



## **ECONOMIC DEVELOPMENT COMMITTEE**

**DATE: Tuesday, November 17, 2020**

**TIME: 5:30 PM**

**LOCATION:**

**Please click the link below to join the webinar:**

**<https://zoom.us/j/96052214504>**

**Or iPhone one-tap :**

**US: +13126266799,,96052214504# or +16465588656,,96052214504#**

**Or Telephone:**

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**Webinar ID: 960 5221 4504**

**International numbers available: <https://zoom.us/u/adsonCAI0G>**

**1. Review and vote on October 20, 2020, draft meeting Minutes.**

- a. See attached draft meeting Minutes.

**2. For Committee information, presentation, and public hearing on AECOM Report on the Portland Waterfront Marine Economy and vote to forward to the City Council as a communication – Bill Needelman**

- a. See enclosed Memorandum with Report.

**3. Public Hearing and vote on a recommendation to the City Council on Proposed Purchase and Sale Agreement for the sale of City property located at 165 Lambert Street - Mary Davis**

- a. See enclosed Memorandum and proposed Purchase and Sale Agreement.

**NOTE: Executive Session:** Pursuant to 405(6)(C), the Committee may go into executive session to provide staff direction for negotiations on the proposed Purchase and Sale Agreement.

4. **Public Hearing and vote on Proposed Request for Proposals for sale of City property located at 622 Auburn Street and 0 Gray Road in Falmouth to authorize staff to move forward with a Request for Affordable Housing Development Proposals – Mary Davis**

- a. See Memorandum and proposed Request for Proposals.

**NOTE - Executive Session:** Pursuant to 1 M.R.S.A. 405(6)(C), the Committee may go into executive session to provide staff direction for, and terms to be included in, a Request for Proposals.

5. **EDC 2020 Accomplishment Report for review and vote to forward the Report to the City Council as a Communication – Greg Mitchell**

- a. See enclosed Memorandum.

No meetings in December 2020.



**Minutes**  
**Remote Economic Development Committee**  
**October 20, 2020**

NOTE: This meeting was held via Zoom and can be viewed at this link:

<http://www.portlandmaine.gov/1695/Economic-Development-Committee> These

**Minutes provide a record of those in attendance, general discussion taking place, and motions made.**

A remote meeting of the Economic Development Committee (EDC) of the Portland City Council was held on Tuesday, October 20, 2020, at 5:30 p.m. via Zoom. Present from the Committee was its Chair Councilor Justin Costa and members Councilors Tae Chong, Nicholas Mavodones, and Spencer Thibodeau. Present from the City staff were Housing and Community Development Division Director Mary Davis, Associate Corporation Counsel Michael Goldman, Director of Cemeteries and Project Management Mike Murray, Office of Economic Opportunity Director Julia Trujillo Luengo, Economic Development Director Greg Mitchell, and Senior Executive Assistant Lori Paulette.

Chair Costa noted that he had a hard stop just before 7:00 p.m. He also noted that the AECOM item regarding the Waterfront Economic Impact Analysis will be rescheduled.

**Item #1: Review and vote on September 15, 2020, draft meeting Minutes.**

On motion made by Councilor Mavodones, seconded by Councilor Chong, the Committee voted unanimously (4-0) to accept the Minutes as published.

**Item #3: Committee review and direction on Portland Adult Education (PAE)**  
**FY2021 Investment of \$100,000 in TIF funding to support working training programs.**

Chair Costa noted that this was on the Agenda for clarification from the City Manager on a \$100,000 budget item in the Downtown TOD TIF to support PAE's workforce training

program, and this has been confirmed. This is also an opportunity for PAE to describe its plans for the \$100,000.

Mr. Mitchell agreed, noting that after hearing PAE's proposed programming, staff will look for direction from the Committee. If acceptable, staff will draft a Memorandum of Understanding as was done before. The EDC manages this workforce training project.

Anita St. Onge, Director of PAE, thanked all for this opportunity, noting it is an important piece of funding where other funding sources do not necessarily support this programing for immigrants and foreign trained professionals.

Liz Love, Assistant Director of Education, also agreed. This proposal offers 5 programs for 96 students and the TIF funding covers 37% of the total costs. She then described the programs, including a new program for Commercial Drivers Licenses, where those employed using this credential can make \$15 to \$25/hour and are in high demand.

Ms. Trujillo also noted the high demand for CDL drivers, as well as the Intensive English course program which is not regularly funded by other sources.

Councilor Chong thanked them both and applauded the results from the first round and the populations served. He questioned that if PAE would like another pilot program because of the pandemic, could they come back to the City.

Mr. Mitchell indicated in the affirmative, noting that the estimate of excess funds from the Coastal Counties Workforce program is now at \$36,000. PAE could also be considered for funding during the FY2022 budget process.

Councilor Chong encouraged PAE to create more pilot projects, noting that 30% of small businesses did not re-open in September so re-training would be essential, noting marine and trade sector jobs, as well as office management training for any business.

Chair Costa also noted support and the stability it provides to its students. Should an additional pilot idea come up during this current fiscal year, please advise City staff.

Councilor Thibodeau agreed and would look forward to a report at the end of this project.

Councilor Mavodones also supported this and appreciated the work done and to be done; he also thanked Chair Costa for staying on top on this workforce training initiative.

**Item #4: Public Hearing and vote to recommend to the City Council a Proposed Amendment to the Purchase and Sale Agreement for the City's purchase of 204 Rand Road for the Land Bank – Patrizia Bailey Land Bank Commission Chair**

Mr. Mitchell noted that at the August 18, 2020, EDC meeting, it voted to recommend to the City Council approval of the Purchase and Sale Agreement and, upon closing, to place the property into the Land Bank. Before getting this item on a Council Agenda, the Seller proposed amendments.

Ms. Baily continued noting that the Seller requested acknowledgement of the bargain sale to the City, for tax purposes, as well as additional deed restrictions in perpetuity on future development, but allow passive use.

Mr. Goldman added that the latter request is more substantive for the City's consideration.

Councilor Chong asked if this is voted on favorably, would it go to the City Council to approve both the original PSA and the Amendment, and Mr. Mitchell answered in the affirmative.

Chair Costa then opened the meeting for public comment.

George Rheault of Bayside indicated that most of the acreage is not developable due to

wetlands, but noted approximately 8 acres could possibly be developed closer to Rand Road and the rail line. He noted that Ms. Bailey took the initiative to add this extra encumbrance to the property to remain as is. He agreed that a majority should be conserved except for that 8 acres, for possibly housing in the future.

Ms. Bailey clarified that she did not take that initiative as Mr. Reheault implied; the Seller took that initiative.

Seeing no further public comment, Chair Costa closed the public comment session.

A motion was then made by Councilor Thibodeau, seconded by Councilor Mavodones, to forward this to the City Council for approval.

Councilor Thibodeau asked if this was an arms-length transaction, and Ms. Bailey answered in the affirmative.

Councilor Thibodeau indicated that his concern was about binding future Councils due to keeping the property in perpetuity from development and thought it odd coming at the last minute.

Councilor Mavodones noted that the Seller has a right to request amendments, and the Council may need to have a discussion on long-term impacts, thinking of the recent Baxter Woods discussion at the Council level.

Chair Costa noted that property placed into the Land Bank needs a super majority vote of the Council to take it out – 8 out of 9 votes. The policy question is restricting future Councils with this deed restriction.

Councilor Thibodeau noted that he is fine to forward it to the Council, but between now and then would like to have more clarity on the useable part of the property.

Councilor Mavodones agreed, as did Councilor Chong, and then the Council can debate whether or not to lock future Councils with no development in perpetuity.

Ms. Bailey noted that original discussions with Avangrid included Avangrid carving out the 8 acres and the Land Bank would purchase the rest and place it into the Land Bank. It has now evolved to where we are today.

Chair Costa also agreed with the process suggested, noting that it may even come back to this Committee. He then asked for a vote on the motion, and it passed 4-0.

#### **Item #5: City Tax Increment Financing (TIF) Policy Discussion and Committee**

##### **Direction**

Ms. Davis noted that the TIF Policy was amended in 2017 to assist AHTIFs, particularly because of the LIHTC program, where AHTIF proposals score more points if they have a 30-year term at 75% capture. Recently the City has received applications for projects that are not eligible for LIHTC, so staff is offering proposed amendments that reflect the intent of 2017 amendments. Ms. Davis described the proposed changes, including adding a definition of affordable that matches the definition used in other City programs such as Inclusionary Zoning; require the term of the TIF to match the length of affordability of the project; and, a 3-tiered approach to return TIF funds – with a higher rate TIF return to those developers who offer affordability to lower incomes.

There followed discussion on the proposed 3-tiered approach, as well as on the comparison of HUD area median income and Portland median income as requested by the Housing Committee. The Housing Committee had suggested that the latter become part of the analysis for all future AHTIF applications, and Ms. Davis noting that it is not apples to apples.

Councilor Mavodones said that overall the proposed changes seem to make sense.

Councilor Chong asked about any other restrictions, and Ms. Davis said that AHTIFs are governed by State Statute, with 33% of the units having to be affordable at or below 120% AMI at the HUD median income levels.

Councilor Chong said that he prefers housing with the lower AMI, wanting low income people to build equity.

Councilor Thibodeau said that he liked the amendment for the definition of affordable housing, would like some clarification on the impact on LIHTC scoring with MaineHousing, and agreed with affordability term matching the affordability term of the project, or up to 20 years.

Chair Costa said that he was generally supportive of this direction, asking if a development hits a lower threshold of affordability is that taken into consideration. It would be important to have a more detailed discussion about underwriting analysis and what it means, particularly based on models for CEAs on the development side to provide appropriate TIF revenue for AHTIFs. Because most AHTIF Developers use LIHTC, the City's TIF Policy was amended to assist in these AHTIF projects, returning up 75% TIF revenue for up to 30 years.

Mr. Mitchell thanked the Committee for their feedback. Next step is for staff to come back with proposed TIF Policy amendments in redline version.

On motion then made by Councilor Mavodones, seconded by Councilor Chong, the Committee voted 4-0 to adjourn at 6:50 p.m.

Respectfully, Lori Paulette



**CITY OF PORTLAND**  
**Housing and Economic Development Dept.**  
**Gregory A. Mitchell, Director**

**Memorandum**

**To:** Chair Costa and members of the Economic Development Committee

**From:** Bill Needelman, Waterfront Coordinator

**Date:** October 14, 2020

**RE:** Waterfront Economic Assessment

**CC:** Jon P. Jennings, City Manager  
Greg Mitchell, Economic Development Director

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**Introduction**

The Housing and Economic Development Department is pleased to present to the Economic Development Committee an economic assessment of the Portland Waterfront. The assessment was conducted by AECOM Technical Services and Racheal Bouvier Consulting. AECOM Economist, Jason Weiss will present a summary of the report to the Committee and will be available for questions.

**Background**

In August of 2019, the Portland City Council adopted changes to Chapter 8 of the City Code of Ordinances requiring that the City conduct periodic assessments of the state of the marine economy for the Portland waterfront. The Council's action followed an extensive redrafting of the Waterfront Central Zone, where a narrower "waterfront inventory" requirement was removed from ordinance as part of the comprehensive zoning revision.

The 2019 amendments stated specifically:

*The Economic Development Department shall oversee a periodic study of the state of the marine economy for the waterfront of Portland, Maine ("State of the Waterfront") and generate a report for communication to the City Council. Starting within the first year of adoption of this provision, the State of the Waterfront Report shall benefit from the services of qualified economic professionals and be updated every three to five years, or more frequently if conditions dictate. The State of the Waterfront Report will, at a minimum, identify key indicators of economic health for marine industry, such as:*

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**[info@portlandmaine.gov](mailto:info@portlandmaine.gov) • [www.portlandmaine.gov](http://www.portlandmaine.gov)**

*employment by industry; homeported commercial vessels by type; fish landings; freight volume; marine passenger volumes by type; and business output value and trends. The State of the Waterfront Report shall also provide guidance as to strengths, weaknesses, and threats to the waterfront economy and may provide recommendations to strengthen the waterfront as a home for traditional and emerging waterdependent and marine-related industries.*

## **Process**

In late 2019, the Cities of Portland and South Portland issued an RFP seeking consulting services for an economic assessment of Portland Harbor. The intended product(s) of the study were to achieve two goals: (1) to support funding applications for harbor dredging, and (2) to satisfy local requirements and desires to understand the economic value of waterfront activity within each community. For Portland, consistency with the Chapter 8 ordinance requirements was critical. AECOM was selected to conduct the work with the support from Racheal Bouvier Consulting.

The consulting team conducted their research, field assessments, and interviews from February into April 2020. The process methodologies are well described in the attached report. Preliminary findings were available for use with the Cities' BUILD funding application for dredging in May 2020 and the final reports were completed over the following months.

## **Product**

AECOM generated three reports through this process: (1) *Portland Harbor Economic Assessment and Data Collection*, (2) *City of South Portland Assessment of the Waterfront and Marine Economy*, and (3) *City of Portland Assessment of the Waterfront and Marine Economy*.

The broader *Portland Harbor* assessment was needed to support the BUILD application. The *City of Portland* waterfront assessment meets the Chapter 8 requirements described above and the full report is attached herein.

## **Next Steps**

Following the EDC's review of the *City of Portland Assessment of the Waterfront and Marine Economy* report, Housing and Economic Development staff will submit the report as a communication to the full City Council, consistent with ordinance requirements.

Chapter 8 requires that a similar assessment process should be repeated by year 2023-2025. Given that these data reflect pre-pandemic values and that the process was conducted at the height of the initial COVID-19 onslaught, it may be prudent to conduct the first follow up study more rapidly to both establish a new baseline and to better understand the effects of the pandemic on the results.

## **Appreciation**

Staff would like to express appreciation to all from the consulting team and the waterfront businesses that participated in the process during the height of the pandemic. That this product was completed during this particular time is a testimony to their dedication and resilience.

## **Attachments:**

*City of Portland Assessment of the Waterfront and Marine Economy*, AECOM, July 2020



# City of Portland Assessment of the Waterfront and Marine Economy

Prepared for:  
City of Portland, Maine

July 2020



**AECOM**



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**Prepared by:**  
AECOM Technical Services  
rbouvier consulting

Cover Photo: William Needelman

## Executive Summary

The Cities of Portland and South Portland developed around the Fore River, and the working waterfront is critical to the region's economy. To estimate its value, an economic assessment of the contribution of the Portland Harbor working waterfront was completed for the Cities of Portland and South Portland. This report presents the result of the assessment on the City of Portland.

The working waterfront remains an important contributor to Portland's economy today. The study estimated \$800 million of total economic output is related directly or indirectly to the Portland Harbor working waterfront via industrial marine, commercial fishing, recreational, and tourism activities. To put this in perspective, the combined Portland-South Portland region generates over \$21 billion dollars in economic output, meaning that the economy related to the working waterfront represents nearly 4 percent of the region's overall economic output.

Within the marine businesses, the marine transportation & port services and seafood manufacturing & wholesale categories account for much of the revenue and employment, while the restaurant/bar/brewery category accounts for the majority of the revenue and employment for the non-marine businesses. This indicates the importance of each of these business categories to the region. Moreover, the marine and non-marine sectors support about 7,700 jobs in Portland, over 350 businesses, and diversifies the economy. While the output of the working waterfront to Portland is large, this value does not capture the impacts to neighboring cities, the region, or the State of Maine.

The value of the working waterfront is evidenced by the commercial fisheries that rely on the harbor and as an increasingly popular place-based tourist destination. According to the Atlantic Coastal Cooperative Statistics Program, in 2018 the total commercial fishing landings in the Ports of Portland and South Portland amounted to over 48 million pounds, valued at over \$37 million. The data highlights the large number of fishermen (over 500) and dealers (90) who rely on Portland Harbor. In addition, Portland has seen a rapid increase in volume and capacity of cruise ship arrivals between 2015 and 2019, with 107 cruise ships landing in Portland with 158,000 passengers disembarking in 2019 with estimated spending of \$10.9 million.

The basic framework for the study follows the *Economics: National Ocean Watch (ENOW) Ocean Economy Framework* (NOAA)<sup>1</sup>. In addition, an input-output analysis was completed using the IMPLAN modeling software to measure the interdependencies between various sectors of the economy and the ripples through the economy. The results of the input-output analysis are categorized by labor income, value added, output, and employment. Labor income includes all forms of labor income, including wages, benefits, and proprietor income. Value added is the difference between an industry's total output and the cost of its intermediate inputs (in other words, an industry's contribution to Gross Domestic Product). Output is the value of industry output, measured in purchaser prices. Employment numbers are considered an annual average of employment and includes full-time, part-time, and seasonal employment. (In other words, employment data should not be considered full-time equivalent.) Results are further broken down into direct, indirect, and induced effects. The direct effects are the direct contribution of the businesses. The indirect effects are a result of supply chain linkages; when a ship building business buys supplies from a local marine hardware store, for example. Finally, induced effects are generated by employees of local industries spending income on consumption goods.

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<sup>1</sup> National Oceanic and Atmospheric Administration, The Economic Contribution of Working Waterfronts: Local Estimation and Case Studies.

The numbers represent a snapshot of the economic contribution of these industries to Portland as it is today. Table 1 provides the results for the marine businesses (those businesses relying on a direct connection to the waterfront, such as repair, berthing, and seafood processing) in Portland, whereas Table 2 provides the same results for the marine and non-marine businesses (those businesses benefiting indirectly from the waterfront, such as tourism and recreation-based businesses located within proximity to Portland's working waterfronts). Since the study focused on the impacts to Portland, the values in the tables would be larger if the impacts to neighboring communities or state were included.

**Table 1: Marine Businesses Contributions**

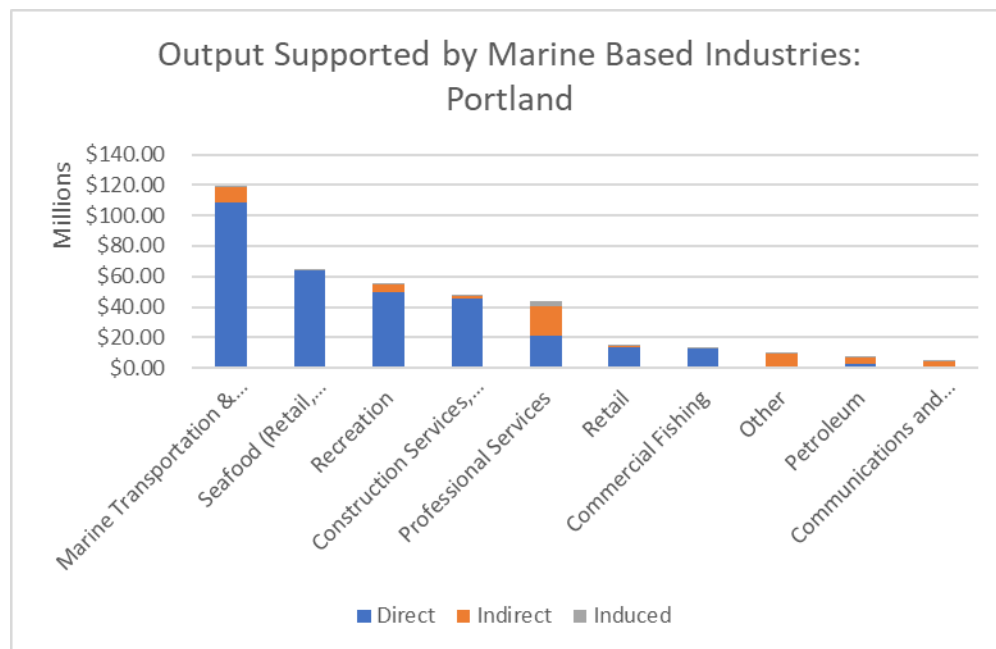
| Impact       | Labor Income         | Value Added          | Output               | Employment   |
|--------------|----------------------|----------------------|----------------------|--------------|
| Direct       | \$141,000,000        | \$144,000,000        | \$317,000,000        | 2,210        |
| Indirect     | \$23,000,000         | \$36,000,000         | \$75,000,000         | 440          |
| Induced      | \$5,000,000          | \$8,000,000          | \$15,000,000         | 100          |
| <b>Total</b> | <b>\$170,000,000</b> | <b>\$188,000,000</b> | <b>\$407,000,000</b> | <b>2,750</b> |

**Table 2: Combined Marine and Non-Marine Business Contributions**

| Impact       | Labor Income         | Value Added          | Output               | Employment   |
|--------------|----------------------|----------------------|----------------------|--------------|
| Direct       | \$266,000,000        | \$341,000,000        | \$649,000,000        | 6,790        |
| Indirect     | \$38,000,000         | \$61,000,000         | \$125,000,000        | 720          |
| Induced      | \$9,000,000          | \$15,000,000         | \$26,000,000         | 170          |
| <b>Total</b> | <b>\$313,000,000</b> | <b>\$417,000,000</b> | <b>\$800,000,000</b> | <b>7,680</b> |

Figure 1 displays the total economic output of the direct, indirect, and induced impacts of the marine businesses for the top 10 industry categories.

**Figure 1: Total Economic Output of Marine Businesses, Top Ten**



This analysis highlights the economic importance of the working waterfront in Portland. Much of this economic activity depends on reliable, predictable, and timely access to the waterfront. Interviews and conversations with waterfront users suggest that without this access the cost of doing business in Portland Harbor would increase both monetarily (increased cost of fuel) and in terms of opportunity cost of time. Should vessels be forced to go to other locations because of a decreasing number of berths and slips or have to synchronize their deliveries with high tides (as is already occurring), the health of the marine-related economy may be jeopardized.



## Introduction

The Cities of Portland and South Portland developed around the Fore River, and the working waterfront is critical to the region's economy. While there are many factors that influence the success of the Cities' waterfront economy, it all begins with the access between sea and land afforded by the harbor's many piers and wharfs. As with all types of infrastructure, regular maintenance is required to keep marine assets operating at full capacity and efficiency; for wharves, piers, and marinas this includes dredging to preserve berthing capacity. Recognizing the fundamental importance of berthing capacity (places for vessels to moor or anchor, especially for loading and unloading), the Cities of Portland and South Portland have developed a dredging plan to preserve and reclaim berthing capacity.

To support the dredging plan and to assist in valuing the harbor's contribution to the region's economy, an economic assessment was conducted to estimate the economic contribution of the working waterfront of Portland Harbor. This report summarizes the categories of businesses evaluated, focus areas for businesses, approach and data, and findings of the economic assessment of the contribution of the working waterfront on the City of Portland.



## Approach

The full economic contribution of the working waterfront is not limited to just the marine jobs reliant on the waterfront. Rather, it includes the non-marine jobs and associated indirect and induced employment and earnings supported by the working waterfront as spending ripples through the economy of Portland and Maine. To capture this range of impacts, a comprehensive approach was followed. The following describes the approach, businesses, and study areas used for the analyses.

## Framework

The basic framework provided in the *Economics: National Ocean Watch (ENOW) Ocean Economy Framework* (NOAA)<sup>2</sup> (referred to hereafter as ENOW Framework) was followed for the economic assessment. The ENOW Framework provides national-level guidance on assessing the contribution of a working waterfront and a consistent definition of businesses associated with the ocean economy. The ENOW Framework considers the following sectors to be part of the ocean economy:

- Living resources
- Marine construction
- Marine transportation
- Ship and boat building
- Offshore mineral resources
- Tourism and recreation

The ENOW Framework was used as a guide to categorize and classify the businesses that were analyzed through this study. The data collected for the businesses provides a snapshot of the employment and revenue associated with the marine and non-marine businesses in Portland, indicating the direct impact that these businesses have on Portland and the region. However, to understand the full contribution of these businesses, a regional input-output analysis was conducted. An input-out analysis is a type of applied economic analysis that tracks the interdependence among various producing and consuming industries of an economy. It measures the relationship between a given set of demands for final goods and services and the inputs required to satisfy those demands. Basically, an input-output analysis estimates the impact or ripple effect of a given economic activity or the contribution of an existing activity within a specific geographic area.

The input-out analysis was completed using the IMPLAN modeling software. IMPLAN measures the total direct, indirect, and induced effects in output, employment, and earnings produced by an industry. The direct effects consist of the output of the firms or industries that are being evaluated; indirect effects consist of the purchases that those firms make from other businesses. Both the direct and indirect output produce household income for their employees; a proportion of this income is re-spent on consumption goods, creating the induced effect. IMPLAN provides the contributions in terms of the dollar value of gross receipts (output), dollar value of wages and salaries (earnings), and number of jobs (employment).

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<sup>2</sup> National Oceanic and Atmospheric Administration, *The Economic Contribution of Working Waterfronts: Local Estimation and Case Studies*.

The employment and revenue data developed through the ENOW Framework was incorporated into IMPLAN to conduct the input-output analysis.

## Business Categories

While the working waterfront has long sustained businesses adjacent to the Fore River, the economic contribution of Portland’s working waterfront extends beyond the water’s edge. The waterfront supports a maritime economy that is comprised of the sites or facilities providing the physical access to the sea (such as piers, wharves, and ramps), the near-shore and offshore complex of facilities and services needed to support commercial uses (such as bait and repair services), and other facilities and services connected to maritime activities through trade and commerce but that do not need to be located at the edge of the sea (such as many of Maine’s shippers and consignees located elsewhere in the state). These marine dependent businesses have been categorized in the assessment as “marine businesses”.

In addition to direct marine uses, tourism and recreation are also economically productive uses of waterfront development. The viability of tourism and recreation businesses is enhanced by place-based initiatives that capitalize on a local community’s assets and pay homage to the region’s character defining resources, which is notably the working waterfronts of Portland and South Portland. As a result, the economic assessment also captures the economic contributions of tourism and recreation-based businesses located within proximity to Portland’s working waterfront. These non-marine dependent businesses have been categorized as “non-marine businesses”.

The ENOW Framework was used as a guide to categorize marine and non-marine businesses. Of the ENOW sectors, industries within the tourism and recreation sector were categorized as non-marine businesses, while industries within all other sectors (living resources, marine construction, marine transportation, ship and boat building, and offshore mineral resources) were categorized as marine businesses. However, several industries under the tourism and recreation sector were considered to be more appropriately categorized as marine businesses in the context of this study (e.g. marinas, fishing charters, and boat dealers). For the analysis, the ENOW Framework was also used to develop 11 classifications of marine and non-marine businesses. Nine business classifications were developed for marine businesses while six business classifications were developed for non-marine businesses (Table 3).

**Table 3: Summary of Business Classifications**

| Business Classification                       | Marine | Non-Marine |
|-----------------------------------------------|--------|------------|
| Commercial Fishing                            | √      |            |
| Construction Services, Including Shipbuilding | √      |            |
| Hotels                                        |        | √          |
| Marine Transportation & Port Services         | √      |            |
| Other Retail                                  | √      | √          |
| Petroleum                                     | √      |            |
| Professional Services                         | √      | √          |
| Recreation Services                           | √      | √          |
| Restaurant/Bar/Brewery                        |        | √          |
| Retail - Food & Beverage                      | √      | √          |
| Seafood Manufacturing & Wholesale             | √      |            |



Marine businesses classified as “Other Retail” include businesses such as boat, trailer, and marine supply dealers and sporting goods stores, while non-marine businesses classified as “Other Retail” include all other retail establishments that were captured in the working waterfront impact area. Marine businesses classified as “Professional Services” include marine-related architectural, engineering, and consulting services in addition to advocacy organizations that support the working waterfront, while non-marine businesses classified as “Professional Services” include promotional services and professional associations that are largely supported by the region’s tourism industry. Marine businesses classified as “Recreation Services” include businesses such as marinas and water-based organizations, while non-marine businesses classified as “Recreational Services” include land-based sight-seeing businesses. Marine businesses classified as “Retail – Food & Beverage” include fish and seafood markets, while non-marine businesses classified as “Retail – Food & Beverage” include all other food and beverage retail establishments that were captured in the working waterfront impact area.

### Study Focus Areas

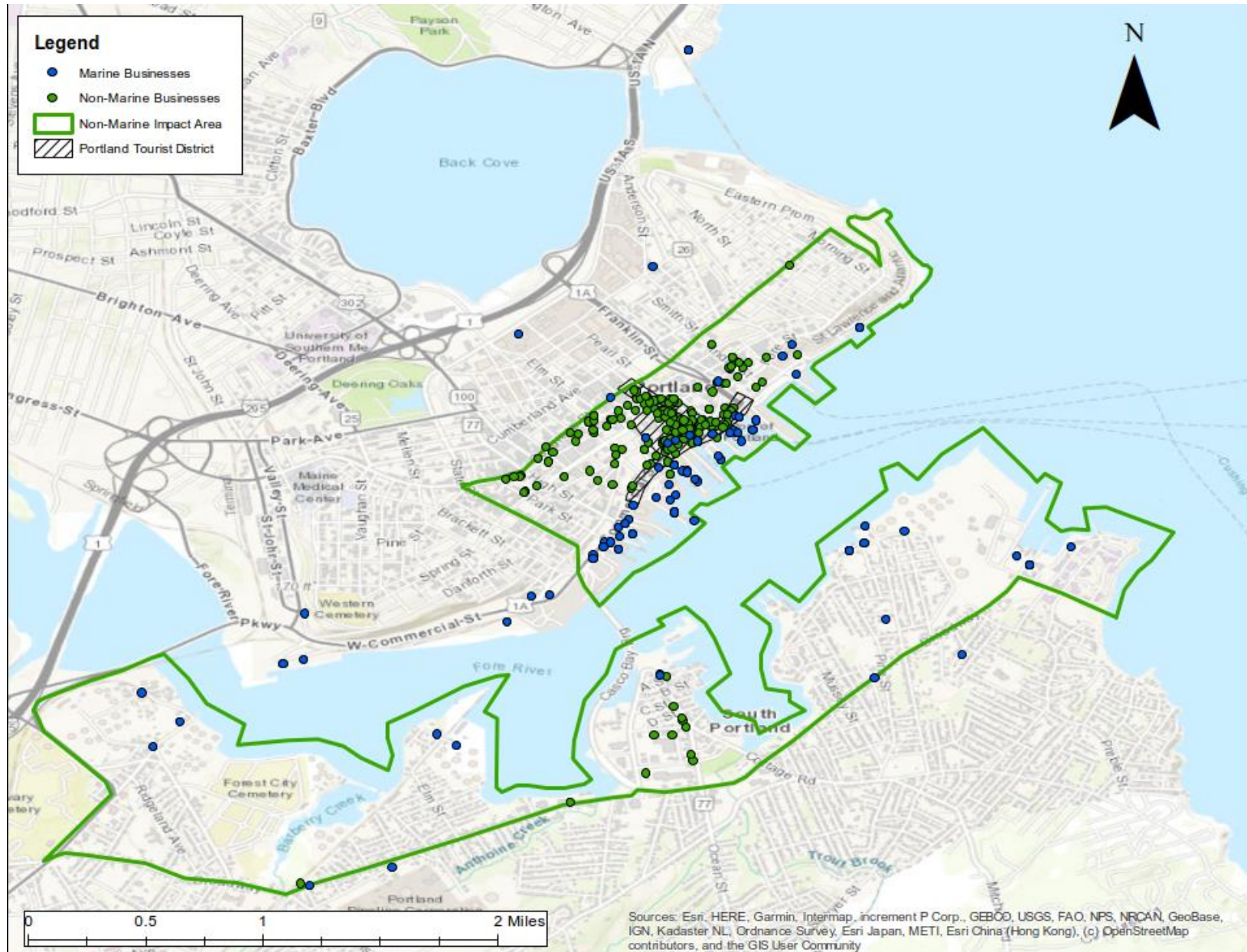
The study focused on several areas to capture the impacts of the marine and non-marine businesses. The focus area for marine businesses consisted of the entire geographic area of Portland. Conversely, the focus area for non-marine businesses was closer to the waters’ edge. The focus area for non-marine businesses consisted of the land area bounded by State Street to the west, Congress Street to the north, and the Eastern Promenade and Fore River to the east and south, respectively<sup>3</sup>. While this report is focused on Portland, Figure 2 displays the focus area for both Portland and South Portland. The focus area for Portland also includes Peaks, Long, Great Diamond, Chebeague, and Cliff Islands.

As previously described, tourism is enhanced by place-based businesses that capitalize on a local community’s assets, which includes Portland’s working waterfront. To better capture this contribution, a tourist area was delineated<sup>4</sup> to capture shops in downtown Portland that are predominantly sustained by the tourists that visit the city. The selected businesses within the tourist area were included with the non-marine businesses.

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<sup>3</sup> The focus area and tourist area for non-marine businesses were delineated based on knowledge and understanding of Portland. These areas may not align with other districts and zones that have been developed by the City of Portland. Therefore, the results of this study should not be used to infer impacts or compared to other districts and zones.

Figure 2: Non-Marine Business Focus Area



## Data

The economic assessment required data collection of marine and non-marine businesses that depend on or benefit from Portland's working waterfront. The following sections describe the data used for the economic assessment.

### Business Data

The ENOW Framework identified third-party business data as an appropriate source for business related data. Initial data on employment and revenue for marine and non-marine businesses in their respective focus areas was obtained from the AtoZDatabases for Portland. AtoZDatabases records include employment and revenue data as well as geographic coordinates of all businesses, allowing them to be georeferenced. AtoZDatabases records are categorized by North American Industry Classification System (NAICS) codes, which were used to categorize and classify the marine and non-marine businesses.

The sectors and NAICS codes identified in the ENOW Framework were used as a guide to identify, categorize, and classify marine and non-marine businesses from the AtoZDatabases. Data from the AtoZDatabases were queried to identify marine businesses located anywhere in Portland, whereas only non-marine businesses located in the non-marine focus area (see Figure 1) were included in the analysis.

Due to the dependence of many businesses on tourists that visit Portland for its working waterfront, a special tourist area was delineated in downtown Portland, which includes portions of Commercial, Fore, Milk, Middle, Exchange, and Market Streets. All businesses in the tourist area were reviewed. Retail and service-based businesses that were considered to be dependent on tourism but were not captured under the ENOW Framework discussed above were added to the list of non-marine businesses.

AtoZDatabases did not provide any information for businesses located on the islands. Businesses located on the islands were reviewed and added to the database as appropriate using other data sources and/or estimates based on other similar businesses.

Several methods were used to validate the data from the AtoZDatabases: data were checked for outliers and reviewed internally by local Team members; Team members walked the Portland waterfront on multiple occasions to record businesses; Team members met with a representative of Portland to walk through the waterfront; and data were reviewed by representatives of Portland and South Portland. During these reviews, adjustments were made to the data as appropriate.

### Survey Data

A survey was distributed to pier and marina owners within Portland and South Portland to supplement and validate the data from the AtoZDatabases. The survey asked owners for information regarding number of tenants/slips, estimated annual revenue, and number of employees. The surveys were distributed on March 25, 2020 to 16 owners. A second email was sent on April 3, 2020 by William Needelman (Portland Waterfront Coordinator) to remind owners to respond.

In April and May 2020, follow-up calls were made to owners and additional surveys were distributed. When an owner was reached during the follow-up calls, he or she was given the opportunity to complete the survey via phone. In all, 25 owners were contacted via email and/or phone. Information was received from nine owners (see call-out box for impact of the Covid-19 global pandemic). Information provided by the owners is considered confidential; therefore, that data have not been included in this report.

Data from the surveys were compared to the data obtained from AtoZDatabases. Overall, the survey data were found to align well with data from the AtoZDatabases. However, there were some exceptions that could not be explained. The data obtained from the surveys were used to update the business information obtained from the AtoZDatabases.

#### Impact of Covid-19

Because of the Covid-19 global pandemic that coincided with this study, many of the planned meetings with pier and facility owners could not take place and it was often difficult for owners to respond to survey requests in a timely manner. In addition, restrictions during the pandemic limited interactions with representatives of the City. As a result, opportunities to refine the existing data and to obtain additional data were limited.

In addition to the pier and marina owners, representatives from the ferry services (managers representing operations from the Casco Bay Ferry Terminal and the commercial landing at East End Beach) were interviewed. The representatives provided insight into their operations and how their operations were impacted by sedimentation.

### Other Data

Other data sources were reviewed and included in the analysis as appropriate. These data sources include:

- 2018 data on commercial landings in the Ports of Portland and South Portland, provided by the Atlantic Coastal Cooperative Statistics Program Fisheries Data by Ports
- 2015-2019 cruise ship data
- Survey of Cruise Visitors to Maine, Behavior, Attitudes, and Spending of Passengers and Crew (2019)
- Data included within IMPLAN, including the total value of the Commercial Fishing industry in the study area

A literature review was also conducted to identify the contribution of working waterfronts on tourism, contribution of working waterfronts on property values, and to identify other studies that valued the economic contribution of working waterfronts.

## Analyses

A total of 357 businesses with 61 unique NAICS codes were categorized and classified during the data collection process. The follow sections summarize the analyses that were conducted for the marine and non-marine businesses and the input-output analysis.

### Marine Business Analysis

Commercial fishing is an important component of the marine businesses associated with Portland Harbor. According to the Atlantic Coastal Cooperative Statistics Program, in 2018 the total commercial fishing landings in the Ports of Portland and South Portland amounted to over 48 million pounds, valued at over \$37 million (Table 4). The data highlights the large number of fishermen (over 500) and dealers (90) who rely on Portland Harbor. Also of interest is the high number of vessels and trips counts (360 and 13,400, respectively), indicating that the port is used by a number of small-sized vessels that take short duration trips (as opposed to larger vessels that take multi-day or week trips).

