

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

NOVEMBER 16, 2020 CITY COUNCIL AGENDA

ZOOM INFORMATION:

The Portland City Council will hold a meeting on Monday, November 16, 2020 at 4:00 PM. This meeting will take place remotely using Zoom.

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403-A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to portlandmaine.gov/livestream the next day.

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

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84143181611?pwd=N1RnbGQ3Y3VjUFQyem1yZFhMTXhIdz09>

Passcode: 861430

Or iPhone one-tap :

US: +13126266799,,84143181611#,,,,,0#,,861430# or
+19292056099,,84143181611#,,,,,0#,,861430#

Or Telephone:

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

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 841 4318 1611

Passcode: 861430

International numbers available: <https://us02web.zoom.us/j/84143181611?pwd=N1RnbGQ3Y3VjUFQyem1yZFhMTXhIdz09>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

EXECUTIVE SESSION:

The City Council will hold an Executive Session to discuss the City's legal rights and duties with Corporation Counsel with regard to the recently passed citizen initiated ordinances, pursuant to 1 M.R.S. section 405(6)(E) and (F).

ANNOUNCEMENTS:

PRESENTATIONS:

State of the Schools Address - Roberto Rodriguez, Chair, Portland Board of Public Education

ANNUAL MEETING:

Annual Meeting of the Corporator of Creative Portland - Sponsored by Kate Snyder, Mayor

Pursuant to the Bylaws of Creative Portland (CP), the Portland City Council, as Corporator of Creative Portland, shall hold its annual meeting in the month of November each year or at a special meeting. This year's Annual Meeting Agenda includes:

1. Accepting CP FY2020 Activity and Financial Reports;
2. Proclamation to Peter Bass for his years of service on the CP Board; and
3. Transaction of other business as may be deemed necessary.

A report of FY20 programs and notable accomplishments is included in the agenda packet. Highlights of FY20 include the development of a Cultural App and the establishment of the Portland Artist Relief Fund, which raised over 80K.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the November 9, 2020 Draft City Council Meeting Minutes.

PROCLAMATIONS:

APPOINTMENTS:

Order 127-20/21 Confirming Governor Mills' Appointment of William Van Voorhis to the Portland Harbor Commission - Sponsored by Kate Snyder, Mayor

Consistent with state statute, P.&S. Law 1993, c. 34., the City Council is asked to provide concurrence to the appointment by Governor Janet T. Mills of William Van Voorhis to the Board of Harbor Commissioners for Portland Harbor. Mr. Van Voorhis is a well-known and respected member of the maritime community in Portland Harbor through his many years of work with the Cianbro Corporation, activity with the Portland Propeller Club and the Waterfront Alliance, and his seven-year tenure representing the City of South Portland on the Portland Harbor Commission.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 128-20/21 Granting Municipal Officers' Approval of Lucky Dog Tasting Room LLC dba Batson River Social Club. Application for a Class XI FSE with Indoor Entertainment at 82 Hanover Street. - Sponsored by Jon P. Jennings, City Manager

Lucky Dog Tasting Room LLC dba Batson River Social Club. Application for a Class XI FSE with Indoor Entertainment at 82 Hanover Street.

Application was filed on 10/26/2020. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 129-20/21 Granting Municipal Officers' Approval of Marcy's Diner, LLC dba Marcy's Diner. Application for a Class III & IV FSE at 47 Oak Street. - Sponsored by Jon P. Jennings, City Manager

Marcy's Diner, LLC dba Marcy's Diner. Application for a Class III & IV FSE at 47 Oak Street.

Application was filed on 10/26/2020. New City and State applications. Applicant currently holds a FSE with Prep license.

Five affirmative votes are required for passage after public comment.

Order 130-20/21 Granting Municipal Officers' Approval of Commercial Street Pub Inc dba The Commercial Street Pub. Application for a Class IX FSE at 129 Commercial Street - Sponsored by Jon P. Jennings, City Manager

Commercial Street Pub Inc dba The Commercial Street Pub. Application for a Class IX FSE at 129 Commercial Street.

Change of Classification was filed on 6/25/2020 to change from a Class A Lounge to a Class XI FSE. The City's Licensing Manager is requiring that the request for a new classification appear before the City Council for a hearing, pursuant to Sec 15-21 of the City Code, which states that the License Administrator can determine if a hearing is necessary. Due to multiple violations of the Governor's Emergency Orders, the Licensing Manager has determined that a hearing is necessary.

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 122-20/21 Referring the Negotiation of a Purchase & Sale Agreement with Jack Soley, Avesta Housing and Hebert Construction for 43 and 91 Douglass Street to the Economic Development Committee - Sponsored by Jon P. Jennings, City Manager

City Council approval is needed to select the affordable housing development team from the RFP submitted to develop housing on the City-owned property located at 43 and 91 Douglass Street and delegate to the Economic and Development Committee to negotiate the Purchase and Sale Agreement.

During their August 18, 2020 meeting, the Economic Development Committee voted 3-1 (Chong) to authorize staff to move forward with negotiations for a Purchase and Sale Agreement with Jack Soley, Avesta Housing, and Hebert Construction.

The Housing Committee reviewed the proposals during their July 8th meeting but did not take a formal vote on the proposals; however, committee members did express a preference for the proposal from the Szanton Company and Maine Cooperative Development Partners.

Two proposals were received for the disposition and development of 43 & 91 Douglass Street. The Douglass Yards (Soley/Avesta/Hebert) proposal is for a 40-unit rental building, a 30-unit condominium building, and the development of 10 single-family homes with accessory dwelling units. The Douglass Commons (The Szanton Company & Maine Cooperative Development Partners) proposal is for a 4-story 56 unit apartment building and 52 Limited Equity Cooperative units (i.e. Co-op) in three 3-story buildings with 12 units each and four 2-story buildings with 4 units each. A copy of each proposal is included in the backup attachments.

Because the Housing Committee and Economic Development Committee supported competing proposals, it was determined that the decision should be presented for Council action. Therefore, an amendment to the Order to select the Szanton Company and Maine Cooperative Development Partners proposal is included in the back up material.

On November 9, 2020, the City Council postponed this item to November 16, 2020. Five affirmative votes are required for passage after public comment.

Order 125-20/21 Approving and Appropriating a Federal Aviation Administration Airport Improvement Program for Federal Fiscal Year 2021 Entitlement and Discretionary Grant - Sponsored by Jon P. Jennings, City Manager

The Federal Aviation Administration issues grants to fund eligible safety and capacity projects at airports nationwide through the Airport Improvement Program (AIP). This program is funded through federal taxes on commercial air fares and on aviation fuel taxes. The amount of entitlement funding allocated to each airport is based on the annual number of enplaned commercial passengers the airport handled in the prior calendar year. For federal fiscal year 2021 the Portland International Jetport will be allocated AIP entitlement funding totaling \$4.15 million based upon 1,088,728 enplaned passengers in calendar year 2019. In addition to entitlement funding the Jetport is also seeking AIP discretionary funding of \$2.76 million in federal fiscal year 2021. This grant will fund the construction of the Jetport's Air Cargo Taxiway & Taxiway A East Phase 1 project. This first phase will provide a new Taxiway A East that will allow for the connection of a future Air Cargo Taxiway. Once all phases are complete this project will improve safety by eliminating aircraft crossings of the crosswind runway which are currently needed in order for aircraft located on the cargo apron to access Runway 29.

The AIP funding amount for this project of \$6.91 million is 90% of the total project cost totaling \$7.68 million. The remaining 10% is covered through the Jetport's operating budget and through state funding of 5% of AIP project costs.

This item must be read on two separate days. It received its first reading on November 9, 2020. Five affirmative votes are required for passage after public comment.

Order 126-20/21 Designating Munjoy Hill Historic District and Amending the Map of Historic Districts - Sponsored by the Planning Board, Brandon Mazer, Chair

On August 11, 2020, the Planning Board voted 4-3 to recommend designation of a portion of the Munjoy Hill neighborhood as a local historic district subject to the provisions of Portland's historic preservation ordinance as shown on the attached map. The intent behind the proposed Munjoy Hill historic district and landmark designations is to provide a tool to effectively steward the historic building fabric and visual character of Munjoy Hill over time. The Planning Board's deliberations and recommendation were pursuant to the unanimous recommendation of the Historic Preservation Board on November 20, 2019. The Historic Preservation Board also voted on 11/20/19 to recommend to the Council that the historic structures at 101-107 Congress, 7 Lafayette, 8-12 Montreal, 51 Monument, 21 Sheridan, and 28 Waterville be individually designated as local landmarks given their location outside the boundary of the contiguous historic district. (The Planning Board did not review the proposed landmark designations because unlike the designation review process for historic districts, recommendations for landmark designation are forwarded directly from the Historic Preservation Board to the Council.)

An amendment to the district removing 21 Sheridan Street is in the back up material, offered because of a noticing issue.

This item must be read on two separate days. It received its first reading on November 9, 2020. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 131-20/21 Acceptance of a Portion of Thompsons Point Road as a City Way - Sponsored by Jon P. Jennings, City Manager

In connection with the development of Thompson's Point, and as contemplated in: (1) an "Agreement Regarding Development of Sewall Street;" and (2) Maine Department of Transportation in Rail Decision RR #364 (as extended in a letter from DOT dated April 24, 2019), the State of Maine has presented to the City a deed conveying a portion of what was known as an extension of Sewell Street as a public way and to be known as Thompsons Point Road. This is proposed so that it can be accepted and incorporated into the rest of the public right of way to be known as Thompsons Point Road, from the section proposed to be accepted in this order and the sections leading easterly back to Fore River Parkway. Because the acceptance has long been anticipated and is required to connect two portions of Sewell Street, the Department of Public Works recommends that the Council approve the acceptance.

Five affirmative votes are required for passage after public comment.

Order 132-20/21 Accepting the Public Art Committee FY20 Annual Report and FY21 Budget Plan - Sponsored by Jon P. Jennings, City Manager

Order accepting the FY20 Annual Report and FY21 Budget Plan recommended by the Portland Public Art Committee.

Five affirmative votes are required for passage after public comment.

Order 133-20/21 Approving a One-Year Extension to the Signatory Airline Operating Agreement and Lease at the Portland International Jetport - Sponsored by Jon P. Jennings, City Manager

The Portland International Jetport issues a single uniform operating agreement and airlines executing this agreement are designated as Signatory Airlines at the Jetport. The Jetport currently has six Signatory Airlines: American, Delta, FedEx, JetBlue, Southwest, and United. Airlines executing this operating agreement must provide a minimum annual landed weight, lease a preferential use gate, and lease office/ticket counter space throughout the term of the agreement.

The current Signatory Airline Operating Agreement and Lease at the Portland International Jetport was approved by the Council in 2016 with a five year term from July 1, 2016 through June 30, 2021. Given the continuing uncertainties imposed on aviation by the COVID-19 Pandemic, the Jetport and our signatory airlines are recommending a short term one year extension of this agreement to June 30, 2022.

Five affirmative votes are required for passage after public comment.

Order 134-20/21 Accepting a Portion of Skylark Road as a City Way - Sponsored by Jon P. Jennings, City Manager

The Skylark Commons subdivision was approved by the Planning Board in July 27, 2010. That subdivision approval contemplated the construction of “Skylark Road” by the developer with the intent that it would be accepted as a public street by the City (See Note 22B on the Subdivision Plan). The Developer has now completed construction of Skylark Road to City standards and provided the City with a deed conveying the street in fee simple. Public Works now recommends that the City accept the street.

Five affirmative votes are required for passage after public comment.

6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

MEMORANDUM
City Council Agenda Item

FROM: Lori Paulette, Senior Executive Assistant

DATE: October 26, 2020

SUBJECT: Annual Meeting of the Corporator of Creative Portland - Sponsored by Kate Snyder, Mayor

SPONSOR: Mayor Kate Snyder
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 11/9/2020

Final Action 11/9/2020

Can action be taken at a later date: No (If no why not?)

PRESENTATION: Kate Anker, President/Creative Portland Board, 2 Minutes
Dinah Minot, Creative Portland Executive Director, 2 Minutes

I. SUMMARY

At the October Meeting of the Creative Portland Board of Directors, it set the date for the Annual Meeting of the Corporator as November 9, 2020.

II. AGENDA DESCRIPTION

Pursuant to the Bylaws of Creative Portland (CP), the Portland City Council, as Corporator of Creative Portland, shall hold its annual meeting in the month of November each year or at a special meeting. This year's Annual Meeting Agenda includes:

1. Accepting CP FY2020 Activity and Financial Reports;
2. Proclamation to Peter Bass for his years of service on the CP Board; and
3. Transaction of other business as may be deemed necessary.

A report of FY20 programs and notable accomplishments is included in the agenda packet. Highlights of FY20 include the development of a Cultural App and the establishment of the Portland Artist Relief Fund, which raised over 80K.

III. BACKGROUND

At the October Meeting of the Creative Portland Board of Directors, the Board set the date for the Annual Meeting of the Corporator as November 9, 2020.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The intended result of the Annual Meeting of the Corporator would be for it to receive and accept the annual Activity and Financial Report and present a Proclamation to Peter Bass recognizing his years of service on the CP Board.

V. FINANCIAL IMPACT

There is no fiscal impact associated with this action.

VI. STAFF ANALYSIS AND BACKGROUND

Because the Creative Portland Board recommended that the Corporator hold its Annual Meeting of Creative Portland on November 9, 2020, to review and accept the annual Activity and Financial Report and appoint members, Creative Portland staff is requesting the Annual Meeting be held on November 9, 2020.

VII. RECOMMENDATION

It is recommended that the City Council hold its Annual Meeting of Creative Portland on November 9, 2020.

VIII. LIST ATTACHMENTS

1. FY20 Annual Report from DH 10-26-2020
2. Bass Proclamation Signed 11-2-2020

Prepared by:

Lori Paulette, Senior Executive Assistant

Date: 10/26/2020

CREATIVE PORTLAND^{ME}

CREATIVE PORTLAND CORPORATION BOARD OF DIRECTORS

FISCAL YEAR 2020 ANNUAL REPORT - NOVEMBER 9, 2020

Executive Summary:

The Creative Portland Corporation (CP) submits its eleventh Annual Report to the Portland City Council, Corporator of Creative Portland, for the fiscal year ending June 30, 2020. Witnessing the devastation and subsequent fallout within the arts community beginning in the Spring of 2020 resulting from COVID-19, CP has responded quickly as a source of direct relief for local artists and as a leader and resource for grant relief and loan programs to the arts community, including the City's business assistance and rapid-relief programs.

When Creative Portland closed its doors to the public on March 13, due to the COVID-19 pandemic, we immediately created the Portland Artist Relief Fund by assembling a review committee, representing creative community leaders to oversee fundraising, governance and management of the fund. The fund was created to help artists in the gig economy make ends meet. 63 artists were awarded stipends of \$500 in the first week of May. A new round of disbursements will be issued this fall and winter.

Creative Portland's role as a resource to the City can be recognized not only for our promotion of the creative economy, our nonprofit status and fundraising ability, but also for our experience in providing open calls and a juried process for a variety of tasks, including creative messaging on a public health campaign, responding efficiently to new requests for public art installations and securing community buy-in. With CP staff at the City, we can leverage our capacity to oversee and fulfill arts-related projects in a variety of artistic genres, including visual arts and performing arts. Streamlining and centralizing a process for Arts oversight is our goal in collaborating with the City. Reinforcing an AEP5 study conducted by American for the Arts (AFTA) validates over 75 million in expenditures in 2016 due to the nonprofit arts and culture sector alone. This is vital to attracting future partnerships and private investments in the arts.

A financial summary of CP's FY20 revenue and expenses is included with this document. The Creative Portland Board of Directors appreciates the TIF funds allocated in the past in the annual amount of \$100,000 from the Portland Development and Arts TIF District. This year, we made a pivotal decision to terminate the TIF allocation. The same funds were transferred to the Housing and Economic Development Department (EDD), who absorbed CP's staff of two, covering salaries and benefits in the Office of Creative Portland, under EDD supervision. CP staff continues to work from its office and art gallery on Free Street. Creative Portland is committed to recommending an annual work plan for City staff to implement with funds secured by the nonprofit. Three new board members have joined the organization this year, while another three have renewed for another term.

Creative Portland's public and private sources in cash grants and donations were just over \$132K (\$72,088.88, plus \$60,564.07 in specific in-kind donations) and hundreds of hours of in-

kind support contributed by dozens of volunteers, including \$80,000 in grassroots efforts for the relief fund.

Still gaining traction following the City's adoption of the updated cultural plan of 2018, the organization has attracted hundreds of donors to the artist relief fund and at least a dozen new sponsors in FY20, despite the shutdown due to COVID of signature in-person programs such as First Friday Art Walk, the Arts & Culture Summit, the CP Gallery and Monday Morning Drop. Between March and the end of June, CP transitioned to digital programming and a precision focus on implementing the cultural plan grant CCEDII, funded by Maine Arts Commission, to develop a cultural app. This digital marketing tool will provide 24/7 self-guided tours and access to the arts, year round and is expected to launch in 2022, following the development of a prototype and beta testing focus groups.

MISSION & VISION

Creative Portland was founded by Portland City Council to grow and support the creative economy. The organization's current mission statement, influenced by strategies identified in the cultural planning process of 2017-18, continues to support the creative economy through the arts, by providing essential resources, by fostering partnerships, and by promoting Portland's artistic talents and cultural assets. As the official nonprofit arts agency of the City, we support economic development efforts by strengthening and stimulating our workforce, creative industries, and enterprises. In FY20, Kate Anker, owner of the studio arts collective, Running with Scissors, served her first year as president. Former City Councilor and Mayor, David Brenerman, the immediate past president, continues to serve on the executive committee as Secretary.

FY20 NOTABLE ACCOMPLISHMENTS:

PORTLAND ARTIST RELIEF FUND

Creative Portland's COVID-19 resilience plan was to create and manage the [Portland Artist Relief Fund](#), an emergency initiative to help our local artists in the gig economy who have no other funding sources by providing them individual stipends of \$500. Through a grassroots effort, Creative Portland raised over \$80,000 for the initiative. During round one, all sixty-three eligible artists were funded by the volunteer review committee (representing CP, Indigo Arts Alliance, Running With Scissors, Space, Damnationland/Storyboard). The second round will be announced following Labor Day.

CULTURAL APP: The planning and design phase of the Cultural App began in January 2020, after a branding work group representing a dozen community leaders met quarterly to focus on the development of an innovative marketing tool, a cultural app, as the Maine Arts Commission's CCEDII cultural plan implementation grant.

The previous year, in March 2019, *The Cultural Plan Update of 2018: A Living Action Plan* was adapted by the City Council, effective on March 22, 2019. The update identified a strategic priority to brand Portland as a creative center and world class arts destination. The development

of a cultural app is a pilot program for the state of Maine, with Portland as the testing ground for this cultural tourism initiative.

An Arts & Culture Webinar planned for community cultural discussion, in lieu of Portland Arts & Culture Summit scheduled for June 2020 was postponed until Sept 22.

In June 2019, CP hosted the Portland Arts & Culture Summit at Ocean Gateway and convened over 200 artists, arts & cultural leaders, creative business owners, developers, investors, and city staff under one roof. The summit addressed internal strategic planning in addition to private investment opportunities for maximum arts impact and cultural tourism opportunities. Panelists included arts community leaders, city planning staff, private investors, and visitors from Burlington, VT and Lawrence, MA. The event was facilitated by Carole Martin. Keynote speaker Congresswoman Chellie Pingree spoke about the economic value of the arts, and David E. Shaw spoke of the importance of place, community and cooperation between public and private sectors.

Hear Here - January 2020

On January 26, 2020, Creative Portland, co-promoted the second annual showcase of local performing arts talent in association with the City of Portland, The Crewe Foundation, and David E. Shaw, at Merrill Auditorium, with an audience of 700. Congresswoman Chellie Pingree attended, offering convincing remarks about the relevance of the arts and culture sector as a major economic driver.

Embracing the cultural diversity of our city, the 90-minute show was produced and directed by Executive Director, Dinah Minot, and a production staff that included in-kind services and talents of Tony award-winner Lighting Designer Chris Akerlind, Set Designer Cindy Thompson of Transformit, Digital Choreography by Joseph Goodwin of Bellwether Mastering, animations by artist Lucky Platt (Dorothy Royle Macdonald), Production Management by Gregg Carville, filming by Praxis Motion Pictures, and audio and visual production by Headlight AV Visual. On a modest budget, the live concert with high production value and an outstanding variety of African drummers, a Flamenco dancer, USM Chamber singers, the City Organist, rock bands and soul singers displayed the world-class talent of our city. The community showcase is made possible by over 50 community sponsorships, offering marketing and outreach on their own websites, and by the generosity of concert sponsors Headlight AV, Transformit, Praxis Motion Pictures, News Center Maine, Townsquare Media, WMPG, Coffee By Design, The Press Hotel, David Shaw, USM, Crewe Foundation, Justin Alfond, the Hunt Family, and a Beautiful World Fund.

The community responded enthusiastically, and survey feedback calls for an annual showcase.

NEA Our Town Grant - Creative Bus Shelter Initiative

Creative Portland was awarded our first Our Town grant from the National Endowment for the Arts in April 2019 and a year later, we are ending fiscal year 2020 planning the installation of creative bus shelters. Public Art on the canvas of bus shelters strengthens communities and provides artists with an opportunity to create public art in their own hometown. The \$25,000 matching grant supported phase one of a creative placemaking initiative to design 3-4 artistic bus shelters celebrating the City's racially diverse communities, including immigrant and refugee populations. The unique project engages local artists and arts administrators, in partnership with transit providers, private vendors and fabricators, and allows for collaboration with the Office of Economic Opportunity and the Greater Portland Immigrant Welcome Center, to create art-based community projects for positive social impact and systems change. The Creative Shelter review committee, consisting of Dinah Minot of Creative Portland, Fred Yalouris of Rock Row/Waterstone Properties, Jamie DeSimone of the Portland Museum of Art, Zoe Hill of Greater Portland Council of Governments, Greg Jordan of GP METRO, and Daniel Minter of Indigo Art Alliance, chose artists in January to prepare installations in late summer 2020. Additional cash sponsors included Rock Row/Waterstone Properties and in-kind sponsors American Steel & Aluminum, Portland Industrial Coatings, and Designtex, all local fabricators and suppliers.

ONGOING INITIATIVES & PROGRAMS

This past year we have facilitated and convened diverse groups in the arts community, hosting meetups, Monday Morning Drop Bys, talent showcases, art openings, professional development workshops, and cultural plan work groups. These meetings have led to new partnerships and new opportunities for the arts community to get involved with the private sector.

Creative Portland Art Gallery

FY20 showcased two juried art exhibitions in the CP Art Gallery: "All the Great Trees" and "2020 Vision: Past, Present, and Future". All the Great Trees opened November 1, 2019, and drew a crowd of nearly 100 people while receiving accolades from the USM Free Press. 18 local artists from the Greater Portland area (Bath to Brunswick) exhibited their work. Despite only 20% of the exhibited work sold, the artists appreciated the exposure and have made new connections at other venues, including the Regional Chamber of Commerce and the Greater Portland Immigrant Welcome Center. Due to the pandemic, our April 2020 show was postponed until July 1, 2020, and is exhibited online rather than in person. Twelve artists were selected for the virtual exhibition 2020 Vision: Past, Present, and Future. Their work is promoted every Wednesday on Creative Portland's Social Media, and monthly in the electronic Monthly Arts Update Newsletter.

First Friday Art Walk

Now in its 20th year, the Art Walk attracts thousands to downtown Portland every month through March 2020 for Maine's largest monthly free cultural event. Since then, FFAW has been postponed indefinitely to discourage large gatherings during COVID-19. A Virtual

Events Calendar has replaced the FFAW listings online, in order to promote the organizations who usually participate in the self-guided tour.

Based on research conducted in 2011, we estimate that the Art Walk still brings in well over \$1 million to the local economy every year, as consumers spend an average of \$28 per person when attending a Portland cultural event. Creative Portland promotes and manages the Art Walk with online listings and in print, generously sponsored by organizational partnerships with Greater Portland METRO, The Crewe Foundation, Coffee By Design, Portland Ovations, Portland Museum of Art, the Portland Phoenix, WMPG, Maine College of Art, and Mechanics' Hall.

METRO has partnered with CP since 2016 to offer free rides every First Friday after 4pm, including the Breeze connection from as far away as Brunswick, and the Husky Line (opened in August 2018) that connects to the University of Southern Maine campus in Gorham. Meanwhile, we look forward to continuing to work with METRO and Greater Portland Council of Governments (GPCOG) on the Creative Shelters initiative.

Our goal is to bring the “art” back into Art Walk and focus on facilitating a free, self-guided tour of galleries and venues. The success of the program has attracted visitors from all over the state, and city departments are currently working with CP to ensure safety and code compliance, particularly as crowds swell during the summer months.

Arts in the Chamber

This program has been on hold at the request of the Mayor.

The former program was launched in 2016 to showcase artists at the beginning of city council meetings, usually on the first Monday of the month, to present talent from all genres reflecting our diverse city. Creative Portland coordinated this program, booking 3-4 minute performances or presentations in the chamber that were also broadcasted on public access TV to encourage community engagement. Participants this past year included Caroline Koeker of Opera Maine, Annie Dillon of Women in Harmony, and flamenco dancer Lindsay Bourassa.

Professional Development Workshops

Providing resources to the arts community is a top priority. In FY20, we hosted two free workshops to boost the creative economy: Grant Writing for Artists presented by Portland Dance Month and Kerstin Gilg of the Maine Arts Commission; and Implementing Customer Relations Management presented by Jed Thomas Consulting and local songstress VIVA. The intimate workshops took place at the Creative Portland office with 20+ artist attendees. Survey feedback demonstrated the positive impact of the workshops in terms of professional development, but also demonstrated importance of in-person networking opportunities.

Fiscal Sponsorships

An important way CP serves the creative community is as the fiscal sponsor for creative initiatives that require a 501(c)(3) organization to apply for grants and accept donations. In FY20 we were fiscal sponsors for the following organizations:

- **Black Artists Forum:** A coalition dedicated to maintaining the growth of individual creators and the community of black artists in Maine by creating visibility for artistic diversity while making cultural resources and opportunities accessible to the creative community.
- **Black Owned Maine:** An online directory for independent, Black-owned businesses in Maine, including visual artists, performing artists, makers and artisans.
- **Black Youth Fund:** An emerging project to create a support system for Black Youth in Portland, Maine.
- **Factory 3:** is a makerspace that offers Portland's creative community access to Woodshop and Metal shop equipment and tools, Personal Work/ Studio spaces, and a variety of Experimental and Professional Classes. It is our mission to support and sustain the imagination that drives both creative and entrepreneurial passions. Our makerspace is a hub for novices and specialists ready to actively pursue new skills, unleash their creative potential, and connect with a broad network of makers.
- **Freedom & Captivity:** A coalition of arts institutions, community organizations, support groups for incarcerated and previously incarcerated people, criminal justice reform experts, and scholars who work together to offer a roster of collaborative, creative, coordinated events, lectures, exhibitions, performances, and workshops taught at Maine colleges during Fall 2021 about incarceration and decarceration in Maine.
- **Gulf of Maine Eco Arts:** The project is constructed to operate and evolve like a collaborative work of art. Via communication, hands-on art work, events and education Gulf of Maine Eco Arts (GMEA) promotes awareness of the climate crisis, encourages stewardship and action, and affects change. Climate justice cannot be realized unless biodiversity problems are seriously faced and addressed.
- **Maine Immigrant Music Connection:** Aims to build community with recent immigrants through music.
- **Maine Music Alliance:** Aims to increase awareness and support the sustainability of the extraordinary live music venues of Portland Maine while highlighting the tremendous impact they have on our local economy
- **Maine Production Safety:** is working to create COVID-19 workplace safety guidelines for film and media productions in the State of Maine.
- **Maine Tool Library:** A volunteer-run tool lending library in Portland, Maine, serving makers, artists, homeowners, creatives, and entrepreneurs, located at 224 Anderson Street.
- **PechaKucha (Portland):** A global storytelling presentation, originating in Japan, in which 20 slides are shown for 20 seconds each in a precise and fast-paced event with multiple speakers. A community-building program that has been active in Portland for 10 years.
- **Polyphonic Theater Ensemble:** the mission of Polyphonic is to encourage inclusivity and accessibility by showcasing diverse voices and sensibilities on stage.
- **Portland Dance Month:** PDM is an opportunity for local arts organizations to strengthen relationships, expand public engagement, and get audiences excited about seeing more performances in multiple venues throughout the city. From October 10 - November 11,

2018, Portland Dance Month audiences will have the opportunity to see 18 performances in 6 different venues, and attend 6 workshops for dancers and artists.

- **SPEEDWELL projects:** An artist-run studio and gallery dedicated to launching thought provoking exhibitions in all media, including site-specific installations, public art, spoken word, and performance.

CREATIVE PORTLAND FORMATION HISTORY

The City Council, by Order #92 passed November 17, 2008, authorized the establishment of Creative Portland (CP) as an economic development initiative to support Portland's creative economy. Formation of the Board of Directors was completed in the summer of 2009, with almost half of the Board appointments made by the City. One member of the City Council serves as the City Council representative and Greg Mitchell, Portland's Economic Development Director, serves as the City Manager's representative on the CP Board.

CREATIVE PORTLAND BOARD OF DIRECTORS FY20:

Kate Anker (**President**), Running With Scissors Artist Studios

Nicole Barna, Portland Monthly Magazine

Peter Bass, Random Orbit, Inc. (9-year term expires 11/20)

Lisa Bloss, Ultimate Software

David Brenerman (**Secretary**), Consultant/Formal Mayor & City Councilor

Councilor Tae Chong, (ex officio) City of Portland Councilor

Gibrian Foltz (**Treasurer**), Baker Newman Noyes

Eliza Ginn, Partners for Common Good

Dinah Minot (**Assistant Secretary**), Creative Portland

Daniel Minter, Indigo Arts Alliance, Maine College of Art, Black Artists Forum

Greg Mitchell (ex officio), City of Portland - Economic Development Department

Gerard Salvo, Human Resources Consultant

Mayor Ethan Strimling (**ex-officio**) City of Portland *first half of FY*

PROCLAMATION

HONORING. PETER BASS

WHEREAS, in 2008, the Creative Portland Corporation (CP), the City of Portland's official nonprofit arts agency, was established by the City Council to support the City's economic development efforts by enhancing and creating business and employment opportunities in the creative economy, including arts district development ; and

WHEREAS, Peter Bass recently completed his third three-year term on the Board of the Creative Portland Corporation, thereby serving the maximum amount of years permitted by the Corporation's bylaws; and

WHEREAS, Mr. Bass served three years as Secretary on the Executive Committee and also served on the executive search committee, for the hiring of a new Executive Director in October 2016.

WHEREAS, under Mr. Bass's leadership, the Creative Portland Corporation renovated and now occupies a street-front office space in the heart of the City of Portland's arts district, better positioning the Corporation to fulfill its mission of strengthening, stimulating, and supporting Portland's creative industries, enterprises, and workforce; and

WHEREAS, Peter Bass has provided steady and sure guidance and constructive recommendations to the Creative Portland Corporation board and staff, and has participated as panelist in the 2019 Arts & Culture Summit, addressing the impact of private sector investment in the Arts, and has participated in the development of an Artist Relief Fund, formed in March 2020 to award stipends to artists in the gig economy to help make ends meet; and

WHEREAS, Mr. Bass has been involved in other initiatives in Greater Portland to address mindful growth of the City and region, including serving on the steering committee for both the Challenge for Change lecture series and the Case for Growth initiative, a partnership between Creative Portland, The University of Southern Maine, the University of New England, Portland Society for Architecture, and the Portland Regional Chamber of Commerce; and

WHEREAS, in addition to service on the Board of the Creative Portland Corporation, Mr. Bass has been a dedicated champion of arts businesses and enterprises, contributing to the vibrant cultural life of Portland, including the co-founder of Buckdancer's Choice music shop, owner of a studio arts collective on Munjoy Hill and the owner and developer of 60 Cove Street, the current East Bayside home of Indigo Arts Alliance, an arts incubator and studio residency for artists of color.

NOW THEREFORE, BE IT PROCLAIMED, that the Portland City Council recognizes and thanks Mr. Peter Bass for his dedicated and honored service to the city, and in particular for his successful three terms as a productive and dedicated member of the Board of the Creative Portland Corporation.

Signed and sealed this 2nd day of November, 2020



Kate Snyder, Mayor
City of Portland, Maine

ZOOM INFORMATION:

The Portland City Council will hold a meeting on Monday, November 9, 2020 at 5:30 PM. This meeting will take place remotely using Zoom.

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403-A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to portlandmaine.gov/livestream the next day.

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

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87570593674?pwd=RUViVGJCQUVzVDRjYVNqeDJwZFFCZz09>

Passcode: 661447

Or iPhone one-tap :

**US: +19292056099,,87570593674#,,,,,0#,,661447# or
+13017158592,,87570593674#,,,,,0#,,661447#**

Or Telephone:

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

**US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1
253 215 8782 or +1 346 248 7799**

Webinar ID: 875 7059 3674

Passcode: 661447

International numbers available: <https://us02web.zoom.us/j/87570593674>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Mayor Snyder called the meeting to order at 5:36 PM. (All Councilors Present).

ANNOUNCEMENTS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the Draft City Council Meeting Minutes of October 19, 2020.

Motion was made by Councilor Ali and seconded by Councilor Dusen for approval of the

October 19, 2020 minutes. Passage 9-0.

PROCLAMATIONS:

Proc 5-20/21 In recognition of Veterans Day 2020. - Sponsored by Kate Snyder, Mayor

Proc 6-20/21 Recognizing November as Lung Cancer Awareness Month - Sponsored by Kate Snyder, Mayor

LICENSES:

Order 120-20/21 Granting Municipal Officers' Approval of Maine Craft Distilling LLC dba Maine Craft Distilling. Application for a Combined Entertainment License at 123 Washington Avenue. - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson for passage. Passage 9-0,

Order 121-20/21 Granting Municipal Officers' Approval of Little Giant LLC dba Little Giant. Application for Outdoor Dining on Private Property at 211 Danforth Street. - Sponsored by Jon P. Jennings, City Manager

Councilor Costa disclosed that his brother-in-law is the manager of Little Giant.

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

COMMUNICATIONS:

Com 11-20/21 The 2020 Interim Housing Report, Update of Housing Data and Policy Implementations - Sponsored by the Housing Committee, Jill C. Duson, Chair

As a communication this item requires no public comment or formal Council Action.

Com 12-20/21 A communication regarding scheduled dates for 2020 annual district meetings. - Sponsored by Jon P. Jennings, City Manager

As a communication this item requires no public comment or formal Council action.

