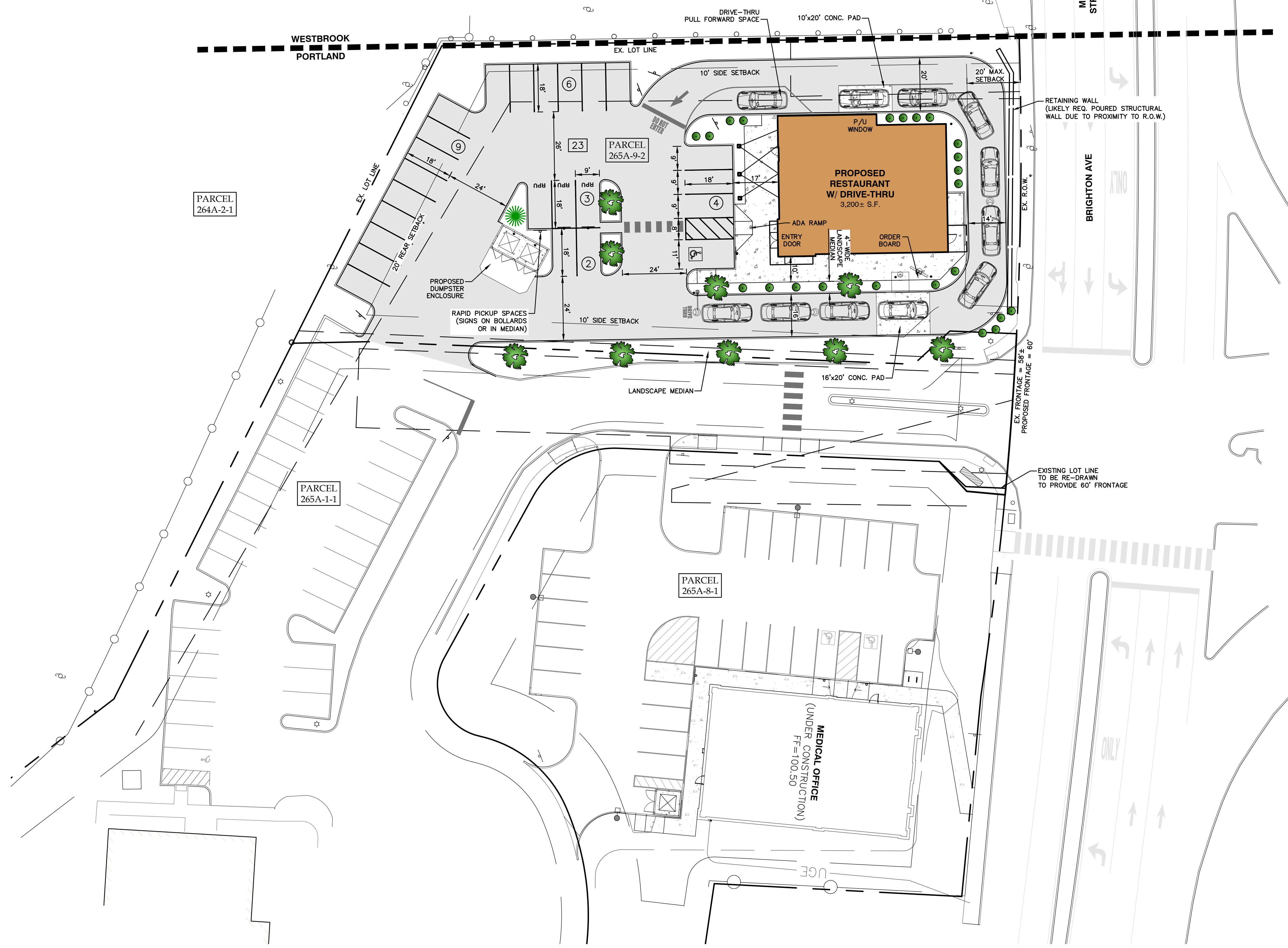
Printed Name: JENNIE CLEGG

Proposed Plan with Variance



- SITE NOTES:**
- THE INTENT OF THIS PLAN IS TO CONSTRUCT A RESTAURANT WITH DRIVE-THRU LOT A-9, PROJECT TO BE SERVED BY ELECTRIC, GAS, MUNICIPAL SEWER & PUBLIC WATER.
 - ZONING DISTRICT: B4 - COMMERCIAL CORRIDOR ZONE

	REQUIRED	PROPOSED
LOT AREA MINIMUM =	10,000 S.F.	111'±
LOT FRONTAGE MINIMUM =	60'	111'±
BUILDING SETBACKS:		
MAX. FRONT SETBACK =	20'	20'
MIN. SIDE SETBACK =	10'	19'
MIN. REAR SETBACK =	20'	100'+
MAX. BUILDING HEIGHT =	65'	<30'
MAX. IMPERVIOUS SURFACE =	80%	-
 - PARKING CALCULATION:
 1 SPACE REQUIRED PER 150 S.F. @ 3,200± S.F.
 TOTAL SPACES REQUIRED = 21
 TOTAL PARKING PROVIDED = 23
 REQ. STANDARD PARKING SPACE DIMENSIONS = 18' X 9'



THIS CONCEPT PLAN HAS BEEN PREPARED BY JONES & BEACH ENGINEERS, INC. (JBE) FOR CONCEPTUAL PURPOSES ONLY. JBE WILL ASSUME NO LIABILITY IF IT IS USED FOR ANY OTHER PURPOSE. THIS PLAN IS SPECIFICALLY NOT INTENDED FOR ANY CONSTRUCTION-RELATED ACTIVITY, INCLUDING (BUT NOT LIMITED TO) CONSTRUCTION BIDDING. IN ADDITION, DUE TO DISCREPANCIES WHICH MAY OR MAY NOT EXIST IN THE AVAILABLE PLAN REFERENCES, ANY PROPERTY LINES AND EXISTING FEATURES DEPICTED ON THIS CONCEPT PLAN AND ANY CALCULATIONS BASED ON THE SAME MAY NOT BE ENTIRELY ACCURATE. JBE ASSUMES NO LIABILITY FOR THE ACCURACY OF THESE LINES OR RELATED CALCULATIONS, AND IT IS UNDERSTOOD THAT THE USER OF THIS CONCEPT PLAN ACCEPTS ALL RESPONSIBILITY FOR ANY AND ALL ACTIONS ARISING FROM THE USE OF THIS PLAN. THE USER AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, TO HOLD HARMLESS AND INDEMNIFY JBE FROM AND AGAINST ALL CLAIMS, LIABILITIES, LOSSES, DAMAGES, AND COSTS ARISING FROM THE USE OF THIS PLAN, INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES.

Design: ISM	Draft: ISM	Date: 3/7/25
Checked: WGM	Scale: AS NOTED	Project No.: 20784
Drawing Name: 20784_CONCEPT 17.DWG		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
2	5/27/25	MINOR REVISIONS	HCH
1	4/15/25	MINOR REVISIONS	ISM
0	3/7/25	ISSUED FOR REVIEW	ISM

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. PO Box 219 Stratham, NH 03885

Civil Engineering Services

603-772-4746 FAX: 603-772-0227 E-Mail: JBE@JONESANDBEACH.COM

Plan Name: **CONCEPTUAL SITE PLAN**

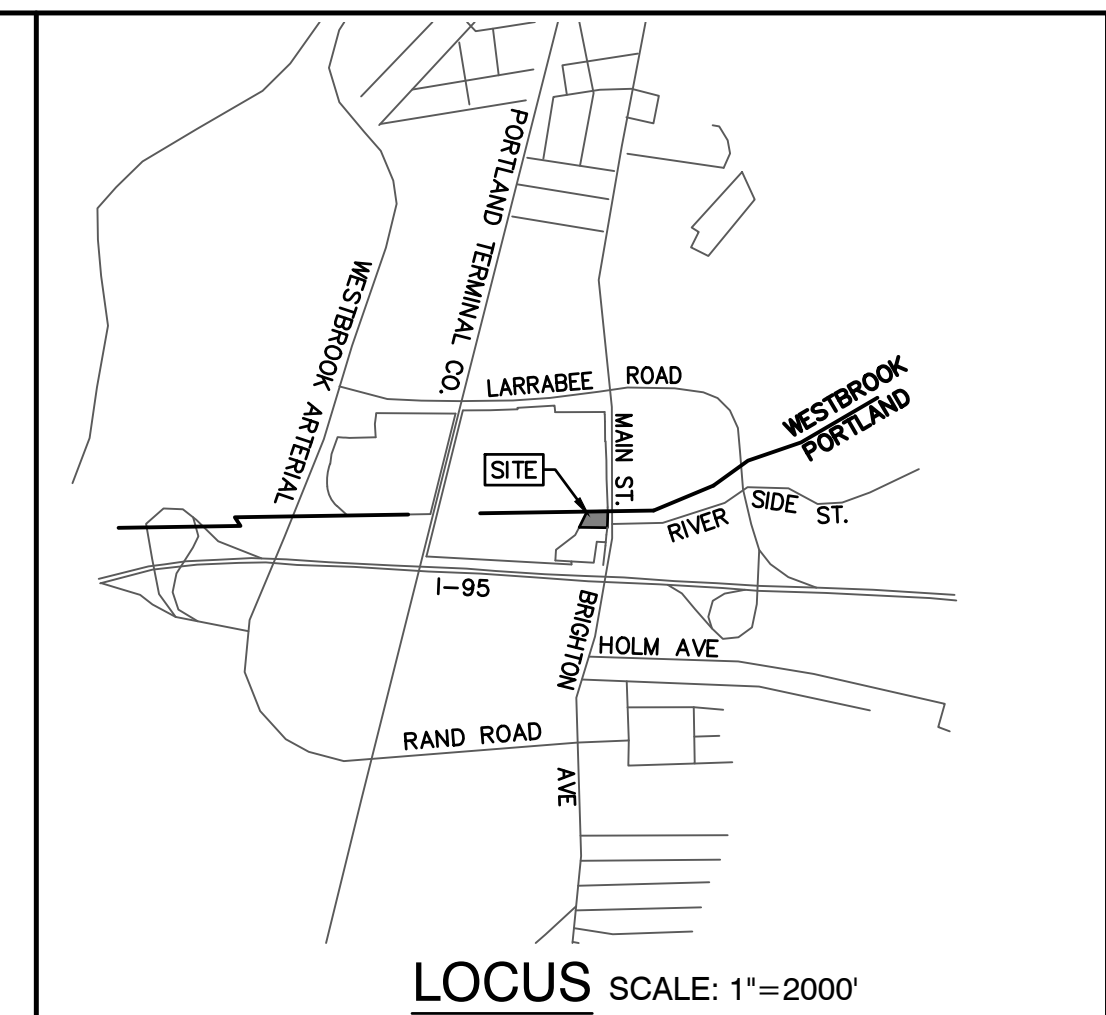
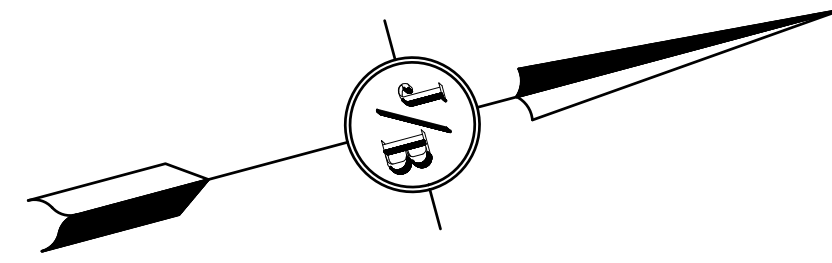
Project: **PROPOSED COMMERCIAL REDEVELOPMENT 1220 BRIGHTON AVENUE, PORTLAND, ME**

Owner of Record: **PORTLAND WEST REALTY, INC 1150 BRIGHTON AVE, PORTLAND, ME 04102**

DRAWING No. **CP17**

SHEET 1 OF 1
JBE PROJECT NO. 20784

Concept in compliance with
TOD-2 zoning restrictions



SITE NOTES:

- THE INTENT OF THIS PLAN IS TO SHOW A 3-STORY MIXED-USE BUILDING ON LOT A-9 IN THE CITY OF PORTLAND, MAINE. PROPOSED USES INCLUDE OFFICE SPACE (UPPER LEVELS) AND FOOD & BEVERAGE & RETAIL (GROUND LEVEL). IT IS ASSUMED THAT F&B WILL OCCUPY ROUGHLY 2,500 SQ.FT. OF THE GROUND LEVEL AND 2,000 SQ.FT. WILL BE RETAIL. PROJECT TO BE SERVED BY ELECTRIC, GAS, MUNICIPAL SEWER & PUBLIC WATER.
- ZONING DISTRICT: TOD2 - TRANSIT-ORIENTED DEVELOPMENT ZONE 2

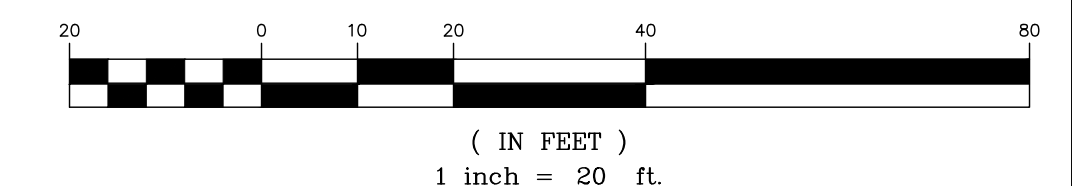
	REQUIRED	PROPOSED
LOT AREA MINIMUM =	N/A	-
LOT FRONTAGE MINIMUM =	N/A	-
BUILD-TO-ZONE =	0-5'	5'
BUILD-TO PERCENTAGE (MIN.) =	100%	100%
BUILDING LENGTH AS A PERCENTAGE OF STREET FRONTAGE (MIN.) =	80%	85%
BLANK WALL AREA (MAX.) =	20'	<20'
BUILDING SETBACKS:		
MAX REAR SETBACK =	N/A UNLESS ABUTTING RESIDENTIAL	
MIN. SIDE SETBACK =	N/A UNLESS ABUTTING RESIDENTIAL	
STRUCTURE HEIGHT (MIN/MAX) =	35/125'	35'+
- VEHICLE & BIKE SPACE REQUIREMENTS (MAXIMUMS):

RESTAURANTS:	1 SPACE / 100 SQ.FT. OF INDOOR FLOOR AREA + 1 SPACE / 300 SQ.FT. OF OUTDOOR SEATING AREA (>5,000 SQ.FT.: 1 BIKE SPACE / 1,500 SQ.FT. FLOOR AREA)
RETAIL:	1 SPACE / 300 SQ.FT. OF FLOOR AREA (>5,000 SQ.FT.: 1 BIKE SPACE / 1,500 SQ.FT. FLOOR AREA)
OFFICE:	1 SPACE / 200 SQ.FT. OF FLOOR AREA (>5,000 SQ.FT.: 1 BIKE SPACE / 1,500 SQ.FT. FLOOR AREA)

RESTAURANT:	2,500 SQ.FT./100 = 25 SPACES
RETAIL:	2,000 SQ.FT./300 = 7 SPACES
OFFICE:	9,000 SQ.FT./200 = 45 SPACES

MAX. PARKING SPACES ALLOWED = 77 SPACES
TOTAL SPACES PROPOSED = 38 SPACES
REQ. STANDARD PARKING SPACE DIMENSIONS = 18' X 9'
- COMPLIANCE W/ BUILDING REQUIREMENTS:
 - BUILDABLE FRONTAGE (EXCLUSIVE OF EXISTING ENCUMBRANCES) = 88'
 - REQ. BUILDING LENGTH AS PERCENTAGE OF FRONTAGE:
 - 88' x 80% = 70.4'
 - MIN. BUILDING LENGTH REQUIRED = 70.4'
 - BUILDING LENGTH PROPOSED = 75' = 85% OF 88' BUILDABLE FRONTAGE

GRAPHIC SCALE



THIS CONCEPT PLAN HAS BEEN PREPARED BY JONES & BEACH ENGINEERS, INC. (JBE) FOR CONCEPTUAL PURPOSES ONLY. JBE WILL ASSUME NO LIABILITY IF IT IS USED FOR ANY OTHER PURPOSE. THIS PLAN IS SPECIFICALLY NOT INTENDED FOR ANY CONSTRUCTION-RELATED ACTIVITY, INCLUDING (BUT NOT LIMITED TO) CONSTRUCTION BIDDING. IN ADDITION, DUE TO DISCREPANCIES WHICH MAY OR MAY NOT EXIST IN THE AVAILABLE PLAN REFERENCES, ANY PROPERTY LINES AND EXISTING FEATURES DEPICTED ON THIS CONCEPT PLAN AND ANY CALCULATIONS BASED ON THE SAME MAY NOT BE ENTIRELY ACCURATE. JBE ASSUMES NO LIABILITY FOR THE ACCURACY OF THESE LINES OR RELATED CALCULATIONS, AND IT IS UNDERSTOOD THAT THE USER OF THIS CONCEPT PLAN ACCEPTS ALL RESPONSIBILITY FOR ANY AND ALL ACTIONS ARISING FROM THE USE OF THIS PLAN. THE USER AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, TO HOLD HARMLESS AND INDEMNIFY JBE FROM AND AGAINST ALL CLAIMS, LIABILITIES, LOSSES, DAMAGES, AND COSTS ARISING FROM THE USE OF THIS PLAN, INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES.

Design: ISM	Draft: ISM	Date: 9/5/25
Checked: WGM	Scale: AS NOTED	Project No.: 20784
Drawing Name: 20784_CONCEPT 19.DWG		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
0	9/5/25	ISSUED FOR REVIEW	ISM

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. PO Box 219 Stratham, NH 03885

Civil Engineering Services

603-772-4746 FAX: 603-772-0227 E-Mail: JBE@JONESANDBEACH.COM

Plan Name: **CONCEPTUAL SITE PLAN**

Project: **PROPOSED COMMERCIAL REDEVELOPMENT 1220 BRIGHTON AVENUE, PORTLAND, ME**

Owner of Record: **PORTLAND WEST REALTY, INC 1150 BRIGHTON AVE, PORTLAND, ME 04102**

DRAWING No. **CP19**

SHEET 1 OF 1
JBE PROJECT NO. 20784

3. Deed Restriction and Covenant Against Residential Use.

a. This conveyance is made by Grantor and accepted by Grantee subject to the following restrictions and covenant and agreement by Grantee on its behalf and that of the Grantee-Related Parties that neither the Property herein conveyed nor any part thereof separately or in conjunction with other property shall at any time within a period of fifty (50) years be used for residential, hospital, nursing home facility, child care, playground/recreational area, school or any similar use which is intended to house, educate or provide care for children, the elderly, or the infirm, or agricultural uses nor shall the Property nor any portion thereof be used for the construction or installation of basements or any water wells for drinking, food processing or irrigation purposes or any other purposes; that this covenant shall survive delivery of this Deed; that this covenant and agreement shall run with the land herein conveyed and that a similar restrictive covenant shall be inserted in any other deed or lease or other instrument conveying or demising the Property herein conveyed or any part thereof (collectively, the "Sensitive Use Restrictions"). Except as expressly set forth above, the Sensitive Use Restrictions shall continue in full force and effect for a period of fifty (50) years from the date of this Deed; provided, however, if and to the extent that any of the reservations or covenants herein would otherwise be unlawful or void for violation of (a) the rule against perpetuities, (b) the rule restricting restraints on alienation, or (c) any other applicable statute or common law rule analogous thereto or otherwise imposing limitations upon the time for which such covenants may be valid, then the provisions concerned shall continue and endure only until the expiration of a period of twenty-one (21) years after the death of the last to survive the class of persons consisting of all of the lawful descendants of former U.S. President George W. Bush, living as of the date of this Deed.

b. The foregoing Sensitive Use Restrictions are collectively referred to as the "Deed Restrictions".

c. This conveyance is made by Grantor and accepted by Grantee subject to the following covenant and agreement by Grantee on its behalf and that of the Grantee-Related Parties that if at the date of this Deed the applicable "as of right" zoning use of the Property does not include any residential use, that Grantee, nor any Grantee-Related Party, will not at any time hereafter seek to or cause any application to be made to the relevant local governing authorities to amend the zoning of the Property to a use which includes any residential use whether on an "as of right" basis or on any other basis whatsoever, nor seek to take advantage of any non-conforming user rights or exception to use including special use permits (collectively, the "Covenant Against Residential Use").

d. All of the covenants and agreements of Grantee set forth in the Deed Restrictions and the Covenant Against Residential Use shall be covenants running with the Land and binding upon the Property. Each of the foregoing covenants and agreements

of Grantee shall survive delivery and recordation of this Deed and shall be specifically enforceable against Grantee and the Grantee-Related Parties and any subsequent owner, user or occupier of the Property from time to time. If Grantee, the Grantee-Related Parties or any owner user or occupier of the Property breaches any of the provisions of the provisions of the foregoing Deed Restrictions or the Covenant Against Residential Use, in addition to Grantor's right to specifically enforce such provisions, Grantor shall have all rights and remedies available at law or in equity.

4. Engineering Controls.

a. Grantee agrees and acknowledges that the conveyance of the Property is subject to the following covenants of Grantee and that these covenants were a material inducement to Grantor's sale of the Property. As part of the consideration of Grantor's sale of the Property to Grantee, Grantee agrees that in developing the Property, Grantee shall, at its sole cost and expense, adopt and use all engineering and related technical assistance available and standard to the industry to protect the health and safety of persons and that depending upon the nature of Grantee's development of the Property Grantee may need to consider the use of engineering controls to prevent the migration of vapors and/or liquids containing Hazardous Materials into any buildings, underground utilities or storm water retention/detention ponds, including without limitation, vapor installation systems, vapor barriers, sealed sumps and storm pond liners. At a minimum, Grantee agrees that it will construct any buildings and develop the Property in accordance with the following requirements, which are collectively referred to as the "Engineering Controls". Grantee further agrees that Grantee will retain a third party licensed professional engineer to document that the engineering controls were designed consistent with ASTM 2435-05 and installed.

(1) Grantee agrees that all buildings constructed on the Property shall be constructed slab on grade and shall have no living, working, storage or parking areas below grade, notwithstanding the foregoing, below grade utilities and foundations are permitted, provided that Grantee protects them from vapor or liquid intrusion by installing an appropriate vapor ventilation system and vapor/liquid barrier.

(2) Grantee agrees that it will never use the Property for the purpose of obtaining from beneath the surface of the Property any water for any reason whatsoever from any ground water table or similar water basin accessed from the Property.

(3) Grantee agrees that any existing bore-water or groundwater wells located on the Property used for the purposes of obtaining water from beneath the surface of the Property, will be capped, disabled, and sealed in accordance with all applicable Environmental Laws and industry standards and will not be re-opened and used at any time and must remain capped, disabled and sealed.

(4) Grantee agrees that if, at any time, the Property is used for below grade activities other than simple storage with no residential use that Grantee will install at its cost into any below ground areas of the development an appropriate vapor ventilation system. Such vapor ventilation system shall be installed by a licensed contractor experienced in the installation of such systems. In addition, Grantee shall operate and maintain the vapor ventilation system to ensure that the system extracts appropriate levels of vapors so all applicable indoor air quality standards are met. In addition, Grantee shall annually test the air quality and the system to ensure the system is adequately extracting the appropriate levels of vapors to meet applicable indoor air quality standards. Such installation shall be performed in accordance with all applicable laws and in accordance with the highest industry standards to protect human health and safety.

(5) Grantee agrees that if, at any time after the Closing Date, a new building foundation is installed on the Property ("New Foundation") that prior to commencing any construction related to the New Foundation Grantee, at its sole cost, shall install an impervious liner under the New Foundation to act as an effective vapor barrier. Grantee shall not be required to retrofit or install an impervious liner under the existing building foundation supporting the existing building on the Property as of the Closing Date ("Existing Foundation"). However, if after Closing, the Existing Foundation is demolished and a New Foundation is installed to replace it, then Grantee will be responsible for installing an effective vapor barrier. Such liner shall be installed by a licensed contractor experience in the installation of such liners. In addition, Grantee shall maintain the liner so that it remains as an effective barrier. The liner shall be of the appropriate strength and quality and be resistant to hydrocarbons and shall be installed at an appropriate level beneath ground level. Such installation shall be performed in accordance with all applicable laws and in accordance with the highest industry standards to protect human health and safety.

(6) Grantee agrees that if, at any time, the use or development of the Property involves any common areas such as gardens, yards, recreation areas or open space areas, Grantee, at its sole cost and expense, shall excavate and remove all impacted soil to a depth or one (1) meter or pave or seal such areas to the maximum extent to protect human health and safety. It is acknowledged that the foregoing requirement shall not be deemed to permit any Sensitive Use, which is otherwise prohibited by this Agreement. The term "impacted" means any visual staining, detectable vapors (odor) or concentrations above the analytical method detection limit present in the soil. Not impacted soil is soil where no background concentrations exceed standard and remediation is not required by local regulations

b. Grantee's agreement to install the Engineering Controls is a material inducement to Grantor in the sale of the Property to Grantee.

c. Grantee's agreement to install any of the Engineering Controls shall be specifically enforceable against the applicable Grantee-Related Parties. If Grantee, or

any applicable Grantee-Related Party breaches these provisions regarding Engineering Controls Grantor shall have the right to enforce every remedy, either public or private, available at law and in equity against the Grantee and the applicable Grantee-Related Parties, including but not limited to injunctive relief and specific performance. All remedies provided herein, including without limitation, those at law or in equity, shall be cumulative and not exclusive. Any purchaser or successor owner of the Property shall take title to the Property subject to the terms of these Engineering Controls.

d. All of the covenants and agreements of Grantee set forth herein regarding the Engineering Controls shall be covenants running with the land and binding upon the Property, Grantee and the Grantee-Related Parties, as applicable and that Grantee agrees that Grantee shall not complete any sale, transfer or assignment of its interest in the Property or any part thereof or enter into any lease, license or right to occupy or use the Property or any part thereof without first obtaining from the purchaser, transferee, assignee, lessee, licensee, occupier or any other person or entity having the right to use the Property, the obligation to procure these Engineering Controls from any subsequent purchase, transferee, assignee, lessee, occupier or any other person or entity having the right to use the Property and these Engineering Controls shall be inserted in any other deed or lease or other instrument conveying or demising the Property herein conveyed or any part thereof.

7. Grantor's Reservation of Access.

a. This conveyance is made by Grantor and accepted by Grantee subject to the following reservation by Grantor for access to the Property after Closing. Grantor reserves the right of access to the Property after Closing, and Grantor on behalf of itself and the Grantee-Related Parties grants to Grantor access to the Property after Closing, at no cost to Grantor, for Grantor, Grantor's employees, agents, contractors and successors and assigns for the purpose of inspecting the Property and confirming Grantee's and the applicable Grantee-Related Parties' compliance with the terms and conditions of the Deed and the obligations of Grantee under the purchase and sale agreement between Grantor and Grantee that survived the closing and the delivery of this Deed, including without limitation Grantee's compliance with the Deed Restriction, the Covenant Against Residential Use, the Engineering Controls, and/or conducting investigation and remediation operations pursuant to Grantor's remediation obligations, if any, under this Deed. Grantor will not be liable to Grantee or the Grantee-Related Parties and Grantee hereby waives on its own behalf and on behalf of the Grantee-Related Parties all Claims arising from business disruption or any other Claims whatsoever resulting from such access or Losses (including, without limitation, lost business opportunity or income, reasonable attorneys' fees, court costs and settlement of claims) except that Grantor shall be liable to Grantee for actual damages (but not consequential or incidental or speculative damages) arising directly from the gross negligence or willful misconduct of Grantor on the Property.

b. Grantor's reservation of access shall be covenants running with the land and binding upon the Property, Grantee and applicable Grantee-Related Parties and

any lessee, licensee, occupier, user or subsequent owner or transferee of the Property. Any transferee, assignee, or successor owner, lessee, licensee, occupier or user of the Property shall take title to the Property subject to Grantor's reservation of access. The rights and benefits of this reservation of access inure to the benefit of Grantor, its Affiliates, successors and assigns.

c. Grantee agrees that Grantor's reservation of access set forth in this Deed shall be a covenant that runs with the land herein conveyed and that Grantee agrees that Grantee shall not complete any sale, transfer or assignment of its interest in the Property or any part thereof or enter into any lease, license or right to occupy or use the Property or any part thereof without first obtaining from the purchaser, transferee, assignee, lessee, licensee, occupier or any other person or entity having the right to use the Property, the obligation to procure Grantor's reservation of access from any subsequent purchase, transferee, assignee, lessee, occupier or any other person or entity having the right to use the Property and Grantor's reservation of access shall be inserted in any other deed or lease or other instrument conveying or demising the Property herein conveyed or any part thereof.

8. Environmental. Grantor has caused to be conducted an environmental site assessment ("Assessment") to attempt to determine the existence, if any, of Hazardous Materials associated with Grantor's operation of a service station on the Property in the soil, water, or groundwater on and/or under the Property caused by the activities of Grantor. The written report(s) setting forth the results of such assessment has been provided to Grantee. The written report(s) setting forth the results of the Assessment will be used by Grantor to prepare and file reports, where applicable, with the appropriate federal, state or local governmental authority having and exercising jurisdiction over the matter or its designee (the "Governmental Authority"). Grantor shall remediate such Hazardous Materials if: (i) such Hazardous Materials result from the activities of Grantor before the date of this Deed and (ii) if the amount of such Hazardous Materials is required to be remediated by the Governmental Authority pursuant to laws in effect as of the date of this Deed ("Covered Contamination"). As used herein, the term "Baseline Condition" shall mean the level of such Hazardous Materials established in the written report(s) setting forth the results of the Assessment as such levels are reduced by Grantor's remediation of Covered Contamination, if any. If, following the date of this Deed, any Governmental Authority requires further testing or remediation of Covered Contamination; the Baseline Condition shall be modified as reasonably indicated by the results of such tests.

a. Grantee shall be solely responsible for investigation and/or remediation of (and any costs or expenses related to) any Hazardous Materials deposited, released or discharged on or into the Property from and after the date of this Deed or migrating onto or into the Property after the date of this Deed. If, after the date of this Deed but before Grantor has completed its remediation of the Covered Contamination, a deposit, release or discharge of any Hazardous Materials required to be reported by applicable Environmental Laws occurs on the Property, Grantee shall promptly notify

Grantor and the Governmental Authority and provide Grantor a copy of any discharge report, notice of discharge or violation or similar notification issued to Grantee or required of Grantee to be completed or filed with respect to same. Grantee shall pay to Grantor its prorata share of Grantor's increased cost of remediation attributable to such deposit, release or discharge.

b. Grantee hereby assigns to Grantor any and all right, claim or interest, which the Grantee or the Property may have to payment or reimbursement by any third party or any Governmental Authority in connection with remediation of the Covered Contamination.

c. Grantor reserves the exclusive right to negotiate with any third party or Governmental Authority regarding any investigation or remedial work by Grantor pursuant to this Deed or which a third party or Governmental Authority may require.

d. During the period in which Grantor is performing remediation or monitoring activities on the Property, Grantor and Grantee will provide to each other copies of all reports, correspondence, notices and communications sent to or received from any Governmental Authority regarding the environmental condition of the Property and any remediation of the Property.

e. Grantor's remediation responsibilities shall inure to the benefit of the Grantee and the lending institution holding the first mortgage to finance Grantee's purchase of the Property, but not to subsequent purchasers, assigns, or successors of Grantee or its lender.

f. Grantor reserves the right of access to the Property, at no cost to Grantor, for Grantor, Grantor's employees, agents, and contractors for the purpose of conducting investigation and remediation operations. Grantor shall, to the extent practicable consistent with sound remediation practices, undertake such investigation and remediation actions in a manner that will not unreasonably disrupt any operations on the Property. Grantor will not be liable to Grantee or the Grantee-Related Parties for business disruption or any direct or consequential damage, injury, or loss whatsoever resulting from such access remediation; however, Grantor will not prevent Grantee or its tenants from using the Property unless such prevention results from complying with a requirement of any governmental authority. Grantee shall be responsible for any cost or expense of relocating, repairing and replacing Grantor's investigation and remediation equipment damaged by Grantee or by its contractors, invitees or employees and shall reimburse Grantor for such costs.

9. In consideration of this Deed, the conveyance of the Property to Grantee, and the obligation of Grantor to remediate the Covered Contamination as described above, Grantee agrees on behalf of itself and the Grantee-Related Parties, as applicable, to accept the conveyance of the Property in its present condition and to make no claim regarding the environmental condition of the Property. On the Closing Date Grantee, on behalf of itself and the Grantee-Related Parties, shall be solely responsible for the

investigation and/or remediation of (and any costs or expenses related to) any Hazardous Materials existing on the Property or deposited, released or discharged on or into the Property or migrating onto or into the Property except for Grantor's obligations to remediate Covered Contamination, if any, set forth above. Grantee for itself and the Grantee-Related Parties releases and forever discharges Grantor and the Grantor-Related Parties of and from any and all, and all manner of, Claims and Losses of any kind or of any nature whatsoever, including without limitation any claim made under any Environmental Law including without limitation CERCLA and RCRA and/or any registration requirements including compliance testing, any Claims asserted by any third party or Governmental Authority, known and unknown, foreseen and unforeseen, and the consequences thereof, which heretofore have been, and which hereafter may be sustained by Grantee or the Grantee-Related Parties, whether herein named or referred to or not arising out of, related to or connected with the environmental condition of the Property and the Improvements and the equipment on the Property, including without limitation, any contamination from Hazardous Materials or the presence or the existence of Hazardous Materials on, in, under or about the Property, or the migration of any Hazardous Materials onto or from the Property. Grantee expressly declares and agrees: (i) the foregoing release covers and includes all Claims and Losses several or otherwise, past, present or future, which can or may ever be asserted by any person or entity, or otherwise as the result of the environmental condition of the Property and the improvements and the equipment on the Property, including any contamination from Hazardous Materials or the presence or existence of Hazardous Materials onto, in, under or about the Property or the migration of any Hazardous Materials on or from the Property, (ii) the foregoing release covers and includes any and all future Claims and Losses not now known to any of the parties hereto but which may later develop or be discovered, including the effects or consequences thereof and including all Claims and Losses therefor, and (iii) Grantee on behalf of itself and the Grantee-Related Parties indemnifies and holds harmless the said parties released hereby, against Claims and Losses from any and every claim or demand of every kind and character, including claims or demands for contribution, which may be asserted by Grantee or the Grantee-Related Parties by reason of any Claims or Losses or effects or consequences thereof. The foregoing release does not release Grantor from its obligation to remediate Covered Contamination, if any, pursuant to this Deed.

10. Assumption and Release. In addition, on the Closing Date, Grantee shall be solely responsible for, and on behalf of itself and the Grantee-Related Parties shall indemnify, protect, defend (with counsel acceptable to Grantor) and hold each of the Grantor- Indemnified Parties harmless from and against, any and all Claims and Losses of any kind or of any nature whatsoever, known and unknown, foreseen and unforeseen, which may at any time be imposed upon, incurred by or asserted or awarded against the Grantor-Indemnified Parties arising from or by reason of or in relation to the environmental condition of the Property, including without limitation, the presence or existence of or contamination of Hazardous Materials on, in, under or about the Property or the migration of any Hazardous Materials onto or from the Property, except for Grantor's obligations to remediate Covered Contamination, if any, set forth in this Deed.

11. Indemnity. In addition, Grantee shall be responsible for, and defend (with counsel acceptable to Grantor) and indemnify Grantor and the Grantor-Indemnified Parties from and against any Claims or Losses, to include property damage and personal injury in any way arising out of the presence of asbestos or asbestos containing material located in or on the Property, asserted by any third party or public authority after the date of this Deed. Furthermore, Grantee, for itself and the Grantee-Related Parties, as applicable, does hereby release, hold harmless and forever discharge Grantor and the Grantor Indemnified Parties, from any and all claims, demands, liabilities (including fines and civil penalties) or causes of action at law or in equity (including, without limitation, any causes of action under the Rules) for injury (including death), destruction, loss or damage of any kind or character to the person or property of Grantee and its employees, agents, servants, and representatives, arising out of or in relation to any presence of asbestos or asbestos containing material located in, or on the Property.

12. Covenants running with the Land. The conditions, covenants and other provisions set out in this Deed shall be covenants running with the land and shall be binding upon and (except as expressly provided otherwise) shall inure to the benefit of the parties, their subsidiaries, affiliates, legal representatives, heirs, successors and assigns, as applicable.

13. Pro-ration of Taxes. Ad valorem taxes and special assessments, if any, against the Property for the year in which the Effective Date occurs will be pro-rated between Grantor and Grantee as of the Effective Date, and Grantee hereby assumes and agrees to pay same.