**Table 4: Commercial Landing Summaries for Portland and South Portland**

| Port           | Pounds            | Value               | Fishing Contributors | Dealer Contributors | Vessel Contributors | Trip Count    |
|----------------|-------------------|---------------------|----------------------|---------------------|---------------------|---------------|
| Portland       | 46,436,000        | \$36,703,000        | 500                  | 80                  | 330                 | 13,200        |
| South Portland | 1,925,000         | \$637,000           | 40                   | 10                  | 30                  | 200           |
| <b>Total</b>   | <b>48,361,000</b> | <b>\$37,340,000</b> |                      |                     |                     | <b>13,400</b> |

Source: Atlantic Coastal Cooperative Statistics Program Fisheries Data by Ports

Table 5 provides the breakdown of 2017-2019 top 10 commercial landings by species for Portland Harbor. The data highlight that while herring accounts over 70 percent of the total poundage of commercial landings, lobster accounts for almost half of the total value. Also, of interest is the high number of fishermen, vessels, and trips counts that are involved with harvesting lobster, indicating its importance in the region.

**Table 5: Commercial Landing of Species for Portland and South Portland**

| Common Name               | % Total Poundage | % Total Dollars | Known Dealers | Known Fishermen | Known Vessels | Trip Count |
|---------------------------|------------------|-----------------|---------------|-----------------|---------------|------------|
| Lobster, American         | 8%               | 49%             | 26            | 294             | 308           | 27,832     |
| Herring, Atlantic         | 72%              | 26%             | 44            | 27              | 16            | 1,098      |
| Eel, American             | 0%               | 4%              | 12            | 281             | 0             | 1,887      |
| Pollock                   | 2%               | 3%              | 4             | 36              | 42            | 1,311      |
| Tuna, Bluefin             | 0%               | 3%              | 7             | 120             | 117           | 1,149      |
| Flounder, American Plaice | 1%               | 2%              | 4             | 25              | 31            | 1,038      |
| Goosefish                 | 3%               | 2%              | 9             | 29              | 40            | 1,729      |
| Menhadens                 | 7%               | 2%              | 12            | 21              | 22            | 192        |
| Haddock                   | 1%               | 2%              | 6             | 38              | 45            | 1,232      |
| Hake, White               | 1%               | 2%              | 3             | 25              | 31            | 1,483      |

Source: Atlantic Coastal Cooperative Statistics Program Fisheries Data by Ports



Commercial fishing directly supports many of the marine businesses related to the working waterfront. The study identified 95 marine businesses (not including individual commercial fishing vessels) in Portland. These 95 marine businesses have over half a billion dollars in annual revenue and provide employment for approximately 1,900 workers. Commercial fishing adds another \$12 million in revenue and 400 jobs. As can be seen in Table 6, the marine transportation & port services and seafood manufacturing & wholesale categories account for much of the revenue and employment. This indicates the importance of each of these business categories to the region.

**Table 6: Marine Businesses by Industry Category**

| Category                                  | Revenue              | Employment   |
|-------------------------------------------|----------------------|--------------|
| Commercial Fishing <sup>1</sup>           | \$12,000,000         | 400          |
| Construction Services, incl. Shipbuilding | \$59,000,000         | 100          |
| Hotels                                    | N/A                  | N/A          |
| Marine Transportation & Port Services     | \$157,000,000        | 550          |
| Other Retail                              | \$39,000,000         | 140          |
| Petroleum                                 | \$63,000,000         | 10           |
| Professional Services                     | \$20,000,000         | 210          |
| Recreation Services                       | \$46,000,000         | 290          |
| Restaurant/Bar/Brewery                    | N/A                  | N/A          |
| Retail - Food & Beverage <sup>2</sup>     | \$93,000,000         | 340          |
| Seafood Manufacturing & Wholesale         | \$162,000,000        | 210          |
| <b>Total</b>                              | <b>\$652,000,000</b> | <b>2,250</b> |

Source: AECOM analysis of AtoZDatabases information.

N/A – industry category was not included with marine businesses.

<sup>1</sup> Revenue and employment data for commercial fishing was from Bureau of Labor Statistics and Bureau of Economic Analysis, as reported to IMPLAN

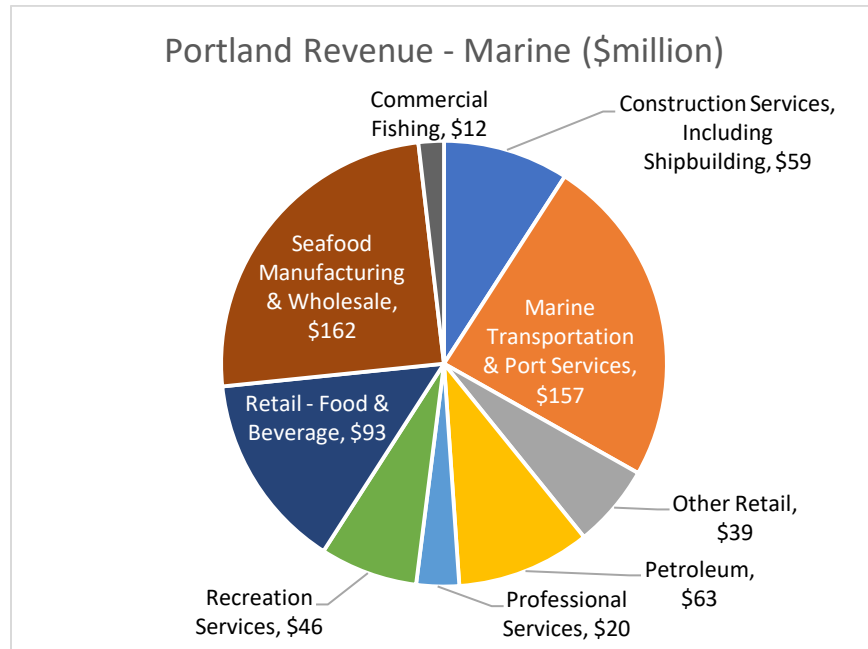
<sup>2</sup> Seafood retail accounted for all of the Retail – Food & Beverage category for marine businesses

Figure 3 shows the identified marine businesses in downtown Portland.

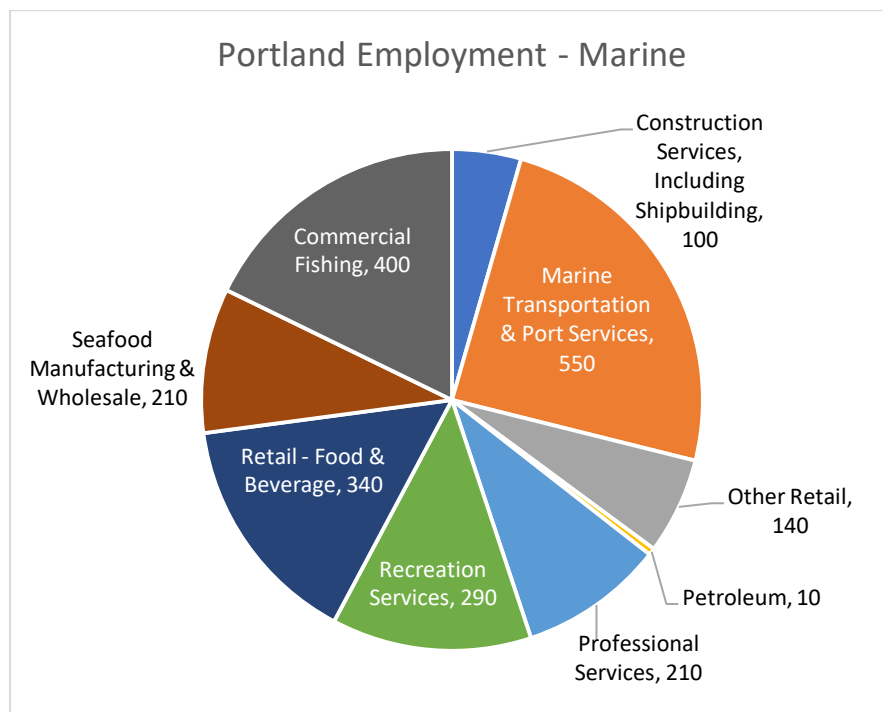


Distribution of marine businesses revenue by category in Portland is displayed in Figure 4 and employment is displayed in Figure 5.

**Figure 4: Distribution of Revenue for Marine Businesses**



**Figure 5: Distribution of Employment for Marine Businesses**





## Non-Marine Business Analysis

The working waterfront supports a host of non-marine businesses. The study identified 262 non-marine businesses in Portland (Figure 6). The non-marine businesses have a combined annual revenue of \$373 million and provide employment for about 4,600 workers. Table 7 summarizes the economic contributions of non-marine businesses by industry category. While the non-marine businesses generate about half of the revenue as marine businesses, they employ more than double the number of people. Distribution of non-marine businesses revenue in Portland is displayed in Figure 7 and employment is displayed in Figure 8.

**Table 7: Non-Marine Businesses by Industry Category**

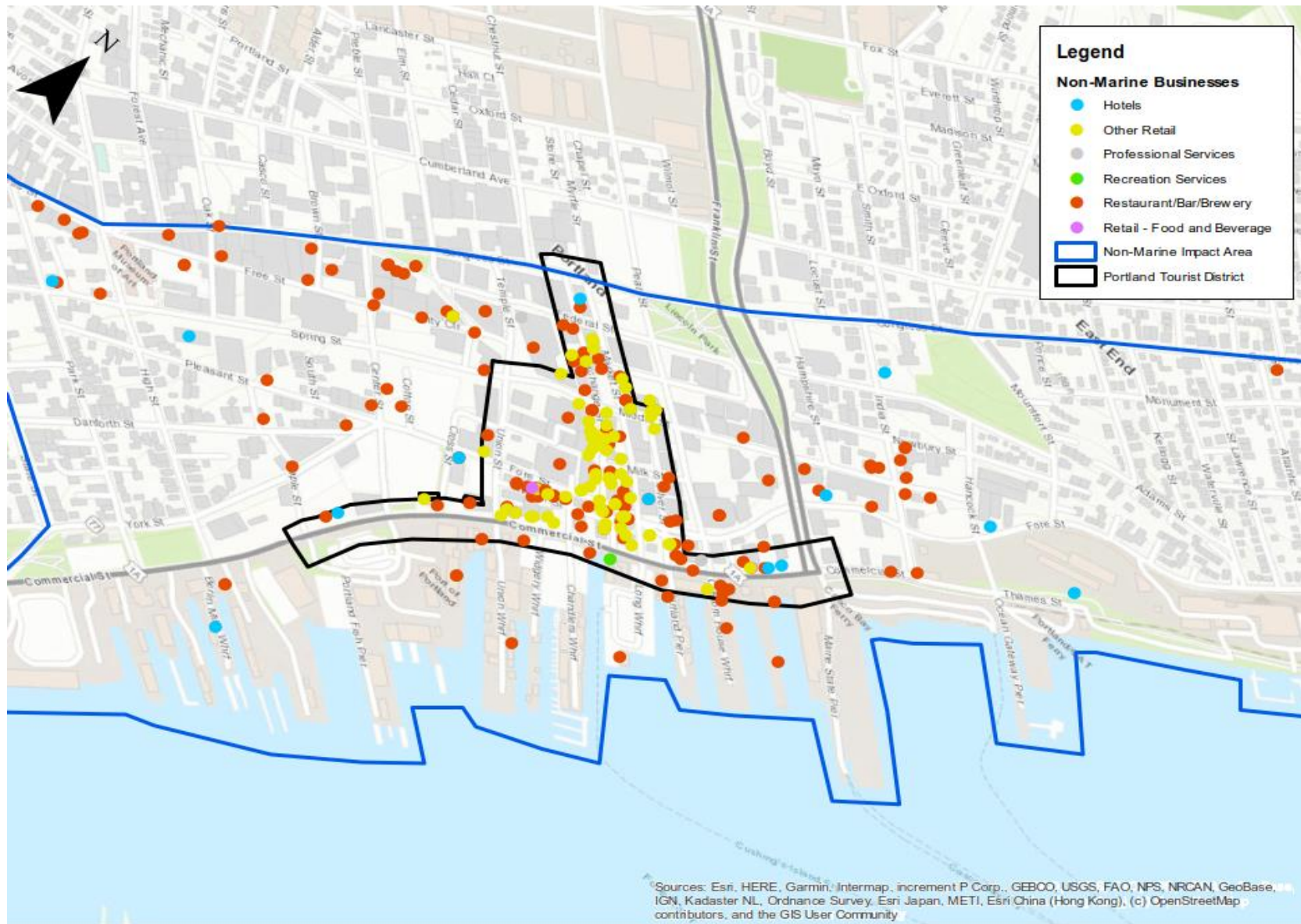
| Category                                  | Revenue              | Employment   |
|-------------------------------------------|----------------------|--------------|
| Commercial Fishing                        | N/A                  | N/A          |
| Construction Services, incl. Shipbuilding | N/A                  | N/A          |
| Hotels                                    | \$84,000,000         | 780          |
| Marine Transportation & Port Services     | N/A                  | N/A          |
| Other Retail                              | \$95,000,000         | 580          |
| Petroleum                                 | N/A                  | N/A          |
| Professional Services                     | \$1,000,000          | 20           |
| Recreation Services                       | \$3,000,000          | 30           |
| Restaurant/Bar/Brewery                    | \$186,000,000        | 3,160        |
| Retail - Food & Beverage                  | \$4,000,000          | 20           |
| Seafood Manufacturing & Wholesale         | N/A                  | N/A          |
| <b>Total</b>                              | <b>\$373,000,000</b> | <b>4,580</b> |

Source: AECOM analysis of AtoZDatabases information.

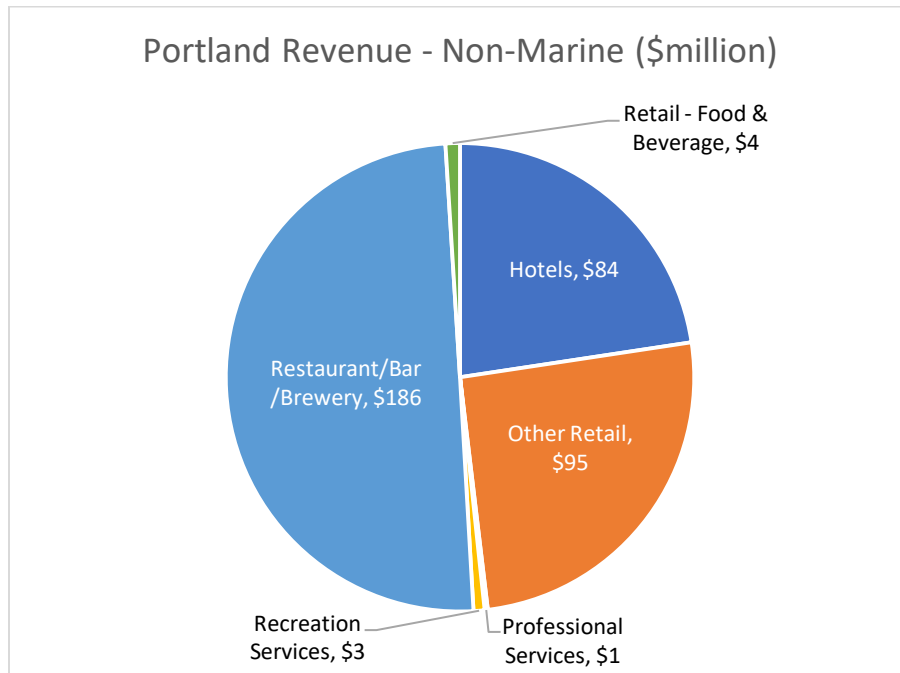
N/A – industry category was not included with non-marine businesses.

The large percentage of revenue and employment in the Restaurant/Bar/Brewery category indicates the waterfront's importance to tourism. This importance includes the cruise ship industry, which has grown significantly in the last five years in both the number of ships visiting the region and the size of the ships (see call-out box).

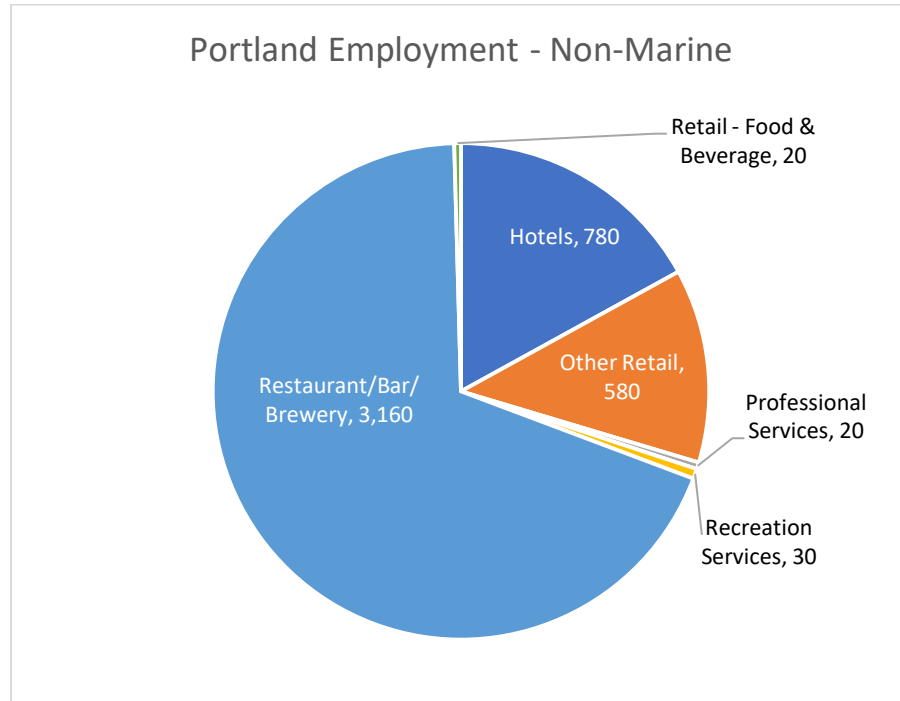
Figure 6: Non-Marine Businesses in Portland



**Figure 7: Distribution of Revenue for Non-Marine Businesses**



**Figure 8: Distribution of Employment for Non-Marine Businesses**



## CRUISE SHIPS

Portland has become an increasingly popular tourist destination, as shown by the rapid increase in volume and capacity of cruise ship arrivals between 2015 and 2019. 107 cruise ships landed in Portland and 158,000 passengers disembarked in 2019, compared to 83 cruise ships and 94,000 passengers in 2015. During that time the average number of passengers per ship increased from 1,100 to 1,500.

According to the Survey of Cruise Visitors to Maine, the average visitor on cruise ships spends \$70 on each visit to a port in Maine. As a result, aggregate spending by cruise passengers in Portland increased from \$6.5 million in 2015 to \$10.9 million 2019, an increase of nearly 70 percent.

### Cruise Ship Summary – 2015-2019

| Year | Ships | Passengers | Passengers/Ship | Passenger Spending |
|------|-------|------------|-----------------|--------------------|
| 2015 | 83    | 94,000     | 1,100           | \$6,500,000        |
| 2016 | 77    | 101,000    | 1,300           | \$7,000,000        |
| 2017 | 92    | 135,000    | 1,500           | \$9,300,000        |
| 2018 | 105   | 155,000    | 1,500           | \$10,700,000       |
| 2019 | 107   | 158,000    | 1,500           | \$10,900,000       |

Source: City of Portland and AECOM Analysis.



Photo: William Needelman

## Regional Input-Output Analysis

The full economic contribution of the working waterfront is not limited to just the revenue and employment of the marine and non-marine businesses discussed above but includes the indirect and induced employment and earnings as spending ripples through the economy. The business data developed through the ENOW Framework were incorporated into the IMPLAN software for the regional input-output analysis. The 64 NAICS codes used to classify the marine and non-marine businesses were also used to determine the appropriate IMPLAN industry code (see Appendix A for the bridge between the NAICS codes and the IMPLAN industry codes). It is important to note that while the businesses were classified into 11 categories for the tables above, the IMPLAN analysis used 35 industry codes; therefore, the results include additional business categories to those presented in Table 3.

The results from IMPLAN are categorized by labor income, value added, output, and employment. Labor income includes all forms of labor income, including wages, benefits, and proprietor income. Value added is the difference between an industry's total output and the cost of its intermediate inputs<sup>4</sup> (in other words, an industry's contribution to Gross Domestic Product). Output is the value of industry output, measured in purchaser prices. Employment numbers are considered an annual average of employment and includes full-time, part-time, and seasonal employment (in other words, employment data should not be considered full-time equivalent).

For many industries, the direct economic output is equal to its sales or revenue. However, many of the businesses included in this analysis are retail and wholesale businesses, which do not produce goods but distribute them as a service. For those businesses, IMPLAN subtracts the cost of goods sold from the total revenue to more accurately capture the businesses' actual economic contribution and avoid double counting the same goods multiple times as they move through the supply chain. This is called gross retail margin or gross wholesale margin, respectively. The value of production for these sectors is the value of services they provide and does not include the value of the items sold at the establishment. Therefore, while a business may seem to have a large economic contribution from a revenue perspective, much of that revenue may include the cost of its intermediate goods.

The results are further broken down into direct, indirect, and induced effects. The direct effects are the direct contribution of the businesses developed through the ENOW Framework. The indirect effect is a result of supply chain linkages, such as when a ship building business buys supplies from a local hardware store. Finally, the induced effect is generated by employees of local industries spending income on consumption goods and services. The numbers represent a snapshot of the economic contribution of these industries to Portland as it is today.

Table 8 provides the results for the contribution of the marine businesses in the City of Portland. As noted above, the direct output of over \$400 million shown in the results is less than the \$640 million of revenue because of the retail and wholesale margins that are applied within IMPLAN to those businesses.

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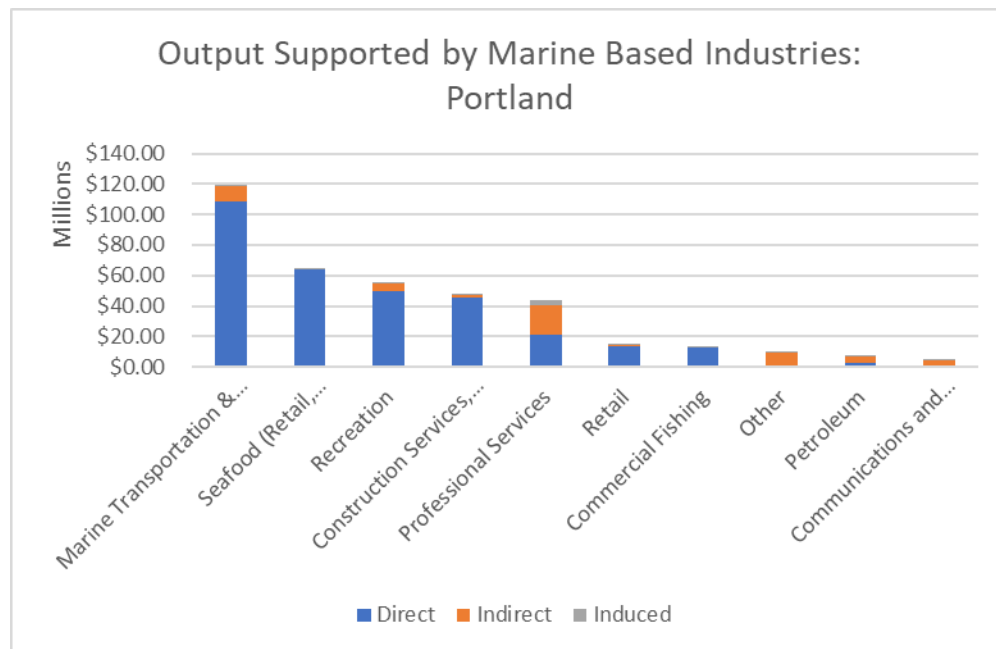
<sup>4</sup> Intermediate inputs are purchases of non-durable goods such as energy, materials, and purchases services that are used in the production of other goods and services, rather than for final consumption.

**Table 8: Marine Businesses Contributions**

| Impact       | Labor Income         | Value Added          | Output               | Employment   |
|--------------|----------------------|----------------------|----------------------|--------------|
| Direct       | \$141,000,000        | \$144,000,000        | \$317,000,000        | 2,210        |
| Indirect     | \$23,000,000         | \$36,000,000         | \$75,000,000         | 440          |
| Induced      | \$5,000,000          | \$8,000,000          | \$15,000,000         | 100          |
| <b>Total</b> | <b>\$170,000,000</b> | <b>\$188,000,000</b> | <b>\$407,000,000</b> | <b>2,750</b> |

Figure 9 displays the total economic output of the direct, indirect, and induced impacts of the marine businesses for the top 10 industry categories<sup>5</sup>. Figure 10 provides direct, indirect, and induced employment figures for the top 10 industry categories. Figure 11 shows the total value added by those industries.

**Figure 9: Total Economic Output of Marine Businesses, Top Ten<sup>6</sup>**

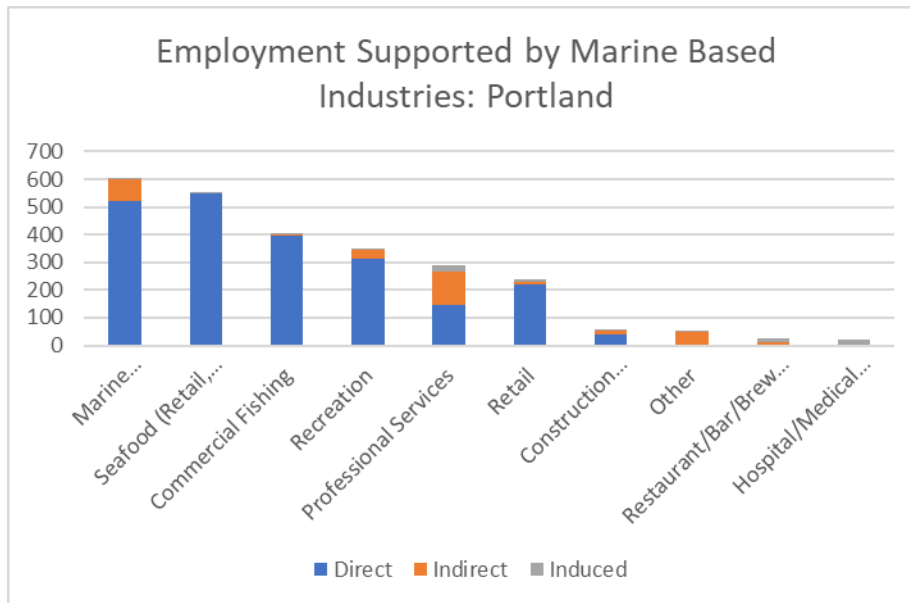


<sup>5</sup> As noted earlier, the industry categories may not match the business categories identified in Table 3 because of the additional businesses considered through the indirect and induced.

<sup>6</sup> All of the marine businesses classified as Retail – Food and Beverage (Table 6) consisted of seafood retail and were categorized as Seafood for the regional input-output analysis. The Retail category in the regional input-output analysis consisted of non-marine businesses.



**Figure 10: Total Employment Supported by Marine Businesses, Top Ten**



**Figure 11: Total Value Added Supported by Marine Businesses, Top Ten**

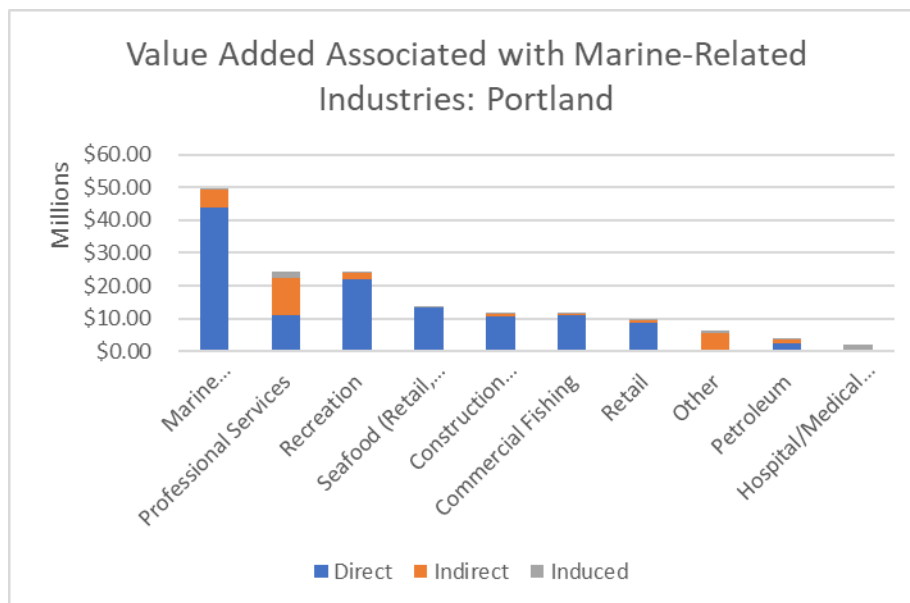




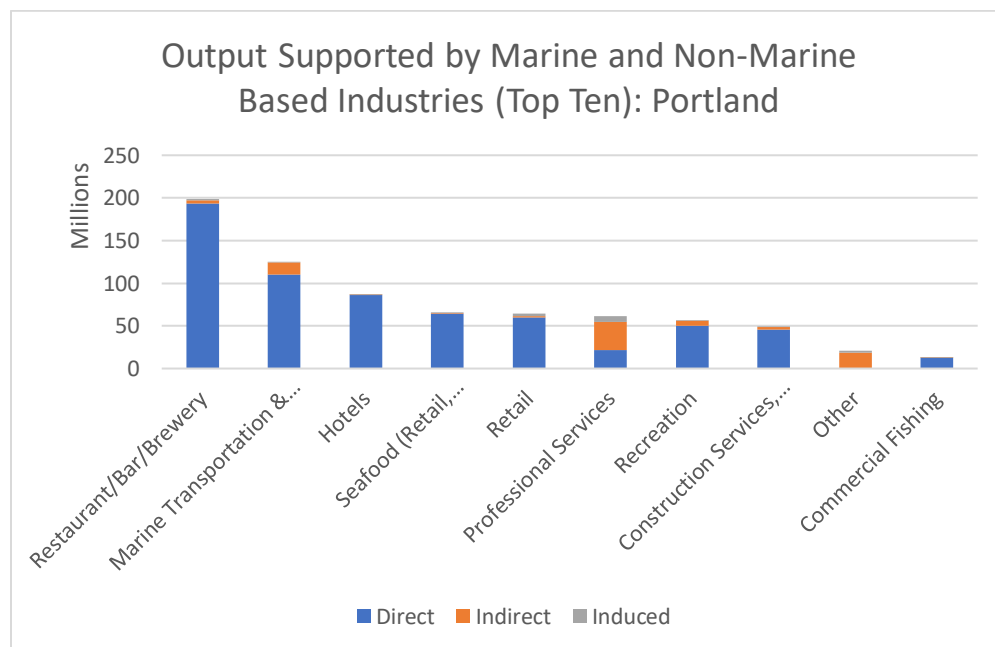
Table 9 shows the economic contribution of the combined marine and non-marine businesses in Portland. This shows that Portland Harbor and the working waterfront supports almost 7,700 jobs, \$313 million in labor income (wages, salaries, benefits, and proprietor income), \$417 million in GDP (value added), and \$800 million in total economic output.

**Table 9: Combined Marine and Non-Marine Business Contributions**

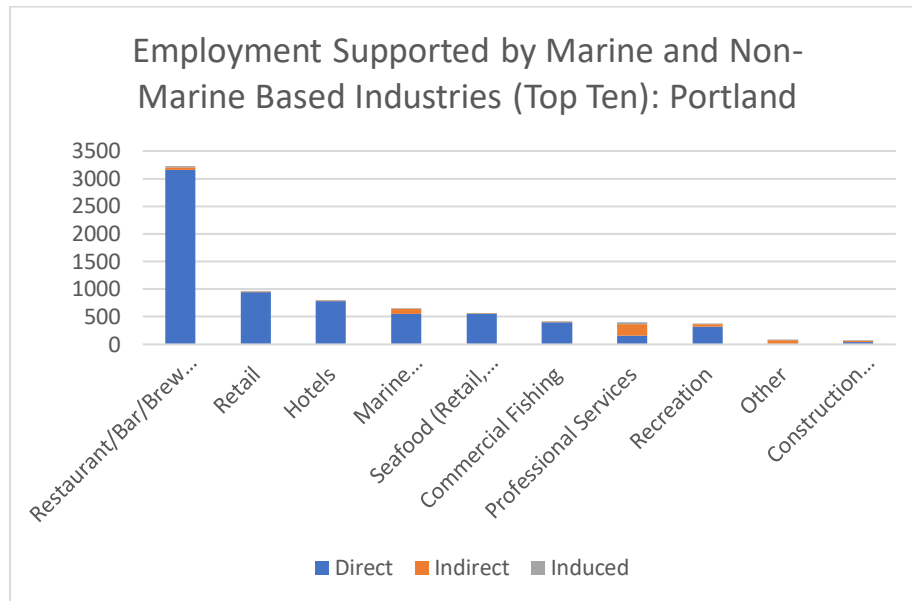
| Impact       | Labor Income         | Value Added          | Output               | Employment   |
|--------------|----------------------|----------------------|----------------------|--------------|
| Direct       | \$266,000,000        | \$341,000,000        | \$649,000,000        | 6,790        |
| Indirect     | \$38,000,000         | \$61,000,000         | \$125,000,000        | 720          |
| Induced      | \$9,000,000          | \$15,000,000         | \$26,000,000         | 170          |
| <b>Total</b> | <b>\$313,000,000</b> | <b>\$417,000,000</b> | <b>\$800,000,000</b> | <b>7,680</b> |

Figure 12 shows the total economic output of those industries, Figure 13 shows the employment supported, and Figure 14 shows the total value added by those industries.

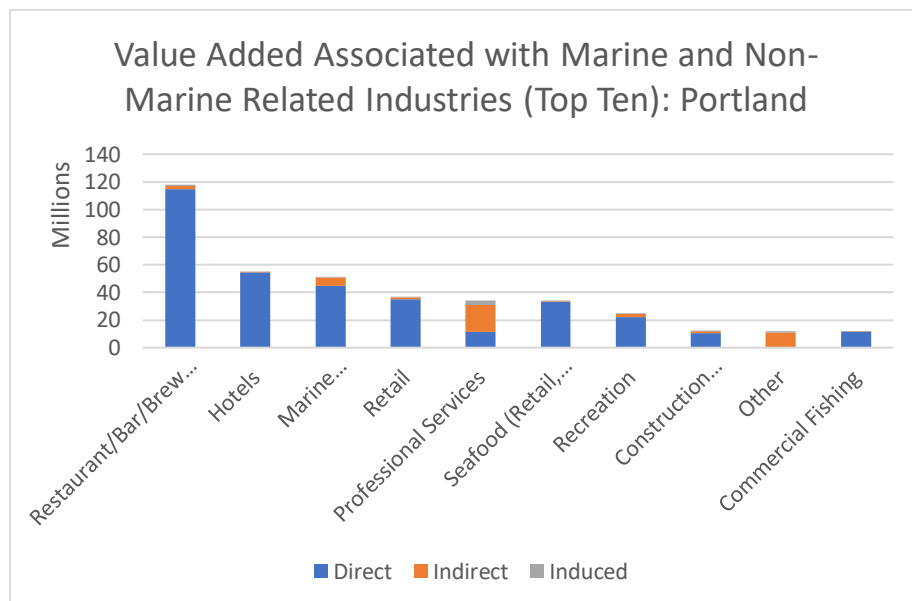
**Figure 12: Total Economic Output of Marine and Non-Marine Businesses**



**Figure 13: Total Employment Supported by Marine and Non-Marine Businesses**



**Figure 14: Total Value Added Supported by Marine and Non-Marine Businesses**



## Findings

The study measured the economic contribution of the working waterfront in terms of overall output generated, employment supported, and value added to the combined regional economy of Portland.

About \$800 million dollars of total economic output is related directly or indirectly to the working waterfront in Portland via industrial marine, commercial fishing, recreational, and tourism activities. To put this in perspective, the combined Portland-South Portland region generates over \$21 billion dollars in economic output, meaning that the economy related to Portland's working waterfront represents nearly 4 percent of the region's overall economic output. While the output of the working waterfront to Portland is large, this value does not capture the impacts to neighboring cities, the region, or the State of Maine.

Within the marine businesses, the marine transportation & port services and seafood manufacturing & wholesale categories account for much of the revenue and employment. While the restaurant/bar/brewery category accounts for the majority of the revenue and employment for the non-marine businesses. This indicates the importance of each of these business categories to the region. Overall, the marine and non-marine sectors support about 7,700 jobs. To put this in perspective, this is about 5 times the employment that Wex Inc. has in the Greater Portland area.

For comparison purposes, in 2004, economist Charlie Colgan found that the seafood processing and marinas alone contributed over \$216 million (in 2001 dollars) in gross state product to the State of Maine. In today's dollars, that is over \$312 million. While the seafood processing and marinas are only a small part of the overall marine economy, this study found that the GRP of marine industries in Portland and South Portland alone equaled that amount. While the results cannot be directly compared, due to differences in the industries, data, and method used, the numbers are indicative both of the overall importance of the working waterfront to the Maine economy, and of the importance of this relatively small geographic region to the State.

More recently, a 2017 study by the Maine Center for Business and Economic Research found that the ocean economy for the entire Casco Bay region contributed over \$704 million in value added in 2017 (which would be \$737 million in 2020 dollars). Although the results cannot be directly compared due to differences in method and data, the results again demonstrate the significance of the economic contributions of the Portland Harbor to the rest of the region.

### ADDITIONAL CONTRIBUTIONS

The analyses took into consideration the contributions of the marine and non-marine businesses that are related to the working waterfront. However, this does not account for all the contributions that can be attributed to the facilities at Portland Harbor. While the multiple terminals within Portland Harbor were included in the analysis, the businesses using these facilities to import or export materials and products may not be captured. For example, the Eimskip containers that pass through the International Terminal go to many businesses throughout Portland, the region, and the state. While some of the contributions were captured (such as frozen fish that are processed near the waterfront), the full contribution of the businesses that rely on the working waterfront for aspects of their business could not be captured because no data was available on the extent of the distribution.