UNFINISHED BUSINESS:

Order 103-20/21 Amendment to the Portland City Code Chapter 14 Re: ReCode Phase 1 - Sponsored by the Portland Planning Board, Brandon Mazer, Chair

For backup materials for the first workshop and first reading (10-5-2020) click [here](#)
For backup materials for the second workshop (10-26-2020) click [here](#)

Motion was made by Councilor Thibodeau and seconded by Councilor Ray to bifurcate Amendment 1 "located in the back up materials" by taking "section (A) 2" up separately. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Cook to amend Order 103 by using amendment 1, "located in the back up materials," less section (A) 2, for passage. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Cook to amend Order 103 by using amendment 1 "located in the back up materials" and (A) 2. Passage 7-2 (Mavodones, Thibodeau).

Motion was made by Mayor Snyder and seconded by Councilor Ray to bifurcate amendment 2 "located in the back up materials", by taking up separately section 19.1.6 (C) of the amendment. Passage 9-0.

Motion was made by Councilor Cook and seconded by Councilor Ray to amend Order 103 by using Amendment 2 "located in the back up materials" less section 19.1.6 (C) for passage. Passage 7-2. (Mavodones, Dusen)

Motion was made by Mayor Snyder and seconded by Councilor Ray to amend Order 103 by using Amendment 2 "located in the back up materials and keeping in section 19.1.6 (C) for passage. Motion failed 4-5 (Dusen, Mavodones, Costa, Thibodeau, Snyder).

Motion was made by Councilor Ray and seconded by Councilor Dusen to amend Order 103 by using Amendment 3 "located in the back up materials" for passage. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Cook to amend Order 103 by using Amendment #3 (was changed to #4) "located in the back up materials" for passage. Motion failed 2-7 (Dusen, Mavodones, Costa, Ray, Thibodeau, Chong, Snyder).

Motion was made by Councilor Ali and seconded by Councilor Cook to amend Order 103 by using amendment #4 (that was changed to #5) and also amending the amendment and adding "that is not non owner occupied" for passage. Motion failed 3-6 (Mavodones, Costa, Ray, Thibodeau, Chong, Snyder).

Motion was made by Mayor Snyder and seconded by Councilor Ray to amend Order 103 by using the staff amendment "located in the back up materials" (staff amendment #1) for passage. Passage 9-0.

Motion was made by Mayor Snyder and seconded by Councilor Ray to amend Order 103 by using the staff amendment "located in the back up materials" (staff amendment #2) for passage. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Chong for passage as an emergency going into effect December 1, 2020. Passage 9-0.

Order 104-20/21 Amendment of the Downtown, B-6 and Bayside Height Overlay Maps - Sponsored by the Portland Planning Board, Brandon Mazer, Chair

**For backup material from the first workshop and first reading (10-5-2020) click [here](#)
For backup material from the second workshop (10-26-2020) click [here](#)**

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

Order 118-20/21 Approving the First Amendment to Employment Agreement between the City of Portland and Jon P. Jennings - Sponsored by Kate Snyder, Mayor

Motion was made by Councilor Mavodones and seconded by Councilor Ray for passage. Passage 8-0 (Cook out).

Order 119-20/21 Amending the Traffic Schedule to Prohibit Parking on One Side of Fox Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson to suspend the rules and continue deliberations after 10:00 PM. Passage 8-1(Thibodeau).

Motion was made by Councilor Ray and seconded by Councilor Thibodeau for passage. Passage 9-0.

Reconsideration of Order 105-20/21 Amendment of Portland City Code Chapter 35 Re: All Qualified Applicants Given Tentative Approval - Sponsored by Councilor Belinda S. Ray

Councilor Thibodeau abstained from the vote.

Motion was made by Councilor Ray and seconded by Councilor Duson to reconsider the vote on Order 105. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Costa to amend Order 105, to pass as an emergency and to have the retroactive date to July 1, 2020. Passage 8-0 (Thibodeau abstained).

Motion was made by Councilor Ray and seconded by Councilor Ali for passage as amended. Passage 8-0 (Thibodeau abstained).

Reconsideration of Order 108-20/21 Amendment of Portland City Code Chapter 35

Re: More Than One Violation Tax or Fee Late Payment - Sponsored by Councilor Belinda S. Ray

Motion was made by Councilor Ray and seconded by Councilor Costa to reconsider Order 108. Passage 8-0 (Thibodeau abstained).

Motion was made by Councilor Ray and seconded by Councilor Costa to amend Order 108, to pass as an emergency and to have the retroactive date to July 1, 2020. Passage 8-0 (Thibodeau abstained).

Motion was made by Councilor Ray and seconded by Councilor Ali for passage as amended. Passage 8-0. (Thibodeau abstained).

ORDERS:

Order 122-20/21 Referring the Negotiation of a Purchase & Sale Agreement with Jack Soley, Avesta Housing and Hebert Construction for 43 and 91 Douglass Street to the Economic Development Committee - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Cook and seconded by Councilor Mavodones to postpone Order 122 to the November 16, 2020 City Council Meeting. Passage 9-0.

Order 123-20/21 Approving One Climate Future Action and Adaptation Plan - Sponsored by the Sustainability and Transportation Committee, Councilor Spencer Thibodeau, Chair

Motion was made by Councilor Thibodeau and seconded by Councilor Chong for passage. Passage 9-0.

Order 124-20/21 Order Approving the Purchase and Sale Agreement between the City of Portland and Avangrid for 204 Rand Road and Placing that Land into the Portland Land Bank and Subsequent Amendment Request by Avangrid to Purchase and Sale Agreement - Sponsored by the Economic Development Committee, Justin Costa, Chair

Motion was made by Councilor Ray and seconded by Councilor Costa for passage. Passage 9-0.

Order 125-20/21 Approving and Appropriating a Federal Aviation Administration Airport Improvement Program for Federal Fiscal Year 2021 Entitlement and Discretionary Grant - Sponsored by Jon P. Jennings, City Manager

This is a first reading.

AMENDMENTS:

Order 126-20/21 Designating Munjoy Hill Historic District and Amending the Map of Historic Districts - Sponsored by the Planning Board, Brandon Mazer, Chair

This is a first reading.

Motion was made by Councilor Ray and seconded by Councilor Costa to adjourn.
Passage 9-0 at 11:20 P.M.

A True Record

Katherine L. Jones, City Clerk

6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

MEMORANDUM
City Council Agenda Item

FROM: William Needelman
DATE: November 3, 2020
SUBJECT: Order 127-20/21 Confirming Governor Mills' Appointment of William Van Voorhis to the Portland Harbor Commission - Sponsored by Kate Snyder, Mayor
SPONSOR: Mayor Kate Snyder
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 11/16/2020

Final Action 11/16/2020

Can action be taken at a later date: No The Governor's appointment is intended to be in effect by December 5, 2020.

PRESENTATION: None anticipated.

I. SUMMARY

Consistent with State statute, P.&S. Law 1993, c. 34., the City Council is asked to provide concurrence to the appointment by Governor Janet T. Mills of William Van Voorhis to the Board of Harbor Commissioners for Portland Harbor.

II. AGENDA DESCRIPTION

Consistent with state statute, P.&S. Law 1993, c. 34., the City Council is asked to provide concurrence to the appointment by Governor Janet T. Mills of William Van Voorhis to the Board of Harbor Commissioners for Portland Harbor. Mr. Van Voorhis is a well-known and respected member of the maritime community in Portland Harbor through his many years of work with the Cianbro Corporation, activity with the Portland Propeller Club and the Waterfront Alliance, and his seven-year tenure representing the City of South Portland on the Portland Harbor Commission.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

As described on the Portland Harbor Commission's website, the Portland Harbor Commission consists of five representatives charged with the responsibility of regulating navigation and commerce within Portland Harbor. The Commission's authority results from various private and special laws passed by the Maine Legislature. Currently, the Commission includes two members appointed by the City of Portland, two members appointed by the City of South Portland, and one member appointed by the Governor representing the State of Maine.

The current vacancy is due to the retirement of the previous Governor's appointee, Thomas Dobbins. Mr. Dobbins remains active with the Commission assisting with efforts to address dredging issues for the harbor.

Mr. Van Voorhis has previously served on the Commission as a representative of South Portland and was an active and respected member of the Board

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The Board of Harbor Commissioners conducts vital service for maritime activity in Portland Harbor including: overseeing the Harbor Master's office, managing moorings, review of marine construction, and pilotage. A full slate of qualified Board members is essential for ongoing maritime activity in Portland Harbor.

V. FINANCIAL IMPACT

Harbor Commissioners are not compensated for their service, and the Governor's appointment will have no impact on City budgets. The City financially supports the Commission annually, primarily in recognition of services provided by the Harbor Master.

VI. STAFF ANALYSIS AND BACKGROUND

Staff recommends that the City Council concurs with the Governor's appointing William Van Voorhis to the Board of Harbor Commissioners for Portland Harbor.

VII. RECOMMENDATION

Recommendation is for the City Council to consent to the Governor's appointment of William Van Voorhis to the Board of Harbor Commissioners for Portland Harbor.

VIII. LIST ATTACHMENTS

1. Order Confirming Voorhis to Harbor Commission 11.16.2020
2. 11-5-2020 Ltr from Gov Mills Apt Van Voorhis to Board
3. 9-15-2020 Van Voorhis Ltr & Resume to State

Prepared by:

William Needelman

Date: 11/3/2020

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER CONFIRMING GOVERNOR MILLS' APPOINTMENT OF WILLIAM VAN
VOORHIS TO THE PORTLAND HARBOR COMMISSION**

ORDERED, that Governor Janet T. Mills' appointment of William Van Voorhis to the Board of Harbor Commissioners for the Port of Portland is hereby confirmed.



Janet T. Mills
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

November 5, 2020

Mr. Scott Morelli
City Manager
City of South Portland
P.O. Box 9422
South Portland, ME. 04116-9422

RE: Appointment of William Van Voorhis of South Portland to Board of
Harbor Commissioners for Portland Harbor

Dear Mr. Morelli:

This is to inform you that I am today nominating William Van Voorhis of South Portland for appointment to the Board of Harbor Commissioners for Portland Harbor.

Pursuant to P. & S. Law 1993, c. 34, this appointment is contingent on the concurrence of the city councils of Portland and South Portland. Please inform Joe Boucher, Deputy Director of Boards and Commissions of your concurrence or dissent by December 5, 2020 at joseph.boucher@maine.gov or at 207.287.3542.

Thank you.

Very truly yours,

Janet T. Mills
Governor

JTM/jeb

cc: Melissa A. O'Neal, Director, Boards and Commissions, Office of the Governor
Matthew B. Burns, Director of Ports and Marine Transportation, MaineDOT
Jon Jennings, City Manager, City of Portland
William J. Mann, Economic Development Director, City of South Portland
Bill Needelman, Waterfront Coordinator, Economic Dev. Dept., City of Portland
The Honorable Katherine W. Lewis, Mayor, City of South Portland
The Honorable Kate Snyder, Mayor, City of Portland



PRINTED ON RECYCLED PAPER



Janet T. Mills

GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

November 5, 2020

Mr. Jon Jennings
City Manager
City of Portland
389 Congress Street, Room 208
Portland, ME. 04101

RE: Appointment of William Van Voorhis of South Portland to Board of
Harbor Commissioners for Portland Harbor

Dear Mr. Jennings:

This is to inform you that I am today nominating William Van Voorhis of South Portland for appointment to the Board of Harbor Commissioners for Portland Harbor.

Pursuant to P. & S. Law 1993, c. 34, this appointment is contingent on the concurrence of the city councils of Portland and South Portland. Please inform Joe Boucher, Deputy Director of Boards and Commissions of your concurrence or dissent by December 5, 2020 at joseph.boucher@maine.gov or at 207.287.3542.

Thank you.

Very truly yours,

Janet T. Mills
Governor

JTM/jeb

cc: Melissa A. O'Neal, Director, Boards and Commissions, Office of the Governor
Matthew B. Burns, Director of Ports and Marine Transportation, MaineDOT
Jon Jennings, City Manager, City of Portland
William J. Mann, Economic Development Director, City of South Portland
Bill Needelman, Waterfront Coordinator, Economic Dev. Dept., City of Portland
The Honorable Katherine W. Lewis, Mayor, City of South Portland
The Honorable Kate Snyder, Mayor, City of Portland



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Janet T. Mills

GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

November 5, 2020

Mr. William Van Voorhis
52 Tamarack Drive
South Portland, ME. 04106

RE: Appointment to Board of Harbor Commissioners for Portland Harbor

Dear Mr. Van Voorhis:

It is my honor to nominate you for appointment to the Board of Harbor Commissioners for Portland Harbor. I am confident you will make a valuable contribution to the State in this position.

Your appointment is contingent on the concurrence of the city councils of Portland and South Portland. If your nomination is accepted by each council, your effective date of appointment will be December 5, 2020 at which time the Secretary of State's Office will mail your Oath of Office and instructions for being sworn in by a Dedimus Justice.

Thank you for your willingness to serve our State. I hope you find your service both rewarding and enjoyable.

Thank you.

Very truly yours,

Janet T. Mills
Governor

JTM/jeb

cc: Melissa A. O'Neal, Director, Boards and Commissions, Office of the Governor
Matthew B. Burns, Director of Ports and Marine Transportation, MaineDOT
Jon Jennings, City Manager, City of Portland
William J. Mann, Economic Development Director, City of South Portland
Bill Needelman, Waterfront Coordinator, Economic Dev. Dept., City of Portland
The Honorable Katherine W. Lewis, Mayor, City of South Portland
The Honorable Kate Snyder, Mayor, City of Portland



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William Dean Van Voorhis
52 Tamarack Drive
South Portland
04106
207-615-8951

September 15,2020

The Honorable Governor Janet T. Mills
Office of the Governor
1 State House Station
Augusta, Maine 04333-0001

Dear Governor Mills,

I respectfully request your consideration for appointment to serve on the Portland Harbor Commission.

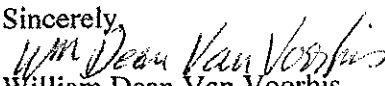
My entire working career has been devoted to the maritime field where I have had the pleasure of serving in several different capacities including both the public and private sectors. I served as South Portland's appointee to the Harbor Commission for the Port of Portland for ten years. I additionally have had the opportunity to work at a variety of State and local government/industry facilities ,working on key maritime facilities improving port safety, security and environmental protection operations.I have been a member of the Portland Waterfront Alliance,The Portland Propeller Club Executive Board and many International Executive Boards.

My forty year career with Cianbro Corporation involved many successful projects for the State of Maine and the Federal DOT.My career with Cianbro was mostly in the marine sector in ports all over New England especially Maine .

My United States Coast Guard Merchant Marine license spans twenty years and I am an official Designated Examiner for assessment of candidates of USCG towing license holders.

In addition to my professional work in the maritime field, I have been a life-long recreational boater ,a commercial workboat and tugboat operator and an active member of the Portland waterfront community for more than 40 years. As a longtime member of the Waterfront Alliance, I strongly believe that ports throughout the state are a resource for the public at large and that state and local governments have a responsibility to balance competing needs through strong communications with all stakeholders.

Thank you for your consideration. Please contact me directly if I may provide any additional information. I look forward to serving the public as a member of the Portland Harbor Commission representing the State of Maine

Sincerely,

William Dean Van Voorhis

William D Van Voorhis

52 Tamarack Drive
South Portland, Maine 04106

Education

Gorham High School Gorham Maine

1971-72 North Yarmouth Academy Yarmouth Maine

1972-74 Univ. of Maine
Civil engineering/Business Management Orono, Maine

Drafting/AutoCAD classes
at Southern Maine Community College South Portland Me

USCG Master 200 ton, Master of Towing, Near Coastal both on fifth
renewal.
AB unlimited, with Lifeboatman
Basic and advanced shipboard firefighting,
Bridge Resource management, Radar unlimited, third renewal,
RFPNW BST-STCW

Community activities

Member Portland Waterfront Alliance 2006-present

Professional Positions

Past contributor / editor for three Maritime related magazines

Commissioner Portland Harbor Commission from 2008-2015

Vice Chairman Portland Harbor Commission 2015-2018

USCG Designated Examiner for License exams

Northeast Maritime Institute instructor at NMI office in Portland Maine and
main school in Fairhaven ,Mass

TOAR instructor/examiner at Maritime TOAR Assessments LLC

TOAR and Z-drive instructor at Northeast Maritime Institute using TRANSAS
5000 simulator

Maritime Port Executive with International Association of Maritime and Port
Executives -also Maritime Port Law and Business Certificate holder here

Flag Inspector for Dominica Registry Inc -Commonwealth of Dominica STCW

Security clearance

Facility Security Officer, TWICS holder

TSA -Pre- approved traveler and Global Entry

References

Capt James McPherson -USCG Retired-District 1 Boston Mass.

Capt David Ward, Master Maine Responder-retired

Peter Vigue, Cianbro Corporation

Eric R Dawicki President and CEO Northeast Maritime Institute and

Commonwealth of Dominica International Maritime Registry

Community activities

Past President of Portland Propeller Club

Past International Vice President of Propeller Club of US

Past International Vice President of Student Ports of Propeller Club of the US

Past Executive Board member of International Propeller Club of US

Current Regional Vice President of International Propeller Club- North Atlantic region

Member North Atlantic Ports Association since 2014

Maine Port Authority assist in introduction of EIMSKIP container business to Portland Maine -

Also instrumental in design of ATB tug/barge for MARAD Maine Marine Highway program
Awards received

Past Employment

Cianbro Corporation
1973-2014

STATE OF MAINE
Office of the Governor

Janet T. Mills
Governor

Melissa O'Neal
Director, Boards and Commissions

APPLICATION FOR GUBERNATORIAL APPOINTMENT

Name William Dean Van Voorhis

Town of Residence South Portland Year-Round
Resident? yes

Occupation Retired-consultant

Home Mailing Address
52 Tamarack Drive
South Portland Maine 04106

Business Address
PMB#352 Suite 1A 50 Market St South Portland 04106

Phone (work) 207-615-8951 (home) same (fax) e-mail
Bvanvoorhis@gmail.com

Please feel free to attach a sheet if not enough space is provided for your answers. **A résumé that includes complete education, employment and professional history is also required.** Please return this form and résumé to **Melissa O'Neal, Director, Boards and Commissions, Office of the Governor, #1 State House Station, Augusta, Maine 04333.**

List name(s) of board and /or commissions you are interested in serving on:

Portland Harbor Commission

Where are you currently employed?
Retired- Consultant

Have you ever been elected or appointed to public office (including other boards/commissions) in Maine? If yes, please list and include dates:

Portland Harbor Commission 2008/2018
Vice Chair 2015-2018

Please list association memberships:

Past President Portland Propeller Club-2009/2011
International Propeller Club Executive Board-2008/current
International Vice President of Student Ports 2011/2013
International First Vice President 2015/2017
International Regional Vice President North Atlantic Region
International Association of Maritime and Port Executives 2014/current
MS Harborfest Tug race committee Chairman 2008/2013
North Atlantic Ports Association member 2012/current

Have you been or are you now a registered lobbyist? If yes, please list the principals you represent(ed) and dates: _____ No _____

Have you or members of your immediate family (spouse, domestic partner, child, parents, siblings) or businesses in which you or they have been an owner, officer, or employee, had any contractual or other direct dealings during the last four years with any government agency? If yes, please explain (Use a separate attachment if necessary). _____

_____ No _____

Have you held or do you hold an occupational or professional license or certificate in the State of Maine or any other state? If yes, please note the type of license/certificate and the issuing authority: _____ No _____

If you are applying for a public member slot on a licensing board, have you or members of your immediate family (spouse, domestic partner, child, parent(s), siblings) been a member of this profession or associated professions? If yes, please explain: No

Can you: Attend daytime meetings? __yes__ Spend time reading materials in preparation for meetings? __Yes__

Is there anything else you think we should know about you, your background, or experiences?

I was a well respected previous member and Vice Chair of this commission for ten years, representing the City Of South Portland

Please list three persons unrelated to you who would support your appointment:

Name
-John Henshaw Occupation Conn Port Authority Director
Address Phone-email john_henshaw@hotmail.com
-Thomas Dobbins Maine Pilots Commission Scarborough, Me 207-831-9101
-Dan Haley Portland Harbor Commission Portland, Maine 207-939-3803

Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance (exclude traffic violations for which a fine or civil penalty of \$150 or less was paid)? Yes ___ No x If yes, please give details: _____

Optional Information: The following questions are designed to elicit information that will be used to assure that there is maximum diversity in the appointments that are made in the Administration. Please note that some boards and commissions require specific representation such as bipartisan representation or disabled representation. These questions are designed to assist the Administration in meeting such requirements. Responses by applicants are purely voluntary.

Political Affiliation: Republican Congressional District: 1st

Disabling Characteristic: N/A

Gender: ☒ Male x ☐ Female Ethnicity: ☒ Caucasian x
☐ African American
☐ Hispanic
☐ Native American
☐ Asian/Pacific Islander
☐ Other _____

I hereby certify that the information provided in this application is true, correct and complete to the best of my knowledge.

William D. Van Voorhis
Applicant's Signature

Date 10/14/2020

MEMORANDUM
City Council Agenda Item

FROM:

DATE: October 28, 2020

SUBJECT: Order 128-20/21 Granting Municipal Officers' Approval of Lucky Dog Tasting Room LLC dba Batson River Social Club. Application for a Class XI FSE with Indoor Entertainment at 82 Hanover Street. - Sponsored by Jon P. Jennings, City Manager

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

Can action be taken at a later date: No (If no why not?)

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

I. SUMMARY

II. AGENDA DESCRIPTION

Lucky Dog Tasting Room LLC dba Batson River Social Club. Application for a Class XI FSE with Indoor Entertainment at 82 Hanover Street.

Application was filed on 10/26/2020. New City and State applications.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Order for Batson River

2. 20201103095504220
3. 20201105143205963
4. 20201113093941422

Prepared by:

Date: 10/28/2020

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Lucky Dog Tasting Room LLC dba Batson River Social Club. Application for a Class XI
FSE with Indoor Entertainment at 82 Hanover Street.**

BATSON RIVER SOCIAL CLUB
82 Hanover Street
Portland, ME 04101

September 28, 2020

Honorable Kate Snyder, Mayor
Members, Portland City Council
389 Congress Street
Portland, ME 04101

Re: Batson River Social Club
82 Hanover Street, Portland, Maine

Dear Mayor and Councilors:

On behalf of Lucky Dog Tasting Room, LLC, which does business as Batson River Social Club, I am pleased to submit this Letter of Intent in regard to the Batson River Liquor License Application. Batson River proposes a full-service restaurant to be located at 82 Hanover Street. The restaurant will offer a unique menu and full-service bar, including many beers and spirits made by our companion company Batson River Distilling. The restaurant at 82 Hanover Street will be similar to our existing restaurant in Lower Village in Kennebunk (<https://batsonriver.com>).

We are excited about opening our new restaurant at 82 Hanover Street, and look forward to working with the various City departments to make this happen. We believe that the Batson River Social Club will provide a different and unique dining experience for Portland, and that it will also provide a number of jobs for residents of Portland and surrounding communities.

We look forward to meeting with you to discuss this application, and to answer and questions or concerns that you might have.

Sincerely,
Batson River Social Club

By: 
Timothy Harrington, Partner



CITY OF PORTLAND
Permitting and Inspections Department
Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Business Name (d/b/a):	Lucky Dog Tasting Room LLC DBA Batson River Social Club	Phone:	207-985-5132
Location Address:	82 Hanover Street Unit 11 Portland, Maine		Zip: 04101
If new, what was formerly at this location:			
Mailing Address:	2 Livewell Suite 201 Kennebunk, ME		Zip: 04043
Contact Person:	Nicole Minzy	Phone:	207-985-5132
Contact Person Email:	nicole@batsonriver.com		
Manager of Establishment:	Amy Caramante	Date of Birth: 12/15/1978	Phone: 718-541-2618
Owner of Premises (Landlord):	Port Property Management		
Address of Premises Owner:	82 Hanover Street Unit 5 Portland, Maine		Zip: 04101-2108

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address	
Lucky Dog Tasting Room LLC		2 Livewell Suite 201 Kennebunk, ME	Zip: 04043
Contact Person:	Nicole Minzy	Phone:	207-985-5132
Principal Officers			
	Title	Date of Birth	Residence Address
Kevin Lord	Partner	4/22/1976	38 Washburn Drive Kennebunkport, ME 04046
Timothy Harrington	Partner	8/24/1963	2 Livewell Suite 201 Kennebunk, ME 04043
Class of Liquor License:		Class XI	

CITY OF PORTLAND
Permitting and Inspections Department

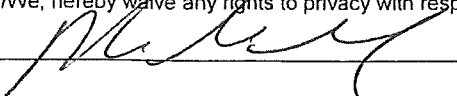
Type of food served:	Casual Dining		
Please circle all that will be served:	☒ Beer	☒ Wine	☒ Liquor
Projected percentage of sales:	Generated from Food: 50%	Generated from Alcohol: 50%	
Hours & days of operation:	7 Days a week, Noon to 10 PM		

QUESTIONS	Y/N
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?	☒ Y ☐ N
If No, please explain:	
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?	☒ Y ☐ N
If yes, give the distance:	
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)	☒ Y ☐ N
Will you permit dancing after 1:00 a.m.?	☒ Y ☐ N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)	☒ Y ☐ N
If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one).	
Will you have any amusement devices (pinball, video games, juke box)?	☒ Y ☐ N
If yes, please list: # of pinball machines: <u>2</u> # of amusements: <u>2</u> # of pool tables: <u>1</u>	
What is your targeted opening date?	11/21/2020
Does the Issuance of this license directly or indirectly benefit any City employee(s)?	☒ Y ☐ N
If Yes, list name(s) of employee(s) and department(s):	
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?	☒ Y ☐ N
If Yes, please list business name(s) and location(s):	
Is any principal officer under the age of 21?	☒ Y ☐ N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?	☒ Y ☐ N
If Yes, please explain:	

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

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

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

Signature  Title Partner Date 9/22/2020

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

CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☒ Indoor Entertainment \$500.00	☐ Outdoor Entertainment \$700.00	☐ Combined Entertainment \$800.00
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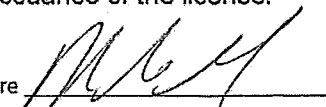
Business Information			
Business Name (d/b/a):	Batson River Social Club	Phone:	207-985-5132
Location Address:	82 Hanover Street Unit 11 Portland, Maine	Zip:	04101
Owner Name:	Kevin Lord	Phone:	207-351-5733
Owner Email:	klord@thomasandlord.com		
Contact Person responsible for Entertainment:	Amy Caramante	Phone:	718-541-2618
Contact Person Email:	amy@batsonriver.com		
Manager of Establishment:	Amy Caramante	Phone:	718-541-2618
Manager Email:	amy@batsonriver.com		

About Your Establishment

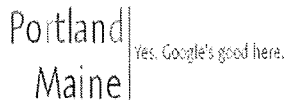
Describe in detail the type and nature of the business and proposed entertainment:

Music for customers to listen and dance to.

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

Signature  Title Partner Date 9-25-2020

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



Sandra Driscoll <sdriscoll@portlandmaine.gov>

Batson River Portland

1 message

Miles Vaughn <miles@digitalsky.us.com>

Mon, Oct 12, 2020 at 1:00 PM

Reply-To: Miles Vaughn <miles@digitalsky.us.com>

To: "sdriscoll@portlandmaine.gov" <sdriscoll@portlandmaine.gov>

Cc: Nicole Minzy <Nicole@batsonriver.com>, "nate.barrett@barrettmade.com" <nate.barrett@barrettmade.com>, Corey Poitras <corey@digitalsky.us.com>, Curt Atkinson <curt@digitalsky.us.com>

Hello Sandy,

Thanks for your help and guidance with this new process.

Please see our write up below for this plan and let me know if you have any questions.

I have attached the speaker plan along with Spec sheets for the speakers and volume controls that will be used.

Sound Mitigation Plan (**not required if renewal application for indoor only entertainment) THERE IS NO OUTSIDE SPEAKERS SO THIS IS NOT NEEDED

- Prepared and Certified by a Professional Sound Engineer-ATTACHED PLAN

- Details of methods used to minimize the impact on entertainment on the surrounding uses-THE BOSE PROFESSIONAL SOUND SYSTEMS WILL BE CONFIGURED SO THAT ALL SOUND IS DIRECTED TOWARDS THE INSIDE SPACE ONLY AND WILL NOT BLEED OUT OF THE SPACE

- Speaker Locations and directions-ATTACHED

- Sound System details and controls-ATTACHED, THE BOSE PROFESSIONAL SYSTEM WILL BE FOR BACKGROUND MUSIC ONLY AND BROKEN UP INTO THE FOLLOWING ZONES

- 1.MAIN BAR

- 2.LOWER DINING

- 3.UPSTAIRS DINING

- 4.BACK BAR

EACH ZONE WILL HAVE A SEPARATE VOLUME CONTROL

THERE WILL BE A LINE LEVEL RCA INPUT UPSTAIRS FOR GUITARIST TO PLUG IN A "NON AMPLIFIED" INPUT

EACH ZONE WILL BE ABLE TO SELECT THAT INPUT AS A SOURCE AND CONTROL THE VOLUME LEVEL FOR IT

ALL SPEAKERS WILL BE RAN AT 70V AND TAPPED TO APPROPRIATE WATTAGE SETTINGS NOT TO EXCEED SOUND LEVELS THAT WILL BLEED OUTSIDE OR TO OTHER SPACES

- Stage and site layout and direction-NO STAGE

- Noise cancelling or mitigating measures proposed-NOT REQUIRED AS THE SOUND SYSTEM IS DIRECTIONAL INSIDE ONLY BACKGROUND MUSIC

- Anticipated sound readings-NOT REQUIRED

- Indoor entertainment- 8 feet from any outer wall- NO PER GC, THE WALL IS 5/8 DRYWALL WITH SOUND DAMPING INSULATION THEN BRICK APX 10FT FROM THE AREA

- Outdoor/combined entertainment - property line and closest residence-NOT REQUIRED AS THERE IS NO OUTDOOR SPACE

- Onsite monitor when attendees are expected to exceed 250-PER GC, NO

Best Regards,

Miles Vaughn
Digital Sky®
One Company, One Number, Total Solution™
www.digitalsky.us.com
888-612-7988 toll free
207-571-8599 fax

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6 attachments

 **BatsonRiverPortland1stFloor.pdf**
208K

 **BatsonRiverPortland2ndFloor.pdf**
148K

 **Bose1stDining.pdf**
645K

 **Bose1st_2ndBar.pdf**
641K

 **Bose2ndMezz.pdf**
685K

 **BoseVolumeControl.pdf**
1435K

TECHNICAL DATA

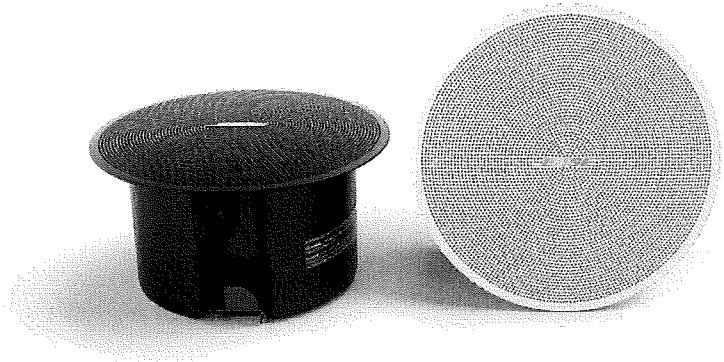
DesignMax DM2C-LP

in-ceiling loudspeaker



Product Overview

DesignMax loudspeakers bring outstanding audio and aesthetics to any commercial space. Ideal for background music, the 16-watt DesignMax DM2C-LP features a 2.25-inch transducer and 85 Hz - 19 kHz frequency range. The DM2C-LP has a low-profile backcan and is ceiling-mounted, installed easily via QuickHold mounting arms. With both black and white versions available, the DM2C-LP is easy to integrate with any décor.