14. Definitions. The following definitions are used in this Deed:

a. Environmental Laws (or individually, an Environmental Law). The term Environmental Laws or individually, an Environmental Law means any and all federal, state and local laws, statutes, regulations, ordinances, codes, rules and other governmental restrictions or requirements relating to health, industrial hygiene, environmental or ecological conditions or Hazardous Materials including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601 et seq., as amended ("CERCLA"); the Resource Conservation and Recovery Act as amended, 42 U.S.C. Section 6901 et seq. ("RCRA"); the Toxic Substance Control Act, as amended, 15 U.S.C. Section 2601 et seq.; the Clean Air Act, as amended, 42 U.S.C. Section 1857 et seq.; the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251 et seq.; the Federal Hazardous Materials Transportation Act, 49 U.S.C. Section 1801 et seq.; and the laws, rules, regulations and ordinances of the U. S. Environmental Protection Agency, the County and State in which the Property is located and of all other agencies, boards, commissions and other governmental bodies and officers having jurisdiction over the Property or the use or operation thereof.

b. Hazardous Materials. The term Hazardous Materials means those substances, materials, and wastes, including but not limited to, those substances,

materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302) and amendments thereto, or such substances, materials and wastes which are or become regulated under any applicable Environmental Law, including, without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a "Hazardous Substance" pursuant to Section 331 of the Clean Water Act, 33 U.S.C. Sec 1251, et. seq. (33 U.S.C. 1321) or listed pursuant to Section 307 of the Clean Water Act (33 U.S.C. Sec 1371), or (v) defined as a "hazardous waste" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Sec 9601, et. seq. (42 U.S.C. 9601).

c. Affiliate(s). The term Affiliate(s) means, with respect to any Person, any other Person directly or indirectly controlling, controlled by, or under common control with, such Person. For purposes of this definition, the term "control" (including the terms "controlled by" and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of any Person, whether through the ownership of voting securities or by contract or otherwise. "Persons" means an individual, partnership (whether general or limited), limited liability company, corporation, trust, estate, unincorporated association, nominee, joint venture or other entity.

d. Claims (or individually a Claim). The term Claims (or individually a Claim) means each and every action, right, loss, cost, claim, obligation, damage, liability, demand, payment, fine, penalty, cause of action at law or in equity, defense, proceeding, injury, judgment (including expert witness fees and attorneys' fees awarded as part of a judgment), lien, cost or expense, including, but not limited to, attorneys' fees and other litigation expenses.

e. Grantee-Related Parties. The term Grantee-Related Parties means Grantee, its parent, subsidiaries, Affiliates, and their respective owners, officers, employees, agents, representatives, contractors, invitees, servants, successors or assigns, its heirs and representatives and any lessee, licensee, occupier, user or subsequent owner of the Property.

f. Losses. The term Losses means any and all Claims, including without limitation losses or claims arising from business disruption, lost business opportunity or income, reasonable attorneys' fees, court costs and the costs of investigation and settlement of Claims.

g. Rules. The term Rules means the Occupational Safety and Health Administration Department of Labor, Rules relating to or regarding asbestos including 29 CFR Parts 1910 and particularly including Part 1926, 59 Fed. Reg. 40964 et. seq. (1994) as same may be amended.

h. Grantor-Indemnified Parties. The term Grantor-Indemnified Parties means Grantor, its parent, subsidiaries, and Affiliates and their respective owners, shareholders, members, partners, directors, officers, agents, servants, employees, representatives, contractors, successors and assigns.

TO HAVE AND TO HOLD the Property, together with the appurtenances, estate, title and interest thereto, unto Grantee, Grantee's successors, heirs and assigns, forever, subject to the provisions hereof, and in lieu of all other warranties, express or implied, Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend the title to the Property unto Grantee, Grantee's successors, heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

[SIGNATURES ARE ON THE FOLLOWING PAGE]

WITNESS:

PORTLAND HOTELS REALTY, INC,
a Maine corporation

By: *Gary D. Vogel*
Name: GARY D. VOGEL

By: *[Signature]*
Name: Kamlesh Patel
Title: president

STATE OF MAINE §
 §
COUNTY OF cumberland §

The foregoing instrument was acknowledged before me on June 23, 2008, by Kamlesh Patel, Pres., for Portland Hotels Realty, Inc., on behalf of the corporation.

Given under my hand and official seal.

Gary D. Vogel
Atty at Law Notary Public, State of Maine
My Commission Expires: N/A SP #
 , Maine
GARY D. VOGEL

**EXHIBIT "A" TO SPECIAL WARRANTY DEED FROM
EXXONMOBIL OIL CORPORATION TO
PORTLAND HOTELS REALTY LLC
1200 Brighton Avenue
Portland, Maine**

A certain lot or parcel of land with improvements thereon situated on the southerly side of Brighton Avenue, City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at an iron pipe situated in the southerly right of way line of Brighton Avenue and at the northwesterly corner of the parcel of land described in the conveyance to Central Atlantic Produce LTD, recorded in Book 7091, Page 223, Cumberland County Registry of Deeds;

Thence, south eighteen degrees zero minutes ten seconds west (S 18°00'10"W) one hundred twenty five and zero hundredths (125.00) feet along the westerly line of the parcel of land described in conveyance to Central Atlantic Produce LTD and the westerly line of the parcel of land described in the conveyance to Swiss Chalet Motor Lodge Portland, recorded Book 3204, Page 805 Cumberland County Registry of Deeds, to the southeasterly corner of the parcel of land described herein;

Thence north sixty-eight degrees forty minutes ten seconds west (N 68°40'10"W) one hundred forty seven and zero hundredths (147.00) feet along the northerly line of the parcel of land described in the conveyance to Swiss Chalet Motor Lodge Portland to the southwesterly corner of the parcel of land described herein;

Thence north fifteen degrees forty two minutes zero seconds east (N 15°42'00"E) one hundred twenty five and zero hundredths (125.00) feet along the easterly line of the parcel of land described in the conveyance to Swiss Chalet Motor Lodge Portland to the southerly right of way line of Brighton Avenue at a non tangent curve concave to the south and having a radius of one thousand three hundred eighty two and two hundredths (1,382.02) feet;

Thence southeasterly seventy six and forty six hundredths (76.46) feet along the arc of said curve in the southerly right of way of Brighton Avenue through a central angle of three degrees ten minutes eleven seconds (3°10'11") to the point of tangency of said curve;

Thence south sixty nine degrees thirty one minutes fifty seconds east (S 69°31'50"E) by a non tangent line to said curve seventy five and fifty four hundredths (75.54) feet along the southerly right of way line of Brighton Avenue to the point of beginning.

Said described parcel of land contains eighteen thousand five hundred eighty five (18,585) square feet and is that parcel of land described in the conveyance to Humble Oil and Refining Corporation recorded in Book 3208, Page 467 in Cumberland County Registry of Deeds.

TOGETHER WITH the rights of an easement area in common with others bounded and described as follows: Beginning at the southwesterly corner of the above described parcel in the southerly right of way line of Brighton Avenue one hundred and fifty two (152) feet measured in the southerly right of way line of Brighton Avenue from the northwesterly corner of the parcel of land described in the conveyance to Central Atlantic Produce LTD Book 7091, Page 223 Cumberland County Registry of Deeds;

Thence south fifteen degrees forty-two minutes zero seconds west (S15°42'00"W) one hundred and twenty five (125.00) feet along the westerly line of the parcel of land described above to a southwesterly corner of said described parcel;

Thence north zero degrees twenty-two minutes ten seconds east (N 00°22'10"E) one hundred thirty two and six hundredths (132.06) feet to the southerly right of way line of Brighton Avenue at a non-tangent curve concave to the south and having a radius of one thousand three hundred eighty two and two hundredths (1,382.02) feet;

Thence southeasterly thirty five and zero hundredths (35.00) feet along the arc of said curve and southerly right of way line of Brighton Avenue through a central angle of one degree twenty seven minutes four seconds (1°27'04") to the point of beginning of said described easement area.

SUBJECT TO an easement for lighting and appurtenant fixtures, shrubbery and snow removal, being five feet in width and parallel with the westerly line of described parcel, extending from the southerly right of way line of Brighton Avenue to the southerly line of the described parcel.

SUBJECT TO an easement for sewer purposes being fifteen feet in width and parallel with the easterly line of the described parcel and extending from the southerly right of way line of Brighton Avenue to the southerly line of the parcel described.

SUBJECT TO an easement area for placement of signs for the purpose of Swiss Chalet Motor Lodge of Portland. Said easement area is situated at the northwesterly corner of the described parcel and is particularly bounded as follows: Bounded northerly by the southerly right of way line of Brighton Avenue, bounded westerly by the westerly line of the parcel described herein and bounded easterly and southerly by the arc of a curve concave to the northwest and having a radius of twenty feet, the radius point of which is situated at the northwesterly corner of the parcel of land described herein.

Bearings referenced herein are oriented to grid north Maine State Plan Coordinate System, West Zone and are based upon a survey by Wright-Pierce Architects/Engineers, October, 1986.

Received
Recorded Register of Deeds
Jun 24, 2008 02:20:31P
Cumberland County
Pamela E. Lovles



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.
GOVERNOR

MARTHA KIRKPATRICK
COMMISSIONER

August 2, 2002

Mr. David J. Baker
ExxonMobil
52 Beacham Street, Suite 211
Everett, Massachusetts 02149-5226

FILE COPY

Re: Former Mobil Station, 1200 Brighton Avenue, Portland, Maine

Mr. Baker:

I'm writing as a follow-up to our July 10, 2002 meeting at the Former Mobil Station at 1200 Brighton Avenue in Portland, Maine. During that meeting, you, your consultant, Stefan Sokol of Groundwater & Environmental Services, Inc. ("GES") and I discussed data from past investigations at the site and what tasks are necessary to resolve the environmental issues at the site and receive certification (and liability protections) through the Voluntary Response Action Program ("VRAP").

Based on the information you provided me at the meeting and my re-review of the information in our files, I would recommend additional assessment activities to determine the nature of petroleum contamination at the property. Specifically, it appears that the contamination associated with the operation of a motor fuel service station is present in the "upper" soils at the site (i.e. those soils 12 feet or less below the ground surface), and that a coal-tar waste is located in the "lower" soils (i.e. those soils around 18-30 feet below the ground surface). The coal-tar wastes apparently were deposited when this former gravel/sand pit was filled as a City of Portland dump in the distant past. The questionable fill placed during the operation of the dump also makes an accurate interpretation of the site hydrogeology difficult (if not impossible). Because of the depth of the coal-tar wastes, the very likely prospect that these wastes extend onto the abutting properties (i.e. motels and other commercial businesses), and the migration characteristics of such waste, additional characterization of these wastes will not be required.

The "upper" soils in the area of borings/monitoring wells GES-1, GES-4, GES-5, GES-7, GES-8, GES-9, GT-1 and GT-2 should be investigated further to determine if any contaminated soils exist at the property above the "Baseline-2" standard, as enumerated in the Department's "Procedural Guidelines for Establishing Standards for the Remediation of Oil Contaminated Soil and Ground Water in Maine". This guidance

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 764-1507

requires the removal of all free-product petroleum, as well as the removal/remediation of all soils with a response greater than 500-1000 parts per million ("ppm") of gasoline range organics ("GRO") or 200-400 ppm of diesel range organics ("DRO") on a photoionization detector (PID) using the Department's field headspace procedure (and appropriate instrumentation set points). Based on the information provided, the VRAP would require the removal/remediation of any soils with greater than 200 ppm on the PID.

Once the additional assessment is performed, a report and/or recommendations for remedial actions should be sent to the VRAP. As part of final certification, the VRAP will also require that deed restrictions be placed on the property regarding the prohibition of the installation of potable water wells on the property and the need to inform the VRAP if any deep (i.e. 10 feet or greater) excavation is planned.

If you have any questions regarding this letter, please feel free to call me at 207-287-4854.

Sincerely,



Nicholas J. Hodgkins
Voluntary Response Action Program
Division of Remediation

Pc: Stefan C. Sokol, GES
Steve Breszinski, MeDEP













Cumberland St

95

Exit 48

9
goodwill

NAPA

MC
HC
TRUCK

BURGER KING

shaws

Rowe

Ford

KOHL'S

McDonald's

TACO BELL

LEE
SAVING BANK

e

Brighton Ave

Hampden Inn

MARKET BASKET
NOW FOR YOUR DOLLAR



Bangor Savings Bank
You make the money.

JOANN
More and less than.

BILL DODGE
Auto Group

LOWE'S

95

RE: Authority to Represent Portland West Realty at ZBA Meeting

From kopatel@me.com <kopatel@me.com>
Date Wed 9/17/2025 12:47 PM
To Brendan T. Barry <btb@marcuscllegg.com>

Yes, you are authorized to represent me at ZBA Meeting.

Kamlesh Patel

From: Brendan T. Barry <btb@marcuscllegg.com>
Sent: Wednesday, September 17, 2025 12:10 PM
To: kamlesh patel <kopatel@me.com>
Subject: Authority to Represent Portland West Realty at ZBA Meeting

Good afternoon Kam,

The Portland ZBA requires that we provide them with correspondence confirming that I am authorized to represent Portland West Realty at the Zoning Board meeting on October 2nd.

Can you please respond to this email stating that I am authorized to represent the company at the ZBA meeting?

Thanks,
Brendan



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WWW.MARCUSCLEGG.COM

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CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

TOD-2 Zone Undue Hardship Variance Application

DECISION

Date of public hearing: October 2, 2025

Name and address of applicant: Brendan Barry
Marcus Clegg
16 Middle Street, Ste. 501
Portland, Maine 04101

Name and address of owner: Kamlesh Patel
Portland West Realty, Inc.
1150 Brighton Avenue
Portland, Maine 04102

Location of property: 1220 Brighton Avenue
CBL 265 A-9

INTRODUCTION

The applicant's parcel at 1220 Brighton Avenue (the "Property") is in the TOD-2 zone. The applicant is seeking a Hardship Variance for relief from the following Land Use Code provisions:

- 1) 14-6.6.2(C)(3): The prohibition of drive-throughs;
- 2) Table 7-D:
The minimum build-to zone (0-5 ft.);
Minimum height (35ft); and
Minimum building length (80%) as a percentage of street frontage

This Board has jurisdiction to hear this variance request pursuant to Land Use Code Section 2.3.9 (D).

FINDINGS:

The Board has reviewed the information submitted by the applicant and received oral testimony at the hearing. After carefully considering all of the evidence in the record, the Board finds as follows:

Land Use Code Section 2.3.11(B) provides an undue hardship variance may be granted by the board only where strict application of the ordinance, or a provision thereof, to the applicant and their property would cause undue hardship. The words “undue hardship” as used in this subsection mean the following:

1. The land in question cannot yield a reasonable return unless a variance is granted. [Note: “failure to yield a ‘reasonable return’ means ‘the practical loss of all beneficial use of the land...Reasonable return does not mean maximum return.” *Rowe v. City of South Portland*, 730 A.2d 673, 675 (ME 1999)(*citations omitted.*)]

a) With regard to the request related to Section 14-6.6.2(C)(3), the prohibition of drive-throughs.

The evidence in the record is insufficient to demonstrate that there are no other permitted uses that do not require a drive through. Other commercial uses are permitted on this parcel which would not include drive throughs. The applicant did not demonstrate that a drive-through use would be the only viable use on the property or that failing to include a drive through would result in the practical loss of all beneficial use of the land. Therefore, the Board finds this condition has not been met.

VOTED: 4-3 in favor.

b) With regard to Table 7-D:

i) The minimum build-to zone (0-5 ft.);

The evidence in the record is insufficient to demonstrate that building a structure consistent with the build-to zone would result in the practical loss of all beneficial use of the land. Therefore, the Board finds this condition has not been met.

VOTED: 4-3 in favor

ii) Minimum height (35ft); and

The applicant demonstrated that building a structure consistent with the minimum height would be infeasible due to the clay on the site and other engineering and structural limitations. Therefore, the Board finds that denial of the variance would result in the practical loss of all beneficial use of the land. Therefore, the Board finds this condition has been met.

VOTED: 7-0 in favor

iii) Minimum building length (80%) as a percentage of street frontage

The applicant demonstrated that building a structure consistent with the minimum building length as a percentage of street frontage would be infeasible because it would require the applicant to build a structure that was too large to provide adequate parking for a commercial tenant. The applicant demonstrated that they have marketed this parcel for 6 years and were rejected by many potential commercial tenants due to parking limitations. As a result, the Board finds that the denial of the variance would result in the practical loss of all beneficial use of the land. Therefore, the Board finds this condition has been met.

VOTED: 7-0 in favor

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

i) With regard to the request related to Section 14-6.6.2(C)(3), the prohibition of drive-throughs.

The evidence in the record was insufficient to demonstrate that circumstances of the property are such that a drive-through would be the only viable use on this property. As a result, the Board finds that the need for a variance is not due to the unique circumstances of the property. Therefore, the Board finds this condition has not been met related to the request for a variance to allow a drive-through.

VOTED: 5-2 in favor

ii) Table 7-D:

The minimum build-to zone (0-5 ft.);
Minimum height (35ft); and
Minimum building length (80%) as a percentage of street frontage

The evidence in the record indicates that the need for the variance requests related to build-to zone, minimum height, and minimum building length is due to the unique circumstances of the property including the VRAP, the size of the lot, the clay and unstable soils, and not the general conditions of the neighborhood. Therefore, the Board finds this condition has been met.

VOTED: 7-0 in favor

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

The evidence in the record demonstrates that there are many buildings in the areas that have drive throughs, that are less than three stories tall, that are set back further than 5 feet from the property line and have less than 80% building length as street frontage. For these reasons, the Board finds that granting any of the variances would not alter the essential character of the locality. Therefore, the Board finds this condition has been met as to all four variance requests.

VOTED: 7-0 in favor

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

The evidence in the record demonstrates that the prior owner caused pollution on the site and, as a result, entered into a VRAP agreement which created use limitations on the parcel. Those use limitations gave rise to the need for the variance request to include a drive-through as a use on the parcel. Additionally, the current owner subdivided a larger parcel which left this parcel more challenging to develop consistent with the minimum height, building length as a percentage (80%) of frontage and build-to zone requirements. Therefore, the Board finds that the hardship is a result of action taken by the applicant or prior owner and this condition has not been met for any of the variance requests.


VOTED: 7-0 in favor

DECISION:

The Board finds that the applicant has not satisfactorily met all of the standards for all four of the variance requests and therefore, **DENIES** the variances.

VOTED: 7-0

Dated: October 2, 2025


R. Todd Morse, Board Chair

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS

REQUEST TO RECONSIDER TOD-2 Zone ZBA-003455-2025

Date of public hearing: November 6, 2025

Name and address of applicant: Brendan Barry
Marcus Clegg
16 Middle Street, Ste. 501
Portland, Maine 04101

Name and address of owner: Kamlesh Patel
Portland West Realty, Inc.
1150 Brighton Avenue
Portland, Maine 04102

Location of property: 1220 Brighton Avenue
CBL 265 A-9

INTRODUCTION

On October 2, 2025, the Board denied a hardship variance to Portland West Realty, Inc. the owner of the parcel located at 1220 Brighton Avenue (ZBA-003242-2025) (Voted: 7-0).

On October 10, 2025, the City's zoning office received a request from the property owner asking this Board to reconsider its October 2, 2025 decision.

The Board convened on November 6, 2025 to consider and vote on the property owner's request to reconsider.

The Board has received and carefully reviewed the October 10, 2025 request to reconsider.

Preliminarily, the Board voted to open the meeting to comments from the Applicant and members of the public on the request for reconsideration. The Board heard a brief oral presentation from the Applicant's attorney as to the nature of new evidence that Applicant would present if this Board was to reconsider its October 2, 2025 decision.

Although there is no explicit standard for reconsideration set forth in 30-A M.R.S. Section 2691(3)(F), the Board finds that reconsideration should be reserved for those instances where a

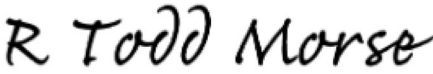
significant error or omission has been made or if there is new material or compelling evidence offered that was not otherwise available at the original hearing.

After review of the submissions by all parties, the Board finds that there are not sufficient grounds to reconsider its October 2, 2025 decision. The Board did not identify any new information or evidence in the Applicant's request for reconsideration that persuaded the Board that it has made an error of law or fact or that would otherwise change the Board's findings and conclusions in its October 2, 2025 decision. The Board is satisfied with its findings and conclusions made on October 2, 2025.

For these reasons, the Board DENIES the property owner's request to reconsider.

Voted: 5-1 (English opposed)

Dated: November 6, 2025



Robert Todd Morse, Chair

Att. S4

To: Chair Zamboni & Members of the Planning Board
From: Rowen McAllister
Date: March 27, 2026
Re: Rezoning 1220 Brighton Ave from TOD-2 to B-4
Project ID: ZN-003527-2026
Meeting Date: April 14, 2026

I. INTRODUCTION

Portland West Realty, Inc (“Applicant”) is seeking a zoning map amendment to rezone the parcel at 1220 Brighton Avenue (“Subject Property”) from Transit Center Zone (TOD-2) to Commercial Corridor Zone (B-4) (Figure 1). The Applicant is seeking a map amendment to facilitate the development of a commercial restaurant business with a drive-through window in accordance with dimensional standards for the B-4 zone.

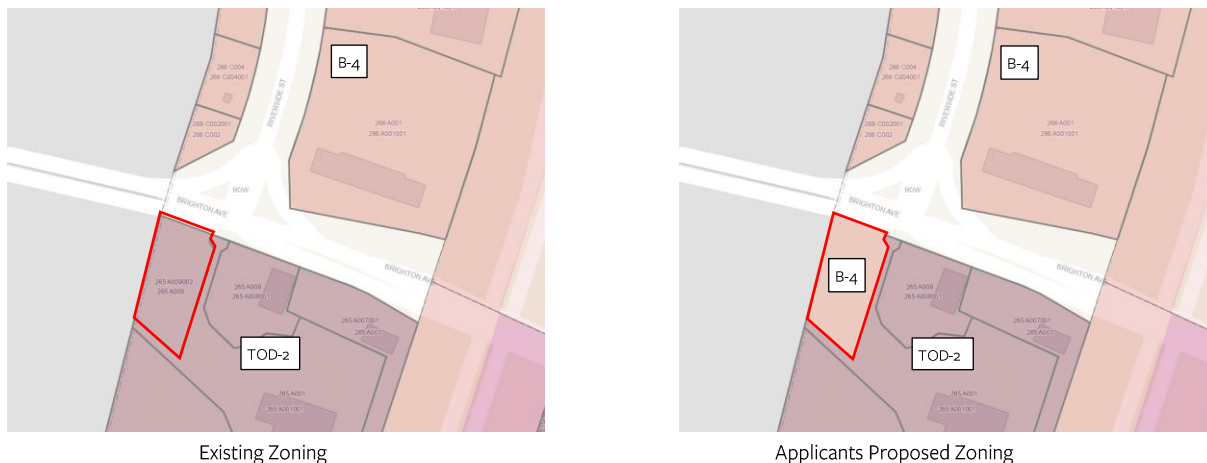


Figure 1: Existing zoning map and applicant’s proposed zoning map amendment to B-4

The Planning and Urban Development Department mailed 35 notices advertising this meeting to interested parties and property owners within 500 feet of the site. The legal advertisement ran in the March 31, 2026 editions of the *Portland Press Herald*. Additionally, the applicant held a neighborhood meeting on March 12, 2026.

Applicant: Portland West Realty, Inc
Applicant Representative: Brendan Barry, Marcus|Clegg

II. PROJECT DATA

Existing Zoning	TOD-2 Transit Center Zone
Proposed Zoning	B-4 Commercial Corridor

III. BACKGROUND & EXISTING CONDITIONS



Figure 2: Google image of 1220 Brighton Ave from November 2024

The subject property at 1220 Brighton Avenue is a vacant lot of approximately 27,000 square feet (0.62 acres) within the TOD-2 zone. The site is bounded by Brighton Avenue to the north, commercial uses to the east and south, and the Portland-Westbrook border to the west. The subject property is currently within and bordered by the TOD-2 zone to the east and south. The B-4 zone extends along the opposite side of Brighton Avenue to the north. The TOD-2 zone east of I-95 continues along the south side of Brighton Avenue, while the B-2 zone continues on the north side of Brighton Avenue east of I-95, as can be seen in Figure 3 below.

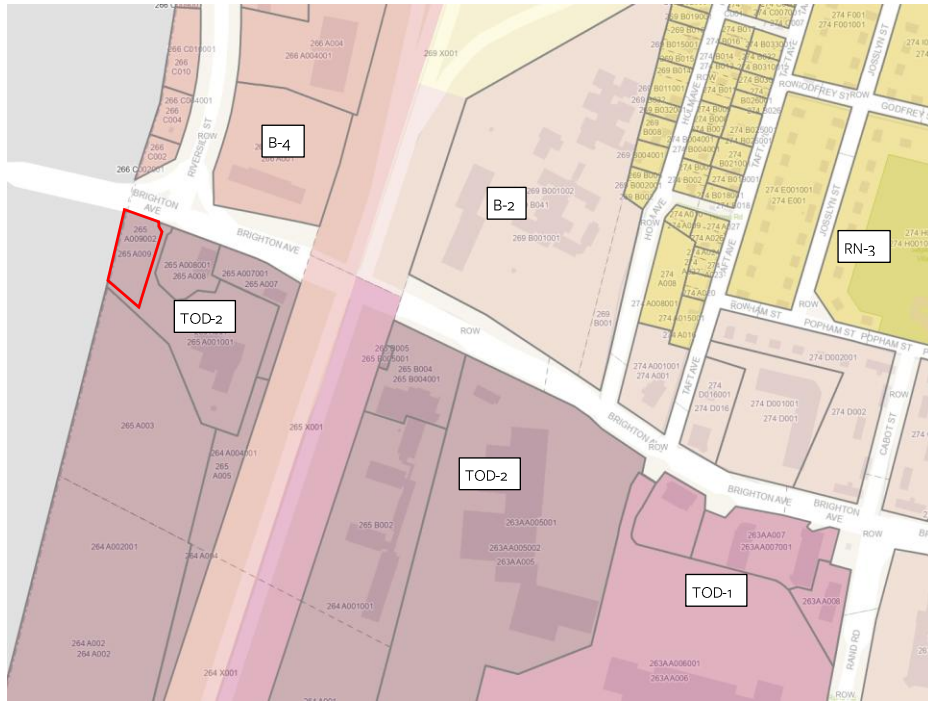


Figure 3: Zoning Map of Brighton Ave

There are multiple commercial uses within one-quarter mile of the subject property on Brighton Avenue, including a dentist office, hotels, and car dealerships. The Barron Center, the City’s rehabilitation and nursing home, and Portland Housing Authority’s Sagamore Village are also located within a half mile.

Across the Westbrook-Portland border, there are several existing commercial businesses and ongoing commercial development associated with Rock Row, which is a multi-phase development proposing residential, commercial, medical, entertainment, and retail uses. The zoning on the adjacent parcels in Westbrook directly supports the master-planned Rock Row development. The purpose of the zone, as provided in Westbrook’s Chapter 335 Land Use Code, is to enable high-quality, mixed-use commercial development which serves as a gateway to Westbrook, a regional economic hub, and as a destination for visitors and shoppers to the city and state.-

Many of the commercial structures near the subject property reflect the automobile-oriented character of the Brighton Avenue corridor. This area is generally characterized by mid-sized commercial uses with heavy vehicular traffic. However, there is also increasing pedestrian and bus transit infrastructure along this corridor. Two METRO lines run along this segment of Brighton Ave, including Route 4 and the Husky Line, which extends from Downtown Portland to Downtown Gorham. There are approximately 5 METRO bus stops within a half mile of the subject property. Metro is also currently conducting a Bus Rapid Transit study that would result in high-frequency bus service between Gorham Village, Westbrook, and Downtown Portland, via Brighton Avenue.

Background

The subject property was re-zoned from the B-4 zone to the TOD-2 zone in 2024 as part of ReCode, the City's multi-year effort to modernize its land use code and implement Portland's Plan 2030. During that process, staff and the Planning Board recommended rezoning properties along Brighton Avenue east of I-95 to TOD-1 and TOD-2, while retaining properties west of I-95, including the subject property, in the B-4 zone. The City Council ultimately introduced and adopted an amendment from the floor to rezone the subject property and adjacent properties along Brighton Avenue, west of I-95, to TOD-2 as part of its approval of ReCode in November 2024.

The property owner of 1220 Brighton Avenue also owns the adjacent property at 1200 Brighton Avenue, which contains a commercial medical office building and hotel. During development of the adjacent property, the owner installed a curb cut to serve the subject property and incorporated other improvements to support a complementary commercial use at that location, consistent with the B-4 zoning in effect at the time. However, no site plan application for the subject property was submitted prior to its rezoning to the TOD-2 zone.

The current conceptual plan for a restaurant with a drive-through is now prohibited under the current TOD-2 zoning. Therefore, the property owner sought a hardship variance from the Zoning Board of Appeals (ZBA). The variance request included seeking relief from the prohibition of the drive-through use along with variances for dimensional requirements relating to build-to minimum, height minimums, and minimum building length as a percentage of street frontage. In a decision dated October 2, 2025, the ZBA denied the requested variances as detailed in ZBA-003455-2025. Shortly after the decision of the ZBA, the property owner submitted a reconsideration request of the ZBA decision regarding the hardship variance, which was subsequently denied. On November 20, 2025, the property owner submitted an appeal of Portland's ZBA Decision in Cumberland County Superior Court. The ZBA decisions are included in this memo as attachments.

A letter from Tighe & Bond, Inc to the property owner, dated November 13, 2023, identified soil contamination at the subject property due to petroleum-related contaminants. Correspondence from the Maine Department of Environmental Protection (Maine DEP) to the Applicant, dated August 28, 2024, suggests any contamination is likely due to the site's former use as a sand and gravel extraction site landfill. Maine DEP outlined conditions for the safe use of the subject property, including proper handling and disposal of contaminated soil and installation of a vapor barrier and/or sub-slab depressurization system prior to occupancy. The Applicant states that Maine DEP recommended restrictions on certain sensitive uses including residential and institutional uses such as hospitals, nursing homes, childcare facilities, schools, and similar uses. Additionally, a letter from Jones & Beach Engineers, dated March 11, 2026, identifies the likely presence of clay deposits at the subject property and states such deposits would result in a more complicated and costly foundation system. Correspondence referencing contamination and soil conditions are included as attachments.

IV. APPLICANT’S CONCEPTUAL DEVELOPMENT PROPOSAL

The proposed map amendment to rezone 1220 Brighton Avenue to B-4 would facilitate the development of a commercial business with a drive-through as shown in Figure 4 below.

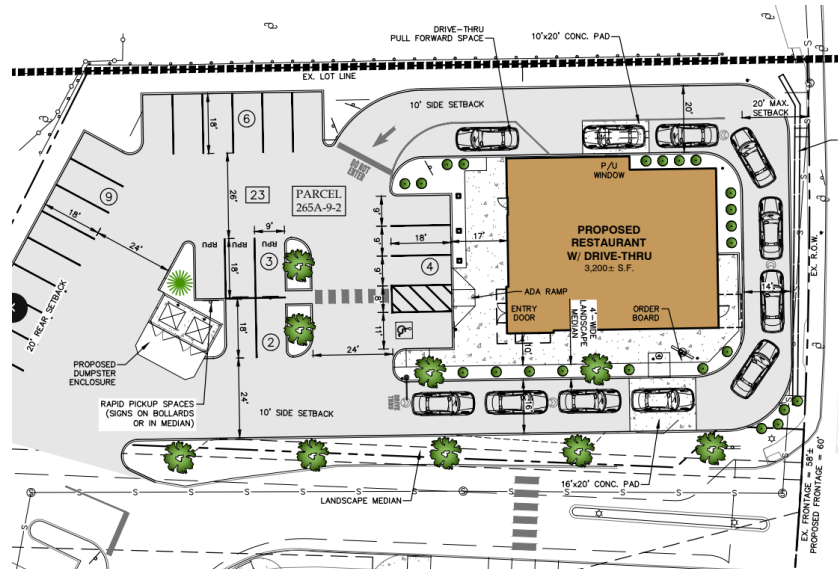


Figure 4: The conceptual site plan for 1220 Brighton Avenue

The current conceptual site plan does not meet the following use restrictions and dimensional standards of the TOD-2 zone:

- Prohibition of drive-through use and drive-through features - *Article 14-6.6.29(C)(3)*
- The minimum build-to zone (0-5 ft) - *Table 7-D*
- Minimum height (35 ft) - *Table 7-D*
- Minimum building length (80%) as percentage of street frontage- *Table 7-D*

Further, in zones where drive-throughs are permitted as an accessory use, all components of a drive-through, including stacking lanes, shall be located to the side or rear of the principal building where practicable, in accordance with *Article 14-6.6.29(C)(4)*.

The development contemplated at 1220 Brighton Avenue in this application is conceptual at this stage, and no site plan application has been submitted. Should the proposed rezoning to B-4 be approved by the City Council, a site plan application, addressing all applicable land use standards, would be required to be submitted by the applicant to facilitate the development of this project.

V. PROPOSED ZONING MAP AMENDMENT

The Applicant proposes a zoning map amendment to change 1220 Brighton Avenue (265 A009002) from Transit Center Zone (TOD-2) to Commercial Corridor Zone (B-4). The current conceptual plan for the subject property does not meet the following use and dimensional requirements of the TOD-2 zone: prohibition of a drive-through and drive-through features, minimum build-to zone of 0-5 ft, minimum building height of 35 feet, and minimum building length covering at least 80% of street frontage. These

current use restrictions and dimensional standards in the TOD-2 zone serve as the basis for the amendment to revert the subject property to the B-4 zone.

VI. ZONING ANALYSIS

A. Overview of Zoning Purpose Statements: Existing Versus Proposed Zoning

The purpose statement for each zone under consideration is listed below:

Existing zones:

TOD-2 Transit Center Zone: *“To provide for and encourage the development of high-intensity mixed-use, compact urban neighborhoods that support Portland’s investment in high frequency transit infrastructure through permissions for a highly dense, pedestrian-scale built environment and a broad range of uses that allow residents to live, work, shop, dine, and pursue cultural and recreational opportunities while enjoying a range of mobility choices. The TOD-2 zone is intended to allow for the creation of vibrant, accessible, 24-hour neighborhoods at suitable locations on or near the peninsula.”*

Proposed Zone:

B-4 Commercial Corridor: *“To provide locations in the city for the development and operation of businesses serving a regional or larger market, to provide locations for large-scale commercial uses that require larger land areas to accommodate their operations, and to support moderate to high-density housing including three-family, four-family, townhouse, and multi-family structures. Standards of the B-4 zone acknowledge the need to maintain automobile access while encouraging improvement of the pedestrian environment and accommodating alternative modes of transportation.”*

B. Use Comparison of Existing and Proposed Zones

As provided in Table 2, there are several noteworthy differences in use permissions between the TOD-2 and B-4 zones. Overall, the B-4 zone allows a broader range of uses than the TOD-2 zone, including uses that are typically more auto-oriented and operationally intensive. In contrast, while the TOD-2 zone permits a narrower range of uses, it is generally intended to support more intensive, compact, mixed-use development in locations that are walkable and well served by transit. For example, the B-4 zone permits lower density residential uses, and larger-scale commercial uses, such as self-storage facilities, car dealerships, and greenhouses. The B-4 zone also permits marijuana-related uses, whereas the TOD-2 zone does not. Only two uses are prohibited in the B-4 zone and allowed in the TOD-2 zone, which are elementary, middle, and secondary schools and hostels.

Table 2 provides a comparison of the permitted uses between existing and proposed zone. Uses marked with a ‘P’, are permitted uses in the zone. A ‘C’ indicates a conditional use. A blank space means the use is not permitted. The differences between TOD-2 and B-4 are highlighted in blue.

TABLE 2: PERMITTED AND CONDITIONAL USES IN TOD-2 and B-4		TOD-2	B-4
R e s i d e n t i a l	Two-family dwellings		P
	Three-family dwellings		P
	Four-family dwellings		P
	Town house dwellings	P	P
	Multi-family dwellings	P	P
	Live/work dwellings	P	P
	Lodging houses	P	P
I n s t i t u t i o n a l	Child care facilities	P	P
	Clinics	P	P
	Cultural Facilities	P	P
	Elementary, middle, and secondary schools	P	
	Emergency Shelters		C
	Governmental uses	P	P
	Places of assembly	P	P
	Post-secondary schools	P	P
	Residential care facilities (small)	P	P
	Residential care facilities (large)	P	P
C o m m e r c i a l & O t h e r	Auto, boat, related dealerships		P
	Auto service stations		P
	Bars	P	P
	Conventional halls	P	P
	Funeral homes		P
	General offices and services	P	P
	Greenhouses/nurseries		C
	Hostels	P	
	Hotels	P	P
	Intermodal Transportation facilities	P	P
	Marijuana retail stores		P
	Registered marijuana dispensary		P
	Market gardens		P
	Recreation and amusement centers	P	P
	Restaurants	P	P
	Retail (all square feet)	P	P
	Small-scale marijuana caregiver		P
Specialty food service	P	P	

Theater and performance halls	P	P
Veterinary services	P	P
Animal-related services		P
Communication studios	P	P
Dairies		P
Impound lots		P
Laboratory and research facilities		P
Low-impact industrial	P	P
Marijuana manufacturing facilities		P
Marijuana testing facilities		P
Printing and publishing		P
Self-storage facilities		P
Studios for artists and craftspeople	P	P
Warehousing, storage, and distribution		P
Parks and open space	P	P
Social service centers		C
Solar energy systems (minor)	P	P
Solar energy systems (major)		C
Utility substations	P	P
Wind energy systems (minor)	C	C

C. Dimensional Comparison of Existing and Proposed Zones

The dimensional standards in the existing and proposed zones reflect the differences in their respective purpose statements. The TOD-2 zone is intended to facilitate high-density, pedestrian-oriented, mixed-use development that supports the City’s investment in high-frequency transit infrastructure. Meanwhile, the B-4 zone allows for lower-density development, larger lots, and a less restrictive build-to zone to accommodate larger-scale commercial uses. As shown in Table 3, the proposed re-zoning to the B-4 zone would establish a minimum lot area of 10,000 square feet and a street frontage requirement of 60 ft. The build-to zone would increase to 0-20 feet, and the build-to percentage would decrease to 50%. If re-zoned to B-4, the required building length as a percentage of street frontage would be removed entirely.

