

PORTLAND FISH PIER AUTHORITY
BOARD OF DIRECTORS
June 8, 2020, 3:00 PM

Please click the link below to join the webinar:

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PFPA Board Members:

Class A Director: Member of the Portland City Council/Nicholas Mavodones, President

Class B Director: Representing the Fishing Industry/Meredith Mendelson, ME Dept. of Marine Resources

Class C Director: Representing the Commission of ME Dept. of Trans./Matthew Burns, Treasurer

Ex-Officio Director: Representing the City Manager/Brendan O'Connell, Finance Director

Ex-Officio Director: President of the Board of Directors of the Portland Fish Exchange/Thomas Valteau, Vice President

1. Approval of Meeting Minutes

- a. See attached draft meeting Minutes of April 14, 2020 - ACTION ITEM - Public Comment
- b. See attached draft meeting Minutes of February 10, 2020 - ACTION ITEM - Public Comment

2. Financial Update - Including statements covering the period from February to May 2020. Material produced by Rhonda Girard, Finance, presented by Bill Needelman, Waterfront Coordinator

- a. See attached Financial material.

3. Facilities Update - Phil DiPierro, Project Manager

4. Portland Fish Exchange update and sub-tenant rent deferral reimbursement request - Tom Valteau, PFE President; Bert Jongerden, PFE General Manager

- a. The PFE requests an action by the PFPA Board affirming that rent deferral for Cozy Harbor and Dropping Springs will be reimbursed.

The PFE Board is asking that **IF** the FPA **FORGIVES** land lease rental payments, that PFE be reimbursed for the forgiven rental payments for Cozy Harbor and Dropping Springs (for whatever months are included).

ACTION ITEM - Public Comment

5. Lot 12A - Freedom Fish Building - Guidance on Lease Assignment

- a. The Board is asked to provide guidance to staff on ground lease issues associated with the planned sale of the Freedom Fish building on Lot 12A to Blue Ocean Seafood.

Consistent with Executive Session Statute 1 M.R.S.A. 405(6)(C) and (E), the Board may vote to into executive session.

No action on this item is anticipated at the June 8 meeting. Following guidance from the Board, staff will work with Blue Ocean to bring terms of an assigned or restated lease to the Board for approval at a later meeting. Members of the Blue Ocean team will be available to take questions from the Board in public session if needed.

6. Waterfront Maine Request to amend lease terms and development agreement on Lot 12 - Dan Jacques, Waterfront Maine

- a. At the February 10, 2020, meeting, Waterfront Maine, current lease and development option holders on Lot 12, requested an opportunity to discuss with the Board short- and/or long-term options for securing access to the Browne Trading Company (on abutting property to the Portland Fish Pier) across Lot 12.

The current Lot 12 lease with Waterfront Maine is poised to expire on March 31, 2021. The current third amendment was provided. Waterfront Maine requested extension of the lease until September 2023.

Consistent with Exec Session statute--1 MRS 405(6)(C) & (E) the Board may go into Executive Session to discuss this item.

Waterfront Maine currently pays \$1,750/month in rent (\$60.34 per parking space based on 29 parking spaces for Browne Trading). Staff suggests escalating this fee to \$2,610 (increasing the fee to \$90/month parking space equivalents or \$1.31/sq. ft. yearly rate for the entire lot based on 23,922 sq. ft.).

ACTION ITEM - Public Comment

7. **COVID-19 Response - Fish Pier Tenant Status and Potential Response - Bill Needelman, Waterfront Coordinator**

- a. **Consistent with Executive Session Statute 1 M.R.S.A. 405(6)(C) and (E), the Board may vote to go into Executive Session.**

At the previous meeting, the Board passed the following Motion:

The PFPA authorizes deferral of all lease payments for ground lease and berthing tenants until June 30, 2020, and such payments shall not be due until the 2021 calendar year. The President of the Board is authorized to execute any lease amendments or other documents prepared by the Corporation Counsel required to memorialize the deferral.

Staff is looking for direction from the Board on a preferred direction for repayment of deferred ground lease and berthing rent. Options include but are not limited to:

1. Abatement of all rent for the defined period of time.
2. Back rent will be due on January 1, 2021.
3. Back rent will be divided into partial payments with one increment added to each monthly payment in for a defined period of time. For example: Back rent divided by 12, for payment monthly in 2021. Divided by 24, for payment monthly through 2022....
4. Extension of deferral to beyond June 2020
5. Other options.

Staff has reached out to Fish Pier tenants and subtenants by email for feedback on their status and will relay any new information to the Board during this discussion.

POTENTIAL ACTION ITEM - Public Comment

COVID-19 Relief, Federal Funds: The Board is also asked to have a discussion and provide thoughts on potential ideas for use of the \$20 million in Federal aid for Maine fisheries. How to use it. Tom Valteau, PFE President

8. **Options for Strategic Planning**

- a. Staff seeks direction from the Board on options for strategic planning moving forward in the face of the on-going pandemic. Options include, but are not limited to:
 - No action - delay strategic planning
 - RFP - move forward with a consultant led process as previously discussed
 - Staff driven strategic process - utilize Economic Development staff, PFE staff, and other City Departments, augmented by technical or professional consultant support for specific tasks
 - Staff driven limited actions targeted toward specific outcomes. Examples:
 - *Research opportunities for PFX Lobster auction
 - *Identify industry needs and infrastructure gaps
 - *Monitor short-term industry needs driven by the pandemic
 - *Berthing expansions
 - * Other actions suggested by the Board...

9. Update on the Portland Harbor Dredge and CAD projects: Portland Harbor Commercial Revitalization Project - CRP. TIME PERMITTING, Bill Needelman, Waterfront Coordinator

10. Update on the potential to develop a cold storage facility at the International Marine Terminal. TIME PERMITTING, Bill Needelman, Waterfront Coordinator

11. Orientation Aerial Photo, Context, Lots, and Leases

- a. See attached aerial photo.

Draft Meeting Minutes

**PORTLAND FISH PIER AUTHORITY BOARD OF
DIRECTORS**

April 14, 2020, 3:00pm
Postponed from April 13, 2020

Remote Meeting Format – ZOOM
Platform.