Key Features

Deliver instantly impressive sound with custom Bose drivers — no DSP or EQ required. For even better sound, use select Bose DSPs and amplifiers to enable Bose loudspeaker EQ and SmartBass processing, which expands performance and response at any listening level

Blend into any room design with elegant form factors, minimum-bezel grilles available in black or white, and removable logos

Reduce installation time with the patented QuickHold mounting system, which also reduces strain, hassle, and the chance of product damage

Install easily — includes Euroblock connectors; plenum-rated backcan, tile-bridge, and front-access audio wiring that makes installation and troubleshooting easier

Install in confined spaces with low-profile backcan measuring just 10 centimeters (3.9 inches) high

Amplifier Flexibility — 16 ohm feature allows for four units on a single low impedance line

Technical Specifications

SINGLE LOUDSPEAKER PERFORMANCE		
Frequency Response (-3 dB) ⁽¹⁾	95 - 18,000 Hz	
Frequency Range (-10 dB) ⁽¹⁾	85 - 19,000 Hz	
Nominal Coverage Angle ⁽²⁾	180° conical	
Nominal Coverage Angle (1 - 10 kHz)	165° conical	
	Bose extended-lifecycle test ⁽⁵⁾	AES component test ⁽⁶⁾
Power Handling, long-term continuous	16 W	20 W
Power Handling, peak	64 W	80 W
Sensitivity (SPL/ 1W @ 1 m) ⁽³⁾	84 dB	84 dB
Calculated Maximum SPL @ 1 m ⁽⁴⁾	96 dB	97 dB
Calculated Maximum SPL @ 1 m, peak	102 dB	103 dB
Loudspeaker EQ	Not Required, Bose EQ voicing and SmartBass processing available	
Recommended High-Pass Protection	85 Hz with recommended 24 dB / octave filter	
Transformer taps	70V: 1.2, 2.3, 4.5, 9 W, bypass 100V: 2.3, 4.5, 9 W, bypass	
TRANSDUCERS		
Full-Range Driver	1 x 2.25-inch woofer (57 mm)	
Nominal Impedance	16 ohms (transformer bypass)	

DesignMax DM2C-LP

in-ceiling loudspeaker

PHYSICAL	
Enclosure Material	Engineered plastics front baffle with integrated steel formed backcan
Grille	Magnetically attached perforated steel, powder-coated finish, paintable, with safety-tether
Logo	Rotatable, removable
Color	Black: RAL 9005, White: Bose Arctic White, similar to RAL 9003, Paintable
Environmental	Indoor only
Safety Agency	UL-1480A, S5591/ UL Listed, in compliance with UL2043 for plenum-space installation, NFPA70 & NFPA90-A, in accordance with IEC60268-5, ROHS, CE compliant
Operating Temperature Range	0 °C to 50 °C (52 °F to 122 °F)
Connectors	Euroblock 6-pin connector with loop-through, front-baffle mounted. Accepts 18 AWG (0.8 mm ²) to 14 AWG (2.5 mm ²) size wire
Wire / Conduit Entry	Top and side wire entry point knockouts allow for 9.5 mm (3/8 in) conduit
Suspension / Mounting	Two (2) QuickHold, spring-loaded mounting arms plus two (2) safety cable tabs
Product Dimensions (Grille Diameter × Depth)	198 × 110 mm (7.8 × 4.3 in)
Backcan Dimensions (Diameter × Depth)	155 × 99 mm (6.1 × 3.9 in), low-profile backcan
Cutout size (Diameter)	165 mm (6.5 in)
Maximum Ceiling Thickness	39 mm (1.5 in)
Net Weight, Loudspeaker with grille (single)	1.6 kg (3.6 lb)
Net Weight, Tile Bridge (single)	0.7 kg (1.6 lb)
Shipping Weight, Pair	5.9 kg (13.2 lb)
Included Accessories	Adjustable Tile-Bridge, template
Optional Accessories	Rough-in 6-pack for new construction
PRODUCT CODES	
815011-0110	DESIGNMAX DM2C-LP PAIR BLK
815011-0210	DESIGNMAX DM2C-LP PAIR WHT

Footnotes

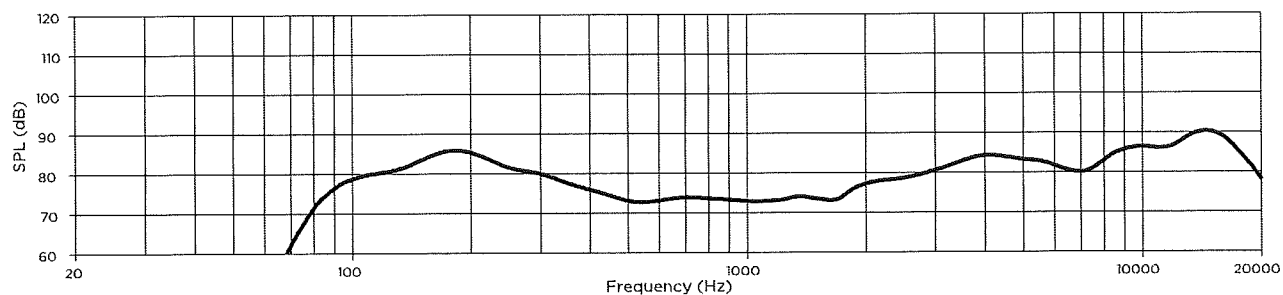
- (1) Frequency response and range measured on-axis in half-space environment with Bose EQ voicing
- (2) 1 kHz to 4 kHz average
- (3) Sensitivity measured on-axis in half-space environment with Bose EQ voicing
- (4) Maximum SPL calculated from sensitivity and power handling specifications, exclusive of power compression.
- (5) Bose extended-lifecycle test using pink noise filtered to meet IEC268-5, 6-dB crest factor, 500-hour duration.
- (6) AES standard 2-hour duration with IEC system noise

For additional specifications and application information, please visit PRO.BOSE.COM.
Specifications subject to change without notice. 04/2020

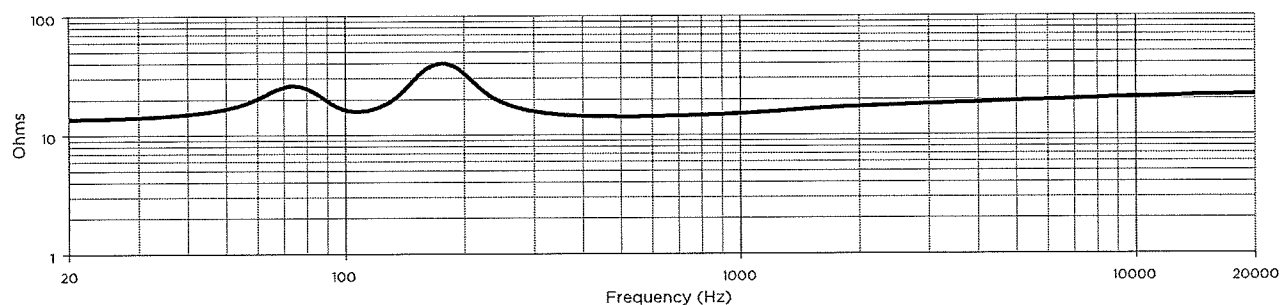
DesignMax DM2C-LP

in-ceiling loudspeaker

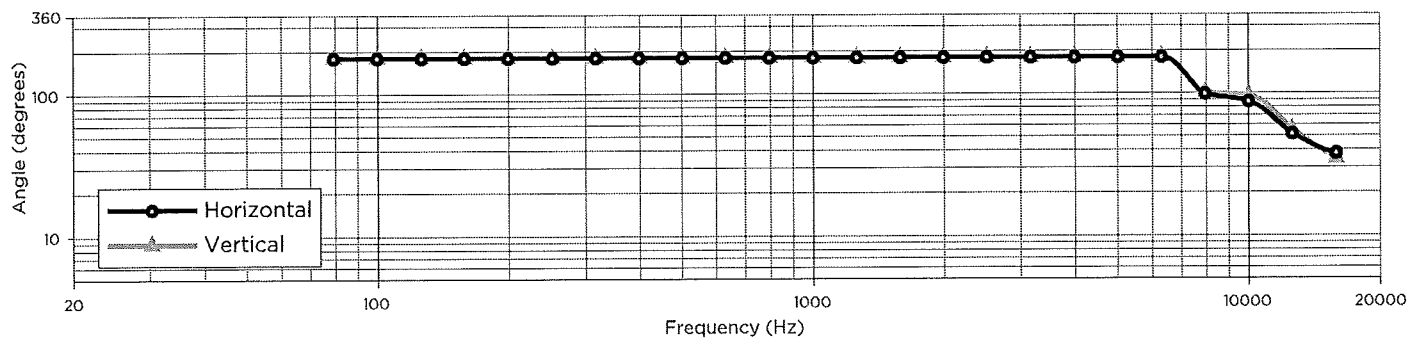
On-Axis Frequency Response (half-space (2π) with Bose EQ voicing)



Impedance



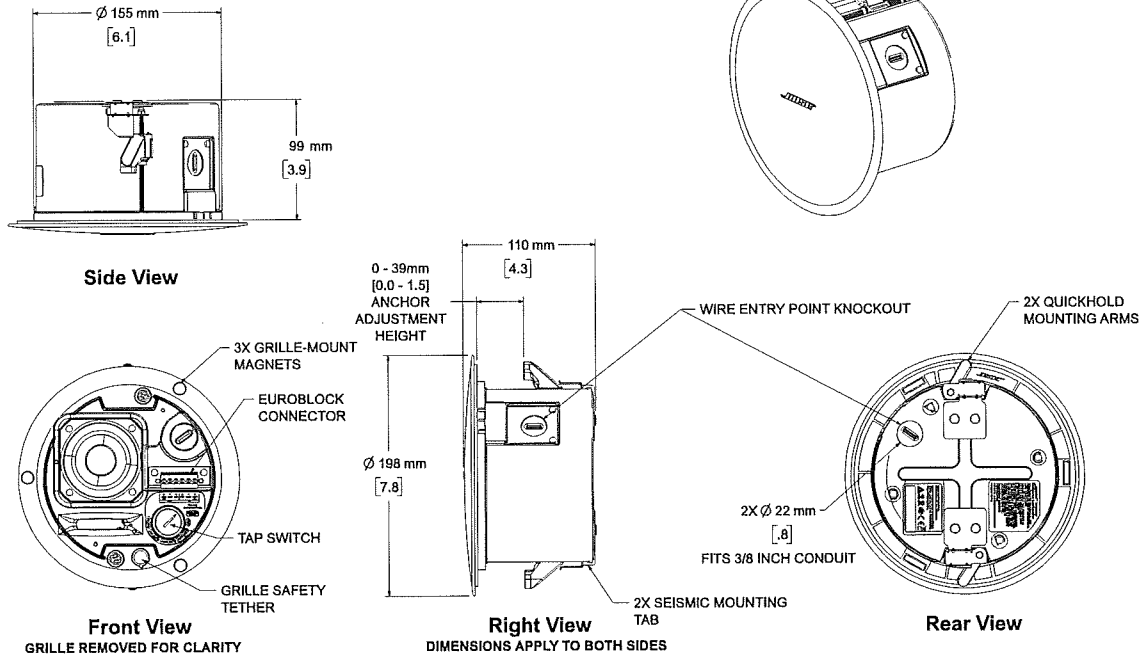
Beamwidth



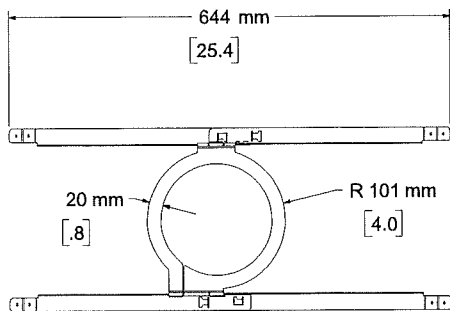
DesignMax DM2C-LP

in-ceiling loudspeaker

Dimensions



NOTES:
1. DIMENSIONS ARE IN MILLIMETERS OVER INCHES
2. WEIGHT APPROX 1.63kg [3.6lbs]



DesignMax DM8S

surface-mounted loudspeaker

Product Overview

DesignMax loudspeakers bring outstanding audio and aesthetics to any commercial space. Delivering SPL suitable for foreground music, the 125-watt DesignMax DM8S loudspeaker features a two-way, 8-inch coaxially mounted woofer and a center-firing 1-inch compression driver, delivering a 52 Hz - 20 kHz frequency range. The DM8S is surface-mounted and locks onto a hidden QuickHold U-bracket for fast, secure installation. With both black and white versions available, the DM8S is easy to integrate with any décor.



Key Features

Deliver instantly impressive sound with custom Bose drivers — no DSP or EQ required. For even better sound, use select Bose DSPs and amplifiers to enable Bose loudspeaker EQ and SmartBass processing, which expands performance and response at any listening level

Blend into any room design with elegant form factors, minimum-bezel grilles available in black or white, and removable logos

Reduce installation time with the patented QuickHold mounting system, which also reduces strain, hassle, and the chance of product damage

Install easily — includes Euroblock connectors; makes installation and troubleshooting easier

Deliver high SPL for clear foreground music

Technical Specifications

SINGLE LOUDSPEAKER PERFORMANCE		
Frequency Response (-3 dB) ⁽¹⁾	60 - 20,000 Hz	
Frequency Range (-10 dB) ⁽¹⁾	52 - 20,000 Hz	
Nominal Coverage Angle (H x V) ⁽²⁾	130° x 130°	
Nominal Coverage Angle (1 - 10 kHz)	115° x 115°	
	Bose extended-lifecycle test ⁽⁵⁾	AES component test ⁽⁶⁾
Power Handling, long-term continuous	125 W	150 W
Power Handling, peak	500 W	600 W
Sensitivity (SPL/ 1W @ 1 m) ⁽³⁾	90 dB	90 dB
Calculated Maximum SPL @ 1 m ⁽⁴⁾	111 dB	112 dB
Calculated Maximum SPL @ 1 m, peak	117 dB	118 dB
Crossover	1.5 kHz (passive 2-way crossover)	
Loudspeaker EQ	Not Required, Bose EQ voicing and SmartBass processing available	
Recommended High-Pass Protection	48 Hz with recommended 24 dB / octave filter	
Overload protection	Resistor-network power reduction with automatic reset	
Transformer taps	70V: 2.5, 5, 10, 20, 40, 80 W, bypass 100V: 5, 10, 20, 40, 80 W, bypass	
TRANSDUCERS		
Low Frequency	1 x 8-inch woofer (203 mm)	
High Frequency	1 x 1-inch compression driver, coaxial center-firing (25 mm)	
Nominal Impedance	8 ohms (transformer bypass)	

DesignMax DM8S

surface-mounted loudspeaker

PHYSICAL	
Enclosure Material	Engineered plastics, highly UV fade resistant
Bracket Material	Powder-coated steel
Grille	Magnetically attached perforated steel, powder-coated finish, paintable, tamper-resistant design, includes safety-tether
Logo	Rotatable, removable
Color	Black: Ral 9005, White: Bose Arctic White, similar to RAL 9003, Paintable
Environmental	Indoor only
Safety Agency	UL-1480A, S5591/ UL Listed, NFPA70, in accordance with IEC60268-5, ROHS, CE compliant
Operating Temperature Range	0 °C to 50 °C (32 °F to 122 °F)
Connectors	Euroblock 6-pin connector with loop-through, mounted on rear. Accepts 18 AWG (0.8 mm ²) to 14 AWG (2.5 mm ²) size wire
Suspension / Mounting	QuickHold Mounting System with included U-Bracket
	4 preset mounting angles: 0°, 15°, 30°, 45° for wall or ceiling placement
	Two (2) rear M8 screw inserts for use with optional pan & tilt bracket and one (1) rear M8 screw insert for safety-tether attachment
Dimensions (H × W × D)	395 × 249 × 255 mm (15.6 × 9.8 × 10.0 in)
Dimensions (H × W × D) with bracket	395 × 249 × 272 mm (15.6 × 9.8 × 10.7 in)
Net Weight, Loudspeaker with grille	10.3 kg (22.8 lbs)
Shipping Weight, Single	13.2 kg (29.0 lb)
Included Accessories	U-Bracket, powder-coated steel
Optional Accessories	Pan & Tilt Bracket
PRODUCT CODES	
801332-0110	DESIGNMAX DM8S SINGLE BLK
801332-0210	DESIGNMAX DM8S SINGLE WHT

Footnotes

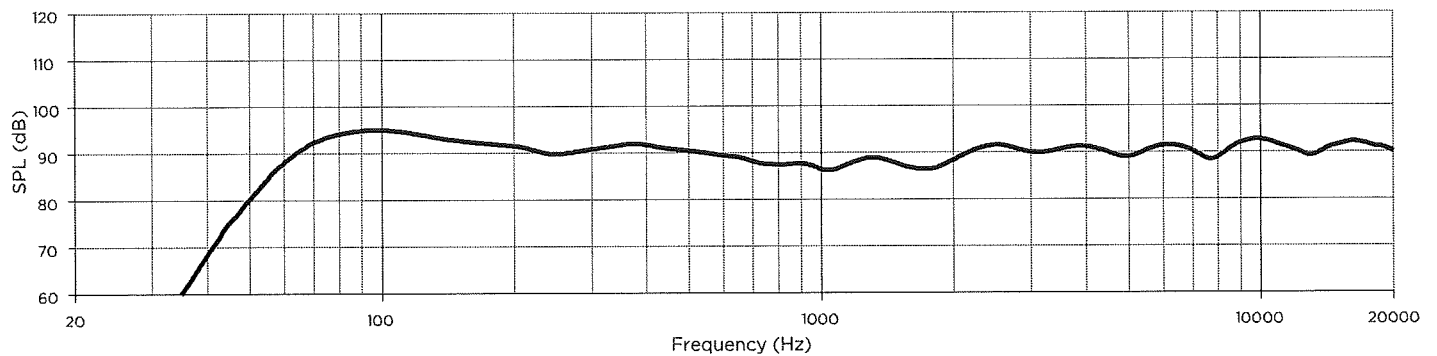
- (1) Frequency response and range measured on-axis in half-space environment with Bose EQ voicing
- (2) 1 kHz to 4 kHz average
- (3) Sensitivity measured on-axis in half-space environment with Bose EQ voicing
- (4) Maximum SPL calculated from sensitivity and power handling specifications, exclusive of power compression.
- (5) Bose extended-lifecycle test using pink noise filtered to meet IEC268-5, 6-dB crest factor, 500-hour duration.
- (6) AES standard 2-hour duration with IEC system noise

For additional specifications and application information, please visit PRO.BOSE.COM.
Specifications subject to change without notice. 04/2020

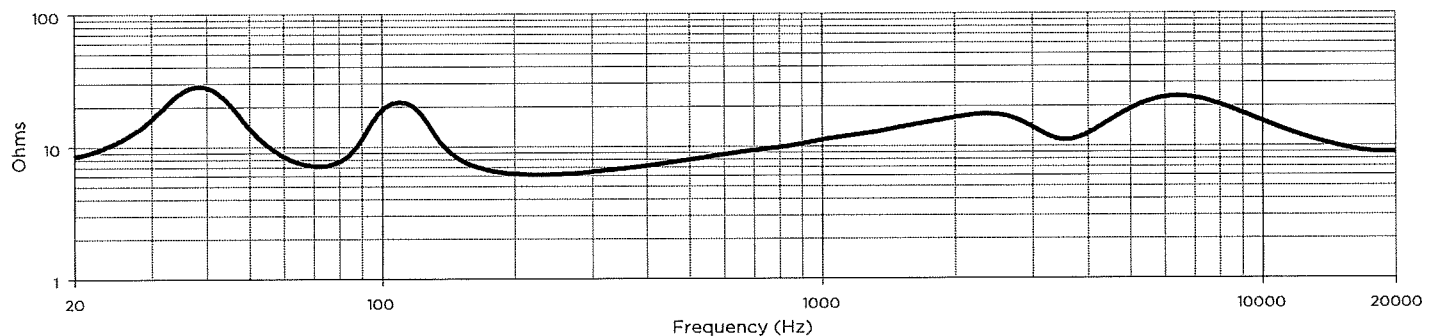
DesignMax DM8S

surface-mounted loudspeaker

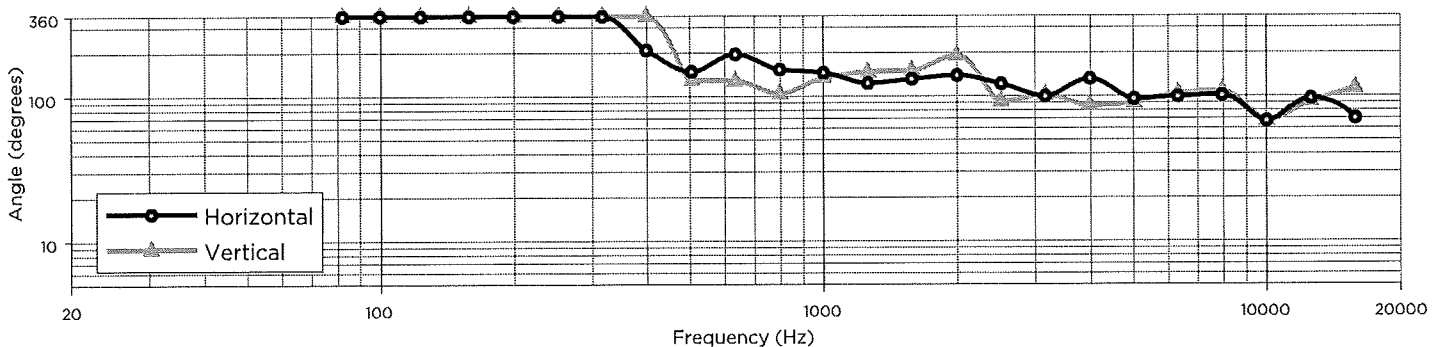
On-Axis Frequency Response (half-space (2π) with Bose EQ voicing)



Impedance



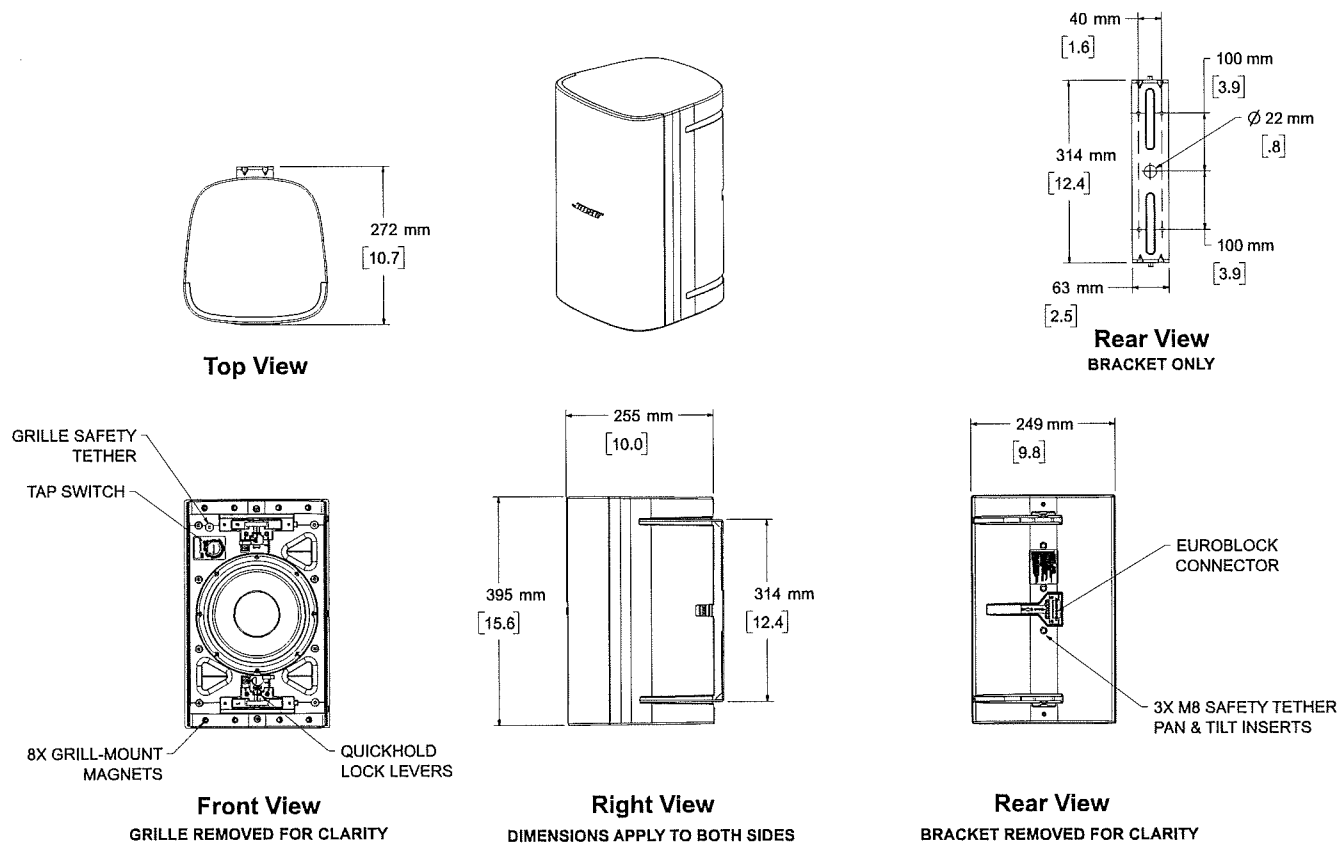
Beamwidth



DesignMax DM8S

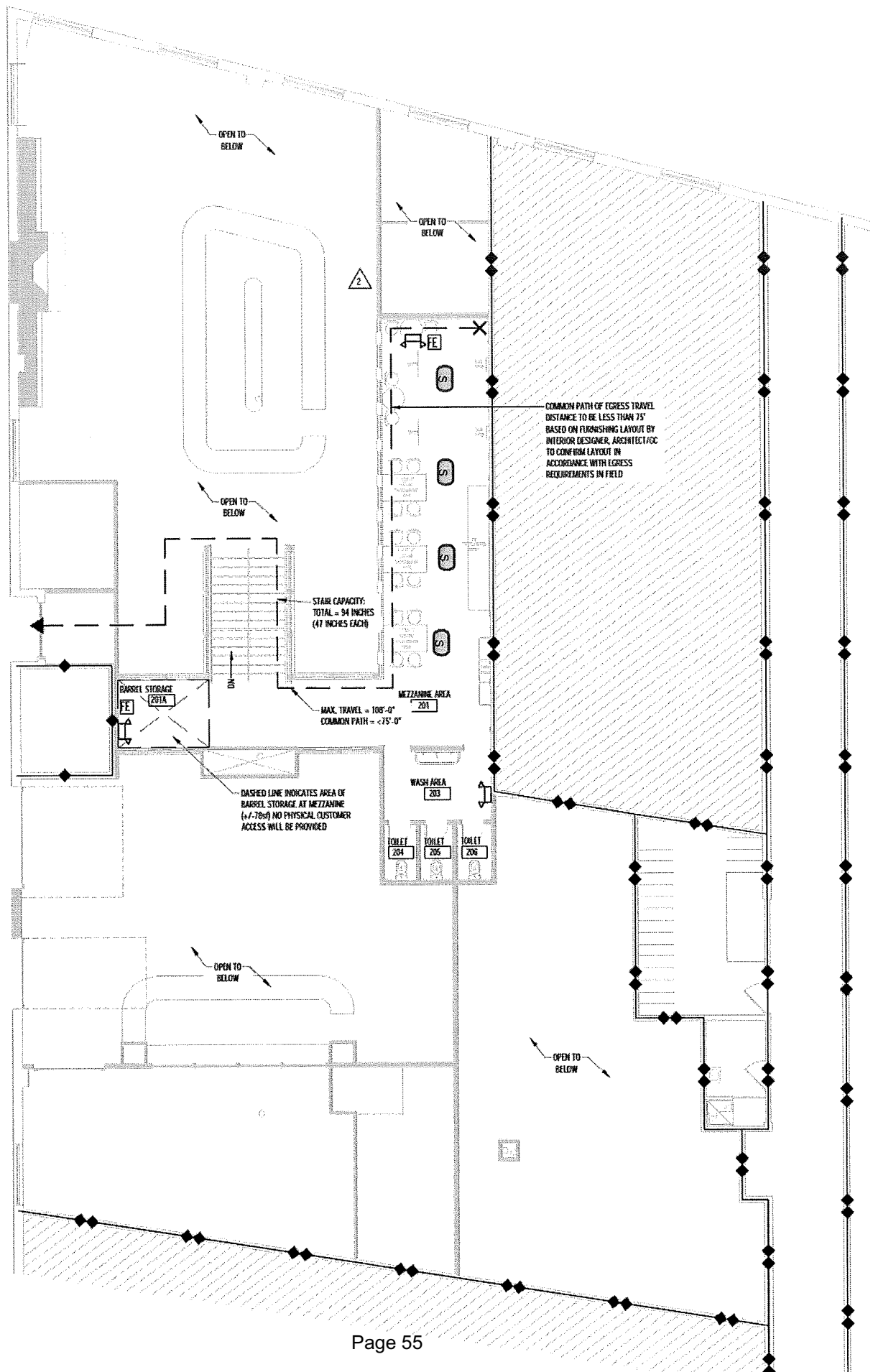
surface-mounted loudspeaker

Dimensions



- NOTES:
1. DIMENSIONS ARE IN MILLIMETERS OVER INCHES
 2. WEIGHT APPROX 10.3kg [22.8lbs] (SPEAKER ONLY)
WEIGHT W/BRACKET APPROX 11.3kg [24.9lbs]

PARRIS STREET

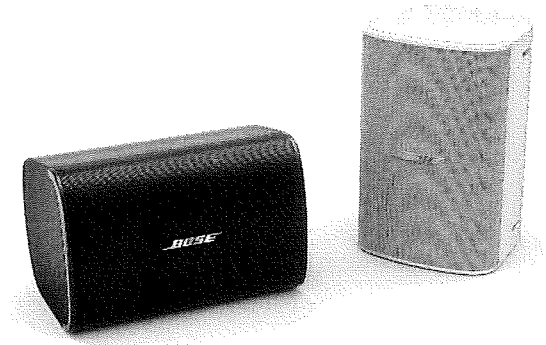


DesignMax DM6SE

surface-mounted loudspeaker

Product Overview

DesignMax loudspeakers bring outstanding audio and aesthetics to any commercial space. The 100-watt DesignMax DM6SE loudspeaker features a two-way 6.5-inch woofer and 1.25-inch tweeter coaxially mounted within the Dispersion Alignment system, producing a frequency range of 59 Hz - 20 kHz. The DM6SE is surface-mounted, IP55 outdoor-rated, and locks onto a hidden QuickHold U-bracket for fast, secure installation. And with both black and white versions available, the DM6SE is easy to integrate with any décor.



Key Features

Deliver instantly impressive sound with custom Bose drivers — no DSP or EQ required. For even better sound, use select Bose DSPs and amplifiers to enable Bose loudspeaker EQ and SmartBass processing, which expands performance and response at any listening level

Ensure a consistent listening experience throughout the room with the Dispersion Alignment system, which matches the coverage of the woofer to the pattern of the tweeter

Blend into any room design with elegant form factors, minimum-bezel grilles available in black or white, and removable logos

Reduce installation time with the patented QuickHold mounting system, which also reduces strain, hassle, and the chance of product damage

Install easily — includes Euroblock connector

Install DM6SE outside — IP55 rating with standard aluminum grille and weather resistant input cover for outdoor use

Technical Specifications

SINGLE LOUDSPEAKER PERFORMANCE		
Frequency Response (-3 dB) ⁽¹⁾	70 - 20,000 Hz	
Frequency Range (-10 dB) ⁽¹⁾	59 - 20,000 Hz	
Nominal Coverage Angle (H × V) ⁽²⁾	125° × 125°	
Nominal Coverage Angle (1 - 10 kHz)	115° × 115°	
	Bose extended-lifecycle test ⁽⁵⁾	AES component test ⁽⁶⁾
Power Handling, long-term continuous	100 W	125 W
Power Handling, peak	400 W	500 W
Sensitivity (SPL/ 1 W @ 1 m) ⁽³⁾	88 dB	88 dB
Calculated Maximum SPL @ 1 m ⁽⁴⁾	108 dB	109 dB
Calculated Maximum SPL @ 1 m, peak	114 dB	115 dB
Crossover	1.7 kHz (passive 2-way crossover)	
Loudspeaker EQ	Not Required, Bose EQ voicing and SmartBass processing available	
Recommended High-Pass Protection	60 Hz with recommended 24 dB / octave filter	
Overload protection	Resistor-network power reduction with automatic reset	
Transformer taps	70V: 2.5, 5, 10, 20, 40, 80 W, bypass 100V: 5, 10, 20, 40, 80 W, bypass	
TRANSDUCERS		
Low Frequency	1 x 6.5-inch woofer (165 mm), weather treated	
High Frequency	1 x 1.25-inch (32 mm) neodymium dome tweeter, coaxially-mounted, weather-treated	
Technology	Dispersion Alignment System, 197 mm (7.75 in) system diameter	
Nominal Impedance	8 ohms (transformer bypass)	

DesignMax DM6SE

surface-mounted loudspeaker

PHYSICAL	
Enclosure Material	Engineered-plastics front baffle with integrated steel formed back can
Bracket Material	Powder-coated steel
Grille	Perforated aluminum with powder-coat finish, tamper-resistant design, paintable
Logo	Rotatable, removable
Color	Black: RAL 9005, White: Bose Arctic White, similar to RAL 9003, Paintable
Environmental / Ingress-Protection	Outdoor per IEC 529 IP55 (suitable for use outdoors in wet locations), includes aluminum grille to prevent red corrosion and weather resistant input cover
Safety Agency	UL-1480A, S5591/ UL Listed, NFPA70, in accordance with IEC60268-5, ROHS, CE compliant
Operating Temperature Range	-25 °C to 70 °C (-13 °F to 158 °F)
Connectors	Euroblock 6-pin connector with loop-through, mounted on rear. Accepts 18 AWG (0.8 mm ²) to 14 AWG (2.5 mm ²) size wire
Suspension / Mounting	QuickHold Mounting System with included U-Bracket
	4 preset mounting angles: 0°, 15°, 30°, 45° for wall or ceiling placement
	Two (2) rear M8 screw inserts for use with optional pan & tilt bracket and one (1) rear M8 screw insert for safety-tether attachment
Dimensions (H × W × D)	340 × 222 × 229 mm (13.4 × 8.7 × 9.0 in)
Dimensions (H × W × D) with bracket	340 × 222 × 245 mm (13.4 × 8.7 × 9.7 in)
Net Weight, Loudspeaker with grille (single)	5.93 kg (13.1 lb)
Shipping Weight (pair)	14.7 kg (32.5 lb)
Included Accessories	U-Bracket, powder-coated steel
Optional Accessories	Pan & Tilt Bracket
PRODUCT CODES	
829682-0110	DESIGNMAX DM6SE PAIR BLK
829682-0210	DESIGNMAX DM6SE PAIR WHT

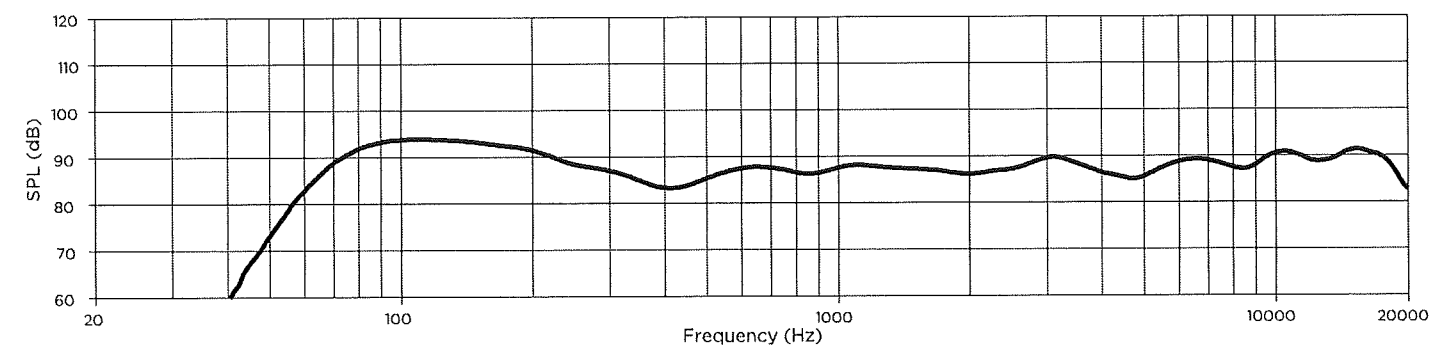
Footnotes

- (1) Frequency response and range measured on-axis in half-space environment with Bose EQ voicing
 - (2) 1 kHz to 4 kHz average
 - (3) Sensitivity measured on-axis in half-space environment with Bose EQ voicing
 - (4) Maximum SPL calculated from sensitivity and power handling specifications, exclusive of power compression.
 - (5) Bose extended-lifecycle test using pink noise filtered to meet IEC268-5, 6-dB crest factor, 500-hour duration.
 - (6) AES standard 2-hour duration with IEC system noise
- For additional specifications and application information, please visit PRO.BOSE.COM.
Specifications subject to change without notice. 04/2020