Table 3 provides a comparison of the dimensional requirements between the two proposed zones.

TABLE 3: DIMENSIONAL REQUIREMENTS	TOD-2	B-4
Lot area (min.)	None	10,000 SF
Street frontage (min)	None	60 ft.
Build-to Zone	0-5 ft.	0-20 ft.
Build-to percentage (min)	100%	50%
Building length as a percentage of street frontage (min)	80%	None
Blank wall area (max)	20 ft.	40 ft.

Rear Setback (min)	None, except 20 ft. if abutting a lot in a residential zone.	None, except 20 ft. if abutting a lot in a residential zone.
Side Setback, interior (min)	None, except 10 ft. if abutting a lot in a residential zone.	None, except 10 ft. if abutting a lot in a residential zone.
Structure height (max.)	Min: 35 ft Max: 85 ft	65 ft.
Landscaped open space ratio (min)	10%	20%

VII. COMPREHENSIVE PLAN ANALYSIS

Portland's Plan 2030

The following analysis provides a framework to assist the Board in its review of the proposed zoning map amendment. Relevant goals and policies of Portland's Plan 2030 are identified below.

The Comprehensive Plan's Future Land Use section offers a framework for how the City can strategically plan for growth and guide future changes. The Plan identifies areas to be prioritized for growth that supports concentrated mixed-use activity and complete neighborhoods, as shown in Figure 5.

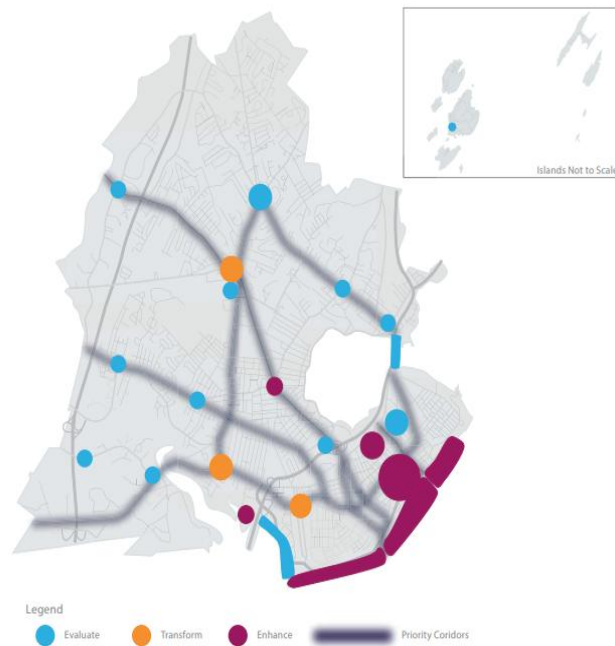


Figure 5: Portland's Plan 2030 Priority Nodes and Corridors from the Future Land Use Section

In the Future Land Use section, Brighton Avenue is identified as a priority corridor for further evaluation and potential investment to serve neighborhood needs, while the nearby intersection of Brighton Avenue and Rand Road is identified as a priority node. The ReCode process evaluated the potential for growth along this portion of Brighton Ave, which resulted in the area being rezoned to TOD-1 and TOD-2. The subject property is located along Brighton Avenue and, as such, zoning decisions should reflect the Plan's support for development along this corridor.

In addition to the Future Land Use section, the Comprehensive Plan policies and goals also offer a framework for reviewing proposed map amendments. The identification of Brighton Ave priority corridor and the subsequent ReCode changes reflect Transportation and Environment Goals of the Comprehensive Plan:

Transportation:

- Future Strategies: Create incentives to spur transit-oriented, mixed-use development along corridors and in areas that can support high-quality transit service.
- Future Strategies: Support initiatives to strategically increase the frequency and span of service, on-time reliability, and geographic scope of transit service.

Environment:

- Local Goal: Adopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal transportation.

However, the applicant has identified the following relevant Comprehensive Plan goals, which encourage the development of the property under the B-4 zone:

Economy:

- Local Goal: Create economic prosperity by growing Portland's tax and employment base
 - Future Strategies: Modify ordinances and make strategic investments to better promote business development and job creation in priority areas.

Environment

- Local Goal: Support Sustainable Land Use and Transportation Policies
 - Future Strategies: Plan for the mitigation and redevelopment of brownfields to support productive uses and a healthier environment for residents.

The Applicant states that the dimensional restrictions of the current zoning along with the contamination and soil conditions on the property limit the development potential of the property under the use and dimensional requirements of the TOD-2 zone. The applicant asserts that rezoning the property to B-4 would allow for the introduction of a new commercial use and facilitate the productive reuse of a contaminated site, thereby advancing the Economic and Environmental goals of the Comprehensive Plan.

Summary

The subject property's current TOD-2 zoning aligns with the Comprehensive Plan's long-term vision for a more compact, mixed-use, and pedestrian-oriented Brighton Avenue corridor. The use standards reflect an intent to support neighborhoods where residents can “*work, live, shop, and dine,*” and the dimensional standards encourage a “*pedestrian-scale built environment*” that emphasizes building placement close to the street, with an active and continuous street wall, rather than automobile-oriented development. The rezoning of this portion of Brighton Avenue from B-4 to TOD-2 in 2024 reflected an intent to transition this corridor over time toward a more compact, mixed-use, and pedestrian-oriented development pattern.

However, the proposed rezoning to B-4 would address the economic and environmental constraints affecting the subject property. Existing development along Brighton Avenue west of I-95 is characterized by large-scale commercial uses with prominent parking and other design elements supporting automobile use. These established land use patterns are generally consistent with the use and dimensional standards of the B-4 zone. As the applicant notes, the B-4 zone is intended to support businesses serving a regional or larger market and to accommodate automobile access, consistent with the zone's purpose statement. The applicant further asserts that this development pattern aligns with certain economic and environmental goals of the Comprehensive Plan.

Accordingly, the proposed rezoning presents a trade-off between accommodating existing development patterns and site-specific constraints and supporting broader Comprehensive Plan objectives related to growth along identified corridors and the coordination of transportation and development. In considering this amendment, the Board should evaluate whether the proposed rezoning is consistent with the goals and policies of the Comprehensive Plan and whether it would advance those objectives in the context of this site and the surrounding area.

VIII. PUBLIC COMMENT

One public comment has been received as of April 8, 2026.

A neighborhood meeting was held by the applicant on March 12, 2026, at The Hampton Inn, 1210 Brighton Avenue at 5:30pm. There were no members of the public in attendance.

IX. NEXT STEPS

- Incorporate feedback from Staff and Planning Board
- Return to Planning Board for hearing
- Forward recommendation to City Council for consideration

X. ATTACHMENTS

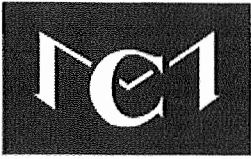
APPLICANT'S SUBMITTAL

- A. Cover Letter
- B. Consistency Letter
- C. Amendment Checklist
- D. Deed
- E. Vicinity Map

- F. Zoning Map
- G. Concept Site Plan
- H. Neighborhood Meeting Materials
- I. Memorandum from Jones & Beach Engineers, Inc., dated March 11, 2026
- J. Correspondence from Maine Department of Environmental Protection, dated December 15, 2023
- K. Environmental Sample Report from Tighe&Bond, dated November 13, 2023
- L. Letter from Maine Department of Environmental Protection, dated August 28, 2024

STAFF ATTACHMENTS

- S1. Variance Application for 1220 Brighton Ave submitted by Portland West Realty, dated September 8, 2025
- S2. Decision of the Zoning Board of Appeals regarding Variance Application, dated October 2, 2025
- S3. Decision of the Zoning Board of Appeals regarding A Request to Reconsider submitted by Portland West Realty, dated November 6, 2025



MARCUS | CLEGG

ATTORNEYS & COUNSELORS

February 11, 2026

Planning Board
City of Portland
389 Congress Street
Portland, Maine 04101

JENNIE L. CLEGG
LEE H. BALS
DANIEL L. ROSENTHAL
DAVID C. JOHNSON
K. BLAIR JOHNSON
BRENDAN T. BARRY

RE: Portland West Realty, Inc. – 1220 Brighton Avenue, Zoning Map Amendment Application

Dear Members of the City of Portland Planning Board,

Marcus | Clegg is pleased to submit this application for a Zoning Map Amendment with respect to the property owned by Portland West Realty, Inc. (“Portland West”), located at 1220 Brighton Avenue (the “Property”). The Property is a 0.65 acre vacant lot located on Brighton Avenue and is bounded on its westerly side by the Portland-Westbrook boundary line. Prior to the City of Portland’s ReCode in late 2024, the Property was located in Zone B4, Commercial Business (“B4”). As part of the ReCode, the Property was rezoned to the Transit-Oriented Development Zone 2 (“TOD-2”).

The rezoning of the Property from B4 to TOD-2 as part of the ReCode has imposed land use restrictions on the Property that, in addition to current conditions, attributes and past uses of the Property, has rendered the Property undevelopable by Portland West. Currently, Portland West has prospective tenant who wishes to construct a Panera Bread location on the Property (the “Project”). The Project would entail the construction of an approximately 3,200 square foot building with a drive-through service. Under the current zoning of the Property, the Project cannot be completed in accordance with the proposed terms because it would not comply with TOD-2’s land use restrictions, more specifically (i) the prohibition of drive-throughs in TOD-2; (ii) the minimum height requirement of thirty-five (35) feet; (iii) the minimum building length as a percentage of street frontage; and (iv) minimum build-to zone. Additionally, attributes that are unique to the Property, such as its prior use as permitted dumping grounds while previously owned by the City of Portland and the natural soil composition,¹ further prohibits any development of the Property in accordance with TOD-2 land use restrictions.

GEORGE J. MARCUS
(Retired)
MYER M. MARCUS
(1914-2015)

16 MIDDLE STREET, SUITE 501
PORTLAND, ME 04101-5166
T. 207.828.8000 / 800.806.9242
F. 207.773.3210 / 800.806.8678
FIRM@MARCUSCLEGG.COM
MARCUSCLEGG.COM

¹ The Property was owned by the City of Portland until 1960s and used as the City Farm Sand Pit. Evidence shows that the City, for period of time, allowed citizen to dump used crank oil and tar residue on the Property. Hazardous materials that are likely a result of the City’s prior use have been found in the soil of the Property as recently as 2024 and remain there today. Therefore, the presence of such hazardous materials prevents the Property from being developed for any residential, childcare, long-term healthcare or recreational uses.

Consistency with Portland's Comprehensive Plan 2030

Portland's 2017 Comprehensive Plan "Portland's Plan 2030" (the "Plan") set forth a number of policy goals including, (i) continuing Portland's economic prosperity, (ii) productive and safe redevelopment of brownfields and (iii) providing increased access to healthy foods. Portland West's proposed Map Amendment and Project are consistent with the Plan because (i) it further supports Portland's economic prosperity, (ii) it proposes to utilize the Property in a productive manner that would otherwise be undevelopable, in part, because of the presence of hazardous materials in the soil, and (iii) it provides fast, accessible and healthy foods to Portland residents, guests and commuters from neighboring communities who work in Portland.

I. Continuing Portland's Economic Prosperity.

The Plan contemplates creating economic prosperity by growing Portland's tax and employment base. The Plan at p. 43. The Project is in alignment with this aspect of the Plan because it would allow the Property to be developed in a productive manner. As alluded to above and further explained below, the Property is undevelopable absent a zoning change to B4 because of the TOD-2 restrictions as well as the unique conditions of the Property. Allowing the Project to be developed on the Property supports Portland's growth in economic prosperity because it will create jobs in the City and it will further increase the City's tax basis by increasing the value of the Property, which are specifically stated goals under the Plan.

a. The Property is Undevelopable in Zone TOD-2.

Under its current TOD-2 zoning, buildings on the Property must have a minimum height of thirty-five feet (35'). This requirement alone is prohibitive for developing on the Property because the Property's soil composition – that being mostly of clay – cannot support a structure of this height without significant investments to stabilize the building's foundation. The required investments would be so costly that building a structure of such height would be economically infeasible and, therefore, prevents any development.

Additionally, the Property has been a vacant lot for approximately eight (8) years now. Portland West and its predecessor owner have marketed the Property for a build-to-suit lease for at least six (6) years with very limited interest. Currently, Portland West has a prospective tenant proposing to build a Panera Bread location on the Property on the condition that the business can provide drive-through services. The request for drive-through services is a similar request made for all of the prior prospective tenants given the size and location of the Property. Prior to the ReCode, a drive-through was an allowed accessory use on the Property but now, in TOD-2 zoning, a drive-through is prohibited. That said, every prospective tenant for this Property has required a drive-through and the commercial leasing market dictates that the Property cannot be leased unless a drive-through is permitted thereon.

Notwithstanding the drive-through prohibition in TOD-2, the dimensional requirements of TOD-2 are prohibitive of having a drive-through service located on the Property, specifically the

minimum build-to zone and the minimum building length as a percentage of street frontage. These two dimensional requirements cause any structure to be built within five feet (5') of Brighton Avenue and require the building to be at least seventy feet (70') long. Given the size and shape of the lot, it is impossible to construct an efficient drive-through on the Property while complying with the TOD-2 dimensional requirements.

b. The Property is Undevelopable Due to the Presence of Hazardous Materials in its Soil.

The Property is the previous site of the City Farm Sand Pit. According to a prior environmental report of the Property, there is evidence that the City permitted the disposal of used crank oil and tar residue in and around the Property. According to a 2024 environmental assessment of the Property, hazardous materials are still present in the Property's soil. Portland West has contacted Maine DEP about this issue and Maine DEP recommended that, if the Property is developed, it follows the same precautions and imposes the same restrictions as implemented in the Voluntary Response Action Program implemented on the immediately abutting property. The recommended restrictions would prevent the Property from being used for any residential, hospital, nursing home facility, childcare, playground/recreational, school or other similar use.

c. The Proposed Map Amendment Allows for Development that is Consistent with the Plan.

As outlined above, the Property is currently undevelopable due to its size, the presence of hazardous materials within its soil, and because of the TOD-2 zoning requirements. Modifying the Zoning Map to change the Property from zone TOD-2 to zone B4 would allow the Project to be developed in accordance with all zoning requirements and would comply with the recommendations provided by Maine DEP. Absent such a change, there is no feasible development that can take place on the Property. Allowing for the Property to be developed will increase the value of the Property and, therefore, increase the tax basis of the City. Furthermore, the Project, once completed, will require numerous full-time staff which increased employment in the City. Therefore, the Planning Board should recommend the Application because it is consistent with the Plan and allowing the Property to remain undevelopable is contrary to the Plan.

II. Mitigation and Redevelopment of Brownfields.

The Plan aspires to mitigate and redevelop brownfields to support productive uses and healthier environments for residents. The Plan at p. 22. Rezoning the Property from TOD-2 to B4 allows for the Property to be developed and productive despite the presence of hazardous materials in its soil. As stated above, the Property's soil contains hazardous materials in its soil that is likely the result of the City's prior permitted dumping of used crank case oil and tar dumping in and around the Property. The hazardous materials prevent the Property from being used for anything but commercial uses and, as detailed above, no commercial tenant will develop the Property without a drive-through service. Therefore, if the Property remain in zone TOD-2, it will continue

to be undeveloped and an unproductive vacant lot. As such, rezoning the Property to B4 is consistent with the Plan because it supports the redevelopment and productive use of a site that contains hazardous materials.

III. Access to Healthy Foods.

The Plan strives to increase access to health food for all. The Plan at p. 20. By rezoning the Property to B4, the Project can be implemented on the Property which would increase access to healthy food for Portland residents and commuters who work in Portland. According to Forbes, Panera Bread's menu is full of healthy meal options. [10 Healthiest Fast Food Restaurants – Forbes Health](#). By allowing the Project to proceed, Portland residents and residents of neighboring communities who work in Portland will be able to access health food options with greater ease and convenience by virtue of the proposed drive-through service. Furthermore, Panera Bread is known to partner with local charities such as food pantries, veteran services and youth shelter to donate unsold baked goods at the end of each night through its “Day-End Dough-Nation” program. [Day-End Dough-Nation | Panera Bread](#). Therefore, the Project is consistent with the Plan's goal to increase healthy foods for all because it provides convenient access to healthy foods for Portland residents and people commuting into Portland and it provides Portland charities with another possible source of healthy food donations.

In conclusion, the rezoning of the Property from TOD-2 to B4 and the implementation of the Project is consistent with the Plan because it creates economic prosperity by increasing the City's tax base and employment, it supports the redevelopment and productive use of brownfields, and it provides greater access to healthy foods for all.

CITY OF PORTLAND
Planning & Urban Development Department

MAP AMENDMENT SUBMISSION CHECKLIST	
<p>* Please submit each document <u>and</u> drawing as a separate PDF file</p> <p>* Please submit all drawings in a <u>24 x 36</u> sheet size</p> <p>* Please confirm each item by electronically checking the boxes to the left for each document/drawing</p>	
GENERAL APPLICATION DOCUMENTS	
	Project Description <ul style="list-style-type: none"> • Cover Letter with detailed project description
	Consistency with Comprehensive Plan <ul style="list-style-type: none"> • Analysis of the consistency of the zone change request with the goals, policies and land use plan of Portland's Comprehensive Plan.
	Completed Checklist – Map Amendment Application (this document)
	Right, Title and Interest <ul style="list-style-type: none"> • Deeds, leases, or purchase and sales agreements
PLANS	
	Vicinity Map
	Proposed Map Amendment (please use the Portland zoning map as a reference)
	Site Plan (if applicable) Provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries.

DLN: 2419476

QUITCLAIM DEED WITH COVENANT

KNOW ALL BY THESE PRESENTS, that Portland Hotels, Inc., a Maine corporation having its principal place of business in Portland, Cumberland County, Maine, in consideration of one dollar (\$1.00) and other good and valuable consideration paid by Portland West Realty, Inc., a Maine corporation whose mailing address is 1150 Brighton Ave., Portland, ME 04102, the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey, and forever quitclaim unto the said Portland West Realty, Inc., its successors and assigns forever, the following described premises:

A certain lot or parcel of land situated on the southwesterly side of Brighton Avenue in Portland, Cumberland County, Maine bounded and described as follows:

Beginning at an iron pipe set on the southerly sideline of said Brighton Avenue, where it intersects with the boundary line running between the City of Portland and Westbrook, said point of beginning also lying on a course of S14°04'10"W, 5.41 feet from a drill hole in an 8"x8" granite monument on said boundary;

Thence, in an easterly direction on a curve to the right along the southerly sideline of Brighton Avenue, having a radius of 1,382.07 feet and an arc length of 111.48 feet, to a point on the northwesterly corner of land now or formerly of Portland Hotels, Inc. As described in Book 20821, Page 316;

Thence along said Portland Hotels, Inc. land on the following courses and distances:

S17°31'34"W, a distance of 25.00 feet to a point;

S27°28'26"E, a distance of 18.38 feet to a point;

S17°31'34"W, a distance of 204.84' feet to a point;

S13°27'39"W, a distance of 28.21 feet to a pipe found and land now or formerly of Dirigo Center Developers, LLC as described in Book 34380, Page 164;

Thence, along land now or formerly Dirigo Center Developers, LLC, N48°19'47"W 125.00 feet to the boundary line of said Portland and Westbrook;

Thence, along land of now or formerly Dirigo Center Developers, LLC land, N14°04'10"E 216.26 feet to the point of beginning, containing 28,290± square feet.


Reference is made to a plan titled "ALTA/NSPS land title survey 1220 Brighton Avenue Portland, Cumberland county, Maine made for Portland Hotels, Inc." dated December 13, 2023, by Owen Haskell, inc.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said Portland Hotels, Inc., its successors and assigns to its use and behoof forever.

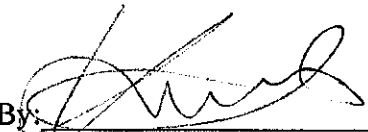
And it does covenant with the said Grantee, its successors and assigns, that it shall and will warrant and defend the premises to the said Grantee, its successors and assigns, forever, against the lawful claims and demands of all persons claiming by, through, or under it.

IN WITNESS WHEREOF, Portland Hotels, Inc., the said Grantor has caused this deed to be executed by its duly authorized President, this 10th day of the month of February, 2025.

Signed, Sealed and Delivered
in the presence of:



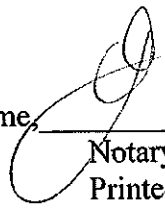
PORTLAND HOTELS, INC.

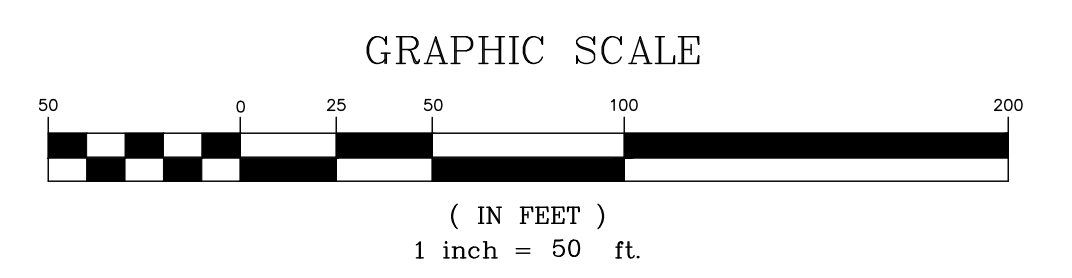
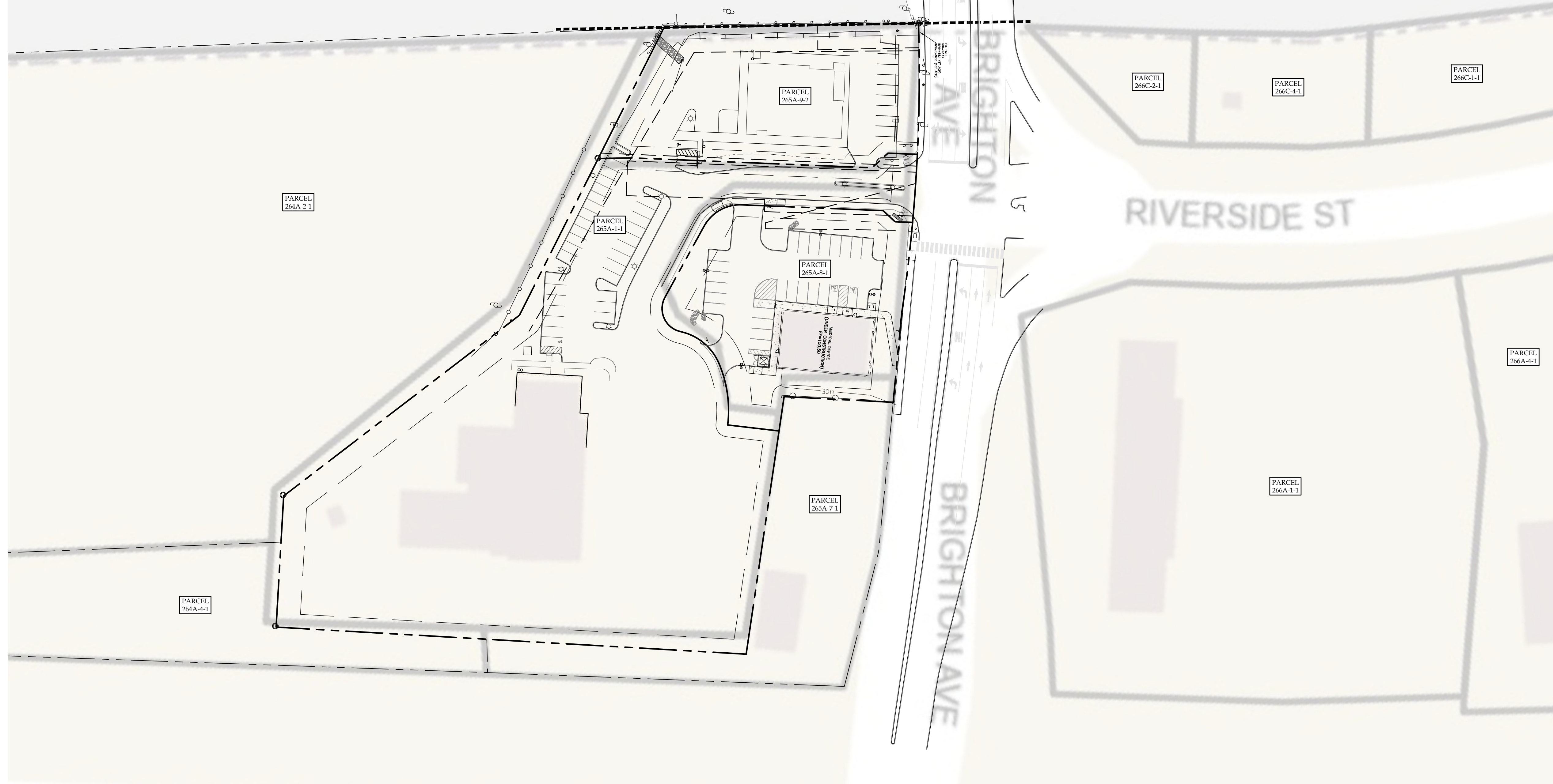
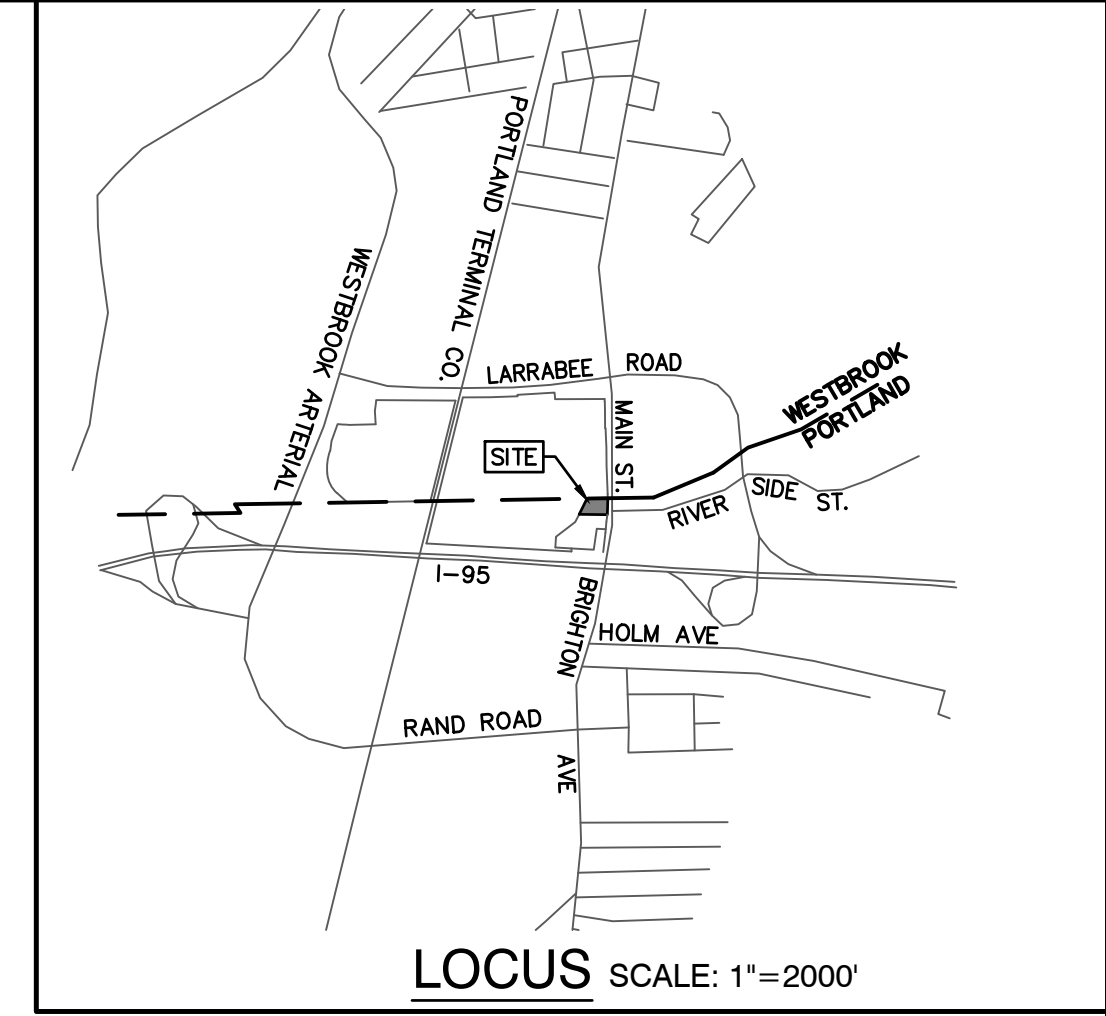
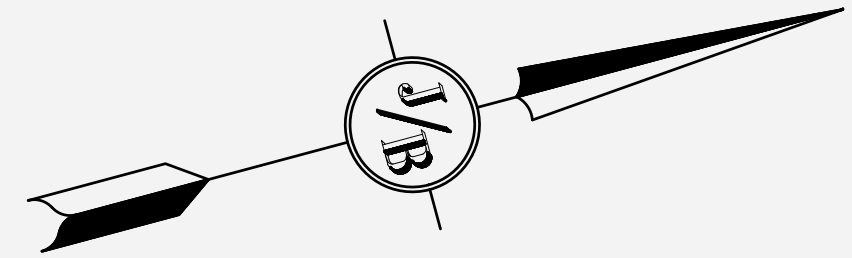
By: 

Kamlesh Patel
President

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.

On February 10, 2025, personally appeared the above-named Kamlesh Patel, the duly authorized President of Portland Hotels, Inc., in his said capacity, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said corporation.

Before me,  _____
Notary Public/Attorney-at-Law
Printed Name: JENNIE CLEGG



Design:ISM	Draft: TCR	Date: 02/04/26
Checked:WGM	Scale: AS NOTED	Project No.: 20784
Drawing Name: 20784-PLAN-ZONING.DWG		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
0	02/04/26	ISSUED FOR REVIEW	TCR

Designed and Produced in NH

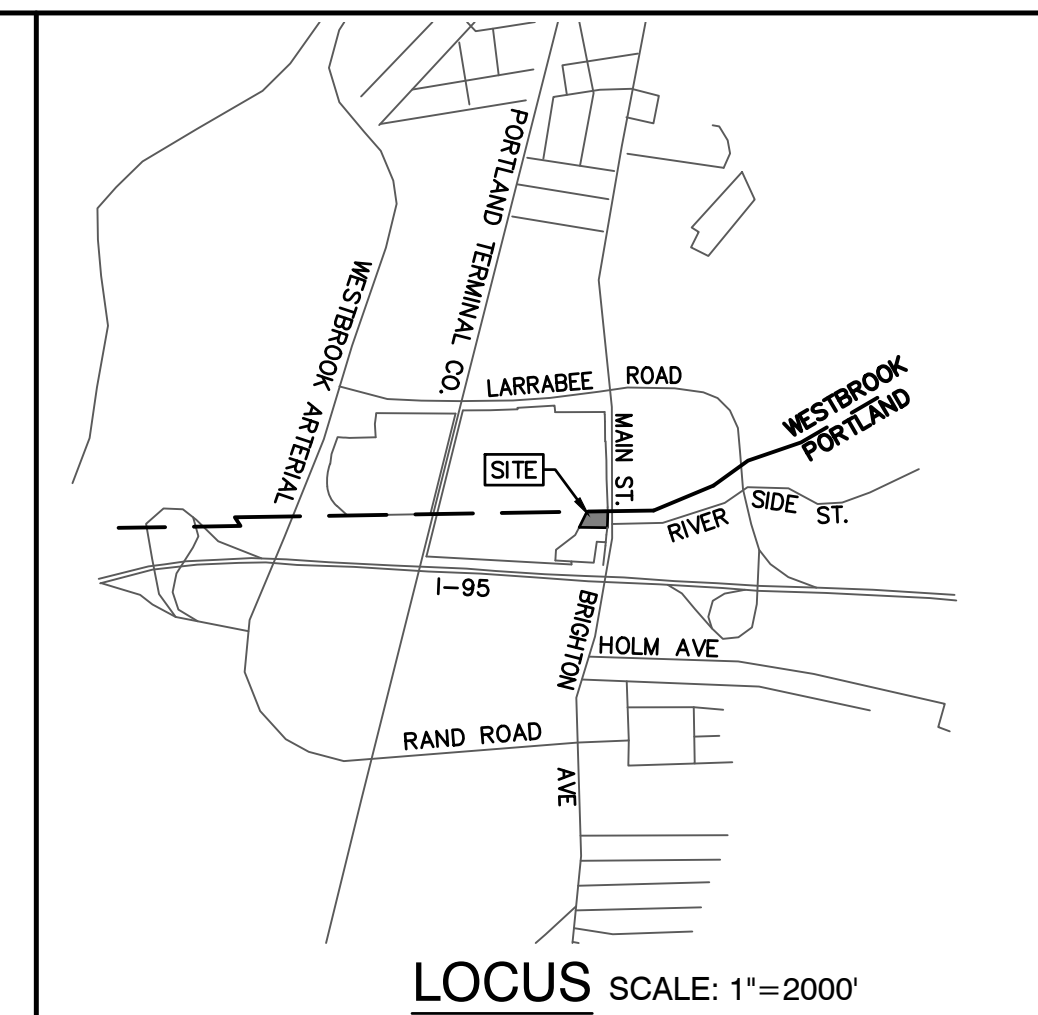
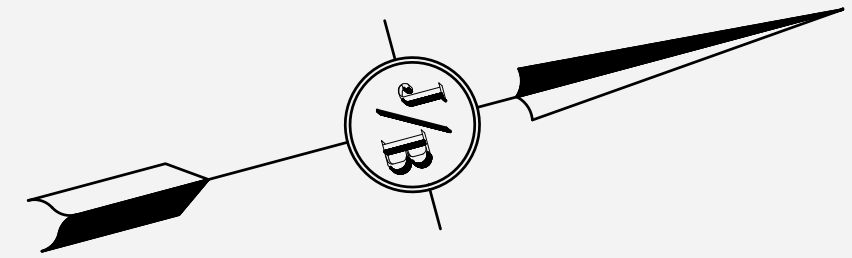
J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. 603-772-4746
 PO Box 219 FAX: 603-772-0227
 Stratham, NH 03885 E-Mail: JBE@JONESANDBEACH.COM