*Login was emailed separately to the PFPA
Board, Staff, and Interested Parties list*

PFPA Board members present

Class A Director: Member of the Portland City Council - Nicholas Mavodones, President

Class B Director: Representing the fishing industry - Meredith Mendelson, Department of Marine Resources

Class C Director: Representing the Commissioner of the Maine Department of Transportation – Matthew Burns, Treasurer.

Ex-Officio Director: Representing the City Manager - Brendan O’Connell, Finance Director

Ex-Officio Director: President of the Board of Directors of the Portland Fish Exchange – Thomas Valteau, Vice President

1. Approval of February 10, 2020 Meeting Minutes

The draft February 10, 2020 minutes will be approved at a future meeting.

2. Introduction to Blue Ocean Seafood, Lot 12a -Ernie Salamone, Sophy Im

Blue Ocean is a Scarborough based seafood processing firm and are potential buyers of the Freedom Fish building on Lot 12a. Representatives of the firm introduced themselves to the Board and describe their plans for the building.

3. Financial update - Up to date financial statements were not available in time for this meeting and will be presented for the Board’s review at a later time.

4. Portland Fish Exchange update - Bert Jongerden, PFX, Tom Valteau, PFX President
A current financial statement for the PFX was presented to inform discussion on potential actions under agenda item 6, below. For the fiscal year ending April 30, 2020, the PFX ended the year with a \$135,000 deficit.

5. COVID -19 response- Fish Pier Tenant Status and Potential Response – Bill Needelman, Waterfront Coordinator; Greg Mitchell, Economic Development Director

Agenda 1
April 14 Meeting Minutes

The Economic Development staff has surveyed Portland Fish Pier land lease tenants and marine use subtenants regarding operational and financial impacts of the pandemic to their businesses. Economic Development staff reported the generalized results of this inquiry to the Board and recommended that the Board take immediate measures to help secure ongoing operations where possible, and speedy recovery for businesses that have temporarily suspended operations.

Motion by Valleau, 2nd by O'Connell, Consistent with Exec Session statute--1 MRS 405(6)(C) & (E) the Board voted to go into Executive Session . 5-0, passed by all present.

Note: Board member Mendelson left the executive session at +/-3:30 to attend to a previous commitment.

Motion by Valleau, 2nd by Burns, to return to public session, Vote 4-0 (Mendelson absent,) passed by all present.

Based on the request by the Portland Fish Exchange, Board members expressed support for the exchange and the need for financial support to cover year end shortfalls.

Board member Valleau recused himself, as the PFX president making the request. Board member Mavodones disclosed his status as a PFX board member with no conflict participating in the proceedings.

Motion by O'Connell, 2nd by Burns: The PFFPA Board approves the Portland Fish Exchange request for \$135,000 to reimburse the Fish Exchange for its operating deficit for the year ending in April, 2020. Motion passed 3-0 (Mendelson absent, Valleau recused)

No public comment.

Motion by Burns, 2nd by Valleau: The PFFPA authorizes deferral of all lease payments for ground lease and berthing tenants until June 30, 2020, and such payments shall not be due until the 2021 calendar year. The President of the Board is authorized to execute any lease amendments or other documents prepared by the Corporation Counsel required to memorialize the deferral." Motion passed 4-0 (Mendelson absent)

No public comment.

The Board discussed parking leases and clarified that rents would continue to be collected from long-term and month-to-month parking tenants.

6. Facilities update - Phil DiPierro, Project Manager, referred to the Facilities update in

Agenda 1
April 14 Meeting Minutes

the meeting packet, noting that cathodic protection was delayed due to the virus, but that pile replacement continued. Facilities staff was looking at grading issues at the Marine Trade Center to improve drainage and that security camera upgrades were planned.

7. **Update on the Portland Harbor Dredge and CAD projects: Portland Harbor Commercial Revitalization Project - CRP** *Deferred*
8. **Update on the potential to develop a cold storage facility at the International Marine Terminal.** *Deferred*
9. **Lot 1-1 Update.** Bill Needelman, Waterfront Coordinator.

Needelman provided a brief update on the Maine Sustainable Seafood (Shucks) development proposal for Lot 1-1. The time limit has expired on the Board's vote to "not entertain offers" on Lot 1-1. Needelman checked in with John Hathaway, Shucks, to confirm that no additional proposal material would be provided to the Board. Mr. Hathaway thanked the Board and confirmed that he would not be proposing development of Lot 1-1 at this time. Needelman has informed Mr. Hathaway that no barriers are currently in place that would prevent him from making proposals to the Board in the future.