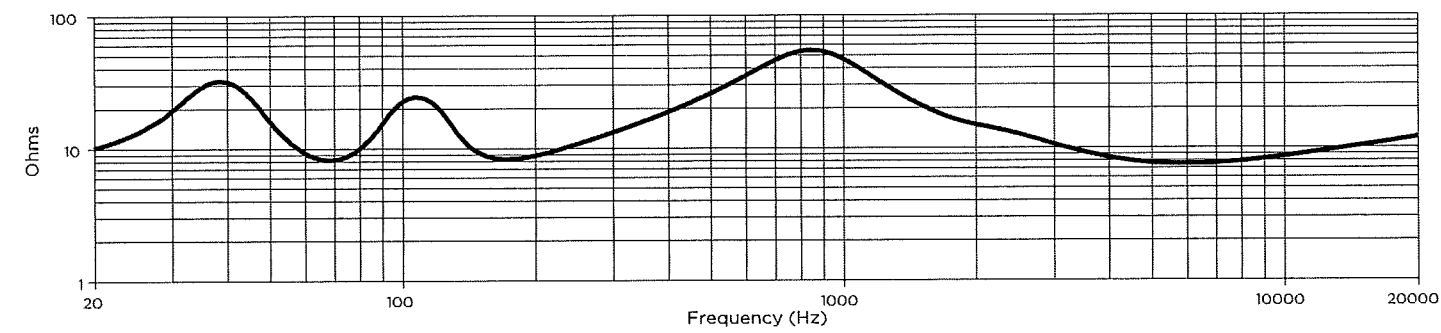
DesignMax DM6SE

surface-mounted loudspeaker

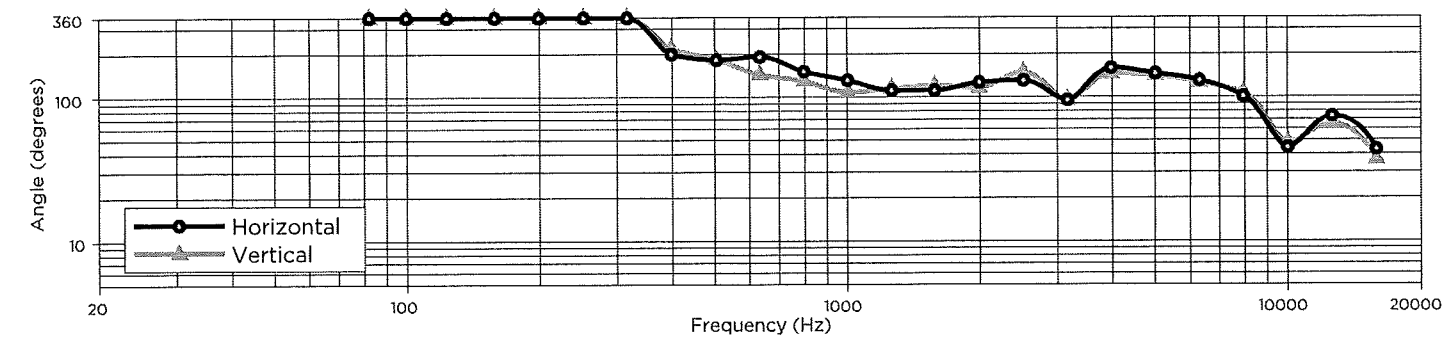
On-Axis Frequency Response (half-space (2π) with Bose EQ voicing)



Impedance



Beamwidth

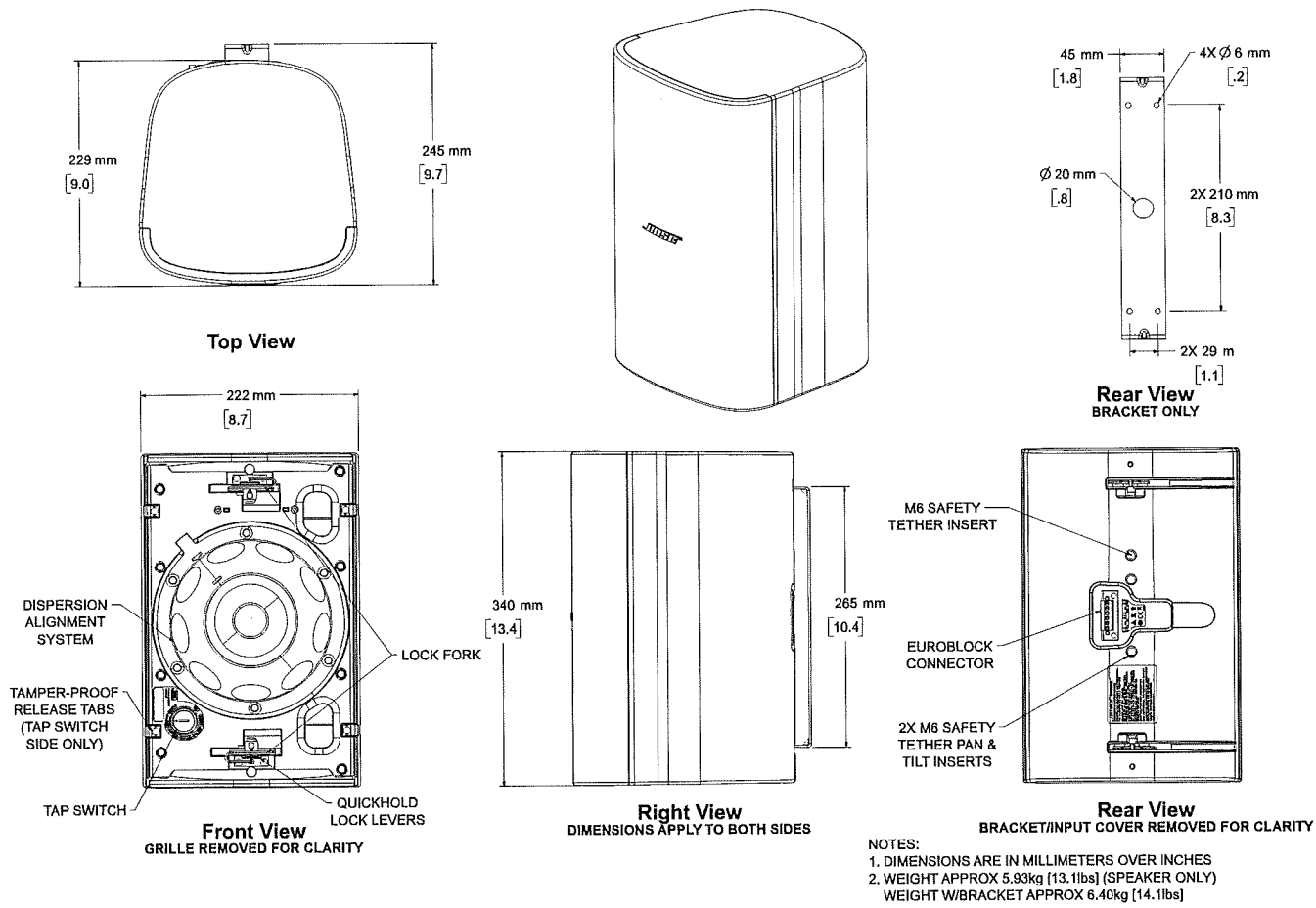


For additional specifications and application information, please visit PRO.BOSE.COM.
 Specifications subject to change without notice. 04/2020

DesignMax DM6SE

surface-mounted loudspeaker

Dimensions



BOSE ControlSpace® CC-16 Zone Controller

Safety Instructions

&

Install Guide



Important Safety Instructions

For the intended audience

This guide has been written for professional installers of sound systems.

1. **Read these instructions** – for all components before using this product.
2. **Keep these instructions** – for future reference.
3. **Heed all warnings** – on the product and in the installer's guide.
4. **Follow all instructions.**
5. **Do not use this apparatus near water or moisture.**
6. **Clean only with a dry cloth** – and as directed by Bose.
7. **Do not block any ventilation openings. Install in accordance with the manufacturer's instructions.**
8. **Do not install near any heat sources, such as radiators, heat registers, stoves or other apparatus (including amplifiers) that produce heat.**
9. **Refer all servicing to qualified service personnel. Servicing is required when the apparatus has been damaged in any way such as: power-supply cord or plug is damaged; liquid has been spilled or objects have fallen into the apparatus; the apparatus has been exposed to rain or moisture, does not operate normally, or has been dropped.** Do not attempt to service this product yourself. Opening or removing covers may expose you to dangerous voltages or other hazards. Please call Bose to be referred to an authorized service center near you.
10. **Do not let objects or liquids enter the product** – as they may touch dangerous voltage points or short-out parts that could result in a fire or electric shock.
11. **See product enclosure for safety related markings.**
12. **Only use attachments/accessories specified by the manufacturer.**

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Important Safety Instructions

Information about products that generate electrical noise

This equipment has been tested and found to comply with the limits for a Class B digital device, pursuant to Part 15 of the FCC rules. These limits are designed to provide reasonable protection against harmful interference in a residential installation. This equipment generates, uses, and can radiate radio frequency energy and, if not installed and used in accordance with the instructions, may cause harmful interference to radio communications. However, this is no guarantee that interference will not occur in a particular installation. If this equipment does cause harmful interference to radio or television reception, which can be determined by turning the equipment off and on, you are encouraged to try to correct the interference by one or more of the following measures:

- Reorient or relocate the receiving antenna.
- Increase the separation between the equipment and receiver.
- Connect the equipment to an outlet on a different circuit than the one to which the receiver is connected.
- Consult the dealer or an experienced radio/TV technician for help.

This product complies with the Canadian ICES-003 Class B specifications.

The information furnished in this install guide does not include all of the details of design, production, or variations of the equipment. Nor does it cover every possible situation which may arise during installation, operation, or maintenance. If you need assistance beyond the scope of this user's guide, please contact our Customer Service department.

Important Safety Instructions

Caution

Check local regulations before installing the ControlSpace® CC-16 zone controller. The building code may require professional installation by a skilled technician or licensed contractor. Regional electrical codes may require similar qualifications for wiring the system. This product must be used with a Class 2 power supply.

Please read this install guide

The CC-16 zone controller is engineered to provide customized on-site controls for ControlSpace sound systems. Please read this guide to help you install and use your controller correctly.

Regulatory information

An example of this equipment has been tested and found to comply with the following International Standards for Electromagnetic Compatibility:

- Radiated Emissions (EU) EN55103-1

- Immunity (EU) EN55103-2

- Radiated Emissions (USA): FCC part 15 Class B

- This Class B device meets all requirements of the Canadian Interference-Causing Equipment Regulations.

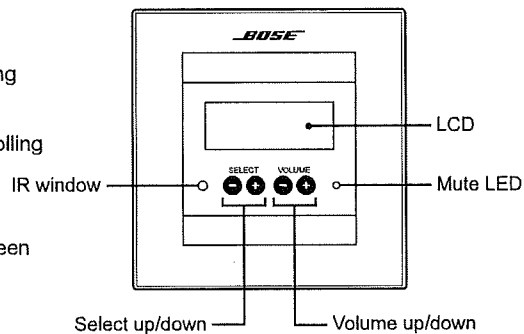
Introduction

The Bose® ControlSpace® CC-16 zone controller is an elegant wall-mounted device designed to provide end-user control of ControlSpace systems. Custom programming allows the CC-16 to control a variety of the system elements, from switching audio sources to selecting “scenes” or system configurations. The CC-16 features a bitmap LCD and four buttons for displaying and controlling the system settings.

The CC-16 connects to the ControlSpace Engineered Sound Processor (ESP-88) at the RS-485 port. Up to fifteen CC-16 units can be used per each ESP-88 to provide localized control of the system. The maximum distance from ESP-88 to CC-16 is 2000 feet. As a networked device, remote reprogramming is possible at any time.

Features and functions

- 122 x 32 pixel backlit blue LCD
- LCD displays volume level and source/scene/preset setting
- Select up/down buttons for selecting sources or scenes
- Volume up/down buttons for controlling one or more gain controls
- IR receiver (for IR remote controls)
- RS-485 network supports up to fifteen CC-16 units per ESP-88
- DIP-switch for specifying network address and termination
- Universal mounting bracket
- UL and CE listed



Introduction

Quick start

1. Run power and network (2-wire) cables from the ESP-88 to the CC-16 mounting location and install a mounting box.
2. Set the DIP switches to define the unit address and termination (see silkscreen on back of CC-16).
3. Connect the power and network wires to the CC-16's terminal block and insert unit into the mounting box.
4. At the ESP-88, connect the network wire to the RS-485 port and connect the power cable to a power source.
5. Run the ControlSpace® Designer software to configure and test. The CC-16 must be connected to an ESP and configured with the ControlSpace Designer software before it can be used. Please refer to the Designer User's Guide for complete details on configuring and programming the CC-16 in a ControlSpace system.

CAUTION: *The building code may require professional installation by a skilled technician or licensed contractor.*

Cabling

The CC-16 zone controller requires power and network cables. In some cases, these can be supplied over the same multi-conductor cable. When multiple CC-16s are used, run the network (and optionally the power cable) from the ESP-88 to each zone controller in a daisy chain. You can also run multiple home runs from the ESP-88 to each CC-16 in a star configuration.

Note: The ESP-88 does not supply power to the CC-16 zone controller. A separate power supply (not included) must be provided. Refer to Power Supply on page 12 for more information about the required power supply.

The CC-16 can be wired using commonly available twisted-pair wire such as 24 AWG unshielded CAT-5. Only one pair of wires is needed for the network connection. For a daisy chain wired system, the maximum cable length is 2000 feet (610 meters). For a star topology, the maximum length is 1000 feet (305 meters).

When supplying power over the same cable as the network pair, the limiting factor will be the resistive loss in the wire. Smaller-gauge wire, will have higher resistance and cause a larger voltage drop at the CC-16. The CC-16 requires a minimum of 8VDC. 24 AWG wire has resistance of about 27 ohms per 1000 feet (305 meters), while 18 AWG wire has a resistance of about 7 ohms per 1000 feet (305 meters).

The maximum distance can be calculated as follows:

$$d = ((V_{\text{SUPPLY}} - 8V) / (\text{Number of CC-16s} * 100\text{mA})) / R_{\text{WIRE}} * 1000 \text{ feet}$$

For example, if V_{SUPPLY} is 12V, the number of CC-16s = 2 and $R_{\text{WIRE}} = 27$ (24 AWG), then:

$$d = ((12V - 8V) / (2 * 100\text{mA})) / 27 * 1000 \text{ feet} = (4 / .2 / 27 * 1000 \text{ feet}) = 750 \text{ feet (225 meters)}$$

Installation

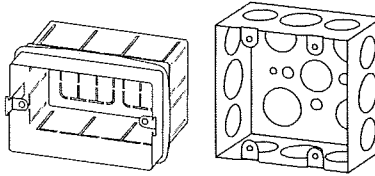
Maximum cable distances

Wire Gauge/ Power Supply Voltage	Number of CC-16s			
	1	2	4	15
24 AWG 18V	2000 ft (610 m)	1852 ft (564 m)	926 ft (282 m)	247 ft (75 m)
24 AWG 12V	1481 ft (451 m)	741 ft (226 m)	370 ft (113 m)	99 ft (30 m)
24 AWG 9V	370 ft (113 m)	185 ft (56 m)	93 ft (28 m)	25 ft (7 m)
18 AWG 18V	2000 ft (610 m)	2000 ft (610 m)	2000 ft (610 m)	1010 ft (308 m)
18 AWG 12V	2000 ft (610 m)	2000 ft (610 m)	1515 ft (461 m)	404 ft (123 m)
18 AWG 9V	1515 ft (461 m)	758 ft (231 m)	379 ft (115 m)	101 ft (31 m)

Installing the mounting box

Install a dual-gang electrical box for each CC-16. Install the wall box so that it is flush or just below the surface of the finished wall. The unit is designed to fit in North American, Japanese, Australian and some European dual-gang electrical boxes. Mount the European and Australian double-gang boxes horizontally and the North American and Japanese boxes vertically as shown below.

Select a place that is convenient for the people who will be controlling the system. We suggest mounting the unit at eye-level for optimal LCD viewing angle.



CAUTION: Do not install the CC-16 in a box that has AC power (mains).

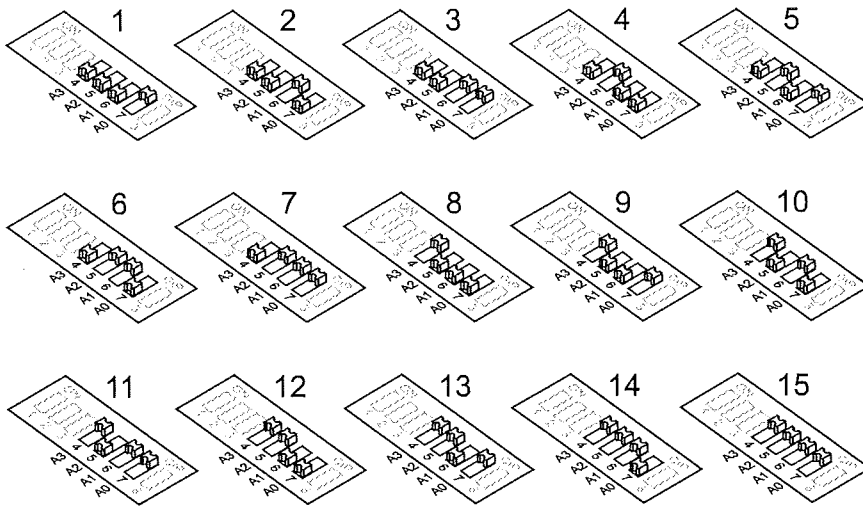
CAUTION: Do not place the power or network cables in the same conduit with the mains wire, unless you are sure that special regulatory insulation requirements are met. Consult your local electrical regulatory agency for further information.

DIP Switch Settings

The CC-16 zone controller has an 8-position DIP switch located on the back of the unit. The DIP switches control addressing and termination settings.

DIP switch addresses

Up to fifteen CC-16s can be connected to an ESP-88 and each must have a unique address. Use the DIP switches numbered 4, 5, 6 and 7 on the back of the unit to set the address – 1 through 15. The addresses are in binary format. Refer to the illustration below to locate binary addresses and the corresponding switch positions.

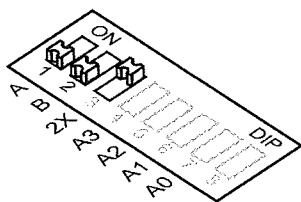


DIP Switch Settings

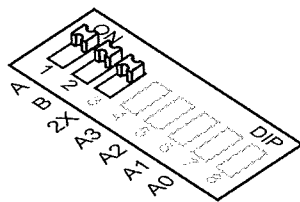
Termination

The CC-16 zone controller uses a 2-wire RS-485 network to communicate with the ESP-88 sound processor. For optimum performance, the RS-485 network must be "terminated." The CC-16 includes built-in termination resistors which make it easy to terminate the network. Termination is accomplished by setting DIP switches 1 and 2 to the ON position.

- In most cases, only one CC-16 zone controller – the last unit in the daisy chain network (furthest away from the ESP-88) should have the termination set to ON.
- In a star topology, with the ESP-88 in the middle of two or more long runs, two units (the two furthest from the ESP-88) should have the termination set to ON.



Termination OFF



Termination ON

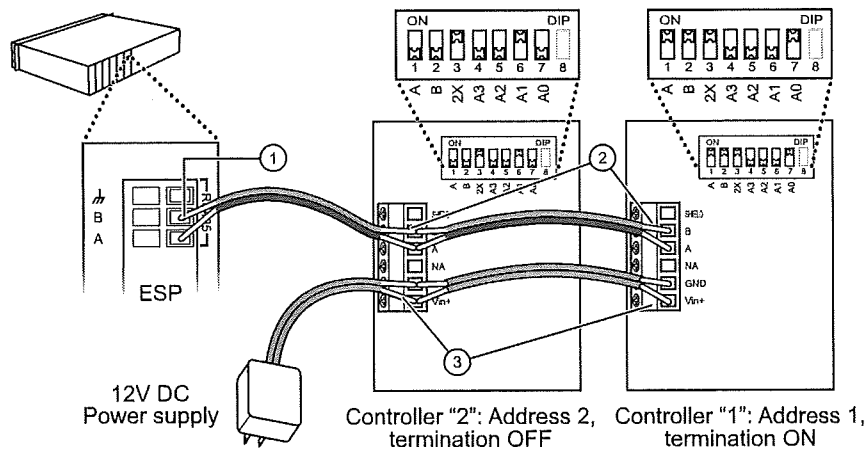
Note: Switch 3 (2X) should always be in the ON position.

Connecting the wires

The CC-16 zone controller uses a standard 6-wire Eurostyle terminal block for power and network connections.

1. Connect the network cable to the RS-485 A/B pins on the ESP-88. Note which wire is connected to A and B.
2. Connect the network cable to the CC-16 terminal blocks. Ensure the wire connected to "A" on the ESP-88 is the same one connected to "A" on the controllers and that the "B-wire" is connected to "B" on the controllers. Connect Shield to the RS-485 cable shield if necessary.
3. Connect the power supply to the Ground and Vin+ terminals on the controllers.

Wiring Example



Power supply

The CC-16 zone controller requires a minimum of 100mA at 8VDC. For convenience and consistency, we recommend you place the power supply in an equipment area adjacent to the network connection.

Power can be supplied over the network cable, from a power supply local to the unit, or from a remotely-located power supply with a separate cable run. The required cable AWG is dependent on the length of the run—the longer the run, the higher the voltage drop in the cable and the lower the required cable AWG.

Use the ControlSpace® accessory power supply or other suitable supply. Individual country requirements are:

- North America: Power supplies used in North America must be NRTL listed and/or CSA certified Class 2 supplies, as appropriate. The supply must comply with one of the following UL standards: UL6500, UL60950, or UL1310.
- Europe: Power supplies used in Europe must be in compliance with EN/IEC 60950 Clause 2.11.
- Japan: Power supplies used in Japan must be in compliance with DENAN Law and be marked with the PSE diamond.

CAUTION: *Never use more than one power supply on the same wire as this could cause slight differences in voltage that could damage the power supplies and/or the CC-16.*

Mounting

Mounting the CC-16 zone controller

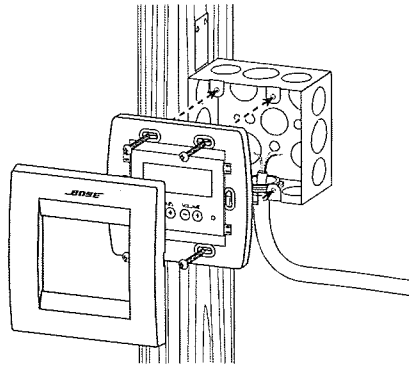


Warning: The CC-16 must be installed in a National Electric Code (NEC) approved, enclosed electrical wall box.

After setting the DIP switches and connecting the wires, mount the CC-16 zone controller in the electrical box. Two sets of screws are provided. Use the screws that are appropriate for your wall-box – the #6 for North American boxes, and the M4 for Japanese, European and Australian boxes.

CAUTION: Do not overtighten the screws. Overtightening may cause the frame to break.

Mounting the CC-16 Zone Controller in a North American 2-gang wall box



After screwing the frame into the wall box, remove the protective clear film and snap on the cover. The cover can be removed later using a small flathead screwdriver in the slots on the sides.

Troubleshooting

No power	• Ensure that the power supply is wired correctly and plugged in • Try disconnecting other CC-16s if sharing a supply • Verify that the supply is DC and provides a minimum 100mA at 8V
Screen is blank	• Press a button to see if backlight comes on (the backlight turns off after a period of inactivity)
No response when Volume or Select up/down buttons are pressed	• Check to see if the device is connected to an ESP-88 • Check the polarity of the wiring to the ESP-88 (A->A, B->B) • Check the DIP switch settings (2X should be ON) • If this is the end of a long run, check that the termination DIP switches are set to ON • Check that the Select and/or Volume parameters have been programmed using the Designer software. Refer to the ControlSpace® Designer Software user's guide for more information • Check that the controls have been linked (in the Designer software) to signal processing blocks in the ESP-88 • Ensure that the CC-16 address (set with DIP switches) matches the address of the device you programmed in Designer
Power on, but no sound	• Check that the system is not muted • Check that other components (sources and amps) are not muted and are wired correctly
Cannot "find" the device in Designer	• Verify that an ESP-88 has been added to your design • Verify that the ESP-88 "finds" the CC-16. (Look for the CC-16 in the <i>Properties</i> window and be sure it corresponds with the address you set on the CC-16.)

Specifications

Input voltage

8 - 18VDC, 100mA

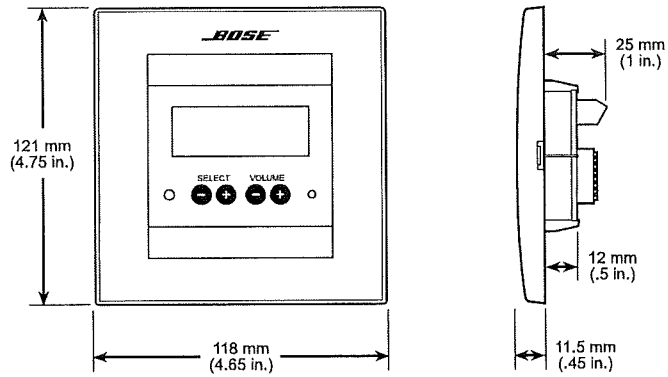
Max network cable length

2000 feet (609m)

Number of CC-16 zone controllers per ESP-88 Sound Processor

15

Dimensions



Warranty

Bose® Product Sales Conditions

Limited Warranty Policy and Conditions of Sale

Bose Corporation
The Mountain, Framingham, MA 01701

What is covered:

All parts defective in material and workmanship. This limited warranty for the Bose® ControlSpace® CC-16 Zone Controller covers the functionality of the system for its normal, intended use as specified in the Owner's Guide and does not cover a malfunction that has resulted from improper or unreasonable use or maintenance, accident, excess moisture, improper packing, lightning, power surges, or unauthorized tampering, alteration or modification while not under the control of Bose. Bose systems are not designed to be used in every environment, so please review your Owner's Guide. WHERE PERMITTED, THE PROVISIONS OF THIS LIMITED WARRANTY ARE IN LIEU OF ANY OTHER WRITTEN WARRANTY, WHETHER EXPRESS OR IMPLIED, WRITTEN OR ORAL, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

For how long:

In countries where the duration of the warranty is not determined by statute, the Bose Limited Warranty lasts five years from the purchase date. For countries where minimum warranty terms are determined by statute, the warranty term is the longer of the statutory period or the term listed above.

What we will do:

We will repair or replace any defective parts within a reasonable period of time and free of charge.

How you can obtain warranty service:

1. You can ship the system to either a Bose Service Agency or to Bose directly with a proof of purchase from an authorized dealer. Please:
 - A. Properly and carefully pack the product for shipping. If you need a carton for shipping, contact Bose for a new carton.
 - B. Label and ship the product to the appropriate Bose location.
 - C. Please contact Bose to get a return reference number. Place this number prominently on the outside of the carton.
2. You can return the system with proof of purchase from an authorized dealer to a Bose Service Agency or directly to Bose. Proof of purchase is not required where it is excluded by statute.

Warranty

Other Rights:

EXCLUSIVE REMEDY:

THIS LIMITED WARRANTY IS FULLY TRANSFERABLE PROVIDED THAT THE CURRENT OWNER FURNISHES THE ORIGINAL PROOF OF PURCHASE FROM AN AUTHORIZED BOSE DEALER. THE MAXIMUM LIABILITY OF BOSE SHALL NOT EXCEED THE ACTUAL PURCHASE PRICE PAID BY YOU FOR THE PRODUCT. IN NO EVENT SHALL BOSE BE LIABLE FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL OR INDIRECT DAMAGES. SOME PLACES DO NOT ALLOW LIMITATIONS ON THE EXCLUSION OR LIMITATION OF RELIEF, SPECIAL, INCIDENTAL, CONSEQUENTIAL OR INDIRECT DAMAGES OF THE LIMITATION OF LIABILITY TO SPECIFIED AMOUNTS, SO THE ABOVE LIMITATIONS OR EXCLUSIONS MAY NOT APPLY TO YOU.

OTHER CONDITIONS:

FOR YOUR BENEFIT, WE RECOMMEND THAT YOU RECORD YOUR SERIAL NUMBER(S), FOUND ON THE PRODUCT(S), AND OTHER PURCHASE INFORMATION, AND KEEP IT WITH YOUR PERSONAL RECORDS ALONG WITH PROOF OF PURCHASE. IF NECESSARY, THIS INFORMATION WILL ALLOW US TO BETTER SERVE YOUR NEEDS.

THIS LIMITED WARRANTY GIVES YOU SPECIFIC RIGHTS SUBJECT TO SPECIFIED CONDITIONS. YOU MAY ALSO HAVE OTHER LEGAL RIGHTS WHICH APPLY TO THE PRODUCT YOU HAVE ACQUIRED. THESE LEGAL RIGHTS VARY FROM STATE TO STATE OR COUNTRY TO COUNTRY. SOME PLACES DO NOT ALLOW THE EXCLUSION, RESTRICTION OR MODIFICATION OF CERTAIN IMPLIED RIGHTS OR THEIR EFFECT. IN THOSE SITUATIONS THIS LIMITED WARRANTY WILL ONLY APPLY TO THE EXTENT THAT THE APPLICABLE LAW ALLOWS. OTHER LAWS PROVIDE YOU WITH A STATUTORY CLAIM AGAINST THE SELLER.

The laws of your state or country may provide you with legal claims against the seller or manufacturer of this product. The Limited Warranty does not affect those rights.

Remedies:

The provisions of this limited warranty are in lieu of any other warranties or conditions, except those provided by law. This Limited Warranty does not affect any legal rights provided to you by law and does not preclude any legal remedy you may have under the law.

This Limited Warranty is fully transferable provided that the current owner furnishes the original proof of purchase from an authorized Bose dealer.

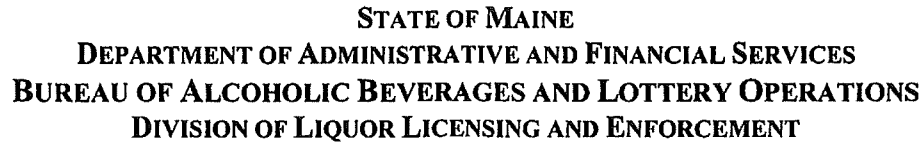
This Limited Warranty is void if the label bearing the serial number has been removed or defaced.







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Framingham, MA 01701-9168 USA
285042 AM Rev.01



All Questions Must Be Answered Completely. Please print legibly.

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

Legal Business Entity Applicant Name (corporation, LLC):	Business Name (D/B/A):
Lucky Dog Tasting Room LLC	Batson River Social Club
Individual or Sole Proprietor Applicant Name(s):	Physical Location:
	82 Hanover Street Unit 11 Portland, ME 04101
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
	2 Livewell Drive Suite 203 Kennebunk, ME 04043
Mailing address, if different from DBA address:	Email Address:
	nicole@batsonriver.com
Telephone # Fax #:	Business Telephone # Fax #:
	207-985-5132
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #:
83-1060646	1192546
Retail Beverage Alcohol Dealers Permit:	Website address:
	https://batsonriver.com/

1. New license or renewal of existing license? ☒ New Expected Start date: 11/21/2020
☐ Renewal Expiration Date: _____
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: \$ 1,000,000.00 Beer, Wine or Spirits: \$ 1,000,000.00 Guest Rooms: _____
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

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

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

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

5. Business records are located at the following address:

2 Livewell Drive Suite 201 Kennebunk, ME 04043

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

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

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

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

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

If yes, please provide details: Kevin Lord is the owner of Luck Dog Distilling LLC, which produces spirits in the State of Maine

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

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

Name of Business	License Number	Complete Physical Address
Batson River Brewing & Distilling	CARL-2018-1129	12 Western Ave Kennebunk, ME
Lucky Dog Distilling LLC	SMD-201811197	420 Alfred Rd Suite 140 Biddeford, ME

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

Full Name	DOB	Place of Birth
Kevin Lord	04/22/1976	Springfield, MA
Nicole Minzy	09/12/1975	Portland, ME
Amy Caramante	12/15/1978	Queens, NY

Residence address on all the above for previous 5 years

Name	Address:
Kevin Lord	39 Washburn & 10 Blue Heron Kennebunkport, ME
Name	Address:
Nicole Minzy	68 High Street Kennebunk, ME
Name	Address:
Amy Caramante	22 Atlantic St Apt 2 Portland, ME
Name	Address:

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

☐ Yes ☒ No

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

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

Port Property Management 82 Hanover Street Unit 5 Portland, ME 04101-2108

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

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

See Attached

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

Name: Portland High School

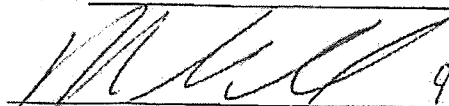
Distance: 0.40

Section II: Signature of Applicant(s)

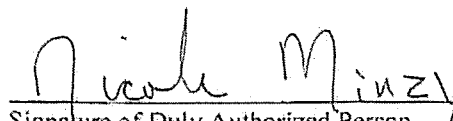
By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary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

Please sign and date in blue ink.