Civil Engineering Services

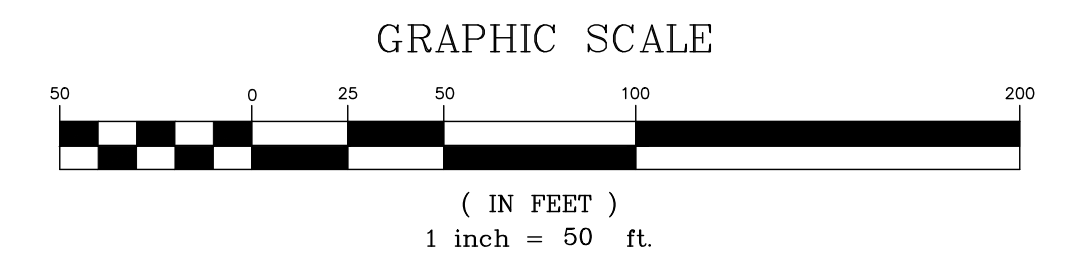
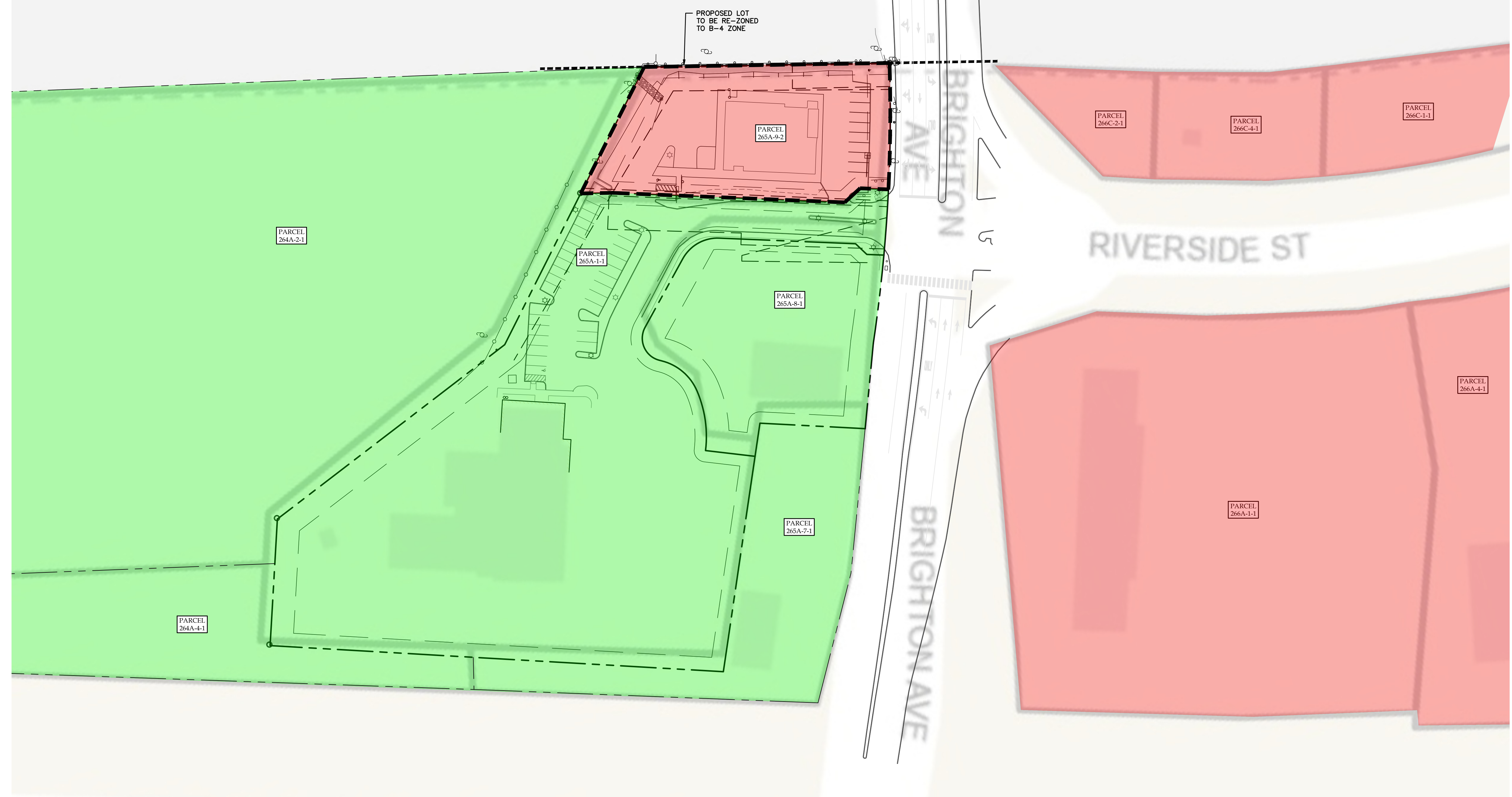
Plan Name:	VICINITY PLAN
Project:	PROPOSED COMMERCIAL REDEVELOPMENT 1220 BRIGHTON AVENUE, PORTLAND, ME
Owner of Record:	PORTLAND WEST REALTY, INC 1150 BRIGHTON AVE, PORTLAND, ME 04102

DRAWING No.	Z1
SHEET 1 OF 3 JBE PROJECT NO. 20784	



LEGEND:

- TOD-2 ZONE
- B4 ZONE



Design:ISM	Draft: TCR	Date: 02/04/26
Checked:WGM	Scale: AS NOTED	Project No.: 20784
Drawing Name: 20784-PLAN-ZONING.DWG		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
0	02/04/26	ISSUED FOR REVIEW	TCR

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. 603-772-4746
 PO Box 219 FAX: 603-772-0227
 Stratham, NH 03885 E-Mail: JBE@JONESANDBEACH.COM

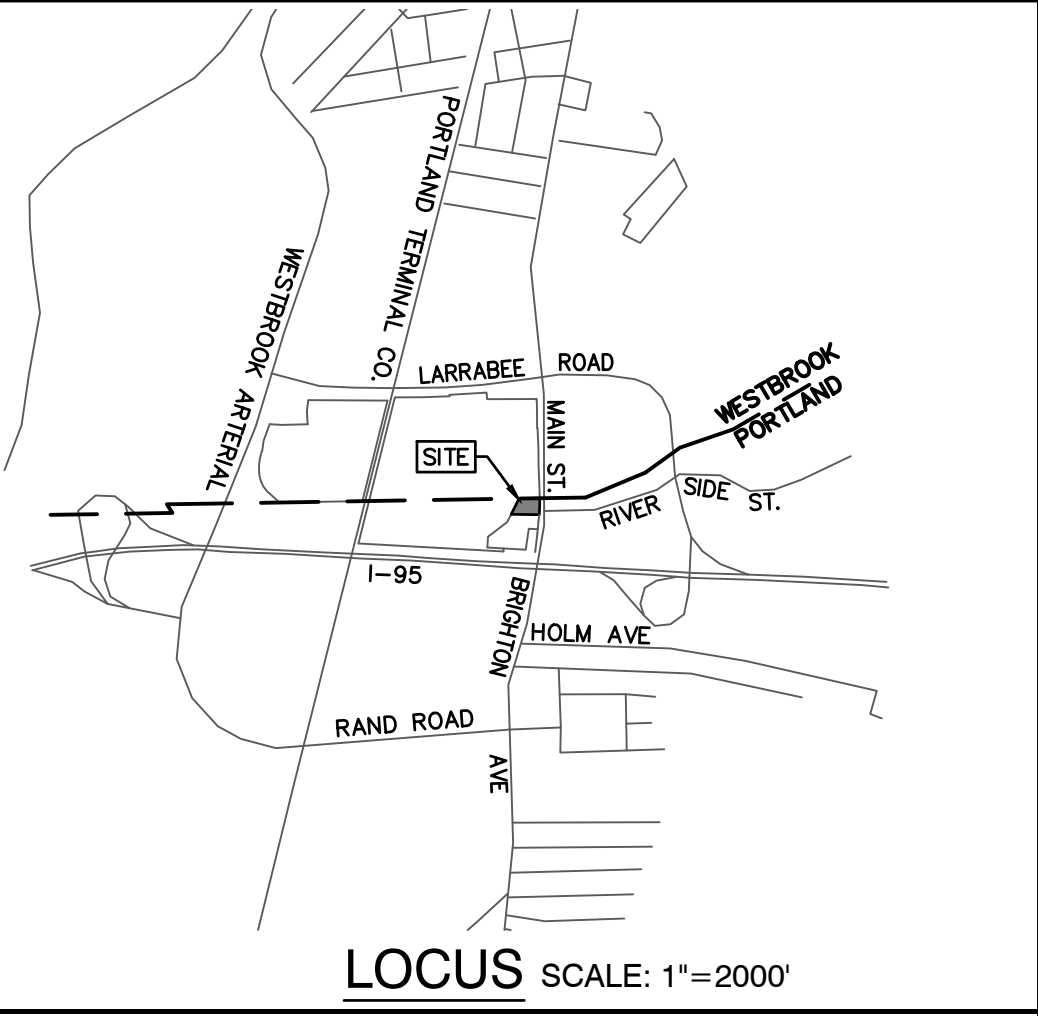
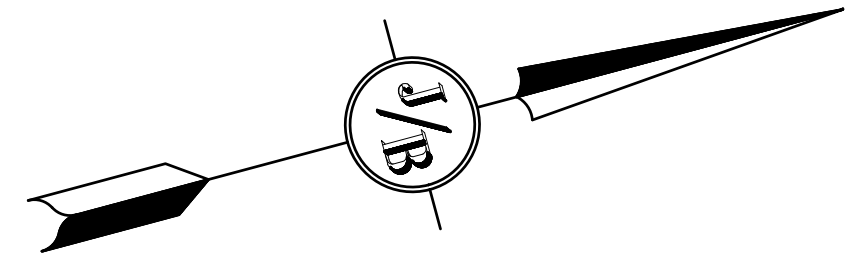
Civil Engineering Services

Plan Name:	MAP AMENDMENT PLAN
Project:	PROPOSED COMMERCIAL REDEVELOPMENT 1220 BRIGHTON AVENUE, PORTLAND, ME
Owner of Record:	PORTLAND WEST REALTY, INC 1150 BRIGHTON AVE, PORTLAND, ME 04102

DRAWING No.

Z2

SHEET 2 OF 3
JBE PROJECT NO. 20784

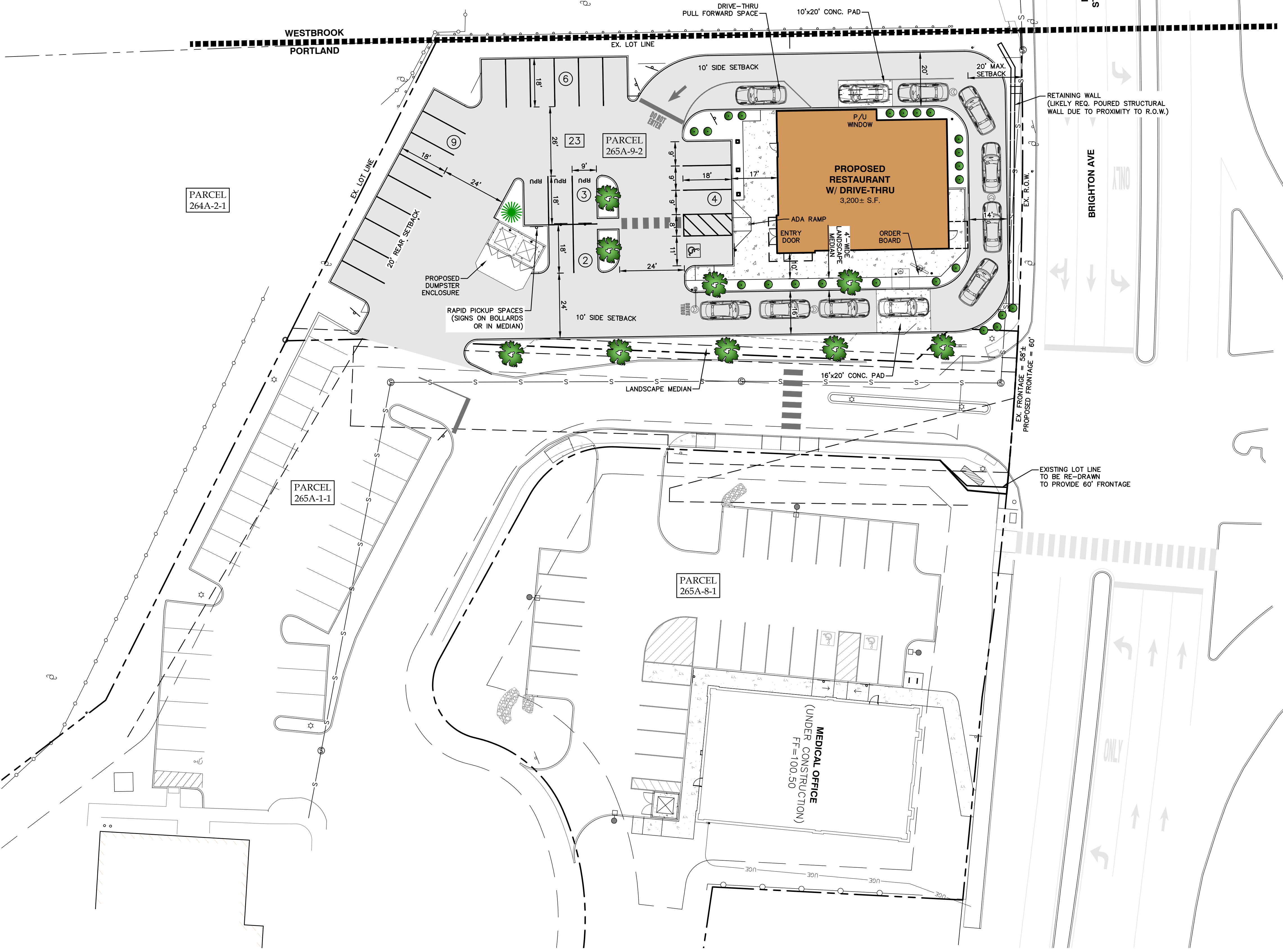
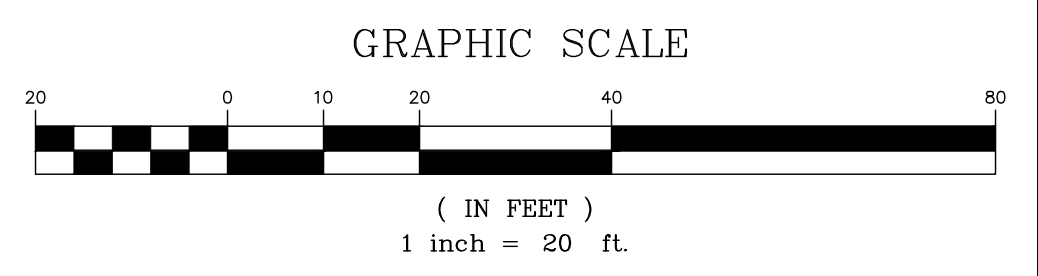


- SITE NOTES:**
- THE INTENT OF THIS PLAN IS TO CONSTRUCT A RESTAURANT WITH DRIVE-THRU LOT A-9, PROJECT TO BE SERVED BY ELECTRIC, GAS, MUNICIPAL SEWER & PUBLIC WATER.
 - ZONING DISTRICT: B4 - COMMERCIAL CORRIDOR ZONE

REQUIRED	PROPOSED
LOT AREA MINIMUM = 10,000 S.F.	111'±
BUILDING SETBACKS:	
MAX. FRONT SETBACK = 20'	20'
MIN. SIDE SETBACK = 10'	19'
MIN. REAR SETBACK = 20'	100'+
MAX. BUILDING HEIGHT = 65'	<30'
MAX. IMPERVIOUS SURFACE = 80%	-
 - ZONING DISTRICT: TOD2 - TRANSIT-ORIENTED DEVELOPMENT ZONE 2

REQUIRED	PROPOSED
LOT AREA MINIMUM = N/A	-
LOT FRONTAGE MINIMUM = N/A	-
BUILD-TO-ZONE = 0-5'	-
BUILD-TO PERCENTAGE (MIN.) = 100%	-
BUILDING LENGTH AS A PERCENTAGE OF STREET FRONTAGE (MIN.) = 80%	-
BLANK WALL AREA (MAX.) = 20'	-
BUILDING SETBACKS:	
MAX REAR SETBACK = N/A UNLESS ABUTTING RESIDENTIAL	-
MIN. SIDE SETBACK = N/A UNLESS ABUTTING RESIDENTIAL	-
STRUCTURE HEIGHT (MIN/MAX) = 35/125'	-
 - VEHICLE & BIKE SPACE REQUIREMENTS (MAXIMUMS):

RESTAURANTS: 1 SPACE / 100 SQ.FT. OF INDOOR FLOOR AREA + 1 SPACE / 300 SQ.FT. OF OUTDOOR SEATING AREA	
>5,000 SQ.FT.: 1 BIKE SPACE / 1,500 SQ.FT. FLOOR AREA	
- MAX. PARKING SPACES ALLOWED = XX
 TOTAL SPACES PROPOSED = 23
 REQ. STANDARD PARKING SPACE DIMENSIONS = 18' X 9'



Design:ISM	Draft: TCR	Date: 02/04/26
Checked:WGM	Scale: AS NOTED	Project No.: 20784
Drawing Name: 20784-PLAN-ZONING.DWG		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

0	02/04/26	ISSUED FOR REVIEW	TCR
REV.	DATE	REVISION	BY

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. PO Box 219 Stratham, NH 03885

Civil Engineering Services

603-772-4746 FAX: 603-772-0227 E-Mail: JBE@JONESANDBEACH.COM

Plan Name: **SITE PLAN**

Project: **PROPOSED COMMERCIAL REDEVELOPMENT 1220 BRIGHTON AVENUE, PORTLAND, ME**

Owner of Record: **PORTLAND WEST REALTY, INC 1150 BRIGHTON AVE, PORTLAND, ME 04102**

DRAWING No. **Z3**

SHEET 3 OF 3
 JBE PROJECT NO. 20784



MARCUS | CLEGG
ATTORNEYS & COUNSELORS

March 13, 2026

City of Portland, Maine
Planning and Urban Development Department
Attn: Rowen McAllister (rncallister@portlandmaine.gov)
389 Congress Street
Portland, ME 04101

JENNIE L. CLEGG
LEE H. BALS
DANIEL L. ROSENTHAL
DAVID C. JOHNSON
K. BLAIR JOHNSON
BRENDAN T. BARRY

RE: Certification of Neighborhood Meeting

Dear Ms. McAllister

I, Brendan Barry, the applicant, hereby certify that a neighborhood meeting was held on March 12, 2026, at The Hampton Inn, 1210 Brighton Avenue, Portland, Maine, at 5:30 PM EST for the proposed zoning of the Zoning Map Amendment at 1220 Brighton Avenue, Portland Maine (ZN-003527-2026). The neighborhood meeting began at 5:30 PM and ended at 6:00 PM with no members of the public attending in person or virtually.

I also certify that on March 2, 2026, the Notice of Neighborhood Meeting For Proposed Zoning Map Amendment enclosed herein was mailed to (i) all addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development, and (ii) all residents on the "interested parties" list.

Sincerely,



Brendan Barry

GEORGE J. MARCUS
(Retired)
MYER M. MARCUS
(1914-2015)

Enclosures:

1. Copy of Notice of Neighborhood Meeting For Proposed Zoning Map Amendment;
2. Sign-in Sheet for Neighborhood Meeting; and
3. Record of feedback from neighborhood meeting.

16 MIDDLE STREET, SUITE 501
PORTLAND, ME 04101-5166
T. 207.828.8000 / 800.806.9242
F. 207.773.3210 / 800.806.8678
FIRM@MARCUSCLEGG.COM
MARCUSCLEGG.COM

Portland West Realty, Inc.
1150 Brighton Ave.
Portland, ME 04103

NOTICE OF NEIGHBORHOOD OUTREACH MEETING FOR PROPOSED ZONING MAP AMENDMENT

1220 Brighton Avenue, Portland, Maine

YOU ARE RECEIVING THIS NOTICE BECAUSE: (I) YOU OWN REAL ESTATE LOCATED WITHIN 500 FEET OF 1220 BRIGHTON AVENUE, PORTLAND, MAINE; OR (II) YOU ARE ON THE CITY OF PORTLAND'S LIST OF INTERESTED CITIZENS.

PURPOSE OF MEETING: Portland West Realty, Inc., the owner of 1220 Brighton Avenue, Portland, Maine (the "Property"), is seeking an amendment to the City of Portland's Zoning Map to change the current zoning of the Property from Transit Center Zone (TOD-2) to Commercial Corridor (B-4). As required by the City of Portland, Maine Code of Ordinances, Chapter 13, Article 1.10.2(C), Portland West Realty, Inc. is inviting you to a neighborhood outreach meeting regarding the proposed zoning map amendment. The zoning amendment is being proposed in order for the Property to be developed as a Panera Bread location with a drive-thru service, allowing the Property to be in an economically beneficial manner, rather than having it remain as a vacant lot.

DATE, TIME AND LOCATION OF MEETING: The neighborhood meeting shall be a hybrid in-person/virtual meeting to be held on Thursday, March 12, 2026 at 5:30 PM in the conference room of The Hampton Inn located at 1210 Brighton Avenue, Portland, Maine 04103. For parties who wish to participate remotely, please email Brendan Barry (btb@marcuslegg.com) no later than March 12, 2026, at 12:00 PM to request a Zoom link for the neighborhood meeting.

If you have any questions, please feel free to email Brendan Barry at btb@marcuslegg.com or to call 207-210-6281.

Sincerely,

Portland West Realty, Inc.

Record Feedback from Neighborhood Meeting

None. No members of the public attended the neighborhood meeting.

JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

March 11, 2026

Att. I

**RE: Subsurface Soil Conditions
1220 Brighton Ave, Portland, ME
JBE Project No. 20784**

Although no specific subsurface testing via deep test pits or borings has been completed on the subject parcel, our office is Engineer or Record for the Rock Row project to the east of the subject parcel. The subsurface soil conditions were extensively studied and findings formatted into a geotechnical report for Phase 1 of the Rock Row project. Because of our involvement in the neighboring project, we can provide the following summary of subsurface soil conditions we'd expect on our subject parcel:

The subsurface soil types consist of primarily silty sands in upper layers (<15' depth on average) with some areas of clayey sands & silts in these upper layers. Beyond these upper layers, in some areas starting in the 15-20' depth range, gray silty clay is present (medium to soft). Based on the estimated shear strengths of the clay, the taller, heavier structures on Phase 1, such as Market Basket, required installation of extensive ground improvements beneath the building slab & foundation. The single-story commercial closest to our subject parcel, where Starbucks is located, did not require ground improvements because the height and use loading was minimized but over-excavation and replacement of several feet of existing material with imported, compacted gravels was required. If this structure had been proposed as multi-story, it's likely that ground improvements or a large mat slab – both of which are complicated and costly – would have been needed. We can likely translate these conclusions to the subject parcel and assume that a multi-story structure on the subject parcel will likely require a more expensive and complicated foundation system. Additionally, the footprint of a multi-story structure on the subject parcel would be relatively small which increases the cost of ground improvements or other foundation systems because of the high cost to mobilize equipment for small area of work – no economy of scale. For these reasons, it's our opinion that a single-story building is best suited for this site.

Please let me know if there are any questions,

Sincerely,



Ian MacKinnon, P.E.
Associate Principal

From: Hodgkins, Nick <Nick.Hodgkins@maine.gov>

Sent: Friday, December 15, 2023 11:57 AM

To: kopatel@me.com

Subject: RE: Request for Guidance

Att. J

Mr. Patel,

In short, the property you are proposing to develop is not covered by the Exxon/Mobil VRAP. However, based on the information you provided and our earlier phone conversation, it is apparent that the contamination located at depth is the same contamination located at depth on the former Exxon/Mobil parcel (with a historical dump, at depth).

My recommendation would be to follow the same requirements in the VRAP letter for the Exxon/Mobil parcel, but I would also recommend that any new structures have a vapor barrier and/or a sub-slab depressurization system installed to prevent vapors from entering the building. This redevelopment can be done with or without VRAP oversight; if you want VRAP liability protections for the project parcel, you will need to file a VRAP application and submit all pertinent reports.

I hope this helps and please let me know if you have additional questions.

Thanks,

Nick

Nicholas J. Hodgkins

Director, Division of Remediation



A-5104-002-05
November 13, 2023

Haley Fardelmann
Adrenaline
195 New Hampshire Ave, #115
Portsmouth, New Hampshire 03801

Re: **Environmental Soil Sampling and Analysis Results
Proposed Empeople Credit Union
1220 Brighton Avenue, Portland, ME**

Dear Haley:

Tighe & Bond has prepared this letter to summarize the recent environmental soil sampling and analysis completed on October 17, 2023, at the above-referenced site. This work was conducted in accordance with approved Contract Amendment #1 dated October 5, 2023. Some of this information was previously reported to Adrenaline in our *Geotechnical Evaluation Report*, dated October 30, 2023.

In September 2023, Tighe & Bond conducted initial geotechnical exploration at the site that included the advancement of five soil borings (B-1 to B-5) up to a maximum depth of 26 feet. A "petroleum-like" odor was detected in soil from borings B-2 and B-3 at the approximate 20 to 25-foot depth interval. A second geo-environmental drilling event occurred during October to, among other things, further assess environmental conditions around borings B-2 and B-3. The work included advancement of four additional borings (B-6 to B-9) and the collection of soil samples for laboratory analysis to assess the "petroleum-like" impacts discovered in the soil.

The following information summarizes our field observations and the lab results for soil samples collected during the additional investigation in October. Attachments to this letter include a subsurface exploration plan, soil boring logs, a data summary table of the soil sample results and the laboratory report.

Soil Sampling and Analysis

The initial round of borings (B-1 to B-5) was advanced by New England Boring Contractors, Inc. (NEBC) on September 21, 2023 using a truck-mounted drill rig and hollow stem augers (HSAs) to depths ranging from approximately 21 to 26 feet below ground surface (bgs). Split-spoon sampling and Standard Penetration Tests (SPTs) was conducted at either continuous 2-foot intervals (e.g., 0-2', 2-4', 4-6') or at various intervals not exceeding 5 feet (e.g., 5-7', 10-12', 15-17'). Each boring was terminated in native soil. Upon completion, the boreholes were backfilled with drill cuttings and sand and the disturbed pavement was capped with asphalt cold patch.

Four additional borings (B-6 to B-9) were advanced on October 17, 2023 within the footprint of the proposed building and proximal to borings B-2 and B-3 to obtain additional information regarding the "petroleum-like" odors described in the boring logs for those locations. The soil borings were advanced by NEBC using a truck rig and HSAs to depths ranging from approximately 22 to 27 feet bgs. Split-spoon sampling was conducted at

approximate 5-foot intervals across the total boring depths. Select soil samples recovered from borings B-6 to B-9 were field screened by the jar headspace method for total volatile organic vapors (TVOV) using a MiniRae 3000 photoionization detector (PID) with a 10.6 electron-volt (eV) lamp and calibrated to a benzene standard with results recorded as parts per million by volume (ppmv). PID readings are shown on the boring logs (attached).

Positive headspace readings were measured in borings B-7, B-8 and B-9 as summarized below.

Boring ID / Sample ID	Sample Interval (ft)	Field PID Reading (ppmv)	Lab Analysis *
B-7, S8A	17 - 18	50	
B-7, S9	20 - 22	< 1	
B-8, S9	16 - 18	200	VOC, PAH, DRO(C10-C28)
B-8, S10	18 - 20	174	
B-8, S11A	20 - 22	50	VOC, PAH, DRO(C10-C28)
B-8, S12	22 - 24	15	
B-9, S2	12 - 14	15	
B-9, S3A	14 - 15	45	VOC, PAH, DRO(C10-C28)
B-9, S4A	16 - 16.3	20	
B-9, S5	18 - 20	15	
B-9, S6	20 - 22	3	

* Lab analysis conducted for volatile organic compounds (VOC), polycyclic aromatic hydrocarbons (PAH), and diesel range organics (DRO(C10-C28)).

BOLD indicates samples selected for laboratory analysis.

Based on the field PID readings, two soil samples were selected for lab analysis from B-8 and one soil sample was selected for lab analysis from B-9. Sample B-8, S9 (200 ppmv) was selected to assess the highest identified PID reading and B-8, S11A (50 ppmv) was selected to assess soil conditions at a deeper depth. Sample B-9, S3A was analyzed because it had the highest PID reading at this location (45 ppmv). B-9 was located to assess conditions near boring B-2 where "petroleum-like odors" were originally discovered in September.

The B-8 boring log describes the soil being "wet" at a depth of approximately 6 feet bgs, trace amounts of wood, glass and asphalt observed from approximately 12 to 16 feet bgs, and petroleum-like odors and sheening from approximately 16 to 21 feet bgs.

Boring B-9 was augured to a depth of approximately 10 feet bgs where split-spoon sampling began. Trace asphalt mixed in with soil was observed from approximately 10 to 14 feet bgs with a petroleum-like odor noted at approximately 14 feet bgs and soil was described as moist. Petroleum-like odors and sheening were recorded from approximately 14 to 15 feet bgs with soil described as wet at approximately 15 feet bgs.

In boring B-7 trace amounts of wood, glass and asphalt were observed from approximately 5 to 13 feet bgs. Soil was reported as wet at approximately 17 feet bgs and a petroleum-like odor was noted (see PID reading in table above).

No elevated PID readings, petroleum-like odors were reported for boring B-6.

The soil samples were placed in clean sample containers obtained from the laboratory and placed on ice in a thermally insulated container to maintain a temperature of approximately 4° Celsius. The samples were delivered under proper Chain-of-Custody procedures to Alpha Analytical Labs (PACE Labs) in Westboro, MA for laboratory analysis of VOCs, PAHs and diesel range organics (DRO(C10-C28)) assess petroleum-related constituents.

The soil sample results are summarized in Table 1 (attached) and were compared to the leaching to groundwater, residential contact and construction worker contact criteria set forth in the Maine Department of Environmental Protection (DEP) *Remedial Action Guidelines for Contaminated Sites* (May 1, 2021). The results indicate the presence of petroleum-related constituents in each of the soil samples as summarized below.

- **DRO(C10-C28)** concentrations ranged from 940 milligrams per kilogram (mg/kg) to 10,000 mg/kg. Although the Maine DEP does not have a Remedial Action Guideline (RAG) for DRO, the elevated concentration of 10,000 mg/kg in boring B-8 suggests concentrations that may be approaching petroleum saturation.
- **VOCs** were reported in each of the three soil samples, with the highest concentrations being in samples B-8, S9 and B-8, S-11. No VOCs were reported as exceeding the RAGs in B-9, S-3. The following VOCs were above the RAGs in both samples from B-8: benzene, ethylbenzene, naphthalene, 1,2,4- and 1,3,5-trimethylbenzene and xylenes.
- **PAHs** were reported at concentrations above the RAGs in the three samples submitted for laboratory analysis. The following PAHs were above the RAGs: benzo(a)anthracene, benzo(a)pyrene, 1-methylnaphthalene, 2-methylnaphthalene and naphthalene.

Conclusions

The soil sample results indicate the presence of petroleum-related contaminants in soil at the site. The highest concentrations of DRO(C10-C28), VOCs and PAHs were reported in boring B-8, S9 located in the southeast corner of the proposed building footprint. The impacts identified by this analysis are in the northeast corner of the Site within the proposed building footprint generally in the 15 to 25-foot depth interval. The samples with elevated concentrations were also in "wet" soils, and in excess of the RAG leaching

to groundwater criteria, which indicates that groundwater at the site may also be impacted. No groundwater monitoring wells have been installed for sampling at the site and, therefore, groundwater quality is unknown. The estimated depth to groundwater is 15 feet bgs. Due to the volatile nature of some of the detected compounds, the potential for vapor intrusion into the proposed building should also be considered.

Recommendations

Per the Maine Revised Statutes, Title 38 (Waters and Navigation), Chapter 2 (DEP), Section 343-F "Reporting and Disclosure Requirements" (MRS 38-2-343-F) an Environmental Professional who obtains analytical information indicating a release of hazardous substances, pollutants or contaminants, including petroleum, at levels which require removal or remedial action to prevent significant threats to public health or the environment, shall advise their client of the finding. Tighe & Bond considers the presence of identified VOCs and PAHs in soil at concentrations exceeding the RAGs for leaching to groundwater, residential and construction worker exposure to be subject to the client notification provision of MRS 38-2-343-F.

This letter satisfies the requirement for Tighe & Bond as the Environmental Professional, to advise you, as the Adrenaline client representative, of this finding. Because Adrenaline is not the property owner/operator, Tighe & Bond is required to inform Adrenaline that they are required by MRS 38-2-343-F to disclose the information in this letter to the owner/operator of the property. Upon receipt of this information the owner/operator is required to submit it to the Maine DEP "within a reasonable time period."

The findings in this letter are based on limited environmental sampling and analysis as described herein. Additional investigation of soil and groundwater is recommended for the site prior to construction of the proposed site building so remedial actions or protective measures (if needed) can be implemented prior to construction or incorporated into building/site design. Site investigations are iterative processes that are contingent on the results of each phase of investigation. The next phase of investigation should include additional soil, groundwater and soil gas sampling and analysis to determine the nature and extent of contamination at the site. At this point the source of the identified contamination is not known.

Since Adrenaline is not the property owner/operator they may wish to discuss the cost of conducting additional investigation, and the potential building and site design costs to mitigate the findings of those investigations, with the property owner/operator.

Please let us know if you would like to discuss this information following your review.

Sincerely,

TIGHE & BOND, INC.



Scott Wozniakowski, PG
Environmental Project Manager



Suzanne C. Courtemanche, LSP, CHMM
Technical Director/Senior Project Manager

Enclosures: Figure 1 - Subsurface Exploration Plan
 Table 1 - Summary of Soil Sample Results
 Boring Logs
 Laboratory Analytical Report

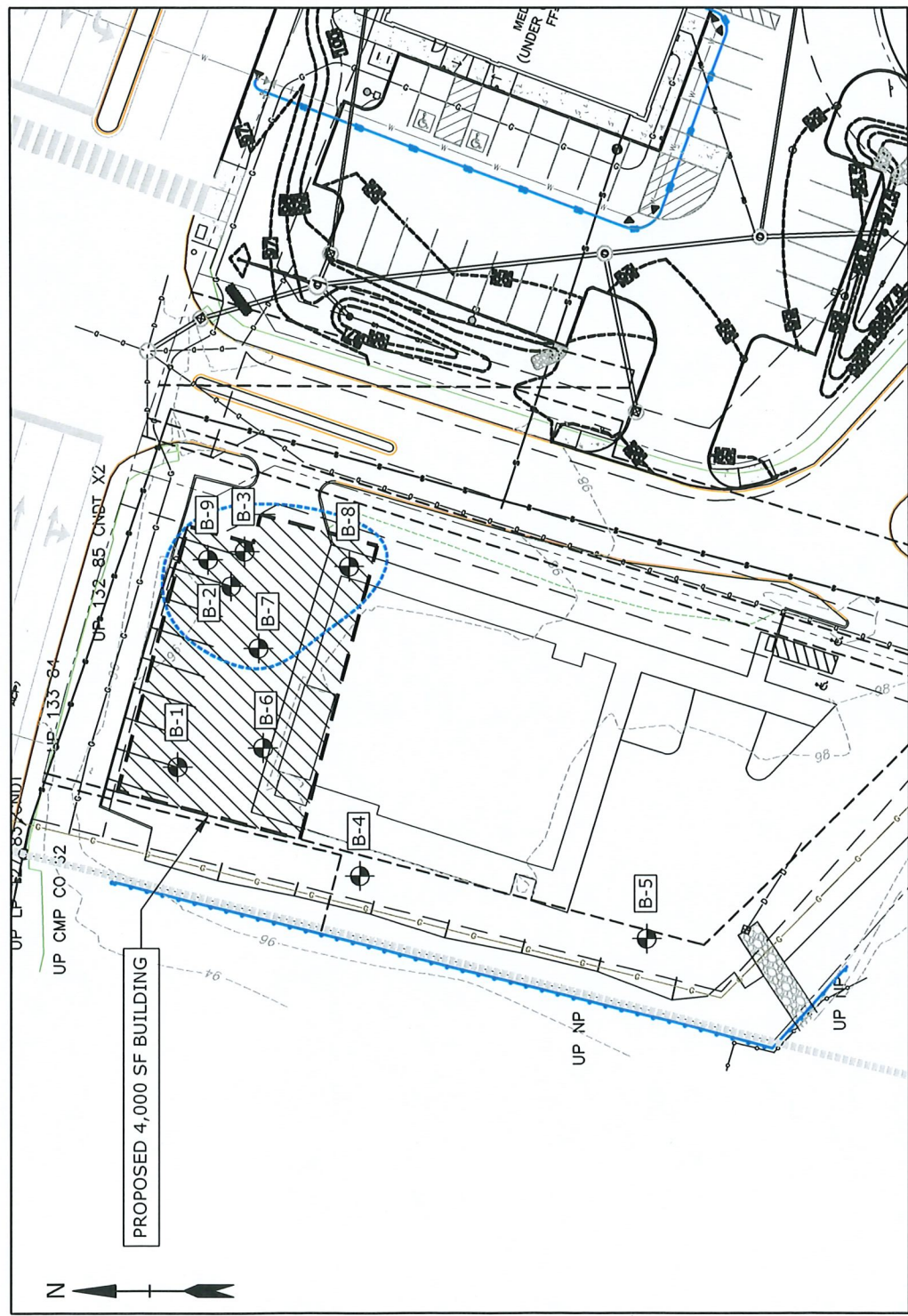
Cc: Eric Doremus, Tighe & Bond, Inc.
 Joe Persechino, Tighe & Bond, Inc.

GENERAL NOTES:

1. EXISTING CONDITIONS BASE MAP IS BASED ON A PLAN TITLED "ALTA SURVEY" PREPARED BY TIGHE & BOND AND DATED AUGUST 8, 2023.
2. PROPOSED BUILDING FOOTPRINT IS BASED ON A PLAN TITLED "SITE PLAN #2" DATED JUNE 1, 2017.
3. TEST BORINGS WERE LOCATED IN THE FIELD BY TAPING FROM IDENTIFIABLE SITE FEATURES. LOCATIONS SHOULD BE CONSIDERED APPROXIMATE.
4. TEST BORINGS WERE PERFORMED BY NEW ENGLAND BORING CONTRACTORS ON SEPTEMBER 21, 2023 AND OCTOBER 17, 2023.