This analysis highlights the importance of the marine-related economy in Portland. Much of this economic activity depends on reliable, predictable, and timely access to the waterfront. Interviews and conversations with waterfront users suggest that without reliable access the cost of doing business in Portland Harbor would increase both monetarily (increased cost of fuel) and in terms of the opportunity cost of time. Should vessels be forced to go to other locations because of a decreasing number of berth and slip space or must synchronize their deliveries with high tides (as is already occurring), the economic health of the working waterfront may be jeopardized.

## Appendix: IMPLAN Data Classifications

The full economic contribution of the working waterfront is not limited to just the marine jobs reliant on the waterfront. Rather, it includes the non-marine businesses as well as the indirect and induced employment and earnings supported by both the marine and non-marine aspects of the working waterfront as spending ripples through the economy of Portland and Maine. IMPLAN was used to capture these indirect and induced contributions.

IMPLAN uses a series of 546 industry classifications, each of which contains multiple NAICS codes. Table 10 shows the NAICS codes included in this analysis and their associated IMPLAN industry codes. Note that these are the 2017 NAICS codes, whereas the ENOW Framework used the 2012 NAICS codes.

**Table 10: NAICS to IMPLAN Bridge**

| NAICS Code | NAICS Description                                           | IMPLAN Code | IMPLAN Description                                   |
|------------|-------------------------------------------------------------|-------------|------------------------------------------------------|
| 237990     | Other Heavy & Civil Engineering Construction                | 56          | Construction of other new nonresidential structures  |
| 311710     | Seafood and seafood products manufacturing                  | 92          | Seafood product preparation and packaging            |
| 312120     | Breweries                                                   | 106         | Breweries                                            |
| 713930     | Boat Repairs                                                | 360         | Ship building and repairing                          |
| 423830     | Commercial fishing equipment (except boats) wholesalers     | 395         | Wholesale - Machinery, equipment, and supplies       |
| 423990     | Importers and Exporters                                     | 396         | Wholesale - Other durable goods merchant wholesalers |
| 424460     | Fish & Seafood Wholesale                                    | 398         | Wholesale - Grocery and related product wholesalers  |
| 424710     | Petroleum products bulk stations and terminals, wholesalers | 399         | Wholesale - Petroleum and petroleum products         |
| 424720     | Fuel merchant wholesalers                                   |             |                                                      |
| 441222     | Boat, Trailer, & Marine Supply Dealers                      | 402         | Retail - Motor vehicle and parts dealers             |
| 442110     | Furniture Stores                                            | 403         | Retail - Furniture and home furnishings stores       |
| 442299     | All Other Home Furnishings Stores                           |             |                                                      |
| 445210     | Grocery Stores                                              | 406         | Retail - Food and beverage stores                    |
| 445220     | Fish & Seafood Markets                                      |             |                                                      |
| 445299     | All Other Specialty Food Stores                             |             |                                                      |
| 445310     | Beer, Wine, & Liquor Stores                                 |             |                                                      |
| 446210     | Beauty Supply Store                                         | 407         | Retail – Health and personal care stores             |
| 448110     | Men's Clothing Stores                                       | 409         | Retail – Clothing and clothing accessory stores      |
| 448120     | Women's Clothing Stores                                     |             |                                                      |

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| NAICS Code | NAICS Description                                 | IMPLAN Code | IMPLAN Description                                                              |
|------------|---------------------------------------------------|-------------|---------------------------------------------------------------------------------|
| 448140     | Family Clothing Stores                            |             |                                                                                 |
| 448150     | Clothing Accessories Stores                       |             |                                                                                 |
| 448310     | Jewelry Stores                                    |             |                                                                                 |
| 448320     | Luggage and Leather Goods Stores                  |             |                                                                                 |
| 451110     | Sporting Goods Stores                             | 410         | Retail - Sporting goods, hobby, musical instrument and book stores              |
| 451120     | Hobby, Toy, and Game Stores                       |             |                                                                                 |
| 451130     | Sewing, Needlework, and Piece Goods Stores        |             |                                                                                 |
| 451211     | Book Stores                                       |             |                                                                                 |
| 453220     | Gift, Novelty, and Souvenir Stores                | 412         | Retail - Miscellaneous store retailers                                          |
| 453310     | Used Merchandise & Antique Stores                 |             |                                                                                 |
| 453920     | Art Dealers                                       |             |                                                                                 |
| 453991     | Tobacco Stores                                    |             |                                                                                 |
| 483114     | Coastal domestic passenger transportation         | 416         | Water transportation                                                            |
| 483212     | Water taxi services                               |             |                                                                                 |
| 486990     | All Other Pipeline Transportation                 | 419         | Pipeline transportation                                                         |
| 487110     | Sightseeing                                       | 420         | Scenic and sightseeing transportation and support activities for transportation |
| 487210     | Boat Excursions                                   |             |                                                                                 |
| 488310     | Port facility operation                           |             |                                                                                 |
| 488320     | Ship hold cleaning services                       |             |                                                                                 |
| 488330     | Towing & Tugboat Services                         |             |                                                                                 |
| 488390     | Marine cargo surveyors                            |             |                                                                                 |
| 488510     | Shipping Agents & Freight Forwarding              |             |                                                                                 |
| 493110     | General warehousing                               | 422         | Warehousing and storage                                                         |
| 493120     | Refrigerated warehousing                          |             |                                                                                 |
| 541330     | Marine engineering services                       | 457         | Architectural, engineering, and related services                                |
| 541360     | Geophysical surveying services                    |             |                                                                                 |
| 541715     | Environmental & Ecological Research & Development | 464         | Scientific research and development services                                    |
| 561510     | Travel Agencies                                   | 474         | Travel arrangement and reservation services                                     |
| 561591     | Tourist information bureaus                       |             |                                                                                 |
| 561990     | Commercial Divers                                 | 478         | Other support services                                                          |
| 611519     | Marine navigational schools                       | 482         | Other educational services                                                      |
| 624110     | Youth Organizations & Centers                     | 493         | Individual and family services                                                  |
| 711310     | Performing arts, concerts, and festival operators | 500         | Promoters of performing arts and sports and agents for public figures           |
| 712110     | Marine museums                                    | 501         | Museums, historical sites, zoos, and parks                                      |
| 713930     | Marinas                                           | 504         | Other amusement and recreation industries                                       |

City of Portland:  
Assessment of the Waterfront and Marine Economy

| NAICS Code | NAICS Description                                           | IMPLAN Code | IMPLAN Description                                                       |
|------------|-------------------------------------------------------------|-------------|--------------------------------------------------------------------------|
| 713990     | Athletic Clubs                                              |             |                                                                          |
| 721110     | Hotels                                                      | 507         | Hotels and motels, including casino hotels                               |
| 722511     | Full-Service Restaurants                                    | 509         | Full-service restaurants                                                 |
| 722513     | Limited-Service Restaurants                                 | 510         | Limited-service restaurants                                              |
| 722320     | Banquet halls                                               | 511         | All other food and drinking places                                       |
| 722410     | Drinking Places (Alcoholic Beverages)                       |             |                                                                          |
| 722515     | Snack and Nonalcoholic Beverage Bars                        |             |                                                                          |
| 811310     | Material handling equipment repair and maintenance services | 515         | Commercial and industrial machinery and equipment repair and maintenance |
| 813312     | Environmental advocacy organizations                        | 522         | Grantmaking, giving, and social advocacy organizations                   |
| 813910     | Industrial associations                                     | 523         | Business and professional associations                                   |





**CITY OF PORTLAND**  
**Housing and Economic Development Department**  
**Housing and Community Development Division**

TO: Councilor Costa, Chair  
Members of the Economic Development Committee

FROM: Mary Davis, Division Director  
Housing and Community Development Division

DATE: November 12, 2020

SUBJECT: Public Hearing and Vote on Recommendation to the City Council on  
Proposed Purchase and Sale Agreement for the Sale of City Property  
Located at 165 Lambert Street

Staff is requesting that the members of the Economic Development Committee vote to recommend to the City Council a Purchase and Sale Agreement, for the sale of city-owned property located at 165 Lambert Street.

On December 16, 2019, the City Council authorized staff to move forward with the disposition of three City-owned properties, including property located at 165 Lambert Street (Resolve 10-19/20). At a joint Economic Development and Housing Committee meeting held on March 4, committee members passed motions authorizing staff to issue RFPs for the three properties. The RFPs were issued on April 7 with an opening date of June 16. This memo highlights the key points from each RFP as it applies to the three City-owned properties. On July 21, 2020 the Economic Development Committee authorized staff to begin to negotiate terms for a Purchase and Sale Agreement with the development team that submitted the one proposal received for the 165 Lambert Street property.

**Maine Cooperative Development Partners** is proposing to create a limited equity housing cooperative which is designed to create permanently affordable housing. All of the homes will be permanently affordable to households earning at or up to 100% AMI. The project would be structured as a limited-equity housing co-operative (“Co-op”) under the Maine Cooperative Affordable Housing Act (13 M.R.S. §§ 1741, et seq.).

The developer has acknowledged and confirmed their understanding that the project must comply with all applicable sections of the recently passed citizen referendum initiatives.

Terms of the Purchase and Sale Agreement

Purchase Price: \$1.00

Due Diligence Period: Thirteen (13) months from the date of the Purchase and Sale Agreement. During the due diligence period the buyer is responsible for obtaining a survey

**389 Congress Street Room 312 · Portland, Maine 04101**  
**207- 874- 8711 [mpd@portlandmaine.gov](mailto:mpd@portlandmaine.gov) · [www.portlandmaine.gov](http://www.portlandmaine.gov)**

of the property, conducting any inspections, studies, etc to identify objections to title, environmental, or survey matters, obtaining rezoning approval, obtaining construction and permanent financing,

Closing Date: On or before fifteen (15) months after the date of the Purchase and Sale Agreement.

Buyer's Post Closing Obligations

Construction must commence within twelve (12) months after the closing date.

For at least 99 years after the project has been transferred to the Co-op, all units will be affordable to households earning less than or equal to 100% of the area median income (AMI), adjusted for family size. The formula to calculate maximum allowable rent is similar to the formula used in the Inclusionary Zoning Ordinance.

At the initial sale of cooperative membership interests, up to 20% of the cooperative membership interests may be sold to households earning up to 120% AMI; all other sales and all subsequent sales of cooperative membership interests must be sold to households earning no more than 100% AMI.

**Attachments:**

Proposed Purchase and Sale Agreement and its Exhibits:

Exhibit A RFP for Disposition of City-Owned Property Located at 165 Lambert Street

Exhibit B Maine Cooperative Development Partners Response to RFP

Exhibit C Minimum Household Size and Maximum Allowable Monthly Rent Calculation

## PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT IS made this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between the City OF PORTLAND, a body politic and corporate located in Cumberland County, Maine, (hereinafter referred to as “Seller” or “City”), and \_\_\_\_\_, a Maine \_\_\_\_\_, having a mailing address of \_\_\_\_\_ (hereinafter referred to as “Buyer”).

### RECITALS

WHEREAS, the CITY is the owner of approximately 13.3874 acres of land at or near 165 Lambert Street, Portland, Maine (the “Premises”) and did advertise RFP #2020-3 dated April 10, 2020, entitled Request for Proposals for Disposition of City-Owned Property Located at 165 Lambert Street, a copy of which is attached hereto as Exhibit A and incorporated herein (the “Request for Proposals”) (the Premises is identified in the City’s tax records as CBL 385 A001 and 386 C001 and is generally depicted on Attachment C to the Request for Proposals); and

WHEREAS, Buyer submitted a proposal dated June 16, 2020 in response to the Request for Proposals, a copy of which is attached hereto as Exhibit B and incorporated herein (the “Proposal”); and

WHEREAS, Buyer desires to purchase and develop the Premises, and the City desires to convey the Premises to Buyer, subject to the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties, intending to be legally bound, hereby agree as follows:

1. **SALE.** City agrees to sell the Premises to Buyer, and Buyer agrees to purchase the Premises in accordance with the terms and conditions set forth in this Agreement. This Agreement is for the sale of land only.
2. **CONSIDERATION.** The purchase price for the Premises shall be One Dollar (\$1.00) (the “Purchase Price”).
3. **TITLE AND DUE DILIGENCE.**
  - a. **Due Diligence Period.** Buyer will have from the date of this Agreement until 4:00 PM Eastern Daylight Savings Time on the day that is thirteen (13) months after the date of this Agreement (the “Due Diligence Period”) to complete any surveys, environmental review, inspections, and title examinations, and to obtain any zone change, site plan approval, and any other permits and regulatory approvals required for the Project.
  - b. **Property Description.** The legal description of the Premises contained in the deed will be a survey description based upon a survey plan that will more specifically describe the Premises. The survey and description of the

Premises will be prepared by the Buyer at its sole expense and provided to the City for review two months prior to the expiration of the Due Diligence Period. City shall notify Buyer of any objections to the survey and description prior to the expiration of the Due Diligence Period.

- c. **Rezoning Contingency.** Buyer proposes to obtain the Portland City Council's approval to rezone the Premises (the "Rezoning Approval") to maximize residential density for its development of the Premises as described in the Proposal (the "Project"). The Buyer will be responsible for obtaining, at its sole expense, the Rezoning Approval and any other regulatory approvals required for the Project prior to Closing.
- d. **Financing Contingency.** The Buyer's obligation to close is contingent on obtaining construction and permanent financing for the Project that the Buyer, in its discretion, determines is sufficient to put the Project on a sound financial footing. That financing is anticipated to include, but not be limited to, the following: (i) permanent financing for the Coop in the form of a HUD Section 213 loan; and (ii) affordable housing tax increment financing from the City.
- e. **Title and Survey Objections.** Buyer will have until the end of the Due Diligence Period to deliver to City any written objections to title, environmental, or survey matters (other than the permitted exceptions identified herein) that materially affect insurability or use. Objections not made prior to the end of the Due Diligence Period will be deemed waived; provided, however, that objections pertaining to matters of record first appearing after the end of the Due Diligence Period may be made at any time prior to the closing.
- f. **Option to Cure.** In the event of a title or survey objection, City will have the option, but not the obligation, to cure the objection and will notify Buyer of its election within ten (10) business days after receipt of the objection. In the event that the City elects to cure the objection, it will have sixty (60) days from the date of the notice of election, or such other reasonable time as the parties may agree, to cure the objection. In the event that the City does not elect to cure the objection, or, having elected to cure the objection fails to timely do so to Buyer's reasonable satisfaction, Buyer will have the option to (1) terminate this Agreement (after which neither party will have any further obligation or liability to the other under this Agreement), (2) waive the objection and close, or (3) undertake the cure of such objection at its own expense (in which case it shall have 60 days to do so).
- g. **Deed.** City shall convey the Premises to Buyer at the closing in fee simple by a municipal quitclaim deed without covenant. Title shall be good and insurable title, free and clear of all encumbrances except (i) easements of record and easements described herein; (ii) easements for utilities servicing the property, (iii) zoning ordinances, and (iv) real estate taxes not yet due

and payable. Further, Buyer acknowledges that the deed shall contain a restriction stating that in the event that the Premises or any portion thereof shall be exempt from real and personal property taxes, by transfer, conversion, or otherwise, then the then-owner of the exempt portion shall make annual payments to the City in lieu of taxes in the amount equal to the amount of property taxes that would have been assessed on the exempt portion of the real and personal property situated on the Premises had such property remained taxable. Such restriction shall also confirm that Buyer and its successors and assigns shall possess and be vested with all rights and privileges as to abatement and appeal of valuations, rates, and the like as are accorded owners of real and personal property in Maine.

- h. Buyer's Right to Terminate. The Buyer may terminate this Agreement at any time during the due diligence period if, in the exercise of its sole discretion, it decides to not proceed with the Project by giving written notice of termination to the City in which case neither party shall have any further obligations to the other.

#### 4. INSPECTIONS.

- a. During the Due Diligence Period, Buyer and its employees, consultants, contractors and agents shall have the right, at Buyer's expense, to enter on the Premises at reasonable times in order to (i) inspect the same, (ii) conduct engineering studies, percolation tests, geotechnical exams, environmental assessments, and other such studies, tests, exams, and assessments, and (iii) do such other things as Buyer determines, it is sole discretion, to be required to determine the suitability of the Premises for Buyer's intended use (collectively, the "Inspections"). The City acknowledges that such Inspections may include the digging of test pits, which the City hereby approves.
- b. Buyer agrees to defend, indemnify and hold harmless the City against any mechanics liens that may arise from the activities of Buyer and its employees, consultants, contractors and agents on the Premises.
- c. Buyer shall exercise the access and inspection rights granted hereunder at its sole risk and expense, and Buyer hereby releases the City from, and agrees to indemnify, defend, and hold the City harmless against, any and all losses, costs, claims, expenses and liabilities (including without limitation reasonable attorney fees and costs) (collectively, "Damages") suffered by the City on account of any injury to person or damage to property arising out of the exercise by Buyer of its rights hereunder, except to the extent that such Damages result from the act or omission of the City.
- d. Buyer shall cause any contractors, consultants or any other party conducting the Inspections to procure automobile insurance, if applicable, and commercial general liability insurance coverage in amounts of not less than Four Hundred Thousand Dollars (\$400,000.00) per occurrence for

bodily injury, death and property damage, listing the City as an additional insured thereon, and also Workers' Compensation Insurance coverage to the extent required by law; the forms of all such insurance to be subject to City's Corporation Counsel's reasonable satisfaction.

- e. In the event that Buyer does not purchase the Premises, Buyer agrees to either return the Premises as nearly as possible to its original condition after conducting the Inspections; provided, however, the City hereby acknowledges and agrees Buyer shall have no obligation to clean-up, remove or take any other action with respect to any disturbance of any pre-existing environmental contamination on the Premises caused by such inspections, studies, tests, exams, and assessments, and that Buyer shall have no obligation to clean-up, remove or take any other action with respect to any pre-existing environmental contamination disturbed thereby.
- f. The parties hereto acknowledge and agree that it is a condition to Buyer's obligations under this Agreement that the results of the Inspections be acceptable to Buyer in its sole discretion. If the results of such due diligence are not acceptable to Buyer in its sole discretion, and if Buyer exercises its right to terminate this Agreement, and neither party shall have any further obligations or liabilities under this Agreement except as expressly set forth in this Agreement.

5. **REAL ESTATE TAXES, PRORATIONS AND TRANSFER TAX.** Buyer shall be liable for all real estate taxes beginning as of the start of fiscal year following the closing and continuing thereafter. Because the Property is currently owned by the City of Portland, which is exempt from real estate taxes, no taxes were assessed or will be due for any portion of the current fiscal year, and no taxes will be prorated at the closing. Any utilities for the Property shall be prorated as of the closing. The Maine real estate transfer tax shall be paid for by Buyer in accordance with 36 M.R.S.A. § 4641-A. City is exempt from paying the transfer tax pursuant to 36 M.R.S.A. § 4641-C. The recording fee for the deed of conveyance and any expenses relating to Buyer's financing or closing shall be paid for by Buyer.

6. **DEFAULT AND REMEDIES.** In the event that Buyer defaults hereunder for a reason other than the default of the City, City may terminate this Agreement, and neither party shall have any further obligation to the other. In the event City defaults under this Agreement, and if Buyer is not then in default hereunder, Buyer shall have the right to pursue specific performance or terminate this Agreement, in which case neither party shall have any further obligation to the other.

7. **RISK OF LOSS.** The risk of loss or damage to the Premises by fire, eminent domain, condemnation, or otherwise, until transfer of title hereunder, is assumed by the City. The Premises is to be delivered in substantially the same condition as of the date of this Agreement unless otherwise stated. In the event City is not able to deliver the Premises as stated, Buyer may terminate this Agreement, and neither party shall have any further obligations or liabilities under this Agreement except as expressly set forth in this Agreement.

8. **PROPERTY SOLD “AS IS, WHERE IS.”** Buyer acknowledges that Buyer has had an opportunity to inspect the Premises, and to hire professionals to do so, and that Premises will be sold “as is, where is” and “with all faults.” City, and its agents, make no representations or warranties with respect to the accuracy of any statement as to boundaries or acreage, or as to any other matters contained in any description of the Premises, or as to the fitness of the Premises for a particular purpose, or as to development rights, merchantability, habitability, or as to any other matter, including without limitation, land use, zoning and subdivision issues or the environmental, mechanical, or structural condition of the Premises. Acceptance by Buyer of the Deed at closing and payment of the purchase price shall be deemed to be full performance and discharge by the City of every agreement and obligation contained herein.
9. **ENVIRONMENTAL INDEMNIFICATION.** Buyer covenants and agrees to indemnify, defend, and hold the City harmless from and against any and all claims, damages, losses, liabilities, obligations, settlement payments, penalties, assessments, citations, directives, claims, litigation, demands, defenses, judgments, costs, or expenses of any kind, including, without limitation, reasonable attorneys’, consultants’, and experts’ fees incurred in investigating, defending, settling, or prosecuting any claim, litigation or proceeding, that may at any time be imposed upon, incurred by or asserted or awarded against Buyer or the City and relating directly or indirectly to the violation of or compliance with any federal, state, or local environmental laws, rules, or regulations governing the release, handling or storage of hazardous wastes or hazardous materials and affecting all or any portion of the Premises, except to the extent that such a claim results directly from the City’s release, handling or storage of hazardous wastes or hazardous materials on the Premises. This duty to indemnify, defend, and hold harmless shall be included in a covenant in the deed and shall run with the land conveyed and be binding upon Buyer’s successors, assigns, and transferees.
10. **CLOSING.** Time is of the essence in the performance of this agreement. The closing shall be held at the offices of Buyer’s counsel at a time agreeable to the parties on or before the day that is fifteen (15) months after the date of this Agreement (the “Closing Date”). At the Closing:
- a. the City shall execute, acknowledge and deliver to Buyer a municipal quitclaim deed conveying to Buyer good and insurable title to the Premises, free and clear of all encumbrances except as otherwise set forth herein.
  - b. Buyer shall deliver the Purchase Price to the City.
  - c. Each party shall deliver to the other such other documents, certificates and the like as may be required herein or as may be necessary to carry out the obligations under this Agreement.
  - d. Buyer shall deliver evidence, reasonably satisfactory to City’s Corporation Counsel, that the entity receiving title to the Premises is in good standing



under Maine law, and that the individuals acting at Closing and executing documents on behalf of Buyer are authorized to do so.

**11. BUYER'S POST CLOSING OBLIGATIONS; RIGHTS OF CITY TO REPURCHASE PROPERTY.**

- a. Within twelve (12) months after the Closing Date, Buyer shall commence construction of the Project, as the Project is generally described in the Proposal. The Buyer, in its discretion, may develop the Project in two phases. The first phase of the Project shall include the greater of 20 three-bedroom dwelling units or the maximum number of dwelling units feasible under the current zoning.
- b. Upon the issuance of a certificate of occupancy for all or a portion of the first phase of the Project or at such earlier time as the Buyer, in its discretion, may determine, the Buyer shall convey the Project to a Cooperative Affordable Housing Corporation (the "Coop") organized in accordance with the Maine Cooperative Affordable Housing Ownership Act, 13 M.R.S.A. §1741-1762, as may be amended (the "Act"). Notwithstanding anything to the contrary in the foregoing, the Buyer may retain the right to develop additional units on the Premises as a second phase of the Project which shall be conveyed to the Coop.
- c. Rent Restrictions. For a period of 99 years after the Project has been transferred to the Coop, all units and cooperative interests in the Project shall be affordable to low- and moderate-income households earning less than or equal to 100% of the area median income (AMI), adjusted for family size, in accordance with federal standards generally accepted at the time of incorporation under the Act. For purposes of this Agreement, "affordable" means that the percentage of income a household is charged in connection with its cooperative interest and other housing expenses, including utilities, shall not exceed 30% of the household's gross monthly income. Minimum household size allowed per unit and the formula for calculating maximum allowable monthly rent is detailed on Exhibit C, which is attached hereto and made a part hereof.
- d. Income Restrictions. In order to purchase a cooperative membership interest in, and reside in a unit owned by the limited equity cooperative, a household must not earn more than 100% of the AMI, adjusted for family size, as published by the U.S. Department of Housing and Urban Development ("HUD"). Household income is defined as adjusted gross income used by the IRS. This income test will be used only at the time of the household's purchase, and excludes transfers to family members or an estate beneficiary. At the time of initial sale of cooperative membership interests in the Coop, up to 20% of the cooperative membership interests may be sold to households earning up to 120% of AMI. All other sales and all subsequent sales of cooperative membership interests must be to households earning no more than 100% of AMI.
- e. Option to Repurchase. Unless the Project has been transferred to the Coop as set forth above, if Buyer, its successors, assigns, or transferees fails to commence construction of the Project on the Premises within 12 months after the closing, and construct the buildings which are part of the first

phase of the Project within thirty (30) months after closing, the City shall have the right, but not the obligation, to repurchase the Premises and the Project at the Purchase Price plus all documented, design, development, construction, and approval expenses incurred by Buyer, or successors, to that juncture. If the City exercises this right to repurchase, Buyer shall convey the Premises to the City and assign to the City all contracts, plans, and other documents related to the design, construction, and regulatory approvals for the Project. This right to repurchase shall be assignable by the City.

- f. The articles of organization for the Coop shall provide that in the event the Coop shall be dissolved, its assets will be distributed in accordance with § 1754(6) of the Act to the City or, at the City's option, to another organization permitted under § 1754(6) of the Act reasonably acceptable to the City.
- g. The provisions of this Section 11 will survive closing and will be included in greater detail in the City's deed to Buyer or in a Declaration of Covenants, Conditions and Restrictions executed before or at the time of Closing, which shall be recorded in the Cumberland County Registry of Deeds.

- 12. **ENTIRE AGREEMENT.** This Agreement represents the entire and complete Agreement and understanding between the parties and supersedes any prior agreement or understanding, written or oral, between the parties with respect to the acquisition or exchange of the Property hereunder. This Agreement cannot be amended except by written instrument executed by City and Buyer.
- 13. **NON-WAIVER.** No waiver of any breach of any one or more of the conditions of this Agreement by either party shall be deemed to imply or constitute a waiver of any succeeding or other breach hereunder.
- 14. **HEADINGS AND CAPTIONS.** The headings and captions appearing herein are for the convenience of reference only and shall not in any way affect the substantive provisions hereof.
- 15. **BINDING EFFECT.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, administrators, successors and assigns.
- 16. **TIME.** The City and Buyer each confirm and agree that each of the time periods set forth herein are essential provisions of the terms of this Agreement.
- 17. **GOVERNING LAW.** This Agreement shall be construed in all respects in accordance with, and governed by, the laws of the State of Maine. All parties hereto hereby consent to the exclusive jurisdiction of the Superior Court for the County of Cumberland in the State of Maine, for all actions, proceedings and litigation arising from or relating directly or indirectly to this Agreement or any of the obligations hereunder, and any dispute not otherwise resolved as provided herein shall be litigated solely in said Court. If any provision of this Agreement is determined to be

invalid or unenforceable, it shall not affect the validity or enforcement of the remaining provisions hereof.

- 18. NOTICE.** All notices, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the first business day after the notice is delivered to an overnight delivery service with delivery confirmation, addressed to the recipients at the addresses set forth below. Either party may change addresses for purposes of this paragraph by giving the other party notice of the new address in the manner described herein.

**FOR THE City:** City of Portland  
ATTN: City MANAGER  
389 Congress Street  
Portland, ME 04101

With a copy to: The Office of the Corporation Counsel at the same address.

**FOR Buyer:** TBD

With a copy to: David C. Pierson, Esq.  
Eaton Peabody  
P.O. Box 15235  
Portland, ME 04112-5235

- 19. SIGNATURES; MULTIPLE COUNTERPARTS.** This Agreement may be executed in any number of counterparts and by different parties in separate counterparts. Each counterpart when so executed shall be deemed to be an original and all of which together shall constitute one and the same agreement.

- 20. BROKERS.** The CITY and Buyer each represent and warrant that they have not dealt with a real estate broker in connection with this transaction. Buyer agrees to indemnify and hold harmless City from any claims made by any broker should Buyer's representation in this paragraph be false. Subject to the limitations of liability set forth in the Maine Tort Claims Act, City agrees to indemnify and hold harmless Buyer from any claims made by any broker should City's representation in this paragraph be false. The foregoing indemnities shall include all legal fees and costs incurred in defense against any such claim, and shall survive closing.

- 21. RECITALS INCORPORATED BY REFERENCE.** The recitals set forth above are incorporated herein by reference and made a part of this Agreement.

**IN WITNESS WHEREOF,** the parties have caused this instrument to be executed on their behalf by their duly authorized offices or representatives, on the day and year first written above.

**City OF PORTLAND**

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Jon P. Jennings  
Its City Manager

**BUYER**

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Its \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Corporation Counsel's Office

DRAFT

**CITY of PORTLAND, MAINE**  
**Request for Proposals for Disposition of City-Owned Property**  
**Located at 165 Lambert Street**  
**RFP #2020-3**

**I. NOTICE AND SPECIFICATIONS**

The City of Portland, Maine seeks proposals from qualified developers for the creation of residential housing at 165 Lambert Street. The site is designated on the City of Portland Tax Assessor's Map as lots CBL 385 A001, and 386 C001.

**Sealed proposals for the project, including an original, seven (7) copies, and one (1) digital copy, as specified herein, will be received by the Purchasing Office, Room 103, City Hall, 389 Congress Street, Portland, Maine 04101, until 3:30 p.m., Tuesday June 16, 2020, at which time they will be publicly opened.**

Proposals shall be submitted, and returned in sealed envelopes plainly marked on the outside "Disposition and Development of Property Located at 165 Lambert Street".

Proposals that are late, unsigned or submitted via fax will not be accepted. Proposals from individuals not registered with the Purchasing Office may be rejected; receipt of this document directly from the City of Portland indicates registration. Should a person receive this Request from a source other than the City, please contact 207-874-8654 to ensure that you are listed as a recipient for this proposal.

All questions must be submitted in writing to the Purchasing Office. These may be mailed, hand delivered, faxed to (207) 874-8652 or e-mailed to [mff@portlandmaine.gov](mailto:mff@portlandmaine.gov) and be received no later than five (5) business days prior to the opening date. Questions received after this time will not be addressed. Any interpretation, correction, or change of this document will be made only by written addenda. Changes in any other manner will not be binding on the City and proposers should not rely on. Proposers should not have contact with any City staff with regard to this proposal unless to obtain general public information as specified in the document.

The disposal of this real estate shall be on the basis of a negotiated proposal, with the City of Portland reserving the right to refuse any and all proposals. *All proposers are advised that the property will be sold "as-is" and "where is", in its existing condition, with no warranties either expressed or implied.* The City makes no representations or warranties about of any of the information about the property set forth herein, which is provided to proposers for their convenience only. The successful proposer shall be responsible to inspect the property, or to hire its own professionals to do so. The City, and its agents, make no representations or warranties with respect to the title of the property, the accuracy of any statement as to boundaries or acreage, or as to any other matters contained in any description of the property, or as to the fitness of the property for a particular purpose, or as to development rights, merchantability, habitability, or as to any other matter, including without limitation, land use, zoning and subdivision issues or the environmental, mechanical, or structural condition of the property. The City disclaims any and all responsibility for injury to proposers, their agents or others while examining the property or at any other time. The City will not be responsible for any broker's commission.

Any and all improvements made to said property must be done in accordance with existing City Codes and Ordinances.

## **II. GENERAL INFORMATION**

### **Summary of Request:**

The City of Portland is committed to providing housing opportunities and has set a goal to evaluate the use of City-owned property to construct housing. As one-step in accomplishing this goal, the City of Portland will accept proposals for the development of housing on the lot located at 165 Lambert Street, which currently is vacant.

This request for proposals results from the December 16, 2019 approval by the Portland City Council (Resolve 10-19/20) of the recommendations of the Housing Committee to market the City-owned vacant property located at 165 Lambert Street.

The City of Portland uses the RFP process to ensure that public resources are utilized for maximum public benefit while accomplishing specific objectives and providing fair access to all applicants.

### **Site Information:**

- a. Location:** 165 Lambert Street, as identified in the City of Portland Assessor's records as lot CBL 385 A001 and 386 C001 (See Attachment 2).
- b. Existing Conditions:** 165 Lambert Street is located on two parcels totaling 13.3874 acres with frontage on Lambert Street in the North Deering neighborhood. The surrounding context is predominantly residential with the majority of homes in the area being one-family structures. The topography is quite steep and much of the parcel is designated as wetlands. A large portion of Auburn Street storm drain discharges to this area.
- c. Current use:** Vacant lot.
- d. General Dimensions:** Together these lots are approximately 13.3874 acres or 583,157 square feet.
- e. Current Zoning:** R-2. The R-2 zone allows for the creation of single-family detached dwelling units on minimum lot sizes of 10,000 square feet. At 13.39 acres (583,157 square feet), this parcel could permit a maximum residential density of 58 single-family homes. However, there are extensive wetlands on approximately 8 acres on the site that will limit maximum development potential. For complete zoning requirements, please refer to Chapter 14, Land Use, of the City Code.
- f. Rezoning:** Higher density zoning that furthers exceptional projects and city goals as outlined in Section III will be considered. For example, the R-3 residential zone allows for Planned

Residential Unit Development (PRUD) on properties of 3 acres or more, and a higher maximum residential density of 6,500 square feet per dwelling unit. A PRUD would allow for alternative site layouts, and the ability to avoid impacts to on-site wetlands. It should be noted that changes to zoning require both Planning Board and City Council approval.

- g. Condition of the property at the time of disposition:** Wetlands present. See Boyle Associates report and Jones Associates report available online.
- h. Environmental Conditions:** Boyle Associates conducted a wetland delineation in July of 2009 and prepared a wetland sketch plan for the City of Portland; 4.53 acres of uplands were identified during their review. During a site visit in October of 2019, Jones Associates confirmed there had been no changes to the wetlands and the wetland delineations done by Boyle Associates were still appropriate to use. The City of Portland reserves the right to establish a conservation easement on the non-developable portions of the parcel. The Jones Associates report is available on-line.
- i.** Proposers are urged to investigate water sources and utility connection requirements with the Department of Public Works.

### III. CITY GOALS

The City's primary goals for the use of the property are:

1. Developments shall provide mixed income units. All units must be affordable to households earning 60% to 120% of the area median income – which 60% is now \$55,800 for a family of four and 120% is now \$111,600 for a family of four.

Affordable means that the percentage of income a household is charged in rent and other housing expenses including utilities, or must pay in monthly mortgage payments (including real estate taxes, mortgage insurance, condominium/HOA fees, insurance and utilities), does not exceed 30% of a household's gross income, or other amount established in city regulations that does not vary significantly from this amount.

Restrictions on the affordability of units must be in place for a minimum of 30 years for homeownership units, and the longest period allowed by law for rental units.

2. Development of mixed income homeownership or rental housing of excellent building and site design. Design principles should promote efficient use of land to create a development that is compatible with the existing pattern, scale, massing, and materials of the surrounding neighborhood. The development's buildings shall be designed to meet the City's Green Building Code.
3. Environmental preservation should be identified to retain a balance between development and conservation of open space important for wildlife, ecological, and environmental values.
4. Rezoning may be considered to support increase housing development opportunities or maximize the number of allowable housing units on the property.



5. Developments shall create housing options that are age inclusive.

The general terms for this real estate transaction include:

- Units must be used as the principal residence of the owner/tenant and owner/tenant shall not use the unit for the conduct of business (except for a home occupation allowed under the City of Portland zoning ordinance) or as an investment property. Units shall not be rented for short-term periods of one to thirty days.
- The sale or long term lease of the property below fair market value may be considered to support housing development that meets the City's stated goals.
- Alternative Ownership Models. Alternative ownership models that will encourage a mixed income community with long term affordability for the maximum number of units, such as limited equity units, co-housing, cooperative, or a community land trust, may be considered in order to ensure the units affordability over time.
- Proposals must outline how they will maintain affordability.
- Other City Incentives. Other city financial incentives may be considered to support increase housing development opportunities or maximize the number of allowable housing units on the property.

#### **IV. PROPOSED SCORING**

An internal staff Committee will review proposals received, and will apply the following selection criteria in reviewing and scoring the applications.

##### **Proposed use to achieve the City of Portland's goals**

**40 points**

1. Market Demand - 20 points
  - a. 20 points - all units meet the City's Goals and Terms noted in Section III
  - b. 15 points - at least 75% of the units meet the City's Goals and Terms noted in Section III
  - c. 10 points - at least 50% of the units meet the City's Goals and Terms noted in Section III
  - d. 0 points - project does not meet the City's Goals and Terms noted in Section III
2. Economic diversity - 10 points
  - a. 10 points - creates housing options which promote economic diversity in the neighborhood in which the development is located
  - b. 0 points - does not promote economic diversity
3. Age Inclusive – 10 points
  - a. 10 points – creates housing which is age inclusive
  - b. 0 points – does not create housing which is age inclusive

##### **Impact on surrounding neighborhood, including design.**

**25 points**

1. Project Design - 15 points
  - a. 15 points - the proposal is consistent with design characteristics
  - b. 10 points - the proposal is an adequate fit with neighborhood characteristics
  - c. 0 points - the design is a significant outlier

2. Amenities and unit design -- 10 points
  - a. 10 points - amenities & unit design are well thought out and appropriate for residents
  - b. 5 points - amenities & unit design are adequate
  - c. 0 points - amenities and unit design raise significant concerns that resident needs will not be adequately addressed

**Applicant's ability to complete project, including financial feasibility, development team experience, capacity, and timeframe for completion. 35 points**

1. Readiness to proceed - 15 points
  - a. 15 points - all projected sources of funding include letters of commitment or interest are projected at terms and conditions consistent with the City's prior experience with the funder
  - b. 10 points - most projected sources of funding include letters of commitment, letters of interest, or, if no letter is included, are projected at terms and conditions consistent with the City's prior experience with this funder
  - c. 0 points - one or more sources are projected on terms that are not consistent with the City's prior experience with the funder and are not documented by letter(s) from funder(s)
2. Track record of development team - 10 points
  - a. 10 points - every development team member has a successful track record with this type of project and at this scale
  - b. 8 points - all but one development team members have a successful track record with this type of project and at this scale; one development team member has relevant experience but at a smaller scale or not of this project type
  - c. 5 points - two development team members, while having relevant experience, are new to this type of project or this scale of development
  - d. 0 points - the development team does not meet the criteria above
3. Current Capacity of development team - 10 points
  - a. 10 points - development team members have exceptional depth of human and financial resources to complete this project
  - b. 8 points - development team members have the human and financial resources to complete this project
  - c. 5 points - development team has a staffing gap in a significant role and a plan to address that gap, OR there are some concerns about the financial resources of the team to move the development forward
  - d. 0 points - the development team does not meet the criteria described above

**SUBMISSION INFORMATION**

Interested parties are asked to submit a concept development (including preliminary drawings) and a brief description of the project, no longer than two pages, to include the number and type of units, occupants (owners/renters) to be served, special features, the impact on the neighborhood and other ways the proposal meets the primary goals of the City. A general project budget with projected funding sources, development timeline, and development team qualifications and financial capabilities is also required. This RFP does not require detailed architectural drawings or development pro formas.