Dated: 09/24/2020

 9-25-2020
Signature of Duly Authorized Person

Kevin Lord
Printed Name Duly Authorized Person


Signature of Duly Authorized Person

Nicole Minzy
Printed Name of Duly Authorized Person

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

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

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Lucky Dog Tasting Room LLC
2. Doing Business As, if any: Batson River Social Club
3. Date of filing with Secretary of State: 01/22/2018 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

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

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Kevin Lord	39 Washburn Kennebunkport 10 Blue Heron Dr ME	04/22/1976	Manager	51.0000
Timothy Harrington	116 Island Ave Unit 1A Miami, FL 13 Longford Rd Unit 2 Kennebunkport	08/24/1963	Owner	35.0000
Matthew Dyer	492 St John St Portland ME 32 Jefferson St Portland ME 188 Gwinnett Rd Kennebunkport ME	07/12/1982	Owner	10.0000

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

CITY OF PORTLAND
Permitting and Inspections Department

Application for an Entertainment License

☒ Indoor Entertainment \$500.00 ☐ Outdoor Entertainment \$700.00 ☐ Combined Entertainment \$800.00

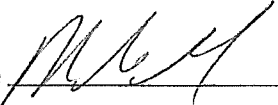
Business Information			
Business Name (d/b/a):	Batson River Social Club	Phone:	207-985-5132
Location Address:	82 Hanover Street Unit 11 Portland, Maine		Zip: 04101
Owner Name:	Kevin Lord	Phone:	207-351-5733
Owner Email:	klord@thomasandlord.com		
Contact Person responsible for Entertainment:	Amy Caramante	Phone:	718-541-2618
Contact Person Email:	amy@batsonriver.com		
Manager of Establishment:	Amy Caramante	Phone:	718-541-2618
Manager Email:	amy@batsonriver.com		

About Your Establishment

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

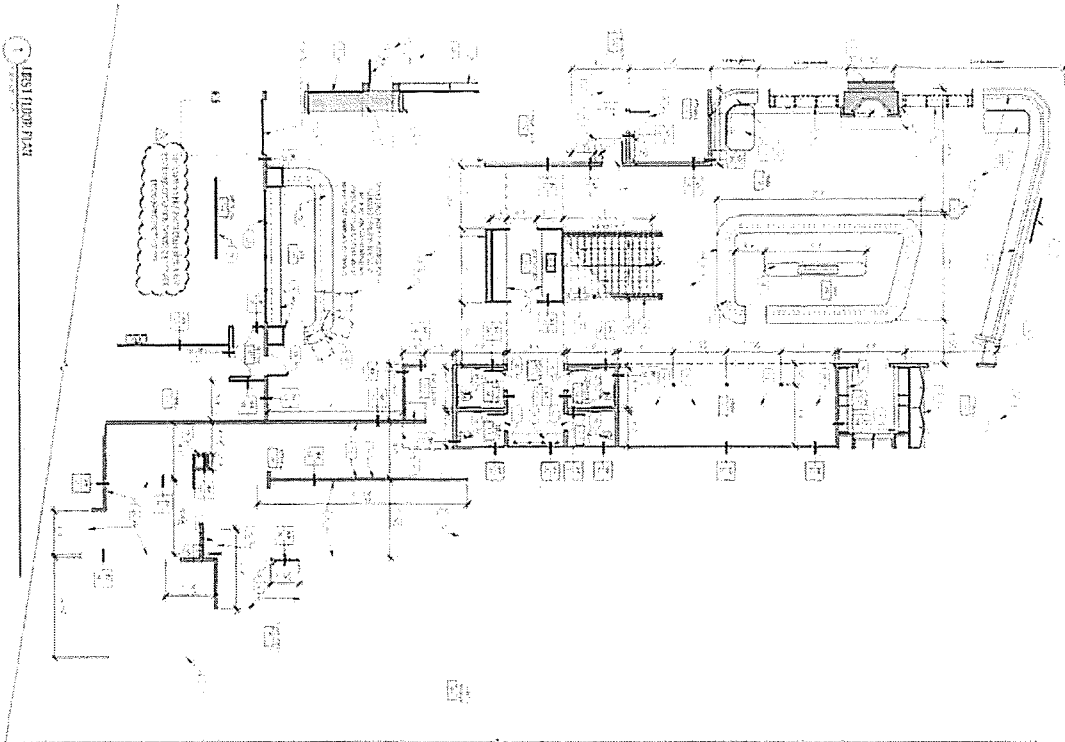
Music for customers to listen and dance to.

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

Signature  Title Partner Date 9-25-2020

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

WESTBURY, N.J.

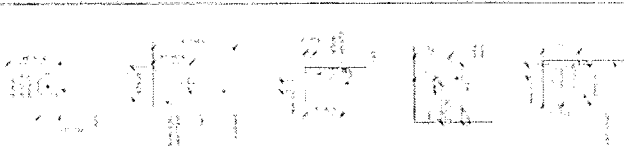


- [illegible]

PARTITION TYPES:

[illegible]

ADA PLUMBING
FIXTURES



1. The first step is to identify the problem. In this case, the problem is that the system is not working properly.

- 4 - JULY 30, 2020 - FOR FINAL AMENDMENT RE-SUBMISSION
3 - MAY 26, 2020 - FOR FINAL AMENDMENT
2 - FEBRUARY 24, 2020 - PRELIMINARY RE-SUBMISSION
1 - FEBRUARY 10, 2020 - PRELIMINARY RE-SUBMISSION



A.101 FIRST FLOOR PLAN

BATSON REFR. BREWING & DISTILLING
 10000 1st Ave. N.E.
 Seattle, WA 98108

DOI: 10.1002/for

NEW YORK
PLANE

AS NOTED

BARRETT
MADE

ИЗДАТЕЛЬСТВО «ПРОСВЕЩЕНИЕ»

House Bourbon Pickles

\$6

Fries

Cajun | spice | remoulade

\$6

Duck Fat Cornbread

Hot honey | bourbon maple butter

\$8

Bourbon-Peach Glazed Pork Belly

Mustard seed | bourbon maple butter

\$16

Wings

Carolina mustard BBQ or Nashville hot |
smoked blue cheese

\$12

House Sausage and Bavarian Pretzel

Rotating selection | beer mustard | bourbon
pickles

\$13

Charcuterie and Cheese

Rotating selection

\$32

Poutine

Beer-braised short rib | fries | cheese curds |
IPA gravy

\$18

Little Neck Clams

Chorizo | corn | pilsner | garlic | saffron

\$25

Crushed Potatoes

Bacon | cultured cream | parmesan

\$11

Sweet Corn

Chipotle | lime | cotija | cilantro

\$10

Roasted Cauliflower

Preserved lemon | gremolata | grana | pine nuts

\$10

12" Sausage and Kale Pizza

Ricotta | piquillo | grana

\$15

12" Margherita Pizza

Fresh mozzarella | basil

\$14

Batson Burger

Pineland Farms beef | white American |
boursin | onion | bacon | lettuce | brioche

\$18

Lobster Roll

Brown butter | tempura crisps | chives

\$26

Dixie Bull Rum Chocolate Mousse

Bourbon toffee | chantilly | hazelnut

\$10



Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness.

\$12

CLOCK FARM VODKA

Mule

Vodka | pomegranate | ginger

Clockwork Orgeat

Vodka | Orgeat | lime | cucumber | mint

DIXIE BULL RUM

Spicy Bird

Rum | ancho reyes | Aperol | strawberry

Bulldog Punch

Rum | pineapple | lime | Peychaud's Bitters

LANGSFORD ROAD BOURBON WHISKEY

Old Fashioned

Pumpkin butter fat washed bourbon
whiskey | maple syrup | bitters

Fall Sour

Bourbon whiskey | lemon | aquafaba | cider

RIPARIAN GIN

Batson G & T

Gin | thyme | Fever-Tree Tonic

Beet Negroni

Gin | beet shrub | Campari | Punt e Mes

\$8 PINT

RIGBY STOUT | 9.3%

Dry with big roast flavors of toasted bread
and hazelnuts. Bittersweet chocolate, dark
honey and vanilla on the finish.

BLACK LAGER | 5.7%

This warming dark lager highlights some of
our favorite German specialty malts, hops
and yeast.

CITRA WHEAT IPA | 5.7%

An IPA brewed with malted wheat and
hopped Citra.

GUAVA IPA | 6%

American IPA with guava.

OKTOBERFEST | 5.4%

Marzen-style lager brewed with German
malts.

PEARL STREET PILSNER | 5.4%

A dry hopped pilsner with a faint malty
finish.

CLEAVES COVE IPA | 6.4%

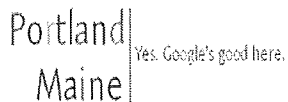
An IPA with an assertive hop profile, citrus,
pine, and tropical fruit.

HARVEST KOLSCH | 5.9%

A German ale with a slight haze making it
perfect for the Fall.

**Pearl Street Pilsner or
Cleaves Cove IPA | \$14 per pack**





Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Batson River Social Club

Dan Hondo <danh@portlandmaine.gov>

Tue, Oct 27, 2020 at 10:30 PM

To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

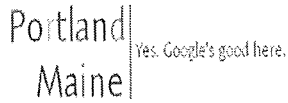
No issues on PD side

On Tue, Oct 27, 2020 at 1:07 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:
Good Afternoon

Please see the attached. This will go before council on 11/16. Please advise. Jess

Jessica Blais Hanscombe
Licensing and Housing Safety Manager
City of Portland
389 Congress Street Room 307
Portland, Maine 04101
207-874-8783
jhanscombe@portlandmaine.gov

--
Lt. Dan Hondo
Portland Maine Police Dept.
Patrol Team B3/B4
(207)874-8513



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Batson River Social Club

Glen McGary <glenm@portlandmaine.gov>

Tue, Oct 27, 2020 at 5:01 PM

To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Cc: Benjamin Pearson <bnp@portlandmaine.gov>, Chris Beaumont <cbeaumont@portlandmaine.gov>, Dan Hondo <danh@portlandmaine.gov>, Eric Cobb <ecobb@portlandmaine.gov>, Fire Prevention <fireprevention@portlandmaine.gov>, James Sweatt <jjs@portlandmaine.gov>, Jason Grant <jgrant@portlandmaine.gov>, Kathryn Barnes <kbarnes@portlandmaine.gov>, Laurie Carlson <lac@portlandmaine.gov>, Stephen Marcotte <smarcotte@portlandmaine.gov>, Tom Williams <tw@portlandmaine.gov>, Treasury Division <treasury@portlandmaine.gov>, Zoning <zoning@portlandmaine.gov>, Kevin Schneck <kschneck@portlandmaine.gov>

PD approves

On Tue, Oct 27, 2020 at 1:07 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:
Good Afternoon

Please see the attached. This will go before council on 11/16. Please advise. Jess

Jessica Blais Hanscombe
Licensing and Housing Safety Manager
City of Portland
389 Congress Street Room 307
Portland, Maine 04101
207-874-8783
jhanscombe@portlandmaine.gov

--

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



CITY OF PORTLAND
Permitting and Inspections Department

October 27, 2020
Lucky Dog Tasting Room LLC
2 Livewell Suite 201
Kennebunk ME 04043

Re: Lucky Dog Tasting Room LLC dba Batson River Social Club. Application for a Class XI FSE with Indoor Entertainment at 82 Hanover Street.

Dear Nicole Minzy

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday November 16, 2020 at 5:30 p.m.**, for the review of application for a Class XI FSE with Indoor Entertainment at 82 Hanover Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on November 13th.

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

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

Sincerely,

Jessica Hanscombe
Licensing and Housing Safety Manager

Legal Advertisement

Notice of Public Hearing City of Portland

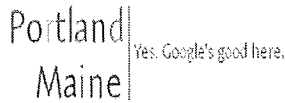
A Public Hearing will be held on November 16, 2020 at 5:30 P.M., virtually Lucky Dog Tasting Room LLC dba Batson River Social Club. Application for a Class XI FSE with Indoor Entertainment at 82 Hanover Street. Sponsored by Jon P. Jennings, City Manager.

Sound Mitigation Review

Applicant Nichole Minzy

Yes

kschneck@portlandmaine.gov



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Batson River Social Club

cstacey <cstacey@portlandmaine.gov>

Thu, Nov 12, 2020 at 1:31 PM

To: Zoning <zoning@portlandmaine.gov>

Cc: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Sorry about that Jess. Has not been easy to keep up here.

A Class XI restaurant/lounge is a permitted use in the B-7 Zone under section 14-295(a)(2) in Chapter 14, City Code of Ordinances.

Thanks,
Chris

On Thursday, November 5, 2020 at 1:19:52 PM UTC-5 Jessica Hanscombe wrote:

I need to have an answer by tomorrow morning on this one

Jessica Blais Hanscombe
Licensing and Housing Safety Manager
City of Portland
389 Congress Street Room 307
Portland, Maine 04101
207-874-8783
jhans...@portlandmaine.gov

----- Forwarded message -----

From: **Jessica Hanscombe** <jhans...@portlandmaine.gov>

Date: Tue, Oct 27, 2020 at 1:07 PM

Subject: Batson River Social Club

To: Benjamin Pearson <b...@portlandmaine.gov>, Chris Beaumont <cbea...@portlandmaine.gov>, Dan Hondo <da...@portlandmaine.gov>, Eric Cobb <ec...@portlandmaine.gov>, Fire Prevention <firepre...@portlandmaine.gov>, Glen McGary <gl...@portlandmaine.gov>, James Sweatt <j...@portlandmaine.gov>, Jason Grant <jgr...@portlandmaine.gov>, Kathryn Barnes <kba...@portlandmaine.gov>, Laurie Carlson <l...@portlandmaine.gov>, Stephen Marcotte <smar...@portlandmaine.gov>, Tom Williams <t...@portlandmaine.gov>, Treasury Division <trea...@portlandmaine.gov>, Zoning <zon...@portlandmaine.gov>, Kevin Schneck <ksch...@portlandmaine.gov>

Good Afternoon

Please see the attached. This will go before council on 11/16. Please advise. Jess

Jessica Blais Hanscombe
Licensing and Housing Safety Manager
City of Portland
389 Congress Street Room 307
Portland, Maine 04101
207-874-8783
jhans...@portlandmaine.gov

MEMORANDUM
City Council Agenda Item

FROM:

DATE: October 28, 2020

SUBJECT: Order 129-20/21 Granting Municipal Officers' Approval of Marcy's Diner, LLC dba Marcy's Diner. Application for a Class III & IV FSE at 47 Oak Street. - Sponsored by Jon P. Jennings, City Manager

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

Can action be taken at a later date: No (If no why not?)

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

I. SUMMARY

II. AGENDA DESCRIPTION

Marcy's Diner, LLC dba Marcy's Diner. Application for a Class III & IV FSE at 47 Oak Street.

Application was filed on 10/26/2020. New City and State applications. Applicant currently holds a FSE with Prep license.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. Marcy's Diner
2. 20201103100039016

3. 20201113094035639

Prepared by:

Date: 10/28/2020

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

Marcy's Diner, LLC dba Marcy's Diner. Application for a Class III & IV FSE at 47 Oak Street.

**MARCY'S DINER LETTER OF INTENT
FOR THE APPLICATION FOR A BEER AND WINE PERMIT**

Dear Mayor and Council Members,

The applicant is seeking a Beer & Wine Permit to add to their existing primary Food/Restaurant license. The purpose for this license is to allow Marcy's Diner the ability to offer a variety of mimosas & local canned beer to patrons via eat-in, takeout, and delivery. This permit will allow Marcy's Diner to better serve its guests within in City of Portland, tourists, and at home.

Obtaining a beer and wine permit will enable the Diner to be comparable with other local restaurants with respect to level of service and menu offerings. The hours of operation for the diner are currently Thursday – Sunday, 8am – 1pm. We may add in Monday evening dinners beginning in the late fall.

Marcy's Diner does not foresee any adverse impacts on the community with the addition of a beer and wine permit. Indeed, it will have very positive impacts as it will add an additional revenue stream for the Diner; something that is very much needed, especially now due to a tremendous financial loss brought on by the current pandemic. The diner has not opened for inside seating since March due to covid-19 restrictions and in an abundance of caution to help protect the health and wellbeing of our staff and guests.

I sincerely appreciate you taking the time to consider my request and thank you all so very much for your time. I am happy to answer any questions you may have and look forward to meeting with all of you.

Warmest regards,

Mandy Lacourse
Owner, Marcy's Diner, LLC



CITY OF PORTLAND
Permitting and Inspections Department
Application for Food Service Establishment with Alcoholic Beverages License

Business Information			
Business Name (d/b/a):	MARCY'S DINER	Phone: 207	774-9713
Location Address:	47 OAK STREET, PORTLAND, ME Zip: 04101		
If new, what was formerly at this location:			
Mailing Address:	47 OAK STREET, PORTLAND, ME Zip: 04101		
Contact Person:	MANDY LACOURSE	Phone: 207	838-6024
Contact Person Email:	marcysdinermaine@gmail.com		
Manager of Establishment:	MANDY LACOURSE	Date of Birth: 05/21/1976	Phone: 207 838-6024
Owner of Premises (Landlord):	MECA		
Address of Premises Owner:	522 CONGRESS STREET, Portland, ME Zip: 04101		

Sole Proprietor/Partnership Information (If Corporation, leave blank)

Name of Owner(s)	Date of Birth	Residence Address

Corporate/LLC/Non-Profit Organization Applicants (If Sole Proprietor or Partnership, leave blank)

Corporate Name		Corporate Mailing Address	
MARCY'S DINER, LLC		47 OAK street Portland, ME Zip: 04101	
Contact Person:	MANDY LACOURSE	Phone: 207	838-6024
Principal Officers	Title	Date of Birth	Residence Address
MANDY LACOURSE	OWNER	05/21/1976	180 High St, #50 Portland, ME 04101
Class of Liquor License:		CLASS III & IV	



CITY OF PORTLAND
Permitting and Inspections Department

Type of food served:	BREAKFAST & LUNCH & OCCASIONAL DINNERS		
Please circle all that will be served:	Beer ☒	Wine ☒	Liquor ☐
Projected percentage of sales:	Generated from Food: 80	Generated from Alcohol: 20	
Hours & days of operation:	THURS - FRIDAY 8AM-12P / SAT & SUN 8AM-1pm		
QUESTIONS			
Will full-course meals, only capable of consumption with the use of tableware, be served the entire time the establishment is open?			Y/N ☒ Y
If No, please explain:			
Is the establishment less than 300 feet from a school, dormitory, church or parish house, or similar establishment?			Y/N ☒ N
If yes, give the distance:			
Will you have entertainment on the premises? (If yes, a Supplemental Application for Entertainment is required.)			Y/N ☒ N
Will you permit dancing after 1:00 a.m.?			Y/N ☒ N
Will you have outside dining? (If yes, an Outdoor Dining Application is required)			Y/N ☒ Y
If yes, will the outside dining be on PUBLIC or PRIVATE property (circle one)?			SEASONAL OUTDOOR SEATING
Will you have any amusement devices (pinball, video games, juke box)?			Y/N ☒ N
If yes, please list: # of pinball machines: _____ # of amusements: _____ # of pool tables: _____			
What is your targeted opening date?			N/A ALREADY OPEN
Does the Issuance of this license directly or indirectly benefit any City employee(s)?			Y/N ☒ N
If Yes, list name(s) of employee(s) and department(s):			
Have any of the applicants, including the corporation (if applicable), ever held a business license with the City of Portland?			Y/N ☒ N
If Yes, please list business name(s) and location(s):			
MARCY'S DINER, LLC 47 OAK STREET, PORTLAND, ME 04101			
Is any principal officer under the age of 21?			Y/N ☒ N
Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of law?			Y/N ☒ N
If Yes, please explain:			

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

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

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

Signature [Signature] Title Owner Date 10/21/2020



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

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

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

Legal Business Entity Applicant Name (corporation, LLC): MARCY'S DINER, LLC	Business Name (D/B/A): MARCY'S DINER
Individual or Sole Proprietor Applicant Name(s): MANDY LACOURSE	Physical Location: 47 OAK STREET
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address: marcysdinermaine@gmail.com
Telephone # Cell Fax #: 207.838.6024	Business Telephone # Fax #: 207.774.9713
Federal Tax Identification Number: 83-3090066	Maine Seller Certificate # or Sales Tax #: 1196910
Retail Beverage Alcohol Dealers Permit:	Website address: marcysdiner.com

1. New license or renewal of existing license? ☒ New Expected Start date: November 2021
☐ Renewal Expiration Date: November 2021?

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: 100,000 Beer, Wine or Spirits: 20,000 Guest Rooms: N/A

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

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

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

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

5. Business records are located at the following address:

47 OAK Street, Portland, ME 04101

6. Is the licensee/applicant(s) citizens of the United States?

☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine?

☒ Yes ☐ No

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

If yes, please provide details: _____

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

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

Name of Business	License Number	Complete Physical Address

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

Full Name	DOB	Place of Birth
MANDY LACOURSE	05/21/1976	Lewiston, ME

Residence address on all the above for previous 5 years

Name	Address:
MANDY LACOURSE	180 High St., #50, Portland, ME 04101
Name	Address:
Name	Address:
Name	Address:

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

☐ Yes ☒ No

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

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

MAINE College of Art (MECA) 522 Congress St., Portland, ME 04101

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

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

The diner is a small one room space with five booths and ten counter seats. This is where beer & wine would be served once we are able to fully reopen. Currently, we serve 6-8 outside tables however, this will come to an end when the weather is too cold. We will then switch to take-out and delivery only.

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

Name: MECA Student Dorms, 49 OAK Street

Distance: .7 miles

Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: October 21, 2020



Signature of Duly Authorized Person

Amanda Lacourse

Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

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

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

All Questions Must Be Answered Completely. Please print legibly.

- Exact legal name: MARCY'S DINER, LLC
- Doing Business As, if any: MARCY'S DINER
- Date of filing with Secretary of State: 02/28/2018 State in which you are formed: ME
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

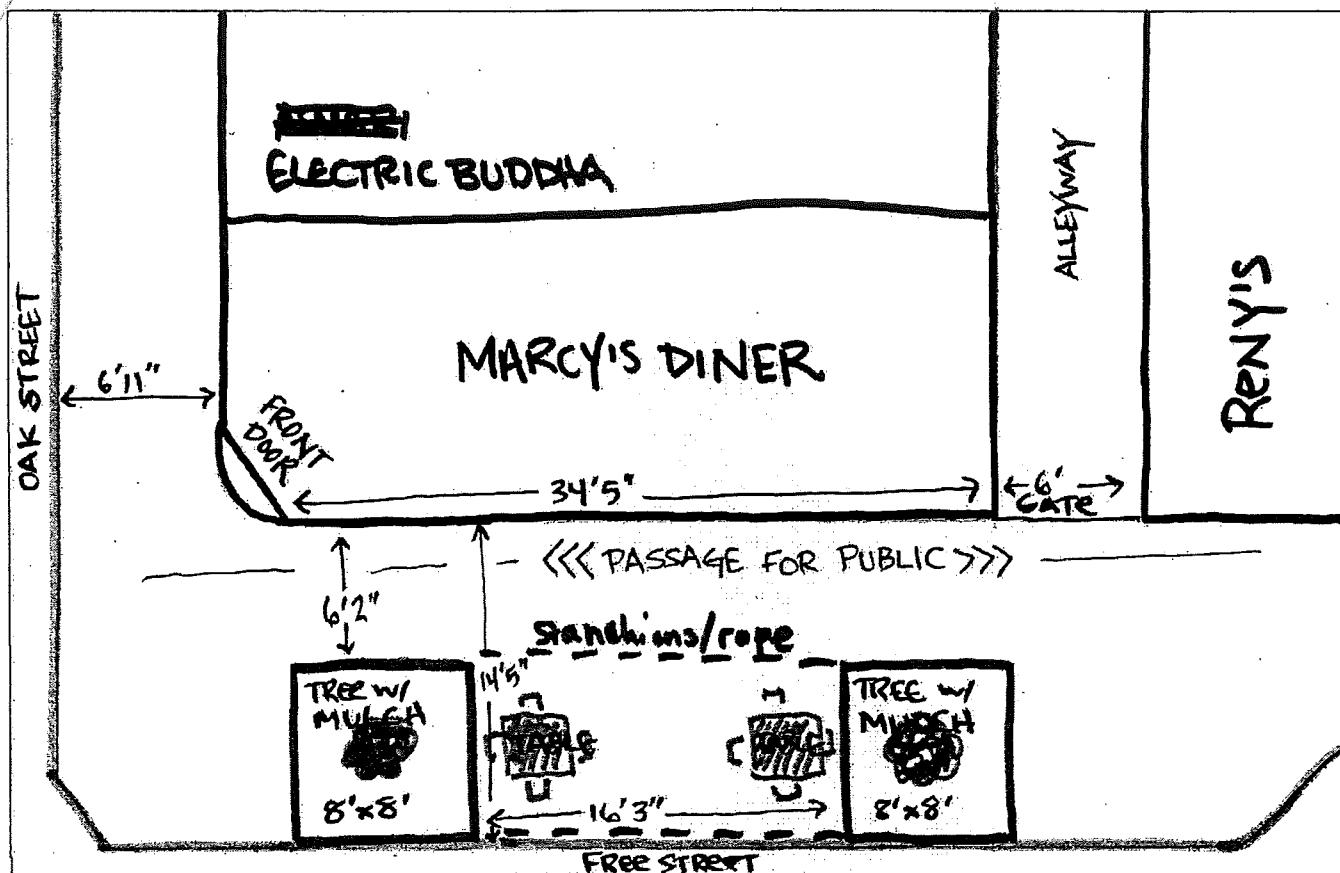
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
MANDY LACOURSE	180 High St. #50, Portland ME	05/21/76	OWNER	100%

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

EXTENSION AREA PREMISE DIAGRAM

In an effort to clearly define your extension please draw a diagram below that will include the area you want for a temporary / permanent license premise. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including methods of monitoring and containment of certain area which you are requesting approval from the Division for liquor consumption.



For Office Use Only:

Date Filed: _____ Date Issued: _____ Issued By: _____

☐ Approved ☐ Not Approved

Subchapter 1: GENERAL CONDITIONS

§1051. LICENSES GENERALLY

3. Liquor not to be consumed elsewhere. Except as provided in paragraphs A and B and in section 1207, no licensee for the sale of liquor to be consumed on the premises where sold may personally or by an agent or employee, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises. The service and consumption of liquor must be limited to areas that are clearly defined and approved in the application process by the bureau as appropriate for the consumption of liquor. Outside areas must be controlled by barriers and by signs prohibiting consumption beyond the barriers.

Marcy's DINER

47 Oak Street | Portland, ME | 207-774-9713 | nicemuffin.com

Please, call ahead **207-774-9713**
OUTDOOR SEATING | TAKEOUT ONLY

*The consumption of raw or undercooked eggs, meat, poultry, seafood or shellfish may increase your risk of food borne illness.

THE CLASSICS

- A** Two eggs*, hashbrowns, and toast \$7.
- B** Two eggs*, choice of bacon or sausage, hashbrowns, and toast \$8.
- C** Corned Beef Hash, two eggs*, hashbrowns, and toast \$9.25
- E** Two pieces of French toast, two eggs*, choice of bacon or sausage, and hashbrowns \$9.
- F** Two plain silver dollar pancakes, two eggs*, choice of bacon or sausage, and hashbrowns, \$9.
- G** Two flavored silver dollar pancakes, two eggs*, choice of bacon or sausage, and hashbrowns \$9.50
- H** Hamburger Patty* (6 oz.), two eggs*, hashbrowns, and toast \$10.
- I** Two eggs*, two bacon, two sausage, corned beef hash, hashbrowns, and choice of toast, pancake, or French toast \$12.

CAKES & TOAST

FRENCH TOAST

Golden French toast with cinnamon & sugar
1 Piece \$3. | 2 Pieces \$5.50 | 3 Pieces \$7.

CAPTAIN CRUNCH FRENCH TOAST

French toast encrusted with Cap'n Crunch cereal topped with cinnamon, powdered sugar & whipped cream
1 piece \$5. | 2 pieces \$7. | 3 pieces \$8.

BIG & FLUFFY PANCAKES

1 Pancake \$3.50 | 2 Pancakes \$6.

FLAVORED PANCAKES

1 pancake \$4. | 2 Pancakes \$7.
Choose from: banana, blueberries, bacon, chocolate chips, coconut, granola, walnuts, cream cheese, raspberries
...**additional items:** .50 per item, per pancake

SIDE ORDERS

Bacon (6)	\$4.
Sausage (3)	\$4.
Corned Beef Hash	\$4.
Burger Patty* (6 oz)	\$6.
Hashbrowns	\$2.
Single Egg*	\$1.50
Toast	\$1.75
Banana	\$1.
Peanut Butter	\$1.
Salsa	\$1.
Cream Cheese	\$1.
Sour Cream	\$1.
Real Maple Syrup	\$2.
Bagel & Cream Cheese ...	\$3



**HOMEMADE
MUFFINS \$3.**
Try it grilled!

FRESH FRUIT

cup \$5. | bowl \$7.

BREAKFAST SANDWICHES

THE NEUGE served with hashbrowns

Taylor Ham pork roll, 2 eggs*, & American cheese on a grilled brioche bun \$8.

THE PHILLY served with hashbrowns

Two eggs*, shaved steak, grilled onion & pepper with cheese on grilled Texas Toast \$10.

THE BREAKFAST CLUB served with hashbrowns

Two over-hard eggs*, American cheese and choice of bacon or sausage. Layered on a toasted bagel with bacon, lettuce, and tomato. \$10.

BREAKFAST BURRITO served with hashbrowns

Two scrambled eggs*, crumbled bacon, green chiles, and cheddar cheese in a flour tortilla. Salsa and sour cream on the side. \$10.

BREAKFAST TACOS served with hashbrowns

Two scrambled eggs*, crumbled bacon, and cheddar cheese in corn tortillas. Salsa and sour cream on the side. \$10.

BREAKFAST BLT: 2 eggs, bacon, lettuce, tomato & mayo on your choice of toast \$8.

GRILLED CHEESE (American & Swiss) \$4.

w/ tomato add \$1.

w/ one egg add \$1.50

w/ bacon, sausage, Canadian bacon, add \$2..

CLASSIC EGG SANDWICH

one egg* on a toasted English muffin \$3.

with tomato add \$1.

1 Egg* & American cheese \$3.50

with bacon, sausage, or Canadian bacon... \$4.50

Egg* Whites add \$1.

OMELETS & SCRAMBLES

made with two eggs. Served with hashbrowns & toast.
includes any one item \$9. For egg whites... add \$2.

each additional item..... add \$1.

American cheese, swiss cheese, cheddar cheese, feta cheese, cream cheese, broccoli, mushroom, Greek olive, jalapenos, onion, mixed pepper, tomato, green chile, salsa, sour cream

each additional item..... add \$2.

bacon, sausage, corned beef hash, shaved steak, shaved chicken, pastrami, spicy capicola, Taylor Ham, Canadian bacon

THE VEGGIE onions, peppers, broccoli, mushroom, tomato, and American cheese

HOBO HASHBROWNS

w/ grilled onion, peppers, and jalapenos, topped with melted American cheese \$7/add 2 eggs* \$3.

DRINKS

Hot Coffee or Tea \$2.

Iced Coffee \$3.

Fresh Brewed Unsweetened Iced Tea \$3.

Hot Chocolate with Whipped Cream \$2.

ICED MOCHA: iced coffee, cream & Hershey's chocolate syrup. Topped with whipped cream \$4

FRESH SQUEEZED LEMONADE \$3. *add lavender, strawberry, watermelon, pomegranate, violet, rose, or mango +\$1.*

MILKSHAKE

made with hand-scooped Gifford's iced cream, topped with whipped cream | vanilla, coffee, chocolate, or strawberry \$5.

WATERMELON CREAM fresh watermelon juice blended with vanilla ice cream. Topped with whipped cream \$5.

ORANGE CREAM orange juice blended with vanilla ice cream. Topped with whipped cream \$5.

Orange Juice: Small \$2.50 | Large \$4.
Apple, Cranberry, Pink Grapefruit, or V8 \$2.

Whole Milk: Small \$2. | Large \$3.
Chocolate or Strawberry Milk: \$2.50 | \$3.50

Coke, Diet Coke, Diet Pepsi, Root Beer,
Ginger Ale, Mountain Dew, Moxie, Seltzer \$2.

MERCHANDISE & GIFT CERTIFICATES

HOODED SWEATSHIRT \$45.

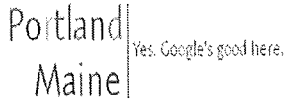
T-SHIRT \$20.

HAT \$15.

MUG \$10.

STICKER \$2.

GIFT CERTIFICATES \$20.



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Marcy's Diner

Dan Hondo <danh@portlandmaine.gov>

Wed, Oct 28, 2020 at 12:34 PM

To: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

No issues on PD side

On Wed, Oct 28, 2020 at 12:33 PM Jessica Hanscombe <jhanscombe@portlandmaine.gov> wrote:

Good Afternoon

Please see the attached for the 11/16 City Council Meeting. Please advise. Jess

Jessica Blais Hanscombe
Licensing and Housing Safety Manager
City of Portland
389 Congress Street Room 307
Portland, Maine 04101
207-874-8783
jhanscombe@portlandmaine.gov

--
Lt. Dan Hondo
Portland Maine Police Dept.
Patrol Team B3/B4
(207)874-8513



CITY OF PORTLAND
Permitting and Inspections Department

October 28, 2020

Marcy's Diner LLC
47 Oak Street
Portland ME 04101

Re: Marcy's Diner, LLC dba Marcy's Diner. Application for a Class III & IV FSE at 47 Oak Street.

Dear Mandy Lacourse

This letter shall serve as a reminder of the public hearing before the Portland City Council on **Monday November 16, 2020 at 5:30 p.m.**, for the review of application for a Class III & IV FSE at 47 Oak Street. The meeting will take place virtually. The link can be found on the Meeting Agenda which will be posted on the City Website on November 13th.

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

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

Sincerely,

Jessica Hanscombe
Licensing and Housing Safety Manager

Legal Advertisement

Notice of Public Hearing City of Portland

A Public Hearing will be held on November 16, 2020 at 5:30 P.M., virtually Marcy's Diner, LLC dba Marcy's Diner. Application for a Class III & IV FSE at 47 Oak Street. Sponsored by Jon P. Jennings, City Manager.



Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Re: Marcy's Diner

dstacey <dstacey@portlandmaine.gov>
To: Zoning <zoning@portlandmaine.gov>
Cc: Jessica Hanscombe <jhanscombe@portlandmaine.gov>

Thu, Nov 12, 2020 at 1:20 PM

Hi Jess,

Apologies for not getting back to you more quickly.

A restaurant with Class III and IV Vinous and Malt licenses is a permitted use in the B-3 Zone under section 14-217(a)(2) (f) in Chapter 14, City Code of Ordinances.

Thanks,
Chris

On Wednesday, October 28, 2020 at 6:28:59 PM UTC-4 Glen McGary wrote:
PD Approves

On Wed, Oct 28, 2020 at 3:44 PM Jason Grant <jgr...@portlandmaine.gov> wrote:
Fire Approves

Jason Grant

NFPA Certified Fire Inspector 2 and Fire Plans Examiner
Life Safety CEO / Plan Reviewer
Permitting and Inspections Department
City of Portland
389 Congress Street Rm 315
Portland, Maine 04101
Phone:(207) 756-8187

On Wed, Oct 28, 2020 at 12:33 PM Jessica Hanscombe <jhans...@portlandmaine.gov> wrote:
Good Afternoon

Please see the attached for the 11/16 City Council Meeting. Please advise. Jess

Jessica Blais Hanscombe
Licensing and Housing Safety Manager
City of Portland
389 Congress Street Room 307
Portland, Maine 04101
207-874-8783
jhans...@portlandmaine.gov

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

MEMORANDUM
City Council Agenda Item

FROM:

DATE: November 3, 2020

SUBJECT: Order 130-20/21 Granting Municipal Officers' Approval of Commercial Street Pub Inc dba The Commercial Street Pub. Application for a Class IX FSE at 129 Commercial Street - Sponsored by Jon P. Jennings, City Manager

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action

Can action be taken at a later date: No (If no why not?)