LEGEND

-  APPROX. BORING LOCATION
-  GENERALIZED AREA OF IMPACTED SOIL (2023)



EMPEOPLE CREDIT UNION
PORTLAND, MAINE

SUBSURFACE EXPLORATION PLAN

DATE: 11/07/2023
SCALE: 1" = 30'
FIGURE: 1

Tighe & Bond
Engineers | Environmental Specialists
Serving customers in New York, NJ, Connecticut, PA

Nov 07, 2023 2:21pm Plotted By: Breckon
Tighe & Bond, Inc. 23\A\104 Administration\02 - Empeople Credit Union\Geotechnical\figures\fig 1 enw.dwg

TABLE 1
 Summary of Compounds Detected in Soil Boring Samples
 Adrenaline - Empeople Credit Union
 Portland, Maine
 Last Updated: 11/1/2023 (J. Jackson)

Sample Location / ID Sample Date Lab Sample ID Sample Depth (ft.)	MEDEP RAGs			B-9, S-3	B-8, S-9	B-8, S-11
	Leaching to Groundwater	Residential	Construction Worker	10/17/2023 L2361902-01 14 - 16'	10/17/2023 L2361902-02 16 - 18'	10/17/2023 L2361902-03 20 - 22'
Hydrocarbons - 8015D modified (mg/kg) DRO (C10-C28)	NS	NS	NS	940	10,000	7,100
VOCs 8260D (mg/kg)						
Acetone	160	52,000	98,000	0.085	<4.9	<4.5
Benzene	0.13	17	240	<0.00051	11	9.2
Butylbenzene, n-	180	5,400	34,000	<0.001	<0.49	0.55
Ethylbenzene	0.92	86	470	<0.001	46	23
Isopropylbenzene (cumene)	41	260	270	<0.001	4.9	3
Isopropyltoluene, 4- (p-cymene)	NS	NS	NS	<0.001	1.5	0.94
Naphthalene	0.21	29	130	0.0085	450	610
Propylbenzene, n-	67	260	260	<0.001	1	1.2
Styrene	73	830	860	<0.001	<0.49	6
Toluene	42	750	820	<0.001	1	14
Trimethylbenzene, 1,2,4-	4.4	180	220	<0.002	24	21
Trimethylbenzene, 1,3,5-	4.8	160	180	<0.002	7.9	6.4
Xylene (Total)	11	260	260	<0.001	77	51
Xylene, m,p-	NS	NS	NS	<0.002	52	34
Xylene, o-	NS	NS	NS	<0.001	25	17
PAHs EPA 8270E - SIM (mg/kg)						
Acenaphthene	300	4,900	48,000	0.44	28	13
Acenaphthylene	290	4,900	48,000	1.2	7.7	30
Anthracene	3,200	25,000	100,000	1.1	17	22
Benzo(a)anthracene	5.8	16	1,700	2	31	33
Benzo(a)pyrene	16	1.6	9.9	1.7	14	14
Benzo(b)fluoranthene	170	16	1,700	1.4	12	12
Benzo(g,h,i)perylene	100,000	2,500	72,000	1	8.4	7.6
Benzo(k)fluoranthene	1,600	160	17,000	0.41	4.6	4.7
Chrysene	5,000	1,600	100,000	2.5	16	20
Dibenz(a,h)anthracene	53	1.6	170	0.18	<4 *	<3.6 *
Fluoranthene	4,900	3,300	24,000	2.7	41	47
Fluorene	300	3,300	96,000	0.94	19	28
Indeno(1,2,3-cd)pyrene	540	16	1,700	0.73	7.9	7.6
Methylnaphthalene, 2-	10	330	960	0.5	62	88
Methylnaphthalene, 1-	3.3	240	6,000	0.7	44	59
Phenanthrene	320	2,500	72,000	4	56	83
Pyrene	720	2,500	72,000	6.1	49	50
Naphthalene	0.21	29	130	0.43	180	210

MEDEP RAGs - Maine Department of Environmental Protection Remedial Action Guidelines for Contaminated Sites (5/1/21).

NS - No Standard

< xx indicates compound was not reported above specified lab reporting limit

Only parameters reported above reporting limits are summarized above

Results presented in milligrams per kilogram (mg/kg), are equivalent to parts per million (ppm)

Boxed values indicate exceedance of Residential RAGs

Gray shaded values indicate exceedance of Leaching to Groundwater RAGs

Bold values indicated exceedance of Construction Worker RAGs

PAHs - Polycyclic Aromatic Hydrocarbons

VOCs - Volatile Organic Compounds

DRO - Diesel Range Organics

<3.6 * - lab reporting limit exceeds the Residential RAG standard.

Project: Empeople Credit Union
Location: 1220 Brighton Ave, Portland, ME
Client: Adrenaline

Boring No. B-1
Page 1 of 1
File No. A-5104-002
Checked by: B. Nereson

Drilling Co.: New England Boring Contractors

Foreman: <u>P. Schofield</u>	Type	Casing	Sampler
T&B Rep.: <u>M. Carr</u>	I.D./O.D.	<u>HSA</u>	<u>Split Spoon</u>
Date Start: <u>09/21/23</u>	Hammer Wt.	<u>2.25-6.25</u>	<u>1-3/8" / 2"</u>
Date End: <u>09/21/23</u>	Hammer Fall	<u>--</u>	<u>140#</u>
Location: <u>See Exploration Location Plan</u>	Rig	<u>--</u>	<u>30"</u>
GS. Elev. <u>97'</u>	Datum: <u>NAVD88</u>		<u>Mobile Drill B-48</u>

Groundwater Readings

Date	Time	Depth	Casing	Sta. Time
Not Encountered				

Depth (ft.)	Field PID Screening (ppm)	Sample No. / Rec. (in)	Sample Depth (ft.)	Blows Per 6"	Sample Description	General Stratigraphy	Notes
5		S1 / 7	0.5-2.5	7-11	S1: Medium dense, brown, fine to coarse SAND, some Gravel, trace Silt, dry	0.4' ASPHALT FILL	
				13-13		2.5'	
		S2 / 15	2.5-4.5	15-15	S2: Medium dense, brown, fine to medium SAND, trace Silt, dry	SAND	
				15-14			
		S3 / 16	4.5-6.5	9-8	S3: Medium dense, brown, fine to medium SAND, trace Silt, dry		
				7-8			
10		S4 / 15	9-11	5-10	S4: Medium dense, brown, fine to medium SAND, trace fine Gravel, trace Silt, dry	SAND	
				10-12			
15		S5 / 15	14-16	8-10	S5: Medium dense, brown, fine to medium SAND, little Gravel, trace Silt, dry	SAND	
				17-13			
20		S6 / 15	19-21	10-11	S6: Medium dense, brown, fine to medium SAND, trace Gravel, trace Silt, dry	SAND	
				11-11			
25		S7A / 12	24-25	9-15	S7A: Dense, brown SAND, little Gravel, trace Silt, moist	23' SILTY SAND	1
		S7B / 3	25-26	24-22	S7B: Dense, brown, fine to coarse SAND and GRAVEL, some Silt, moist	26'	
	Exploration Terminated at 26 feet.						
30							

Notes:

1. Boring backfilled with cuttings upon completion, pavement repaired with asphalt cold patch.

Proportions Used

TRACE (TR.)	0 - <10%
LITTLE (LI.)	10 - <20%
SOME (SO.)	20 - <35%
AND	35 - <50%

Density/Consistency

VERY LOOSE	0-4	VERY SOFT	<2
LOOSE	4-10	SOFT	2-4
MEDIUM DENSE	10-30	MEDIUM	4-8
DENSE	30-50	STIFF	8-15
VERY DENSE	>50	VERY STIFF	15-30
		HARD	>30

Project: Empeople Credit Union
Location: 1220 Brighton Ave, Portland, ME
Client: Adrenaline

Boring No. B-2
Page 1 of 1
File No. A-5104-002
Checked by: B. Nereson

Drilling Co.: New England Boring Contractors

Foreman: P. Schofield
T&B Rep.: M. Carr
Date Start: 09/21/23 Date End: 09/21/23
Location: See Exploration Location Plan
GS. Elev. 96.5' Datum: NAVD88

Casing	Sampler
HSA	Split Spoon
2.25-6.25	1-3/8"/2"
I.D./O.D.	
Hammer Wt.	140#
Hammer Fall	30"
Rig	Mobile Drill B-48

Groundwater Readings

Date	Time	Depth	Casing	Sta. Time
Not Encountered				

Depth (ft.)	Field PID Screening (ppm)	Sample No. / Rec. (in)	Sample Depth (ft.)	Blows Per 6"	Sample Description	General Stratigraphy	Notes
5		S1A / 8	0.5-1.2	5-5	S-1A: Medium dense, brown, fine to coarse SAND, some Gravel, trace Silt, dry	0.4' Asphalt	
		S1B / 4	1.2-2.5	6-7	S-1B: Stiff, brown, Clayey SILT, little fine Sand, dry		
		S2 / 3	2.5-4.5	7-7	S-2: Medium dense, brown, fine to coarse SAND, some Gravel, little Silt, dry		
				10-16			
		S3A / 7	4.5-5.1	7-6	S-3A: Medium dense, brown, fine to coarse SAND, little Gravel, trace Silt, trace Roots, dry		
		S3B / 5	5.1-6.5	4-5			
					S-3B: Medium dense, brown, fine to coarse SAND, little Gravel, trace Silt		
10		S4 / 11	9-11	1-3	S-4: Loose, fine to medium SAND, some Silt, little Gravel, trace Asphalt, dry	FILL	
				3-3			
		S5 / 10	11-13	2-2	S-5: Loose, brown, fine to coarse SAND, some Silt, some interbedded Clayey Silt, trace Gravel, dry		
15				3-4			
		S6 / 11	13-15	1-1	S-6: Very loose, gray, SILT and fine to medium SAND, moist		
				2-1			
		S7 / 23	15-17	1-1/12"	S-7: Very loose, gray, SILT and fine to medium SAND, wet		
20				-1		21'	
		S8A / 7	19-19.6	2-5	S-8A: Medium dense, gray, fine to medium SAND, some Silt, slight Petroleum-like odor, wet		
		S8B / 17	19.6-21	5-7	S-8B: Medium dense, brown, fine to coarse SAND, little Silt, little Gravel, slight Petroleum-like odor, wet		
		S9 / 18	21-23	8-11	S-9: Medium dense, brown, fine to coarse SAND, little Silt, moist		
				11-13			
25		S10 / 17	24-26	7-13	S-10: Medium dense, gray, fine to coarse SAND, some Gravel, some Silt, slight petroleum-like odor, moist	26'	1
				16-21			
	Exploration Terminated at 26 feet.						
30							

Notes:

1. Boring backfilled with cuttings upon completion, pavement repaired with asphalt cold patch.

Proportions Used

TRACE (TR.)	0 - <10%
LITTLE (LI.)	10 - <20%
SOME (SO.)	20 - <35%
AND	35 - <50%

Density/Consistency

VERY LOOSE0-4	VERY SOFT	<2
LOOSE 4-10	SOFT	2-4
MEDIUM DENSE10-30	MEDIUM	4-8
DENSE 30-50	STIFF	8-15
VERY DENSE>50	VERY STIFF	15-30
	HARD	>30

Project: Empeople Credit Union
Location: 1220 Brighton Ave, Portland, ME
Client: Adrenaline

Boring No. B-4
Page 1 of 1
File No. A-5104-002
Checked by: B. Nereson

Drilling Co.: New England Boring Contractors

Foreman: <u>P. Schofield</u>	Type	Casing	Sampler
T&B Rep.: <u>M. Carr</u>	I.D./O.D.	<u>HSA</u>	<u>Split Spoon</u>
Date Start: <u>09/21/23</u>	Date End: <u>09/21/23</u>	<u>2.25-6.25</u>	<u>1-3/8"/2"</u>
Location: <u>See Exploration Location Plan</u>	Hammer Wt.	<u>--</u>	<u>140#</u>
GS. Elev. <u>98'</u>	Datum: <u>NAVD88</u>	<u>--</u>	<u>30"</u>
	Rig	<u>Mobile Drill B-48</u>	

Groundwater Readings				
Date	Time	Depth	Casing	Sta. Time
Groundwater Not Encountered				

Depth (ft.)	Field PID Screening (ppm)	Sample No. / Rec. (in)	Sample Depth (ft.)	Blows Per 6"	Sample Description	General Stratigraphy	Notes
5		S1 / 20	0.5-2.5	5-8	S1: Medium dense, brown, fine to coarse SAND, some Gravel, little Silt	0.4' ASPHALT FILL	
				15-9		2.5'	
		S2A / 8	2.5-3.2	8-24	S2A: Very dense, brown, fine to coarse SAND, some Gravel, little Silt, dry	SAND	
		S2B / 8	3.2-4.5	27-23	S2B: Very dense, brown, fine to medium SAND, little Silt, dry		
		S3 / 18	4.5-6.5	7-8	S3: Medium dense, brown, fine to medium SAND, trace Silt, dry		
				10-9			
	10		S4 / 14	9-11	6-8		
				9-11			
15		S5 / 16	14-16	6-8	S5: Medium dense, brown, fine to medium SAND, trace Silt, dry		
				12-7			
20		S6 / 15	19-21	6-10	S6: Medium dense, brown, fine to medium SAND, trace Silt, dry		
				13-15		21'	
						SILTY SAND	
25		S7 / 15	24-26	8-30	S7: Very dense, brown, fine to coarse SAND, some Gravel, some Silt, dry		
				23-25		26'	
30					Exploration Terminated at 26 feet		

Notes:

1. Boring backfilled with cuttings upon completion, pavement repaired with asphalt cold patch.

Proportions Used

TRACE (TR.)	0 - <10%
LITTLE (LI.)	10 - <20%
SOME (SO.)	20 - <35%
AND	35 - <50%

Density/Consistency

VERY LOOSE	0-4	VERY SOFT	<2
LOOSE	4-10	SOFT	2-4
MEDIUM DENSE	10-30	MEDIUM	4-8
DENSE	30-50	STIFF	8-15
VERY DENSE	>50	VERY STIFF	15-30
			>30

Project: Empeople Credit Union
Location: 1220 Brighton Ave, Portland, ME
Client: Adrenaline

Boring No. B-5
Page 1 of 1
File No. A-5104-002
Checked by: B. Nereson

Drilling Co.: New England Boring Contractors

Foreman: <u>P. Schofield</u>	Type	Casing	Sampler
T&B Rep.: <u>M. Carr</u>	I.D./O.D.	<u>HSA</u>	<u>Split Spoon</u>
Date Start: <u>09/21/23</u>	Date End: <u>09/21/23</u>	<u>2.25-6.25</u>	<u>1-3/8"/2"</u>
Location: <u>See Exploration Location Plan</u>	Hammer Wt.	<u>--</u>	<u>140#</u>
GS. Elev. <u>98'</u>	Datum: <u>NAVD88</u>	<u>--</u>	<u>30"</u>
	Rig	<u>Mobile Drill B-48</u>	

Groundwater Readings				
Date	Time	Depth	Casing	Sta. Time
Groundwater Not Encountered				

Depth (ft.)	Field PID Screening (ppm)	Sample No. / Rec. (in)	Sample Depth (ft.)	Blows Per 6"	Sample Description	General Stratigraphy	Notes
5		S1A / 4	0.5-0.8	6-4	S1A: Medium dense, brown, fine to coarse SAND, some Gravel, trace Silt, dry	0.4' ASPHALT 0.8' FILL	
			0.8-2.5	6-7	S1B: Medium dense, brown, fine to coarse SAND, trace Silt, dry	SAND	
		S2B / 9	2.5-4.5	6-7	S2: Medium dense, brown, fine to coarse SAND, trace Silt, dry		
				9-8	S3: Medium dense, brown, fine to coarse SAND, trace Silt, dry		
		S3 / 15	4.5-6.5	5-6			
				7-8			
10		S4 / 17	9-11	7-5	S4: Medium dense, brown, fine to coarse SAND, trace Silt, dry		SAND
				10-11			
15		S5 / 16	14-16	5-6	S5: Medium dense, brown, fine to coarse SAND, trace Silt, dry	SAND	
				8-10			
20		S6 / 15	19-21	8-13	S6: Medium dense, brown, fine to coarse SAND, trace Silt, dry	SAND	
				15-20			
25		S7A / 15	24-25.25	21-30	S7A: Very dense, brown, fine to coarse SAND, trace Silt, dry	SILTY SAND	
		S7B / 9	25.25-26	37-53	S7B: Very dense, fine to coarse SAND, some Gravel, some Silt, dry		
Exploration Terminated at 26 feet						26'	1
30							

Notes:
1. Boring backfilled with cuttings upon completion, pavement repaired with asphalt cold patch.

Proportions Used	
TRACE (TR.)	0 - <10%
LITTLE (LI.)	10 - <20%
SOME (SO.)	20 - <35%
AND	35 - <50%

Density/Consistency		
VERY LOOSE 0-4	VERY SOFT	<2
LOOSE 4-10	SOFT	2-4
MEDIUM DENSE 10-30	MEDIUM	4-8
DENSE 30-50	STIFF	8-15
VERY DENSE >50	VERY STIFF	15-30
		>30

Project: Empeople Credit Union
Location: 1220 Brighton Ave, Portland, ME
Client: Adrenaline

Boring No. B-6
Page 1 of 1
File No. A-5104-002
Checked by: B. Nereson

Drilling Co.: New England Boring Contractors

Foreman: <u>W. Smith</u>	Type	Casing	Sampler
T&B Rep.: <u>M. Carr</u>	I.D./O.D.	<u>HSA</u>	<u>Split Spoon</u>
Date Start: <u>10/17/23</u>	Date End: <u>10/17/23</u>	<u>2.25-6.25</u>	<u>1-3/8"/2"</u>
Location: <u>See Exploration Location Plan</u>	Hammer Wt.	<u>--</u>	<u>140#</u>
GS. Elev. <u>98'</u>	Datum: <u>NAVD88</u>	<u>--</u>	<u>30"</u>
	Rig	<u>Mobile Drill B-48</u>	

Groundwater Readings				
Date	Time	Depth	Casing	Sta. Time
Groundwater Not Encountered				

Depth (ft.)	Field PID Screening (ppm)	Sample No. / Rec. (in)	Sample Depth (ft.)	Blows Per 6"	Sample Description	General Stratigraphy	Notes
5		S1A / 5"	0.5-0.9	2-3	S1A: 0.5" Asphalt over loose, brown, fine to coarse SAND, some Gravel, little Silt, moist S1B: Loose, gray, SILT, some fine Sand, moist S2: Medium dense, gray, Clayey SILT, little fine to medium Sand, trace Asphalt particles, moist S3: Loose, brown, fine to medium SAND, some Silt, trace Gravel, moist	0.1' ASPHALT	
		S1B / 12"	0.9-2.5	3-5			
		S2 / 14"	2.5-4.5	4-5			
				6-7			
		S3 / 5"	4.5-6.5	4-4			
10				3-3	S4: Very loose, gray, fine to medium SAND and SILT, moist S5: Very loose, brown, fine to medium SAND and SILT, moist	FILL	
		S4 / 20"	9-11	WOR-1			
				1-2			
15		S5 / 21"	11-13	1-2	S6: Medium dense, brown, fine to medium SAND, some Silt, moist	15'	
				2-2			
		S6 / 17"	15-17	4-6			
20				8-9	S7: Medium dense, fine to medium SAND, some Silt, moist	SILTY SAND	
		S7 / 21"	20-22	7-12			
				11-13			
25					Exploration Terminated at 22 feet	22'	1
30							

Notes:
1. Boring backfilled with cuttings upon completion, pavement repaired with asphalt cold patch.
2.

Proportions Used	
TRACE (TR.)	0 - <10%
LITTLE (LI.)	10 - <20%
SOME (SO.)	20 - <35%
AND	35 - <50%

Density/Consistency		
VERY LOOSE 0-4	VERY SOFT	<2
LOOSE 4-10	SOFT	2-4
MEDIUM DENSE 10-30	MEDIUM	4-8
DENSE 30-50	STIFF	8-15
VERY DENSE >50	VERY STIFF	15-30
		>30

Project: Empeople Credit Union
Location: 1220 Brighton Ave, Portland, ME
Client: Adrenaline

Boring No. B-7
Page 1 of 1
File No. A-5104-002
Checked by: B. Nereson

Drilling Co.: New England Boring Contractors

Foreman: <u>W. Smith</u>	Type	Casing	Sampler
T&B Rep.: <u>M. Carr</u>	I.D./O.D.	<u>HSA</u>	<u>Split Spoon</u>
Date Start: <u>10/17/23</u>	Date End: <u>10/17/23</u>	<u>2.25-6.25</u>	<u>1-3/8"/2"</u>
Location: <u>See Exploration Location Plan</u>	Hammer Wt.	<u>--</u>	<u>140#</u>
GS. Elev. <u>97'</u>	Datum: <u>NAVD88</u>	<u>--</u>	<u>30"</u>
	Rig	<u>Mobile Drill B-48</u>	

Groundwater Readings				
Date	Time	Depth	Casing	Sta. Time
Groundwater Not Encountered				

Depth (ft.)	Field PID Screening (ppm)	Sample No. / Rec. (in)	Sample Depth (ft.)	Blows Per 6"	Sample Description	General Stratigraphy	Notes
5		S1A / 6"	0.5-1	6-6	S1A: 0.5" Asphalt over medium dense, brown, fine to coarse SAND, some Gravel, little Silt, moist	0.1' ASPHALT	
		S1B / 10"	1-2.5	6-6	S1B: Stiff, gray, Clayey SILT and fine to medium SAND, moist	FILL	
		S2 / 17	2.5-4.5	7-7	S2: Medium dense, gray, SILT interbedded with Clayey SILT, trace fine to medium Sand, moist		
				10-9			
		S3 / 17	4.5-6.5	2-3	S3: Loose, gray, fine to medium SAND and Clayey SILT, trace Glass particles, trace Asphalt particles, moist		
			5-6				
10		S4 / 19	6.5-8.5	7-8	S4: Medium dense, brown, fine SAND, some Silt, little Wood fragments, trace Asphalt particles, moist	FILL	
				4-5			
		S5 / 5"	10-12	1-1	S5: Very loose, dark brown, fibrous ORGANICS, some Wood fragments, moist		
15				1-1	S6: Very loose, brown, fine to medium SAND and SILT, trace Asphalt particles, trace Roots, moist	FILL	
		S6 / 24"	12-13	1-1			
			13-14	1-2			
		S7A / 10"	15-15.8	1/12"	S7A: Very loose, gray, Clayey SILT, moist		
		S7B / 10"	15.8-17	1-3	S7B: Very loose, brown, fine to medium SAND, some Silt, little Roots, trace Asphalt particles, moist		
20	50	S8A / 12"	17-18	1-3	S8A: Loose, brown, fine to medium SAND, some Silt, petroleum-like odor and sheen, wet	18'	
		S8B / 10"	18-19	3-5		S8B: Loose, brown, fine to medium SAND, little Silt, moist	
						SILTY SAND	
		<1	S9 / 12	20-22	3-4		S9: Medium dense, brown, fine to medium SAND, little Silt, moist
				6-9			
25					S10: Medium dense, brown, fine to coarse SAND, some Gravel, little Clayey Silt, moist	27'	
		S10 / 20	25-27	15-14			
					15-21		
30					Exploration Terminated at 27 feet		1

Notes:
1. Boring backfilled with cuttings upon completion, pavement repaired with asphalt cold patch.
2. Soils field screened using a MiniRae3000 photoionization detector with a 10.6eV lamp and calibrated to Benzene standard.

Proportions Used	
TRACE (TR.)	0 - <10%
LITTLE (LI.)	10 - <20%
SOME (SO.)	20 - <35%
AND	35 - <50%

Density/Consistency		
VERY LOOSE	0-4	VERY SOFT
LOOSE	4-10	SOFT
MEDIUM DENSE	10-30	MEDIUM
DENSE	30-50	STIFF
VERY DENSE	>50	VERY STIFF
		<2
		2-4
		4-8
		8-15
		15-30
		>30

Project: Empeople Credit Union
Location: 1220 Brighton Ave, Portland, ME
Client: Adrenaline

Boring No. B-8
Page 1 of 1
File No. A-5104-002
Checked by: B. Nereson

Drilling Co.: New England Boring Contractors

Foreman: <u>W. Smith</u>	Type	Casing	Sampler
T&B Rep.: <u>M. Carr</u>	I.D./O.D.	<u>2.25-6.25</u>	<u>Split Spoon</u>
Date Start: <u>10/17/23</u>	Date End: <u>10/17/23</u>	<u>--</u>	<u>140#</u>
Location: <u>See Exploration Location Plan</u>	Hammer Fall	<u>--</u>	<u>30"</u>
GS. Elev. <u>97.5'</u>	Datum: <u>NAVD88</u>		<u>Mobile Drill B-48</u>

Groundwater Readings				
Date	Time	Depth	Casing	Sta. Time
Groundwater Not Encountered				

Depth (ft.)	Field PID Screening (ppm)	Sample No. / Rec. (in)	Sample Depth (ft.)	Blows Per 6"	Sample Description	General Stratigraphy	Notes
5		S1 / 12"	0-2	2-1	S1: Very loose, brown-gray, fine SAND and SILT, trace Gravel, moist	FILL	
				3-4			
		S2 / 11"	2-4	5-7	S2: Medium dense, gray, fine SAND and SILT, trace Asphalt particles, moist		
				5-4			
		S3 / 3"	4-6	2-1	S3: Very loose, gray, Clayey SILT and GRAVEL, some fine to coarse Sand, moist		
10				1-2			
		S4 / 12"	6-8	1/24"	S4: Very loose, gray, Clayey SILT and fine to coarse SAND, some Gravel, wet		
				--			
		S5 / 17"	8-10	WOR/12"	S5: Very soft, gray, SILT & CLAY, little Gravel, little fine to coarse Sand, wet		
				1-3			
15				1-2	S6: Soft, gray, Clayey SILT, some fine to coarse Sand, little Gravel, wet		
				2-2			
		S7A / 10"	12-12.9	3-3	S7A: Medium, gray, Clayey SILT, some fine to coarse Sand, wet		
		S7B / 10"	12.9-14	4-3	S7B: Loose, brown, fine SAND, some Silt, trace Wood particles, moist		
		S8 / 20"	14-16	2-2	S8: Loose, brown, fine to coares SAND, some Silt, trace Wood, trace Glass, trace Asphalt, wet		
20				2-3			
	200	S9 / 10"	16-18	1/24"	S9: Very loose, brown, fine to coarse SAND, some Silt, petroleum-like odor, sheen, wet		
				--			
	174	S10 / 10"	18-20	2-3	S10: Loose, brown, fine to coarse SAND, some Silt, petroleum-like odor, sheen, wet		
				4-4			
25	50	S11A / 10"	20-20.9	1-4	S11A: Stiff, gray, SILT & CLAY interbedded with Sand, slight petroleum-like odor, moist	20.9'	
		S11B / 10"	20.9-22	7-11	S11B: Medium dense, brown, fine to medium SAND, little Silt, moist	SILTY SAND	
	15	S12 / 15"	22-24	15-19	S12: Dense, brown, fine to medium SAND, little Silt, moist		
				16-24		24'	1
25					Exploration Terminated at 24 feet		
30							

Notes:
1. Boring backfilled with cuttings upon completion, pavement repaired with asphalt cold patch.
2. Soils field screened using a MiniRae3000 photoionization detector with a 10.6eV lamp and calibrated to Benzene standard.

Proportions Used	
TRACE (TR.)	0 - <10%
LITTLE (LI.)	10 - <20%
SOME (SO.)	20 - <35%
AND	35 - <50%

Density/Consistency		
VERY LOOSE	0-4	VERY SOFT <2
LOOSE	4-10	SOFT 2-4
MEDIUM DENSE	10-30	MEDIUM 4-8
DENSE	30-50	STIFF 8-15
VERY DENSE	>50	VERY STIFF 15-30 >30

Project: Empeople Credit Union
Location: 1220 Brighton Ave, Portland, ME
Client: Adrenaline

Boring No. B-9
Page 1 of 1
File No. A-5104-002
Checked by: B. Nereson

Drilling Co.: New England Boring Contractors

Foreman: W. Smith
T&B Rep.: M. Carr
Date Start: 10/17/23 Date End: 10/17/23
Location: See Exploration Location Plan
GS. Elev. 96' Datum: NAVD88

Type: HSA
I.D./O.D.: 2.25-6.25
Hammer Wt.: --
Hammer Fall: --
Rig: Mobile Drill B-48

Casing: HSA
Sampler: Split Spoon
1-3/8" / 2"
140#
30"

Groundwater Readings

Date	Time	Depth	Casing	Sta. Time
Groundwater Not Encountered				

Depth (ft.)	Field PID Screening (ppm)	Sample No. / Rec. (in)	Sample Depth (ft.)	Blows Per 6"	Sample Description	General Stratigraphy	Notes	
5					Augered to 10 feet without sampling	FILL		
10								
		S1 / 11"	10-12	2-3			S1: Loose, gray, fine to medium SAND, some Clayey Silt, some Gravel, trace Asphalt particles, moist	
				4-5				
	15	S2 / 4"	12-14	4-5			S2: Loose, gray, fine to medium SAND, some Clayey Silt, some Gravel, trace Asphalt particles, slight petroleum-like odor, moist	
				3-2				
15	45	S3A / 11"	14-14.9	4-2			S3A: Loose, dark red, fine to medium SAND and Clayey SILT, slight petroleum-like odor, slight sheen, moist	
		S3B / 11"	14.9-16	2-3			S3B: Loose, gray, fine to medium SAND and Clayey SILT, wet	
	20	S4A / 4"	16-16.3	2-4			S4A: Loose, gray, fine to medium SAND and Clayey SILT, wet	
		S4B / 7"	16.3-18	6-6			S4B: Loose, brown, fine to medium SAND, little Silt, moist	
	15	S5 / 13"	18-20	3-3	S5: Loose, brown, fine to medium SAND, little Silt, moist			
20				5-10		20'		
	3	S6 / 12"	20-22	7-16	S6: Medium dense, brown, fine to medium SAND, little Silt, moist	SILTY SAND		
				10-14		22'	1	
25					Exploration Terminated at 22 feet			
30								

Notes:
1. Boring backfilled with cuttings upon completion, pavement repaired with asphalt cold patch.
2. Soils field screened using a MiniRae3000 photoionization detector with a 10.6eV lamp and calibrated to Benzene standard.

Proportions Used

TRACE (TR.)	0 - <10%
LITTLE (LI.)	10 - <20%
SOME (SO.)	20 - <35%
AND	35 - <50%

Density/Consistency

VERY LOOSE	0-4	VERY SOFT	<2
LOOSE	4-10	SOFT	2-4
MEDIUM DENSE	10-30	MEDIUM	4-8
DENSE	30-50	STIFF	8-15
VERY DENSE	>50	VERY STIFF	15-30
			>30



ANALYTICAL REPORT

Lab Number:	L2361902
Client:	Tighe & Bond, Inc. 177 Corporate Drive Portsmouth, NH 03801
ATTN:	Scott Wozniakowski
Phone:	(603) 294-9679
Project Name:	ADRENALINE/EMPEOPLE
Project Number:	A-5104-002-05
Report Date:	10/27/23

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Certifications & Approvals: MA (M-MA086), NH NELAP (2064), CT (PH-0826), IL (200077), IN (C-MA-03), KY (KY98045), ME (MA00086), MD (348), NJ (MA935), NY (11148), NC (25700/666), OH (CL108), OR (MA-1316), PA (68-03671), RI (LAO00065), TX (T104704476), VT (VT-0935), VA (460195), USDA (Permit #525-23-122-91930).

Eight Walkup Drive, Westborough, MA 01581-1019
508-898-9220 (Fax) 508-898-9193 800-624-9220 - www.alphalab.com



Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Alpha Sample ID	Client ID	Matrix	Sample Location	Collection Date/Time	Receive Date
L2361902-01	B-9, S-3	SOIL	1220 BRIGHTON AVE., PORTLAND, ME	10/17/23 14:45	10/18/23
L2361902-02	B-8, S-9	SOIL	1220 BRIGHTON AVE., PORTLAND, ME	10/17/23 11:45	10/18/23
L2361902-03	B-8, S-11	SOIL	1220 BRIGHTON AVE., PORTLAND, ME	10/17/23 12:00	10/18/23



Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Case Narrative

The samples were received in accordance with the Chain of Custody and no significant deviations were encountered during the preparation or analysis unless otherwise noted. Sample Receipt, Container Information, and the Chain of Custody are located at the back of the report.

Results contained within this report relate only to the samples submitted under this Alpha Lab Number and meet NELAP requirements for all NELAP accredited parameters unless otherwise noted in the following narrative. The data presented in this report is organized by parameter (i.e. VOC, SVOC, etc.). Sample specific Quality Control data (i.e. Surrogate Spike Recovery) is reported at the end of the target analyte list for each individual sample, followed by the Laboratory Batch Quality Control at the end of each parameter. Tentatively Identified Compounds (TICs), if requested, are reported for compounds identified to be present and are not part of the method/program Target Compound List, even if only a subset of the TCL are being reported. If a sample was re-analyzed or re-extracted due to a required quality control corrective action and if both sets of data are reported, the Laboratory ID of the re-analysis or re-extraction is designated with an "R" or "RE", respectively.

When multiple Batch Quality Control elements are reported (e.g. more than one LCS), the associated samples for each element are noted in the grey shaded header line of each data table. Any Laboratory Batch, Sample Specific % recovery or RPD value that is outside the listed Acceptance Criteria is bolded in the report. In reference to questions H (CAM) or 4 (RCP) when "NO" is checked, the performance criteria for CAM and RCP methods allow for some quality control failures to occur and still be within method compliance. In these instances, the specific failure is not narrated but noted in the associated QC Outlier Summary Report, located directly after the Case Narrative. QC information is also incorporated in the Data Usability Assessment table (Format 11) of our Data Merger tool, where it can be reviewed in conjunction with the sample result, associated regulatory criteria and any associated data usability implications.

Soil/sediments, solids and tissues are reported on a dry weight basis unless otherwise noted. Definitions of all data qualifiers and acronyms used in this report are provided in the Glossary located at the back of the report.

HOLD POLICY - For samples submitted on hold, Alpha's policy is to hold samples (with the exception of Air canisters) free of charge for 21 calendar days from the date the project is completed. After 21 calendar days, we will dispose of all samples submitted including those put on hold unless you have contacted your Alpha Project Manager and made arrangements for Alpha to continue to hold the samples. Air canisters will be disposed after 3 business days from the date the project is completed.

Please contact Project Management at 800-624-9220 with any questions.

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Case Narrative (continued)

Volatile Organics

The WG1845137-5 Method Blank, associated with L2361902-01, has a concentration above the reporting limit for methylene chloride. Since the associated sample concentrations are either greater than 10x the blank concentration or non-detect to the RL for this target analyte, no corrective action is required. Any results detected below the reporting limit are qualified with a "B".

The WG1845139-5 Method Blank, associated with L2361902-02D and -03D, has a concentration above the reporting limit for methylene chloride. Since the associated sample concentrations are either greater than 10x the blank concentration or non-detect to the RL for this target analyte, no corrective action is required. Any results detected below the reporting limit are qualified with a "B".

Semivolatile Organics by SIM

L2361902-02D and -03D: The surrogate recoveries are below the acceptance criteria for nitrobenzene-d5 (0%), 2-fluorobiphenyl (0%), and 4-terphenyl-d14 (0%) due to the dilution required to quantitate the sample. Re-extraction was not required; therefore, the results of the original analysis are reported.

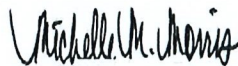
Diesel Range Organics

L2361902-02D: The surrogate recovery is below the acceptance criteria for o-terphenyl (0%) due to the dilution required to quantitate the sample. Re-extraction was not required; therefore, the results of the original analysis are reported.

The WG1842035-3D Laboratory Duplicate RPD for DRO (C10-C28) (107%), performed on L2361902-01, is outside the acceptance criteria. The elevated RPD has been attributed to the non-homogeneous nature of the native sample.

I, the undersigned, attest under the pains and penalties of perjury that, to the best of my knowledge and belief and based upon my personal inquiry of those responsible for providing the information contained in this analytical report, such information is accurate and complete. This certificate of analysis is not complete unless this page accompanies any and all pages of this report.