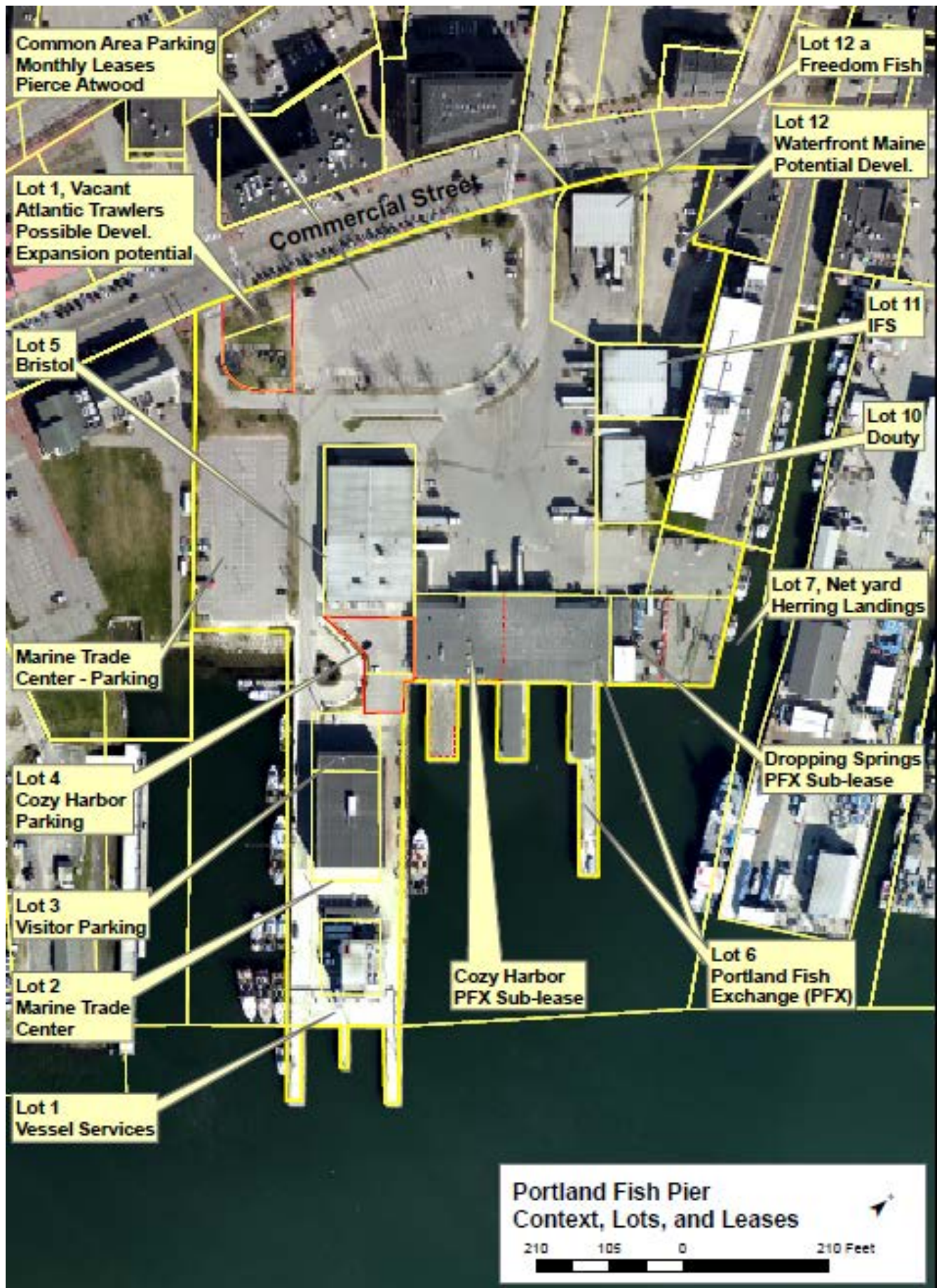
The Board voted to adjourn (motion by Valteau, 2nd Burns) at +/-4:30.

Attachments:

General Information: Orientation aerial photo, Context, Lots, and Leases

Agenda Item 1	February 10, 2020 Draft Meeting Minutes-pending
Agenda Item 3	Financial Update
Agenda Item 4	PFX Update. Balance sheet
Agenda Item 5	COVID-19 Impact survey results summary and list of potential actions
Agenda Item 5	Facilities Update

Agenda 1
April 14 Meeting Minutes



Draft Meeting Minutes

**PORTLAND FISH PIER AUTHORITY BOARD OF
DIRECTORS**

February 10, 2020, 3:00pm

Room 209

389 Congress Street

PFFA Board members present:

Class A Director: Member of the Portland City Council - Nicholas Mavodones, President

Class B Director: Representing the fishing industry - Meredith Mendelson, Department of Marine Resources

Ex-Officio Director: Representing the City Manager - Brendan O'Connell, Finance Director

Ex-Officio Director: President of the Board of Directors of the Portland Fish Exchange – Thomas Valleau, Vice President

PFFA Board members absent:

Class C Director: Representing the Commissioner of the Maine Department of Transportation – Matthew Burns, Treasurer.

Staff present:

Bill Needelman, Waterfront Coordinator, staff to PFFA Board

John Peverada, Parking Manager

Phil DiPierro, Facilities

Michael Goldman, Associate Corporation Council

Bert Jongerden, PFX General Manager

Public present:

Aaron Lewis, Dropping Springs

Erno Bonebaker, At large

Roger Woodman, West End

Ian Mayo, Sturdivant Wharf

Adam Bass, Running Tide

Monique Coombs, MCFA

Dan Jacques, Waterfront Maine

Alan Tracy, Vessel Services

1. Approval of December 9, 2019 Meeting Minutes

Motion: The December 9, 2019 minutes were approved, Moved by T. Valleau, 2nd by B. O'Connell, passed by vote 4-0.

2. Financial update - Produced by Rhonda Girard, Finance, Bill Needelman Presented an up to date financial summary is attached. There was a question on "misc revenue" Needelman to check.

3. Portland Fish Exchange update - Bert Jongerden, PFX, Tom Valleau, PFX President Bert J reported that:

- Landings are down at the PFX with weather and pricing contributing. 1.6 million lbs to date from a budget of 2.1 million lbs. Pricing impacted by move of larger boats to Mass. Bycatch lobster an issue due to low price for fish.

Agenda 1
Feb 10 Meeting Minutes

- The Auction computers were updated.
- Regulation changes could increase on-vessel observation from 40% to 100% coverage of vessels. Electronic (camera) monitoring a possibility.
- Blue Harvest out of New Bedford bought the Atlantic Trawler fleet consolidating vessels and permits in Mass.

Mendelson asked about prices elsewhere? BJ: comparable. Better in Portland with higher quality. Follow up on the Buyer mix. BJ: Good mix. Wholefoods is interested. New York to local.

M. Mendelson noted that Maine is down to a handful of large draggers - moved to New Bedford, Mass. NMFS amendments (100% monitoring) likely an attempt to draw out industry engagement – comments welcome. Monitoring is NOAA funded now but will be industry funded in future.

T. Valteau asked for information on Blue Harvest.

BJ described their 200,000 sq ft facility, ownership of 50% of quota, vertical integration with control of pricing. Valteau followed up with a question regarding the price needed for local gill netters? BJ: They need \$1.00/lb, they are getting \$0.60/lb. They are staying home.