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

I. SUMMARY

II. AGENDA DESCRIPTION

Commercial Street Pub Inc dba The Commercial Street Pub. Application for a Class IX FSE at 129 Commercial Street.

Change of Classification was filed on 6/25/2020 to change from a Class A Lounge to a Class XI FSE. The City's Licensing Manager is requiring that the request for a new classification appear before the City Council for a hearing, pursuant to Sec 15-21 of the City Code, which states that the License Administrator can determine if a hearing is necessary. Due to multiple violations of the Governor's Emergency Orders, the Licensing Manager has determined that a hearing is necessary.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

V. FINANCIAL IMPACT

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

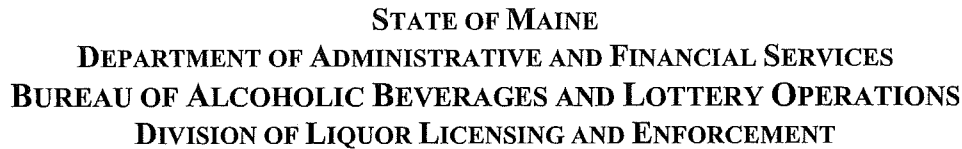
VII. RECOMMENDATION

VIII. LIST ATTACHMENTS

1. 20201103124303548
2. 20201105131235434
3. Commercial Street Pub

Prepared by:

Date: 11/3/2020



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

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

1. New license or renewal of existing license? ☐ New Expected Start date: _____
☒ Renewal Expiration Date: 12/08/2020

Food: \$ 210.00 Beer, Wine or Spirits: \$ 411.50 Guest Rooms:

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

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

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

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

5. Business records are located at the following address:

129 Commercial Street Portland ME 04101

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

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

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

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

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

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

☐ Yes ☐ No

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

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

☐ Yes ☒ No

If yes, please provide details: _____

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

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

Name of Business	License Number	Complete Physical Address

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

Full Name	DOB	Place of Birth
John L Guinn	03/06/1957	Norfolk NE
Tracy J Guinn	08/17/1965	Keene NH
Emily Robbins	08/17/1973	Santa Barbara, CA
Residence address on all the above for previous 5 years		
Name John L Guinn	Address: 40 Portland Pier #18 Portland ME 04101	
Name Tracy J Guinn	Address: 40 Portland Pier #18 Portland ME 04101	
Name Emily Robbins	Address: 104 Salem St Portland ME	
Name	Address:	

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

☐ Yes ☒ No

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

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

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

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

Premie has full kitchen w/2 double coolers, sink, 6 top gas stove, charbroil grill w/hood & fire
suppression system. There is a 10 seat main bar. 4 2top tables, 1 4top table, a 3 top bar and a 6top bar.
Walkin cooler located in the basement 3 bay sink in the basement

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

Name: Portland High School

Distance: 1.1 miles

Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 11/3/2020

John Guinn
Signature of Duly Authorized Person

John Guinn
Printed Name Duly Authorized Person

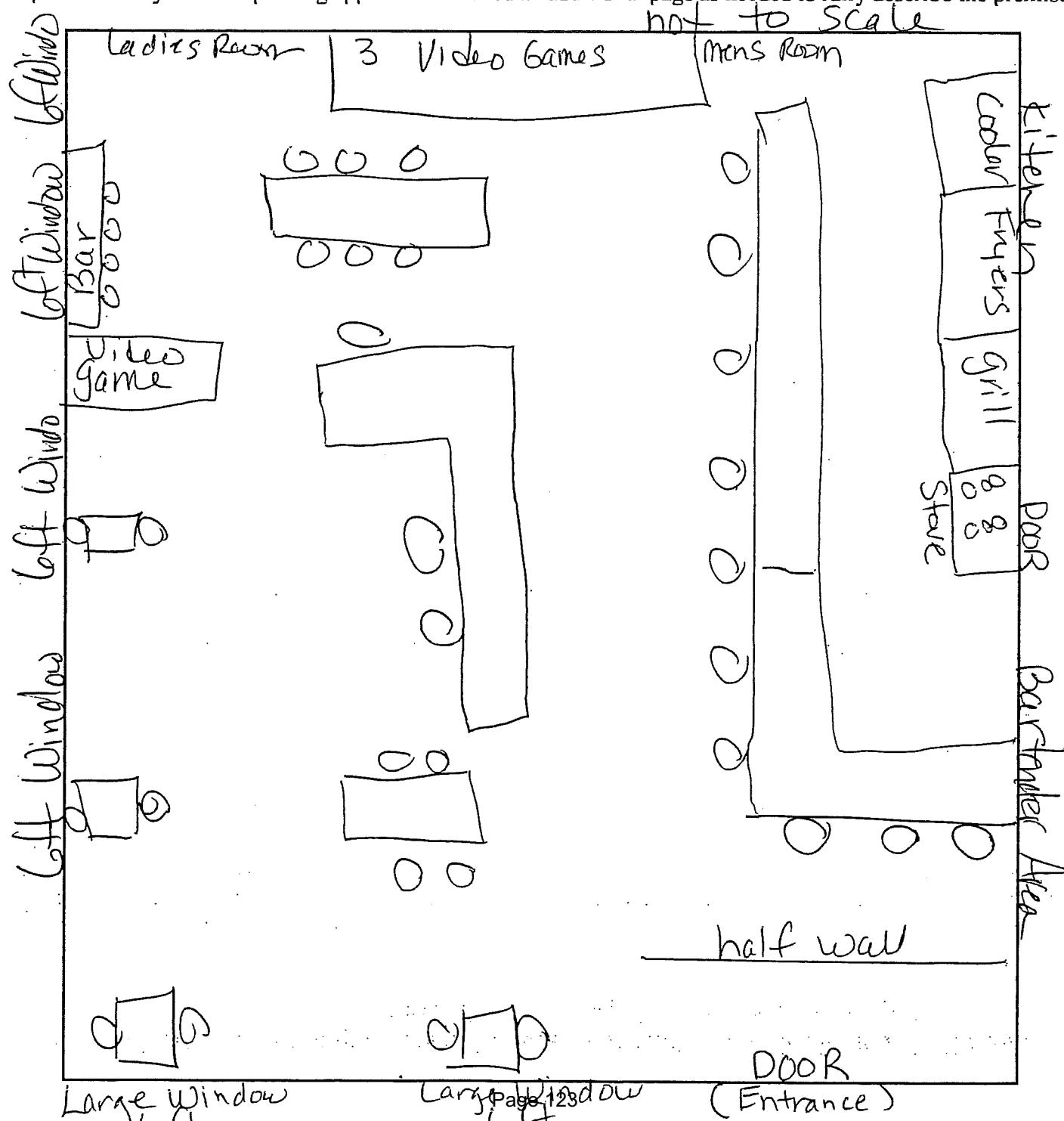
Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section VI Premises Floor Plan

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

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



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

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

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Commercial St Pub Inc
2. Doing Business As, if any: Commercial St Pub
3. Date of filing with Secretary of State: 11/14/2017 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
John L Guinn	129 Commercial St Portland	03/06/2057	Owner	

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



CITY OF PORTLAND
Permitting and Inspections Department

Memorandum

To: Mayor Snyder and City Council

From: Jessica B. Hanscombe
Licensing and Housing Safety Manager

Date: November 4, 2020

RE: Commercial Street Pub

The Commercial Street Pub requested a change of Classification to change from a Class A Lounge to a Class XI FSE. I approved the change on June 29, 2020 and advised them that their renewal would require them to appear before the City Council for a hearing, pursuant to Sec 15-21 of the City Code, which states that the License Administrator can determine if a hearing is necessary. Due to multiple violations of the Governor's Emergency Orders, the Licensing Manager has determined that a hearing is necessary.

The Portland Police and Maine Bureau of Alcoholic Beverages both observed this business in violation of the Governor's Order. Below is a time line of those dates:

March 18, 2020- Portland Police observed them open and advised them to close. (see attached report-Page 2)

March 19, 2020- Portland Police observed them open and advised them to close. (see attached narrative-Page 3)

March 23, 2020- Portland Police observed them open and advised them to close. (see incident report Page 4-6)

June 21, 2020- Portland Police observed them open and advised them to close. . (see incident report Page 7-8)

June 25, 2020 1:00pm- Maine Bureau of Alcoholic Beverages observed them open and advised them to close

June 25, 2020 8:00pm-Portland Police observed them open and advised them to close. . (see incident report Page 9-10)

Maine Bureau of Alcoholic Beverages issued two summons (6/21/2020 & 6/25/2020).

Thank you

(1)

11/05/20
12:50:52

SUPERION, LLC CAD
CAD CALL INFORMATION

PAGE 1
200780434

Call Number: 200780434 SI Call Type.: 208 GENERAL OFFENSE Police
Entry Day/Tm: 3/18/20 18:39:23 208 GENERAL OFFENSE Police

CmnN: COMMERCIAL STREET PUB Agency.....: 001 PORTLAND POLICE D
Location...: 129 COMMERCIAL ST Apt:
City.....: PORTLAND Block#: 100 Loc ID: C Mapr: 3A
Intersectn.: PEARL SILVER

Caller Name: L: F: M:
Address...: Apt:
City/State: Phone#: Source: SI

Call Taker.: 8086 RAMIREZ DE AREL NATALIA POST4A
Dispatcher.: 8086 RAMIREZ DE AREL NATALIA POST4A

N A R R A T I V E

spoke with John, owner of Commercial St Pub. the doors 18:53:10
were locked, however he had approx 18 people inside still 18:53:10
drinking and socializing at 1840 hours, in violation of 18:53:10
executive order from state. he said that half were 18:53:10
employees so that put him under the limit. i explained 18:53:10
that was not the way it worked and he could be reported to 18:53:10
the state for violation. as i was speaking with him 18:53:10
several patrons began exiting and John said he would have 18:53:10
everyone else leave within the next few minutes. i also 18:53:10
informed him that this in in affect for the next 2 weeks 18:53:10
24/7 18:53:10

303

Unit Status History Information

3/18/20 18:39:23	4 DISPATCHED	D	9127 JOHNSON, HEN
3/18/20 18:39:23	6 ON SCENE	AS	
3/18/20 18:39:23	11 ASSIGNED AS PRIMARY	PR	
3/18/20 18:53:10	20 AVAILABLE	AV M	
3/27/20 16:40:39	4 DISPATCHED	D	
3/27/20 16:40:39	6 ON SCENE	AS	
3/27/20 16:40:39	11 ASSIGNED AS PRIMARY	PR	
3/27/20 16:57:40	20 AVAILABLE	AV	

D I S P O S I T I O N S

1 029 VERBAL WARNING ISSUED Case# 1 - 00-000000 Unit: 303
2 085 EXECUTIVE ORDER PREMISE VIOLAT Case# 1 - 00-000000 Unit: 303

Curfew/Closure Incidents of Note 3/17/20-3/21/20:

3/18/20 @ 1840: Commercial St. Pub was found to have approximately 18 people inside. The owner was on site and claimed they were "employees" working at the business. They were educated on the rules of the curfew/closures and officers left.

3/18/20 @1850: Dock Fore no number of people listed present at the time. Management stated they believed they were still operating under the 2000 curfew. Quickly and respectfully closed.

3/19/20 @ 1925: Commercial St. Pub was found to have 5 people sitting at the bar with at least one open beer. Spoke to the owner who stated they had been doing some work on the interior and were finishing up for the night. Front door was locked, back door was open, and neon lights and tv's were on. Eventually agreed to shut it down for the night.

There were several other calls to businesses open during this time period. One involved a church, but upon inspection they were filming an online service and were not open to the public (and under 10 people). Several calls to 1717 Congress St., Creating Space Yoga, again similar circumstance filming online classes (under 10 people).

Portland Police Department

Report 03/23/2020 17:38

Incident Report

Case # 01-20-001802

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-20-001802	03/23/2020 17:38	03/23/2020 17:30	03/23/2020 17:30	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	LIQUOR VIOLATION-ADMINISTRATIVE				
	Common Name				
	COMMERCIAL STREET PUB - 129 COMMERCIAL ST PORTLAND, MAINE (CUMBERLAND County)				
Day of Week : MONDAY Dispatched : 03/23/2020 17:30 Arrived : 03/23/2020 17:30 Map Reference : 3A Hate/Bias : NO Gang Related : NO Type of Report : INCIDENT REPORT Victim Advocate Involvement : NO Evidence Technician name (Last First) : N/A Video/Audio (Yes/No) : YES/YES			Accident Number : N/A Officer Vehicle # : 1025 Marijuana Related (Yes/No) : NO Location Type : BAR/NIGHT CLUB Beat Assignment : BEAT 3 Alcohol Related : YES Drug Related : NO Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$0.00 Total Recovered Property Value : \$0.00		

O F F E N S E	State Classification		Attempted/Committed
	LIQUOR LAW VIOLATIONS		COMMITTED
	Statute/Ordinance	Location Type	Disposition Date
	LIQUOR LAW VIOLATIONS	BAR/NIGHT CLUB	
Attack Reason : NEITHER GANG OR HATE/BIAS RELATED		Weapon 2 : NONE	
Weapon 1 : NONE		Weapon 3 : NONE	
End of Offense: 1			

P E R S O N 1	Person Type	Business/Person Name			Business Phone
	OFFICER	CHRISTOPHER MITCHELL			(207) 874-8479
	Home Phone	Person Address			
	Other Phone	Employer Address			
		109 MIDDLE ST PORTLAND, MAINE 04101 ,CUMBERLAND County			
	Race	Sex	SSN	DL Exp. Date	Operator's License Number
	BLACK	Male			
	Birth Date	Birth Place			
Ethnic Origin : NONHISPANIC		Employer : POLICE DEPARTMENT			
Adult/Juvenile : ADULT		Body Marks:			
End of Person: 1					

P E R S O N 2	Person Type	Business/Person Name			Business Phone
	OFFICER	JUSTIN MACALUSO			(207) 874-8479
	Home Phone	Person Address			
	Other Phone	Employer Address			
		109 MIDDLE ST PORTLAND, MAINE 04101 ,CUMBERLAND County			
	Race	Sex	SSN	DL Exp. Date	Operator's License Number
	WHITE	Male			
	Birth Date	Birth Place			
Ethnic Origin : NONHISPANIC		Employer : POLICE DEPARTMENT			
Adult/Juvenile : ADULT		Body Marks:			
End of Person: 2					

Reporting Officer	Department	Report Status:
SGT CHRISTOPHER MAURICE MITCHELL	(5196) PORTLAND POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT CHRISTOPHER MAURICE MITCHELL	(5196) PORTLAND POLICE DEPARTMENT	03/23/2020 19:16

Portland Police Department

Incident Report

Report 03/23/2020 17:38

Case # 01-20-001802

P E R S O N 3	Person Type	Business/Person Name			Business Phone
	OFFICER	CURRAN HUFF			(207) 874-8479
	Home Phone	Person Address			
	Other Phone	Employer Address 109 MIDDLE ST PORTLAND, MAINE 04101 , CUMBERLAND County			
	Race WHITE	Sex Male	SSN	DL Exp. Date	Operator's License Number
	Birth Date	Birth Place			
Ethnic Origin : NONHISPANIC		Employer : POLICE DEPARTMENT			
Adult/Juvenile : ADULT		Body Marks:			
End of Person: 3					

P E R S O N 4	Person Type	Business/Person Name			Business Phone
	SUSPECT	JOHN L GUINN			
	Home Phone	Person Address 129 COMMERCIAL ST PORTLAND, MAINE 04101 , CUMBERLAND County			
	Other Phone	Employer Address Use Address from Incident Location Information			
	Race WHITE	Sex Male	SSN 507-80-1352	DL Exp. Date	Operator's License Number 9601197
	Birth Date 03/06/1957	Birth Place			
Age : 63		Min. Weight : 150 lbs			
Operator's License State : MAINE		Max. Weight : 300 lbs			
Ethnic Origin : NONHISPANIC		Adult/Juvenile : ADULT			
Min. Height : 5'07"		Employer : Commercial st pub			
Max. Height : 5'07"		Body Marks:			
End of Person: 4					

P E R S O N 5	Person Type	Business/Person Name			Business Phone
	SUSPECT	Commercial Street Pub			
	Home Phone	Person Address			
	Other Phone	Employer Address Use Address from Incident Location Information			
	Race	Sex	SSN	DL Exp. Date	Operator's License Number
	Birth Date	Birth Place			
Body Marks:					
End of Person: 5					

N A R R A T I V E 1	Topic	ORIGINAL NARRATIVE
	On 3/23/2020 while working as a patrol supervisor, I was advised that there were people possibly consuming alcohol in the Commercial Street Pub. Due to the current Covid-19 Pandemic all bars should be closed per the Governors order. At approximately 1730 hours I arrived at the Commercial Street Pub along with Officer Macaluso and Officer Huff. As I approached the bar I could see people inside congregating around the bar top. I approached the front door and pulled on the handle to find that the door was locked. When I did so I could see that there were approximately 6 people inside the establishment sitting around the bar.	

Reporting Officer	Department	Report Status:
SGT CHRISTOPHER MAURICE MITCHELL (5196) PORTLAND POLICE DEPARTMENT		Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
SGT CHRISTOPHER MAURICE MITCHELL (5196) PORTLAND POLICE DEPARTMENT		03/23/2020 19:16

Portland Police Department

Report 03/23/2020 17:38

Incident Report

Case # 01-20-001802

There was also a female standing behind the bar who looked to be a bartender. When I pulled on the door it drew the attention of the people inside and I observed a male stand up from his seat. Based on my knowledge of the bar and previous visits to the bar for unrelated reasons, I knew this male to be the owner of the bar. He was identified as John Guinn 3/6/57.

He opened the door and inquired about our presence. I explained that we were there because we had received information that there were people in the bar and that alcohol was being served. From where I was standing I could see drinks and beer bottles on the bar top where people were sitting. I explained that it appeared that they were doing business as there was a person behind the bar who looked like they were serving drinks and people sitting around the bar top. Guinn stated he was closed and that he was having work done to the establishment while closed. He stated that they had just done some work and were fished up for the day and sat down to have a drink. He claimed all the people in the bar worked for him and that one was his wife. He stated that he wasn't selling the alcohol that the people were drinking. I explained to him that it does not matter if he is selling the alcohol or not, he is not allowed to be serving alcohol, or allow it to be consumed when the bar is closed and during the Governors order. He stated that he and his workers wanted to have a drink after they did their work and didn't see the issue with it. I explained to him that he is fine to have the small number of people in the establishment working on construction projects but they cannot drink. I told him that if he wanted to have a drink in his bar that he owned, that would not be a problem, but he is not to have others drinking there.

While speaking with Guinn he stated that he would just take the violation and that it didn't matter. I informed him that he would be receiving a violation in the future and that he needed to stop serving alcohol regardless of if he was charging or not. He said that he would be in the bar the rest of the week working on the basement and the other construction projects. I told him that was fine as long as the workers weren't drinking alcohol in the establishment. We then parted ways and he locked up his front door. He did not seem to be worried about getting a violation, nor did he seem remorseful of the situation. I left with the impression that he was going to continue to serve people alcohol in the coming days. During this incident I was wearing my BWC and it was actively recording. I was also operating vehicle 1025. A digital media work order was completed.

End of Narrative: 1

Reporting Officer SGT CHRISTOPHER MAURICE MITCHELL	Department (5196) PORTLAND POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer SGT CHRISTOPHER MAURICE MITCHELL	Department (5196) PORTLAND POLICE DEPARTMENT	Date / Time 03/23/2020 19:16

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Portland Police Department

Report 06/21/2020 20:55

Incident Report

Case # 01-20-003466

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-20-003466	06/21/2020 20:55	06/21/2020 20:39	06/21/2020 20:39	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	LIQUOR ENFORCEMENT INVESTIGATION				06/21/2020 20:50
	Common Name				
COMMERCIAL STREET PUB - 129 COMMERCIAL ST PORTLAND, MAINE (CUMBERLAND County)					
Day of Week : SUNDAY Dispatched : 06/21/2020 20:39 Responded : 06/21/2020 20:39 Arrived : 06/21/2020 20:39 Map Reference : 3A Hate/Bias : NO Gang Related : NO Type of Report : INCIDENT REPORT Victim Advocate Invol : NO Evidence Technician name (Last First) : NO/NO Video/Audio (Yes/No) : YES/YES					
Video/Audio (Yes/No) : YES/YES Accident Number : NO/NO Officer Vehicle # : 1003 Marijuana Related (Yes/No) : NO/NO Location Type : BAR/NIGHT CLUB Beat Assignment : BEAT 3 Alcohol Related : YES Drug Related : NO Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$0.00 Total Recovered Property Value : \$0.00					

O F F E N S E	State Classification	Attempted/Committed		
	LIQUOR LAW VIOLATIONS	COMMITTED		
	Statute/Ordinance	Location Type	Disposition Date	
	LIQUOR LAW VIOLATIONS	BAR/NIGHT CLUB		
	Attack Reason : NONE (NO BIAS) Weapon 1 : NONE Weapon 2 : NONE Weapon 3 : NONE How Entry : N/A Where Entry : N/A Where Exit : N/A Forced Entry : NO Computer Theft : NO Structure Occupancy : N/A Criminal Activity 1 : NOT APPLICABLE Criminal Activity 2 : NOT APPLICABLE Criminal Activity 3 : NOT APPLICABLE Evidence Collected : NO			
End of Offense: 1				

P E R S O N	Person Type	Business/Person Name			Business Phone
	SUSPECT	JOHN GUINN			
	Home Phone	Person Address			
	(207) 252-2685	Use Address from Incident Location Information			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	Operator's License Number
	WHITE	Male	507-80-1352	03/06/2021	9601197
	Birth Date	Birth Place			
Age : 63 Operator's License State : MAINE Operator's License Country : UNITED STATES Ethnic Origin : NONHISPANIC Min. Height : 5'07" Min. Weight : 200 lbs Adult/Juvenile : ADULT Body Marks:					
End of Person: 1					

P E R S O N	Person Type	Business/Person Name			Business Phone
	VICTIM	STATE OF MAINE			
	Home Phone	Person Address			
	Other Phone	Employer Address			
	Race	Sex	SSN	DL Exp. Date	Operator's License Number
	Birth Date	Birth Place			
	Body Marks:				

Reporting Officer	Department	Report Status:
PTL CRAIG ROY KNIGHT (2845)	PORTLAND POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
PTL KEVIN JOHN MURPHY (5649)	PORTLAND POLICE DEPARTMENT	06/22/2020 05:10

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Portland Police Department

Report 06/21/2020 20:55

Incident Report

Case # 01-20-003466

End of Person: 2

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Topic ORIGINAL NARRATIVE

On 06/21/2020 at approximately 2039 hours I, Officer Craig Knight, was on uniformed patrol in a marked police vehicle when I was asked by Sergeant Noyes to conduct a licensed premise check of the Commercial Street Pub located at 129 Commercial Street. This was following reports of them serving alcohol outside of their liquor license. I conducted the check along with officer Kyle Forbes.

Upon my arrival on scene I observed approximately 20 patrons inside the bar all drinking alcoholic beverages that had been served from the bar. The bar-lady was also currently pouring more drinks.

I made contact with the owner/manager John Guinn (DOB - 03/06/1957). I informed John that a representative from the State of Maine liquor licenses had confirmed that he only had a class A liquor license which did not allow him to serve alcohol inside his premises due to the current Governors orders relating to COVID-19. I also informed him that he would need to have an outdoor seating area and obtain a permit from the City of Portland to serve alcohol.

John was immediately upset regarding the situation and stated that he had a liquor and a restaurant license and this allowed him to serve alcohol while serving food. It should be noted that neither Officer Forbes or I could see anybody consuming food along with their drinks. John believed that he was not violating any licenses and states that he is in an ongoing battle with the State regarding this issue.

I instructed John to close his bar for the night. John initially refused to do this as he did not believe he did anything wrong but after I compromised with him that he could continue to serve his patrons until 2200 to give him time to close up, he agreed.

I suggested to John that he follows up with the liquor licensing agency to clarify the conditions of his license to avoid getting in to trouble.

The incident was recorded on my body worn camera.

End of Narrative: 1

Reporting Officer PTL CRAIG ROY KNIGHT (2845)	Department PORTLAND POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer PTL KEVIN JOHN MURPHY (5649)	Department PORTLAND POLICE DEPARTMENT	Date / Time 06/22/2020 05:10

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Portland Police Department

Report 06/25/2020 20:49

Incident Report

Case # 01-20-003555

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-20-003555	06/25/2020 20:49	06/25/2020 20:35	06/25/2020 20:46	Original
	Dept. Classification	Case Status	Case Status Date	Cleared	
	INVESTIGATION				
	Common Name	COMMERCIAL STREET PUB - 129 COMMERCIAL ST PORTLAND, MAINE			
	Day of Week : THURSDAY Dispatched : 06/25/2020 20:18 Arrived : 06/25/2020 20:18 Map Reference : 3A Hate/Bias : NO Gang Related : NO Type of Report : INCIDENT REPORT Video/Audio (Yes/No) : YES Officer Vehicle # : N/A		Officer Vehicle # : N/A Marijuana Related (Yes/No) : NO Location Type : BAR/NIGHT CLUB Beat Assignment : BEAT 3 Alcohol Related : YES Drug Related : NO Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$0.00 Total Recovered Property Value : \$0.00		

N A R R A T I V E	Topic	ORIGINAL NARRATIVE
	1	ON THURSDAY, 6-25-20 AT APPROX 2035 HOURS, I, OFC JOHNSON WITH OFC DANA, RESPONDED TO THE COMMERCIAL ST PUB, 129 COMMERCIAL ST, TO CONDUCT AN INSPECTION AT THE REQUEST OF THE CITY OF PORTLAND, TO SEE IF THE ESTABLISHMENT WAS OPERATING IN VIOLATION OF COVID-19 RESTRICTIONS. THE BAR WAS OPEN, ALL LIGHTS WERE ON. AS WE ENTERED THERE WERE APPROX 23 PERSONS INSIDE, INCLUDING THE SINGLE STAFF MEMBER, WHO WAS THE BARTENDER, BRIDGET. BRIDGET STATED THAT SHE WAS TOLD BY HER BOSS THAT THE STATE LIQUOR LICENSE OFFICE HAD SPOKEN WITH THE OWNER, AND IT SOUNDED LIKE SHE THOUGHT THEY HAD CONDUCTED AN INSPECTION RECENTLY. I ASKED HER IF THERE WAS ANY DOCUMENTATION THAT THEY LEFT SHOWING RULES OR GUIDELINES SHE HAD TO FOLLOW, AND BRIDGET STATED THERE WAS NOT. I THEN ASKED HER WHAT SHE WAS TOLD WERE THE RULES AND BRIDGET STATED THAT THEY WERE ALLOWED TO BE OPEN AT 50% CAPACITY (TOTAL PATRON LIMIT WAS 50; SO ALLOWED WOULD BE 25). BRIDGET ALSO STATED THAT GROUPS WERE NOT SUPPOSED TO MINGLE AND STAY AT SEPARATE TABLES; LARGE GROUPS WERE NOT ALLOWED. BRIDGET STATED THAT SHE WOULD TURN PEOPLE AWAY TO KEEP UNDER THE 25 LIMIT, AND IF TOO MANY PEOPLE CAME, OR ANYONE CAUSED PROBLEMS THEN SHE WOULD CLOSE THE BAR FOR THE NIGHT. BRIDGET STATED THAT IT WAS HER UNDERSTANDING THAT THE LICENSE FOR THE BAR WAS A RESTAURANT/LIQUOR LICENSE, AS THEY SELL FOOD. BRIDGET STATED THAT THE STATE ADVISED THAT THEY NEEDED TO EXPAND THEIR MENU TO BE IN COMPLIANCE AND SHE WAS TOLD THAT NEEDED TO BE DONE BY TOMORROW. I ASKED WHAT FOOD SHE WAS SERVING, AS THERE WAS NO OTHER EMPLOYEE AT ALL, AND SHE WAS AT THE BAR, NOT IN THE KITCHEN AREA, THE STOVE WAS NOT TURNED ON, AND THERE WERE NO DISHES BEING PREPARED. THERE WAS SOME FOOD ITEMS IN STORAGE CONTAINERS IN THE SMALL FRIDGE UNITS.

Reporting Officer	Department	Report Status:
PTL HENRY WILLIAM JOHNSON (9127)	PORTLAND POLICE DEPARTMENT	Approved
Supervising Officer		Date/Time
Verifying Officer	Department	Date / Time
PTL ANTHONY O AMPEZZAN (5622)	PORTLAND POLICE DEPARTMENT	06/25/2020 22:06

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Portland Police Department

Report 06/25/2020 20:49

Incident Report

Case # 01-20-003555

	THE WALKTHROUGH OF THE BAR, AND INTERVIEW WITH BRIDGET WAS RECORDED ON OFCS BODYCAMs.
	End of Narrative: 1

Reporting Officer PTL HENRY WILLIAM JOHNSON (9127)	Department PORTLAND POLICE DEPARTMENT	Report Status: Approved
Supervising Officer		Date/Time
Verifying Officer PTL ANTHONY O AMPEZZAN (5622)	Department PORTLAND POLICE DEPARTMENT	Date / Time 06/25/2020 22:06

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER
GRANTING MUNICIPAL OFFICERS'
APPROVAL OF:

**Lucky Dog Tasting Room LLC dba Batson River Social Club. Application for a Class XI
FSE with Indoor Entertainment at 82 Hanover Street.**

MEMORANDUM
City Council Agenda Item

FROM: Mary Davis, Division Director

DATE: November 10, 2020

SUBJECT: Order 122-20/21 Referring the Negotiation of a Purchase & Sale Agreement with Jack Soley, Avesta Housing and Hebert Construction for 43 and 91 Douglass Street to the Economic Development Committee - Sponsored by Jon P. Jennings, City Manager

SPONSOR: Councilor Justin Costa, Chair, Economic and Development Committee
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading **Final Action**

Can action be taken at a later date: No (If no why not?)

PRESENTATION: (List the presenter(s), type and length of presentation) Mary Davis and Greg Mitchell

I. SUMMARY

The City Council will review and select the affordable housing development team from the RFP submitted to develop housing on the City-owned property located at 43 and 91 Douglass Street and delegate to the Economic and Development Committee to negotiate the Purchase and Sale Agreement.

II. AGENDA DESCRIPTION

City Council approval is needed to select the affordable housing development team from the RFP submitted to develop housing on the City-owned property located at 43 and 91 Douglass Street and delegate to the Economic and Development Committee to negotiate the Purchase and Sale Agreement.

During their August 18, 2020 meeting, the Economic Development Committee voted 3-1 (Chong) to authorize staff to move forward with negotiations for a Purchase and Sale Agreement with Jack Soley, Avesta Housing, and Hebert Construction.

The Housing Committee reviewed the proposals during their July 8th meeting but did not take a formal vote on the proposals; however, committee members did express a preference for the proposal from the Szanton Company and Maine Cooperative Development Partners.

Two proposals were received for the disposition and development of 43 & 91 Douglass Street. The Douglass Yards (Soley/Avesta/Hebert) proposal is for a 40-unit rental building, a 30-unit condominium building, and the development of 10 single-family homes with accessory dwelling units. The Douglass Commons (The Szanton Company & Maine Cooperative Development Partners) proposal is for a 4-story 56 unit apartment building and 52 Limited Equity Cooperative units (i.e. Co-op) in three 3-story buildings with 12 units each and four 2-story buildings with 4 units each. A copy of each proposal is included in the backup attachments.

Because the Housing Committee and Economic Development Committee supported competing proposals, it was determined that the decision should be presented for Council action. Therefore, an amendment to the Order to select the Szanton Company and Maine Cooperative Development Partners proposal is included in the

back up material.

On November 9, 2020, the City Council postponed this item to November 16, 2020. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

Two proposals were received for the disposition and development of 43 & 91 Douglass Street. A review of the proposals by Jack Soley, Hebert Development and Avesta Housing, and The Szanton Company follow.

Douglass Yards (Soley/Avesta/Hebert) is requesting a contract zone or zone change to allow for density and use of space requirements as set forth in the R-5A Zone. The proposal is for a 40-unit rental building, a 30-unit condominium building, and the development of 10 single-family homes. The rental and condo structures would be 3-story, elevator buildings. The 10 family homes would include garages and 450 sf of accessory dwelling units for additional housing options. Per the developer, “the site concept, with rental units, condominiums, and single-family homes with ADU’s allows residents who start as renters to move on to condominium or homeownership. Lower income residents, many of them recent immigrants to this country, may receive housing assistance in order to afford their apartments. As these tenants gain greater financial stability, there will be opportunities for accessible home ownership within their same familiar neighborhood. For residents that continue to attain upward mobility, the single-family homes may present a viable option with their attached Accessory Dwelling Units (ADUs).” Avesta Housing HomeOwnership Center may provide home buyer classes and free credit, financial and budgeting capabilities counseling to individuals and/or families. These services would be offered to future Douglass Yards residents whether they may be buying a condo or may be an existing resident transitioning from the rental housing into home ownership. For individuals that meet the criteria, the home buyer classes have the added benefit of providing a \$3,500 MaineHousing Advantage grant upon completion to be used towards a down payment or closing costs.

An Affordable Housing TIF and 9% LIHTC from MaineHousing will be requested for the 40-unit rental housing portion of the proposed project. The building would remain affordable for at least 45 years as enforced by an extended use agreement with Maine State Housing Authority. However, it is Avesta’s intent and mission to keep the building affordable and restricted to serve people of need beyond the required 45 years. Per the developer, the small size of the 30 condominium units would assure accessible prices in perpetuity.

As noted by the developer, the 10 single-family homes would be efficient in size and design to facilitate affordability. Each home would include an Accessory Dwelling Unit to help buyers afford the high costs of home ownership.

The source of funding for the 30-unit condominium and 10 single-family homes are developer equity and bank financing only.

Douglass Commons (The Szanton Company & Maine Cooperative Development Partners) is requesting a zone change to allow for density and use of space requirements as set forth in the R-6 Zone. The proposal is for a 4-story 56 unit apartment building and 52 Limited Equity Ownership homes (i.e. Co-op) in three 3-story buildings with 12 units each and four 2-story buildings with 4 units each.

Affordability restrictions on Limited Equity Co-op units would be permanent, and for the apartments, the longest period allowed by law, secured by covenants. The Co-op ownership structure is a Limited Equity

Cooperative as defined in Maine State Law, meaning that residents rent from an entity that they co-own. This type of cooperative is democratically owned and operated similar to a condo structure, but allows for a wider range of income affordability, as residents do not have to qualify for a mortgage. Resident-owners pay a share price similar to a small down payment, then have a monthly payment similar to rent or mortgage. The Co-op itself holds the mortgage for the property, and over time, the homes become more affordable as expenses increase only with actual expenses - there is no profit motive. New residents must meet income requirements, and monthly costs must not exceed 30% of the Area Median Income (AMI) income bands. These rules continue in perpetuity.