Photographs and maps of the site and area are required.

- a) **Developer:** Name, address, telephone, email, fax number of the proposed owner/developer and the name(s) of an alternative contact person(s).
- b) **Proposal:** Each proposal submitted must specifically outline the proposed use of the property and any proposed rezoning requests.
- c) **Financial Feasibility:** Provide a business plan, which shall include prospective and committed sources of funding, development and operating budgets; a letter from a lending institution indicating the applicant's ability to finance the projected costs; and provide examples of prior projects that indicate the proven ability to develop a project of similar type and scale from a fiscal perspective.
- d) **Timetable:** Provide an overview of how the proposal will be implemented. Include approximate schedule for completion of each element, closing, construction start-up, substantial completion, final completion, and occupancy. Include applications for public or private financing.
- e) **Developer Capacity:** Identify the qualifications and experience of the development team for the project including a list of previously completed projects similar to the proposed project. This team may include key staff of the developer, architect, general contractor and future property management. Also, discuss the ability to complete the project including the qualifications of the development team, management plan, experience, capacity, project readiness to proceed, and timeframe for completion.
- f) **Occupancy and Management Plan:** Present a plan detailing the ownership structure (condominium, cooperative, etc.), resale restrictions and resale process to ensure mixed income and long-term affordability.
- g) **Purchase Price or Lease Terms:** Proposed purchase price or lease terms for this property.
- h) **Copies:** Seven (7) copies, with the original so marked, of each proposal shall be submitted.

## V. DISPOSITION INFORMATION

After proposals are opened, city staff will make a recommendation to the City Council's Economic Development Committee (EDC) and the Housing Committee (HC). The EDC and HC will make a recommendation to the City Council.

## VI. OTHER INFORMATION

Confidentiality: Proposals received by the City shall become a matter of public record, subject to public inspection, except to the extent, which an applicant designates in writing, proprietary data to be confidential and submits that data under separate cover, such information may, to the extent permitted by law, be held from public inspection, as provided in applicable Maine law, including, without limitation, 5 MRSA Sections 13119-A and 13119-B.

## **VII. LEGAL REQUIREMENTS**

The contract for the disposition of the property will be executed only after review and final approval by the City Council.

## **VIII. RESERVATION of RIGHTS**

The City of Portland reserves the right, at its sole discretion, to award as well as reject any and all proposals for the city-owned property, based on the quality and merits of the proposals received, or when it is determined to be in the public interest to do so. Furthermore, the City may extend deadlines and timeframes, as needed.

The City reserves the right to substantiate any proposer's qualifications, capability to perform, availability, past performance records, and to verify that the proposer is current in its financial obligations to the City.

The City of Portland, Maine, reserves the right to waive any informalities in proposals, to accept any proposal or portion thereof, and, to reject any and all proposals, as well as negotiate with the successful proposer(s) should it be in the best interest of the City to do so for a final purchase and sale agreement and ultimate sale or lease of the property.

Pursuant to City procurement policy and ordinance, the City is unable to contract with businesses or individuals who are delinquent in their financial obligations to the City. These obligations may include but are not limited to real estate and personal property taxes and sewer user fees.

Proposers who are delinquent in their financial obligations to the City must do one of the following: bring the obligation current, negotiate a payment plan with the City's Treasury office, or agree to an offset, which shall be established by the contract, which shall be issued to the successful proposer

April 10, 2020

Matthew F. Fitzgerald  
Purchasing Manager

Attachments:

- A. Proposal Signature Page
- B. Portland Assessor's Record
- C. GIS Map
- D. Boyle Report available online
- E. Jones Associate Report available online

**PROPOSAL****NOTE: THIS PAGE IS TO BE COMPLETED AND RETURNED**

The UNDERSIGNED hereby declares that he/she or they are the only person(s), firm or corporation interested in this proposal as principal, which it is made without any connection with any other person(s), firm or corporation submitting a proposal for the same.

The UNDERSIGNED hereby declares that they have read and understand all conditions as outlined in the Request for Proposals, and that the proposal is made in accordance with same.

The UNDERSIGNED hereby declares that any person(s) employed by the City of Portland, Maine, who has direct or indirect personal or financial interest in this proposal or in any portion of the profits which may be derived therefrom has been identified and the interest disclosed by separate attachment. (Please include in your disclosure any interest which you know of. An example of a direct interest would be a City employee who would be paid to perform services under this proposal. An example of an indirect interest would be a City employee who is related to any officers, employees, principal or shareholders of your firm or to you. If in doubt as to status or interest, please disclose to the extent known).

The proposer acknowledges the receipt of Addenda numbered \_\_\_\_\_  
If Applicable

COMPANY NAME: \_\_\_\_\_  
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

FEDERAL TAX ID #: \_\_\_\_\_ DUNS #: \_\_\_\_\_

STATE OF INCORPORATION \_\_\_\_\_

(If incorporated in another State, businesses must be authorized to do business in the State of Maine.)

In your organizations preceding completed fiscal year, did the organization receive:

(1) 80 percent or more of its annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; AND

(2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements? ☐ Yes ☐ No

Does the public have access to information about the compensation of the executives in the organization through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (18 U.S.C. 78m(a), 78o(d) or section 6104 of the Internal Revenue Code of 1986? ☐ Yes ☐ No

NOTE: All bids must bear the handwritten signature of a duly authorized member or employee of the organization making the bid. **This sheet must be signed and returned with the application package.**

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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This page contains a detailed description of the Parcel ID you selected.

[New Search!](#)
**Current Owner Information:**Best viewed at  
800x600, with  
Internet Explorer

**CBL** 385 A001001  
**Land Use Type** GOVERNMENTAL  
 Verify legal use with  
 Inspections Division  
**Property Location** 165 LAMBERT ST  
**Owner Information** CITY OF PORTLAND  
 389 CONGRESS ST  
 PORTLAND ME 04101

**Book and Page**  
**Legal Description** 385-A-1 386-C-1  
 WASHINGTON AVE 2119-  
 2217 AUBURN ST 600-  
 612 583157 SF

**Rental Registration** No  
**Acres** 13.3874

**Current Assessed Valuation:**

|                                  |                |                                         |
|----------------------------------|----------------|-----------------------------------------|
| <b>TAX ACCT NO.</b>              | 10005          | <b>OWNER OF RECORD AS OF APRIL 2019</b> |
| <b>LAND VALUE</b>                | \$558,700.00   | CITY OF PORTLAND                        |
| <b>BUILDING VALUE</b>            | \$0.00         |                                         |
| <b>MUNICIPAL TYPE</b>            | (\$558,700.00) | 389 CONGRESS ST                         |
| <b>NET TAXABLE - REAL ESTATE</b> | \$0.00         | PORTLAND ME 04101                       |
| <b>TAX AMOUNT</b>                | \$0.00         |                                         |

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).**Building Information:****Building 1**

**Year Built**  
**Style/Structure Type**

**Sales Information:**

| Sale Date | Type | Price  | Book/Page |
|-----------|------|--------|-----------|
| 1/1/1976  | LAND | \$0.00 | 3798/6    |

[New Search!](#)



# City of Portland Maine Parcel Viewer





**JONES  
ASSOCIATES**  
Foresters, Surveyors and  
Environmental Consultants



Lori J. Paulette  
Economic Development Department  
City of Portland  
389 Congress Street  
Portland, ME 04101

Dear Lori:

Enclosed is a sketch of the wetland delineation conducted by Boyle Associates in July of 2009 for Lot 15, i.e. 165 Lambert Street and 622 Auburn Street in Portland, Maine (Tax Map 385, Lot A-1 and Tax Map 385, Lot D-8). Lot position and size were based on the town tax map information and existing monumentation on the ground.

Based upon wetland delineations done by Boyle Associates, there is approximately 236727.92 square feet (5.43 acres) of delineated wetland between the two properties. A site visit was conducted and we observed that there had been no changes to the wetlands and that the wetland delineations done by Boyle Associates were still appropriate to use. There is a vernal pool mapped on Tax Map 385, Lot D-8, though we did not inspect it. During the informational review, which is discussed in more detail below, it was not listed as a significant vernal pool.

The Maine Office of GIS was used to conduct a review of available information regarding wetlands of special significance and stormwater qualifications. There were no wetlands of special significance observed during the review. When reviewing stormwater qualifications, it was observed that although the site is not in a lake watershed, the site is downstream of a watershed most at risk from new development, Highland Lake.

More information about the type of data that was reviewed from the Maine Office of GIS can be found on the Wetland Delineation Checklist, which is attached.

For Tax Map 385, Lot A-1, there is potential for development of one or two homes on the northerly 4.53 acres of upland with potential access only from Lambert Street, as it is our

280 Poland Spring Road  
Auburn, Maine 04210  
(207) 241-0235  
Email: [rjones@jonesai.com](mailto:rjones@jonesai.com)  
Website: [www.jonesai.com](http://www.jonesai.com)



understanding that Washington Avenue has restricted access. There is also the potential for abutter expansion.

For the southerly section of Tax Map 385, Lot A-1, it is likely that there is only potential for abutter expansion.

For Tax Map 385, Lot D-8, there is also potential for development of one or two homes on the northerly 4.17 acres of upland with potential access from Auburn Street through the right-of-way if the vernal pool on the property is non-significant. To determine if the vernal pool is significant, a more in-depth assessment would be needed during breeding season to conduct egg mass surveys. Optimal time for egg mass surveys would be between April and May. If the vernal pool is significant, there are standards set forth by the Maine Department of Environmental Protection that may influence the extent of potential development on the property.

Please contact Jones Associates at (207) 241-0235 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rick Jones".

Rick Jones

280 Poland Spring Road  
Auburn, Maine 04210  
(207) 241-0235  
Email: [rjones@jonesai.com](mailto:rjones@jonesai.com)  
Website: [www.jonesai.com](http://www.jonesai.com)



### WETLAND DELINEATION CHECKLIST

|               |                                                                                    |  |  |
|---------------|------------------------------------------------------------------------------------|--|--|
| Job #:        | 19-065PO                                                                           |  |  |
| Client:       | CITY OF PORTLAND                                                                   |  |  |
| Site Address: | 622 Auburn Street and 165 Lambert Street, Portland, ME 04103 (385-D-8 and 385-A-1) |  |  |

|                               |            |
|-------------------------------|------------|
| Wetland Scientist:            | Rick Jones |
| Date of Office Review:        | 10/2019    |
| Date(s) of Field Delineation: | 07/2009    |

#### Wetlands of Special Significance

| Yes | No |                                                                                                                                                                             |
|-----|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | X  | Does the on-site or immediately adjacent wetland contain a mapped and numbered DWA?                                                                                         |
|     | X  | Does the on-site or immediately adjacent wetland contain an Inland Waterfowl Wading Bird Habitat?                                                                           |
|     | X  | Does the on-site or immediately adjacent wetland contain a potential significant vernal pool?                                                                               |
|     | X  | Does the recent aerial photos of the on-site or immediately adjacent wetland show? Or are there any open water or emergent wetlands with areas greater than 20,000 sq. ft.? |
|     | X  | Does the on-site or immediately adjacent wetland contain a 100 year flood plain?                                                                                            |
|     |    | Does the on-site or immediately adjacent wetland contain a S1 or S2 community?                                                                                              |
|     | X  | Does the on-site or immediately adjacent wetland contain a significant wildlife habitat?                                                                                    |
|     | X  | Is the on-site wetland within 250' of a coastal wetland?                                                                                                                    |
|     | X  | Is the on-site wetland within 250' of a great pond?                                                                                                                         |
|     | X  | Does the site contain peatlands?                                                                                                                                            |

#### Stormwater Qualifications

|  |   |                                                                  |
|--|---|------------------------------------------------------------------|
|  | X | Is the site in the watershed of a Great Pond or Impaired stream? |
|  | X | Is the site in a lake watershed?                                 |
|  | X | Is the site in a watershed most at risk?                         |

Additional Comments:

FEMA flood zone FIRM:

Portland 2300510002C, Effective December 8, 1998

Falmouth 2300450011B, Effective October 16, 1984

Watershed:

|                      |                                         |
|----------------------|-----------------------------------------|
| HUC_8: 01060001      | Presumpscot                             |
| HUC_10: 0106000103   | Presumpscot River                       |
| HUC_12: 010600010306 | Highland Lake – Lower Presumpscot River |



## LEGEND

- PROPERTY BOUNDARY
- UPLAND AREA
- VERNAL POOL BOUNDARY
- WETLANDS

## NOTES:

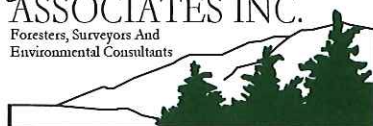
1. PROPERTY BOUNDARY OBTAINED FROM MAINE OFFICE OF GIS.
2. WETLANDS WERE REVIEWED, IDENTIFIED, AND DELINEATED BY BOYLE ASSOCIATES IN JULY 2009 FOR THE CITY OF PORTLAND'S WETLAND COMPENSATION OPPORTUNITIES ASSESSMENT. APPROXIMATE WETLAND BOUNDARIES ARE BASED ON GPS-LEVEL FIELD INVESTIGATION.
2. AERIAL IMAGERY OBTAINED FROM GOOGLE EARTH.

## WETLAND SKETCH PLAN CITY OF PORTLAND LOT 15 - 165 LAMBERT ST AND 622 AUBURN ST (385-D-8 AND 385-A-1) PORTLAND, MAINE

PREPARED BY:

**JONES**  
ASSOCIATES INC.

Foresters, Surveyors And  
Environmental Consultants



280 POLAND SPRING ROAD, AUBURN, MAINE 04210  
(207) 241-0235

PLAN DATE:

OCTOBER 18, 2019

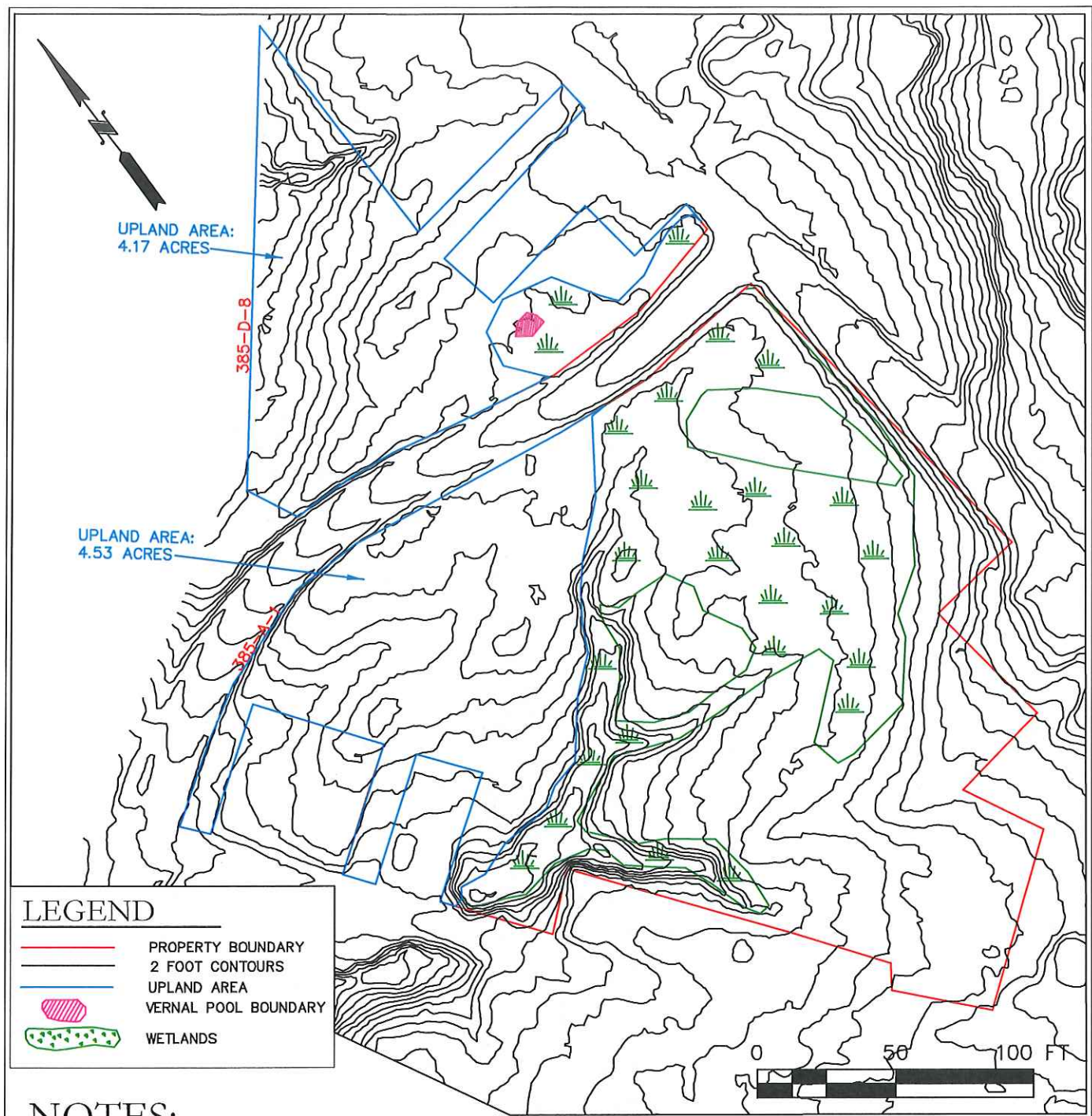
FIELD WORK DATE:

SEPTEMBER 2019

SCALE: 1"=100'

PROJ. #: 19-065PO





## NOTES:

1. PROPERTY BOUNDARY OBTAINED FROM MAINE OFFICE OF GIS.
2. WETLANDS WERE REVIEWED, IDENTIFIED, AND DELINEATED BY BOYLE ASSOCIATES IN JULY 2009 FOR THE CITY OF PORTLAND'S WETLAND COMPENSATION OPPORTUNITIES ASSESSMENT. APPROXIMATE WETLAND BOUNDARIES ARE BASED ON GPS-LEVEL FIELD INVESTIGATION.
2. 2 FOOT CONTOUR LINES OBTAINED FROM THE MAINE OFFICE OF GIS.

## WETLAND SKETCH PLAN CITY OF PORTLAND LOT 15 - 165 LAMBERT ST AND 622 AUBURN ST (385-D-8 AND 385-A-1) PORTLAND, MAINE

PREPARED BY:

**JONES  
ASSOCIATES INC.**

Foresters, Surveyors And  
Environmental Consultants

280 POLAND SPRING ROAD, AUBURN, MAINE 04210  
(207) 241-0235

PLAN DATE:

OCTOBER 18, 2019

FIELD WORK DATE:

SEPTEMBER 2019

SCALE: 1"=100'

PROJ. #: 19-065PO

**A. Developer**

RFP 20068

Brian Eng  
6 City Center, Floor 3  
Portland, ME 04101  
bri.d.eng@gmail.com  
Phone: 413-262-2610  
Fax: 207-899-4870

Alternative Contact:  
Liz Trice  
liztrice@gmail.com  
Phone: 207-776-0921

-----

**B. Lambert Village Proposal (RFP 20068)**

Overarching goal: “Beautiful, Sustainable, Attainable, High Performance Co-operative Village”

Lambert Village creates a pedestrian friendly, closely knit “pocket neighborhood” of highly energy efficient, family-oriented, factory-built, single-family-style homes and neighborhood amenities at the two sites totaling 13.39 acres at 165 Lambert Street in the North Deering neighborhood of Portland, Maine. Lambert Village will be structured as a limited-equity housing co-operative (“Co-op”) developed by a partnership of highly experienced development and co-op professionals. We see this as a unique opportunity to use innovative legal, financial and design models to create an environmentally sustainable, family-oriented homeownership community with permanent affordability. Co-op housing communities are democratically owned and operated. From a governance and decision-making standpoint, co-ops are inherently the most participatory and collaborative form of housing. Traditional single family homeownership is autocratic. Condominium ownership is like a United Nations of autocracies. Co-op homeownership builds closer, more collaborative communities --- a village. The innovative, clustered landscape and building design of Lambert Village honors and supports these democratic and community building principles.

In addition to collaborative governance, the co-op structure permits innovative financing through the HUD Section 213 program. The favorable loan-to-cost, interest rate and amortization terms of Section 213 loans are far more supportive of the high-cost of new construction than conventional residential financing. Furthermore, the model deemphasizes individual credit scores by placing a blanket mortgage on the entire cooperative rather than individual mortgages on each home. We expect that Lambert Village will appeal primarily to renters who desire the control that homeownership affords but might otherwise have difficulty qualifying for a sufficient individual mortgage. Secondly, we imagine that Lambert Village will appeal to households that value the Village’s innovative design and community characteristics. Finally, Lambert Village will form under the Maine Cooperative Affordable Housing Act (13 M.R.S. §§ 1741, et seq.) which is specifically designed to create permanently affordable housing consistent with the City’s goals.

**Proposed Use to Achieve the City of Portland’s Goals**

**Market Demand (20 Points)**

100% of Lambert Village’s homes will be permanently affordable for households earning between 60%-100% of Area Median Income (AMI).

**Economic Diversity (10 Points)**

Lambert Village provides housing options which promote economic diversity in the neighborhood by serving a range of incomes. The ability to support economic diversity will be directly proportional to the City’s ability to support the project through the contribution of land, tax increment financing, etc.

**Age Inclusive (10 Points)**

Lambert Village will provide age-inclusive housing. The homes of Lambert Village will be efficiently sized (~1,250 square feet) yet with enough bedrooms (3) and bathrooms (2) to serve young couples, families, empty nesters and multigenerational families. Co-op ownership, shared spaces, and management of the Co-op by the Cooperative Development Institute will cultivate community cohesion which will both benefit from and serve multigenerational households.

**Impact on Surrounding Neighborhood: Project Design (15 points)**

Our proposal is consistent with the design characteristics of the surrounding neighborhood. The 13.39 acre site is currently bounded by open space, single family homes and streets. By using a single family home form factor in an innovative “pocket neighborhood” site design, the structures will be consistent with existing homes. The site design offers separation from neighbors and the streets while also improving access to existing trails by creating green space and pathways connecting transit, trails, and sidewalks that are welcoming to existing neighbors, bikers, pedestrians, and children. Our site design preserves the existing wetlands and open space for wildlife. The site also offers the potential to create community center resources for the neighboring community if the Co-op and the City can agree on an appropriate partnership.

**Amenities and unit design (10 points)**

Amenities & unit design have been well thought out and are appropriate for residents. The layout of the neighborhood is intended to foster a sense of community and initiate interaction amongst home owners, while providing privacy and sense of personal ownership. Front porches and stoops face the green, cars are consolidated outside the communal green, and a network of trails connect to Washington Avenue extension transit stop as well as regional trail networks.

The current unit mix for the Co-op is twenty to forty-five 3br, 2ba, 1,250 sf single family homes depending on the success of rezoning as discussed below.

**Applicant's ability to complete the project, including financial feasibility, development team experience, capacity, and timeframe for completion. (35 points total)**

- **Readiness to proceed (15 points)** We have letters of commitment or interest from all projected sources of funding except where procurement rules disallow.
- **Track record of development team (10 points)** Every development team member has a successful track record with this type of project and at this scale.
- **Current capacity of development team (10 points)** Our development team members have exceptional depth of human and financial resources to complete this project.  
*See attachments for details.*

**Proposed Re-zoning**

To accommodate the innovative clustering of single-family style homes in the attached plans, based on discussions with City Staff, we will likely require a contract zone (or a judgment by the planning board that the co-operative structure would classify the homes as Multifamily under the Zoning Ordinance). Alternatively, the project should also work as a R-3 or R-5 PRUD (which would require a form-factor change of some or all homes from single-family style to duplex style). Either approach should be financially feasible and create the maximum number of affordable homes while honoring the design characteristics of the surrounding neighborhood and the innovative site plan.



### **C. Financial Feasibility**

**Please note that the financial feasibility numbers are for a 20-home Phase 1. The site design also contemplates a Phase 2 of 26 homes for a total of 46 homes.**

#### **Prospective and Committed Sources of Funding & Letter from Lending Institutions**

- Centennial Mortgage HUD Section 213 Loan - letter attached
- Share sales from prospective residents - equivalent of down payment on condo (Approximately \$4,300/unit, potentially variable by income level) - letter attached
- City of Portland Affordable Housing TIF (75% for 30 years) - letter not allowed
- City of Portland Housing Trust Fund (\$200,000 est.) - letter not allowed
- Maine Housing Community Solutions Grant (\$200,000 est) - letter not allowed

#### **Attachments:**

##### **Attachment 1: Site Images**

Site Photographs and Maps  
Proposed Site Plan Rendering

##### **Attachment 2: Letters of Interest and Support**

Letters: Cooperative Development Institute, Prospective Residents, Centennial Mortgage

##### **Attachment 3: Team Portfolios. Examples of prior projects that indicate the proven ability to develop a project of similar type and scale from a fiscal perspective.**

Portfolios: Maine Cooperative Development Partners, BrightBuilt Home, Aceto Landscape Architects, UHAB, Cooperative Development Institute, Acorn Engineering.

**C. Financial Feasibility cont. Development and Operating Budgets**

**Development Budget (20 Units in Phase 1)**

| <b>Project Costs</b> |                    | <b>Project Sources</b>              |                    |
|----------------------|--------------------|-------------------------------------|--------------------|
| Land Acquisition     | \$0                | HUD 213 Loan                        | \$6,935,200        |
| Construction         | \$6,334,711        | Co-op Member Equity                 | \$86,799           |
| Soft Costs           | \$782,139          | Housing Trust + Community Solutions | \$400,000          |
| Financing Costs      | \$305,149          |                                     |                    |
| <b>Total</b>         | <b>\$7,421,999</b> |                                     | <b>\$7,421,999</b> |

**Operating Budget (20 Units in Phase 1)**

|                                                   |                  |
|---------------------------------------------------|------------------|
| <b>Annual Income</b>                              |                  |
| Income from Rents (after vacancy and concessions) | <b>\$502,000</b> |
| AHTIF Income                                      | <b>\$69,000</b>  |
| <b>Total Income</b>                               | <b>\$582,000</b> |
|                                                   |                  |
| <b>Annual Expenses</b>                            |                  |
| Admin: Advertising, legal, software               | \$20,000         |
| CDI Resident Services, Training                   | \$10,000         |
| Utilities: Electricity, Water & Sewer, Internet   | \$30,000         |
| Replacement Reserve                               | \$15,000         |
| Taxes & Insurance                                 | \$100,000        |
| Maintenance: snow, trash, landscape, repairs      | \$20,000         |
| <b>Total Expenses before Debt Service</b>         | <b>\$195,000</b> |
| Net Income before Debt Service                    | \$387,000        |
| Debt Service                                      | \$375,960        |
| <b>Net surplus</b>                                | <b>\$40</b>      |

## Eng Proposal for RFP 20068

### D. Timetable

*Provide an overview of how the proposal will be implemented. Include approximate schedule for completion of each element, closing, construction start-up, substantial completion, final completion, and occupancy. Include applications for public or private financing.*

| Month             |                                                                                                                                                         |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Jun 2020          | RFP Deadline                                                                                                                                            |
| Aug 2020          | RFP Award. Obtain site control and commence market study, marketing and pre-sales. Start HUD Concept Package.                                           |
| Oct 2020          | Close pre-development funding                                                                                                                           |
| Nov 2020-Feb 2021 | Start HUD Phase I application, Design & Permitting, HUD Processing. Create co-op docs, develop marketing materials, Apply for TIF and seek zone change. |
| April 2021        | Apply for Housing Trust Fund and Community Solutions Grant                                                                                              |
| Sep 2021          | Planning Board Review                                                                                                                                   |
| Nov 2021-Apr 2022 | Design Development and Construction Documentation, select Construction Manager                                                                          |
| Mar -May 2022     | Construction Bidding process                                                                                                                            |
| Jul 2022          | HUD 213 Loan Closing, start construction (homes factory manufactured concurrently with site work)                                                       |
| Oct 2022          | Doors open                                                                                                                                              |

### E. Developer Capacity

*Identify the qualifications and experience of the development team for the project including a list of previously completed projects similar to the proposed project. This team may include key staff of the developer, architect, general contractor and future property management. Also, discuss the ability to complete the project including the qualifications of the development team, management plan, experience, capacity, project readiness to proceed, and timeframe for completion. Examples of prior projects that indicate the proven ability to develop a project of similar type and scale from a fiscal perspective.*

We have assembled an experienced and qualified team where every core member of this team has completed projects of this size and scale. Project completion is projected for Fall 2022.

## Eng Proposal for RFP 20068

| Team Member       | Company                                                       | Role                         | Similar Projects Completed                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------|---------------------------------------------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Brian Eng         | Maine Cooperative Development Partners                        | Developer                    | M North in Orlando, 288-units in Orlando, Florida.<br><a href="https://www.mnorthorlando.com/">https://www.mnorthorlando.com/</a> , Master developer of city-owned land on the former Maine Energy Recovery Corp. in Biddeford                                                                                                                                                                                            |
| Liz Trice         | Maine Cooperative Development Partners                        | Developer                    | 645 Congress Street (with Shinberg/Alfond), Danforth on High, 58 Boyd                                                                                                                                                                                                                                                                                                                                                     |
| Matt Peters       | Maine Cooperative Development Partners                        | Developer                    | Involved in over a dozen affordable housing developments in Southern Maine and New Hampshire including Deering Place and Park Street Apartments                                                                                                                                                                                                                                                                           |
| Parlin Meyer      | BrightBuilt Home (an affiliate of Kaplan Thompson Architects) | Architectural Designer       | Over 60 BrightBuilt factory-built homes completed and over 100 designed and planned                                                                                                                                                                                                                                                                                                                                       |
| Mike White        | Island Carpentry                                              | Builder                      | Eco-Village One, Bath ME ( <a href="http://island-carpentry.com/eco-village-one/">http://island-carpentry.com/eco-village-one/</a> )                                                                                                                                                                                                                                                                                      |
| Nick Aceto        | Aceto Landscape Architects                                    | Landscape Architect          | The Downs, Scarborough ME (510 Acre Mixed-Use Master Planned Community), Phases 1 & 3; Jackson Laboratory, Bar Harbor ME (37 Acre Employee Co-Housing Community); Cumberland Multi-Gen Community<br><a href="https://www.mainebiz.biz/article/future-proofing-development-designers-are-ready-for-climate-change">https://www.mainebiz.biz/article/future-proofing-development-designers-are-ready-for-climate-change</a> |
| Jonah Fertig-Burd | Cooperative Development Institute                             | Co-op Formation & Management | Mountainside Cooperative, Camden, ME (52 units), Charter Oaks, Arundel, ME (40 units), Sunset Terrace, Rockland, ME (76 units) Wardtown Cooperative, Freeport, ME (60 units), Halifax                                                                                                                                                                                                                                     |

## Eng Proposal for RFP 20068

|               |                   |                            |                                                                                                                                                                                          |
|---------------|-------------------|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               |                   |                            | Mobile Home Estates Association, Halifax, MA (430 units), Farrington's/North Avenue Co-op, Burlington, VT (117 units)                                                                    |
| Andy Reicher  | UHAB              | Co-op Formation Consultant | In Manhattan: 3603-3605 Broadway, 42 unit conversion, 520, 540-550 West 144th Street, 90 units, 421-555 West 148th Street, 98 units; 110 Madison Ave & Jupiter 21, Off-site Inclusionary |
| Will Savage   | Acorn Engineering | Civil Engineer             | Meeting House Hill Park Redevelopment, Munjoy Heights, Stroudwater Preserve, Sunset Place                                                                                                |
| David Pierson | Eaton Peabody     | Legal                      | Many construction and public-private partnership representations including the Bates Mill in Lewiston and Downeast Broadband Utility                                                     |

### F. Occupancy and Management Plan

*Present a plan detailing the ownership structure (condominium, cooperative, etc.), resale restrictions and resale process, to ensure mixed income and long-term affordability.*

The Cooperative Development Institute (CDI) will be responsible for the creation of the cooperative ownership and management structure and ensure implementation of the permanent affordability provisions. Andy Reicher, executive director of UHAB, which manages 25,000 units of limited equity cooperative housing in New York City, will be a consultant to CDI to set up a structure to train future residents in managing their buildings, and using lessons learned and management fees to seed future cooperative ownership projects.

Lambert Village will be a limited equity cooperative, meaning that residents rent from an entity of which they are an owner. This type of cooperative is democratically owned and operated similar to a condo structure, but allows for a wider range of income affordability, as the share price is low and residents do not have to qualify for a mortgage. The construction loan becomes a long-term loan paid by the association. Resident-owners pay an up-front share price similar to a down payment, then have a monthly payment similar to rent or a mortgage based on the actual operating costs of the property. New residents must meet the income requirements, and monthly carrying costs must not exceed 30% of the income bands based on Area Median Income (AMI). These rules continue in perpetuity.

## **Eng Proposal for RFP 20068**

There are currently over 20 households of prospective residents that have been meeting for over a year. The group includes multiple established immigrant families that share a vision of mixed-income ownership housing with shared community facilities and outdoor space. The development team will continue to work with these residents to crystalize their vision and recruit more households.

The homes will be principal residences and will not be used for the conduct of business (except for a home occupation allowed under the City of Portland zoning ordinance) or as investment properties. Units may not be rented for short-term periods of one to thirty days.

### **G. Purchase Price**

We propose that the City contribute the land to the Lambert Village cooperative at no cost. Doing so would serve to balance the cost of new construction against the objective of maximizing permanent affordability for an economically diverse range of households. That said, the financial model is very favorable and could support the twenty cooperative households paying the city for land acquisition, either upfront or over time. We welcome a discussion of these possible outcomes.



# City of Portland Maine Parcel Viewer

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165 lambert

X

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Show search results for 165 la...







## LEGEND

- PROPERTY BOUNDARY
- UPLAND AREA
- ▨ VERNAL POOL BOUNDARY
- ▨ WETLANDS

## NOTES:

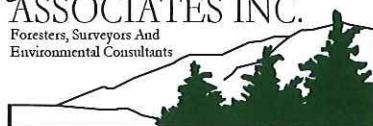
1. PROPERTY BOUNDARY OBTAINED FROM MAINE OFFICE OF GIS.
2. WETLANDS WERE REVIEWED, IDENTIFIED, AND DELINEATED BY BOYLE ASSOCIATES IN JULY 2009 FOR THE CITY OF PORTLAND'S WETLAND COMPENSATION OPPORTUNITIES ASSESSMENT. APPROXIMATE WETLAND BOUNDARIES ARE BASED ON GPS-LEVEL FIELD INVESTIGATION.
2. AERIAL IMAGERY OBTAINED FROM GOOGLE EARTH.