4. Facilities update - Phil DiPierro, Project Manager, presented a summary of recent projects including:

- Anodes arrived for cathodic protection – to begin shortly and be complete by May.
- Fore River Dock and Dredge will begin soon with pile replacement with recycled composite pilings.
- Life rings were installed on the pier with throw lines.

5. Parking Rate Adjustment – John Peverada, Parking Manager.

As suggested at the Dec Fish Pier meeting, the City Parking Manager is proposing a rate increase for monthly parking in the Front Lot.

The current rate is \$110 and harvesters (boat owners and crew) are paying \$55.

Effective July 1, 2020, the Parking Division proposed a rate increase to \$120 with a 50% discount for harvesters (\$60.)

Board members questioned the need to increase harvester rates given the small number (7 in the Front Lot) and limited revenue bump. Harvester parking discussed.

Mr. Peverada noted that daily rate will remain the same - \$10/day. A pay and display console may be worth considering with relatively quick payback on a +/- \$8,000 investment.

No Public Comment.

M. Mendelson was disinclined to increase harvester rate

Motion by Mendelson, 2nd by Valteau:

Increase monthly rate for parking in the Front Lot from \$110 to \$120 starting July 1, 2020, leaving the harvester rate at \$55. Passed by vote 4-0

6. Waterfront Maine Request to amend lease terms and development agreement on Lot 12 – Dan Jacques, Waterfront Maine

Waterfront Maine, current lease and development option holders on Lot 12, requested an opportunity to discuss with the Board short and or long term options for securing access to the Browne Trading Company (on abutting property to the Portland Fish Pier) across Lot 12.

The current Lot 12 lease with Waterfront Maine is poised to expire on March 31, 2021. The current third amendment was provided. Waterfront Maine requested extension of the lease until September 2023.

Motion: Consistent with Exec Session statute--1 MRS 405(6)(C) & (E) the Board voted go into Executive Session to discuss this item. Motion by Valteau, 2nd by Mendelson, passed by vote 4-0.

Note: Board Member O'Connell left the meeting during the executive session.

Staff will bring this item back to the Board for potential action at a future meeting.

7. Strategic Planning RFP, Draft

Continuing the Board's discussion of strategic planning for the Portland Fish Pier, staff directed board members to two documents for discussion and Board direction:

- January 23, 2020 Listening Session Notes
- Review of draft Request for Proposals (RFP)

The RFP document was originally drafted by the Waterfront Coordinator based on the discussion held at the December 2019 PFFA meeting. The presented redline version included recent edits intended to incorporate feedback generated at the January 23 listening session.

Staff sought Board direction on the relined version of the draft.

The public was invited to provide comments:

Alan Tracy, Vessel Services commented that loss of the Atlantic Trawler vessels to Blue Harvest was a "seismic" event in the industry. Question of critical mass to keep going – "big deal." Consolidation in the industry will require way more than 15%. Need to bring the boats back.

N. Mavodones suggested bringing the Mayor and City Manager to the Fish Exchange. Catches by boat memo requested for this body (PFFA Board.)

Mr. Tracy agreed that it was time to "sound the alarm."

Note: Mavodones leaves the meeting. V. Pres Valteau presides over the meeting.

Public Comment

Roger Woodman: Thanked staff for the listening session. Noted the history of the Boards (PFX, PFFA) and the need for strategic planning to evaluate both and reach out to sector managers, industry leaders, plus the PFX Board and stakeholders.

Alan Tracy: Important to consider current use, needs of the industry, returning vessels.

Bert Jongerden noted that there had in the past been a "marine advisory council."

Agenda 1
Feb 10 Meeting Minutes

M. Mendelson noted the role of such a body to advise and consent on regulation changes.
Monique Coombs: Opportunity to consider the diversity within the industry and the variety of species fished. The process needs the stakeholders. We have seafood and fishermen. We need to bring them back.

T Valleau. Look for value.

M. Mendelson. Need the right team.

Meeting Adjourned

Fish Pier Authority
FY20 Budget Status
As of May 31, 2020

Agenda 2
Financial Statement

	FY20 Budget	YTD	Balance	%	FY19 YTD	FY20 vs. FY19	%
Revenue:							
Miscellaneous	17,120	9,630	7,490	56.3%	19,762	(10,132)	-51.3%
Berthing	29,376	28,909	467	98.4%	26,695	2,214	8.3%
Parking	330,226	313,838	16,388	95.0%	328,609	(14,771)	-4.5%
Ground Rent (Leases)	182,456	171,575	10,881	94.0%	168,895	2,680	1.6%
Total Revenue	559,178	523,952	35,226	93.7%	543,961	(20,009)	-3.7%
Expenditures:							
Admin. and Maint. Services	45,094	24,056	21,038	53.3%	31,516	(7,460)	-23.7%
Travel/Training/Meetings	1,500	0	1,500	0.0%	0	0	0.0%
Contractual Services	19,276	12,322	6,954	63.9%	19,153	(6,831)	-35.7%
Engineering Services	23,000	505	22,495	2.2%	6,508	(6,003)	0.0%
Printing/Copying	400	148	252	37.0%	0	148	0.0%
Equipment Repair	10,000	3,060	6,940	30.6%	13,496	(10,436)	-77.3%
Land/Pier/Building Repair	215,000	88,340	126,660	41.1%	86,223	2,117	2.5%
Insurance	13,119	0	13,119	0.0%	10,750	(10,750)	-100.0%
Supplies	13,500	1,275	12,225	9.4%	4,303	(3,028)	-70.4%
Electricity	15,000	11,329	3,671	75.5%	14,491	(3,162)	-21.8%
Stormwater	20,304	21,244	(940)	104.6%	0	21,244	0.0%
Debt Service	12,486	12,486	0	100.0%	16,508	(4,022)	-24.4%
Total Expenditures	388,679	174,765	213,914	45.0%	202,949	(28,184)	-13.9%
Net Revenues Over(Under) Expenditures	170,499	349,187	(178,688)		341,012	8,175	2.4%



CITY OF PORTLAND

MEMORANDUM TO: The Fish Pier Authority Board

FROM: Rhonda Girard

DATE: June 4, 2020

A couple of notes on the financial report are:

Miscellaneous revenue line is under-collected by about \$3,000.00 due to low herring inventory.