Per the developer, current economic conditions allow the market rate units to be affordable those with incomes at approximately 75-80% of AMI.

Per the developer, there are currently over 20 households of prospective cooperative 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 for site design, for self-governance, and to recruit more households.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The City of Portland is committed to providing housing opportunities and has set a goal to leverage underused properties through the sale of City-owned land for housing development, and to explore new tools that support innovative frameworks for housing creation, stability, and affordability.

V. FINANCIAL IMPACT

Douglass Yards (Soley/Avesta/Hebert) The financial pro forma includes a purchase price for the city-owned property of \$575,000. The developer has indicated that they would submit a request for an Affordable Housing TIF for the LIHTC rental property.

According to the Assessor, the estimated assessment of the 40-unit rental building, would be \$4,100,000 for an estimated tax of \$95,571 at the current millage rate. The projected 30-year total new taxes (using a 2% escalator) are \$3,857,192 or a projected 30 year average of \$129,573.

The annual estimated taxes of the one-bedroom condominium and two-bedroom condominium units would be approximately \$5,300 and \$6,600 respectively. The individual owners of each home would be eligible for the Homestead Exemption, which would reduce their taxes by \$440 per year once enrolled. The projected 30-year total new taxes (using a 2% escalator) are \$7,928,601 or a projected 30 year average of \$264,287.

The single-family homes would have an estimated annual tax of \$8,300. The individual owners of each home would be eligible for the Homestead Exemption, which would reduce their taxes by \$440 per year once enrolled. The projected 30-year total new taxes (using a 2% escalator) are \$4,099,338 or a projected 30-year average of \$136,645.

Douglass Commons (The Szanton Company & Maine Cooperative Development Partners) The financial pro forma includes a purchase price for the city-owned property of \$475,000. The developer's application indicated that they would submit a request for an Affordable Housing TIF as well as possible assistance through the Housing Trust Fund.

Per the Assessor, for the 56-unit apartment building, the estimated assessed value would be \$5,800,000 with a tax estimate of \$135,000. The projected 30-year total new taxes (using a 2% escalator) are \$5,456,516 or a projected 30-year average of \$181,884.

The Co-Op Housing option has a total assessed value of \$10,000,000 with a total tax estimate of \$233,000. These units would be individually assessed and taxed, but for purposes of this estimate, the Assessor used the rents provided for the 52 units assuming a single ownership of all units by the Co-Op. The projected 30-year total new taxes (using a 2% escalator) are \$9,407,785 or a projected 30-year average of \$313,593.

VI. STAFF ANALYSIS AND BACKGROUND

Staff Analysis and Background that will not appear in the Agenda Description.

During the July 21, 2020 meeting of the Economic Development Committee, members requested additional financial information from the proposers of 21 Randall Street and, 43 and 91 Douglass Street. This memo and its attachments contain information requested by the committee including rent schedules by bedroom count and AMI levels, estimated sale price for home ownership units, assessment, and annual taxes.

Affordability: As outlined in the RFP submission requests, 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.

Proposed unit sale price amounts will be determined by estimating the mortgage payment, less property tax, less mortgage insurance, less homeowner association fees, less homeowner's insurance, less utilities. The mortgage payment is based on 30% of gross monthly income for a household earning 110% AMI. Income qualification would be at or below 120% AMI.

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.

Tax Assessment and Annual Tax Estimates: The estimated taxes provided by the Assessor (and included in the backup attachments) are only estimates based on a limited data set of financial information. There are several unknowns that make estimating a difficult task. First is the unknown increase on the total City valuation from the upcoming revaluation and second the subsequent unknown decrease on the millage rate. As such, these estimates lean towards the higher end of the value and tax spectrum. Once a project is selected and a more thorough pro-forma can be developed for the specific project, a much more accurate estimation would be provided.

Household Size: The Inclusionary Zoning (IZ) Implementation Guidelines set forth standards for determining eligible household size for workforce housing units. Staff utilized these guidelines to determine the size of the household likely to occupy the units proposed in these developments. The IZ guidelines state that household size/composition should be appropriate to the size of the unit as outlined in the chart below. For the qualification of households by unit size, the head of the household and spouse/partner are assumed to share a bedroom. Two children, whose ages are not excessively disparate, may share a bedroom. On average, there will be no fewer than one, nor more than two persons per bedroom.

Impact on Education as a Result of Development: Staff is analyzed data received from each development team and completed an analysis of the financial impact on the public education system. A detailed analysis is the backup attachments.

Douglass Yards: estimated number of students is 108 with an estimated State of Maine EPS Funding total of \$812,961.

Douglass Commons: estimated number of students is 186 with an estimated State of Maine EPS Funding total of \$1,400,628.

Additional Information: During the July 21, 2020 Economic Development Committee meeting, Council Chong asked for information regarding the number of 3-bedroom units that have been created in the past couple of years. To summarize the data, 27 projects approved by the Planning Board have included three bedroom units with a total of 157 three-bedroom units. Six of the 27 projects are currently under construction with a total of 57 three-bedroom units. Eight of the 27 projects have been completed with a total of 26 three-bedroom units.

VII. RECOMMENDATION

Staff recommends the City Council review and select the affordable housing developer from the RFP submitted to develop housing on the City-owned property located at 43 and 91 Douglass Street and delegate to the Economic and Development Committee to negotiate the Purchase and Sale Agreement.

VIII. LIST ATTACHMENTS

1. Order Referring the Negotiation of a P&S with Soley, Avesta and Hebert for 43 and 91 Douglass Street to EcoDevo Comm 11.9.2020
2. Amendment re the Szanton Company and Maine Cooperative Development Partners for 43 and 91 Douglass Street 11.9.2020
3. Avesta, Hebert, Jack Soley
4. The Szanton Company
5. Douglass Street Proposal Comparison Matrix
6. Ptd TIF Models - Douglass Commons & Douglass Yards 8-14-2020
7. Douglass Street RE Tax Benefits
8. Phoenix Fields recommendation
9. Douglass Commons Recommendation
10. Douglass Yards Developer Follow-up Memo 10302020

Prepared by:

Mary Davis, Division Director

Date: 11/10/2020

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER REFERRING THE NEGOTIATION OF A PURCHASE & SALE AGREEMENT
WITH JACK SOLEY, AVESTA HOUSING AND HEBERT CONSTRUCTION FOR
43 AND 91 DOUGLASS STREET TO THE
ECONOMIC DEVELOPMENT COMMITTEE**

ORDERED, that the negotiation of a purchase & sale agreement with Jack Soley, Avesta Housing and Hebert Construction for development of 43 and 91 Douglass Street is hereby referred to the Economic Development Committee; and

BE IT FURTHER ORDERED, that the negotiated purchase & sale agreement shall be returned for review and approval to the City Council, when final.

**AMENDMENT TO ORDER 120-20/21
PREPARED BY CORPORATION COUNSEL FOR THE HOUSING COMMITTEE
RE: PROPOSAL FROM THE SZANTON COMPANY AND
MAINE COOPERATIVE DEVELOPMENT PARTNERS**

**ORDER REFERRING THE NEGOTIATION OF A PURCHASE & SALE AGREEMENT
WITH THE SZANTON COMPANY AND
MAINE COOPERATIVE DEVELOPMENT PARTNERS
~~JACK SOLEY, AVESTA HOUSING AND HEBERT CONSTRUCTION~~ FOR
43 AND 91 DOUGLASS STREET TO THE
ECONOMIC DEVELOPMENT COMMITTEE**

ORDERED, that the negotiation of a purchase & sale agreement with the Szanton Company and
Maine Cooperative Development Partners ~~Jack Soley, Avesta Housing and Hebert~~
~~Construction~~ for development of 43 and 91 Douglass Street is hereby referred to
the Economic Development Committee; and

BE IT FURTHER ORDERED, that the final purchase & sale agreement shall be returned for
approval to the City Council, when final.

PROPERTY DISPOSITION & DEVELOPMENT

43 & 91 DOUGLASS STREET
PORTLAND, ME

SUBMITTED TO:
CITY OF PORTLAND
PURCHASING OFFICE
CITY HALL, ROOM 103
389 CONGRESS STREET
PORTLAND, ME 04101

Jack Soley

HEBERT
DEVELOPMENT


AVESTA
HOUSING

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01

LETTER OF INTEREST

LETTER OF INTEREST

June 16, 2020

City of Portland
City Hall
389 Congress Street
Portland, Maine 04101

To Whom This May Concern:

Jack Soley, Hebert Development, and Avesta Housing are pleased to provide the City of Portland with our proposal to acquire and develop the properties located at 43 and 91 Douglass Street, Portland, Maine. The development proposal presents a mixed-income, age-inclusive community. The community will provide both rental and homeownership opportunities for a diverse population of individuals and families.

Key highlights of our proposal include:

- A. A team with a proven expertise and ability to execute.
- B. Economically diverse housing meeting the market demand.
- C. Thoughtful sustainable project design elements to complement surrounding neighborhood.
- D. Building features and amenities that will enhance the lives of the residents and community.

Given our team's long history and extensive experience working in and with the City, we understand the importance of the City goals and the future development's impact on the surrounding community. We would welcome the opportunity to collaborate with the City of Portland to acquire this site and make it the future location of a new and exciting development.

Please feel free to reach out to us with any questions. Thank you for your time and consideration.

Sincerely,

Jack Soley
Owner
East Brown Cow Associates

Timothy Hebert
Owner
Hebert Development

Dana Totman
President | CEO
Avesta Housing

The background of the page is a dark, blue-tinted photograph of a construction site. A large tower crane is visible on the right side, and the skeletal steel framework of a multi-story building is in the center. The overall mood is industrial and modern.

02

DEVELOPMENT TEAM CONTACTS

DEVELOPMENT TEAM CONTACTS

JACK SOLEY

100 Commercial Street, Suite 306
Portland, ME 04101
o. (207) 775-2252

Contact:

Jack Soley | Owner
jsoley@eastbrowncow.com
c. (207) 808-4714

HEBERT DEVELOPMENT

62 India Street, Suite A
Portland, ME 04101
o. (207) 783-2091

Contact:

Timothy Hebert | Owner
thebert@hebertconstruction.com
c. (207) 212-2176

AVESTA HOUSING

307 Cumberland Avenue
Portland, ME 04101
o. (207) 553-7777

Primary Contact:

Rebecca Hatfield | Vice President of Real Estate Development Management
rhatfield@avestahousing.org

Alternative Contact:

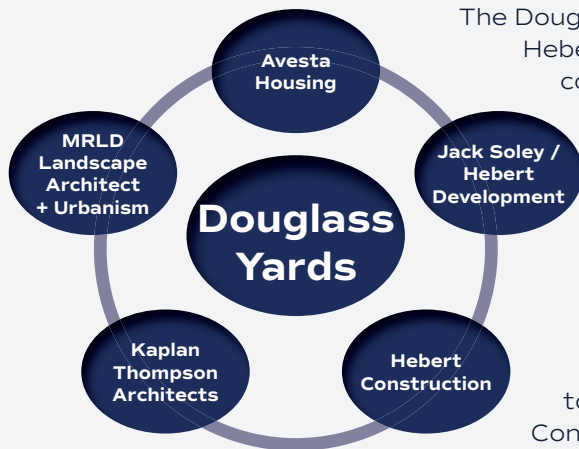
Nate Howes | Development Officer
nhowes@avestahousing.org
c. (207) 245-3374

The background of the page is a dark, blue-tinted photograph of a construction site. A large tower crane is visible on the right side, and a complex steel framework of a building under construction dominates the center. The overall mood is industrial and professional.

03

TEAM CAPACITY & QUALIFICATIONS

TEAM CAPACITY AND QUALIFICATIONS



The Douglass Street development team will comprise of Jack Soley, Hebert Development and Avesta Housing. We will collaborate as co-developers to create a cohesive development that fits the existing context of the neighborhood, meets the needs of future residents and embraces the larger community.

Our team brings significant expertise and experience in the areas of development, construction, design, and management. Collectively, we have successfully completed hundreds of developments. As highlighted in the list below, we have previously partnered in various capacities, which has allowed us to establish strong relationships and confidence in our ability to deliver. The team is also unique in that it includes Hebert Construction, a leading construction contractor in New England.

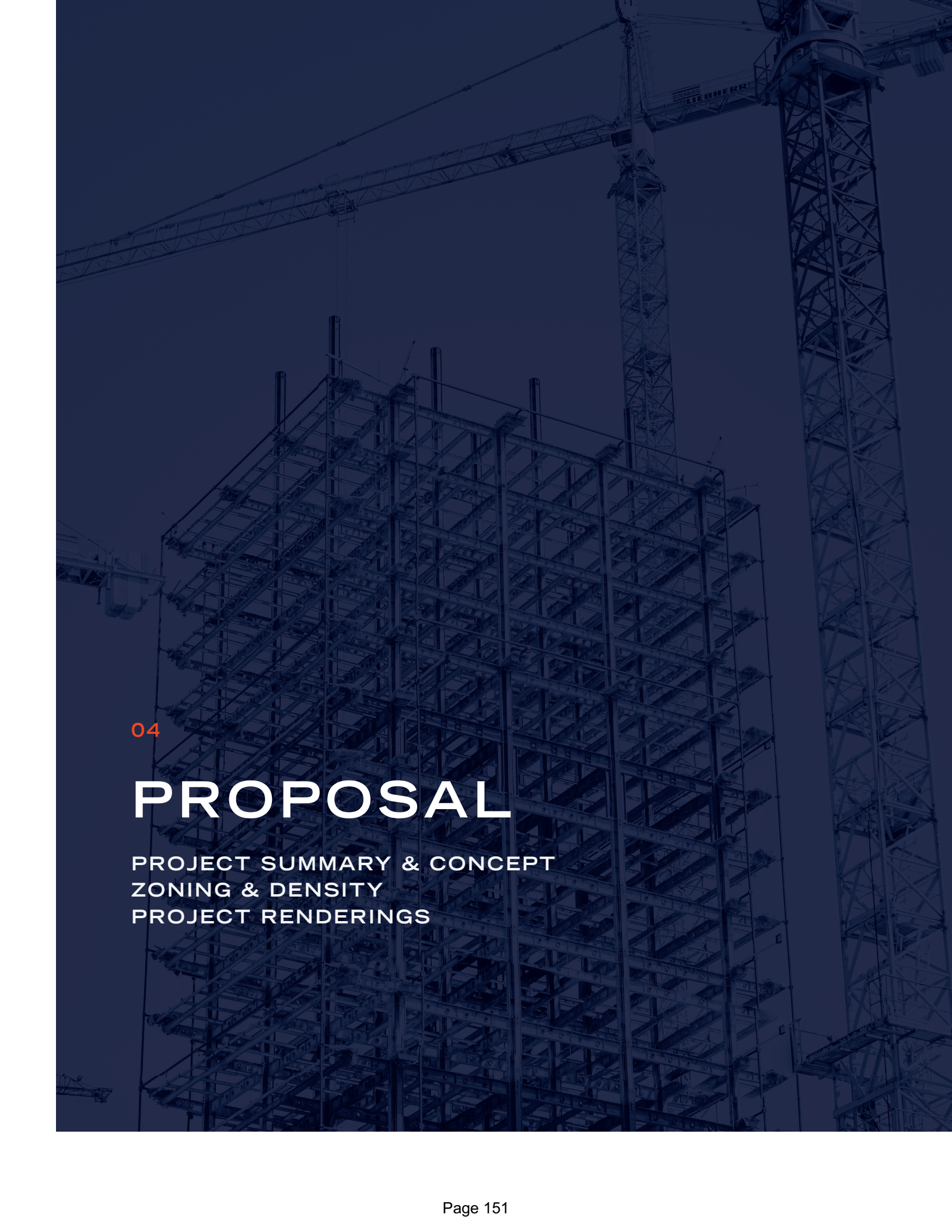
Hebert is a co-developer, but will also serve as the general contractor.

Because of this, the team will have the added benefit of Hebert's construction insight and guidance to make informed decisions from concept inception through completion based on shared knowledge and common goals.

We will use the same partners on all aspects of the development ensuring an efficient and cohesive execution of the project vision. In addition to Jack Soley, Hebert Construction and Avesta, the team will include Kaplan Thompson Architects, MRLD Landscape Architecture + Urbanism, and Norway Savings Bank. Kaplan Thompson Architects and MRLD Landscape Architecture + Urbanism will complete the design of the site and buildings. Norway Savings Bank will provide the financing to both owners/developers. Kaplan Thompson, MRLD and Norway Savings Bank have long established relationships with the developers and have partnered with them on previous projects.

Team member profiles including bios, qualifications, and relevant project experience highlighting the details of the projects listed below, are provided in the Appendix.

Project / Location	Units	Description	Team Members
Parris Terraces Portland	23	Condominiums	Jack Soley (Developer) Kaplan Thompson (Architect) Hebert Construction (Contractor)
Bayside Anchor Portland	45	Affordable & market (mixed income) rental housing	Avesta Housing (Developer) Kaplan Thompson (Architect)
Thomas Heights Portland	18	Affordable rental housing for veterans	Avesta Housing (Developer) Hebert Construction (Contractor)
Blackstone Apts. Falmouth	39	Affordable rental housing for seniors	Avesta Housing (Developer) Kaplan Thompson (Architect)
West End Apts I & II South Portland	116	Affordable & market (mixed income) rental housing	Avesta Housing (Developer) Kaplan Thompson (Architect)
Blake & Pine Apts.	35	Affordable & market (mixed income) rental housing	Avesta Housing (Developer) Hebert Construction (Contractor) Norway Savings Bank (Lender)

The background of the page is a dark, blue-tinted photograph of a construction site. A large tower crane is visible on the right side, and the skeletal steel framework of a multi-story building is in the center. The overall mood is industrial and architectural.

04

PROPOSAL

PROJECT SUMMARY & CONCEPT
ZONING & DENSITY
PROJECT RENDERINGS

PROPOSAL

PROJECT SUMMARY & CONCEPT

Our proposed concept, Douglass Yards, will be a community that promotes equality and inclusiveness by providing both rental and homeownership options for a diverse population. Unlike other developments which typically are targeted to a specific demographic, Douglass Yards will embrace the idea of a democratic campus where residents of different ages, ethnicities and economic status will share the same community.

Douglass Yards will comprise of a 40-unit rental development, a 30-unit condominium, and 10 single family homes. The 40-unit multifamily rental housing will have efficiencies, one-bedrooms, two-bedrooms and three-bedrooms ranging from 375 to 950 square feet to accommodate households of all sizes. There will be six ADA compliant rental units, beyond the minimum account required by federal law, to promote and enhance accessibility for disabled and/or older residents. All rental units will be affordable to low and very-low income households through income and rent restrictions. The 30-unit condo building will include modest one- and two-bedroom condos ranging from approximately 475 to 600 square feet. The small size of the units will assure accessible prices in perpetuity. Twenty-four of the thirty condos will be priced to be affordable to households of moderate income (120% AMI), and 6 condo units will be sold at market rate. Details of affordability, including rent, income and condo price determination, is described further in the Occupancy and Management Plan section. The 10 single family homes will be made up of 950 sf single family home with 450 sf garage and 450 sf accessory dwelling unit. BrightBuilt Home will provide homes with efficient envelopes, net zero design, sustainable materials and a GREEN construction and delivery method where materials are locally sourced and transported from a factory within 50-miles of the site. Each home will be affordable in town living for a multitude of generations. These provide income for seniors who want to age at home, middle class families, young professionals and everyone in between seeking in-town home ownership.

Lower income residents, many of them recent immigrants to this country, may receive housing assistance in order to afford their apartments. As these tenants gain greater financial stability, there will be opportunities for accessible home ownership within their same familiar neighborhood. For residents that continue to attain upward mobility, our single-family homes may present a viable option with their attached Accessory Dwelling Units (ADUs).

Lower income residents, many of them recent immigrants to this country, may receive housing assistance in order to afford their apartments. As these tenants gain greater financial stability, there will be opportunities for accessible home ownership within their same familiar neighborhood. For residents that continue to attain upward mobility, our single-family homes may present a viable option with their attached Accessory Dwelling Units (ADUs).

Avesta Housing HomeOwnership Center provides home buyer classes and free credit, financial and budgeting capabilities counseling to individuals and/or families. These services will be offered to future Douglass Yards residents whether they may be buying a condo as the entry into home ownership or may be an existing resident who has the desire

PROPOSAL (CONT.)

to transition from the rental housing into home ownership. For those individuals that meet the criteria, the home buyer classes have the added benefit of providing a \$3,500 MaineHousing Advantage grant upon completion to be used towards a down payment or closing costs.

Building and Campus Features

Avesta Housing, Jack Soley, and Hebert Construction are committed to efficient and sustainable design that supports the goals of the City, the climate control efforts at the State level, and creates a healthy living environment for residents. Both structures will be 3-story, elevator buildings that are complementary to each other and incorporate similar materials and design features. The community, including the single-family homes, will aim to embrace the aesthetic of surrounding neighborhood while remaining consistent with City's planning objectives.

The campus will include a several features that will benefit and enhance the lives of the residents and surrounding community. There will be a large community room that may be used by residents, local community groups, or organizations. The site will provide sufficient parking, bike storage and is within close proximity of a bus stop facilitating various transportation options. Perhaps most importantly, given the sites proximity to existing high-trafficked outdoor areas of recreation, the proposed landscaping will be extensive. It's our intent to create a campus that not only serves as a continuation of the existing Libbytown neighborhood aesthetics but also acts as a nature-intensive gateway to the existing fields.

The landscape for Douglass Yards recalls great urban neighborhoods by making the streets civic spaces where people are safe and welcome. These shared space streets are activated urban open spaces defined by trees, narrow travel lanes, sidewalks, on-street parking, and biodiverse plantings. By using the street as framework for redevelopment, Douglass Yards integrates architecture and site into a seamless expression of place. As with many Portland neighborhoods, Douglass Yards includes open spaces that work with the scale and pattern of development providing opportunities for community gardens, gathering areas, urban rewilding, rain gardens, and connectivity. While the new homes are thoughtfully buffered from the existing neighborhood with trees and understory plantings, the site is a crossroads. Sidewalks, shared space streets, trails, and a boardwalk create connections to Douglass Street, Dougherty Field, and Dougherty Field Path allowing people of all ages to benefit from and identify with this new neighborhood.

As responsible stewards of the environment and community, we strive to not only create equitable and diverse housing but energy and water efficient housing that exceeds code and leverages green technology. To this end, we frequently incorporate numerous design features that reduce energy and water consumption and therefore at least partially offset our developments' carbon footprint. Our most frequently utilized green design features are as follows:

- Use of recycled-content building materials that are composed of at least 25% post-consumer or post-industrial material. Such materials include gypsum board (wall and ceiling), countertops, flooring (carpeting & resilient flooring) and acoustical panel ceilings.

PROPOSAL (CONT.)

- Building materials from regional manufacturers thus reducing the carbon producing transportation process while also supporting regional and local business.
- Better insulation, in conjunction with efficient air exchange vehicles, that result in lower energy usage and better internal air quality. We therefore typically install large R-value insulation, well in excess of currently building code requirements.
- Water-conserving fixtures – i.e. toilets, showerheads, kitchen faucets, and bathroom faucets. We find that these features, in conjunction with resident educational materials, can reduce water consumption at our properties.
- High performance appliances and lighting such as energy-star rated appliances, kitchen and bathroom fans, and LED lighting in interior, exterior and common areas.
- Extensive solar array. Our goal is to provide a significant portion of the energy consumption using an on-site PV system. We are exploring the possibility of creating a Solar Power Purchase Agreement (SPPA) which would provide a discounted electricity rate to the residents of Douglass Yards. We believe that by incorporating an economically viable solar framework during the design and planning process, this project can become a model for future developments.

Our Douglass Street development would incorporate many, if not all, of these features. Part of the impetus of choosing Kaplan Thompson Architects was their reputation as leaders in the field of sustainable building design. Their Bayside Anchor development, a certified energy efficient Passive House, has become a symbol of sustainable building practices in the greater Portland metro and beyond. With the assistance of architects on the forefront of sustainability, the design of the Douglass Street buildings and campus will incorporate many of these energy efficient design elements.

Neighborhood Context

A site's history and neighborhood context should inform any new campus' layout, site, and building aesthetics. To that end we plan to incorporate streetscape features that will allow for residents and the community at large to enjoy the new campus. First, we would construct sidewalks throughout the development so that residents of the Libbytown community can easily walk through the site on their way to the playing fields. Second, we would incorporate vehicle speed reducing features to ensure that traffic entering the campus would not travel in excess of posted limits; our sidewalks would remain safe. Third, to the extent that the City of Portland is willing and able to assist, we will advocate for increased transportation options along the Douglass Street section of Congress Street. Finally, we commit to the long-term maintenance of our facilities and site improvements. We have a proven track record of ensuring that our developments remain pristine. Our direct supervision of snow removal and other landscaping activities helps us ensure that our residents and properties are well cared for even when it snows. We are committed to ensuring everyone's ability to use our sidewalks, even in the dead of winter.

As stewards of the environment and as potential neighbors to the existing Libbytown community, we are committed to ensuring the complete remediation of environmental concerns related to the site's prior uses. Therefore, we plan to remove problematic soils and materials and replace them with lush indigenous landscaping including grass and local flora. Furthermore, we recognize that remediation of the existing conditions and subsequent

PROPOSAL (CONT.)

replacement with vegetation is not enough. We must also plan for the future and the site's impact post-completion. With the future in mind, we have designed a robust stormwater system that will slow, collect, and mitigate the effects of heavy rain events. Our design will therefore ensure that the local neighborhood will not be adversely impacted by the addition of our buildings and pavement. Excess water will be directed away from the neighborhood and our buildings thus allowing our extensive landscaping and green space to thrive. It will remain intact for resident and neighborhood use for decades to come.

Project Readiness

The 30 unit condominium building is not subject to the timeframes of federal financing. Therefore, it is expected that construction could begin within nine to twelve months of selection under the RFP or approximately the summer of 2021. The timeframe between selection and construction start would only be dependent on design development and the City/State permitting processes. The condominiums would be ready for occupancy in the summer of 2022.

The 40 unit building would use MaineHousing financing which is cyclical in nature; financing would be secured within approximately one year of selection. Construction would then start approximately nine to twelve months from the date financing is secured, anticipated summer of 2022. The apartment building would be ready for occupancy in the summer of 2023.

ZONING & DENSITY - Dynamic Rental and Homeownership Campus

The parcels on Douglass Street are currently in the R-5 zone. Under this ordinance, a PRUD development would allow for a maximum of 47 units in approximately four buildings based on the per building max of 12 units and the per square foot minimum of 3000 per dwelling unit. If the site was in the R-5A zone, the maximum of 12 units per building would not apply and there could be a total of approximately 90 units based on a minimum square footage of 1600 per dwelling unit. It is our contention that the size of parcels, and their location in central Portland, just off congress street in the Libbytown Neighborhood, makes the site ideal for a higher density development. This area of congress street is within .25 miles of the Portland Transportation Center with bus and rail service to Boston and beyond. In addition, the parcels are only .4 miles from the Union Station Plaza and .5 miles from the Maine Medical Center Campus. The proximity of these parcels to transportation, retail, and healthcare services make the Douglass Street campus an ideal location for a higher density development. In addition, the Douglass street parcels are within .25 miles of the nearest R-5A zone, which allows for the higher density noted above.

The enclosed proposal details a two-building and ten single family home development with approximately 80 units and abundant greenspace for resident and neighbor recreation. This scale of development would fit within the R-5A zone and existing neighborhood aesthetic, but it is not accommodated by the existing R-5 zone. Given the presence of other three-story buildings in the area, including two existing apartment buildings at 49-53 Douglass Street, the Douglass Street Campus fits seamlessly within the neighborhood context and aesthetic. The new campus would be an extension of the existing Libbeytown Neighborhood, it would not be an aberration.

PROPOSAL (CONT.)

We contend that a PRUD development is not the highest and best use of the site given its size and central location. Given the characteristics of the site, its central location, and the limited required zoning changes for this proposal's feasibility, we request zoning relief from the City Council. The form of such relief will be at the council's discretion as either a contract zone or a zoning change to R-5A. Such relief will allow for the addition of these affordable units to the City's housing stock. Furthermore, this proposal is unique in its aim to create a pathway from sustainable renting to homeownership on a single campus; providing a variety of avenues for housing stability and long-term financial success.

Homeownership remains the primary means for the American middle class to accumulate wealth and achieve long-term financial stability. The site concept, with rental units, condominiums, and single-family homes with ADU's allows residents who start as renters to move on to condominium or homeownership. The National Low-Income Housing Coalition's 2019 "Out of Reach" dataset indicates that a renter earning the State's minimum wage of \$11.00 an hour would need to work 58 hours per week to pay for the average one-bedroom apartment (\$823 monthly rent). This "minimum hours worked" statistic would be much more pronounced in Portland where one-bedroom apartments are frequently rented at \$1400 and two-bedroom units often reach \$1800-\$2000. Portland's rental landscape not only makes it difficult to live paycheck-to-paycheck, but the market makes it nearly impossible for low-income Mainers to save for a home. This predicament, the inability of Portland renters to save for an affordable home, is what we hope to resolve with this campus. A renter will enter the campus and pay rent that is below the Portland market standard. The resident can then remain in their unit as their savings and income increase preparing them to eventually buy one of the single family homes with ADU's on site.

ATTACHMENTS

Please see the following pages for:

- Site Plan and Project Renderings
- BrightBuilt Home Information & Energy Comparisons
- BrightBuilt Home Portfolio Photos





NET ZERO ENERGY HOMES

BRIGHTBUILT

●●●HOME



"The team at BrightBuilt turned my desire for a greener way of life into a national award-winning showcase for sustainable building. They far exceeded my expectations, and were a constant pleasure to work with."

—Keith Collins, Owner - BrightBuilt Barn

BRIGHTBUILT HOMES ARE BETTER BECAUSE...

- they are very **cozy and comfortable**;
- they are **sunnier, warmer, and quieter**;
- they can have **the same monthly cost** as traditional homes;
- they require **less maintenance**;
- they are **healthier** for you and your family;
- they are **energy efficient**; and
- they can **cut your utility bills in half...** or eliminate them entirely with our **Net Zero** option.

WHAT MAKES BRIGHTBUILT A HIGH-PERFORMANCE HOME?

- **Bigger, Better Windows.** They are specially engineered to capture the sun's heat without letting it escape, brightening and heating the house.
- **No Furnace.** Furnaces break down, chug oil, and leave you vulnerable to the unpredictability of changing fuel costs. BrightBuilt Homes feature triple-efficient heat pumps instead, which provide A/C as an added bonus.
- **Twice the Insulation.** This keeps you warmer in the winter and cooler in the summer.
- **Draft-Free, Toxin-Free, Leak-Tested.** Fresh, clean air is circulated year-round and safe, non-toxic materials are used throughout.
- **Efficient, High-Quality.** BrightBuilt Homes are precision-engineered and constructed primarily off-site to increase quality, efficiency, speed, and to extend the building season in colder climates.
- **Durable & Quiet.** Superior wall construction is nearly twice as thick as that of a traditional home, significantly reducing noise from outside.

WHICH BRIGHTBUILT IS THE BEST FIT?

3 LEVELS OF CUSTOMIZATION

READY HOME

One of our standard, high-performance home designs, with a simplified selection process and a speedier timeline.

CHOICE HOME

Our high-performance home with an option to customize windows, walls, porches, even whole room sizes & locations, to fit your unique building site and lifestyle.

CUSTOM HOME

A high performance home that uses the BrightBuilt construction system, but has a completely unique design — or we can adapt your existing design to the BrightBuilt system.

	READY HOME	CHOICE HOME	CUSTOM HOME
CUSTOMIZATION AVAILABLE	A LITTLE	A LOT	ALL OF IT!

12 CHOICE HOME & READY HOME STYLES TO CHOOSE FROM



ENERGY SPECIFICATION COMPARISONS

		CONVENTIONALLY BUILT HOME	BRIGHTBUILT HOME WITH SOLAR
WINDOWS	MANUFACTURERS	ANDERSEN OR JELD-WEN (TYP)	PARADIGM, MATHEWS BROTHERS, LOGIC
	R-VALUES	R-2.8 TO 3.7	R-4.8 TO R-5.6
INSULATION R-VALUES	FOUNDATION SUB-SLAB	R-10	R-20
	FOUNDATION WALLS	R-10 TO 19	R-20
	EXTERIOR WALLS	R-19	R-40
	ROOF	R-38 TO 49	R-60
INSULATION TYPE		FIBERGLASS	CELLULOSE AND RIGID FOAM
HEATING		OIL OR GAS FURNACE	ZERO FOSSIL FUEL MINI-SPLITS
COOLING		NONE	INCLUDED WITH MINI-SPLITS
FILTERED FRESH AIR EXCHANGE		NONE	ERV FRESH AIR SYSTEM
OPTION FOR WOOD STOVE		YES	YES
SOURCE OF ENERGY		UTILITY COMPANIES	ON-HOME SOLAR



The background of the page is a dark, blue-tinted photograph of a construction site. A large tower crane is visible on the right side, and the skeletal steel framework of a multi-story building is in the center. The overall mood is industrial and modern.

05

FINANCIAL FEASIBILITY

LAND ACQUISITION & PURCHASE PRICE
SOURCES & BUDGETS

FINANCIAL FEASIBILITY

LAND ACQUISITION AND PURCHASE PRICE

In an effort to determine a fair purchase price for the parcels at 43 and 91 Douglass St., we commissioned Malone Commercial Brokers to present us with a Broker Opinion of Value (BOV) to use as a guideline (attached). The parcels are very attractive given their proximity to City athletic fields as well as a commercial center and transportation hub. However, there are also well documented environmental issues with the site that must be addressed before a residential development could take place. In addition, the current zoning allows for a maximum of forty-seven units in the form of single family, two family, and Planned Residential Urban Developments (PRUDs). These types of projects are typically more costly to build and therefore more expensive to the consumer than larger multi-tenanted building. Our goal is to offer housing across the socioeconomic strata, with a strong emphasis on entry level home ownership and subsidized housing.

Based on the current zoning, the maximum build-out of forty-seven units at a land cost of \$10,000 per unit, Malone Commercial Brokers estimates the value of the property (before discounting due to environmental issues) to be \$470,000. Though a Phase 2 Environmental Study has been completed, the full extent of present issues and the cost of their remediation will not be fully known until a comprehensive survey of the site is complete. It is our professional opinion that given the current lack of affordable housing in the City of Portland, we feel that the highest and best use of the parcel is for a denser development. With zoning changes to reflect this density, and a discount to address the environmental expenses, we feel that the land has a value of \$575,000.