## WETLAND SKETCH PLAN CITY OF PORTLAND LOT 15 - 165 LAMBERT ST AND 622 AUBURN ST (385-D-8 AND 385-A-1) PORTLAND, MAINE

PREPARED BY:

**JONES  
ASSOCIATES INC.**

Foresters, Surveyors And  
Environmental Consultants



280 POLAND SPRING ROAD, AUBURN, MAINE 04210  
(207) 241-0235

PLAN DATE:

OCTOBER 18, 2019

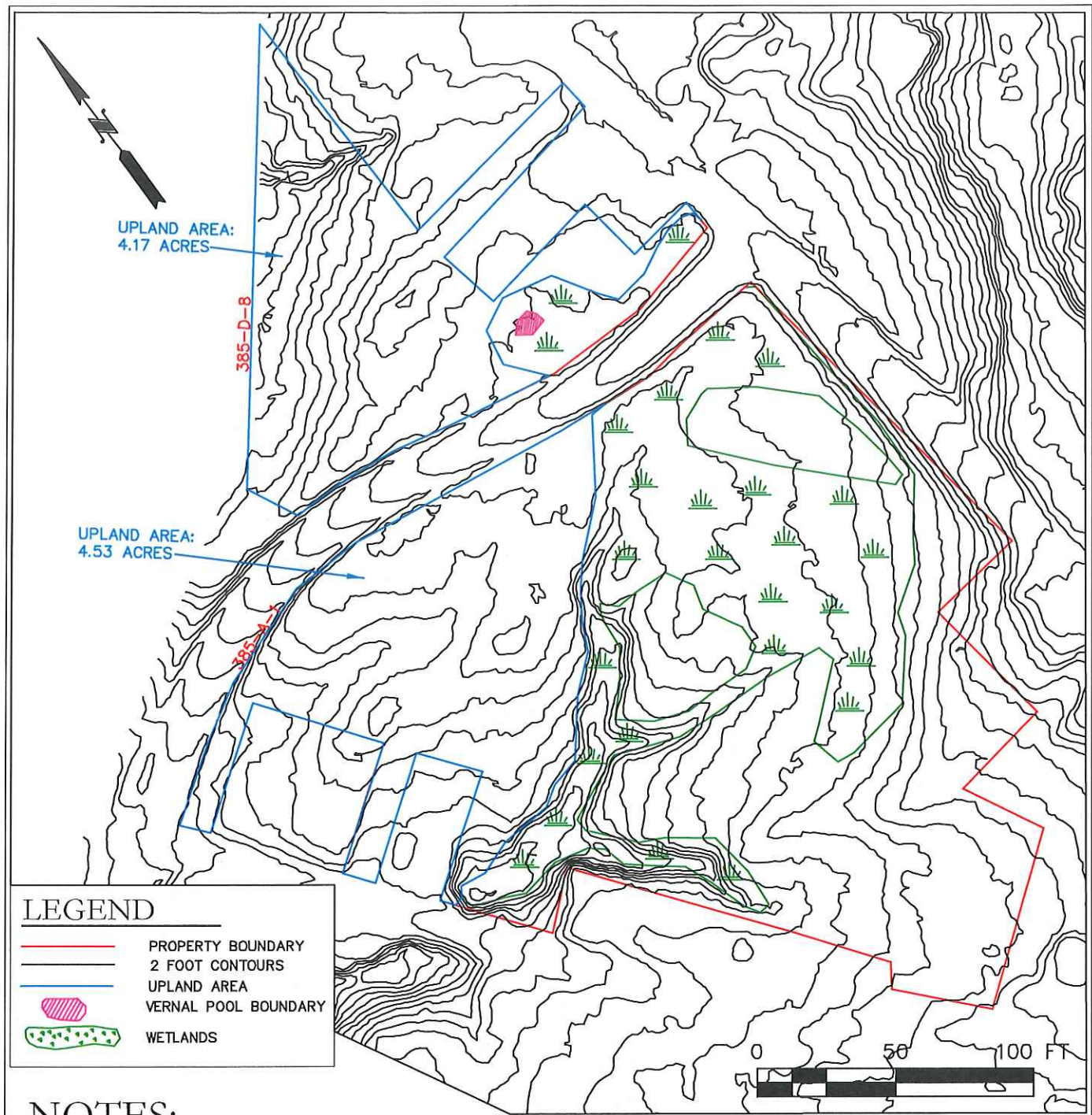
FIELD WORK DATE:

SEPTEMBER 2019

SCALE: 1"=100'

PROJ. #: 19-005PO





## NOTES:

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2. WETLANDS WERE REVIEWED, IDENTIFIED, AND DELINEATED BY BOYLE ASSOCIATES IN JULY 2009 FOR THE CITY OF PORTLAND'S WETLAND COMPENSATION OPPORTUNITIES ASSESSMENT. APPROXIMATE WETLAND BOUNDARIES ARE BASED ON GPS-LEVEL FIELD INVESTIGATION.
2. 2 FOOT CONTOUR LINES OBTAINED FROM THE MAINE OFFICE OF GIS.

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PLAN DATE:

OCTOBER 18, 2019

FIELD WORK DATE:

SEPTEMBER 2019

SCALE: 1"=100'

PROJ. #: 19-065PO















- 1 COMMON GREEN (community gardens, playground, communal gathering space)
- 2 BRIGHTBUILT HOMES
- 3 TRAIL CONNECTION TO WASHINGTON AVE EXT. BUS STOP
- 4 COVERED PARKING
- 5 ENTRY DRIVE
- 6 TRAIL CONNECTION TO SEBEGO TO SEA
- 7 PRESERVED OPEN SPACE
- 8 BRIDGE TO PHASE 2
- 9 NATIVE WOODLAND









- 1 COMMON GREEN (community gardens, playground, communal gathering space)
- 2 BRIGHTBUILT HOMES
- 3 COVERED PARKING
- 4 ENTRY DRIVE
- 5 TRAIL CONNECTION TO SEBEGO TO SEA
- 6 PRESERVED OPEN SPACE
- 7 BRIDGE TO PHASE 1











# COOPERATIVE DEVELOPMENT INSTITUTE

P.O. Box 1051, Northampton, Massachusetts 01061-1051  
PH 413-665-1271 • FX 413-541-8300 • [www.cdi.coop](http://www.cdi.coop) • [info@cdi.coop](mailto:info@cdi.coop)

June 8, 2020

To whom it may concern:

The Cooperative Development Institute (CDI) is happy to support the proposal for the creation of a new construction limited equity co-op on Lambert St.

CDI is a 501(c)3 nonprofit founded in 1994 by co-op leaders to work with people in the Northeast to create cooperative businesses and networks that grow a prosperous, equitable economy.

CDI provides expert assistance, organizational development, and support to groups undertaking cooperative development. In the past decade, CDI has helped create 47 new Resident Owned Communities (ROCs) in New England, representing 4,479 households. 8 of the ROCs are conversions of manufactured home parks in Maine. CDI's role is to help form new cooperatives, train residents, and ensure that the cooperative has the support it needs to remain permanently affordable.

Our intention is that at Lambert St., CDI will:

- Lead the creation of the new Co-op entity.
- Lead resident training and resident participation in the construction phase.
- Create and administer a long-term management plan that would meet the city's TIF requirements to ensure that the property meets the city's affordability metrics for at least 30 years.
- Be the long term training & support organization for the Co-op.

We are pleased with the proposal and the development team, and hope to be part of this exciting project!

Sincerely,

Noémi Giszpenc  
Executive Director

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THE SOURCE FOR COOPERATIVE BUSINESS DEVELOPMENT IN NEW ENGLAND & NEW YORK

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the base of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (voice and TDD).

June, 2020

To whom it may concern:

We are writing in support of the Lambert Village proposal to build housing on the parcel put to RFP by the City of Portland.

Some of us have been meeting for the last 2 years to explore strategies to build affordable home ownership housing in Portland that builds community among people of different ages, incomes, and cultural backgrounds. Several months ago, we came to the conclusion that Limited Equity Cooperative Housing was the best way to accomplish this. Limited Equity Cooperatives combines the accessibility of renting with the long-term stability and autonomy of homeownership.

We are delighted that this development team has come together to bring Limited Equity Cooperative Housing to Portland and enthusiastically support their projects. We are especially excited about the effort to create designs that will maximize interaction with outdoor spaces, gardens and shared spaces that can be used by residents. We also appreciate their effort to include us and existing neighbors in their early design efforts.

We are excited about the location, and hope that we will have the opportunity to become future residents!

Sincerely,

1. Cynthia A. Grier, 1227 Westbrook Street, Apt #2, Portland, ME 04102
2. Elisabeth C. Heij, 97 Pitt Street, Portland ME 04103
3. Valerie and Matthew Todd, 68 Black Sparrow Drive, Portland ME 04102
4. Nicole Ivins and Richard Bennett, 93 Pitt St #1, Portland, Me 04103
5. Jules Mutoni & Yvette Unezase, 77 Grant St, Apt # 13,
6. Portland, ME 04101
7. Wendy Herbert & Peter Ackoff 112 Park St. #2, Portland, Me
8. Andrea Levinsky 39 Cumberland Rd Apartment 1 South Portland ME
9. Jacques Kubwimana & Ange christelle Abaribeza 61 Deering St , Apt #E 04101
10. Arthur Sabiti & Vanice Busingye, 240 Cumberland st, westbrook 04092 ME
11. Jackson Ntambara & Peace Kobusinge, 2 walker street # 1203 westbrook 04092 ME





June 12, 2020

Brian Eng  
Principal  
Maine Co-op Development Partners  
6 City Ctr, Fl 3  
Portland, ME 04101

RE: Lambert Street Cooperative

To whom it may concern:

Centennial Mortgage has been engaged by Maine Co-op Development Partners to secure mortgage insurance through the FHA 213 program for cooperative housing and fund a construction/permanent mortgage for Lambert Street Cooperative, a new cooperative housing project in Portland, ME. We have reviewed a financing request, including initial plans, pro forma operating budget, the construction budget and initial market information for Lambert Street Cooperative in Portland, ME. In addition, we have reviewed the experience of the overall development team. Based on this review, we feel that this project is an excellent candidate for financing and will conform to all the requirements to qualify for construction and permanent financing through the FHA 213 program. We feel that this is the right time and place to create a new affordable cooperative given the advantages this particular form of housing provide to its members, primarily affordable home ownership and a greater sense of community.

Having now completed this structuring phase, we have now entered the formal application stage for the FHA 213 mortgage insurance and believe that Lambert Street Cooperative has a high likelihood of success over the coming year in obtaining a 40 year, low interest loan for the project of approximately \$6,935,200. Additional subordinated financing would serve to further increase that likelihood. We also believe that success at Lambert Street Cooperative will open an entirely new avenue for affordable housing finance in the state of Maine by making the FHA 213 program finance accepted in the market.

Centennial Mortgage has substantial expertise and experience completing FHA financing transactions. We are very active in lending to cooperative housing projects throughout the country. Cooperative housing provides a unique form of home ownership and we are actively working with several groups to create new home ownership at affordable prices. Personally, I have been involved in cooperative housing for over 20 years, through financing and serving on the board of the National Association of Housing Cooperatives.



We encourage other funding sources to join us in supporting this innovative project and creating up to 98% leverage for future projects through this program. Please let me know should you have any questions or require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "H. Jeffers", is written over a faint, light blue circular watermark that matches the Centennial Mortgage logo.

Hugh Jeffers  
Vice President of Originations



## Maine Cooperative Development Partners

### **MAINE COOPERATIVE DEVELOPMENT PARTNERS**

build neighborhoods where the elements that constitute quality of life—access to green space, healthy lifestyles, community, privacy, and affordability—are not at odds with each other. Grounding principles for this work are creating equitable communities; complementing walkable neighborhoods; building healthy buildings; and celebrating beauty, art, and the natural environment. We use Limited Equity Cooperatives as a form of ownership to create options for people of all ages, backgrounds, and incomes to live in harmony with nature and their neighbors.

**WE ENVISION** small towns, urban neighborhoods, and suburban neighborhood centers that are walkable to daily needs and adjacent to recreational facilities, trails, and transit corridors; homes that use energy efficient construction, and shared gardens, patios, and play spaces for people to get to know and enjoy their neighbors.

**WE GIVE BACK** by partnering with organizations that support trails and green space, transit, local businesses, social equity, and efforts to mainstream energy efficient building and land use.





## PRINCIPALS



**MATTHEW PETERS** has been involved in the completion of over 20 new construction, major rehab, and acquisition deals. Matt worked for eight years at Avesta Housing, one of Northern New England's largest non-profit housing developers and owners, project managing affordable housing developments, building out and overseeing the Asset Management department, and ending in an executive role overseeing the entire development and acquisitions pipeline as Vice President of Real Estate Services. In 2018 he began to consult for Housing Authorities, housing non-profits, and Community Development Finance Institutions in Maine supporting these organizations in acquisition, ground-up development, and underwriting of affordable housing properties. Matt also is the Executive Director of Freeport Housing Trust based in Freeport, Maine. He has strong working relationships with MaineHousing, Rural Development, lenders, tax credit syndicators, and other professionals in the design and construction field, holds a Masters in Urban Planning from the University of Washington, and certifications such as Spectrum's C3P and Rural Development STAR trainings and LEED Accredited Professional.



**BRIAN ENG** is a real estate investor who has worked on commercial projects in Florida, Connecticut, New Jersey, and Maine. He has worked as a principal on developments of over 200 units, is a principal on redeveloping the MERC site in Biddeford, and has redeveloped several smaller properties in Portland. He brings strong expertise in financials, fundraising, advocacy, and public speaking. He grew up in a co-op in New York City, and is on the board of UHAB, the entity that manages 20,000 units of cooperative housing in New York.



**LIZ TRICE** is a policy professional who builds multidisciplinary partnerships across real estate, economic development, entrepreneurship, and public health. Liz holds a masters degree in Public Policy & Management with a certificate in Community Planning & Development from the Muskie School at the University of Southern Maine. She has worked on multi-unit projects in Portland to obtain zone changes, lead the public engagement process with neighboring residents and businesses, apply for TIFs and grants, and direct the design of shared spaces. Her work includes award-winning research on the regulatory barriers to people living alone achieving home ownership, leading the process to redesign Bramhall Square, and working with medical and economic development institutions to develop strategic plans. Her projects to re-envision urban spaces for livability and natural ecosystems won two of three awards given by the 2019 Portland Society of Architecture's Complete City Competition. Liz trained as a cohousing developer and Passive House Design Consultant and has visited over 20 cohousing developments in the United States. She is currently the owner of PelotonLabs, a coworking space in Portland.



## PROJECTS



**M NORTH ORLANDO**—As a principal of Clay Cove Capital, Brian was the control capital partner in the ground-up development of M North in Orlando, a \$37.1M, 288-unit multifamily development in Orlando, Florida. [www.mnorthorlando.com](http://www.mnorthorlando.com)



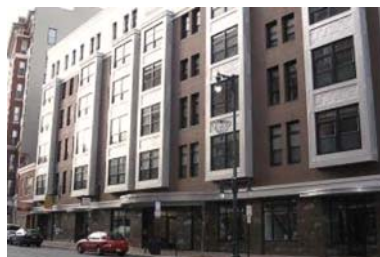
**BIDDEFORD MERC REDEVELOPMENT** Brian worked with Jim Brady of Fathom Companies, to serve as master developer of city-owned land on the former Maine Energy Recovery Corp. incinerator through a public-private partnership with the City of Biddeford.



**6 CITY CENTER IN PORTLAND**—Brian redeveloped and retented a largely vacant Old Port mixed use building including executive office suites. [www.sixcitycenter.com](http://www.sixcitycenter.com), and bringing in a law firm condo, law firm tenant, Lio Restaurant, and HE Paintbar nail salon.



**1685 CONGRESS IN PORTLAND**—Brian redeveloped a 50% vacant office/medical building and retented it including Maine Plastic Surgery Center and Maxim Healthcare. [www.maineplasticsurgery.com](http://www.maineplasticsurgery.com)

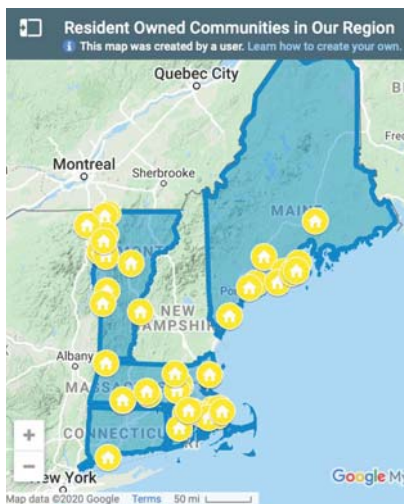


**645 CONGRESS STREET**—This former downtown college dormitory was converted to 55 one-bedroom and studio apartments with retail on the first floor. Liz worked for developers Shinberg and Alford on the initial concept, conducted a market analysis, developed relationships and communication with neighbors and businesses, creating a bike storage and parking plan, created a community management plan, and assisted with lease-up.



The Cooperative Development Institute (CDI) is a regional 501(c)3 non-profit founded in 1994 by co-op leaders in the Northeast. CDI's mission is to build a cooperative economy through the creation and development of successful cooperative enterprises. We are transforming ownership of our economy, so all people can meet their basic needs. CDI has 30 staff across the Northeast including six staff members in Southern Maine.

### New England Resident Owned Community Projects (NEROC)



One of our primary activities is creating cooperative housing in Maine and the Northeast. When a park is for sale we help residents form a cooperative, get financing to buy the park, and learn how to run it with democratic resident control. This program gives residents control of the land beneath their homes and protects the affordability of their housing.

The Resident Owned Community (ROC) model began in NH with the NH Community Loan Fund and became a national model with the formation of ROC USA in 2008. The program has helped people in over 50 parks – comprising more than 4,800 homes — convert to resident ownership. Those communities are part of the ROC USA Network, which has helped secure over 15,000 units of affordable housing

nation-wide. CDI provides ongoing support as trainers and advisers for the ROCs and other cooperatives in the region. We assist in governance, management, financial oversight, communications, conflict resolution, compliance, and securing financing.

### Charter Oaks Village Cooperative



With the support and technical assistance of the Cooperative Development Institute (CDI), the residents of Charter Oaks Village acquired the land on the 40 unit Arundel manufactured housing park on June 11, 2019 for \$1,170,000, helping to preserve the affordable housing community within it.



Charter Oaks Village joins nine other Maine manufactured housing communities supported by CDI and financed by Genesis Community Loan Fund, representing 440 homes now under resident control. The newly formed housing cooperative was a recipient of a GrowSmart Maine's honorary 2019 Smart Growth Award.

### **Mountainside Community Cooperative**



CDI's newest Maine Cooperative is the 52-unit Mountainside Community Cooperative in Camden, Maine. Securing affordable housing in a community like Camden is increasingly challenging as housing costs escalate and its population ages. The residents of Mountainside Community purchased the community on December 11, 2019 for \$1,900,000 with financing provided by Camden National Bank, Genesis Community Loan Fund and the Local Enterprise

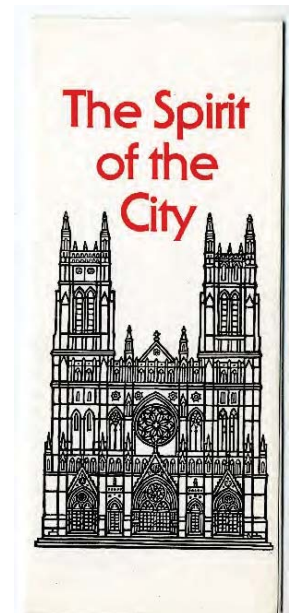
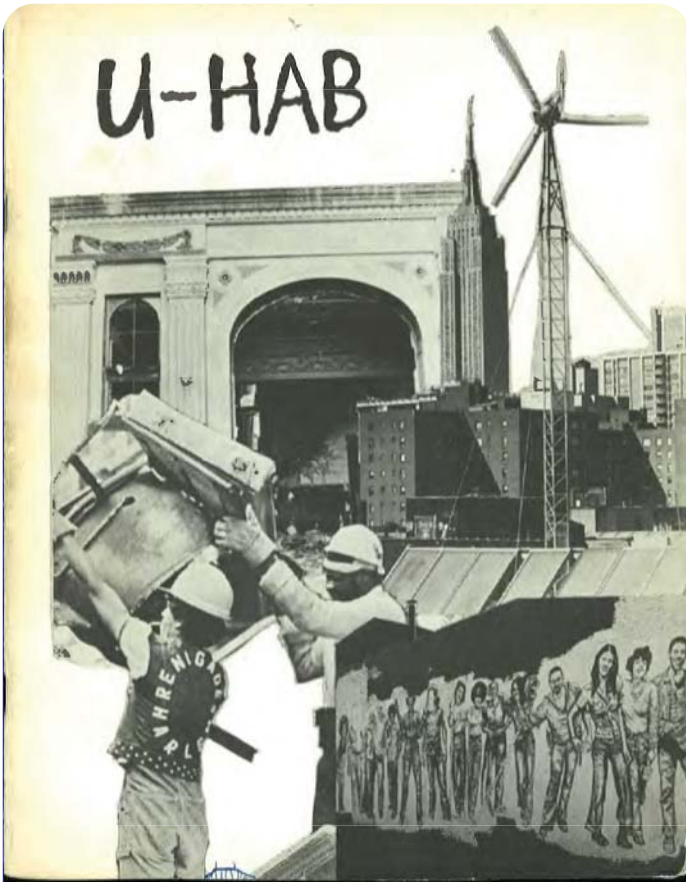
Assistance Fund. "We are so pleased to be able to help the residents of the Mountainside Community Cooperative become property owners today," said Bill Floyd, Executive Director of the Genesis Fund.

### **Wardtown Mobile Home Cooperative**



The residents of the 60-unit Wardtown Mobile Home Cooperative voted to form the cooperative and purchase the community in May 2015, with assistance from CDI, and combined financing from Maine State Housing and The Genesis Community Loan Fund. As with all of the CDI's Resident Owned Communities (ROCs), Wardtown members continue to engage in extensive training and organizational development. As Bill Hodgkins, Cooperative Treasurer explains, "We all gained valuable new skill sets as we went through the process of establishing and financing our

cooperative...Now we have a very strong board of directors and feel very organized, to the point we are able to assist other ROC mobile home parks with advice about the process."



# 2019 UHAB ANNUAL REPORT

# Building for Us

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This year, UHAB made a considerable effort to build an archive. In doing so, the lesson we learned from decades of growth is very simple: what has always mattered most for affordable housing is community. It is the strength and support that comes from the community inside a co-op that is just as essential as the affordable housing itself.

With this in mind, UHAB is proud to offer new and expanded programs to low-income homeowners with a refined lens on our work. We have more data and research than ever on the long-term impacts of redlining policies and how communities of color have been resilient in their efforts to remain in their homes, whether in the 1970s or today. By building new affordable co-ops, strengthening tenants' rights statewide, making share loans through our HomeOwnership Lending program, and working in cooperation with our Interboro Community Land Trust partners to create the first Citywide CLT in New York City, we are actively working to dismantle the detrimental legacies of redlining and community disinvestment.

As we look toward the future, our work is expanding in several ways. We are offering more services like Co-ops Go Solar and our energy programs that are tackling the most pressing issue of our lifetime: the climate crisis. Without renewable energy and carbon reduction, low-income residents more than anyone will be affected. Most importantly, we need to recognize that it is not just low-income communities, but people of color in particular who are disproportionately affected by this crisis, just as they have been marginalized from fair and stable housing. UHAB's CDFI, HomeOwnership Lending, helps ensure that a family is not denied the opportunity to purchase because they don't have the money to be an all cash buyer. This program makes small loans where other lenders are reluctant and in this way supporting our HDFC and Mitchell Lama co-op communities in continuing to provide affordable housing.

The interest in co-ops and our work is expanding not just in New York City, but in upstate New York where residents can securely remain in their mobile homes; to New Haven, CT where the nearly 50-year old Seabury Co-op struggles to keep up with its aging infrastructure; and to Seattle, WA where a new permanently affordable co-op is being created. UHAB is excited to be assisting a new City financed co-op development program in Oakland, CA and we continue to meet with organizations and officials in other cities who are seriously considering the limited-equity model.

We have come a long way and welcome our next chapter of growth.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Reicher', with a stylized flourish at the end.

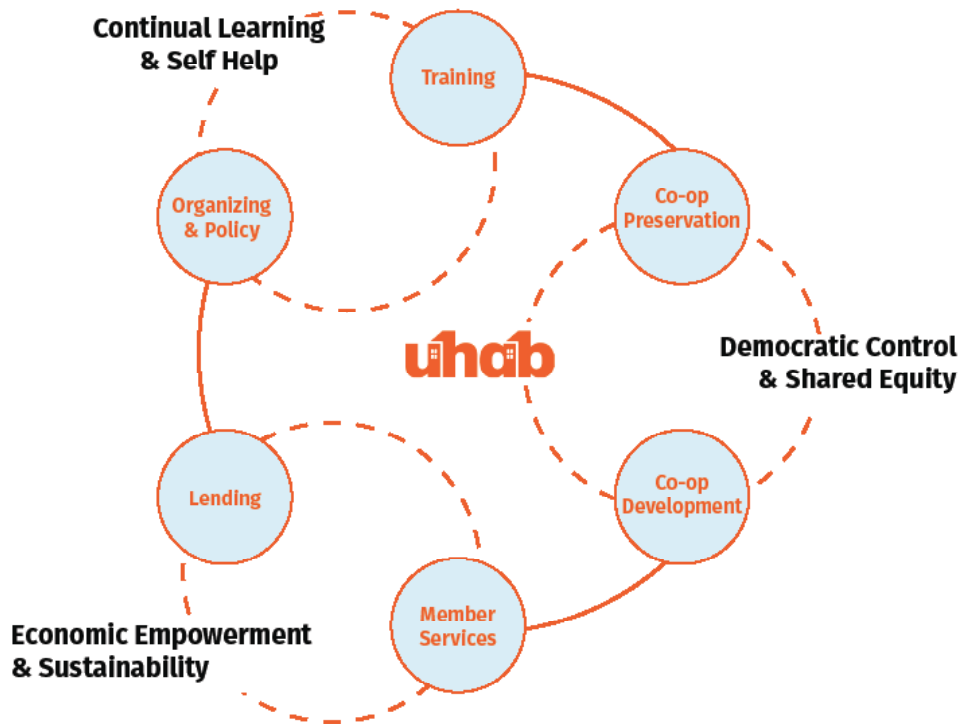
Andrew Reicher, Executive Director



# Community through Cooperation

UHAB empowers low- to moderate-income residents to take control of their housing and enhance communities by creating strong tenant associations and lasting affordable co-ops.

## Our Principles



### I. Continual Learning & Self Help

When residents take the lead on everything from creating, managing, and preserving their own co-ops to advocating for affordable housing policy reform, this not only improves buildings and neighborhoods, but it transforms lives as well. Ongoing education and training is the key to preserving affordable housing cooperatives and strong tenant associations.

### II. Democratic Residential Control & Shared Equity

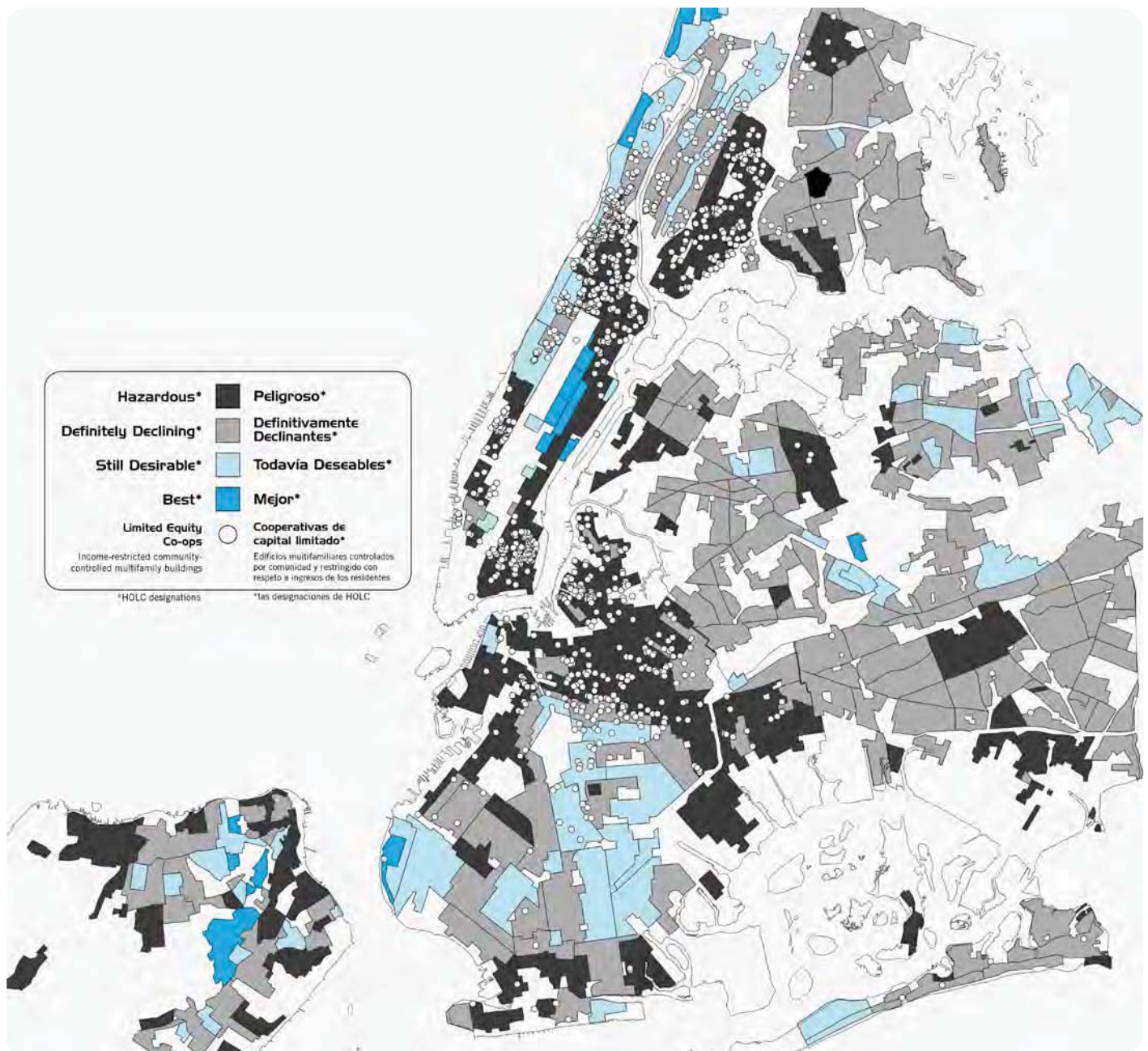
Transparent leadership and the participation of a majority of residents—each contributing unique skills and perspectives—make democratic governing and organizing possible. This collective control of housing helps prioritize a shared equity that keeps affordability manageable for future incoming residents.

### III. Economic Empowerment & Sustainability

UHAB provides access to affordable, high-quality resources covering areas of energy, finance, democratic participation and education. These tools help residents maintain lower costs of living while helping to demystify financial technicalities. With support and guidance, all residents should be able to read and manage their finances, in order to make informed decisions about their operating costs.

# Housing Justice is Racial Justice

This map overlays the location of modern-day HDFC co-ops with redlined neighborhoods from the 1930s. Redlining was a discriminatory housing practice that devalued neighborhoods where people of color lived and made it difficult for people of color to secure safe, affordable housing. In this map, the deepest shade of grey represents the least economically desirable neighborhoods. In the 1970s and 1980s, landlord abandonment and arson led to City foreclosure on thousands of occupied buildings in these same neighborhoods, creating the conditions for the self-help housing movement and the creation of thousands of HDFCs.



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Through organizing and self-help initiatives, community-controlled housing arose as a way for low-income people and people of color to take control of their housing solutions when the government and private sector would not. Today, neighborhoods like Harlem, the South Bronx, and Central Brooklyn still struggle with the legacy of redlining; high air pollution, increased heat waves, higher poverty rates, and gentrification all threaten to displace longtime residents from neighborhoods that were once widely abandoned.

Through it all, community control remains a tool to provide New Yorkers with decent, affordable housing. HDFC co-ops are anchors in their neighborhoods, providing a safe haven to raise families and age in place. Tenant unions build power among renters and win victories like stronger rent laws.



Through our work, UHAB helps people of color control, manage, and improve their homes. We know from experience that most of the low- to moderate- income residents in the buildings we serve are Black or Latinx. Our goal is to have as many people from the communities we serve reflected in our organization's leadership and programs.

Currently, around 60% of our Board and program staff are people of color, and more than half of our organization is bilingual in English and Spanish, fulfilling an essential need for our Spanish-speaking HDFC board members and residents. We provide our technical assistance, homeownership advisement, energy advisement, bookkeeping services, quarterly newsletter, and entire training curriculum in both English and Spanish.



# UHAB BY THE NUMBERS: 2019

**125** fair elections monitored  
in practice of democratic  
community control



**9** HDFCs  
adopted solar,  
bringing the total  
number to  
**28**

**3,500,000** tenants protected  
under stronger rent laws



**115** budgets planned to  
preserve HDFCs' financial  
stability & affordability



**5**  
affordable  
homeowner-  
ship loans  
totaling  
**\$242,011**

**203**  
trainings for  
affordable  
co-op  
residents



**\$9,197,000**  
secured in loans to  
help HDFCs make  
capital  
improvements



Our Co-op  
Preservation  
team helped

**15 co-ops**

secure necessary  
loans to avoid City  
foreclosure last year.

This represents over

**350 families**

that were able to  
retain their equity  
and control of their  
homes through  
technical assistance  
and guidance  
from  
UHAB staff.



To date, UHAB is the  
foremost developer of  
limited-equity housing  
co-ops in NYC. we have

developed **over**

**1,300 units** of

affordable housing  
with the support of a  
variety of City and State  
programs.





# ISLAND CARPENTRY

## ENERGY EFFICIENT and ZERO ENERGY HOMES

Call Mike White Today! 207-371-2030



### Home

#### Island Carpentry's 1st Bright Built Home

#### Energy Independent Cape Cod Style Home

#### Another Net Zero Cape Design

#### What Is A Zero Energy Home

#### Eco Cape

#### Energy Efficient Home in the Forest

#### Net Zero Energy on Cumberland Ave. Portland

#### Kelsey Brook Green Subdivision

#### Weatherization & Deep Energy Retrofit Projects

#### Older Projects

#### Blog

#### Contact

## Eco-Village One: Maine's First Affordable Zero-Energy Housing Development

We propose to build Maine's first zero-energy affordable housing subdivision. Homes are designed with energy saving systems and priced to sell within the guidelines of Maine State Housing.

Department of Energy defines a zero energy house as being 70% more efficient than a conventionally built home. We know that we can do better. Our proposed homes will feature:

- Super insulation
- Air exchange system
- Passive solar
- Energy star rated appliances
- Compact fluorescent lights

The above list will achieve more than 70% energy savings.

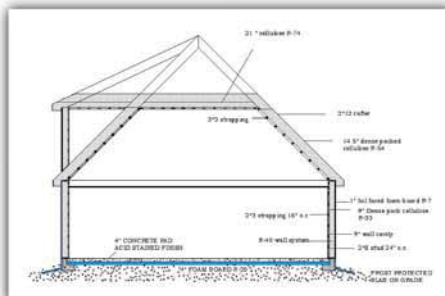
We will also offer options:

- Photovoltaic solar array for clean green electricity
- Solar thermal for domestic hot water
- Solar thermal for hot air heating

Our demonstration project will show that it is possible to achieve near zero energy in an affordable home. Investors will share the credit for helping to achieve this in the State of Maine. With a bottom-up impact on the housing industry, our project will serve as a model for all houses, proving we can have an impact on creating energy independence at any price level.

## Eco-Village One: Bath, Maine

Island Carpentry proposes to develop an innovative four-lot subdivision near downtown Bath. Eco-Village One will be developed as a first-time home buyer's subdivision, located within walking distance of schools and City amenities. The homes will be built to zero-energy standards and will be priced within Maine State Housing guidelines for first time home buyers. The homes will be superinsulated, passive solar, and will have renewable energy systems.





This innovative project, the first affordable zero energy development in Maine, will be a credit to the City of Bath. Our demonstration project will show that it is possible to achieve near zero-energy in an affordable home. With a bottom-up impact on the housing industry, this development will serve as a state-wide model, demonstrating the practicality of zero-energy homes.

The owners of these homes will enjoy the benefits of high performance building techniques. The homes will be very energy efficient, reducing heating costs by about 70%, compared to conventionally built homes. The homes will be very air tight and ventilated with heat recovery ventilation systems to insure a healthy interior environment. A thermal solar collector to produce domestic hot water is an option we will offer. These will be healthy green homes that provide energy independence to the owners.

The homes will be ready for photovoltaic solar arrays that produce electricity. Electricity produced from renewable sources can make a home one hundred percent self-sufficient, achieving total energy independence for the home owner.

We feel that this is a win-win situation for all involved. For Island Carpentry it will create a model that we can duplicate in other towns. For the buyers these homes will provide long-term energy security; the homes will always remain affordable. For the City of Bath the project demonstrates a commitment to progress and sustainability, and a commitment to residential development within the City.

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## FIRM BIO



### ACETO LANDSCAPE ARCHITECTS

ALA is a process-driven, landscape architecture and urban design firm committed to thoughtful, creative intervention at the intersection of environment, economics, art, and culture. ALA was founded on the notion that great design is a product of careful listening, inclusive decision-making, and unrelenting passion for enduring built spaces. We believe landscape architecture lies at the nexus of the built form and the ephemeral qualities of an ever-changing environment. ALA's team offers a unique set of skills and perspective, well-equipped to harmonize and reconcile the roles and value systems of varied design disciplines. We integrate expertise and intuition to craft powerful places, built upon a commitment to resiliency and sustainability. Our studio's passion for craft and technical savvy affords us the opportunity to collaborate across a broad geographic range and myriad project scales from intimate private spaces to large-tract master plans.

ALA was founded in 2014 by Principal, Nick Aceto. ALA has 5 employees, all of which are landscape architects, licensed in the states of Maine, Massachusetts, New York and Colorado.

## PROJECT TEAM KEY PERSONNEL



**NICK ACETO, PLA, ASLA**

ACETO LANDSCAPE ARCHITECTS

FOUNDING PARTNER, LANDSCAPE ARCHITECT | [NA@ACETOLA.COM](mailto:NA@ACETOLA.COM)

Nick is a licensed landscape architect and urban designer with a deep passion for the creative process. Nick believes in landscape as a framework for organizing the patterns and behaviors through which we live. From the private garden to the region, Nick has the ability to recognize and translate patterns into visual narratives which tell the unique story of a place through built form. Nick grew up in Portland, Maine where he developed an deep appreciation for the rich and varied New England landscape, from rocky shorelines of the Atlantic to the forested peaks of the Appalachians. As both a consummate urbanist and adventure-seeking outdoorsman, Nick is intrigued by the interplay between urban form, economics, wild nature, and ecology.



**CAITLIN ACETO, PLA, ASLA**

ACETO LANDSCAPE ARCHITECTS

FOUNDING PARTNER, LANDSCAPE ARCHITECT | [CA@ACETOLA.COM](mailto:CA@ACETOLA.COM)

Caitlin is a licensed landscape architect in the states of Maine, New Hampshire, and Colorado, who's passion for art and design began in the Chicagoland area where she was exposed to the architectural works of Frank Lloyd Wright and Olmsted's historic planned community of Riverside. Caitlin's project experience ranges in scale from circulation and wayfinding design at Grand Canyon National Park, to security barrier conceptualization for the Thomas Jefferson Memorial, to signage programming and design. Caitlin brings a distilled clarity to design that strives to embody the contextual heritage, textural richness and cultural integrity of place.