Authorized Signature:

 Michelle M. Morris

Title: Technical Director/Representative

Date: 10/27/23

ORGANICS

VOLATILES

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-01
Client ID: B-9, S-3
Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 14:45
Date Received: 10/18/23
Field Prep: Not Specified

Sample Depth:

Matrix: Soil
Analytical Method: 1,8260D
Analytical Date: 10/27/23 10:04
Analyst: AJK
Percent Solids: 79%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 Low - Westborough Lab						
Methylene chloride	ND		ug/kg	5.1	--	1
1,1-Dichloroethane	ND		ug/kg	1.0	--	1
Chloroform	ND		ug/kg	1.5	--	1
Carbon tetrachloride	ND		ug/kg	1.0	--	1
1,2-Dichloropropane	ND		ug/kg	1.0	--	1
Dibromochloromethane	ND		ug/kg	1.0	--	1
1,1,2-Trichloroethane	ND		ug/kg	1.0	--	1
Tetrachloroethene	ND		ug/kg	0.51	--	1
Chlorobenzene	ND		ug/kg	0.51	--	1
Trichlorofluoromethane	ND		ug/kg	4.1	--	1
1,2-Dichloroethane	ND		ug/kg	1.0	--	1
1,1,1-Trichloroethane	ND		ug/kg	0.51	--	1
Bromodichloromethane	ND		ug/kg	0.51	--	1
trans-1,3-Dichloropropene	ND		ug/kg	1.0	--	1
cis-1,3-Dichloropropene	ND		ug/kg	0.51	--	1
1,3-Dichloropropene, Total	ND		ug/kg	0.51	--	1
1,1-Dichloropropene	ND		ug/kg	0.51	--	1
Bromoform	ND		ug/kg	4.1	--	1
1,1,2,2-Tetrachloroethane	ND		ug/kg	0.51	--	1
Benzene	ND		ug/kg	0.51	--	1
Toluene	ND		ug/kg	1.0	--	1
Ethylbenzene	ND		ug/kg	1.0	--	1
Chloromethane	ND		ug/kg	4.1	--	1
Bromomethane	ND		ug/kg	2.0	--	1
Vinyl chloride	ND		ug/kg	1.0	--	1
Chloroethane	ND		ug/kg	2.0	--	1
1,1-Dichloroethene	ND		ug/kg	1.0	--	1
trans-1,2-Dichloroethene	ND		ug/kg	1.5	--	1

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-01
Client ID: B-9, S-3
Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 14:45
Date Received: 10/18/23
Field Prep: Not Specified

Sample Depth:

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 Low - Westborough Lab						
Trichloroethene	ND		ug/kg	0.51	--	1
1,2-Dichlorobenzene	ND		ug/kg	2.0	--	1
1,3-Dichlorobenzene	ND		ug/kg	2.0	--	1
1,4-Dichlorobenzene	ND		ug/kg	2.0	--	1
Methyl tert butyl ether	ND		ug/kg	2.0	--	1
p/m-Xylene	ND		ug/kg	2.0	--	1
o-Xylene	ND		ug/kg	1.0	--	1
Xylenes, Total	ND		ug/kg	1.0	--	1
cis-1,2-Dichloroethene	ND		ug/kg	1.0	--	1
1,2-Dichloroethene, Total	ND		ug/kg	1.0	--	1
Dibromomethane	ND		ug/kg	2.0	--	1
1,4-Dichlorobutane	ND		ug/kg	10	--	1
1,2,3-Trichloropropane	ND		ug/kg	2.0	--	1
Styrene	ND		ug/kg	1.0	--	1
Dichlorodifluoromethane	ND		ug/kg	10	--	1
Acetone	85		ug/kg	26	--	1
Carbon disulfide	ND		ug/kg	10	--	1
2-Butanone	ND		ug/kg	10	--	1
Vinyl acetate	ND		ug/kg	10	--	1
4-Methyl-2-pentanone	ND		ug/kg	10	--	1
2-Hexanone	ND		ug/kg	10	--	1
Ethyl methacrylate	ND		ug/kg	10	--	1
Acrylonitrile	ND		ug/kg	4.1	--	1
Bromochloromethane	ND		ug/kg	2.0	--	1
Tetrahydrofuran	ND		ug/kg	4.1	--	1
2,2-Dichloropropane	ND		ug/kg	2.0	--	1
1,2-Dibromoethane	ND		ug/kg	1.0	--	1
1,3-Dichloropropane	ND		ug/kg	2.0	--	1
1,1,1,2-Tetrachloroethane	ND		ug/kg	0.51	--	1
Bromobenzene	ND		ug/kg	2.0	--	1
n-Butylbenzene	ND		ug/kg	1.0	--	1
sec-Butylbenzene	ND		ug/kg	1.0	--	1
tert-Butylbenzene	ND		ug/kg	2.0	--	1
o-Chlorotoluene	ND		ug/kg	2.0	--	1
p-Chlorotoluene	ND		ug/kg	2.0	--	1
1,2-Dibromo-3-chloropropane	ND		ug/kg	3.1	--	1
Hexachlorobutadiene	ND		ug/kg	4.1	--	1

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-01
Client ID: B-9, S-3
Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 14:45
Date Received: 10/18/23
Field Prep: Not Specified

Sample Depth:

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 Low - Westborough Lab						
Isopropylbenzene	ND		ug/kg	1.0	--	1
p-Isopropyltoluene	ND		ug/kg	1.0	--	1
Naphthalene	8.5		ug/kg	4.1	--	1
n-Propylbenzene	ND		ug/kg	1.0	--	1
1,2,3-Trichlorobenzene	ND		ug/kg	2.0	--	1
1,2,4-Trichlorobenzene	ND		ug/kg	2.0	--	1
1,3,5-Trimethylbenzene	ND		ug/kg	2.0	--	1
1,2,4-Trimethylbenzene	ND		ug/kg	2.0	--	1
trans-1,4-Dichloro-2-butene	ND		ug/kg	5.1	--	1
Ethyl ether	ND		ug/kg	2.0	--	1

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	104		70-130
Toluene-d8	100		70-130
4-Bromofluorobenzene	111		70-130
Dibromofluoromethane	105		70-130



Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-02 **D2**
Client ID: B-8, S-9
Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 11:45
Date Received: 10/18/23
Field Prep: Not Specified

Sample Depth:
Matrix: Soil
Analytical Method: 1,8260D
Analytical Date: 10/27/23 10:51
Analyst: AJK
Percent Solids: 83%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 High - Westborough Lab						
Naphthalene	450000		ug/kg	20000	--	100

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	98		70-130
Toluene-d8	98		70-130
4-Bromofluorobenzene	95		70-130
Dibromofluoromethane	104		70-130



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-02 D
 Client ID: B-8, S-9
 Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 11:45
 Date Received: 10/18/23
 Field Prep: Not Specified

Sample Depth:

Matrix: Soil
 Analytical Method: 1,8260D
 Analytical Date: 10/27/23 10:28
 Analyst: AJK
 Percent Solids: 83%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 High - Westborough Lab						
Methylene chloride	ND		ug/kg	2400	--	10
1,1-Dichloroethane	ND		ug/kg	490	--	10
Chloroform	ND		ug/kg	740	--	10
Carbon tetrachloride	ND		ug/kg	490	--	10
1,2-Dichloropropane	ND		ug/kg	490	--	10
Dibromochloromethane	ND		ug/kg	490	--	10
1,1,2-Trichloroethane	ND		ug/kg	490	--	10
Tetrachloroethene	ND		ug/kg	240	--	10
Chlorobenzene	ND		ug/kg	240	--	10
Trichlorofluoromethane	ND		ug/kg	2000	--	10
1,2-Dichloroethane	ND		ug/kg	490	--	10
1,1,1-Trichloroethane	ND		ug/kg	240	--	10
Bromodichloromethane	ND		ug/kg	240	--	10
trans-1,3-Dichloropropene	ND		ug/kg	490	--	10
cis-1,3-Dichloropropene	ND		ug/kg	240	--	10
1,3-Dichloropropene, Total	ND		ug/kg	240	--	10
1,1-Dichloropropene	ND		ug/kg	240	--	10
Bromoform	ND		ug/kg	2000	--	10
1,1,2,2-Tetrachloroethane	ND		ug/kg	240	--	10
Benzene	11000		ug/kg	240	--	10
Toluene	1000		ug/kg	490	--	10
Ethylbenzene	46000		ug/kg	490	--	10
Chloromethane	ND		ug/kg	2000	--	10
Bromomethane	ND		ug/kg	980	--	10
Vinyl chloride	ND		ug/kg	490	--	10
Chloroethane	ND		ug/kg	980	--	10
1,1-Dichloroethene	ND		ug/kg	490	--	10
trans-1,2-Dichloroethene	ND		ug/kg	740	--	10

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-02 D
 Client ID: B-8, S-9
 Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 11:45
 Date Received: 10/18/23
 Field Prep: Not Specified

Sample Depth:

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 High - Westborough Lab						
Trichloroethene	ND		ug/kg	240	--	10
1,2-Dichlorobenzene	ND		ug/kg	980	--	10
1,3-Dichlorobenzene	ND		ug/kg	980	--	10
1,4-Dichlorobenzene	ND		ug/kg	980	--	10
Methyl tert butyl ether	ND		ug/kg	980	--	10
p/m-Xylene	52000		ug/kg	980	--	10
o-Xylene	25000		ug/kg	490	--	10
Xylenes, Total	77000		ug/kg	490	--	10
cis-1,2-Dichloroethene	ND		ug/kg	490	--	10
1,2-Dichloroethene, Total	ND		ug/kg	490	--	10
Dibromomethane	ND		ug/kg	980	--	10
1,4-Dichlorobutane	ND		ug/kg	4900	--	10
1,2,3-Trichloropropane	ND		ug/kg	980	--	10
Styrene	ND		ug/kg	490	--	10
Dichlorodifluoromethane	ND		ug/kg	4900	--	10
Acetone	ND		ug/kg	4900	--	10
Carbon disulfide	ND		ug/kg	4900	--	10
2-Butanone	ND		ug/kg	4900	--	10
Vinyl acetate	ND		ug/kg	4900	--	10
4-Methyl-2-pentanone	ND		ug/kg	4900	--	10
2-Hexanone	ND		ug/kg	4900	--	10
Ethyl methacrylate	ND		ug/kg	4900	--	10
Acrylonitrile	ND		ug/kg	2000	--	10
Bromochloromethane	ND		ug/kg	980	--	10
Tetrahydrofuran	ND		ug/kg	2000	--	10
2,2-Dichloropropane	ND		ug/kg	980	--	10
1,2-Dibromoethane	ND		ug/kg	490	--	10
1,3-Dichloropropane	ND		ug/kg	980	--	10
1,1,1,2-Tetrachloroethane	ND		ug/kg	240	--	10
Bromobenzene	ND		ug/kg	980	--	10
n-Butylbenzene	ND		ug/kg	490	--	10
sec-Butylbenzene	ND		ug/kg	490	--	10
tert-Butylbenzene	ND		ug/kg	980	--	10
o-Chlorotoluene	ND		ug/kg	980	--	10
p-Chlorotoluene	ND		ug/kg	980	--	10
1,2-Dibromo-3-chloropropane	ND		ug/kg	1500	--	10
Hexachlorobutadiene	ND		ug/kg	2000	--	10

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-02 D

Date Collected: 10/17/23 11:45

Client ID: B-8, S-9

Date Received: 10/18/23

Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Field Prep: Not Specified

Sample Depth:

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 High - Westborough Lab						
Isopropylbenzene	4900		ug/kg	490	--	10
p-Isopropyltoluene	1500		ug/kg	490	--	10
Naphthalene	390000	E	ug/kg	2000	--	10
n-Propylbenzene	1000		ug/kg	490	--	10
1,2,3-Trichlorobenzene	ND		ug/kg	980	--	10
1,2,4-Trichlorobenzene	ND		ug/kg	980	--	10
1,3,5-Trimethylbenzene	7900		ug/kg	980	--	10
1,2,4-Trimethylbenzene	24000		ug/kg	980	--	10
trans-1,4-Dichloro-2-butene	ND		ug/kg	2400	--	10
Ethyl ether	ND		ug/kg	980	--	10

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	99		70-130
Toluene-d8	96		70-130
4-Bromofluorobenzene	93		70-130
Dibromofluoromethane	102		70-130

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-03 D2
 Client ID: B-8, S-11
 Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 12:00
 Date Received: 10/18/23
 Field Prep: Not Specified

Sample Depth:
 Matrix: Soil
 Analytical Method: 1,8260D
 Analytical Date: 10/27/23 11:38
 Analyst: AJK
 Percent Solids: 91%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 High - Westborough Lab						
Naphthalene	610000		ug/kg	18000	--	100

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	100		70-130
Toluene-d8	97		70-130
4-Bromofluorobenzene	94		70-130
Dibromofluoromethane	106		70-130



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-03 D
 Client ID: B-8, S-11
 Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 12:00
 Date Received: 10/18/23
 Field Prep: Not Specified

Sample Depth:

Matrix: Soil
 Analytical Method: 1,8260D
 Analytical Date: 10/27/23 11:15
 Analyst: AJK
 Percent Solids: 91%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 High - Westborough Lab						
Methylene chloride	ND		ug/kg	2200	--	10
1,1-Dichloroethane	ND		ug/kg	450	--	10
Chloroform	ND		ug/kg	680	--	10
Carbon tetrachloride	ND		ug/kg	450	--	10
1,2-Dichloropropane	ND		ug/kg	450	--	10
Dibromochloromethane	ND		ug/kg	450	--	10
1,1,2-Trichloroethane	ND		ug/kg	450	--	10
Tetrachloroethene	ND		ug/kg	220	--	10
Chlorobenzene	ND		ug/kg	220	--	10
Trichlorofluoromethane	ND		ug/kg	1800	--	10
1,2-Dichloroethane	ND		ug/kg	450	--	10
1,1,1-Trichloroethane	ND		ug/kg	220	--	10
Bromodichloromethane	ND		ug/kg	220	--	10
trans-1,3-Dichloropropene	ND		ug/kg	450	--	10
cis-1,3-Dichloropropene	ND		ug/kg	220	--	10
1,3-Dichloropropene, Total	ND		ug/kg	220	--	10
1,1-Dichloropropene	ND		ug/kg	220	--	10
Bromoform	ND		ug/kg	1800	--	10
1,1,2,2-Tetrachloroethane	ND		ug/kg	220	--	10
Benzene	9200		ug/kg	220	--	10
Toluene	14000		ug/kg	450	--	10
Ethylbenzene	23000		ug/kg	450	--	10
Chloromethane	ND		ug/kg	1800	--	10
Bromomethane	ND		ug/kg	900	--	10
Vinyl chloride	ND		ug/kg	450	--	10
Chloroethane	ND		ug/kg	900	--	10
1,1-Dichloroethene	ND		ug/kg	450	--	10
trans-1,2-Dichloroethene	ND		ug/kg	680	--	10

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-03 D
 Client ID: B-8, S-11
 Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 12:00
 Date Received: 10/18/23
 Field Prep: Not Specified

Sample Depth:

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 High - Westborough Lab						
Trichloroethene	ND		ug/kg	220	--	10
1,2-Dichlorobenzene	ND		ug/kg	900	--	10
1,3-Dichlorobenzene	ND		ug/kg	900	--	10
1,4-Dichlorobenzene	ND		ug/kg	900	--	10
Methyl tert butyl ether	ND		ug/kg	900	--	10
p/m-Xylene	34000		ug/kg	900	--	10
o-Xylene	17000		ug/kg	450	--	10
Xylenes, Total	51000		ug/kg	450	--	10
cis-1,2-Dichloroethene	ND		ug/kg	450	--	10
1,2-Dichloroethene, Total	ND		ug/kg	450	--	10
Dibromomethane	ND		ug/kg	900	--	10
1,4-Dichlorobutane	ND		ug/kg	4500	--	10
1,2,3-Trichloropropane	ND		ug/kg	900	--	10
Styrene	6000		ug/kg	450	--	10
Dichlorodifluoromethane	ND		ug/kg	4500	--	10
Acetone	ND		ug/kg	4500	--	10
Carbon disulfide	ND		ug/kg	4500	--	10
2-Butanone	ND		ug/kg	4500	--	10
Vinyl acetate	ND		ug/kg	4500	--	10
4-Methyl-2-pentanone	ND		ug/kg	4500	--	10
2-Hexanone	ND		ug/kg	4500	--	10
Ethyl methacrylate	ND		ug/kg	4500	--	10
Acrylonitrile	ND		ug/kg	1800	--	10
Bromochloromethane	ND		ug/kg	900	--	10
Tetrahydrofuran	ND		ug/kg	1800	--	10
2,2-Dichloropropane	ND		ug/kg	900	--	10
1,2-Dibromoethane	ND		ug/kg	450	--	10
1,3-Dichloropropane	ND		ug/kg	900	--	10
1,1,1,2-Tetrachloroethane	ND		ug/kg	220	--	10
Bromobenzene	ND		ug/kg	900	--	10
n-Butylbenzene	550		ug/kg	450	--	10
sec-Butylbenzene	ND		ug/kg	450	--	10
tert-Butylbenzene	ND		ug/kg	900	--	10
o-Chlorotoluene	ND		ug/kg	900	--	10
p-Chlorotoluene	ND		ug/kg	900	--	10
1,2-Dibromo-3-chloropropane	ND		ug/kg	1400	--	10
Hexachlorobutadiene	ND		ug/kg	1800	--	10

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-03 D

Date Collected: 10/17/23 12:00

Client ID: B-8, S-11

Date Received: 10/18/23

Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Field Prep: Not Specified

Sample Depth:

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Volatile Organics by EPA 5035 High - Westborough Lab						
Isopropylbenzene	3000		ug/kg	450	--	10
p-Isopropyltoluene	940		ug/kg	450	--	10
Naphthalene	390000	E	ug/kg	1800	--	10
n-Propylbenzene	1200		ug/kg	450	--	10
1,2,3-Trichlorobenzene	ND		ug/kg	900	--	10
1,2,4-Trichlorobenzene	ND		ug/kg	900	--	10
1,3,5-Trimethylbenzene	6400		ug/kg	900	--	10
1,2,4-Trimethylbenzene	21000		ug/kg	900	--	10
trans-1,4-Dichloro-2-butene	ND		ug/kg	2200	--	10
Ethyl ether	ND		ug/kg	900	--	10

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	97		70-130
Toluene-d8	96		70-130
4-Bromofluorobenzene	94		70-130
Dibromofluoromethane	102		70-130



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

Method Blank Analysis
Batch Quality Control

Analytical Method: 1,8260D
Analytical Date: 10/27/23 09:40
Analyst: AJK

Parameter	Result	Qualifier	Units	RL	MDL
Volatile Organics by EPA 5035 Low - Westborough Lab for sample(s): 01 Batch: WG1845137-5					
Methylene chloride	7.5		ug/kg	5.0	--
1,1-Dichloroethane	ND		ug/kg	1.0	--
Chloroform	ND		ug/kg	1.5	--
Carbon tetrachloride	ND		ug/kg	1.0	--
1,2-Dichloropropane	ND		ug/kg	1.0	--
Dibromochloromethane	ND		ug/kg	1.0	--
1,1,2-Trichloroethane	ND		ug/kg	1.0	--
Tetrachloroethene	ND		ug/kg	0.50	--
Chlorobenzene	ND		ug/kg	0.50	--
Trichlorofluoromethane	ND		ug/kg	4.0	--
1,2-Dichloroethane	ND		ug/kg	1.0	--
1,1,1-Trichloroethane	ND		ug/kg	0.50	--
Bromodichloromethane	ND		ug/kg	0.50	--
trans-1,3-Dichloropropene	ND		ug/kg	1.0	--
cis-1,3-Dichloropropene	ND		ug/kg	0.50	--
1,3-Dichloropropene, Total	ND		ug/kg	0.50	--
1,1-Dichloropropene	ND		ug/kg	0.50	--
Bromoform	ND		ug/kg	4.0	--
1,1,1,2-Tetrachloroethane	ND		ug/kg	0.50	--
Benzene	ND		ug/kg	0.50	--
Toluene	ND		ug/kg	1.0	--
Ethylbenzene	ND		ug/kg	1.0	--
Chloromethane	ND		ug/kg	4.0	--
Bromomethane	ND		ug/kg	2.0	--
Vinyl chloride	ND		ug/kg	1.0	--
Chloroethane	ND		ug/kg	2.0	--
1,1-Dichloroethene	ND		ug/kg	1.0	--
trans-1,2-Dichloroethene	ND		ug/kg	1.5	--
Trichloroethene	ND		ug/kg	0.50	--

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

Method Blank Analysis Batch Quality Control

Analytical Method: 1,8260D
 Analytical Date: 10/27/23 09:40
 Analyst: AJK

Parameter	Result	Qualifier	Units	RL	MDL
Volatile Organics by EPA 5035 Low - Westborough Lab for sample(s): 01 Batch: WG1845137-5					
1,2-Dichlorobenzene	ND		ug/kg	2.0	--
1,3-Dichlorobenzene	ND		ug/kg	2.0	--
1,4-Dichlorobenzene	ND		ug/kg	2.0	--
Methyl tert butyl ether	ND		ug/kg	2.0	--
p/m-Xylene	ND		ug/kg	2.0	--
o-Xylene	ND		ug/kg	1.0	--
Xylenes, Total	ND		ug/kg	1.0	--
cis-1,2-Dichloroethene	ND		ug/kg	1.0	--
1,2-Dichloroethene, Total	ND		ug/kg	1.0	--
Dibromomethane	ND		ug/kg	2.0	--
1,4-Dichlorobutane	ND		ug/kg	10	--
1,2,3-Trichloropropane	ND		ug/kg	2.0	--
Styrene	ND		ug/kg	1.0	--
Dichlorodifluoromethane	ND		ug/kg	10	--
Acetone	ND		ug/kg	25	--
Carbon disulfide	ND		ug/kg	10	--
2-Butanone	ND		ug/kg	10	--
Vinyl acetate	ND		ug/kg	10	--
4-Methyl-2-pentanone	ND		ug/kg	10	--
2-Hexanone	ND		ug/kg	10	--
Ethyl methacrylate	ND		ug/kg	10	--
Acrylonitrile	ND		ug/kg	4.0	--
Bromochloromethane	ND		ug/kg	2.0	--
Tetrahydrofuran	ND		ug/kg	4.0	--
2,2-Dichloropropane	ND		ug/kg	2.0	--
1,2-Dibromoethane	ND		ug/kg	1.0	--
1,3-Dichloropropane	ND		ug/kg	2.0	--
1,1,1,2-Tetrachloroethane	ND		ug/kg	0.50	--
Bromobenzene	ND		ug/kg	2.0	--

Project Name: ADRENALINE/EMPEOPLE
 Project Number: A-5104-002-05

Lab Number: L2361902
 Report Date: 10/27/23

Method Blank Analysis
Batch Quality Control

Analytical Method: 1,8260D
 Analytical Date: 10/27/23 09:40
 Analyst: AJK

Parameter	Result	Qualifier	Units	RL	MDL
Volatile Organics by EPA 5035 Low - Westborough Lab for sample(s): 01 Batch: WG1845137-5					
n-Butylbenzene	ND		ug/kg	1.0	--
sec-Butylbenzene	ND		ug/kg	1.0	--
tert-Butylbenzene	ND		ug/kg	2.0	--
o-Chlorotoluene	ND		ug/kg	2.0	--
p-Chlorotoluene	ND		ug/kg	2.0	--
1,2-Dibromo-3-chloropropane	ND		ug/kg	3.0	--
Hexachlorobutadiene	ND		ug/kg	4.0	--
Isopropylbenzene	ND		ug/kg	1.0	--
p-Isopropyltoluene	ND		ug/kg	1.0	--
Naphthalene	ND		ug/kg	4.0	--
n-Propylbenzene	ND		ug/kg	1.0	--
1,2,3-Trichlorobenzene	ND		ug/kg	2.0	--
1,2,4-Trichlorobenzene	ND		ug/kg	2.0	--
1,3,5-Trimethylbenzene	ND		ug/kg	2.0	--
1,2,4-Trimethylbenzene	ND		ug/kg	2.0	--
trans-1,4-Dichloro-2-butene	ND		ug/kg	5.0	--
Ethyl ether	ND		ug/kg	2.0	--

Surrogate	%Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	105		70-130
Toluene-d8	98		70-130
4-Bromofluorobenzene	97		70-130
Dibromofluoromethane	102		70-130

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

Method Blank Analysis Batch Quality Control

Analytical Method: 1,8260D
 Analytical Date: 10/27/23 09:40
 Analyst: AJK

Parameter	Result	Qualifier	Units	RL	MDL
Volatile Organics by EPA 5035 High - Westborough Lab for sample(s): 02-03 Batch: WG1845139-5					
Methylene chloride	370		ug/kg	250	--
1,1-Dichloroethane	ND		ug/kg	50	--
Chloroform	ND		ug/kg	75	--
Carbon tetrachloride	ND		ug/kg	50	--
1,2-Dichloropropane	ND		ug/kg	50	--
Dibromochloromethane	ND		ug/kg	50	--
1,1,2-Trichloroethane	ND		ug/kg	50	--
Tetrachloroethene	ND		ug/kg	25	--
Chlorobenzene	ND		ug/kg	25	--
Trichlorofluoromethane	ND		ug/kg	200	--
1,2-Dichloroethane	ND		ug/kg	50	--
1,1,1-Trichloroethane	ND		ug/kg	25	--
Bromodichloromethane	ND		ug/kg	25	--
trans-1,3-Dichloropropene	ND		ug/kg	50	--
cis-1,3-Dichloropropene	ND		ug/kg	25	--
1,3-Dichloropropene, Total	ND		ug/kg	25	--
1,1-Dichloropropene	ND		ug/kg	25	--
Bromoform	ND		ug/kg	200	--
1,1,2,2-Tetrachloroethane	ND		ug/kg	25	--
Benzene	ND		ug/kg	25	--
Toluene	ND		ug/kg	50	--
Ethylbenzene	ND		ug/kg	50	--
Chloromethane	ND		ug/kg	200	--
Bromomethane	ND		ug/kg	100	--
Vinyl chloride	ND		ug/kg	50	--
Chloroethane	ND		ug/kg	100	--
1,1-Dichloroethene	ND		ug/kg	50	--
trans-1,2-Dichloroethene	ND		ug/kg	75	--
Trichloroethene	ND		ug/kg	25	--

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

Method Blank Analysis Batch Quality Control

Analytical Method: 1,8260D
 Analytical Date: 10/27/23 09:40
 Analyst: AJK

Parameter	Result	Qualifier	Units	RL	MDL
Volatile Organics by EPA 5035 High - Westborough Lab for sample(s): 02-03 Batch: WG1845139-5					
1,2-Dichlorobenzene	ND		ug/kg	100	--
1,3-Dichlorobenzene	ND		ug/kg	100	--
1,4-Dichlorobenzene	ND		ug/kg	100	--
Methyl tert butyl ether	ND		ug/kg	100	--
p/m-Xylene	ND		ug/kg	100	--
o-Xylene	ND		ug/kg	50	--
Xylenes, Total	ND		ug/kg	50	--
cis-1,2-Dichloroethene	ND		ug/kg	50	--
1,2-Dichloroethene, Total	ND		ug/kg	50	--
Dibromomethane	ND		ug/kg	100	--
1,4-Dichlorobutane	ND		ug/kg	500	--
1,2,3-Trichloropropane	ND		ug/kg	100	--
Styrene	ND		ug/kg	50	--
Dichlorodifluoromethane	ND		ug/kg	500	--
Acetone	ND		ug/kg	500	--
Carbon disulfide	ND		ug/kg	500	--
2-Butanone	ND		ug/kg	500	--
Vinyl acetate	ND		ug/kg	500	--
4-Methyl-2-pentanone	ND		ug/kg	500	--
2-Hexanone	ND		ug/kg	500	--
Ethyl methacrylate	ND		ug/kg	500	--
Acrylonitrile	ND		ug/kg	200	--
Bromochloromethane	ND		ug/kg	100	--
Tetrahydrofuran	ND		ug/kg	200	--
2,2-Dichloropropane	ND		ug/kg	100	--
1,2-Dibromoethane	ND		ug/kg	50	--
1,3-Dichloropropane	ND		ug/kg	100	--
1,1,1,2-Tetrachloroethane	ND		ug/kg	25	--
Bromobenzene	ND		ug/kg	100	--

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

Method Blank Analysis Batch Quality Control

Analytical Method: 1,8260D
 Analytical Date: 10/27/23 09:40
 Analyst: AJK

Parameter	Result	Qualifier	Units	RL	MDL
Volatile Organics by EPA 5035 High - Westborough Lab for sample(s): 02-03 Batch: WG1845139-5					
n-Butylbenzene	ND		ug/kg	50	--
sec-Butylbenzene	ND		ug/kg	50	--
tert-Butylbenzene	ND		ug/kg	100	--
o-Chlorotoluene	ND		ug/kg	100	--
p-Chlorotoluene	ND		ug/kg	100	--
1,2-Dibromo-3-chloropropane	ND		ug/kg	150	--
Hexachlorobutadiene	ND		ug/kg	200	--
Isopropylbenzene	ND		ug/kg	50	--
p-Isopropyltoluene	ND		ug/kg	50	--
Naphthalene	ND		ug/kg	200	--
n-Propylbenzene	ND		ug/kg	50	--
1,2,3-Trichlorobenzene	ND		ug/kg	100	--
1,2,4-Trichlorobenzene	ND		ug/kg	100	--
1,3,5-Trimethylbenzene	ND		ug/kg	100	--
1,2,4-Trimethylbenzene	ND		ug/kg	100	--
trans-1,4-Dichloro-2-butene	ND		ug/kg	250	--
Ethyl ether	ND		ug/kg	100	--

Surrogate	%Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	104		70-130
Toluene-d8	99		70-130
4-Bromofluorobenzene	97		70-130
Dibromofluoromethane	102		70-130

Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS		LCS D		%Recovery		RPD	Qual	RPD	Qual	RPD	Limits
	%Recovery	Qual	%Recovery	Qual	%Recovery	Limits						
Volatile Organics by EPA 5035 Low - Westborough Lab Associated sample(s): 01 Batch: WG1845137-3 WG1845137-4												
Methylene chloride	91		97		70-130		6		30			30
1,1-Dichloroethane	89		96		70-130		8		30			30
Chloroform	88		95		70-130		8		30			30
Carbon tetrachloride	90		100		70-130		11		30			30
1,2-Dichloropropane	89		96		70-130		8		30			30
Dibromochloromethane	82		90		70-130		9		30			30
1,1,2-Trichloroethane	85		92		70-130		8		30			30
Tetrachloroethene	88		96		70-130		9		30			30
Chlorobenzene	86		92		70-130		7		30			30
Trichlorofluoromethane	88		95		70-139		8		30			30
1,2-Dichloroethane	86		93		70-130		8		30			30
1,1,1-Trichloroethane	92		100		70-130		8		30			30
Bromodichloromethane	87		95		70-130		9		30			30
trans-1,3-Dichloropropene	79		85		70-130		7		30			30
cis-1,3-Dichloropropene	93		100		70-130		7		30			30
1,1-Dichloropropene	97		105		70-130		8		30			30
Bromoform	74		83		70-130		11		30			30
1,1,2,2-Tetrachloroethane	77		86		70-130		11		30			30
Benzene	91		97		70-130		6		30			30
Toluene	86		92		70-130		7		30			30
Ethylbenzene	89		95		70-130		7		30			30
Chloromethane	108		115		52-130		6		30			30
Bromomethane	97		105		57-147		8		30			30



Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS		LCS D		%Recovery Limits		RPD	Qual	RPD Limits
	%Recovery	Qual	%Recovery	Qual	%Recovery	Limits			
Volatile Organics by EPA 5035 Low - Westborough Lab Associated sample(s): 01 Batch: WG1845137-3 WG1845137-4									
Vinyl chloride	100		110		67-130		10		30
Chloroethane	89		96		50-151		8		30
1,1-Dichloroethene	93		99		65-135		6		30
trans-1,2-Dichloroethene	91		98		70-130		7		30
Trichloroethene	91		99		70-130		8		30
1,2-Dichlorobenzene	83		90		70-130		8		30
1,3-Dichlorobenzene	82		91		70-130		10		30
1,4-Dichlorobenzene	82		90		70-130		9		30
Methyl tert butyl ether	91		96		66-130		5		30
p/m-Xylene	91		98		70-130		7		30
o-Xylene	90		97		70-130		7		30
cis-1,2-Dichloroethene	88		95		70-130		8		30
Dibromomethane	84		90		70-130		7		30
1,4-Dichlorobutane	76		84		70-130		10		30
1,2,3-Trichloropropane	76		84		68-130		10		30
Styrene	80		87		70-130		8		30
Dichlorodifluoromethane	133		141		30-146		6		30
Acetone	94		102		54-140		8		30
Carbon disulfide	94		102		59-130		8		30
2-Butanone	80		86		70-130		7		30
Vinyl acetate	92		96		70-130		4		30
4-Methyl-2-pentanone	83		87		70-130		5		30
2-Hexanone	79		84		70-130		6		30



Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS		LCSD		%Recovery		RPD	Qual	RPD Limits
	%Recovery	Qual	%Recovery	Qual	%Recovery	Limits			
Volatile Organics by EPA 5035 Low - Westborough Lab Associated sample(s): 01 Batch: WG1845137-3 WG1845137-4									
Ethyl methacrylate	83		90		70-130		8		30
Acrylonitrile	85		91		70-130		7		30
Bromochloromethane	84		92		70-130		9		30
Tetrahydrofuran	80		91		66-130		13		30
2,2-Dichloropropane	95		102		70-130		7		30
1,2-Dibromoethane	87		96		70-130		10		30
1,3-Dichloropropane	87		92		69-130		6		30
1,1,1,2-Tetrachloroethane	89		96		70-130		8		30
Bromobenzene	79		89		70-130		12		30
n-Butylbenzene	90		97		70-130		7		30
sec-Butylbenzene	87		95		70-130		9		30
tert-Butylbenzene	85		94		70-130		10		30
o-Chlorotoluene	83		105		70-130		23		30
p-Chlorotoluene	84		92		70-130		9		30
1,2-Dibromo-3-chloropropane	74		81		68-130		9		30
Hexachlorobutadiene	86		90		67-130		5		30
Isopropylbenzene	85		94		70-130		10		30
p-Isopropyltoluene	88		96		70-130		9		30
Naphthalene	85		91		70-130		7		30
n-Propylbenzene	85		94		70-130		10		30
1,2,3-Trichlorobenzene	87		92		70-130		6		30
1,2,4-Trichlorobenzene	87		93		70-130		7		30
1,3,5-Trimethylbenzene	86		94		70-130		9		30



Lab Control Sample Analysis Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS %Recovery	Qual	LCS %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits
Volatile Organics by EPA 5035 Low - Westborough Lab Associated sample(s): 01 Batch: WG1845137-3 WG1845137-4								
1,2,4-Trimethylbenzene	87		95		70-130	9		30
trans-1,4-Dichloro-2-butene	82		90		70-130	9		30
Ethyl ether	80		88		67-130	10		30

Surrogate	LCS %Recovery	Qual	LCS %Recovery	Qual	Acceptance Criteria
1,2-Dichloroethane-d4	96		98		70-130
Toluene-d8	99		99		70-130
4-Bromofluorobenzene	95		97		70-130
Dibromofluoromethane	96		98		70-130



Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS		LCSD		%Recovery		RPD	Qual	RPD Limits
	%Recovery	Qual	%Recovery	Qual	%Recovery	Limits			
Volatile Organics by EPA 5035 High - Westborough Lab Associated sample(s): 02-03 Batch: WG1845139-3 WG1845139-4									
Methylene chloride	91		97		70-130		6		30
1,1-Dichloroethane	89		96		70-130		8		30
Chloroform	88		95		70-130		8		30
Carbon tetrachloride	90		100		70-130		11		30
1,2-Dichloropropane	89		96		70-130		8		30
Dibromochloromethane	82		90		70-130		9		30
1,1,2-Trichloroethane	85		92		70-130		8		30
Tetrachloroethene	88		96		70-130		9		30
Chlorobenzene	86		92		70-130		7		30
Trichlorofluoromethane	88		95		70-139		8		30
1,2-Dichloroethane	86		93		70-130		8		30
1,1,1-Trichloroethane	92		100		70-130		8		30
Bromodichloromethane	87		95		70-130		9		30
trans-1,3-Dichloropropene	79		85		70-130		7		30
cis-1,3-Dichloropropene	93		100		70-130		7		30
1,1-Dichloropropene	97		105		70-130		8		30
Bromoform	74		83		70-130		11		30
1,1,2,2-Tetrachloroethane	77		86		70-130		11		30
Benzene	91		97		70-130		6		30
Toluene	86		92		70-130		7		30
Ethylbenzene	89		95		70-130		7		30
Chloromethane	108		115		52-130		6		30
Bromomethane	97		105		57-147		8		30



Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS		LCSD		%Recovery		RPD	Qual	RPD Limits
	%Recovery	Qual	%Recovery	Qual	%Recovery	Limits			
Volatile Organics by EPA 5035 High - Westborough Lab Associated sample(s): 02-03 Batch: WG1845139-3 WG1845139-4									
Vinyl chloride	100		110		67-130		10		30
Chloroethane	89		96		50-151		8		30
1,1-Dichloroethene	93		99		65-135		6		30
trans-1,2-Dichloroethene	91		98		70-130		7		30
Trichloroethene	91		99		70-130		8		30
1,2-Dichlorobenzene	83		90		70-130		8		30
1,3-Dichlorobenzene	82		91		70-130		10		30
1,4-Dichlorobenzene	82		90		70-130		9		30
Methyl tert butyl ether	91		96		66-130		5		30
p/m-Xylene	91		98		70-130		7		30
o-Xylene	90		97		70-130		7		30
cis-1,2-Dichloroethene	88		95		70-130		8		30
Dibromomethane	84		90		70-130		7		30
1,4-Dichlorobutane	76		84		70-130		10		30
1,2,3-Trichloropropane	76		84		68-130		10		30
Styrene	80		87		70-130		8		30
Dichlorodifluoromethane	133		141		30-146		6		30
Acetone	94		102		54-140		8		30
Carbon disulfide	94		102		59-130		8		30
2-Butanone	80		86		70-130		7		30
Vinyl acetate	92		96		70-130		4		30
4-Methyl-2-pentanone	83		87		70-130		5		30
2-Hexanone	79		84		70-130		6		30



Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS		LCS D		%Recovery		RPD	Qual	RPD	Qual	RPD	Limits
	%Recovery	Qual	%Recovery	Qual	%Recovery	Limits						
Volatile Organics by EPA 5035 High - Westborough Lab Associated sample(s): 02-03 Batch: WG1845139-3 WG1845139-4												
Ethyl methacrylate	83		90		70-130		8		8			30
Acrylonitrile	85		91		70-130		7		7			30
Bromochloromethane	84		92		70-130		9		9			30
Tetrahydrofuran	80		91		66-130		13		13			30
2,2-Dichloropropane	95		102		70-130		7		7			30
1,2-Dibromoethane	87		96		70-130		10		10			30
1,3-Dichloropropane	87		92		69-130		6		6			30
1,1,1,2-Tetrachloroethane	89		96		70-130		8		8			30
Bromobenzene	79		89		70-130		12		12			30
n-Butylbenzene	90		97		70-130		7		7			30
sec-Butylbenzene	87		95		70-130		9		9			30
tert-Butylbenzene	85		94		70-130		10		10			30
o-Chlorotoluene	83		105		70-130		23		23			30
p-Chlorotoluene	84		92		70-130		9		9			30
1,2-Dibromo-3-chloropropane	74		81		68-130		9		9			30
Hexachlorobutadiene	86		90		67-130		5		5			30
Isopropylbenzene	85		94		70-130		10		10			30
p-Isopropyltoluene	88		96		70-130		9		9			30
Naphthalene	85		91		70-130		7		7			30
n-Propylbenzene	85		94		70-130		10		10			30
1,2,3-Trichlorobenzene	87		92		70-130		6		6			30
1,2,4-Trichlorobenzene	87		93		70-130		7		7			30
1,3,5-Trimethylbenzene	86		94		70-130		9		9			30



Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
 Project Number: A-5104-002-05

Lab Number: L2361902
 Report Date: 10/27/23

Parameter	LCS %Recovery	Qual	LCS %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits
Volatile Organics by EPA 5035 High - Westborough Lab Associated sample(s): 02-03 Batch: WG1845139-3 WG1845139-4								
1,2,4-Trimethylbenzene	87		95		70-130	9		30
trans-1,4-Dichloro-2-butene	82		90		70-130	9		30
Ethyl ether	80		88		67-130	10		30

Surrogate	LCS %Recovery	Qual	LCS %Recovery	Qual	Acceptance Criteria
1,2-Dichloroethane-d4	96		98		70-130
Toluene-d8	99		99		70-130
4-Bromofluorobenzene	96		97		70-130
Dibromofluoromethane	96		98		70-130



SEMIVOLATILES

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-01 D
 Client ID: B-9, S-3
 Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 14:45
 Date Received: 10/18/23
 Field Prep: Not Specified

Sample Depth:
 Matrix: Soil
 Analytical Method: 1,8270E-SIM
 Analytical Date: 10/21/23 16:46
 Analyst: RP
 Percent Solids: 79%

Extraction Method: EPA 3546
 Extraction Date: 10/19/23 19:48

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
PAHs by GC/MS-SIM - Westborough Lab						
Acenaphthene	440		ug/kg	82	--	10
2-Chloronaphthalene	ND		ug/kg	82	--	10
Fluoranthene	2700		ug/kg	82	--	10
Naphthalene	430		ug/kg	82	--	10
Benzo(a)anthracene	2000		ug/kg	82	--	10
Benzo(a)pyrene	1700		ug/kg	82	--	10
Benzo(b)fluoranthene	1400		ug/kg	82	--	10
Benzo(k)fluoranthene	410		ug/kg	82	--	10
Chrysene	2500		ug/kg	82	--	10
Acenaphthylene	1200		ug/kg	82	--	10
Anthracene	1100		ug/kg	82	--	10
Benzo(ghi)perylene	1000		ug/kg	82	--	10
Fluorene	940		ug/kg	82	--	10
Phenanthrene	4000		ug/kg	82	--	10
Dibenzo(a,h)anthracene	180		ug/kg	82	--	10
Indeno(1,2,3-cd)pyrene	730		ug/kg	82	--	10
Pyrene	6100		ug/kg	82	--	10
1-Methylnaphthalene	700		ug/kg	82	--	10
2-Methylnaphthalene	500		ug/kg	82	--	10

Surrogate	% Recovery	Qualifier	Acceptance Criteria
Nitrobenzene-d5	86		23-120
2-Fluorobiphenyl	82		30-120
4-Terphenyl-d14	62		18-120



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-02 D
 Client ID: B-8, S-9
 Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 11:45
 Date Received: 10/18/23
 Field Prep: Not Specified

Sample Depth:
 Matrix: Soil
 Analytical Method: 1,8270E-SIM
 Analytical Date: 10/26/23 15:26
 Analyst: RP
 Percent Solids: 83%

Extraction Method: EPA 3546
 Extraction Date: 10/19/23 19:48

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
PAHs by GC/MS-SIM - Westborough Lab						
Acenaphthene	28000		ug/kg	4000	--	500
2-Chloronaphthalene	ND		ug/kg	4000	--	500
Fluoranthene	41000		ug/kg	4000	--	500
Naphthalene	180000		ug/kg	4000	--	500
Benzo(a)anthracene	31000		ug/kg	4000	--	500
Benzo(a)pyrene	14000		ug/kg	4000	--	500
Benzo(b)fluoranthene	12000		ug/kg	4000	--	500
Benzo(k)fluoranthene	4600		ug/kg	4000	--	500
Chrysene	16000		ug/kg	4000	--	500
Acenaphthylene	7700		ug/kg	4000	--	500
Anthracene	17000		ug/kg	4000	--	500
Benzo(ghi)perylene	8400		ug/kg	4000	--	500
Fluorene	19000		ug/kg	4000	--	500
Phenanthrene	56000		ug/kg	4000	--	500
Dibenzo(a,h)anthracene	ND		ug/kg	4000	--	500
Indeno(1,2,3-cd)pyrene	7900		ug/kg	4000	--	500
Pyrene	49000		ug/kg	4000	--	500
1-Methylnaphthalene	44000		ug/kg	4000	--	500
2-Methylnaphthalene	62000		ug/kg	4000	--	500

Surrogate	% Recovery	Qualifier	Acceptance Criteria
Nitrobenzene-d5	0	Q	23-120
2-Fluorobiphenyl	0	Q	30-120
4-Terphenyl-d14	0	Q	18-120



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-03 D
 Client ID: B-8, S-11
 Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 12:00
 Date Received: 10/18/23
 Field Prep: Not Specified

Sample Depth:

Matrix: Soil
 Analytical Method: 1,8270E-SIM
 Analytical Date: 10/26/23 15:42
 Analyst: RP
 Percent Solids: 91%

Extraction Method: EPA 3546
 Extraction Date: 10/19/23 19:48

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
PAHs by GC/MS-SIM - Westborough Lab						
Acenaphthene	13000		ug/kg	3600	--	500
2-Chloronaphthalene	ND		ug/kg	3600	--	500
Fluoranthene	47000		ug/kg	3600	--	500
Naphthalene	210000		ug/kg	3600	--	500
Benzo(a)anthracene	33000		ug/kg	3600	--	500
Benzo(a)pyrene	14000		ug/kg	3600	--	500
Benzo(b)fluoranthene	12000		ug/kg	3600	--	500
Benzo(k)fluoranthene	4700		ug/kg	3600	--	500
Chrysene	20000		ug/kg	3600	--	500
Acenaphthylene	30000		ug/kg	3600	--	500
Anthracene	22000		ug/kg	3600	--	500
Benzo(ghi)perylene	7600		ug/kg	3600	--	500
Fluorene	28000		ug/kg	3600	--	500
Phenanthrene	83000		ug/kg	3600	--	500
Dibenzo(a,h)anthracene	ND		ug/kg	3600	--	500
Indeno(1,2,3-cd)pyrene	7600		ug/kg	3600	--	500
Pyrene	50000		ug/kg	3600	--	500
1-Methylnaphthalene	59000		ug/kg	3600	--	500
2-Methylnaphthalene	88000		ug/kg	3600	--	500

Surrogate	% Recovery	Qualifier	Acceptance Criteria
Nitrobenzene-d5	0	Q	23-120
2-Fluorobiphenyl	0	Q	30-120
4-Terphenyl-d14	0	Q	18-120

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

**Method Blank Analysis
 Batch Quality Control**

Analytical Method: 1,8270E-SIM
Analytical Date: 10/21/23 12:06
Analyst: DV

Extraction Method: EPA 3546
Extraction Date: 10/19/23 01:23

Parameter	Result	Qualifier	Units	RL	MDL
Semivolatle Organics by GC/MS-SIM - Westborough Lab for sample(s): 01-03 Batch: WG1841563-1					
Acenaphthene	ND		ug/kg	6.5	--
2-Chloronaphthalene	ND		ug/kg	6.5	--
Fluoranthene	ND		ug/kg	6.5	--
Naphthalene	ND		ug/kg	6.5	--
Benzo(a)anthracene	ND		ug/kg	6.5	--
Benzo(a)pyrene	ND		ug/kg	6.5	--
Benzo(b)fluoranthene	ND		ug/kg	6.5	--
Benzo(k)fluoranthene	ND		ug/kg	6.5	--
Chrysene	ND		ug/kg	6.5	--
Acenaphthylene	ND		ug/kg	6.5	--
Anthracene	ND		ug/kg	6.5	--
Benzo(ghi)perylene	ND		ug/kg	6.5	--
Fluorene	ND		ug/kg	6.5	--
Phenanthrene	ND		ug/kg	6.5	--
Dibenzo(a,h)anthracene	ND		ug/kg	6.5	--
Indeno(1,2,3-cd)pyrene	ND		ug/kg	6.5	--
Pyrene	ND		ug/kg	6.5	--
1-Methylnaphthalene	ND		ug/kg	6.5	--
2-Methylnaphthalene	ND		ug/kg	6.5	--

Surrogate	%Recovery	Qualifier	Acceptance Criteria
Nitrobenzene-d5	110		23-120
2-Fluorobiphenyl	99		30-120
4-Terphenyl-d14	89		18-120



Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS		LCSD		%Recovery		RPD	
	%Recovery	Qual	%Recovery	Qual	%Recovery	Limits	RPD	Qual
Semivolatile Organics by GC/MS-SIM - Westborough Lab Associated sample(s): 01-03 Batch: WG1841563-2 WG1841563-3								
Acenaphthene	82		76		40-140		8	50
2-Chloronaphthalene	94		85		40-140		10	50
Fluoranthene	90		77		40-140		16	50
Naphthalene	83		77		40-140		8	50
Benzo(a)anthracene	92		86		40-140		7	50
Benzo(a)pyrene	99		93		40-140		6	50
Benzo(b)fluoranthene	94		92		40-140		2	50
Benzo(k)fluoranthene	98		95		40-140		3	50
Chrysene	90		85		40-140		6	50
Acenaphthylene	95		85		40-140		11	50
Anthracene	86		79		40-140		8	50
Benzo(ghi)perylene	79		70		40-140		12	50
Fluorene	85		78		40-140		9	50
Phenanthrene	83		78		40-140		6	50
Dibenzo(a,h)anthracene	87		77		40-140		12	50
Indeno(1,2,3-cd)pyrene	97		84		40-140		14	50
Pyrene	90		76		35-142		17	50
1-Methylnaphthalene	85		78		40-140		9	50
2-Methylnaphthalene	94		86		40-140		9	50



Lab Control Sample Analysis
Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	LCS		LCSD		%Recovery		RPD	
	%Recovery	Qual	%Recovery	Qual	Limits	Qual	Qual	Limits

Semivolatile Organics by GC/MS-SIM - Westborough Lab Associated sample(s): 01-03 Batch: WG1841563-2 WG1841563-3

Surrogate	LCS		LCSD		Acceptance Criteria	
	%Recovery	Qual	%Recovery	Qual	Qual	Criteria

Nitrobenzene-d5	111		99		23-120	
2-Fluorobiphenyl	95		84		30-120	
4-Terphenyl-d14	83		69		18-120	



PETROLEUM HYDROCARBONS

Serial_No:10272314:06

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-01 D
Client ID: B-9, S-3
Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 14:45
Date Received: 10/18/23
Field Prep: Not Specified

Sample Depth:
Matrix: Soil
Analytical Method: 1,8015D(M)
Analytical Date: 10/22/23 17:36
Analyst: SC
Percent Solids: 79%

Extraction Method: EPA 3546
Extraction Date: 10/19/23 21:04

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Diesel Range Organics - Westborough Lab						
DRO (C10-C28)	940000		ug/kg	84000	--	2

Surrogate	% Recovery	Qualifier	Acceptance Criteria
o-Terphenyl	75		40-140



Serial_No:10272314:06

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-02 D

Date Collected: 10/17/23 11:45

Client ID: B-8, S-9

Date Received: 10/18/23

Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Field Prep: Not Specified

Sample Depth:

Matrix: Soil

Extraction Method: EPA 3546

Analytical Method: 1,8015D(M)

Extraction Date: 10/19/23 21:04

Analytical Date: 10/22/23 18:51

Analyst: SC

Percent Solids: 83%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Diesel Range Organics - Westborough Lab						
DRO (C10-C28)	10000000		ug/kg	2000000	--	50

Surrogate	% Recovery	Qualifier	Acceptance Criteria
o-Terphenyl	0	Q	40-140



Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-03 **D**
Client ID: B-8, S-11
Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 12:00
Date Received: 10/18/23
Field Prep: Not Specified

Sample Depth:
Matrix: Soil
Analytical Method: 1,8015D(M)
Analytical Date: 10/22/23 18:26
Analyst: SC
Percent Solids: 91%

Extraction Method: EPA 3546
Extraction Date: 10/19/23 21:04

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
Diesel Range Organics - Westborough Lab						
DRO (C10-C28)	7100000		ug/kg	700000	--	20

Surrogate	% Recovery	Qualifier	Acceptance Criteria
o-Terphenyl	112		40-140



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

**Method Blank Analysis
Batch Quality Control**

Analytical Method: 1,8015D(M)
 Analytical Date: 10/21/23 12:26
 Analyst: CRE

Extraction Method: EPA 3546
 Extraction Date: 10/19/23 21:04

Parameter	Result	Qualifier	Units	RL	MDL
Diesel Range Organics - Westborough Lab for sample(s): 01-03 Batch: WG1842035-1					
DRO (C10-C28)	ND		ug/kg	33000	--

Surrogate	%Recovery	Qualifier	Acceptance Criteria
o-Terphenyl	70		40-140



Lab Control Sample Analysis

Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

Parameter	LCS %Recovery	Qual	LCS %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits
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Diesel Range Organics - Westborough Lab Associated sample(s): 01-03 Batch: WG1842035-2

DRO (C10-C28)

76

60-140

Surrogate

o-Terphenyl

71

LCS %Recovery Qual LCS %Recovery Qual Acceptance Criteria

40-140



Lab Duplicate Analysis

Project Name: ADRENALINE/EMPEOPLE
 Project Number: A-5104-002-05

Lab Number: L2361902
 Report Date: 10/27/23

Parameter	Native Sample	Duplicate Sample	Units	RPD	Qual	RPD Limits
Diesel Range Organics - Westborough Lab Associated sample(s): 01-03 QC Batch ID: WG1842035-3 QC Sample: L2361902-01 Client ID: B-9, S-3						
DRO (C10-C28)	940000	3100000	ug/kg	107	Q	20

Surrogate	%Recovery	Qualifier	%Recovery	Qualifier	Acceptance Criteria
o-Terphenyl	75		90		40-140



INORGANICS & MISCELLANEOUS

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-01
Client ID: B-9, S-3
Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 14:45
Date Received: 10/18/23
Field Prep: Not Specified

Sample Depth:
Matrix: Soil

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab										
Solids, Total	79.2		%	0.100	NA	1	-	10/19/23 00:35	121,2540G	WJM



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-02

Date Collected: 10/17/23 11:45

Client ID: B-8, S-9

Date Received: 10/18/23

Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Field Prep: Not Specified

Sample Depth:

Matrix: Soil

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab										
Solids, Total	82.8		%	0.100	NA	1	-	10/19/23 00:35	121,2540G	WJM



Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

SAMPLE RESULTS

Lab ID: L2361902-03
Client ID: B-8, S-11
Sample Location: 1220 BRIGHTON AVE., PORTLAND, ME

Date Collected: 10/17/23 12:00
Date Received: 10/18/23
Field Prep: Not Specified

Sample Depth:
Matrix: Soil

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab										
Solids, Total	90.9		%	0.100	NA	1	-	10/19/23 00:35	121,2540G	WJM



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

Method Blank Analysis
Batch Quality Control

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab for sample(s): 01-03 Batch: WG1841547-2										
Solids, Total	100		%	0.100	NA	1	-	10/19/23 00:35	121,2540G	WJM



Lab Duplicate Analysis Batch Quality Control

Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Parameter	Native Sample	Duplicate Sample	Units	RPD	Qual	RPD Limits
General Chemistry - Westborough Lab Associated sample(s): 01-03 QC Batch ID: WG1841547-1 QC Sample: L2361678-01 Client ID: DUP Sample						
Solids, Total	26.8	27.2	%	1		20



Serial_No:10272314:06
 Lab Number: L2361902
 Report Date: 10/27/23

Project Name: ADRENALINE/EMPEOPLE
 Project Number: A-5104-002-05

Sample Receipt and Container Information

YES

Were project specific reporting limits specified?

Cooler Information
 Cooler A Custody Seal Absent

Container Information		Initial pH	Final pH	Temp deg C	Pres	Seal	Frozen Date/Time	Analysis(*)
Container ID	Container Type							
L2361902-01A	Vial MeOH preserved	NA	5.8	Y	A	Absent		8260HLW(14)
L2361902-01B	Vial water preserved	NA	5.8	Y	A	Absent	18-OCT-23 22:18	8260HLW(14)
L2361902-01C	Vial water preserved	NA	5.8	Y	A	Absent	18-OCT-23 22:18	8260HLW(14)
L2361902-01D	Plastic 2oz unpreserved for TS	NA	5.8	Y	A	Absent		ME-TS-2540(7)
L2361902-01E	Glass 250ml/8oz unpreserved	NA	5.8	Y	A	Absent		PAHTCL-SIM(14),TPH-DRO(14)
L2361902-02A	Vial MeOH preserved	NA	5.8	Y	A	Absent		8260HLW(14)
L2361902-02B	Vial water preserved	NA	5.8	Y	A	Absent	18-OCT-23 22:18	8260HLW(14)
L2361902-02C	Vial water preserved	NA	5.8	Y	A	Absent	18-OCT-23 22:18	8260HLW(14)
L2361902-02D	Plastic 2oz unpreserved for TS	NA	5.8	Y	A	Absent		ME-TS-2540(7)
L2361902-02E	Glass 250ml/8oz unpreserved	NA	5.8	Y	A	Absent		PAHTCL-SIM(14),TPH-DRO(14)
L2361902-03A	Vial MeOH preserved	NA	5.8	Y	A	Absent		8260HLW(14)
L2361902-03B	Vial water preserved	NA	5.8	Y	A	Absent	18-OCT-23 22:18	8260HLW(14)
L2361902-03C	Vial water preserved	NA	5.8	Y	A	Absent	18-OCT-23 22:18	8260HLW(14)
L2361902-03D	Plastic 2oz unpreserved for TS	NA	5.8	Y	A	Absent		ME-TS-2540(7)
L2361902-03E	Glass 250ml/8oz unpreserved	NA	5.8	Y	A	Absent		PAHTCL-SIM(14),TPH-DRO(14)



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

GLOSSARY

Acronyms

- DL - Detection Limit: This value represents the level to which target analyte concentrations are reported as estimated values, when those target analyte concentrations are quantified below the limit of quantitation (LOQ). The DL includes any adjustments from dilutions, concentrations or moisture content, where applicable. (DoD report formats only.)
- EDL - Estimated Detection Limit: This value represents the level to which target analyte concentrations are reported as estimated values, when those target analyte concentrations are quantified below the reporting limit (RL). The EDL includes any adjustments from dilutions, concentrations or moisture content, where applicable. The use of EDLs is specific to the analysis of PAHs using Solid-Phase Microextraction (SPME).
- EMPC - Estimated Maximum Possible Concentration: The concentration that results from the signal present at the retention time of an analyte when the ions meet all of the identification criteria except the ion abundance ratio criteria. An EMPC is a worst-case estimate of the concentration.
- EPA - Environmental Protection Agency.
- LCS - Laboratory Control Sample: A sample matrix, free from the analytes of interest, spiked with verified known amounts of analytes or a material containing known and verified amounts of analytes.
- LCS D - Laboratory Control Sample Duplicate: Refer to LCS.
- LFB - Laboratory Fortified Blank: A sample matrix, free from the analytes of interest, spiked with verified known amounts of analytes or a material containing known and verified amounts of analytes.
- LOD - Limit of Detection: This value represents the level to which a target analyte can reliably be detected for a specific analyte in a specific matrix by a specific method. The LOD includes any adjustments from dilutions, concentrations or moisture content, where applicable. (DoD report formats only.)
- LOQ - Limit of Quantitation: The value at which an instrument can accurately measure an analyte at a specific concentration. The LOQ includes any adjustments from dilutions, concentrations or moisture content, where applicable. (DoD report formats only.)
- Limit of Quantitation: The value at which an instrument can accurately measure an analyte at a specific concentration. The LOQ includes any adjustments from dilutions, concentrations or moisture content, where applicable. (DoD report formats only.)
- MDL - Method Detection Limit: This value represents the level to which target analyte concentrations are reported as estimated values, when those target analyte concentrations are quantified below the reporting limit (RL). The MDL includes any adjustments from dilutions, concentrations or moisture content, where applicable.
- MS - Matrix Spike Sample: A sample prepared by adding a known mass of target analyte to a specified amount of matrix sample for which an independent estimate of target analyte concentration is available. For Method 332.0, the spike recovery is calculated using the native concentration, including estimated values.
- MSD - Matrix Spike Sample Duplicate: Refer to MS.
- NA - Not Applicable.
- NC - Not Calculated: Term is utilized when one or more of the results utilized in the calculation are non-detect at the parameter's reporting unit.
- NDPA/DPA - N-Nitrosodiphenylamine/Diphenylamine.
- NI - Not Ignitable.
- NP - Non-Plastic: Term is utilized for the analysis of Atterberg Limits in soil.
- NR - No Results: Term is utilized when 'No Target Compounds Requested' is reported for the analysis of Volatile or Semivolatile Organic TIC only requests.
- RL - Reporting Limit: The value at which an instrument can accurately measure an analyte at a specific concentration. The RL includes any adjustments from dilutions, concentrations or moisture content, where applicable.
- RPD - Relative Percent Difference: The results from matrix and/or matrix spike duplicates are primarily designed to assess the precision of analytical results in a given matrix and are expressed as relative percent difference (RPD). Values which are less than five times the reporting limit for any individual parameter are evaluated by utilizing the absolute difference between the values; although the RPD value will be provided in the report.
- SRM - Standard Reference Material: A reference sample of a known or certified value that is of the same or similar matrix as the associated field samples.
- STLP - Semi-dynamic Tank Leaching Procedure per EPA Method 1315.
- TEF - Toxic Equivalency Factors: The values assigned to each dioxin and furan to evaluate their toxicity relative to 2,3,7,8-TCDD.
- TEQ - Toxic Equivalent: The measure of a sample's toxicity derived by multiplying each dioxin and furan by its corresponding TEF and then summing the resulting values.
- TIC - Tentatively Identified Compound: A compound that has been identified to be present and is not part of the target compound list (TCL) for the method and/or program. All TICs are qualitatively identified and reported as estimated concentrations.

Report Format: Data Usability Report



Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

Footnotes

- 1 - The reference for this analyte should be considered modified since this analyte is absent from the target analyte list of the original method.

Terms

Analytical Method: Both the document from which the method originates and the analytical reference method. (Example: EPA 8260B is shown as 1,8260B.) The codes for the reference method documents are provided in the References section of the Addendum.

Chlordane: The target compound Chlordane (CAS No. 57-74-9) is reported for GC ECD analyses. Per EPA, this compound "refers to a mixture of chlordane isomers, other chlorinated hydrocarbons and numerous other components." (Reference: USEPA Toxicological Review of Chlordane, In Support of Summary Information on the Integrated Risk Information System (IRIS), December 1997.)

Difference: With respect to Total Oxidizable Precursor (TOP) Assay analysis, the difference is defined as the Post-Treatment value minus the Pre-Treatment value.

Final pH: As it pertains to Sample Receipt & Container Information section of the report, Final pH reflects pH of container determined after adjustment at the laboratory, if applicable. If no adjustment required, value reflects Initial pH.

Frozen Date/Time: With respect to Volatile Organics in soil, Frozen Date/Time reflects the date/time at which associated Reagent Water-preserved vials were initially frozen. Note: If frozen date/time is beyond 48 hours from sample collection, value will be reflected in 'bold'.

Gasoline Range Organics (GRO): Gasoline Range Organics (GRO) results include all chromatographic peaks eluting from Methyl tert butyl ether through Naphthalene, with the exception of GRO analysis in support of State of Ohio programs, which includes all chromatographic peaks eluting from Hexane through Dodecane.

Initial pH: As it pertains to Sample Receipt & Container Information section of the report, Initial pH reflects pH of container determined upon receipt, if applicable.

PAH Total: With respect to Alkylated PAH analyses, the 'PAHs, Total' result is defined as the summation of results for all or a subset of the following compounds: Naphthalene, C1-C4 Naphthalenes, 2-Methylnaphthalene, 1-Methylnaphthalene, Biphenyl, Acenaphthylene, Acenaphthene, Fluorene, C1-C3 Fluorenes, Phenanthrene, C1-C4 Phenanthrenes/Anthracenes, Anthracene, Fluoranthene, Pyrene, C1-C4 Fluoranthenes/Pyrenes, Benz(a)anthracene, Chrysene, C1-C4 Chrysenes, Benzo(b)fluoranthene, Benzo(j)+(k)fluoranthene, Benzo(e)pyrene, Benzo(a)pyrene, Perylene, Indeno(1,2,3-cd)pyrene, Dibenz(ah)+(ac)anthracene, Benzo(g,h,i)perylene. If a 'Total' result is requested, the results of its individual components will also be reported.

PFAS Total: With respect to PFAS analyses, the 'PFAS, Total (5)' result is defined as the summation of results for: PFHpA, PFHxS, PFOA, PFNA and PFOS. In addition, the 'PFAS, Total (6)' result is defined as the summation of results for: PFHpA, PFHxS, PFOA, PFNA, PFDA and PFOS. For MassDEP DW compliance analysis only, the 'PFAS, Total (6)' result is defined as the summation of results at or above the RL. Note: If a 'Total' result is requested, the results of its individual components will also be reported.

Total: With respect to Organic analyses, a 'Total' result is defined as the summation of results for individual isomers or Aroclors. If a 'Total' result is requested, the results of its individual components will also be reported. This is applicable to 'Total' results for methods 8260, 8081 and 8082.

Data Qualifiers

- A - Spectra identified as "Aldol Condensates" are byproducts of the extraction/concentration procedures when acetone is introduced in the process.
- B - The analyte was detected above the reporting limit in the associated method blank. Flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank. For MCP-related projects, flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank. For DOD-related projects, flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank AND the analyte was detected above one-half the reporting limit (or above the reporting limit for common lab contaminants) in the associated method blank. For NJ-Air-related projects, flag only applies to associated field samples that have detectable concentrations of the analyte above the reporting limit. For NJ-related projects (excluding Air), flag only applies to associated field samples that have detectable concentrations of the analyte, which was detected above the reporting limit in the associated method blank or above five times the reporting limit for common lab contaminants (Phthalates, Acetone, Methylene Chloride, 2-Butanone).
- C - Co-elution: The target analyte co-elutes with a known lab standard (i.e. surrogate, internal standards, etc.) for co-extracted analyses.
- D - Concentration of analyte was quantified from diluted analysis. Flag only applies to field samples that have detectable concentrations of the analyte.
- E - Concentration of analyte exceeds the range of the calibration curve and/or linear range of the instrument.
- F - The ratio of quantifier ion response to qualifier ion response falls outside of the laboratory criteria. Results are considered to be an estimated maximum concentration.
- G - The concentration may be biased high due to matrix interferences (i.e. co-elution) with non-target compound(s). The result should be considered estimated.
- H - The analysis of pH was performed beyond the regulatory-required holding time of 15 minutes from the time of sample collection.
- I - The lower value for the two columns has been reported due to obvious interference.
- J - Estimated value. This represents an estimated concentration for Tentatively Identified Compounds (TICs).
- M - Reporting Limit (RL) exceeds the MCP CAM Reporting Limit for this analyte.

Report Format: Data Usability Report



Project Name: ADRENALINE/EMPEOPLE
Project Number: A-5104-002-05

Lab Number: L2361902
Report Date: 10/27/23

Data Qualifiers

- ND** - Not detected at the reporting limit (RL) for the sample.
- NJ** - Presumptive evidence of compound. This represents an estimated concentration for Tentatively Identified Compounds (TICs), where the identification is based on a mass spectral library search.
- P** - The RPD between the results for the two columns exceeds the method-specified criteria.
- Q** - The quality control sample exceeds the associated acceptance criteria. For DOD-related projects, LCS and/or Continuing Calibration Standard exceedences are also qualified on all associated sample results. Note: This flag is not applicable for matrix spike recoveries when the sample concentration is greater than 4x the spike added or for batch duplicate RPD when the sample concentrations are less than 5x the RL. (Metals only.)
- R** - Analytical results are from sample re-analysis.
- RE** - Analytical results are from sample re-extraction.
- S** - Analytical results are from modified screening analysis.
- V** - The surrogate associated with this target analyte has a recovery outside the QC acceptance limits. (Applicable to MassDEP DW Compliance samples only.)
- Z** - The batch matrix spike and/or duplicate associated with this target analyte has a recovery/RPD outside the QC acceptance limits. (Applicable to MassDEP DW Compliance samples only.)

Project Name: ADRENALINE/EMPEOPLE

Lab Number: L2361902

Project Number: A-5104-002-05

Report Date: 10/27/23

REFERENCES

- 1 Test Methods for Evaluating Solid Waste: Physical/Chemical Methods. EPA SW-846. Third Edition. Updates I - VI, 2018.
- 121 Standard Methods for the Examination of Water and Wastewater. APHA-AWWA-WEF. Standard Methods Online.

LIMITATION OF LIABILITIES

Alpha Analytical performs services with reasonable care and diligence normal to the analytical testing laboratory industry. In the event of an error, the sole and exclusive responsibility of Alpha Analytical shall be to re-perform the work at it's own expense. In no event shall Alpha Analytical be held liable for any incidental, consequential or special damages, including but not limited to, damages in any way connected with the use of, interpretation of, information or analysis provided by Alpha Analytical.

We strongly urge our clients to comply with EPA protocol regarding sample volume, preservation, cooling, containers, sampling procedures, holding time and splitting of samples in the field.



Alpha Analytical, Inc.
 Facility: **Company-wide**
 Department: **Quality Assurance**
 Title: **Certificate/Approval Program Summary**

Certification Information

The following analytes are not included in our Primary NELAP Scope of Accreditation:

Westborough Facility

EPA 624.1: m/p-xylene, o-xylene, Naphthalene

EPA 625.1: alpha-Terpineol

EPA 8260D: NPW: 1,2,4,5-Tetramethylbenzene; 4-Ethyltoluene, Azobenzene; SCM: Iodomethane (methyl iodide), 1,2,4,5-Tetramethylbenzene; 4-Ethyltoluene.

EPA 8270E: NPW: Dimethylnaphthalene,1,4-Diphenylhydrazine, alpha-Terpineol; SCM: Dimethylnaphthalene,1,4-Diphenylhydrazine.

SM4500: NPW: Amenable Cyanide; SCM: Total Phosphorus, TKN, NO₂, NO₃.

Mansfield Facility

SM 2540D: TSS.

EPA TO-15: Halothane, 2,4,4-Trimethyl-2-pentene, 2,4,4-Trimethyl-1-pentene, Thiophene, 2-Methylthiophene,

3-Methylthiophene, 2-Ethylthiophene, 1,2,3-Trimethylbenzene, Indan, Indene, 1,2,4,5-Tetramethylbenzene, Benzothiophene, 1-Methylnaphthalene.

Biological Tissue Matrix: EPA 3050B

The following analytes are included in our Massachusetts DEP Scope of Accreditation

Westborough Facility:

Drinking Water

EPA 300.0: Chloride, Nitrate-N, Fluoride, Sulfate; EPA 353.2: Nitrate-N, Nitrite-N; SM4500NO3-F: Nitrate-N, Nitrite-N; SM4500F-C, SM4500CN-CE,

EPA 180.1, SM2130B, SM4500CI-D, SM2320B, SM2540C, SM4500H-B, SM4500NO2-B

EPA 524.2: THMs and VOCs; EPA 504.1: EDB, DBCP.

Microbiology: SM9215B; SM9223-P/A, SM9223B-Colilert-QT, SM9222D.

Non-Potable Water

SM4500H,B, EPA 120.1, SM2510B, SM2540C, SM2320B, SM4500CL-E, SM4500F-BC, SM4500NH3-BH: Ammonia-N and Kjeldahl-N, EPA 350.1:

Ammonia-N, LACHAT 10-107-06-1-B: Ammonia-N, EPA 351.1, SM4500NO3-F, EPA 353.2: Nitrate-N, SM4500P-E, SM4500P-B, E, SM4500SO4-E,

SM5220D, EPA 410.4, SM5210B, SM5310C, SM4500CL-D, EPA 1664, EPA 420.1, SM4500-CN-CE, SM2540D, EPA 300: Chloride, Sulfate, Nitrate.

EPA 624.1: Volatile Halocarbons & Aromatics,

EPA 608.3: Chlordane, Toxaphene, Aldrin, alpha-BHC, beta-BHC, gamma-BHC, delta-BHC, Dieldrin, DDD, DDE, DDT, Endosulfan I, Endosulfan II,

Endosulfan sulfate, Endrin, Endrin Aldehyde, Heptachlor, Heptachlor Epoxide, PCBs

EPA 625.1: SVOC (Acid/Base/Neutral Extractables).

Microbiology: SM9223B-Colilert-QT; Enterolert-QT, SM9221E, EPA 1600, EPA 1603, SM9222D.

Mansfield Facility:

Drinking Water

EPA 200.7: Al, Ba, Cd, Cr, Cu, Fe, Mn, Ni, Na, Ag, Ca, Zn. EPA 200.8: Al, Sb, As, Ba, Be, Cd, Cr, Cu, Pb, Mn, Ni, Se, Ag, TL, Zn. EPA 245.1 Hg.

EPA 522, EPA 537.1.

Non-Potable Water

EPA 200.7: Al, Sb, As, Be, Cd, Ca, Cr, Co, Cu, Fe, Pb, Mg, Mn, Mo, Ni, K, Se, Ag, Na, Sr, TL, Ti, V, Zn.

EPA 200.8: Al, Sb, As, Be, Cd, Cr, Cu, Fe, Pb, Mn, Ni, K, Se, Ag, Na, TL, Zn.

EPA 245.1 Hg.

SM2340B

For a complete listing of analytes and methods, please contact your Alpha Project Manager.



LABORATORY:

L 236902

ICE: Y / N Cooler Temperature (C°):

Analyses Requested

Company to Bill: Tighe & Bond
 PM to Bill: Eric Doremus
 PO to Bill: A-5104-002-05

State Samples Collected in: ME
 Data Delivery: PDF Excel Enviro Data Limit Checker
 IAT: Standard 5-Day 4-Day 3-Day 2-Day
 Metals: Field Filtered Lab to Filter
 PCBs: Soxhlet Non Soxhlet

Office Location: Portsmouth NH
 Project Name: Adrenaline / Empeople
 Project Location: 1220 Brighton Ave., Portland, ME
 Project Number: A-5104-002-05
 Project Manager: Eric Doremus
 Sampled By: M. Carr
 Phone Number:
 Quote ID/Price List:
 Email: swozniakowski@tighebond.com
 Distribution List: scourtemanche@tighebond.com
 mcarr@tighebond.com

Lab Sample ID	Tighe & Bond Sample ID	Sample Depth (ft)	Sample Date	Sample Time	Sample Type (GAS/LIQUID)	Matrix Code	VOCS - EPA 8260	PAHS - EPA 8270	TPH EPA 8100	Dry Weight	Amber Glass Size: Pres:	Amber Glass Size: Pres:	Soil Jar Size: 8 oz Pres: Ice	Soil Jar Size: Pres:	Water VOA Vial Pres: Pres:	Soil VOA Vial Pres: Pres:	Plastic Size: Pres:	Plastic Size: Pres:	Other: Weight Size: Pres:	Other: Weight Size: Pres:	Total Number of Containers
61902-01	B-9, S-3	14-16 feet	10/17/2023	245 PM	Grab	Soil	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			1			3				1	5
02	B-8, S-9	16-18 feet	10/17/2023	1145 AM	Grab	Soil	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			1			3				1	5
03	B-8, S-11	20-22 feet	10/17/2023	1200 PM	Grab	Soil	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			1			3				1	5

Relinquished by: (signature) Scott Manabali Date/Time: 10/18/23
 Received by: (signature) Date/Time: 10/18/23
 Relinquished by: (signature) Date/Time: 10/18/23
 Received by: (signature) Date/Time: 10/18/23
 Relinquished by: (signature) Date/Time: 10/18/23
 Received by: (signature) Date/Time: 10/18/23
 Relinquished by: (signature) Date/Time: 10/18/23
 Received by: (signature) Date/Time: 10/18/23

Comments: STRONG PETROLEUM ODORS and SHEENS in the samples.
 B-8, S-9: 45 ppmv B-8, S-11: 50 ppmv
 B-8, S-9: 200 ppmv B-8, S-11: 50 ppmv

Reporting Limits/Criteria Requirements:
 MA: MCP CAM Method 1: S-1 S-2 S-3 RCS-1/RCGW-1 RCS-2/RCGW-2 MWRA
 RI: RES DEC I/C DEC GA Leachability GB Leachability GA-GW Objectives GB-GW Objectives
 CT: RCP Cert. GWPC SWPC RES DEC I/C DEC GA PMC GB PMC Other MAINE

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR



MELANIE LOYZIM
COMMISSIONER

August 28, 2024

Portland Hotels, Inc.
Attn: Kamlesh Patel
1220 Brighton Avenue
Portland, Maine 04102

Re: Recommended actions for 1220 Brighton Avenue, Portland, Maine

Dear Mr. Patel:

The Maine Department of Environmental Protection (the “Department”) issued a Voluntary Response Action Program (“VRAP”) No Further Action Assurance letter to ExxonMobil on February 6, 2004, for the property located at 1200 Brighton Avenue in Portland, Maine. That property is adjacent to your property at 1220 Brighton Avenue, and has many of the same characteristics.