Also, we over-collected in 2019 trash collection for the fish exchange because I over-billed them (remember I invoiced from the budget and eventually got actuals which proved I over billed)? Therefore, Bert is working off his credit.

The salary line looks underspent and I have sent Beth Richards an email asking her to process internal chargeback transfers. This will likely match the budget better once those are processed.

I have emailed Lori Smith in Legal on a status of payment for insurance as it appears there have been no charges yet.

It looks like most tenants are not taking advantage of the deferral. They are making their payments through April and I just billed May last week.

Robert Tetrault berthing is always behind as he is usually out to sea.

Vessel Services have not made payments and appear to be deferring.

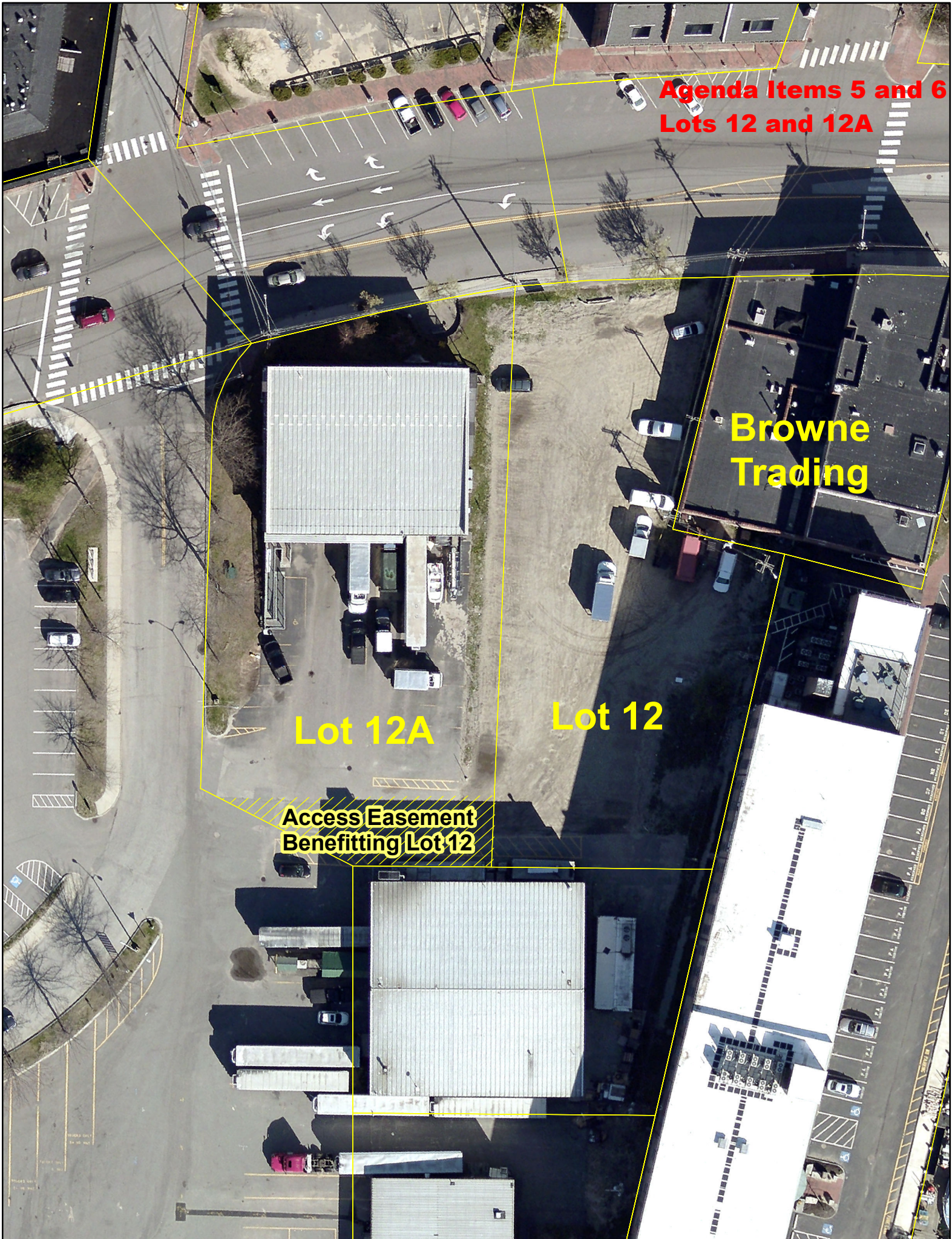
**Agenda Items 5 and 6
Lots 12 and 12A**