**SETH KIMBALL, PLA, ASLA**

ACETO LANDSCAPE ARCHITECTS

PRINCIPAL, LANDSCAPE ARCHITECT | [SK@ACETOLA.COM](mailto:SK@ACETOLA.COM)

Seth has been practicing Landscape Architecture for over 15 years. He has a Bachelor's degree in Landscape Architecture from the University of Massachusetts Amherst. Seth's project experience includes serving as project manager/lead designer for a master plan for the new Al Guhair University in Dubai, the Al Ain Oasis Cultural Quarter Master Plan in Abu Dhabi, institutional experience including Phillips Andover Academy, Bates College, George Stevens Academy, and Southern New Hampshire University, and a range of residential project including homes in Texas, Idaho, Montana, New York, Arizona, and several throughout the northeast. Seth joined ALA in 2018, bringing to the practice his experience in civic, institutional, and residential projects. further ALA's commitment to achieve sustainable and resilient project outcomes.





## LIST OF SELECT CURRENT & ONGOING OR COMPLETED ALA PROJECTS

ALA has been fortunate to have made meaningful contributions to a vast array of projects across a wide gamut of scales over the last 5-6 years. Below is an abbreviated list of select project examples intended to provide a sense of our professional skill set, experience, and range as a design studio. We would be happy to provide more information about any of the below projects upon request.

### RESIDENTIAL

|                                  |                    |
|----------------------------------|--------------------|
| DBX 11 RESIDENCE                 | ASPEN, CO          |
| WHITE HORSE SPRINGS RESIDENCE    | ASPEN, CO          |
| TELLURIDE AGUIRRE ROAD RESIDENCE | TELLURIDE, CO      |
| PRIVATE RESIDENCE                | SOUTH FREEPORT, ME |
| SHADOW MOUNTAIN CONDOMINIUMS     | ASPEN, CO          |
| SMYTH RESIDENCE                  | SNOWMASS, CO       |

### COMMERCIAL/CAMPUS

|                                 |                      |
|---------------------------------|----------------------|
| 100 FORE STREET OFFICE BUILDING | PORTLAND, ME         |
| 66 STATE STREET                 | PORTLAND, ME         |
| LAAM 525 LIVE-WORK              | BASALT, CO           |
| HOTEL ASPEN                     | ASPEN, CO            |
| MEMORIAL PLAZA                  | QUANTICO, VA         |
| CUMBERLAND CLUB SITE PLAN       | PORTLAND, ME         |
| RIVERSIDE LIVE-WORK             | PORTLAND, ME         |
| WILLITS BEND LIVE-WORK          | BASALT, CO           |
| RED HAWK ELEMENTARY SCHOOL      | ERIE, CO             |
| CSU UNDERPASS STUDY             | FORT COLLINS, CO     |
| ANDERSON RANCH ARTS CAMPUS      | SNOWMASS VILLAGE, CO |

### HOUSING & DEVELOPMENT

|                               |                  |
|-------------------------------|------------------|
| SCARBOROUGH DOWNS MASTER PLAN | SCARBOROUGH, ME  |
| THE TREE FARM                 | BASALT CO        |
| 66 STATE STREET               | PORTLAND, ME     |
| BLOCK 11 MASTER PLAN          | BRECKENRIDGE, CO |
| BROKEN COMPASS BREWERY        | BRECKENRIDGE, CO |
| RIVERBEND COMMERCIAL CENTER   | TIMNATH, CO      |
| CUMBERLAND MULTI-GEN          | CUMBERLAND, ME   |

### PUBLIC

|                                  |              |
|----------------------------------|--------------|
| COMMERCIAL STREET TRANS. STUDY   | PORTLAND, ME |
| LIBBYTOWN PLAYSCAPE              | PORTLAND, ME |
| PORTLAND DOWNTOWN SQUARE         | PORTLAND, ME |
| BASALT POST SIGNAGE              | BASALT, CO   |
| TOWN WAYFINDING SIGNAGE          | BASALT, CO   |
| BAYSIDE ADAPTS MASTER PLAN       | PORTLAND, ME |
| ARBANEY PARK MASTER PLAN         | BASALT, CO   |
| BASALT OUR TOWN                  | BASALT, CO   |
| TIMNATH COMMUNITY PARK           | TIMNATH, CO  |
| PACTS SMART CORRIDOR STUDY       | PORTLAND, ME |
| LIBBYTOWN VISIONING              | PORTLAND, ME |
| BERTHOUD PARKS & OPEN SPACE PLAN | BERTHOUD, CO |

## REFERENCES

### CAITLIN CAMERON

CITY OF PORTLAND, URBAN DESIGNER  
207-874-8901  
CCAMERON@PORTLANDMAINE.GOV

"In my capacity as Urban Designer for the City of Portland, I interacted with Aceto Landscape Architects (ALA) on the 100 Fore Street project where they demonstrated thoughtful and creative design strategies for a challenging urban site. Speaking from my experience working with a diversity of landscape and urban design professionals in Southern Maine, I found ALA to have an innovative approach that demonstrates a value for and understanding of the role of public space and urban landscape for the livability and resiliency of cities and towns." - Caitlin Cameron

### BRUCE HYMAN

CITY OF PORTLAND, TRANSPORTATION PROGRAM MANAGER  
207-874-8717  
BHYMAN@PORTLANDMAINE.GOV

"Aceto Landscape Architecture's compelling graphics as part of the Portland-South Portland Smart Corridor Plan effort in 2017 enabled the public to readily visualize the benefits and trade-offs of various transportation alternatives being considered and highlighted the opportunities those alternatives could also have for placemaking, a key goal of the Plan." - Bruce Hyman

### RICH CIECIUCH

PROJECT WORKSHOP  
970-729-0126  
RICH@PROJECT-WORKSHOP.COM

"ALA is a key design collaborator in our design build approach, helping to navigate complex approval issues, participating seamlessly in the iterative design process that succeeds best when site attribute identification and organization melds with building design concepts. They are excellent listeners and always come back with creative and unexpected solutions. Community and Neighbor impacts of any development must be carefully contemplated and negotiated to a successful outcome, and ALA has all the skills and experience to shape and illustrate how new projects relate to the existing fabric of community and neighborhoods." - Rich Ciecuch

### DAN BACON

DEVELOPMENT DIRECTOR MR.HOLDINGS  
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### MARK RUDOLF

PRINCIPAL / OWNER VELLUM ARCHITECTS  
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### JAY CHACE

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### TROY MOON

CITY OF PORTLAND SUSTAINABILITY COORDINATOR  
THM@PORTLANDMAINE.GOV  
207.756.8362



## THE DOWNS | 510-ACRE MASTER PLAN & TOWN CENTER SCARBOROUGH ME

ALA has worked collaboratively with Gorrell Palmer Consulting Engineers along with a large team of consultants and stakeholders in developing a master plan for this 500+ acre former harness racing facility. The project was recently granted a TIF agreement based in large part on the attributes ALA visualized in their plans for the proposed Town Center which included a 4 acre community park with music venue, playground, and sport courts.

### KEY STAFF SERVICES STATUS REFERENCE

Nick Aceto, Seth Kimball  
Master Planning, Urban Design, Landscape Architecture, Visualization  
Planned  
Jay Chace, Planning Director, Town of Scarborough | [Jchace@Scarboroughmaine.org](mailto:Jchace@Scarboroughmaine.org)





## GRIST MILL NEIGHBORHOOD SCARBOROUGH ME

ALA worked closely with an experienced Southern Maine builder to develop a neighborhood plan which begins to challenge conventional subdivision development rules with a compact pattern and highly walkable streetscape organized around a central woodland preserve which serves as a neighborhood playscape.

### KEY STAFF SERVICES STATUS REFERENCE

Nick Aceto, Seth Kimball  
Master Planning, Urban Design, Landscape Architecture, Visualization  
Completed Fall 2019  
Jay Chace, Planning Director, Town of Scarborough | [Jchace@Scarboroughmaine.org](mailto:Jchace@Scarboroughmaine.org)





## FRONTRUNNER PARK SCARBOROUGH ME

This third phase of The Downs master plan includes over 200 homes across a broad range of affordability including compact, lane-loaded single family and pocket homes as well as more than 75 apartment units and ground floor office space. The plan is organized around a series of small parks and a highly-walkable street grid.

### KEY STAFF

Nick Aceto, Seth Kimball

### SERVICES

Master Planning, Urban Design, Landscape Architecture, Visualization

### STATUS

Permitted, Expected Construction Fall 2020

### REFERENCE

Jay Chace, Planning Director, Town of Scarborough | [Jchace@Scarboroughmaine.org](mailto:Jchace@Scarboroughmaine.org)





## LAAM 525

### BASALT CO

Aceto Landscape Architects worked closely with architect, owner and contractor on this urban infill development, providing creative streetscape and urban plaza design interventions. The project included 8 affordable residential units, 5,000 SF of commercial / light industrial space, parking, and integration with the towns transit system.

#### KEY STAFF

Caitlin Aceto, Nick Aceto

#### SERVICES

Landscape Architecture, Urban Design

#### STATUS

Under Way Summer 2020

#### REFERENCE

Glenn Rappaport | [grappa@blackshack.net](mailto:grappa@blackshack.net)





## FREEPORT LIVE-WORK

### FREEPORT ME

Freeport Live-Work is a community master plan envisioned as a series of mixed-density neighborhoods including more compact, single-family pocket homes as well as mixed-use townhomes and commercial-office buildings.

|                  |                                                |
|------------------|------------------------------------------------|
| <b>KEY STAFF</b> | Nick Aceto, Caitlin Aceto                      |
| <b>SERVICES</b>  | Landscape Architecture, Urban Design, Planning |
| <b>STATUS</b>    | Planned                                        |
| <b>REFERENCE</b> | Undisclosed                                    |





## BASALT ON-CALL PLANNING

### BASALT CO

ALA was tasked with the study of two parcels within the Town of Basalt Growth Management Area for feasibility of alternative 'attainable' housing development options. ALA explored options for pocket neighborhoods, compact lot scenarios, and consolidation of infrastructure as a means to offset development cost and in turn reduce home pricing.

#### KEY STAFF

Lisa Cowan, Caitlin Aceto

#### SERVICES

Landscape Architecture, Visualization

#### STATUS

Planning Document Complete 2016

#### REFERENCE

Undisclosed | Undisclosed





## BRECKENRIDGE SUSTAINABLE COMMUNITY

### BRECKENRIDGE CO

ALA provided master planning, urban design and landscape architecture services for the larger mixed-use community surrounding the Broken Compass Brewery site in Breckenridge, Colorado.

|                  |                                       |
|------------------|---------------------------------------|
| <b>KEY STAFF</b> | Nick Aceto, Caitlin Aceto             |
| <b>SERVICES</b>  | Landscape Architecture, Visualization |
| <b>STATUS</b>    | On-Hold                               |
| <b>REFERENCE</b> | Rich Ciueciuch, Project Workshop      |





## RAISE-OP | BLAKE STREET CHARETTE LEWISTON ME

ALA worked collaboratively with this Lewiston CO-OP via a series of charettes and workshops to help develop a plan for a new CO-OP building which could be replicated across a number of typical infill sites across Lewiston. Working with residents, ALA and BILD Architecture built consensus around parking, site utilization, program, and amenities.

|           |                                                |
|-----------|------------------------------------------------|
| KEY STAFF | Nick Aceto, Caitlin Aceto                      |
| SERVICES  | Site Planning, Urban Design, Public Engagement |
| STATUS    | Planned, On-Hold                               |
| REFERENCE | Craig Saddlemire, Evan Carroll                 |





## RAILROAD SQUARE LIVE-WORK YARMOUTH ME

Situated on a former commercial shipping yard between an existing railroad corridor and historic Main Street, Railroad Square is conceived as a compact, walkable, mixed-use residential community which celebrates the sites historic commercial character while testing new models for living and working.

|                  |                                       |
|------------------|---------------------------------------|
| <b>KEY STAFF</b> | Nick Aceto, Caitlin Aceto             |
| <b>SERVICES</b>  | Landscape Architecture, Site Planning |
| <b>STATUS</b>    | Planned                               |
| <b>REFERENCE</b> | Kevin Bunker, Alex Jaegerman          |





## JAX SCHOONER HEAD EAST CO-HOUSING

### BAR HARBOR, ME

The Jackson Laboratories is an institution with a long history in Bar Harbor and one of the State of Maine's largest employers. ALA was tasked with developing a site inventory and analysis and conceptual master and site plans for employee and guest housing on a 36.5 acre parcel directly adjacent to the main campus.

|                  |                             |
|------------------|-----------------------------|
| <b>KEY STAFF</b> | Nick Aceto                  |
| <b>SERVICES</b>  | Site Planning, Urban Design |
| <b>STATUS</b>    | Planned, Under Way          |
| <b>REFERENCE</b> | John Fitzpatrick            |





## WILLITS BEND | LIVE-WORK COMMUNITY

### BASALT CO

ALA has worked closely with Black Shack Office to develop plans and visualization for expansion of this live-work community in Basalt, CO. The community is comprised of 6 buildings with commercial, light-industrial space on the ground floor with tenant-finish residences above.

|           |                                                                      |
|-----------|----------------------------------------------------------------------|
| KEY STAFF | Nick Aceto                                                           |
| SERVICES  | Master Planning, Urban Design, Landscape Architecture, Visualization |
| STATUS    | Completed 2019                                                       |
| REFERENCE | Glenn Rappaport                                                      |





## LIBBYTOWN PLAYScape

### PORTLAND ME

ALA worked closely with the Libbytown Neighborhood Association to provide conceptual design and visuals for a new playground planned in Dougherty Field Park in Portland. Due in large part to ALA's imaginative design in conjunction with the neighborhood association's proposal, the project was awarded more than \$130,000 in CDBG funding in 2018 through the competitive selection process with the City of Portland.

|                  |                                       |
|------------------|---------------------------------------|
| <b>KEY STAFF</b> | Nick Aceto, Caitlin Aceto             |
| <b>SERVICES</b>  | Landscape Architecture, Visualization |
| <b>STATUS</b>    | Under Way Summer 2020                 |
| <b>REFERENCE</b> | Ethan Hipple, Zack Barowitz           |



Acorn Engineering, Inc. is a Portland-based civil and environmental engineering firm of nine full-time employees and four construction inspectors. Acorn's team has a diverse portfolio providing Maine with quality engineering and environmental services as well as state-wide construction administration on behalf of the Maine Department of Transportation.

A cornerstone of Acorn Engineering is the attention to quality and exceptional level of service on every project, regardless of size. Our engineers and scientists pride themselves on their extensive experience, which is backed by a broad knowledge of civil and environmental engineering practices from smaller residential projects to larger commercial projects that integrate environmental assessment and site redevelopment.

Acorn Engineering has demonstrated the ability to breakdown and synthesize widely disseminated regulations into accepted engineering practices and practical site assessment and development. As a result of Acorn's efforts, the Cumberland County Soil & Water Conservation District recently recognized Acorn as the Contractor of the Year. This was the first award associated with the nationally recognized Long Creek Restoration Project and the first time the Cumberland County Soil & Water Conservation District ever recognized an engineering firm as their Contractor of the Year.

Acorn's expertise covers the areas of: civil/site design, evaluation, development, and permitting; and construction phase services such as construction administration, construction documents, project bidding, and site inspection including erosion and sedimentation control. Acorn's experience also includes the field of environmental engineering and compliance such as: Phase I and Phase II environmental site assessments, soil and groundwater remediation planning and design; Maine's Voluntary Response Action Program (VRAP); and stormwater treatment system design and permitting.

Acorn's engineers have designed, permitted, and overseen construction on numerous single-family and multifamily residential projects including traditional subdivision designs featuring on-site sewage/septic disposal and drilled wells. Furthermore, Acorn has demonstrated extensive experience and capabilities with municipalities, the Maine Department of Transportation (MDOT), Maine Department of Environmental Protection (MDEP), soil & water conservation districts, conservation commissions, municipalities, and the private sector on environmental and site development projects as demonstrated by the following:

- Listed on Maine DEP's Pre-Qualified Vendor List for Environmental Consulting Services
- Listed on Maine DOT's Pre-Qualified Consultants for eight service areas (listed under Section I.D)
- Cumberland County Soil & Water Conservation District Contractor of the Year for work on the Long Creek Restoration Project



- **Public Works Redevelopment – Meeting House Hill**

Over the past two years, Acorn Engineering has worked in close association with the City of South Portland, neighbors, and private clients on the redevelopment of the former Public Works facility. The 6-acre site is nestled in the middle of the Meeting House Hill residential neighborhood and is currently



a mix of storage buildings, fuel fill stations, miscellaneous stockpiles, and pavement. The site will be redeveloped into a mix of multifamily townhomes and single-family dwellings comprising 38 units along with a public park and community gardens.

In addition to the environmental remediation, Voluntary Response Action Program (VRAP), and other environmental considerations given the previous land use, the project is subject to a Maine DEP stormwater management law. The redevelopment design results in a reduction in impervious area of over 50% and reduces land use intensity across the site. Though not required, several stormwater BMP's have been implemented into the site as a best practice, further attenuating and treating stormwater runoff. In addition to the significant redevelopment plan, Acorn has designed an infrastructure plan to separate the storm and sewer mains. This will include installing 400 feet of new storm drain along the existing O'Neil Street right-of-way and 700 feet of new storm drain along the proposed O'Neil Street right-of-way extension. Overall, this effort will reduce the effects of combined sewer overflows (CSO) into Casco Bay which occur due to wet-weather events and the wastewater treatment plant's inability to provide capacity for both storm and sanitary sewer flows.

As part of this project, Acorn held a multitude of meetings with the City including the assistant City manager, the former Mayor, the entire planning division, and the chief engineer of Public Works. Furthermore, Acorn has collaborated with department heads of the Fire, Parks, Public Works, and Water Resource departments to ensure a feasible and ideal project for all parties. As a result, the process was truly a collaborative effort with a number of stakeholders weighing in on the design.

- **Munjoy Heights**

Acorn provided civil/site engineering and permitting for the design of Munjoy Heights – a six townhome, 29-unit development on the steep slopes of Munjoy Hill in the City of Portland. Acorn designed and developed construction drawings for the sanitary sewers, storm drains, water mains, driveways and pedestrian circulation, retaining wall locations, building locations, and drainage infrastructure to be built in compliance with City standards.



A key component to the project was coordinating with the City on the future combined sewer separation project and the site's overall stormwater management. Additionally, discussions with neighbors and stakeholders were paramount in the project's success.

The innovative urban infill project compliments the Munjoy Hill neighborhood with a communal design and plentiful native landscaping that replaced invasive species which previously dominated the eroding banks prior to the development. The \$22 million project features a courtyard, terraced landscaping, a Portland Trails-maintained path that connects the redevelopment to the existing trail system, and low impact development (LID) techniques that meet MDEP Chapter 500 regulations. The stormwater management includes an underdrained sand filter and chambers that detain and treat stormwater on site in tandem with strategically placed rain gardens.

The project required extensive coordination and collaboration between the client, City of Portland, Portland Trails, the structural engineer, the architect, and the contractor to successfully complete the project with the first “woonerf” in the state and maintaining the existing public walking path through the property.



- **200 Valley St**

Working with Avesta Housing, Acorn Engineering provided civil engineering and permitting for Avesta's 60-unit project in the St. John Valley neighborhood. This urban infill project replaces the existing single-family house and abutting vacant lots into new affordable housing opportunities with two levels of covered parking, amenities, and a rebuilt project frontage with new sidewalks, street trees, and bicycle hitches.



As part of the project, Acorn developed a transportation and parking analysis to ensure that the provided parking will adequately serve the redevelopment. Furthermore, the design team identified and implemented multiple strategies to encourage residents to efficiently utilize the many modes of transportation available on the Portland peninsula.

- **Little Dolphin Drive & Jocelyn Place**

In collaboration with the South Portland Housing Authority and Risbara Holdings, Acorn provided civil engineering design and permitting of a multi-use subdivision at the end of Little Dolphin Drive in Scarborough. Proposed uses include a two-story office building and a three-story 60-unit senior housing facility with associated parking and landscaped areas.



In addition to a voluntary neighborhood meeting, the project went through a 3-step master plan phase with the Town of Scarborough in which the project was collaborated on with Planning Staff, the Planning Board, and neighbors.

The project is subject to Maine DEP and US Army Corps permits. To adequately treat stormwater on the site, Acorn has designed multiple stormwater BMPs meeting Maine DEP Chapter 500 regulations resulting in a low impact design.



- **89 Anderson Street**

In collaboration with Redfern properties and the East Bayside neighborhood, Acorn developed the civil/site engineering design of a mixed use 53-unit redevelopment of an existing under-utilized, urban infill lot in the East Bayside neighborhood. Acorn's scope of services included in the initial phase applying for and obtaining a zone change and



conducting Phase I and Phase II Environmental Site Assessments to evaluate potential environmental contamination at the site.

After conducting the environmental remediation efforts, Acorn developed the site layout and design of sanitary sewers, storm drains, water mains, site driveway, retaining wall locations, building locations, parking lot design, building drainage structures, utility connections and landscaping plan (with a landscape architecture subconsultant) to meet the City of Portland Technical Standards. Acorn also integrated sidewalk and improvements associated with the project into the City's Anderson Street ByWay project. Furthermore, the project team worked with a non-profit organization, the Telling Room, to provide public art along the Fox Street streetcape in lieu of traditional fencing.

Overall, the project established an important mixed use building on a prominent corner lot adjacent to Kennedy Park which contains popular recreation space. The building houses a restaurant and the Gear Hub bicycle school on the first floor with residential apartments above which encourages an active street presence with housing, goods, and services that help tie the neighborhood together and keep eyes on the street.

- **667 Congress Street – The Hiawatha**

The \$28 million project included the civil/site engineering design for the 8-story, first floor retail and 139-unit apartment building on Congress Street in Portland. Vehicle parking is served by two levels with separate access from Vernon and Avon St. The project featured building and site design in an historic district adjacent to Longfellow Square.

Services included, but is not limited to, permitting with the City of Portland, layout and design of sanitary sewers, storm drains, water mains, pedestrian and vehicle entrances, building locations, parking lot design, and parking garage grading and drainage. Acorn provided significant coordination between the Architect, Structural Engineer, Geotechnical Engineer, Construction Management Company, Owner, and the City.





## Attachment A

### PROPOSAL

#### NOTE: THIS PAGE IS TO BE COMPLETED AND RETURNED

The UNDERSIGNED hereby declares that he/she or they are the only person(s), firm or corporation interested in this proposal as principal, which it is made without any connection with any other person(s), firm or corporation submitting a proposal for the same.

The UNDERSIGNED hereby declares that they have read and understand all conditions as outlined in the Request for Proposals, and that the proposal is made in accordance with same.

The UNDERSIGNED hereby declares that any person(s) employed by the City of Portland, Maine, who has direct or indirect personal or financial interest in this proposal or in any portion of the profits which may be derived therefrom has been identified and the interest disclosed by separate attachment. (Please include in your disclosure any interest which you know of. An example of a direct interest would be a City employee who would be paid to perform services under this proposal. An example of an indirect interest would be a City employee who is related to any officers, employees, principal or shareholders of your firm or to you. If in doubt as to status or interest, please disclose to the extent known).

The proposer acknowledges the receipt of Addenda numbered 1 and 2

COMPANY NAME: Maine Cooperative Development Partners  
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE: [Signature] DATE: 6/16/2020  
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: Brian Eng, Principal

ADDRESS: 6 City Ctr, Fl 3, Portland, ME 04101

TELEPHONE: 413-262-2610 E-MAIL: bri.d.eng@gmail.com

FEDERAL TAX ID #: 273467906 DUNS #: 009932723

STATE OF INCORPORATION: Maine

(If incorporated in another State, businesses must be authorized to do business in the State of Maine.)

In your organizations preceding completed fiscal year, did the organization receive:

(1) 80 percent or more of its annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; AND

(2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

☐ Yes ☒ No

Does the public have access to information about the compensation of the executives in the organization through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (18 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986?

☐ Yes ☒ No

NOTE: All bids must bear the handwritten signature of a duly authorized member or employee of the organization making the bid. **This sheet must be signed and returned with the application package.**



## CITY OF PORTLAND, MAINE

**Request for Proposals for Development of City-Owned  
Property Located at 165 Lambert Street  
RFP #20068**

**Current Date: May 28, 2020**

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The attention of firms submitting proposals for the work named in the above Invitation is called to the following modifications to the documents as were issued.

The items set forth herein, whether of clarification, omission, addition and/or substitution, shall be included and form a part of the Contractor's submitted material and the corresponding Contract when executed. No claim for additional compensation, due to lack of knowledge of the contents of this Addendum will be considered.

\*\*\*\*\*

**ALL BIDDERS ARE ADVISED THAT RECEIPT OF THIS NOTICE MUST BE DULY ACKNOWLEDGED ON THE BID PROPOSAL FORM OR BY THE INSERTION OF THIS SHEET, SIGNED, AND SUBMITTED WITH YOUR PROPOSAL.**

\*\*\*\*\*

**MATTHEW F. FITZGERALD  
PURCHASING MANAGER**

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The City has received an Environmental Report regarding the lack of vernal pools for the property located at 165 Lambert Street.

The report from Jones Associates is attached.

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Receipt of **Addendum No. 1** to the City of Portland's RFP #20068, **Request for Proposals for Development of City-Owned Property Located at 165 Lambert Street** is hereby acknowledged.

COMPANY NAME: Maine Cooperative Development Partners  
SIGNED BY: Brian Eng DATE: 6/16/2020  
PRINT NAME & TITLE: Brian Eng, Principal  
ADDRESS: 6 City Ctr, FL3  
Portland, ME 04101 ZIP CODE

## CITY OF PORTLAND, MAINE

Request for Proposals for Development of City-Owned  
Property Located at 165 Lambert Street  
RFP #20068

**Current Date: June 9, 2020**

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The attention of firms submitting proposals for the work named in the above Invitation is called to the following modifications to the documents as were issued.

The items set forth herein, whether of clarification, omission, addition and/or substitution, shall be included and form a part of the Contractor's submitted material and the corresponding Contract when executed. No claim for additional compensation, due to lack of knowledge of the contents of this Addendum will be considered.

\*\*\*\*\*

ALL BIDDERS ARE ADVISED THAT RECEIPT OF THIS NOTICE MUST BE DULY ACKNOWLEDGED ON THE BID PROPOSAL FORM OR BY THE INSERTION OF THIS SHEET, SIGNED, AND SUBMITTED WITH YOUR PROPOSAL.

\*\*\*\*\*

MATTHEW F. FITZGERALD  
PURCHASING MANAGER

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Please see our response to questions received related to this RFP.

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Receipt of **Addendum No. 2** to the City of Portland's **RFP #20068, Request for Proposals for Development of City-Owned Property Located at 165 Lambert Street** is hereby acknowledged.

COMPANY NAME: Maine Cooperative Development Partners  
SIGNED BY: B. Vaz DATE: 6/16/2020  
PRINT NAME & TITLE: Brian Eng, Principal  
ADDRESS: 6 City Ctr. Fl 3  
Portland, ME 04101 ZIP CODE

## EXHIBIT C

### Minimum Household Size and Maximum Allowable Monthly Rent Calculation

The Minimum household size for a unit in the Coop is based on the number of bedrooms in the unit, as set forth in the table below. The maximum allowable monthly rent for a unit is 1/12 of 30% of the Area Median Income, based on the minimum household size for a unit, less the Coop member's costs for utilities. :

|                               | <b>Studio/One-Bedroom Unit</b> | <b>Two-Bedroom Unit</b> | <b>Three-Bedroom Unit</b> | <b>Four-Bedroom Unit</b> |
|-------------------------------|--------------------------------|-------------------------|---------------------------|--------------------------|
| <b>Minimum Household Size</b> | 1                              | 2                       | 3                         | 4                        |

For Example, utilizing 2020 AMI levels, and assuming no out of pocket utility costs for the Co-op member, the maximum allowable monthly rent would be as follows:

Studio/One Bedroom Unit:  $1/12(0.30 \times \$70,630) = \$1,765.75$

Two Bedroom Unit:  $1/12(0.30 \times \$80,720) = \$2,018.00$

Three Bedroom Unit:  $1/12(0.30 \times \$90,810) = \$2,270.25$

In the event that the Co-op member has out of pocket utility expenses, the maximum allowable monthly rent would be decreased by the amount of those utility expenses. For example, for a two bedroom unit with \$300 in monthly utility expenses, the maximum allowable monthly rent would be  $\$2,018.00 - \$300 = \$1,718.00$ .

Utility allowance will be calculated in one of two ways: (1) using the utility allowance established by the Portland Housing Authority or (2) based on actual documented utility usage at the property.





**CITY OF PORTLAND**  
**Housing and Economic Development Department**  
**Housing and Community Development Division**

**TO:** Councilor Costa, Chair  
Members of the Economic Development Committee

**FROM:** Mary Davis, Division Director  
Victoria Volent, Housing Program Manager  
Housing and Community Development Division

**DATE:** November 11, 2020

**SUBJECT:** Review of Draft Request for Proposal – 622 Auburn Street, Portland and 0 Gray Road, Falmouth

As part of the Housing Committee’s work plan task of reviewing city-owned property that may be suitable for housing development, the Committee discussed the disposition of property at 622 Auburn Street, Portland and 0 Gray Road, Falmouth. The properties were discussed by the Economic Development Committee (EDC) at the September 15, 2020 meeting. At that time members of the EDC were in agreement that the City should move forward with a Request for Proposal for the disposition of these parcels.

A draft Request for Proposal (RFP) is being presented to the Committee with a request that the EDC approve the terms of the RFP and authorize staff to issue the RFP for city-owned property at 622 Auburn Street, Portland and 0 Gray Road, Falmouth.

**RFP Goals**

The goals of the RFP are similar to those included in the Request for Proposals for the city-owned properties at 21 Randall Street, 165 Lambert Street and 43 & 91 Douglass Street.

- Developments shall provide mixed income units affordable to households earning 60% to 120% of the area median income (AMI). Currently, 60% AMI for a family of four is \$55,800 and 120% AMI for a family of four is \$111,600.
- Affordable is defined as the percentage of income a household is charged in rent and other housing expenses including utilities, or must pay in monthly mortgage payments (including real estate taxes, mortgage insurance, condominium/HOA fees, insurance and utilities), does not exceed 30% of a household’s gross income, or other amount established in city regulations that does not vary significantly from this amount.

- Affordability restrictions must be in place for a minimum of 30 years for homeownership units, and the longest period allowed by law for rental units, which the City considers to be 99 years.
- Developments should include excellent building and site design utilizing design principles that promote efficient use of land to create a development that is compatible with the existing pattern, streetscape, scale, massing, and materials of the surrounding neighborhood.
- The development's building shall be designed to meet the City's Green Building Code, as well as all applicable sections of the recently passed citizen initiative referendum question.
- Higher density zoning that furthers exceptional projects and other city goals as outlined in the RFP(s) may be considered.
- Short-term rental of the units will not be permitted.
- The sale or long-term lease of the properties at below fair market value may be considered to support housing development that meets the City's stated goals.
- Alternative ownership models that encourage a mixed income community with long term affordability for the maximum number of units, such as limited equity units, co-housing, cooperative, or a community land trust, may be considered in order to ensure the units affordability over time.

After proposals are opened, city staff will make a recommendation to the City Council's Economic Development Committee (EDC). The EDC will make a recommendation to the City Council. The contract for the disposition of the property will be executed only after review and final approval by the City Council.

### **Staff Recommendation**

Staff is requesting the Economic Development Committee the terms and authorize staff to issue the Request for Proposal for city-owned properties at 622 Auburn Street, Portland and 0 Gray Road, Falmouth.

### **Attachments**

Draft Request for Proposal (RFP) – 622 Auburn Street, Portland and 0 Gray Road, Falmouth

**CITY of PORTLAND, MAINE**  
**Request for Proposals for Disposition and Development of City-Owned Property**  
**Located at 622 Auburn Street, Portland and 0 Gray Road, Falmouth**

**I. NOTICE AND SPECIFICATIONS**

The City of Portland, Maine seeks proposals from qualified developers for the creation of residential housing on property owned by the City of Portland at 622 Auburn Street, Portland and 0 Gray Road, Falmouth. The 622 Auburn Street site is designated on the City of Portland Tax Assessor's Map as lot CBL 385 D008001 (which includes 386-B-12 and 386-B-15). The Gray Road, Falmouth site is designated on the Town of Falmouth Tax Assessor's Map as U48-027.

**Sealed proposals for the project, including an original, seven (7) copies, and one (1) digital copy, as specified herein, will be received by the Purchasing Office, Room 103, City Hall, 389 Congress Street, Portland, Maine 04101, until (time) p.m., (day of the week), (date), 2020, at which time they will be publicly opened.**

Proposals shall be submitted, and returned in sealed envelopes plainly marked on the outside "Disposition and Development of Property Located at 622 Auburn Street, Portland and 0 Gray Road, Falmouth".

Proposals that are late, unsigned or submitted via fax will not be accepted. Proposals from individuals not registered with the Purchasing Office may be rejected; receipt of this document directly from the City of Portland indicates registration. Should a person receive this Request from a source other than the City, please contact 207-874-8654 to ensure that you are listed as a recipient for this proposal.

All questions must be submitted in writing to the Purchasing Office. These may be mailed, hand delivered, faxed to (207) 874-8652 or e-mailed to [mff@portlandmaine.gov](mailto:mff@portlandmaine.gov) and be received no later than five (5) business days prior to the opening date. Questions received after this time will not be addressed. Any interpretation, correction, or change of this document will be made only by written addenda. Changes in any other manner will not be binding on the City and proposers should not rely on. Proposers should not have contact with any City staff with regard to this proposal unless to obtain general public information as specified in the document.

The disposal of this real estate shall be on the basis of a negotiated proposal, with the City of Portland reserving the right to refuse any and all proposals. *All proposers are advised that the property will be sold "as-is" and "where is", in its existing condition, with no warranties either expressed or implied.* The City disclaims any and all responsibility for injury to proposers, their agents or others while examining the property or at any other time. The City will not be responsible for any broker's commission.

Any and all improvements made to said property must be done in accordance with existing City Codes and Ordinances.



## II GENERAL INFORMATION

### Summary of Request:

The City of Portland is committed to providing housing opportunities and has set a goal to evaluate the use of City-owned property to construct housing. As one-step in accomplishing this goal, the City of Portland will accept proposals for the development of housing on the lot located at 622 Auburn Street, Portland and 0 Gray Road, Falmouth..

This request for proposals results from the (date) approval by the Economic Development Committee to market the City-owned lots located at 622 Auburn Street, Portland and Gray Road, Falmouth.

The City of Portland uses the RFP process to ensure that public resources are utilized for maximum public benefit while accomplishing specific objectives and providing fair access to all applicants.

### Site Information:

- a. **Location:** 622 Auburn Street, Portland is identified in the City of Portland Assessor's records as lot CBL 385 D008001 (and includes 386-B-12 and 386-B-15). (See Attachment #). 0 Gray Road, Falmouth is identified in the Town of Falmouth Tax Assessor's records as lot U48-027.
- b. **Existing Conditions:** 622 Auburn Street abuts the Falmouth town line and contains 4.85 acres of land; 4.17 acres are considered dry upland with potential for development, access would be from Auburn Street through the right of way.

The majority of 0 Gray Road is bound by Highway I95 to the north, Falmouth/Portland City boundaries to the south, 6 parcels to the west, and a couple of residential properties to the east.

- c. **Current use:** Both sites are undeveloped lots.
- d. **General Dimensions:** The 622 Auburn Street site is approximately 4.85 acres. The Gray Road, Falmouth site is approximately 13.3 acres.

**Current Zoning:** 622 Auburn: R-2. The purpose of the R-2 zone is to provide for low-density residential development characterized by single-family homes on individual lots. For residential uses, the land area per dwelling unit is 10,000 square feet. At 10,000 square feet, this parcel would allow for 21 dwelling units. For complete zoning requirements, please refer to Chapter 14, Land Use, of the City Code.

0 Gray Road, Falmouth is zoned "Mixed Use Cluster District (MUC), which includes residential, with a minimum lot size for single-family detached and accessory dwelling units at 20,000 square feet. If the site was deemed 100% developable, it could yield 28 units.

- e. **Rezoning:** Higher density zoning that furthers exceptional projects and other city goals as outlined in Section III may be considered for the 622 Auburn Street site. It should be noted that changes in zoning would require Planning Board and City Council approval. Any changes in zoning for the 0 Gray Road, Falmouth site would require the appropriate approvals from the Town of Falmouth.

- f. Condition of the property at the time of disposition:** Both sites are undeveloped lots. 622 Auburn Street: A storm water discharge points onto the property (see attached map). 0 Gray Road: The Town of Falmouth has confirmed the paper streets for this property (Ray and Eugene Streets) have been continued and are possibilities for accessing this parcel. There appears to be a stream in the area of Eugene Street, which could be crossed with a permit from MDEP and ACOE.
- g. Environmental Conditions:** 622 Auburn Street: Boyle Associates conducted a wetland delineation in July of 2009 and prepared a wetland sketch plan for the City of Portland. 4.17 acres are considered dry upland with potential for development; access would be from Auburn Street through the right of way. During a site visit in October of 2019, Jones Associates confirmed there had been no changes to the wetlands and the wetland delineations done by Boyle Associates were still appropriate to use. The potential vernal pools were further assessed in the Spring of 2020 and no vernal pools were located on this lot. (See attachment). Standing water on the property is the result of road ditching and culverts. The City of Portland reserves the right to establish a conservation easement on the non-developable portions of the parcel. The Jones Associates report is available on-line.
- 0 Gray Road, Falmouth: A wetland report prepared by Jones Associates for the City of Portland in Mid-March of 2020 identified wetlands, one stream, two riverine intermittent streambeds, and two potential vernal pools. The potential vernal pools were further assessed in May, 2020. During the site visits no egg masses were observed for either pool; thus, the potential vernal pools are not by definition vernal pools at all.
- h.** Proposers are urged to investigate water sources and utility connection requirements with the Department of Public Works.