In the February 6, 2004 letter to ExxonMobil, the Department called attention to a former city dump located in the area that had been identified in the investigations. This dump is located 10 feet or greater below the current ground surface (and fill), and extends not only under the abutting property but almost assuredly under your property as well. As such, the conditions for the safe use of your property are the same as for the 1200 Brighton Avenue property: if contamination is discovered (i.e. odors, stained or discolored soils, etc.) during excavation at the 1220 Brighton Avenue property, the Department should be notified and any soils that cannot be reused onsite will be handled, characterized, and disposed of at an approved disposal facility; and any new structures to be constructed on the property should have a vapor barrier and/or sub-slab depressurization system installed prior to occupancy. Taking these precautions will mitigate any potential risks posed by the contaminated soils located at depth.

If you should have any questions regarding this letter, please feel free to contact me at nick.hodgkins@maine.gov, or call my cell phone at (207) 592-0882.

Sincerely,

Nicholas J. Hodgkins
Director, Division of Remediation
Bureau of Remediation & Waste Management

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143



Rowen McAllister <rmcallister@portlandmaine.gov>

1220 Brighton Ave

1 message

Maggie Stanley <stanley.maggie@gmail.com>
To: planning@portlandmaine.gov

Wed, Mar 4, 2026 at 10:44 AM

Dear Planning Board,

I'm writing in regards to the application for the zone change at [1220 Brighton Ave](#). The applicant states that the lot is not developable as it is a brownfields site, and has min requirements for height and build to zones. While I would sympathize if a property owner was blindsided by Re-Code, and suddenly their plans to develop a site would no longer work, according to the tax assessor's website, the property owners bought this parcel after the current Zoning map was in effect.

The planning department and the planning board spent a lot of time evaluating the City's needs and desires for how the city should grow and determined that certain areas should be reserved for higher density on transportation nodes. The TOD is how we envision our future city. I challenge the board to be VERY critical of any needs that the developer states is a must in order to rezone this parcel. This particular area was deemed a location where we wanted to encourage higher density development near transportation corridors and create density nodes. Reverting backwards to parking lots aligning the street, with set back buildings and drive throughs with no sense of place is not the direction the city envisioned. The developer could still build a Panera, build offices or apartments above it, have ground floor retail and parking towards the rear of the building. There are numerous funding sources for Brownfields grants, and if they partnered with an affordable housing developer or other non-profits, there is lots of money for that.

Allowing zone changes of this nature that do nothing to promote the goals of the city and revert to a building type of the past is not the growth the city envisioned when balancing present and future needs of the city in the comprehensive plan and re-code. It seems this developer did not do their proper due diligence when purchasing this property.

-Maggie Stanley

[c. 207.266.7803](tel:207.266.7803)

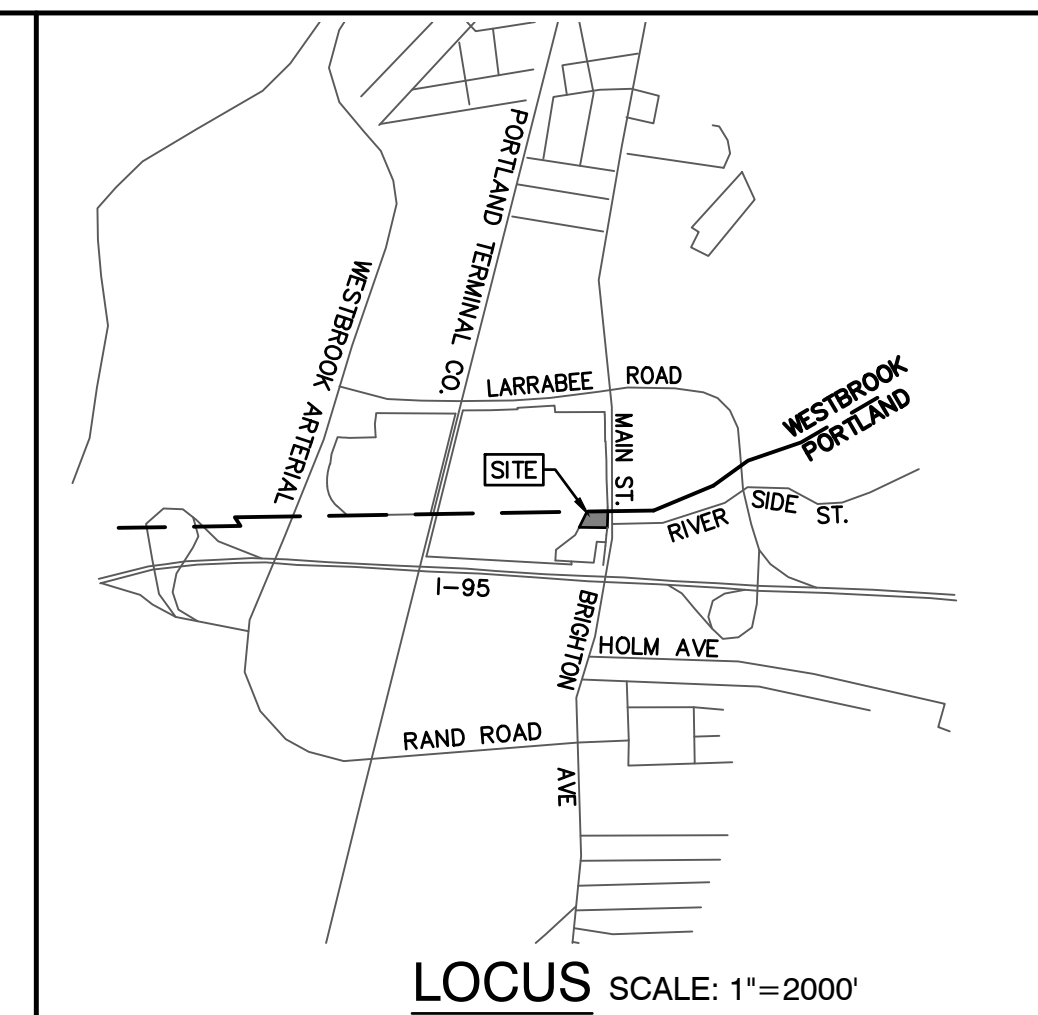
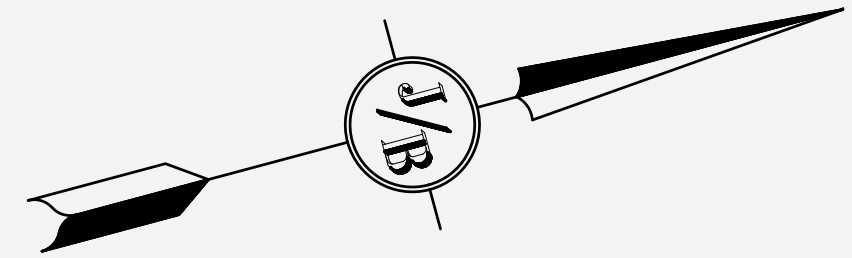
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Your inquiry has been received by the City of Portland Planning and Urban Development Department. A staff member from the Department will be in touch with you, with a response, as soon as possible.

Thank you.

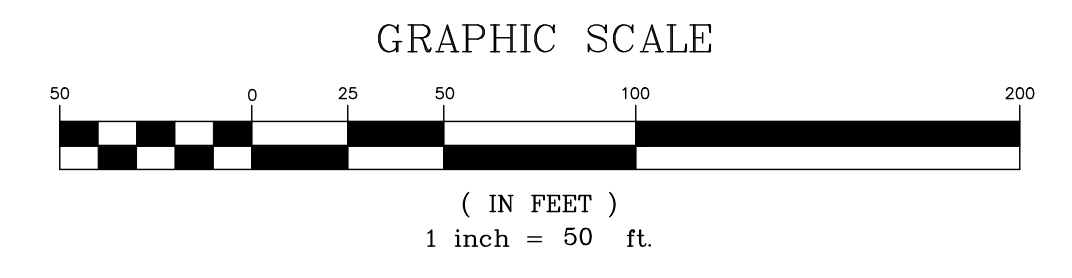
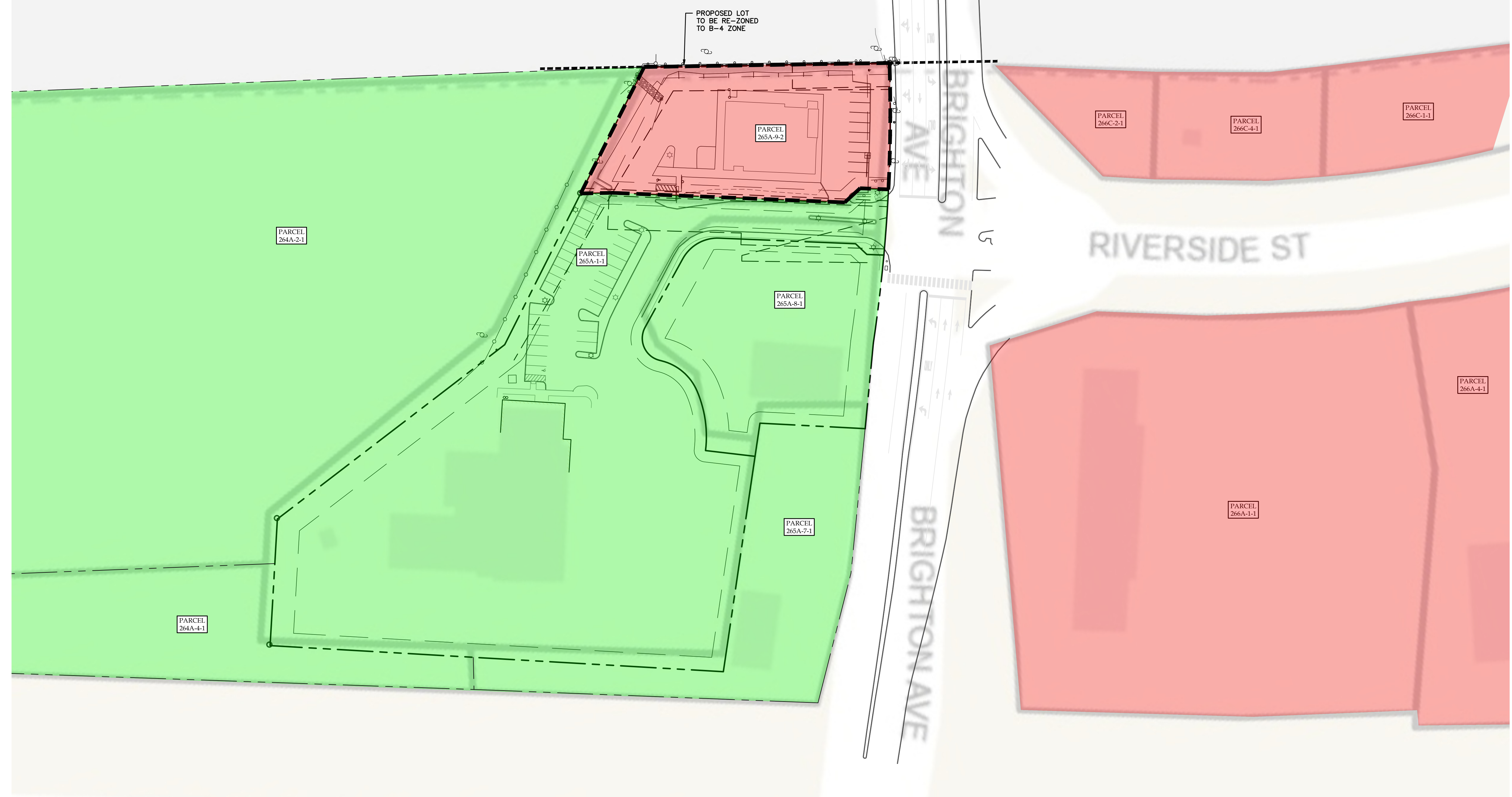
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Planning and Urban Development Department
City Hall, [389 Congress Street, 4th Floor](#)
Portland, Maine 04101
(207) 874-8719 (T)
(207) 756-8258 (F)
planning@portlandmaine.gov
www.portlandmaine.gov
Office Hours are Monday - Friday 8:00 a.m. - 4:00 p.m.



LEGEND:

- TOD-2 ZONE
- B4 ZONE



Design:ISM	Draft: TCR	Date: 02/04/26
Checked:WGM	Scale: AS NOTED	Project No.: 20784
Drawing Name: 20784-PLAN-ZONING.DWG		
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.		

REV.	DATE	REVISION	BY
0	02/04/26	ISSUED FOR REVIEW	TCR

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. 603-772-4746
 PO Box 219 FAX: 603-772-0227
 Stratham, NH 03885 E-Mail: JBE@JONESANDBEACH.COM

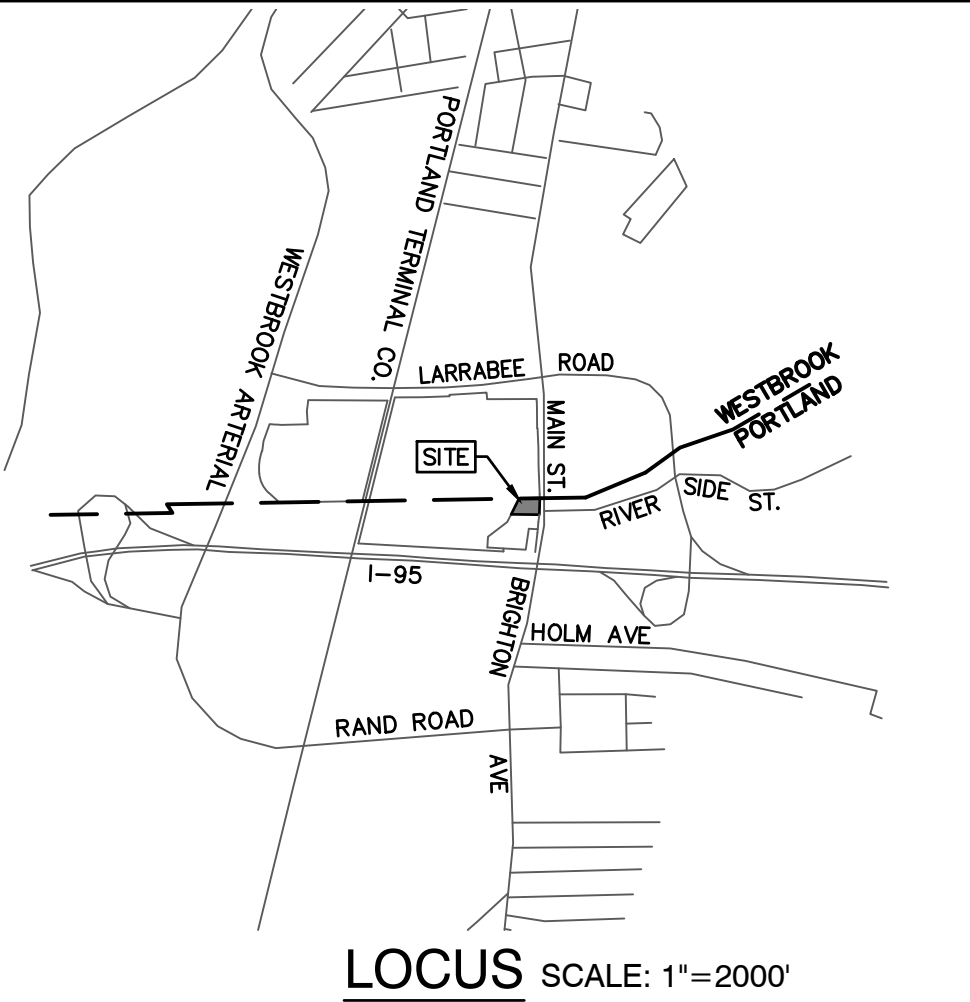
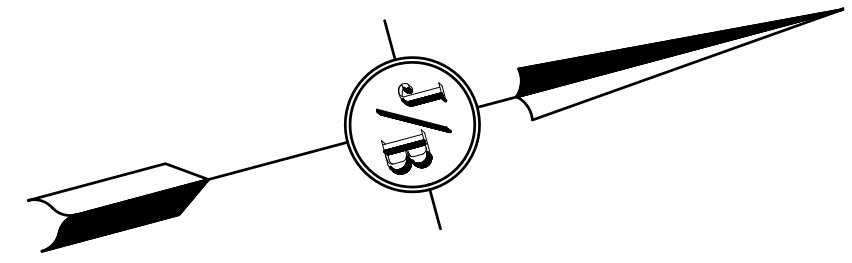
Civil Engineering Services

Plan Name:	MAP AMENDMENT PLAN
Project:	PROPOSED COMMERCIAL REDEVELOPMENT 1220 BRIGHTON AVENUE, PORTLAND, ME
Owner of Record:	PORTLAND WEST REALTY, INC 1150 BRIGHTON AVE, PORTLAND, ME 04102

DRAWING No.

Z2

SHEET 2 OF 3
JBE PROJECT NO. 20784

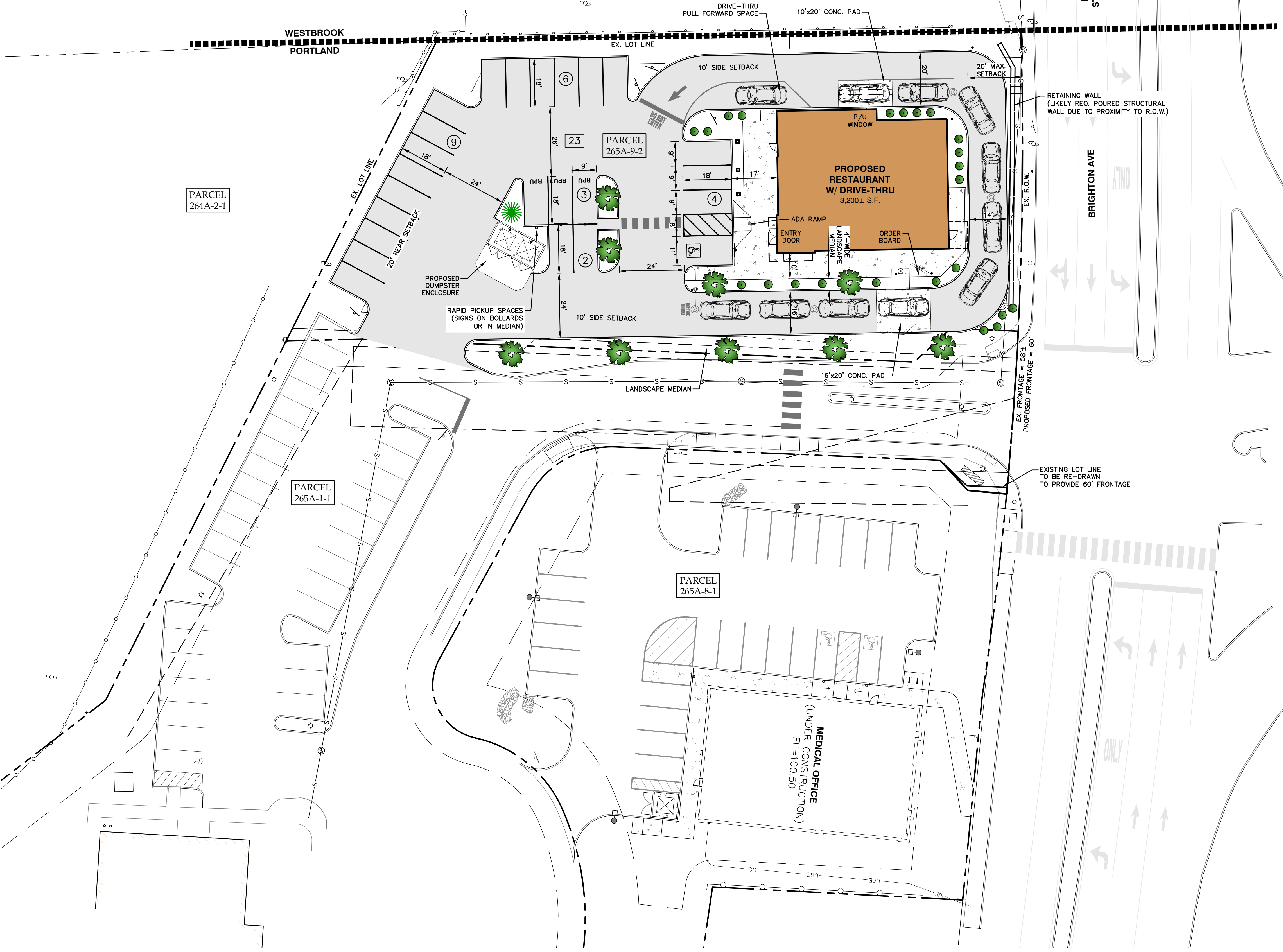
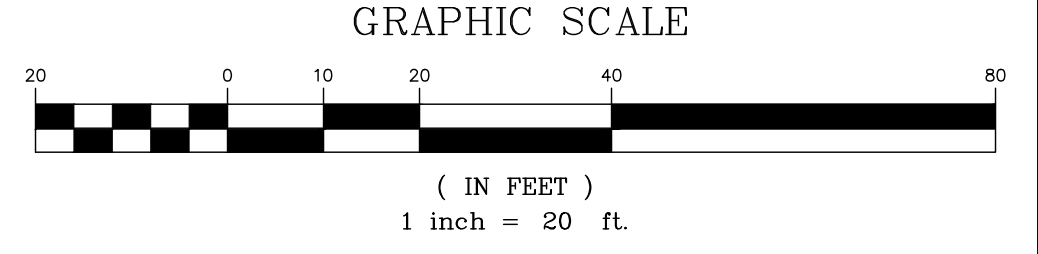


- SITE NOTES:**
- THE INTENT OF THIS PLAN IS TO CONSTRUCT A RESTAURANT WITH DRIVE-THRU LOT A-9, PROJECT TO BE SERVED BY ELECTRIC, GAS, MUNICIPAL SEWER & PUBLIC WATER.
 - ZONING DISTRICT: B4 - COMMERCIAL CORRIDOR ZONE

REQUIRED	PROPOSED
LOT AREA MINIMUM = 10,000 S.F.	111'±
BUILDING SETBACKS:	
MAX. FRONT SETBACK = 20'	20'
MIN. SIDE SETBACK = 10'	19'
MIN. REAR SETBACK = 20'	100'+
MAX. BUILDING HEIGHT = 65'	<30'
MAX. IMPERVIOUS SURFACE = 80%	-
 - ZONING DISTRICT: TOD2 - TRANSIT-ORIENTED DEVELOPMENT ZONE 2

REQUIRED	PROPOSED
LOT AREA MINIMUM = N/A	-
LOT FRONTAGE MINIMUM = N/A	-
BUILD-TO-ZONE = 0-5'	-
BUILD-TO PERCENTAGE (MIN.) = 100%	-
BUILDING LENGTH AS A PERCENTAGE OF STREET FRONTAGE (MIN.) = 80%	-
BLANK WALL AREA (MAX.) = 20'	-
BUILDING SETBACKS:	
MAX. REAR SETBACK = N/A UNLESS ABUTTING RESIDENTIAL	-
MIN. SIDE SETBACK = N/A UNLESS ABUTTING RESIDENTIAL	-
STRUCTURE HEIGHT (MIN/MAX) = 35/125'	-
 - VEHICLE & BIKE SPACE REQUIREMENTS (MAXIMUMS):

RESTAURANTS: 1 SPACE / 100 SQ.FT. OF INDOOR FLOOR AREA +	
1 SPACE / 300 SQ.FT. OF OUTDOOR SEATING AREA	
>5,000 SQ.FT.: 1 BIKE SPACE / 1,500 SQ.FT. FLOOR AREA	
- MAX. PARKING SPACES ALLOWED = XX
 TOTAL SPACES PROPOSED = 23
 REQ. STANDARD PARKING SPACE DIMENSIONS = 18' X 9'



Design:ISM	Draft: TCR	Date: 02/04/26
Checked:WGM	Scale: AS NOTED	Project No.: 20784
Drawing Name: 20784-PLAN-ZONING.DWG		
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REV.	DATE	REVISION	BY
0	02/04/26	ISSUED FOR REVIEW	TCR

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

85 Portsmouth Ave. PO Box 219 Stratham, NH 03885

Civil Engineering Services

603-772-4746 FAX: 603-772-0227 E-Mail: JBE@JONESANDBEACH.COM

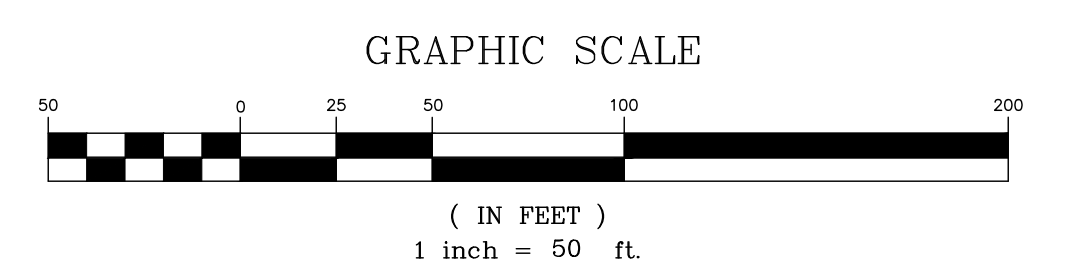
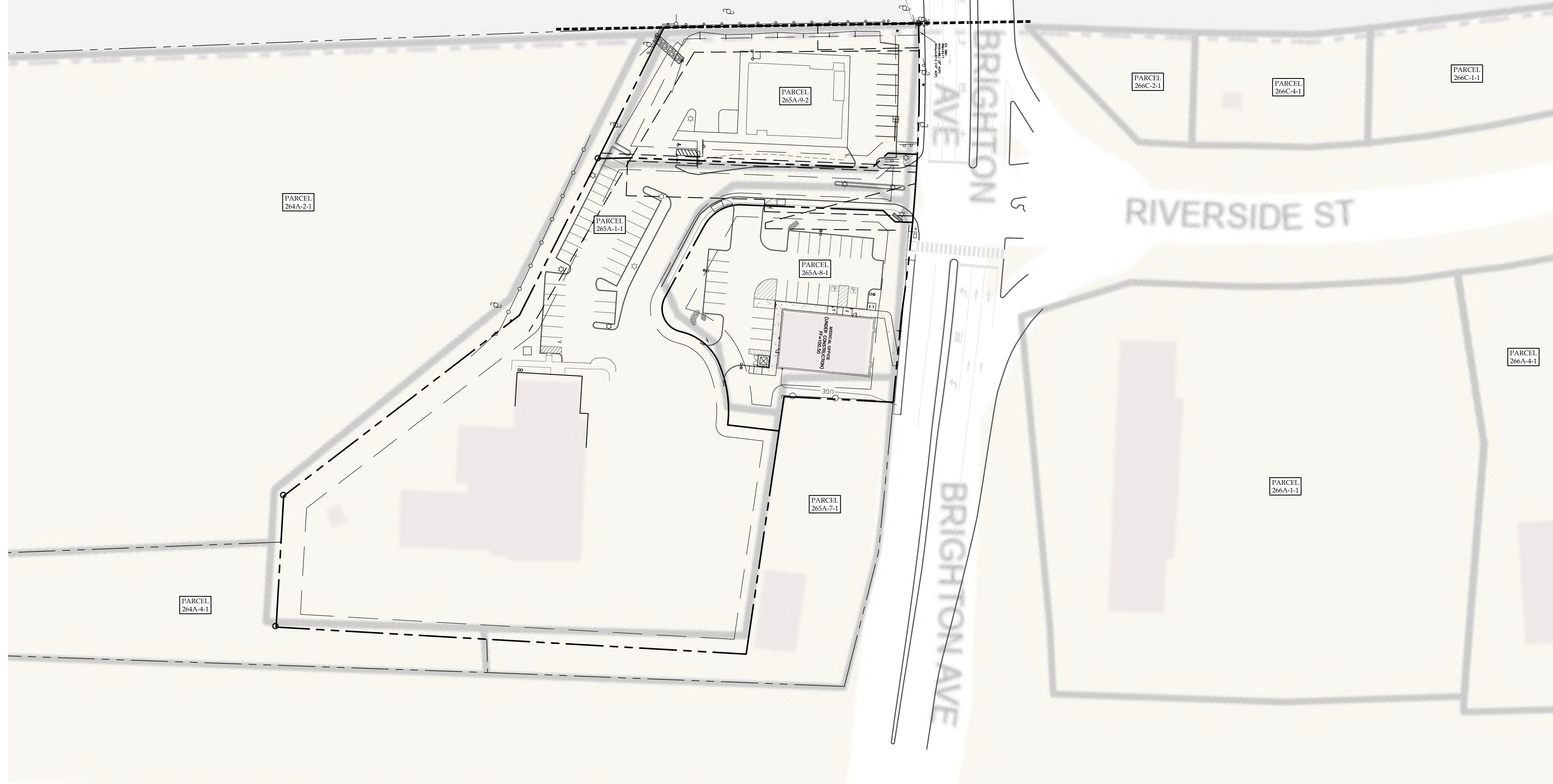
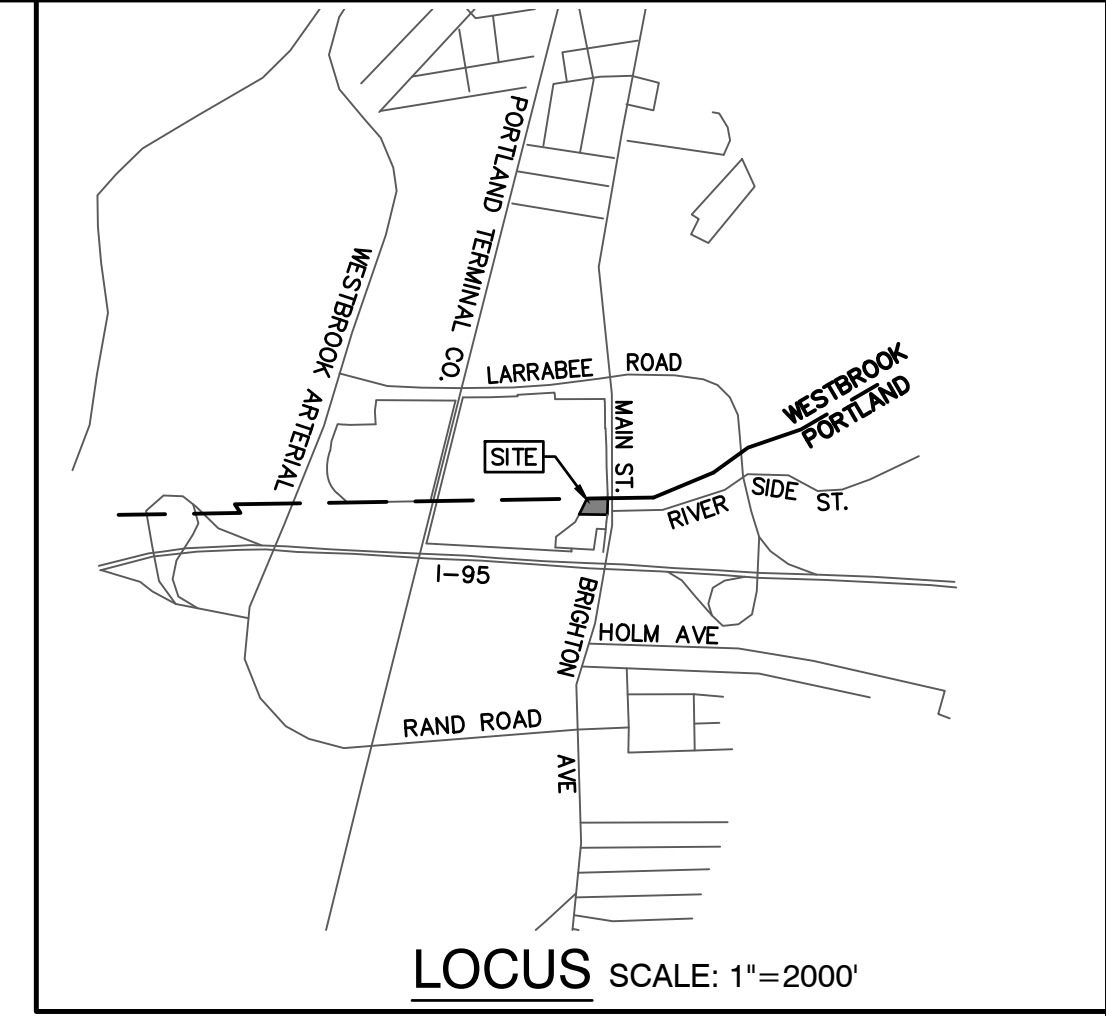
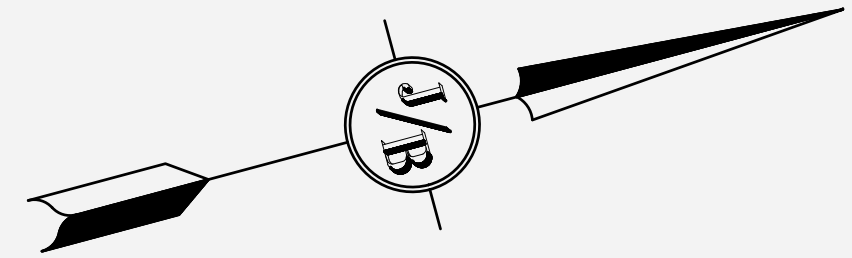
Plan Name: **SITE PLAN**

Project: **PROPOSED COMMERCIAL REDEVELOPMENT 1220 BRIGHTON AVENUE, PORTLAND, ME**

Owner of Record: **PORTLAND WEST REALTY, INC 1150 BRIGHTON AVE, PORTLAND, ME 04102**

DRAWING No. **Z3**

SHEET 3 OF 3
 JBE PROJECT NO. 20784



Design:ISM	Draft: TCR	Date: 02/04/26
Checked:WGM	Scale: AS NOTED	Project No.: 20784
Drawing Name: 20784-PLAN-ZONING.DWG		
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REV.	DATE	REVISION	BY
0	02/04/26	ISSUED FOR REVIEW	TCR

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.

Civil Engineering Services

85 Portsmouth Ave. 603-772-4746
 PO Box 219 FAX: 603-772-0227
 Stratham, NH 03885 E-Mail: JBE@JONESANDBEACH.COM

Plan Name:	VICINITY PLAN
Project:	PROPOSED COMMERCIAL REDEVELOPMENT 1220 BRIGHTON AVENUE, PORTLAND, ME
Owner of Record:	PORTLAND WEST REALTY, INC 1150 BRIGHTON AVE, PORTLAND, ME 04102

DRAWING No.	Z1
SHEET 1 OF 3 JBE PROJECT NO. 20784	

Planning and Urban Development

Matthew Grooms, AICP

Deputy Director



To: Chair Zamboni & the Portland Planning Board
From: Matthew Grooms, Deputy Director, Planning & Urban Development
Re: Tabling Request for 16 Purington Way (PL-003302-2025)
Date: May 20, 2026

Staff is requesting that the Planning Board table the public hearing for the 16 Purington Way Major Site Plan Application, submitted by Nelson Property Services, and currently scheduled for May 26, 2026, to the Planning Board's regularly scheduled June 23, 2026 meeting.

The requested tabling is intended to provide the applicant additional time to address outstanding review comments and submit revised materials related to several components of the application, including building elevations and stormwater management details. The applicant also failed to post the required public hearing signage on the property within the 10-day timeframe of the scheduled public hearing, as is required under Land Use Code Section 13.5.7. Staff believes that allowing additional time for revisions and coordination will help facilitate a more complete application record and a more efficient public hearing process for both the applicant and the Board.

Planning and Urban Development

Matthew Grooms, AICP

Deputy Director



To: Chair Zamboni & the Portland Planning Board
From: Matthew Grooms, Deputy Director, Planning & Urban Development
Re: Tabling Request for o Dalton Street (PL-003335-2025)
Date: May 20, 2026

Staff is requesting that the Planning Board table the public hearing for the o Dalton Street Major Site Plan Application, submitted by Nelson Property Services, and currently scheduled for May 26, 2026, to the Planning Board's regularly scheduled June 23, 2026 meeting.

The applicant failed to post the required public hearing signage on the property within the 10-day timeframe of the scheduled public hearing outlined in Land Use Code Section 13.5.7.