**Browne
Trading**

Lot 12A

Lot 12

**Access Easement
Benefitting Lot 12**



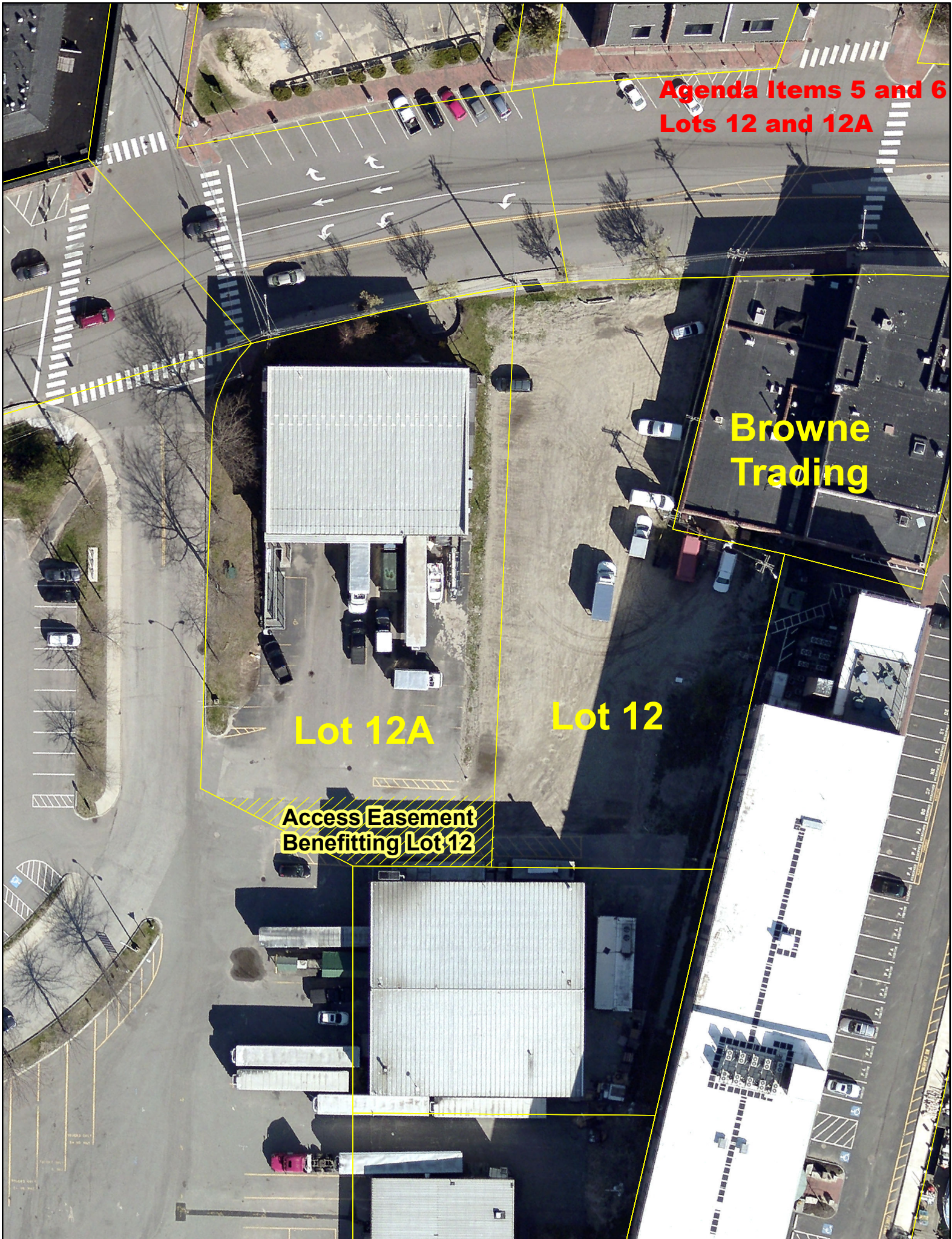
**Agenda Items 5 and 6
Lots 12 and 12A**

**Browne
Trading**

Lot 12A

Lot 12

**Access Easement
Benefitting Lot 12**



**THIRD AMENDMENT TO
LEASE AGREEMENT BETWEEN
PORTLAND FISH PIER AUTHORITY
AND
WATERFRONT MAINE BT LLC**

This **THIRD AMENDMENT TO LEASE AGREEMENT** (this "Third Amendment") is entered into as of April 1, 2018 between PORTLAND FISH PIER AUTHORITY ("Landlord") and WATERFRONT MAINE BT LLC ("Tenant").

RECITALS

WHEREAS, Landlord and Tenant are parties to a certain Lease Agreement dated March 5, 2015 relating to certain space at the Portland Fish Pier Complex in Portland, Maine, as amended by a First Amendment to Lease Agreement dated January [___], 2016, and a Second Amendment to Lease Agreement dated April 1, 2017 (collectively, the "Lease"); and

WHEREAS, the Landlord and Tenant wish to further amend certain provisions of the Lease; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Landlord and Tenant hereby agree as follows:

1. The termination date of the Lease, which is currently March 31, 2018, is hereby extended by three years to March 31, 2021.
2. Beginning April 1, 2018, the rental amount for the Premises described in paragraph 3 of the Lease will be increased in accordance with the schedule set forth below:
 - a. April 1, 2018 to March 31, 2019: \$1,666.67 per month;
 - b. April 1, 2019 to March 31, 2020: \$1,708.33 per month;
 - c. April 1, 2020 to March 31, 2021: \$1,750.00 per month.

3. The following is added to the Lease as section 4(e):

(e) Construction, use, and maintenance of a loading dock on the leased premises, and attached to Tenant's abutting property currently occupied by Browne Trading Co., as approved by the City of Portland Planning Department as set forth in a certain Administrative Authorization Decision by Jean Fraser, Planner, dated October 23, 2017 (a copy of which is attached hereto as Exhibit A and incorporated herein), and as generally depicted in the plan entitled Site Improvements to Browne Trading Co., Site Plan Phase One L-1.0, dated August 25, 2017 (a copy of which is attached hereto as Exhibit B and incorporated herein). Only employees of Browne Trading Co. and its business invitees, other than retail customers, shall be permitted to use the loading dock. Tenant shall remove the loading dock upon expiration or earlier termination of the lease.

4. Paragraph 14 of the Original Lease, as amended by the First and Second Amendments, is hereby deleted in its entirety and replaced with the following:

OPTION TO LEASE AND DEVELOP. During the term of this Lease, Tenant intends to study the feasibility of future development of the Premises. If, after conducting such study, Tenant desires to erect a building or a structure on the Premises, Tenant shall have the option to lease and develop the Premises subject to such terms and conditions that the parties hereto agree upon in writing. Tenant shall exercise the option set forth in this paragraph by giving Landlord at least 90 days' written notice prior to the termination date of the Lease. Upon Tenant's provision and Landlord's receipt of such notice, the parties agree to negotiate in good faith the terms and conditions of a future lease. If Tenant does not notify Landlord that it is exercising this option at least 90 days prior to the termination date of the Lease, the option set forth in this paragraph shall expire.

5. Except as expressly amended by this Third Amendment, all other terms, conditions and provisions of the Lease are hereby ratified and confirmed and shall continue in full force and effect.

IN WITNESS WHEREOF, the Portland Fish Pier Authority, as Landlord, and Waterfront Maine BT LLC, as Tenant, have each caused this Second Amendment to be signed and sealed as of the date first written above.