### III CITY GOALS

The City's primary goals for the use of the property are:

1. Developments shall provide mixed income units. All units must be affordable to households earning 60% to 120% of the area median income (AMI). Currently, 60% AMI for a family of four is \$55,800 and 120% AMI for a family of four is \$111,600.

Affordable means that the percentage of income a household is charged in rent and other housing expenses including utilities, or must pay in monthly mortgage payments (including real estate taxes, mortgage insurance, condominium/HOA fees, insurance and utilities), does not exceed 30% of a household's gross income, or other amount established in city regulations that does not vary significantly from this amount.

Restrictions on the affordability of units must be in place for a minimum of 30 years for homeownership units, and the longest period allowed by law, which the City of Portland considers to be 99 years, for rental units.

The final calculation of the maximum allowable rent or sale price of non-market rate units will

be determined by the City. The maximum sale price will be calculated in a manner similar to the maximum sale price calculation as outlined in the Inclusionary Zoning Implementation Guidelines for Developers of Homeownership Housing. The maximum rent will be calculated in a manner similar to the maximum sale price calculation as outlined in the Inclusionary Zoning Implementation Guidelines for Developers of Rental Housing.

2. Development of mixed income homeownership or rental housing of excellent building and site design. Design principles should promote efficient use of land to create a development that is compatible with the existing pattern, streetscape, scale, massing, and materials of the surrounding neighborhood.
3. The development's building shall be designed to meet the City's Green Building Code, as well as all applicable sections of the recently passed citizen initiative referendum question, entitled "A Green New Deal for Portland".
4. Rezoning may be considered to support increase housing development opportunities or maximize the number of allowable housing units on the property.
5. Developments shall create housing options that are age inclusive.

The general terms for this real estate transaction include:

- Units must be used as the principal residence of the owner/tenant and owner/tenant shall not use the unit for the conduct of business (except for a home occupation allowed under the City of Portland zoning ordinance) or as an investment property. *Units shall not be rented for short term periods of one up to thirty days.*
- The sale or long term lease of the property below fair market value may be considered to support housing development that meets the City's stated goals.
- Alternative Ownership Models. Alternative ownership models that will encourage a mixed income community with long term affordability for the maximum number of units, such as limited equity units, co-housing, cooperative, or a community land trust, may be considered in order to ensure the units affordability over time.
- Proposals must outline how they will maintain affordability for the applicable time period, as noted above in Section III.1.
- Other City Incentives. Other city financial incentives may be considered to support increase housing development opportunities or maximize the number of allowable housing units on the property.

#### **IV PROPOSED SCORING**

An internal staff Committee will review proposals received, and will apply the following selection criteria in reviewing and scoring the applications.

##### **Proposed use to achieve the City of Portland's goals**

**40 points**

1. Market Demand - 20 points
  - a. 20 points - all units meet the City's Goals and Terms noted in Section III



- b. 15 points - at least 75% of the units meet the City's Goals and Terms noted in Section III
  - c. 10 points - at least 50% of the units meet the City's Goals and Terms noted in Section III
  - d. 0 points - project does not meet the City's Goals and Terms noted in Section III
- 2. Economic diversity - 10 points
  - a. 10 points - project creates housing options which provide economic diversity within the development (i.e. mixed-income) and within the neighborhood in which the development is located
  - b. 5 points - project does not provide economic diversity within the development (mixed-income) but does provide economic diversity within the neighborhood in which the development is located
  - c. 0 points – project does not provide economic diversity within the development (mixed-income) and it does not provide economic diversity within the neighborhood in which the development is located
- 3. Age Inclusive – 10 points
  - a. 10 points - creates housing which is age inclusive
  - b. 0 points - does not create housing which is age inclusive

**Impact on surrounding neighborhood, including design.**

**25 points**

- 1. Project Design - 15 points
  - a. 15 points - the proposal is consistent with design characteristics
  - b. 10 points - the proposal is an adequate fit with the neighborhood design
  - c. 0 points - the design is a significant outlier
- 2. Amenities and unit design - 10 points
  - a. 10 points - amenities & unit design are well thought out and appropriate for residents
  - b. 5 points - amenities & unit design are adequate
  - c. 0 points - amenities and unit design raise significant concerns that resident needs will not be adequately addressed

**Applicant's ability to complete project, including financial feasibility, development team experience, capacity, and timeframe for completion.**

**35 points**

- 1. Readiness to proceed - 15 points
  - a. 15 points - all projected sources of funding include letters of commitment or interest are projected at terms and conditions consistent with the City's prior experience with the funder
  - b. 10 points - most projected sources of funding include letters of commitment, letters of interest, or, if no letter is included, are projected at terms and conditions consistent with the City's prior experience with this funder
  - c. 0 points - one or more sources are projected on terms that are not consistent with the City's prior experience with the funder and are not documented by letter(s) from funder(s).
- 2. Track record of development team - 10 points
  - a. 10 points - every development team member has a successful track record with this type of project and at this scale

- b. 8 points - all but one development team members have a successful track record with this type of project and at this scale; one development team member has relevant experience but at a smaller scale or not of this project type
  - c. 5 points - two development team members, while having relevant experience, are new to this type of project or this scale of development
  - d. 0 points - the development team does not meet the criteria above
- 3. Current Capacity of development team - 10 points
  - a. 10 points - development team members have exceptional depth of human and financial resources to complete this project
  - b. 8 points - development team members have the human and financial resources to complete this project
  - c. 5 points - development team has a staffing gap in a significant role and a plan to address that gap, OR there are some concerns about the financial resources of the team to move the development forward
  - d. 0 points - the development team does not meet the criteria described above

### SUMMISSION REQUIREMENTS

All Proposals submitted in response to this Request for Proposals **must** include:

- a) **Developer:** Name, address, telephone, fax number of the proposed owner/developer and the name(s) of an alternative contact person(s).
- b) **Proposal:** Each proposal submitted must specifically outline the proposed use of the property and any proposed rezoning requests. Interested parties are asked to submit a concept development (including preliminary drawings, detailed architectural drawings are not required) and a brief description of the project, no longer than two pages, to include the number and type of units, bedroom count with corresponding affordability level, occupants (owners/renters) to be served, special features, the impact on the neighborhood and other ways the proposal meets the primary goals of the City.
- c) **Affordability Matrix:** Each proposal must detail the proposed bedroom count by unit size with its corresponding affordability level.
- d) **Financial Feasibility:** Provide a business plan, which shall include a general project budget with projected funding sources (prospective and committed sources of funding), development and operating budgets (a detailed development pro forma is not required); a letter from a lending institution indicating the applicant's ability to finance the projected costs; and provide examples of prior projects that indicate the proven ability to develop a project of similar type and scale from a fiscal perspective.
- e) **Subsidy Financing:** Provide a plan indicating all proposed federal, state and local subsidy requests including the source and amount of each funding request.
- f) **Timetable:** Provide an overview of how the proposal will be implemented. Include approximate schedule for completion of each element, closing, construction start-up, substantial completion, final completion, and occupancy. Include applications for public or private financing.

- g) **Developer Capacity:** Identify the qualifications and experience of the development team for the project including a list of previously completed projects similar to the proposed project. This team may include key staff of the developer, architect, general contractor and future property management. Also, discuss the ability to complete the project including the qualifications of the development team, management plan, experience, capacity, project readiness to proceed, and timeframe for completion.
- h) **Occupancy and Management Plan:** Present a plan detailing the ownership structure (condominium, cooperative, etc.), resale restrictions and resale process to ensure mixed income and long-term affordability.
- i) **Purchase Price or Lease Terms:** Proposed purchase price or lease terms for this property.
- j) **Copies:** Seven (7) copies, with the original so marked, and one (1) digital copy of each proposal shall be submitted.

## V DISPOSITION INFORMATION

After proposals are opened, city staff will make a recommendation to the City Council's Economic Development Committee (EDC) and the Housing Committee (HC). The EDC and HC will make a recommendation to the City Council.

## VI OTHER INFORMATION

Confidentiality: Proposals received by the City shall become a matter of public record, subject to public inspection, except to the extent, which an applicant designates in writing, proprietary data to be confidential and submits that data under separate cover, such information may be held from public inspection, as provided in Maine law: 5 MRS Sections 13119-A and 13119-B.

## VII LEGAL REQUIREMENTS

The contract for the disposition of the property will be executed only after review and final approval by the City Council.

## VIII RESERVATION of RIGHTS

The City of Portland reserves the right, at its sole discretion, to award as well as reject any and all proposals for the city-owned property, based on the quality and merits of the proposals received, or when it is determined to be in the public interest to do so. Furthermore, the City may extend deadlines and timeframes, as needed.

The City reserves the right to substantiate any proposer's qualifications, capability to perform, availability, past performance records, and to verify that the proposer is current in its financial obligations to the City.

The City of Portland, Maine, reserves the right to waive any informalities in proposals, to accept any proposal or portion thereof, and, to reject any and all proposals, as well as negotiate with the successful proposer(s) should it be in the best interest of the City to do so for a final



purchase and sale agreement and ultimate sale or lease of the property.

Pursuant to City procurement policy and ordinance, the City is unable to contract with businesses or individuals who are delinquent in their financial obligations to the City. These obligations may include but are not limited to real estate and personal property taxes and sewer user fees.

Proposers who are delinquent in their financial obligations to the City must do one of the following: bring the obligation current, negotiate a payment plan with the City's Treasury office, or agree to an offset, which shall be established by the contract which shall be issued to the successful proposer

(DATE), 2020

Matthew F. Fitzgerald  
Purchasing Manager

Attachments:

- A. Proposal Signature Page
- B. Portland and Falmouth Assessor's Records
- C. GIS Sketch
- D. 622 Auburn and 0 Gray Road Survey
- E. Storm Water Discharge Points 622 Auburn Street
- F. 5-13-2020 Vernal Pool Report from JA

**PROPOSAL**  
**NOTE: THIS PAGE IS TO BE COMPLETED AND RETURNED**

The UNDERSIGNED hereby declares that he/she or they are the only person(s), firm or corporation interested in this proposal as principal, which it is made without any connection with any other person(s), firm or corporation submitting a proposal for the same.

The UNDERSIGNED hereby declares that they have read and understand all conditions as outlined in the Request for Proposals, and that the proposal is made in accordance with same.

The UNDERSIGNED hereby declares that any person(s) employed by the City of Portland, Maine, who has direct or indirect personal or financial interest in this proposal or in any portion of the profits which may be derived therefrom has been identified and the interest disclosed by separate attachment. (Please include in your disclosure any interest which you know of. An example of a direct interest would be a City employee who would be paid to perform services under this proposal. An example of an indirect interest would be a City employee who is related to any officers, employees, principal or shareholders of your firm or to you. If in doubt as to status or interest, please disclose to the extent known).

The proposer acknowledges the receipt of Addenda numbered \_\_\_\_\_  
If Applicable

COMPANY NAME: \_\_\_\_\_  
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

FEDERAL TAX ID #: \_\_\_\_\_ DUNS #: \_\_\_\_\_

STATE OF INCORPORATION \_\_\_\_\_  
(If incorporated in another State, businesses must be authorized to do business in the State of Maine.)

In your organizations preceding completed fiscal year, did the organization receive:

(1) 80 percent or more of its annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; AND

(2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements? ☐ Yes ☐ No

Does the public have access to information about the compensation of the executives in the organization through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (18 U.S.C. 78m(a), 78o(d) or section 6104 of the Internal Revenue Code of 1986? ☐ Yes ☐ No

NOTE: All bids must bear the handwritten signature of a duly authorized member or employee of the organization making the bid. **This sheet must be signed and returned with the application package.**

This page contains a detailed description of the Parcel ID you selected.

**New Search!**

### Current Owner Information:

**CBL** 385 D008001  
**Land Use Type** GOVERNMENTAL  
**Verify legal use with**  
**Inspections Division**  
**Property Location** 622 AUBURN ST  
**Owner Information** CITY OF PORTLAND  
389 CONGRESS ST  
PORTLAND ME 04101  
**Book and Page**  
**Legal Description** 385-D-8 386-B-12-15  
AUBURN ST 622-626 & 648  
-656 WASHINGTON AVE  
2120-2218 211038 SF  
**Rental Registration** No  
**Acres** 4.84

Select Language ▼

### Current Assessed Valuation:

|                                  |               |                                         |
|----------------------------------|---------------|-----------------------------------------|
| <b>TAX ACCT NO.</b>              | 10005         | <b>OWNER OF RECORD AS OF APRIL 2019</b> |
| <b>LAND VALUE</b>                | \$89,700.00   | CITY OF PORTLAND                        |
| <b>BUILDING VALUE</b>            | \$0.00        | 389 CONGRESS ST                         |
| <b>MUNICIPAL TYPE</b>            | (\$89,700.00) | PORTLAND ME 04101                       |
| <b>NET TAXABLE - REAL ESTATE</b> | \$0.00        |                                         |
| <b>TAX AMOUNT</b>                | \$0.00        |                                         |

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

### Building Information:

#### Building 1

**Year Built**  
**Style/Structure Type**

**New Search!**



## GRAY RD

**Location** GRAY RD

**Mblu** U48/ 27/ / /

**Acct#**

**Owner** PORTLAND CITY OF

**Assessment** \$52,600

**Appraisal** \$52,600

**PID** 3847

**Building Count** 1

**Tax Sheet** 454

### Current Value

| Appraisal      |              |          |          |
|----------------|--------------|----------|----------|
| Valuation Year | Improvements | Land     | Total    |
| 2018           | \$0          | \$52,600 | \$52,600 |
| Assessment     |              |          |          |
| Valuation Year | Improvements | Land     | Total    |
| 2018           | \$0          | \$52,600 | \$52,600 |

### Owner of Record

**Owner** PORTLAND CITY OF  
**Co-Owner** ATT: FINANCE DEPT  
**Address** 389 CONGRESS ST ROOM 103  
PORTLAND, ME 04101

**Sale Price** \$0  
**Certificate**  
**Book & Page** 3798/ 6  
**Sale Date** 01/23/1976

### Ownership History

| Ownership History |            |             |             |            |
|-------------------|------------|-------------|-------------|------------|
| Owner             | Sale Price | Certificate | Book & Page | Sale Date  |
| PORTLAND CITY OF  | \$0        |             | 3798/ 6     | 01/23/1976 |

### Building Information

#### Building 1 : Section 1

**Year Built:**  
**Living Area:** 0  
**Replacement Cost:** \$0  
**Building Percent Good:**  
**Replacement Cost**  
**Less Depreciation:** \$0

| Building Attributes |             |
|---------------------|-------------|
| Field               | Description |
| Style               | Vacant Land |
| Model               |             |
| Grade:              |             |
| Stories:            |             |
| Occupancy           |             |
| Exterior Wall 1     |             |
| Exterior Wall 2     |             |
| Roof Structure:     |             |

#### Building Photo



(<http://images.vgsi.com/photos/FalmouthMEPhotos/default.jpg>)

#### Building Layout

([http://images.vgsi.com/photos/FalmouthMEPhotos/Sketches/3847\\_3943.j](http://images.vgsi.com/photos/FalmouthMEPhotos/Sketches/3847_3943.j))

|                    |  |
|--------------------|--|
| Roof Cover         |  |
| Interior Wall 1    |  |
| Interior Wall 2    |  |
| Interior Flr 1     |  |
| Interior Flr 2     |  |
| Heat Fuel          |  |
| Heat Type:         |  |
| AC Type:           |  |
| Total Bedrooms:    |  |
| Total Bthrms:      |  |
| Total Half Baths:  |  |
| Total Xtra Fixtrs: |  |
| Total Rooms:       |  |
| Bath Style:        |  |
| Kitchen Style:     |  |

| Building Sub-Areas (sq ft)     | Legend |
|--------------------------------|--------|
| No Data for Building Sub-Areas |        |

#### Extra Features

| Extra Features             | Legend |
|----------------------------|--------|
| No Data for Extra Features |        |

#### Land

| Land Use               | Land Line Valuation      |
|------------------------|--------------------------|
| Use Code 1320          | Size (Acres) 13          |
| Description RES ACLNUD | Frontage 0               |
| Neighborhood           | Depth 0                  |
| Alt Land Appr No       | Assessed Value \$52,600  |
| Category               | Appraised Value \$52,600 |

#### Outbuildings

| Outbuildings             | Legend |
|--------------------------|--------|
| No Data for Outbuildings |        |

#### Valuation History

| Appraisal      |              |          |          |
|----------------|--------------|----------|----------|
| Valuation Year | Improvements | Land     | Total    |
| 2018           | \$0          | \$52,600 | \$52,600 |
| 2017           | \$0          | \$52,600 | \$52,600 |
| 2016           | \$0          | \$52,600 | \$52,600 |

| Assessment     |              |          |          |
|----------------|--------------|----------|----------|
| Valuation Year | Improvements | Land     | Total    |
| 2018           | \$0          | \$52,600 | \$52,600 |
| 2017           | \$0          | \$52,600 | \$52,600 |
| 2016           | \$0          | \$52,600 | \$52,600 |

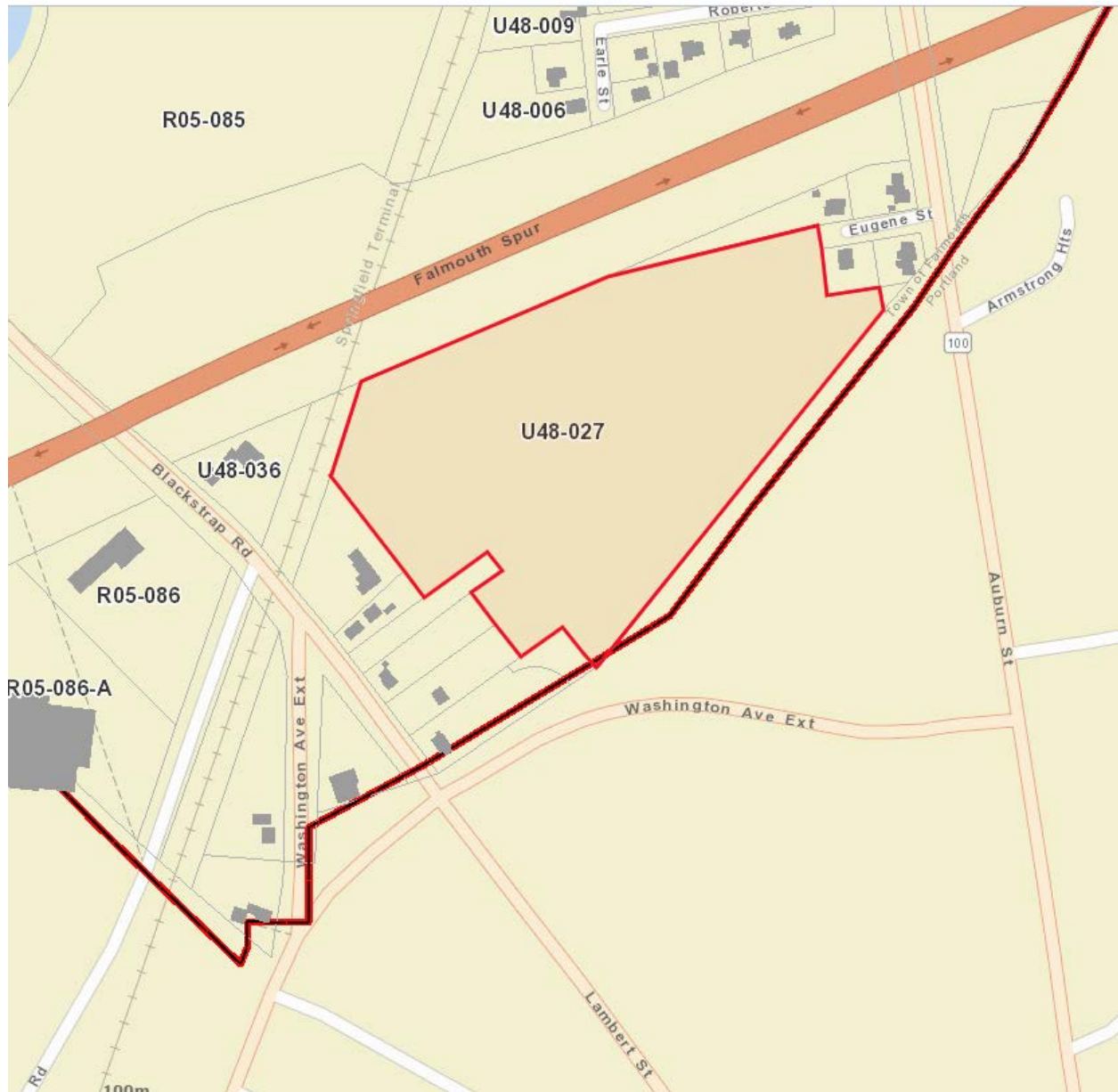


# City of Portland Maine Parcel Viewer

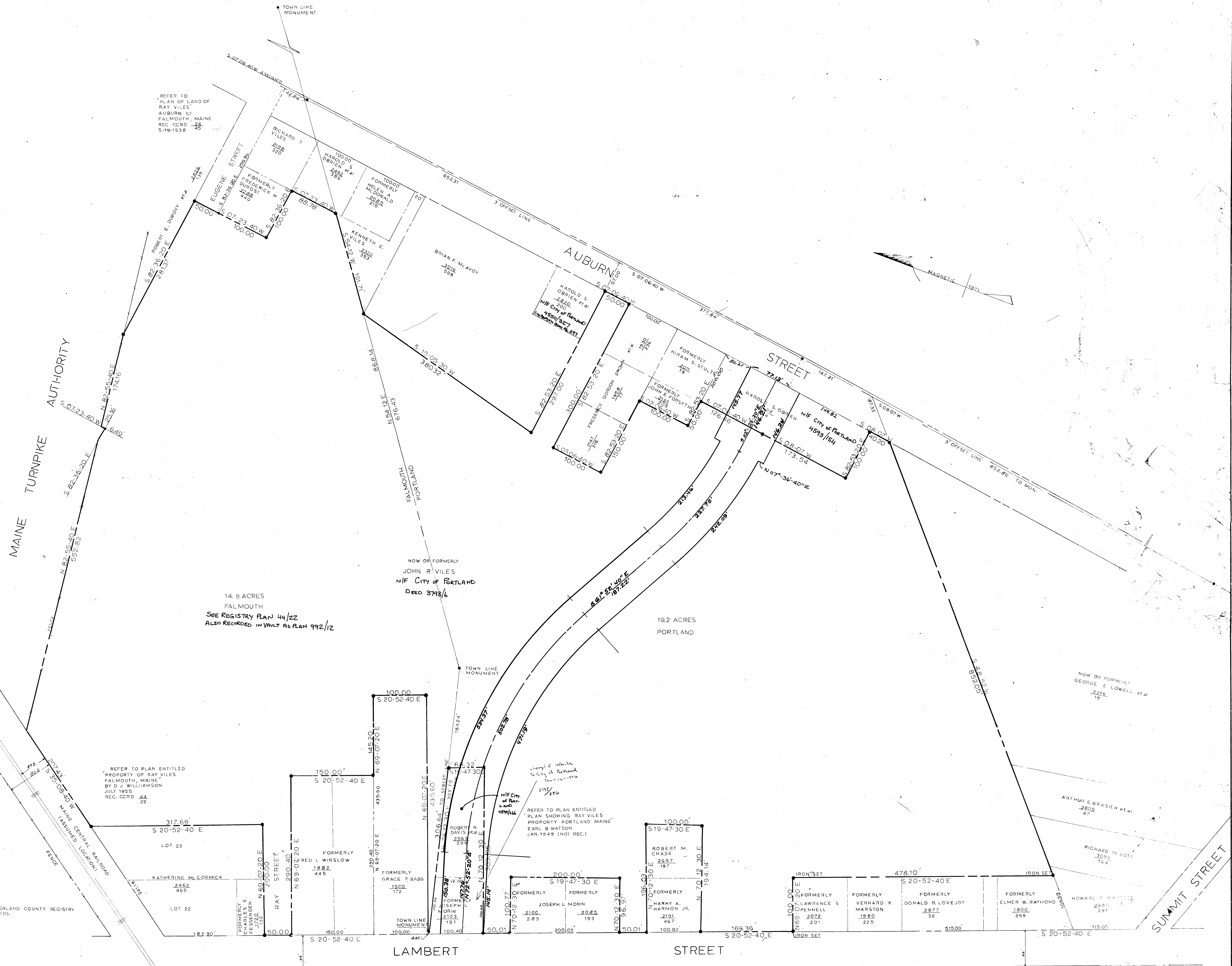




## Falmouth, ME

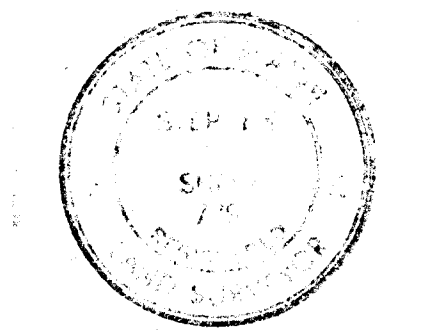






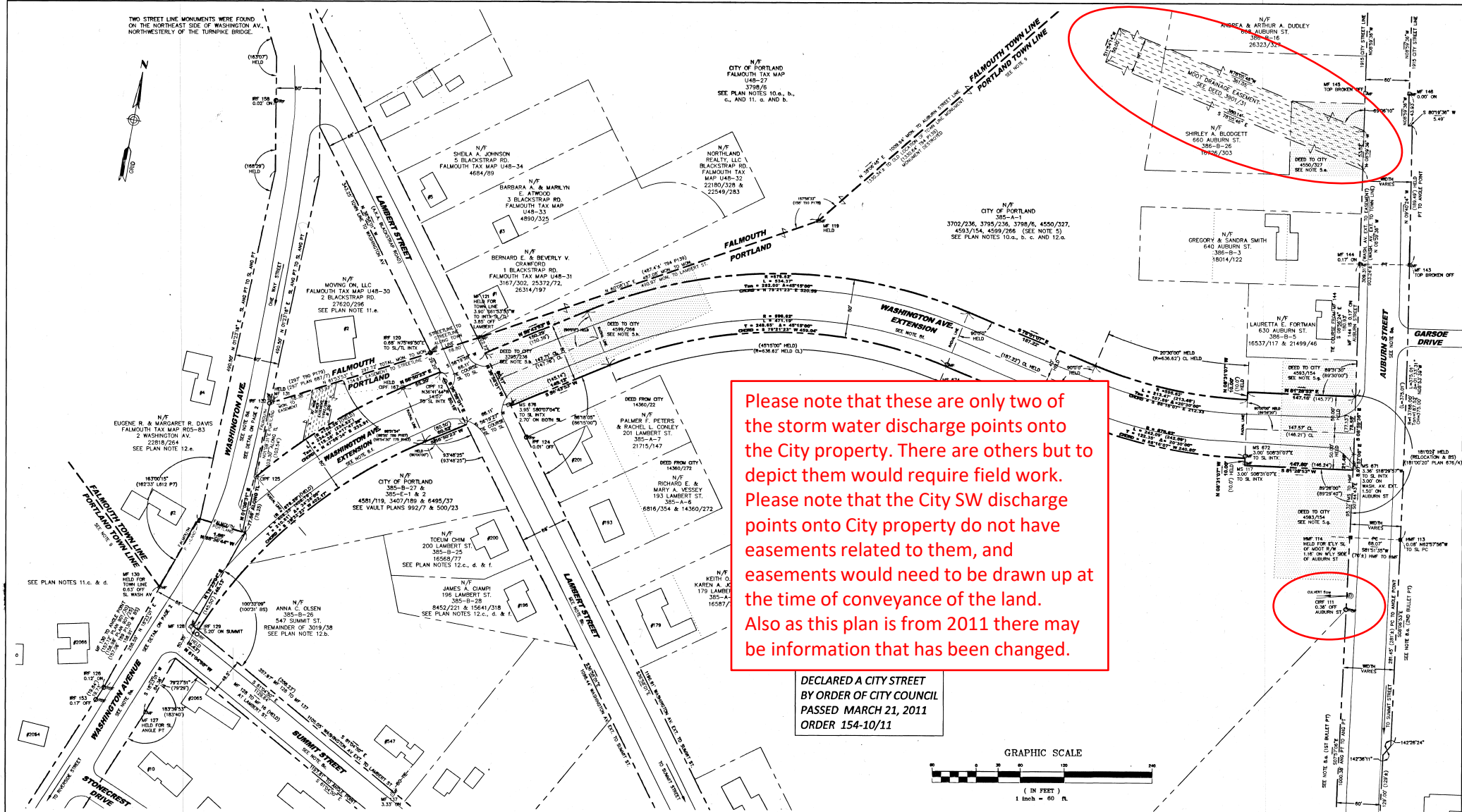
2000 = BOOK, CUMBERLAND COUNTY REGISTRY  
12 = PAGE OF DEEDS.  
■ = MONUMENT  
● = IRON SET

NOTE:  
FALMOUTH PORTION OF LAMBERT ST.  
AS SHOWN HEREON IS ASSUMED.



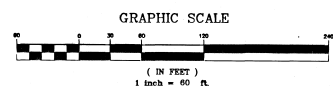
|                                                                              |                 |                 |                |
|------------------------------------------------------------------------------|-----------------|-----------------|----------------|
| PLAN OF LAND<br>IN<br>FALMOUTH AND PORTLAND MAINE<br>FOR<br>CITY OF PORTLAND |                 |                 |                |
| Owen Huskell, Inc.                                                           |                 |                 |                |
| Drawn By: SSS                                                                | Checked By: RAR | Scale: 1" = 40' | Job No: 7579 P |
| Trans By: RAR                                                                | Check By: SSS   | Scale: 1" = 40' | Drawn No: 1    |
| Bk No: 224                                                                   | Page: 22        |                 |                |





Please note that these are only two of the storm water discharge points onto the City property. There are others but to depict them would require field work. Please note that the City SW discharge points onto City property do not have easements related to them, and easements would need to be drawn up at the time of conveyance of the land. Also as this plan is from 2011 there may be information that has been changed.

DECLARED A CITY STREET  
BY ORDER OF CITY COUNCIL  
PASSED MARCH 21, 2011  
ORDER 154-10/11



| LEGEND                                   |                                                                                          |
|------------------------------------------|------------------------------------------------------------------------------------------|
| ○                                        | IRON PIPE FOUND                                                                          |
| ○                                        | REBAR FOUND                                                                              |
| ○                                        | BERNSTEIN MONUMENT FOUND                                                                 |
| ○                                        | WOOD HIGHWAY MONUMENT FOUND                                                              |
| ○                                        | MONUMENT FOUND                                                                           |
| ○                                        | MONUMENT FOUND WITH NEW DRILL HOLE SET                                                   |
| ○                                        | DRAIN MANHOLE                                                                            |
| 233-A-33                                 | ASSESSORS LEADING TAX MAP-BLOCK-Lot NUMBER                                               |
| 2345/576                                 | DEED BOOK AND PAGE (COMBLEDAND COUNTY REGISTRY OF DEEDS)                                 |
| ○                                        | COMMON OWNERSHIP                                                                         |
| (NR.76)                                  | RECORD DISTANCE FROM RECORDED PLAN, BLUE SHEET, DEED, STREET ACCEPTANCE OR COUNCIL ORDER |
| ANG PT                                   | REFERENCE TO ANGLE POINT                                                                 |
| BS                                       | REFERENCE TO CITY BLUE SHEET                                                             |
| R                                        | REFERENCE TO CITY STREET RECORD OF ACCEPTANCE                                            |
| R/W                                      | RIGHT OF WAY (ABBREVIATION)                                                              |
| SL                                       | REFERENCE TO STREET LINE                                                                 |
| TL                                       | REFERENCE TO TOWN LINE                                                                   |
| SL = TL                                  | STREET LINE AND PROPERTY LINE ARE ONE IN THE SAME                                        |
| SL = PL                                  | STREET LINE AND TOWN LINE ARE ONE IN THE SAME                                            |
| PLAN 942/4                               | REFERENCE TO CITY ENGINEERING ARCHIVES VAULT PLAN                                        |
| PB 27 P 12                               | REFERENCE TO RECORDED PLAN BOOK AND PAGE (COMBLEDAND COUNTY REGISTRY OF DEEDS)           |
| 23.45'                                   | DIMENSION AS CALCULATED FROM SURVEY OBSERVATIONS                                         |
| 0.12' ON/OFF                             | DISTANCE ON/OFF (WITHIN/OUTSIDE) STREET RIGHT-OF-WAY                                     |
| CITY STREET LINE PROPOSED FOR ACCEPTANCE |                                                                                          |
| CITY STREET LINE                         |                                                                                          |
| PROPERTY LINE                            |                                                                                          |
| INTERIOR LOT LINE                        |                                                                                          |
| EXISTING EASEMENT LINE                   |                                                                                          |
| BUILDING (AERIAL MAPPING)                |                                                                                          |
| EDGE OF PAVEMENT (AERIAL MAPPING)        |                                                                                          |
| RADIAL LINE                              |                                                                                          |
| DRAINAGE EASEMENT                        |                                                                                          |
| LAND DEED TO THE CITY                    |                                                                                          |

|                                     |                                                                                                                                                                        |                                                                                              |                       |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-----------------------|
| <br>CAMILLE C. ALDEN<br>P.L.S. 2335 | <b>CITY OF PORTLAND, MAINE</b><br>PUBLIC SERVICES DEPARTMENT<br>ENGINEERING DIVISION                                                                                   | <b>STREET ACCEPTANCE PLAN</b><br>OF<br><b>WASHINGTON AVENUE EXTENSION</b><br>PORTLAND, MAINE |                       |
|                                     | REFERENCES:<br>LDD PROJECT: Washington Ave Extension 2006<br>DRAWING: Washington Ave Extension R-W 2009.dwg<br>TRANSIT BOOKS: T150 PP 7-43, 46-51, 60-61 & T151 PP 1-4 | REVISIONS:<br>04/24/2012 ADDED CITY COUNCIL ORDER REFERENCE                                  | VAULT PLAN<br>1011/25 |
| DRAWN BY:<br>L.K. SCZELZA           | SURVEY CREW:<br>CCA/wps/lks                                                                                                                                            | DATE OF PLAN:<br>02/15/2011                                                                  | SCALE:<br>1" = 60'    |
| SHEET #<br>1 OF 2                   |                                                                                                                                                                        |                                                                                              |                       |



**JONES**  
**ASSOCIATES**  
Foresters, Surveyors and  
Environmental Consultants



Lori Paulette  
City of Portland  
389 Congress Street  
Portland, ME 04101

May 13, 2020

Dear Lori Paulette,

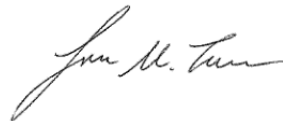
This letter to address the results of Jones Associates (JAI) site visits in regards to my search for vernal pools on three lots (Tax Map 372 Lot A-11, Tax Map 385, Lot A-1 and Tax Map 385, Lot D-8.) A preliminary visit to each of these sites was conducted on April 1<sup>st</sup> 2020 when hydrology was at its peak due to snowmelt. Any evidence of potential vernal pools would have been evident at this time.

An area located on Lot D-8 located off 622 Auburn Street, was hydrologically influenced by road ditching and culverts and did have some standing water. This area was draining and are confident that the area would not have an adequate hydro-period to support successful development of the vernal pool indicator species. This area was checked again on 4/20/20, 4/29/20, 5/4/20. There was not enough hydrology to support vernal pool species and no egg masses were found.

Further investigation of the three lots was not necessary as no pools were found during the initial visit on April 1<sup>st</sup> 2020. Observations indicated that no vernal pools were located on any of these three lots.

Attached to this letter is a vernal pool datasheet that describes findings for lot D-8. Jones Associates has not submitted the data sheets at this time. We recommend that these forms be filed with MIF&W in order to identify this site as containing no vernal pools. Once you have reviewed the attached information let us know if you would like us to file the forms with ME IF&W. If I can provide more information please do not hesitate to ask or call the office.

Much appreciated,



Jason Tome



## Maine State Vernal Pool Assessment Form



### INSTRUCTIONS:

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- Clear photographs of a) the pool AND b) the indicators (one example of each species egg mass) are required for all observers.

Observer's Pool ID: PVP1 Map 385 Lot D-8

MDIFW Pool ID: \_\_\_\_\_

### 1. PRIMARY OBSERVER INFORMATION

- a. Observer name: Jason Tome
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes

### 2. PROJECT CONTACT INFORMATION

- a. Contact name: ☒ same as observer ☐ other \_\_\_\_\_
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes
- c. Project Name: City of Portland - Map 385 Lot D-8

### 3. LANDOWNER CONTACT INFORMATION

- a. Are you the landowner? ☐ Yes ☒ No If no, was landowner permission obtained for survey? ☒ Yes ☐ No
- b. Landowner's contact information (required)
- Name: City of Portland Phone: 207-874-8683
- Street Address: 389 Congress Street City: Portland State: ME Zip: 0410
- c. ☐ Large Projects: check if separate project landowner data file submitted

### 4. VERNAL POOL LOCATION INFORMATION

- a. Location Township: Portland

Brief site directions to the pool (using mapped landmarks):

Located north and adjacent to Washington Avenue between Lambert Street and Auburn Street in Portland, Maine. East of Communication Technologies Inc.

### b. Mapping Requirements

- i. USGS topographic map OR aerial photograph with pool clearly marked.