WITNESS:

PORTLAND FISH PIER AUTHORITY

By: _____

Nicholas Mavodones
Its President
Hereunto Duly Authorized

WATERFRONT MAINE BT LLC

By: _____

Christopher S. Flagg
Vice President

APPROVED AS TO FORM:

CORPORATION COUNSEL'S OFFICE

Application #: 2017-196 **CBL** 041 A015001

Name: Loading Dock Reconfiguration

Address: 260 COMMERCIAL ST

Description: Consolidation of service area at rear of buildign to include replacement of existing loading dock, compactor, and dumpster pads, providing relocation of all deliveries from Commercial Street to rear of the building.

<u>Criteria for an Administrative Authorization:</u> <u>(See Section 14-523 (4) on page 2 of this application)</u>	<u>Applicant's Assessment</u> <u>Yes, No, N/A</u>	<u>Planning Division</u> <u>Use Only</u>
a) Is the proposal within existing structures? ☐	No	No
b) Are there any new buildings, additions, or demolitions?	Yes	Yes
c) Is the footprint increase less than 500 sq. ft.?	Yes	Yes
d) Are there any new curb cuts, driveways or parking areas?	No	No
e) Are the curbs and sidewalks in sound condition?	N/A	N/A
f) Do the curbs and sidewalks comply with ADA?	N/A	N/A
g) Is there any additional parking?	No	No
h) Is there an increase in traffic?	No	No
i) Are there any known stormwater problems?	No	No
j) Does sufficient property screening exist?	Yes	Yes
k) Are there adequate utilities?	Yes	Yes
l) Are there any zoning violations?	No	No
m) Is an emergency generator located to minimize noise?	N/A	N/A
n) Are there any noise, vibration, glare, fumes or other impacts?	No	No

The Administrative Authorization for the Loading Dock Reconfiguration was approved by Jean Fraser, Planner on October 23, 2017 with the following condition of approval listed below:

- 1) All construction shall comply with approved plan: L1.0 Site Plan Rev 10.12.2017 and associated details.
- 2) All construction and future management shall be in accordance with the Drainage Easement from Waterfront Maine dated Septebmer 17, 2012 and the Second Amendment to Lease Agreement regarding Parcel 12 of the Fish Pier complex, between the Portland Fish Pier Authority and Waterfront Maine BT LLC of April 1, 2017.
- 3) Any proposals to pave, landscape or fence within or near the service area or access road (other than as shown on the approved plans) shall be subject to further review and approval by the Planning Authority.
- 4) Standard condition of approval: The applicant shall obtain all required City Permits, including building permits from the Department of Permitting and Inspections, and any other permits required from the Department of Pulbic Works, prior to the start of any construction.

Jean Fraser

Planner

Approval Date: October 23, 2017

Application #: 2017-196 **CBL** 041 A015001

Name: Loading Dock Reconfiguration

Address: 260 COMMERCIAL ST

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c) Is the footprint increase less than 500 sq. ft.?	Yes	Yes
d) Are there any new curb cuts, driveways or parking areas?	No	No
e) Are the curbs and sidewalks in sound condition?	N/A	N/A
f) Do the curbs and sidewalks comply with ADA?	N/A	N/A
g) Is there any additional parking?	No	No
h) Is there an increase in traffic?	No	No
i) Are there any known stormwater problems?	No	No
j) Does sufficient property screening exist?	Yes	Yes
k) Are there adequate utilities?	Yes	Yes
l) Are there any zoning violations?	No	No
m) Is an emergency generator located to minimize noise?	N/A	N/A
n) Are there any noise, vibration, glare, fumes or other impacts?	No	No

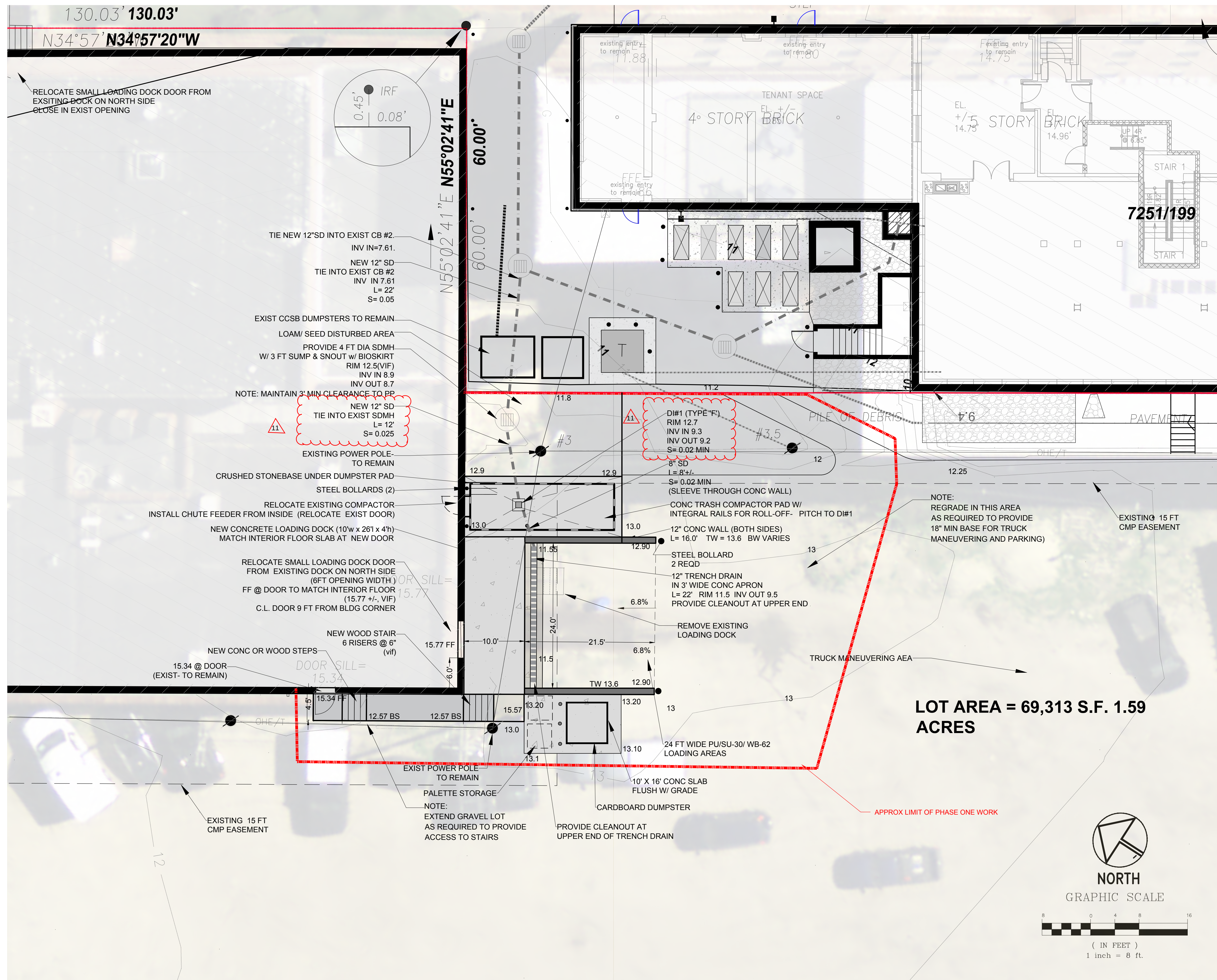
The Administrative Authorization for the Loading Dock Reconfiguration was approved by Jean Fraser, Planner on October 23, 2017 with the following condition of approval listed below:

- 1) All construction shall comply with approved plan: L1.0 Site Plan Rev 10.12.2017 and associated details.
- 2) All construction and future management shall be in accordance with the Drainage Easement from Waterfront Maine dated Septebmer 17, 2012 and the Second Amendment to Lease Agreement regarding Parcel 12 of the Fish Pier complex, between the Portland Fish Pier Authority and Waterfront Maine BT LLC of April 1, 2017.
- 3) Any proposals to pave, landscape or fence within or near the service area or access road (other than as shown on the approved plans) shall be subject to further review and approval by the Planning Authority.
- 4) Standard condition of approval: The applicant shall obtain all required City Permits, including building permits from the Department of Permitting and Inspections, and any other permits required from the Department of Pulbic Works, prior to the start of any construction.

Jean Fraser

Planner

Approval Date: October 23, 2017



PHASE 1

- PHASE 1
- CONSTRUCT NEW CONC LOADING DOCK ON WEST SIDE OF BLDG
- REMOVE WOOD DOCK ON SOUTH SIDE OF BLDG
- CONSTRUCT STORM DRAIN SYSTEM- TIE INTO CCSB CB # 2
- CONSTRUCT REINFORCED CONC PADS FOR COMPACTOR AND DUMPSTERS
- INSTALL CONC WALL ALONG SIDS OF LOADING DOCK
- INSTALL FULL DEPTH BIT PAVEMENT IN DUMPMSTER LOADING AREAS
- REGRADE AND FEATHER INTO EXISTING GRADES IN PARKING LOT

1. EXISTING BOUNDARY AND SITE CONDITIONS INFORMATION BASED ON SURVEY BY EC JORDAN, JUNE 26, 1986 AND 1973: PLAN OF MERRILL WHARF BY ROBERT TITE CONDITS, INC. DECEMBER, 1979; AND PLAN OF PORTLAND FISH PIER BY PARSONS BRINKERHOFF QUADE AND DOUGLAS, AUGUST, 1981. ACTUAL FIELD CONDITIONS MAY VARY FROM THAT INDICATED.
2. TOPOGRAPHY AND UTILITIES FROM A PLAN BY EC JORDAN 1973. AERIAL TOPOGRAPHY SURVEY BY SEWELL CO. (DATUM MSL= 0.00').
3. THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATION OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION: TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIZE, LOCATION, AND SURFACING OF PARKING AREAS, AND LOCATION AND SIZE OF BUILDINGS.
4. ALL POWER LINES WITHIN THE PROPERTY SHALL BE UNDERGROUND (SEE E-0.1).
5. SIDEWALKS AND CURBING SHALL BE DESIGNED AND BUILT WITH TIP DOWN RAMPS AT ALL STREET CORNERS, CROSSWALKS, AND DRIVEWAYS IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
6. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE DESIGNED IN ACCORDANCE WITH MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES, PUBLISHED BY THE CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 1991 OR LATEST EDITION. (NOTE: THE SITE PLAN SHOULD SPECIFY THE EROSION CONTROL DEVICE TO BE EMPLOYED (SILT FENCE, HAY BALE, ETC.) AS WELL AS THEIR LOCATION.)
7. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR REGRADING.
8. ALL DISTURBED AREAS ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREAS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED BY BEST MANAGEMENT PRACTICES (SEE ABOVE.)
9. PRIOR TO CONSTRUCTION, A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORKS REPRESENTATIVE, AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE PROJECT. AT THAT TIME, THE SITEBUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.

**FOR OWNER REVIEW AND PERMITTING;
NOT FOR CONSTRUCTION**

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Architects

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REV #	DATE	DESCRIPTION
1	030112	ISSUE FOR PRELIM PRICING
2	041912	ISSUE FOR OWNER REVIEW
3	042612	ISSUE FOR OWNER REVIEW
4	051512	REVISE DOCK LOCATION
5	072312	REVISE DOCK SIZE/ STAIR LOCATION
6	080312	REVISE DOCK DOOR/ DRAINAGE PIPING
7	082712	REVISE COMPACTOR PAD
8	090512	SUBMIT TO CITY
9	112012	MODIFY DRAINAGE DETAILS
10	082517	SUBMIT TO CITY FOR AA
11	100317	REVISE PER DPW COMMENTS
12	101217	FINAL REVISIONS PER DPW COMMENTS

Site Improvements To:

BROWNE TRADING CO.

Merrill's Wharf, Portland, Maine

SITE PLAN PHASE ONE

L-1.0

08. 25. 2017