### ii. GPS location of vernal pool (use Datum NAD83 / WGS84)

Longitude/Easting: 70°17'41.0025" Latitude/Northing: 43°43'17.3336"

Coordinate system: NAD 83 ME WEST

- Check one: ☐ GIS shapefile
- send to Jason.Czapiga@maine.gov; observer has reviewed shape accuracy (Best)
  - ☒ The pool perimeter is delineated by multiple GPS points. (Excellent)
  - Include map or spreadsheet with coordinates.
  - ☐ The above GPS point is at the center of the pool. (Good)
  - ☐ The center of the pool is approximately \_\_\_\_\_ m ☐ ft ☐ in the compass direction of \_\_\_\_\_ degrees from the above GPS point. (Acceptable)



# Maine State Vernal Pool Assessment Form



## 5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3): \_\_\_\_\_

### b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ☐ Isolated depression ☐ Pool associated with larger wetland complex  
☐ Floodplain depression ☒ Other: Associated with Road Construction and Culvert Influence

■ Check all wetland types that best apply to this pool:

- ☒ Forested swamp ☐ Wet meadow ☐ Slow stream ☐ Dug pond or borrow pit  
☒ Shrub swamp ☐ Lake or pond cove ☐ Floodplain  
☐ Peatland (fen or bog) ☐ Abandoned beaver flowage ☐ Mostly unvegetated pool ☒ Roadside ditch  
☐ Emergent marsh ☐ Active beaver flowage ☐ ATV or skidder rut ☐ Other: \_\_\_\_\_

### c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ☐ Natural ☐ Natural-Modified ☒ Unnatural ☐ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (**required**):

Hydrology is almost entirely influenced by culverts and road construction.

#### ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale in box (**required**):

- ☐ Permanent ☐ Semi-permanent (drying partially in all years and completely in drought years) ☒ Ephemeral (drying out completely in most years) ☐ Unknown

Explain:

The pool only has a few inches of water in it by the end of April. Likely will be completely dry soon, but is storm dependent with drainages.

■ Maximum depth at survey: ☒ 0-12" (0-1 ft.) ☐ 12-36" (1-3 ft.) ☐ 36-60" (3-5 ft.) ☐ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 30 ☐ m ☒ ft Length: 100 ☐ m ☒ ft

■ Predominate substrate in order of increasing hydroperiod:

- ☒ Mineral soil (bare, leaf-litter bottom, or upland mosses present) ☐ Organic matter (peat/muck) shallow or restricted to deepest portion  
☐ Mineral soil (sphagnum moss present) ☐ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.) ☐ Wet site ferns (e.g. royal fern, marsh fern)  
☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern) ☒ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly)  
☐ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern) ☐ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes)  
☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle) ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead)  
☐ Sphagnum moss (anchored or suspended) ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort)  
☐ No vegetation in pool

■ Faunal indicators (check all that apply):

- ☐ Fish ☐ Bullfrog or Green Frog tadpoles ☐ Other: \_\_\_\_\_

#### iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ☐ No inlet or outlet ☒ Permanent inlet or outlet (channel with well-defined banks and permanent flow)  
☐ Intermittent inlet or outlet ☐ Other or Unknown (explain): \_\_\_\_\_





# Maine State Vernal Pool Assessment Form



## 6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: 4/20/20, 4/29/20, 5/4/20

### b. Indicator abundance criteria and pool survey effort

- Is pool depression bisected by 2 ownerships (straddler pool)? ☐ Yes ☒ No
- Was the entire pool surveyed for egg masses? ☒ Yes ☐ No; what % of entire pool surveyed? \_\_\_\_\_
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

| INDICATOR SPECIES         | Egg Masses (or adult Fairy Shrimp) |          |          |                               |   |   |                                |  |  | Tadpoles/Larvae <sup>4</sup> |  |  |                               |  |  |
|---------------------------|------------------------------------|----------|----------|-------------------------------|---|---|--------------------------------|--|--|------------------------------|--|--|-------------------------------|--|--|
|                           | Visit #1                           | Visit #2 | Visit #3 | Confidence Level <sup>1</sup> |   |   | Egg Mass Maturity <sup>2</sup> |  |  | Observed                     |  |  | Confidence Level <sup>1</sup> |  |  |
| Wood Frog                 | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Spotted Salamander        | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Blue-spotted Salamander   | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Fairy Shrimp <sup>3</sup> | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%

2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (loose matrix, curved embryos), H= Hatched or Hatching

3-Fairy shrimp: X = present

4-Tadpoles/larvae: X = present

### c. Rarity criteria

- Note any rare species associated with vernal pools. Observations should be accompanied by photographs.

| SPECIES           | Method of Verification*  |                          |                          | CL** | SPECIES      | Method of Verification*  |                          |                          | CL** |
|-------------------|--------------------------|--------------------------|--------------------------|------|--------------|--------------------------|--------------------------|--------------------------|------|
|                   | P                        | H                        | S                        |      |              | P                        | H                        | S                        |      |
| Blanding's Turtle | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Wood Turtle  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |
| Spotted Turtle    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Ribbon Snake | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |
| Ringed Boghaunter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Other:       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |

\*Method of verification: P = Photographed, H = Handled, S = Seen

\*\*CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

### d. Optional observer recommendation:

☐ SVP ☐ Potential SVP ☐ Non Significant VP ☐ Indicator Breeding Area

### e. General vernal pool comments and/or observations of other wildlife:

This pool does not meet the requirements of a vernal pool.

Send completed form and supporting documentation to: Maine Dept. of Inland Fisheries and Wildlife  
Attn: Vernal Pools  
650 State Street, Bangor, ME 04401

**NOTE: Digital submission (to Jason.Czapiga@maine.gov) of vernal pool field forms and photographs is only acceptable for projects with 3 or fewer assessed pools; larger projects must be mailed as hard copies.**

#### For MDIFW use only

Reviewed by MDIFW Date: \_\_\_\_\_ Initials: \_\_\_\_\_

This pool is: ☐ Significant ☐ Potentially Significant but lacking critical data ☐ Not Significant due to: ☐ does not meet biological criteria. ☐ does not meet MDEP vernal pool criteria.

Comments:

## PHOTOS OF POOL AREA



Drainage/Pooling Along Road – May 12, 2020



Drainage/Pooling Along Road – May 12, 2020

## POTENTIAL VERNAL POOL AREA

Jones Associates Inc. - *Photographer: Jason Tome*





Drainage/Pooling Along Road – May 12, 2020

POTENTIAL VERNAL POOL AREA  
Jones Associates Inc. - *Photographer: Jason Tome*



**JONES**  
**ASSOCIATES**  
Foresters, Surveyors and  
Environmental Consultants



Lori Paulette  
City of Portland  
389 Congress Street  
Portland, ME 04101

May 12, 2020

Dear Lori Paulette,

I am writing this letter to address the results of my site visits in regards to the two potential vernal pools that were observed during the wetland delineation in March 2020 located off Gray Road in Falmouth, Maine (Tax Map U48-027).

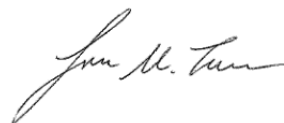
Three visits to the site have occurred during the amphibian breeding season in April and May of 2020. The dates of the site visits were as follows: 4/20/20, 4/29/20, 5/4/20. During these site visits no egg masses were observed for either pool; thus, the potential vernal pools are not by definition vernal pools at all.

There was enough hydrology and attachment points to be suitable for egg masses in the larger, centrally located potential vernal pool. However, the pool's water quality appeared to be poor. During each visit the water was cloudy due to the bare-soil substrate. This did not affect the mosquito larvae which was found to be hatching in abundance in the pool. The smaller potential vernal pool to the south had hydrology in the beginning, but started to lose it gradually through the study period. This combined with the limited attachment points likely made it unattractive to vernal pool species. This smaller pool was also observed to be man-created after further observation.

Attached to this letter are vernal pool datasheets that describe my findings. If I can provide more information about the pools in question please do not hesitate to ask or call the office.

Jones Associates has not submitted the data sheets at this time. We recommend that these forms be filed with MIF&W in order to identify this site as containing no vernal pools. Once you have reviewed the attached information let us know if you would like us to file the forms with MIF&W.

Much appreciated,



Jason Tome



## Maine State Vernal Pool Assessment Form



### INSTRUCTIONS:

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- Clear photographs of a) the pool AND b) the indicators (one example of each species egg mass) are required for all observers.

Observer's Pool ID: PVP1 (Larger Northern-most Pool)

MDIFW Pool ID: \_\_\_\_\_

### 1. PRIMARY OBSERVER INFORMATION

- a. Observer name: Jason Tome
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes

### 2. PROJECT CONTACT INFORMATION

- a. Contact name: ☒ same as observer ☐ other \_\_\_\_\_
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes
- c. Project Name: Gray Road, Falmouth - Tax Map U48-027

### 3. LANDOWNER CONTACT INFORMATION

- a. Are you the landowner? ☐ Yes ☒ No If no, was landowner permission obtained for survey? ☒ Yes ☐ No
- b. Landowner's contact information (required)
- Name: City of Portland Phone: 207-874-8683
- Street Address: 389 Congress Street City: Portland State: ME Zip: 0410
- c. ☐ Large Projects: check if separate project landowner data file submitted

### 4. VERNAL POOL LOCATION INFORMATION

- a. Location Township: Falmouth

Brief site directions to the pool (using mapped landmarks):

Located on the undeveloped property bound by the Falmouth Spur to the north, Blackstrap Road to the west, Washington Ave to the south, Auburn Street to the east. Located to the east of Communication Technologies Inc.

### b. Mapping Requirements

- i. USGS topographic map OR aerial photograph with pool clearly marked.

### ii. GPS location of vernal pool (use Datum NAD83 / WGS84)

Longitude/Easting: 70°17'50.1934" Latitude/Northing: 43°43'22.4686"

Coordinate system: NAD 83 ME WEST

- Check one: ☐ GIS shapefile
- send to Jason.Czapiga@maine.gov; observer has reviewed shape accuracy (Best)
  - ☐ The pool perimeter is delineated by multiple GPS points. (Excellent)
  - Include map or spreadsheet with coordinates.
  - ☒ The above GPS point is at the center of the pool. (Good)
  - ☐ The center of the pool is approximately \_\_\_\_\_ m ☐ ft ☐ in the compass direction of \_\_\_\_\_ degrees from the above GPS point. (Acceptable)



# Maine State Vernal Pool Assessment Form



## 5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3): \_\_\_\_\_

### b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ☒ Isolated depression      ☐ Pool associated with larger wetland complex  
☐ Floodplain depression      ☐ Other: \_\_\_\_\_

■ Check all wetland types that best apply to this pool:

- |                                                    |                                                   |                                                  |                                                 |
|----------------------------------------------------|---------------------------------------------------|--------------------------------------------------|-------------------------------------------------|
| <input checked="" type="checkbox"/> Forested swamp | <input type="checkbox"/> Wet meadow               | <input type="checkbox"/> Slow stream             | <input type="checkbox"/> Dug pond or borrow pit |
| <input type="checkbox"/> Shrub swamp               | <input type="checkbox"/> Lake or pond cove        | <input type="checkbox"/> Floodplain              |                                                 |
| <input type="checkbox"/> Peatland (fen or bog)     | <input type="checkbox"/> Abandoned beaver flowage | <input type="checkbox"/> Mostly unvegetated pool | <input type="checkbox"/> Roadside ditch         |
| <input type="checkbox"/> Emergent marsh            | <input type="checkbox"/> Active beaver flowage    | <input type="checkbox"/> ATV or skidder rut      | <input type="checkbox"/> Other: _____           |

### c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ☒ Natural ☐ Natural-Modified ☐ Unnatural ☐ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (**required**):

#### ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale in box (**required**):

- ☐ Permanent      ☐ Semi-permanent (drying partially in all years and completely in drought years)      ☒ Ephemeral (drying out completely in most years)      ☐ Unknown

Explain:

The pool did not have standing water during the wetland delineation in March 2020.

■ Maximum depth at survey: ☐ 0-12" (0-1 ft.) ☒ 12-36" (1-3 ft.) ☐ 36-60" (3-5 ft.) ☐ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 45 ☐ m ☒ ft Length: 21 ☐ m ☒ ft

■ Predominate substrate in order of increasing hydroperiod:

- ☒ Mineral soil (bare, leaf-litter bottom, or upland mosses present)      ☐ Organic matter (peat/muck) shallow or restricted to deepest portion  
☐ Mineral soil (sphagnum moss present)      ☐ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- |                                                                                                                 |                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.)                      | <input type="checkbox"/> Wet site ferns (e.g. royal fern, marsh fern)                                                 |
| <input type="checkbox"/> Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern)                     | <input checked="" type="checkbox"/> Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly) |
| <input type="checkbox"/> Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern) | <input type="checkbox"/> Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes)               |
| <input type="checkbox"/> Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle)     | <input type="checkbox"/> Aquatic vascular spp. (e.g. pickerelweed, arrowhead)                                         |
| <input type="checkbox"/> Sphagnum moss (anchored or suspended)                                                  | <input type="checkbox"/> Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort)       |
|                                                                                                                 | <input type="checkbox"/> No vegetation in pool                                                                        |

■ Faunal indicators (check all that apply):

- ☐ Fish      ☐ Bullfrog or Green Frog tadpoles      ☐ Other: \_\_\_\_\_

#### iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ☒ No inlet or outlet      ☐ Permanent inlet or outlet (channel with well-defined banks and permanent flow)  
☐ Intermittent inlet or outlet      ☐ Other or Unknown (explain): \_\_\_\_\_





# Maine State Vernal Pool Assessment Form



## 6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: 4/20/20, 4/29/20, 5/4/20

### b. Indicator abundance criteria and pool survey effort

- Is pool depression bisected by 2 ownerships (straddler pool)? ☐ Yes ☒ No
- Was the entire pool surveyed for egg masses? ☒ Yes ☐ No; what % of entire pool surveyed? \_\_\_\_\_
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

| INDICATOR SPECIES         | Egg Masses (or adult Fairy Shrimp) |          |          |                               |   |   |                                |  |  | Tadpoles/Larvae <sup>4</sup> |  |  |                               |  |  |
|---------------------------|------------------------------------|----------|----------|-------------------------------|---|---|--------------------------------|--|--|------------------------------|--|--|-------------------------------|--|--|
|                           | Visit #1                           | Visit #2 | Visit #3 | Confidence Level <sup>1</sup> |   |   | Egg Mass Maturity <sup>2</sup> |  |  | Observed                     |  |  | Confidence Level <sup>1</sup> |  |  |
| Wood Frog                 | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Spotted Salamander        | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Blue-spotted Salamander   | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Fairy Shrimp <sup>3</sup> | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%

2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (loose matrix, curved embryos), H= Hatched or Hatching

3-Fairy shrimp: X = present

4-Tadpoles/larvae: X = present

### c. Rarity criteria

- Note any rare species associated with vernal pools. Observations should be accompanied by photographs.

| SPECIES           | Method of Verification*  |                          |                          | CL** | SPECIES      | Method of Verification*  |                          |                          | CL** |
|-------------------|--------------------------|--------------------------|--------------------------|------|--------------|--------------------------|--------------------------|--------------------------|------|
|                   | P                        | H                        | S                        |      |              | P                        | H                        | S                        |      |
| Blanding's Turtle | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Wood Turtle  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |
| Spotted Turtle    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Ribbon Snake | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |
| Ringed Boghaunter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Other:       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |

\*Method of verification: P = Photographed, H = Handled, S = Seen

\*\*CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

### d. Optional observer recommendation:

☐ SVP ☐ Potential SVP ☐ Non Significant VP ☐ Indicator Breeding Area

### e. General vernal pool comments and/or observations of other wildlife:

This pool does not meet the requirements of a vernal pool.

Send completed form and supporting documentation to: Maine Dept. of Inland Fisheries and Wildlife  
Attn: Vernal Pools  
650 State Street, Bangor, ME 04401

**NOTE: Digital submission (to Jason.Czapiga@maine.gov) of vernal pool field forms and photographs is only acceptable for projects with 3 or fewer assessed pools; larger projects must be mailed as hard copies.**

#### For MDIFW use only

Reviewed by MDIFW Date: \_\_\_\_\_ Initials: \_\_\_\_\_

This pool is: ☐ Significant ☐ Potentially Significant but lacking critical data ☐ Not Significant due to: ☐ does not meet biological criteria. ☐ does not meet MDEP vernal pool criteria.

Comments:



# Maine State Vernal Pool Assessment Form



## INSTRUCTIONS:

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- Clear photographs of a) the pool AND b) the indicators (one example of each species egg mass) are required for all observers.

Observer's Pool ID: PVP2 - (Smaller/Southern-most)

MDIFW Pool ID: \_\_\_\_\_

### 1. PRIMARY OBSERVER INFORMATION

- a. Observer name: Jason Tome
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes

### 2. PROJECT CONTACT INFORMATION

- a. Contact name: ☒ same as observer ☐ other \_\_\_\_\_
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes
- c. Project Name: Gray Road, Falmouth - Tax Map U48-027

### 3. LANDOWNER CONTACT INFORMATION

- a. Are you the landowner? ☐ Yes ☒ No If no, was landowner permission obtained for survey? ☒ Yes ☐ No
- b. Landowner's contact information (required)
- Name: City of Portland Phone: 207-874-8683
- Street Address: 389 Congress Street City: Portland State: ME Zip: 0410
- c. ☐ Large Projects: check if separate project landowner data file submitted

### 4. VERNAL POOL LOCATION INFORMATION

- a. Location Township: Falmouth

Brief site directions to the pool (using mapped landmarks):

Located on the undeveloped property bound by the Falmouth Spur to the north, Blackstrap Road to the west, Washington Ave to the south, Auburn Street to the east. Located to the east of Communication Technologies Inc.

#### b. Mapping Requirements

- i. USGS topographic map OR aerial photograph with pool clearly marked.

#### ii. GPS location of vernal pool (use Datum NAD83 / WGS84)

Longitude/Easting: 70°17'53.5694" Latitude/Northing: 43°43'20.5091"

Coordinate system: NAD 83 ME WEST

- Check one: ☐ GIS shapefile
- send to Jason.Czapiga@maine.gov; observer has reviewed shape accuracy (Best)
  - ☐ The pool perimeter is delineated by multiple GPS points. (Excellent)
  - Include map or spreadsheet with coordinates.
  - ☒ The above GPS point is at the center of the pool. (Good)
  - ☐ The center of the pool is approximately \_\_\_\_\_ m ☐ ft ☐ in the compass direction of \_\_\_\_\_ degrees from the above GPS point. (Acceptable)



# Maine State Vernal Pool Assessment Form



## 5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3): \_\_\_\_\_

### b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ☒ Isolated depression ☐ Pool associated with larger wetland complex  
☐ Floodplain depression ☐ Other: \_\_\_\_\_

■ Check all wetland types that best apply to this pool:

- |                                                    |                                                   |                                                  |                                                 |
|----------------------------------------------------|---------------------------------------------------|--------------------------------------------------|-------------------------------------------------|
| <input checked="" type="checkbox"/> Forested swamp | <input type="checkbox"/> Wet meadow               | <input type="checkbox"/> Slow stream             | <input type="checkbox"/> Dug pond or borrow pit |
| <input type="checkbox"/> Shrub swamp               | <input type="checkbox"/> Lake or pond cove        | <input type="checkbox"/> Floodplain              |                                                 |
| <input type="checkbox"/> Peatland (fen or bog)     | <input type="checkbox"/> Abandoned beaver flowage | <input type="checkbox"/> Mostly unvegetated pool | <input type="checkbox"/> Roadside ditch         |
| <input type="checkbox"/> Emergent marsh            | <input type="checkbox"/> Active beaver flowage    | <input type="checkbox"/> ATV or skidder rut      | <input type="checkbox"/> Other: _____           |

### c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ☐ Natural ☐ Natural-Modified ☒ Unnatural ☐ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (**required**):

After further investigation (after full snowmelt) it appears to be man-made. Small area dug, with tarp placed underneath.

### ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale in box (**required**):

- ☐ Permanent ☐ Semi-permanent (drying partially in all years and completely in drought years) ☒ Ephemeral (drying out completely in most years) ☐ Unknown

Explain:

The pool did not have standing water during the wetland delineation in March 2020.

■ Maximum depth at survey: ☐ 0-12" (0-1 ft.) ☒ 12-36" (1-3 ft.) ☐ 36-60" (3-5 ft.) ☐ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 4 ☐ m ☒ ft Length: 3 ☐ m ☒ ft

■ Predominate substrate in order of increasing hydroperiod:

- |                                                                                                    |                                                                                           |
|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| <input checked="" type="radio"/> Mineral soil (bare, leaf-litter bottom, or upland mosses present) | <input type="radio"/> Organic matter (peat/muck) shallow or restricted to deepest portion |
| <input type="radio"/> Mineral soil (sphagnum moss present)                                         | <input type="radio"/> Organic matter (peat/muck) deep and widespread                      |

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- |                                                                                                                 |                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.)                      | <input type="checkbox"/> Wet site ferns (e.g. royal fern, marsh fern)                                           |
| <input type="checkbox"/> Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern)                     | <input type="checkbox"/> Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly)      |
| <input type="checkbox"/> Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern) | <input type="checkbox"/> Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes)         |
| <input type="checkbox"/> Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle)     | <input type="checkbox"/> Aquatic vascular spp. (e.g. pickerelweed, arrowhead)                                   |
| <input type="checkbox"/> Sphagnum moss (anchored or suspended)                                                  | <input type="checkbox"/> Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort) |
|                                                                                                                 | <input checked="" type="checkbox"/> No vegetation in pool                                                       |

■ Faunal indicators (check all that apply):

- ☐ Fish ☐ Bullfrog or Green Frog tadpoles ☐ Other: \_\_\_\_\_

### iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ☒ No inlet or outlet ☐ Permanent inlet or outlet (channel with well-defined banks and permanent flow)  
☐ Intermittent inlet or outlet ☐ Other or Unknown (explain): \_\_\_\_\_





# Maine State Vernal Pool Assessment Form



## 6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: 4/20/20, 4/29/20, 5/4/20

### b. Indicator abundance criteria and pool survey effort

- Is pool depression bisected by 2 ownerships (straddler pool)? ☐ Yes ☒ No
- Was the entire pool surveyed for egg masses? ☒ Yes ☐ No; what % of entire pool surveyed? \_\_\_\_\_
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

| INDICATOR SPECIES         | Egg Masses (or adult Fairy Shrimp) |          |          |                               |   |   |                                |  |  | Tadpoles/Larvae <sup>4</sup> |  |  |                               |  |  |
|---------------------------|------------------------------------|----------|----------|-------------------------------|---|---|--------------------------------|--|--|------------------------------|--|--|-------------------------------|--|--|
|                           | Visit #1                           | Visit #2 | Visit #3 | Confidence Level <sup>1</sup> |   |   | Egg Mass Maturity <sup>2</sup> |  |  | Observed                     |  |  | Confidence Level <sup>1</sup> |  |  |
| Wood Frog                 | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Spotted Salamander        | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Blue-spotted Salamander   | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |
| Fairy Shrimp <sup>3</sup> | 0                                  | 0        | 0        | 3                             | 3 | 3 |                                |  |  |                              |  |  |                               |  |  |

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%

2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (loose matrix, curved embryos), H= Hatched or Hatching

3-Fairy shrimp: X = present

4-Tadpoles/larvae: X = present

### c. Rarity criteria

- Note any rare species associated with vernal pools. Observations should be accompanied by photographs.

| SPECIES           | Method of Verification*  |                          |                          | CL** | SPECIES      | Method of Verification*  |                          |                          | CL** |
|-------------------|--------------------------|--------------------------|--------------------------|------|--------------|--------------------------|--------------------------|--------------------------|------|
|                   | P                        | H                        | S                        |      |              | P                        | H                        | S                        |      |
| Blanding's Turtle | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Wood Turtle  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |
| Spotted Turtle    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Ribbon Snake | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |
| Ringed Boghaunter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      | Other:       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |      |

\*Method of verification: P = Photographed, H = Handled, S = Seen

\*\*CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

### d. Optional observer recommendation:

☐ SVP ☐ Potential SVP ☐ Non Significant VP ☐ Indicator Breeding Area

### e. General vernal pool comments and/or observations of other wildlife:

This pool does not meet the requirements of a vernal pool.

Send completed form and supporting documentation to: Maine Dept. of Inland Fisheries and Wildlife  
Attn: Vernal Pools  
650 State Street, Bangor, ME 04401

**NOTE: Digital submission (to Jason.Czapiga@maine.gov) of vernal pool field forms and photographs is only acceptable for projects with 3 or fewer assessed pools; larger projects must be mailed as hard copies.**

#### For MDIFW use only

Reviewed by MDIFW Date: \_\_\_\_\_ Initials: \_\_\_\_\_

This pool is: ☐ Significant ☐ Potentially Significant but lacking critical data ☐ Not Significant due to: ☐ does not meet biological criteria. ☐ does not meet MDEP vernal pool criteria.

Comments:

## PHOTOS OF POOL AREA



Photo of Potential Vernal Pool on March 10<sup>th</sup> 2020.

## POTENTIAL VERNAL POOL AREA

Jones Associates Inc. - *Photographer: Jason Tome*





The dirty water quality remained throughout the breeding season - April 1<sup>st</sup> 2020.

#### POTENTIAL VERNAL POOL AREA

Jones Associates Inc. - *Photographer: Jason Tome*





**CITY OF PORTLAND**  
**Housing and Economic Development Dept.**  
**Gregory A. Mitchell, Director**

**MEMORANDUM**

**TO:** Chair and Members of the Economic Development Committee  
**FROM:** Greg Mitchell, Housing and Economic Development Director  
**DATE:** November 12, 2020  
**SUBJECT:** **EDC 2020 Accomplishments**

The following will provide you with the Economic Development Committee accomplishments, by subject area, during calendar year 2020:

**Marijuana Sale Regulations**

Working with the Health and Human Services/Public Safety Committee, these two Committees met jointly three times in early 2020 – January and February - to provide recommendations on proposed Ordinance amendments for City Marijuana regulations. (It is noted that three joint meetings were also held late 2019 on the topic.) The Council approved the regulations on May 18, 2020.

**Harbor Dredge/CAD Cell/BUILD Grant Application**

The Committee was apprised of this project to construct a CAD Cell in Portland Harbor in support of dredging, and the need to apply for a Federal BUILD Grant of \$24 Million, together with another \$6 Million in matching State and local funding. The EDC provided feedback and support to staff to move forward. The BUILD Grant application was filed, but unfortunately was not approved. Staff is regrouping for the next round to submit another application.

**Real Estate Items**

**Land Swap with JB Brown**

Over the course of two meetings, the Committee reviewed a request to support a land swap with JB Brown in support of JB Brown's development of new headquarters for the Veteran's Administration on West Commercial Street and in support of the City's Department of Public Works location on Canco Road adding additional land. The City property to be exchanged included an undeveloped portion of Emery Street at the Commercial Street intersection with

11,000 +/- sq. ft. and a recommendation for that portion of Emery Street to be discontinued. The JB Brown property proposed for the land exchange included 20,000 +/- sq. ft., which JB Brown has allowed the City to use at no cost for the past two years at the Public Works/Park and Recreation Complex located on Canco Road. It was determined that the separate properties had an equivalent value of approximately \$49,000. The Committee recommended approval by the City Council, and the City Council approved the land exchange on June 15, 2020 along with the discontinuance of Emery Street on August 31, 2020.

**Sale of City Owned Properties located at:**

- **21 Randall Street,**
- **165 Lambert Street and**
- **43/91 Douglass Street (Former West School Site).**

The EDC, in a joint meeting with the Housing Committee, was updated on the Cooperative Development Housing model. City staff then presented Draft RFPs for the above properties for possible affordable housing development opportunities. The Committees provided direction to staff to move forward on sale through the RFP process at this joint meeting on March 4, 2020, with the RFPs to be for sale and development for mixed income units affordable to households earning 60% to 120% of the area median income. The EDC then was charged with reviewing the responses and providing recommendations to staff on whom to negotiate a Purchase and Sale Agreement (PSA). Staff was responsible for negotiating PSAs and presenting them to the EDC for its review and recommendation to the City Council.

**21 Randall Street:** After two meetings with the first meeting requesting more information regarding the two bids received, the EDC – on a vote of 4-0 - directed City staff to negotiate a PSA with the Greater Portland Community Land Trust – a proposal for 13 homes, all with 1- and 3-bedrooms designed for workforce home ownership and owners building equity. The Draft PSA will be presented to the EDC at an upcoming meeting.

**165 Lambert Street:** After reviewing the single bid response to the RFP, that being from Maine Cooperative Development Partners (MCDP), the EDC, on a vote of 4-0 - directed staff to negotiate a PSA with MCDP. MCDP's proposal, a cooperative structure, is for 20-single family homes with each containing 3-bedrooms and 2 baths. One hundred percent of the homes would be permanently affordable to households earning at or up to 100% AMI. Project will be structured as a limited-equity housing co-operative under the Maine Cooperative Affordable Housing Act, which is specifically designed to create permanently affordable housing. The Draft PSA will be presented to the EDC at an upcoming meeting.

**43/91 Douglass Street:** After two meetings with the first meeting requesting more information regarding the two bids received, the EDC – on a vote of 3-1 (Chong) – directed staff to negotiate a PSA with Douglass Yards, while also noting that the full City Council may want to weigh in on developer selection. Douglass Yards' proposal was for 40 rental units, 30 condos, and 10 single-family homes each with accessory dwelling units. Douglass Commons' proposal, for both Apartments and Co-Op ownership, had 56 apartments and 52 co-op ownership homes.

A City Council Workshop was held on November 5, 2020 and the affordable developer selection was scheduled for the November 9<sup>th</sup> City Council meeting. At the November 9<sup>th</sup> City Council meeting, the City Council rescheduled action on the affordable housing developer selection to the November 16<sup>th</sup> City Council meeting.

**52 Hanover Street P&S Agreement Amendment Request:** The EDC reviewed an amendment request to the 44/52 Hanover Street P&S Agreement related to the obligation to redevelop the existing 18,000 sq. ft. former Public Works Fleet Services Metal Building into maker space. The property owner developer's amendment request is to demolish the existing Metal Building and construct upwards of 171 residential rental units, with 8,000 sq. ft. of ground level commercial space and parking. The EDC reviewed this and voted 4-0 to recommend to the City Council approval of the PSA Amendment. The Council approved the Amendment at its August 3, 2020 meeting.

**204 Rand Road/Land Bank Commission Proposed Purchase from Avangrid:** The EDC reviewed the Land Bank Commission's proposal to purchase approximately 27+/- acres of vacant land property at 204 Rand Road from Avangrid. The EDC voted to forward this to the City Council – 4-0 – with a recommendation to acquire this property to place it in the Land Bank. Before forwarding to the City Council for approval, the Seller came back with requested amendments: (1) to recognize the bargain price the City/Land Bank was getting for the property; and, (2) deed restrictions to keep the property for passive use in perpetuity. The EDC reviewed these amendments and recommended 4-0 to forward to the City Council for approval, but noting concern with locking future Councils from being able to do anything with any portion of the property. The City Council approved this property acquisition on November 9, 2020, and placing it in the Land Bank in perpetuity.

**157 Brackett Street and 176 Clark Street:** These properties are two City-owned parking lots adjacent to Reiche School. The Housing Committee voted unanimously to recommend to the City Council marketing these properties for sale. At the August 3, 2020, City Council meeting, it postponed action to the October 5, 2020 Council meeting so that the EDC could review, provide direction to staff, and allow for additional public comment. This was done at EDC's meeting on September 15, 2020, and the EDC voted 4-0 to forward this to the Council with a recommendation to not dispose of either property. At the October 5, 2020, City Council meeting, the City Council voted 3-6 against the Resolve to market the properties.

### **COVID-19 Pandemic**

In an effort to assist businesses to remain open during the Pandemic, the EDC met three times to discuss how to assist, particularly to expand outdoor seating for retail and restaurants, and increase the currently allowable five parklets for outdoor dining. At its May 14, 2020, meeting, the EDC voted unanimously to recommend to the City Council the closure of certain downtown city streets, expanded outdoor seating for retail and restaurants both on public and private property, and increase parklets where feasible. The City Council approved this at its May 18, 2020 meeting.



The Committee also received periodic updates of how businesses were taking advantage of this, as well as updates from Portland Development Corporation COVID-19 Business Assistance Loan and Grant Programs.

### **The Roux Institute at Northeastern University**

The EDC received a presentation from The Roux Institute, particularly “Tech Talent for an AI-Driven Economy” to sustain, attract, and build businesses, and their opening of a headquarters in the eastern waterfront area of Portland. The Roux Institute noted a phased campus expansion for learning and research with 25,000 sq. ft. space leased now at the WEX facility located at 100 Fore Street as Phase 1; Phase 2 expansion is targeted during 2025 with 75,000 sq. ft.; and a Phase 3 expansion during 2030 to 110,000 sq. ft.

### **Tax Increment Financing (TIF)**

**Portland Foreside:** In early February, Portland Foreside Project provided the Committee with a look at what they proposed for a Tax Increment Financing (TIF) and Business Improvement District (BID) at the Portland Foreside Complex including City of Portland waterfront owned property. The Committee provided feedback and this project has not come back for review by the Committee.

### ***Affordable Housing (AH) TIF Requests***

#### **Watson Renewal Grant LLC - 104 Grant Street Affordable Housing (AH) TIF Project:**

The EDC was first introduced to this AHTIF in a joint meeting with the Housing Committee to be apprised of the proposed development. This development is proposed to include 23 units of workforce housing condominiums, with 52% or 12 of the 23 units available for sale as workforce housing to households at or below 120% of the AMI. The EDC voted 4-0 at its May 5, 2020, meeting to forward this to the City Council with a recommendation for approval. The City Council approved this at its July 13, 2020, meeting.

#### **Portland Housing Development Corporation (PHDC) at 577 Washington Avenue Project:**

This is a proposed update for improvements and accessibility to Washington Gardens – housing for seniors and persons with disabilities. It currently contains 100 rental units, which will all be upgraded, with PHDC providing alternative rental during the rehab phase. The EDC voted 4-0 at its May 27, 2020, meeting to forward this to the City Council with a recommendation for approval. The City Council approved this at its September 21, 2020, meeting.

**Avesta 200 Valley Street Project:** Avesta proposed 60 units of mixed income rental housing, of which 48 will have income restrictions for households at or below 60% AMI, remainder will be market rate. The EDC voted 4-0 at its May 27, 2020, meeting to forward this to the City Council with a recommendation for approval. The City Council approved this at its August 3, 2020, meeting.

**Community Housing of Maine (CHOM) 83 Middle Street:** This is an AHTIF project proposed on City land currently used for parking by the Police Department. CHOM proposed

new construction of 50 units of affordable housing for residents age 62 and over in a 5-story elevator accessible building with below-grade parking garage, and 11 units for exclusive use of the City of Portland to reduce shelter clients. The EDC voted 4-0 at its May 27, 2020, meeting to forward this, and amendments to the Downtown Transit Oriented Development TIF District to remove this property out of that District to be its own freestanding AHTIF District, to the City Council with a recommendation for approval. The City Council approved this at its August 3, 2020, meeting.

**Portland Housing Authority 337 Cumberland Avenue and Removal of the Property from the Bayside TIF District:** This is a project at the former Maria's location on Cumberland Avenue. It would provide for a new construction of a six-story structure with 60 mixed-income apartment units on floors 2 through 5, with the first floor providing expansion for childcare from 58 to 107 spots. EDC voted 4-0 at its June 16, 2020, meeting to forward this, and amendments to the Bayside TIF District to remove this property out of that District to be its own freestanding AHTIF District, to the City Council with a recommendation for approval. The City Council approved this at its August 3, 2020, meeting.

**Fiscal Year 2020 TIF Annual Report:** The EDC reviewed the annual FYE2020 TIF Annual Report and voted 4-0 to forward it to the City Council as a communication. The City Council received this as a communication at its October 5, 2020, meeting.

**City TIF Policy – Possible Amendments:** At its October 20, 2020, meeting, the EDC reviewed potential TIF Policy amendments with regard to AHTIF applications, and particularly those applications that are not eligible to apply for Low Income Housing Tax Credits. Three areas of possible amendments would be to include a definition of “Affordable”, require the term of the TIF to match the length of affordability of the project, and implement a tiered approach to determine the maximum percentage of captured revenue returned to the developer based on the number of restricted affordable units and the level of affordability in the project. Next steps are for staff to bring red-lined versions of the TIF Policy for review and recommendation to the City Council.

**TIF Investment to support Workforce Training:** The EDC was provided an update on TIF investment in workforce training programs by Portland Adult Education and Coastal Counties Workforce. Below are the two Pilot Programs approved during FY2020:

- An allocation of \$100,000 in funding for Portland Adult Education (PAE) to augment its existing workforce training programming in the banking and medical fields; and,
- An allocation of \$150,000 in funding as a City pilot program to invest in Portland employer workforce training needs. This was done through competitive bid and resulted in the City entering into an Agreement with Coastal Counties Workforce, Inc., (CCW - our region's Workforce Board). CCW proposed a new training program “Frontline Health Care Career for New Immigrants Program”.

For the City's FY2021 budget, the EDC voted to recommend to the City Council continuation of the Pilot Program with Portland Adult Education with a \$100,000 investment from the

Downtown TOD TIF Program, and this was included in the FY2021 budget passed by the City Council.

### **Portland Downtown**

Annually, the City Council has to approve the mil rate, the Agreement, and Development Plan for the Portland Downtown Improvement District. The EDC reviewed the Portland Downtown Annual Budget Request and Agreement and voted 4-0 to forward it to the City Council with a recommendation of approval. The City Council voted to approve this at its September 21, 2020, meeting.

### **Entertainment License and Downtown Entertainment Overlay District/Possible Amendments**

On January 22, 2020, the City Council requested additional information on the possibility of making changes to the Downtown Entertainment Overlay District, which requires a separation of 100-feet between businesses with an entertainment license in the Old Port. The EDC reviewed various options to amend the above, including keeping it as it is; decreasing the 100-foot separation; and create a separate class of entertainment license for event spaces that would not be subject to the 100-foot separation requirement. Consensus of the Committee was to leave it as it is as it currently works fine. Should it need to be revisited in the future it can be.