FINANCIAL FEASIBILITY (CONT.)

SOURCES AND BUDGETS

30-UNIT CONDO DEVELOPMENT

Sources:		Budgets:	
Investor Equity	1,035,491	Construction	5,224,760
Bank Financing	5,867,782	Soft Costs	261,238
		Financing	129,350
		Closing Costs	121,950
		Acquisition	215,625
		Permits & Fees	575,350
		Fees & Reserves	375,000
Total	\$6,903,273	Total	\$6,903,273

1. Investor Equity

Owners, Jack Soley and Tim Hebert will be investing the first 15% of the project costs as equity into the project.

2. Construction Loan

Jack & Tim will seek a construction loan from Norway Savings Bank. Norway Savings has a strong and established relationship with both Jack and Tim. Norway has partnered with Jack individually as the lender on another workforce housing development in addition to many other commercial lending situations. Norway has partnered with Tim Hebert in both business relationships and lending. Furthermore, Hebert Construction has partnered with Norway to build most of their newer facilities in Central and Southern Maine. Norway Savings Bank will issue a commitment upon review of the final underwriting.

FINANCIAL FEASIBILITY

SOURCES AND BUDGETS (CONT.)

10 SINGLE-FAMILY HOMES W/ ADU DEVELOPMENT

Sources:		Budgets:	
Investor Equity	756,623	Construction	4,387,500
Bank Financing	4,287,527	Soft Costs	105,650
		Financing	60,000
		Closing Costs	52,750
		Acquisition	71,875
		Permits & Fees	145,875
		Fees & Reserves	220,500
Total	\$5,044,150	Total	\$5,044,150

The 10 Single-family home development will be funded via the following sources:

1. Investor Equity

Owners, Jack Soley and Tim Hebert will be investing the first 15% of the project costs as equity into the project.

2. Construction Loan

Jack & Tim will seek a construction loan from Norway Savings Bank. Norway Savings has a strong and established relationship with both Jack and Tim. Norway has partnered with Jack individually as the lender on another workforce housing development in addition to many other commercial lending situations. Norway has partnered with Tim Hebert in both business relationships and lending. Furthermore, Hebert Construction has partnered with Norway to build most of their newer facilities in Central and Southern Maine. Norway Savings Bank will issue a commitment upon review of the final underwriting.

FINANCIAL FEASIBILITY

SOURCES AND BUDGETS (CONT.)

40-UNIT LIHTC DEVELOPMENT

Sources:		Budgets:	
MaineHousing Subsidy	800,000	Construction	7,947,574
MaineHousing Debt	3,400,000	Soft Costs	1,018,100
UHTC Equity	6,830,517	Financing	430,000
		Misc. Costs	172,500
		Acquisition	287,500
		Fees & Reserves	1,174,843
Total	\$11,030,517	Total	\$11,030,517

The 40-unit development will be funded via the following sources:

1. Low-Income Housing Tax Credit Capital (LIHTC)

Avesta will generate equity through the syndication of Low-Income Housing Tax Credits ("LIHTC"). Avesta has a proven track record of successful LIHTC applications. The timing of LIHTC commitment is as follows:

- Application Submission: July 2021
- Anticipated award date: October 2021

2. MaineHousing Debt and Subsidy

As a part of our LIHTC application, we will also request permanent debt through MaineHousing and MaineHousing subsidy. Avesta is in good standing with MaineHousing and has successfully secured both of these sources for several LIHTC developments.

- Application Submission: July 2021
- Anticipated award date: October 2021

3. City of Portland Affordable Housing Tax Increment Financing (AHTIF)

Avesta will apply for affordable housing tax increment financing (AHTIF) for purpose of supporting the development of the 40-unit LIHTC funded building. This funding mechanism is critical to the financial feasibility of the affordable housing development. The AHTIF will allow Avesta to leverage \$3.4 million in MaineHousing permanent financing, approximately \$1 million more than if an AHTIF was not granted.

We will submit the AHTIF application as soon as possible or in accordance with the City's timeline for AHTIFs.

4. Construction Loan

Avesta will seek a construction loan from Norway Savings Bank. Norway Savings has a strong and established relationship with Avesta and has partnered with Avesta as the lender on other affordable housing developments. Norway Savings Bank will issue a commitment upon review of the final underwriting.

The background of the page is a dark, blue-tinted photograph of a construction site. A large tower crane is visible on the right side, and the skeletal steel framework of a multi-story building is in the center. The overall mood is industrial and modern.

06

DEVELOPMENT TIMELINE

DEVELOPMENT TIMELINE

Douglass Yards is a unique shovel-ready neighborhood development. Our development approach allows for site buffering to be implemented during the first phase of construction to soften the impacts on the existing neighborhood. Both our workforce housing condo units along with our BrightBuilt single family homes are market ready, backed by private equity and traditional bank financing. The timeline for the project allows for housing to be available within a year.

Development Timeline	Projected
Site	
RFP Submission	06/16/2020
RFP Decision	07/31/2020
Purchase & Sale	08/10/2020
Acquisition (ready to close within 45 days)	10/01/2020
Municipal Approvals	04/01/2021
30-Unit Condo & 10 Single Family Home Development	
Planning board submission	12/01/2020
100% Construction Plans	02/25/2021
Construction loan closing	03/15/2021
Construction Start	04/01/2021
Substantial Completion	12/20/2021
Occupancy	12/30/2021
40-Unit LIHTC Development	
Financing	
MaineHousing Application	08/26/2021
MaineHousing Selection	10/31/2021
Construction Loan Commitment (CLC)	11/01/2022
Permanent Loan Commitment (CLC)	11/01/2022
Other Sources Committed (CLC)	11/01/2022
Plans and Specifications	
100% Construction Plans	09/30/2022
Construction Loan Closing	11/01/2022
Construction Start	11/02/2022
Substantial Completion	12/01/2023
Completion of Construction	02/01/2024
Lease-Up	
Lease-up Begins	02/2024
Sustained 95% Occupancy	07/2024

Our affordable housing development, the 40 unit Avesta building, takes a bit longer due to MaineHousing required timelines. Our timetable accounts for these various steps required to gain approvals in a realistic and proven sequence. The overall timeline is real, our approach is simple and our team is experienced and ready.

The background of the page is a dark blue-tinted photograph of a construction site. A large tower crane is visible on the right side, and the skeletal steel framework of a multi-story building is in the center. The overall scene is industrial and captures the early stages of a large-scale construction project.

07

OCCUPANCY & MANAGEMENT PLAN

OCCUPANCY AND MANAGEMENT PLAN

Avesta Housing, Jack Soley and Hebert Development propose to build an equitable neighborhood where residents of different socio-economic status will live on a single campus. The rents and for sale price points will create housing opportunities for people ranging from below 50% of Area Median Income (“AMI”) to over 120% of AMI per federal income definitions. This approach will create a true economically diverse campus that is representative of demographics and housing need in the City of Portland.

Upon acquisition to the land parcel, the land will either be subdivided, or a land condominium will be formed. The campus will include two or three land units (“Land Unit X”) based on the development proposal selected by the City. Land Unit 1 will be owned by Avesta Housing (“Avesta”) for the purposes of developing a 40-unit affordable rental property. Land Unit 2 and Land Unit 3 will be owned by Jack Soley and Tim Hebert / Hebert Construction. The land associated with Unit 2 will be for purpose of the development of a 30-unit condominium, and Land Unit 3 will be retained for the potential development of single-family homes.

Land Unit 1 – Ownership and Affordability

The development located on Land Unit 1 will be funded by Low Income Housing Tax Credits (“LIHTC”). The LIHTC development will be owned by a single-purpose limited partnership, of which Avesta will serve as the General Partner and tax credit investors will serve as the limited partner. Avesta will also manage the property.

The 40-unit multifamily development will have long term affordability, with all of the units being restricted to households at 60% of AMI or below, and a portion may have deeper targeting restricted to 50% of AMI or below. The area median income and maximum affordable rents are governed by Internal Revenue Service LIHTC guidelines. The building will remain affordable for at least 45 years as enforced by an extended use agreement with Maine State Housing Authority. However, it is Avesta’s intent and mission to keep the building affordable and restricted to serve people of need beyond the required 45 years.

Land Unit 2 and 3 – Ownership and Affordability

Land Unit 2 will comprise a 30-unit condominium building. Twenty-four one- and two-bedroom condominiums will be sold at price points affordable to households and individuals with incomes up to 120% of AMI, based on federal income guidelines as defined by the US Department of Housing and Urban Development. The small size of these units will assure affordability in perpetuity. Using federal income guidelines creates consistency with Low Income Housing Tax Credit property also located on the site and facilitates an opportunity for households to graduate into home ownership. The remaining six modest one-bedroom condos will sell at market rate to folks looking to downsize and simplify their lives. The condominium association and building will be managed by Avesta Housing or another third-party manager.

The ten single family homes located on Land Unit 3 will be efficient in size and design to facilitate affordability as compared to other homeownership options within the City of Portland. The homes will be modest and include Accessory Dwelling Units to help buyers afford the high costs of home ownership.

08

APPENDIX

- A | PROFILE - JACK SOLEY
- B | PROFILE - HEBERT DEVELOPMENT / CONSTRUCTION
- C | PROFILE - AVESTA HOUSING
- D | PROFILE - KAPLAN THOMPSON ARCHITECTS
- E | PROFILE - MRLD LANDSCAPE ARCHITECTURE
+ URBANISM
- F | NEIGHBORHOOD SUPPORT LETTER
- G | BROKER'S OPINION OF VALUE
- H | LENDER INSTITUTION SUPPORT LETTERS

JACK SOLEY

Jack Soley is a founding partner of East Brown Cow, a real estate investment company. Jack has 31 years of experience in acquisition, development, construction, and management of commercial and residential projects. He owns individually and in partnership approximately two million square feet of commercial and hospitality space in the Portland area. For the past ten years, Jack has focused on residential real estate development including rental and home ownership.

Jack's most recent project was Parris Terraces, a twenty-three unit condominium development in the Bayside neighborhood. Built on land purchased from the City of Portland through an open RFP process, the project included twenty units sold at 120% of Area Medium Income (AMI). In order to achieve this challenging sales price point without using municipal, state or federal subsidies, the average unit size was kept below 500 square feet. Well-designed contemporary interior spaces and the inclusion of balconies created efficient and useful floor plans. Very high standards of insulation and heating and cooling by mini-split heat pumps holds ongoing costs of ownership down. ***Significantly, the small size of the units will also keep future re-sales at affordable prices, without deed restrictions.***

Jack is a former member of the Portland Planning Board. He is currently an Instructor and Trustee at the Hurricane Island Outward Bound School, a Maine Guide Examiner for the State of Maine, as well as a Board member of the Portland Museum of Art.

APPENDIX B

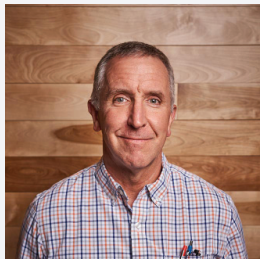
HEBERT DEVELOPMENT / HEBERT CONSTRUCTION

FOUR GENERATIONS OF LEADERSHIP & VALUE

Hebert Construction is a team of problem solvers first and foremost, and we do our best work amidst the most challenging environments and requirements. Our 4th-generation knowledge, engineering expertise, and rigorous field training lend to unrivaled forethought and upfront solutions that save every client time and money. Our unbeatable rate of repeat business and large number of multi-generational clients is a testament to the consistency of our work and our word.

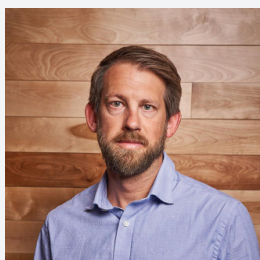
We take great pride in maintaining long-term partnerships thanks to the long-term value we bring to every project.

Current Leadership



MICHAEL HEBERT

Michael started the third generation when he joined the business in 1985 after graduating from Northeastern University. As current owner & managing member of the company, Mike personally manages many of the company's larger projects and continues to grow the company.



TIMOTHY HEBERT

Tim joined the family business in 2002 after graduating from Wentworth Institute of Technology with a degree in Civil Engineering. As a project engineer he gained extensive experience in Healthcare Construction. As an owner of the company, Tim continues the third generation propelling the business to the next level.



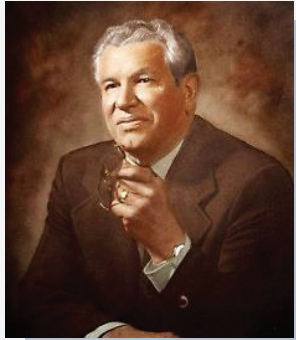
SIMON HEBERT

Simon, son of Michael, joined the family business in 2013 after graduating from Syracuse University with a degree in Civil Engineering, starting the fourth generation. Simon specializes in Healthcare, Institutional, and Commercial Construction.

APPENDIX B

HEBERT DEVELOPMENT / CONSTRUCTION (CONT.)

History



In 1943, Hebert Construction was founded by Edward Hebert of Van Buren, Maine. He began as a self-employed carpenter known simply as Edward Hebert Construction. He believed in the importance of honesty and quality services; Practices which have continued through the generations. In 1954, Richard joined his father's business. Together, they built many prominent homes throughout Lewiston and Auburn; Gaining a reputation for their quality craftsmanship. Edward's youngest son, Daniel, joined the business in 1969. While continuing to grow, the business shifted its focus from residential to commercial construction. Dan retired in June of 2015, leaving the business in the capable hands of the next generation.

WHAT MAKES US DIFFERENT

Consistency in Our Work and Our Word

Commitment to excellence is what sets us apart from other construction companies. We understand that our clients want value, quality and timely building solutions from a firm who has the expertise and experience to deliver successfully. Designing, planning, building and remodeling for over seven decades, we focus on accountability, honesty, superior customer service and delivering projects on time and on budget with maximum value.

We are passionate about what we do, and it shows through the satisfaction of our clients. We do what we say we will do. Senior management is actively involved with all our projects to ensure that our rigorous standards and customer's expectations are met or exceeded.

75 Years of Enduring Value

Value comes from accountability and ownership of each phase of the project. Quality construction not only means delivering a superior product at a competitive price but standing behind it well after the project has been completed.

APPENDIX B

HEBERT DEVELOPMENT / CONSTRUCTION (CONT.)

Unrivaled Forethought & Upfront Solutions

At Hebert Construction, we get involved in a project early. Our clients benefit from our preconstruction services and upfront planning. We establish and maintain cost-effective value engineering procedures and processes through effective and practical techniques to improve the overall performance and outcome of projects. We have a long history of saving costs, maximizing budgets and improving function through our process.

SELF-PERFORMANCE WORK

Hebert is one of the few remaining general contractors within the state of Maine to offer an in-house workforce to perform certain tasks on a job. This resource enables our clients to benefit from a more focused control on quality, cost, timeline, energy performance and safety, adding value to the project. Before Hebert self-performs any work, we collect proposals from other contractors to ensure the best value to the client and we only perform the scopes of work if we are the lowest bidder. This ensures the client is receiving the structure at the best possible price.

Hebert has the capabilities of self-performing the following trades:

- Design-Build Services
- Permitting
- Land Use Consultant
- Feasibility Studies
- Detailed Budgeting
- Project Management
- Scheduling
- Phasing
- Estimating
- Steel Erection
- Drywall
- Wood Framing
- Finish Carpentry
- Concrete
- Doors, Frames & Hardware
- Specialties

WE INTEND TO EARN YOUR BUSINESS

Hebert Construction is a full-service firm with the majority of our work negotiated. We assemble the best Architectural, Engineering, Mechanical, Electrical, Civil/Site and Land Planning Engineers. Our ability to coordinate all services in-house is a tremendous benefit to our clients. It allows us to consider multiple design build options as a tool in building consensus and improving the eventual solution.

Other services include Project Management, Conceptual Estimating, Planning, Scheduling, Value Engineering, Detail Estimating, Contractual Arrangements, Cost Control and Management through project completion.

APPENDIX B

HEBERT DEVELOPMENT / CONSTRUCTION (CONT.)

Quality Control and Assurance

- Ensure that quality of materials meets specifications
- Review the accuracy of installation and quality of workmanship
- Confirm strict adherence to program documents and specifications
- Continually adjust during the project to prevent delays
- Conduct and complete a majority of the punch list before completion
- Test systems prior to turnover to ensure complete working systems

Teamwork

Our policy is to promote openness, fairness and a spirit of teamwork as our essential elements in the administration of a successful construction team. Interaction and continued personal attention are key in developing any project. Having successfully demonstrated this need with both public and private groups, as indicated in our corporate history, we sincerely hope you select us as the Contractor for your next project.

Employment Profile

- | | |
|-------------------------------|--------------------------------|
| • Project Engineers | • Crane & Equipment Operators |
| • Construction Managers | • Draftsmen |
| • Estimators | • Accounting Department |
| • Superintendents | • Administrative Support Staff |
| • Millwork Craftsmen | • Marketing Department |
| • Skilled Carpenters | • Safety Department |
| • Certified Corian Fabricator | • Warehouse Division |

APPENDIX C AVESTA HOUSING

ORGANIZATIONAL SUMMARY

Avesta Housing, founded in 1972, is a Portland-based nonprofit organization with a mission is to improve lives and strengthen communities by promoting and providing quality affordable homes for people in need. Avesta focuses on five areas of affordable housing: advocacy, real estate development, property management, senior and assisted living, and homeownership. The organization has more than 280 employees, \$315 million in assets, and an annual budget of \$47 million.

The organization currently owns and manages nearly 100 affordable housing developments, for a total of more than 2,900 units in Maine and New Hampshire. The portfolio consists of state and federally assisted family and elderly/disabled housing, affordable rent-restricted apartments, mixed-income (affordable and market rate) rental developments, supportive housing for people experiencing long-term homelessness and visually impaired, and unrestricted workforce housing. Additionally, Avesta owns and operates two assisted-living facilities. Avesta was also the first in Maine to develop projects for chronically homeless people using the Housing First model and has since completed three projects. Because of the diversity of living options provided by Avesta, we have an incredibly diverse resident population.

Avesta Housing has developed more than 130 properties and/or housing communities in Maine and New Hampshire, totaling more than 3,500 apartments and homes. These initiatives range in size from less than a dozen units to more than 125 units. Some of these properties were developed or designed in collaboration with a mission-aligned community partner, a town resident committee, or other constituents. As a result, the Avesta development team has adopted a collaborative design process to ensure the needs of all stakeholders are met.

This collaborative approach underscores the breadth of experience Avesta development staff has across various types of developments, including new construction, adaptive reuse, historic renovation, occupied rehabs, mixed-use developments, affordable homeownership, and combinations thereof. Energy-efficient design construction is a key focus of our development team. With a Passive House consultant on staff, all new construction and renovations include strategies to optimize energy efficiency. Over the course of Avesta's work in sustainable construction, the team has built award-winning Passive House and LEED-certified buildings.

One of Avesta's greatest strengths is its ability to leverage various and complex funding sources to successfully develop and rehabilitate properties. Examples of funding used in previous developments include HUD financing, RD 515 with Rental Assistance, Low Income Housing Tax Credits, Federal and State Historic Tax Credits, solar tax credits, Community Development Block Grant funding, NeighborWorks capital grants, organizational grants, HOME funds, municipal housing funds, affordable housing tax increment financing, Federal Home Loan Bank Affordable Housing Program funds, project-based vouchers, continuum of care support, community development financial institution financing, and conventional bank financing. Work across these different funding platforms and underwriting requirements demonstrate the development team's agility, creativity, and dedication to seeing an early conceptual idea through to physical completion.

An important component to Avesta Housing's development success comes from the competency of its management division, which has significant experience working with diverse populations and administering numerous affordable programs under HUD, USDA Rural Development, Low Income Housing Tax Credits, and other local, state, and federal housing programs.

AVESTA HOUSING (CONT.)

The Avesta development team collaborates closely with the property management team throughout the development process to ensure that building design is responsive to the resident and management needs. Through this collaboration, the team makes strategic decisions to ensure finished buildings are sustainable, operate efficiently, serve resident needs well, and fit in a community.

Beyond property management and development services, Avesta Housing also provides leadership and support to the Maine Affordable Housing Coalition, the state's leading housing policy advocacy organization. It is a member of NeighborWorks America and Housing Partnership Network, both of which are extensive national networks of strong and sophisticated organizations across the affordable housing industry. Through these networks, Avesta Housing maintains its commitment to high quality development and property management services that use resources efficiently and are responsive to the needs and priorities of our current and future residents and the communities in which they live.

TEAM BIOS



Dana Totman, President and CEO

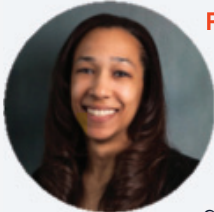
Dana Totman became the president & CEO of Avesta Housing in 2000, and his exceptional leadership and strategic guidance have led Avesta through significant growth over the past 20 years. His focus at Avesta is on developing staff leadership, cultivating partnerships and opportunities, and facilitating organizational change.

Dana has received many accolades for his influential work in affordable housing and community development, including the Catalyst Award from the Portland Regional Chamber of Commerce in 2020, induction into Maine's Business Hall of Fame by Junior Achievement of Maine in 2018, Maine State Housing Authority's Steven Mooers Affordable Housing Lifetime Achievement Award in 2017, recognition as Mainebiz's Business Leader of the Year in 2013, and the Maine Real Estate and Development Association's Robert B. Patterson, Jr. Founder's Award in 2013.

Dana was the deputy director of Maine State Housing Authority from 1994 to 2000 and was the executive director of the Coastal Economic Development Corporation from 1984 to 1994. His career has focused on nonprofit and government management and leadership, specializing in leading organizations through significant change. He has a BA in Public Management from the University of Maine and an MBA from Southern New Hampshire University. Dana attended Duke University's Government Leadership Program and completed programming with the Kennedy School of Government at Harvard University.

Dana has developed a vast network of organizational partnerships over his career. His current and past community service includes the Quality Housing Coalition (board vice chair), United Way of Greater Portland (board), 75 State Street (board), the Outdoor Sports Institute (board), Maine Real Estate and Development Association (board), Midcoast Regional Redevelopment Authority (board vice chair), Brunswick Planning Board, Federal HomeLoan Bank Advisory Council, Maine Affordable Housing Coalition (chairman), Interagency Task Force on Homelessness (chairman), Northern New England Housing Investment Fund (board), Bath Chamber of Commerce (board chair), Maine Community Action Association (president), and Midcoast Health Services (board).

AVESTA HOUSING (CONT.)



Rebecca Hatfield, Vice President of Real Estate Development and Management

Rebecca Hatfield joined Avesta Housing in 2015. She assumed her current role at Avesta in 2019 after previously serving in the positions of assets & acquisitions officer and director of real estate development. In her current role, Rebecca oversees Avesta's Real Estate Development and Property Management divisions. Her experience in this role has facilitated a deep understanding of how to balance the feasibility challenges of property development with the operational needs of property management to maintain Avesta's high standards in development and management. Prior to Avesta, Rebecca held a senior vice president position at Citigroup working in various roles within the commercial and corporate bank. She has more than a decade of experience in finance with a focus on deal structuring, underwriting, credit risk analysis, and portfolio management. Rebecca has worked with a range of clients from small businesses to multi-trillion-dollar entities and has seen a wide range of transactions. Additionally, she has extensive experience completing real estate transactions. Rebecca's previous employment also includes five years as a software and network management engineer, serving as project manager and lead developer.

Rebecca earned a BS in Computer and Information Science from University of Maryland and an MBA from University of California Los Angeles, Anderson School of Management. She is a Certified Compliance Professional (C3P) for Low Income Housing Tax Credits. She currently serves as a board member and loan committee chair for Genesis Community Loan Fund, a board member of Maine Real Estate Development Association (MEREDA), and previously served as a board member of the Maine Council on Aging.



Todd Rothstein, CHPC, Director of Construction Services

Todd Rothstein started at Avesta Housing in 2013. As the director of construction services, he is responsible for managing the construction design standards and processes for new and major-rehabilitation projects. He plays a major role in most pre-construction design and construction planning of new projects and works with the real estate development staff as an owner's representative during select construction projects. Todd also works with our Property Management division to improve energy efficiencies, purchasing and contract mechanisms, contractor warranty work, and the overall physical integrity of our properties.

Prior to joining Avesta, Todd worked for a construction management company as project manager and business development manager. Todd also worked for a commercial millwork manufacturing company, managing all facets of design, store layout, installation, and business development activities.

Todd earned a B.S. in Education from S.U.N.Y. Cortland and ROTC Certificate at Norwich University Military Academy in Northfield, VT. Todd is a Certified Passive House Consultant, and has completed OSHA training and Lead Smart Renovator training. He is a former board member of the Maine Association of Building Contractors. He is a part-time adjunct faculty member at Southern Maine Community College, teaching a portion of the Facilities Management Certification training. Todd is also a member of Efficiency Maine's Low-Income Advisory Group.

AVESTA HOUSING (CONT.)



Nate Howes, Development Officer / Project Manager

Nate Howes joined Avesta in 2019 as a development officer. Prior to Avesta, Nate worked as a multifamily underwriter and tax credit administrator for MaineHousing. At MaineHousing he oversaw projects from application to completion ensuring their financial solvency and regulatory compliance.

Nate earned a Bachelor of Arts in History from George Washington University and a Master of Science degree in International Affairs: Conflict Studies from the London School of Economics and Political Science. He is also a certified tax credit underwriter under the National Development Council's Rental Housing Development Financial Professional (RHDFP) program.



Hollie Sprague, Director of Property Management

Hollie Sprague joined Avesta Housing in 2007 after working for a community action agency for low-income families in southern Maine. As the director of property management, Hollie oversees all facets of the day-to-day operations of almost 100 properties. She brings more than 15 years of experience in the areas of resident service coordination, site management, portfolio management, building operations, and compliance. Hollie is a Certified Occupancy Specialist (COS), Low-Income Tax Credit Compliance Specialist (TaCCs) and Certified Manager of Housing (CMH). She received her Bachelor of Science in Social Work from the University of Southern Maine.

RELEVANT EXPERIENCE

Avesta's has completed several multifamily rental developments of similar size, both from a physical and financial aspect, to the proposed Douglass Street development. The projects highlighted below incorporated various components that are akin to the proposed project, including affordability, economic diversity, neighborhood integration, resident and community amenities and features, efficient design, and more.

Carleton Street



Location	Portland - West End
Units	37 (Efficiencies, 1 and 2 beds)
Income Mix	100% of units at or below 60% of AMI
Population	Individuals and Families
Cost	6,300,000
Features	Community room Bike storage
Architect	Archetype
Contractor	Benchmark Construction

Bayside Anchor



Location	Portland - Bayside East
Units	45 (Efficiencies, 1 and 2 beds)
Income Mix	80% of units at or below 60% of AMI 20% of units unrestricted
Population	Individuals and families
Cost	7,700,000
Features	Passive house Rooftop Solar Community room Bicycle storage Community Policing service hub Head Start community space
Architect	Kaplan Thompson
Contractor	Wright Ryan

409 Cumberland



Location	Portland - Bayside
Units	57 (Efficiencies, 1 and 2 Beds)
Income Mix	80% of units at or below 60% of AMI 20% of units unrestricted
Population	Individuals and families
Cost	11,100,000
Features	Rooftop gardens Multi-use classroom space Community kitchen Community room Bicycle storage
Architect	CWS
Contractor	Wright Ryan

Oak Street Lofts



Location	Portland - Bayside
Units	37 (Efficiencies)
Income Mix	100% of units at or below 60% of AMI
Population	Individuals and families
Cost	6,300,000
Features	Community room/Art Space Covered parking Roof top solar LEED Platinum
Architect	CWS
Contractor	Wright Ryan

Pearl Place I and II



Location	Portland - Bayside
Units	Phase I: 60 (1, 2, and 3 beds) Phase II: 54 (1, 2, and 3 beds)
Income Mix	100% of units at or below 60% of AMI
Population	Individuals and families
Cost	Phase I: 12,900,000; Phase II: \$12,900,000
Features	Community room Covered parking LEED Gold / Platinum
Architect	Phase I: Winton Scott; Phase II: PDT
Contractor	Phase I: Ledgewood; Phase II: Wright Ryan

Deering Place (under construction)



Location	Portland - Parkside
Units	75 (Efficiencies, 1, 2 and 3 beds)
Income Mix	60% of units at or below 60% of AMI 40% of units unrestricted
Population	Individuals and families
Cost	16,200,000
Features	Community room Community policing hub Covered parking Bike storage
Architect	Archetype
Contractor	Zachau Construction

West End Apartments – Phase I (*under construction*)



Location	South Portland
Units	64 (Efficiencies, 1, 2 and 3 beds)
Income Mix	80% of units at or below 60% of AMI 20% of units unrestricted
Population	Individuals and families
Cost	15,500,000
Features	Community room Bike storage Outdoor plaza Ground floor retail Covered parking
Architect	Kaplan Thompson
Contractor	Allied Cook

Blake and Pine (*pre-construction*)



Location	Lewiston
Units	35 (1, 2, and 3 beds)
Income Mix	80% of units at or below 60% of AMI 20% of units unrestricted
Population	Individuals and families
Cost	8,400,000
Features	Community room Covered parking Outdoor Patio Bike storage
Architect	Platz Associates
Contractor	Hebert Construction

Firm Profile



Philosophy

Kaplan Thompson Architects is dedicated to helping interesting people bring their challenging projects to life. Our company mission is to responsibly design buildings that inspire meaningful connections, put people and the environment first, and make the world a better place. We hope it is visible in all the work that we help create, with a wide range of budgets, project types and locations, and an opportunity for creative solutions.

We work on a wide range of project types: new homes, renovations, multi-family buildings of all scales, restaurants, and schools. We pride ourselves in the technical practice of planning buildings and are dedicated to high quality in all aspects of design. Our dedication to high-performance building enclosures is one of the factors that has led to our reputation as one of the leading green architecture studios in the northeast.

We believe in “The Not So Big Ego,” a departure from architect as sole, independent creator of another’s space. This attitude is fostered by close collaboration with our clients to craft a design process where we together discover the wants, needs, and personalities of both the building site and the client. This insight from all members of the design team allows everyone to work together one step at a time and to ensure that client goals are met.

Our style is to carefully listen to, assimilate, and interpret our clients’ comments, and then to build ideas and concepts from that process, revealing a building both innovative and familiar. This process depends on frequent communication and early teamwork, often with builders at the table, and assures the best chance of meeting budgets. Designing a new space, or renovating an existing one should be a fulfilling experience.

Studio

Our studio is located on the top floor of an historic brick warehouse at the top of Portland’s Old Port. We have brought as much of the natural Maine landscape into our workspace as possible, from beach rocks within translucent walls, to a rippling galvanized steel ribbon tack space covered in our sketches.

We move easily between hand sketching and digital tools and have the capacity to create 3D printed models, animated walkthroughs, and sophisticated renderings. We commonly work remotely with clients using web meeting software, which allows full immersion in your building from any web browser regardless of location.

We work in a collaborative manner, sharing conversation, technical innovations, and design ideas in a free-flowing, energetic, and creative environment. Our careful drawings and accurate construction documents build on this atmosphere to bring your project to life.

Firm Details

Kaplan Thompson Architects was established by Phil Kaplan and Jesse Thompson as an LLC partnership in Maine in 2007. The company currently has twelve employees and was the first in Maine to acquire a JUST Label to demonstrate our commitment to social equity.

Awards and Press

Our work has been featured in the New York Times, Washington Post, Boston Globe, USA Today, NPR, France 24, HGTV, and MPBN as well as books, countless websites, and national, New England and Maine based publications.

Phil Kaplan

Principal, AIA, LEED AP

Phil was raised in a household of designers and creative thinkers, and he remembers being transfixed by a set of wooden blocks he received from his parents as a child. Since then, he's been dreaming in three dimensions, and his ideas draw from background in psychology, physics, geography, music, language, math, and literature. Phil talks fast and thinks even faster, and he gets his energy from asking questions, especially "what if?" He's a natural extrovert, and his passion is for designing spaces that truly match the needs, goals, and real lives of our clients.

Born and raised in Baltimore, Phil attended Boston University, received his B.Arch. (with a Psychology Minor) from Carnegie Mellon University in Pittsburgh in 1991, and moved to Maine in 1997. He is a Maine, Massachusetts, and New Hampshire Licensed Architect, a member of the AIA, and a LEED Accredited Professional. He's given talks about his firm's work and sustainability efforts throughout the Northeast and has served as an exhibition juror, guest critic, and Adjunct Professor. He was a founder, in 2006, of The Portland Society for Architecture (PSA), a local design advocacy group. He currently serves as Board Chair of the Northeast Sustainable Energy Association, which helps high-performance and energy efficiency professionals improve their practices through collaboration and learning throughout New England and beyond, and has served on local boards in his current hometown of Falmouth, Maine as well. His podcast, Green Architects' Lounge, is featured on the Green Building Advisor website.

He has been lead designer on multiple AIA, PSA, and LEED Award winning projects since 2003.

Phil is a big believer in a foundational concept at Kaplan Thompson Architects: the "Not So Big Ego." His work in the community seeks to demystify the process of working with architects and to make great design accessible and attainable for more people, including the PSA's "10-Minute Architect" program, which provides free services to the community.

He lives with his wife, Masey, his 2 sons, Owen and Satchel, and his neice, Lee.

RELEVANT PROJECTS:

Project Architect - Friends School of Portland, Phases 1 and 2

Project Architect - Maine Coast Waldorf School



Jesse Thompson

Principal, AIA, LEED AP, CPHC

Effecting social change both through his work and through community outreach, Jesse has become a national leader in building science and green design. Jesse is increasingly seen as an award-winning architect who is knowledgeable not just in the craft and details of the profession but who also has a deep holistic understanding of construction on the macro and micro level.

Jesse Thompson received his B.Arch from the University of Oregon in 1996. He is a Maine Licensed Architect (NCARB), a member of the AIA (The American Institute of Architects), a LEED (Leadership in Energy and Environmental Design) Accredited Professional and the first architect in northern New England to become a Certified Passive House Consultant. He also holds registrations in Virginia & Maryland. He was lead designer on three Maine AIA Award winning projects in 2012 and was recognized by MaineToday Media as one of its Forty Under 40 award recipients in 2011. Jesse was honored when his project, Flying Point, was selected as Fine Homebuilding's 2013 "Energy Smart Home of the Year." and by the USGBC for their LEED for Homes Best Single Family Home of 2014.

Jesse serves on the Board of Directors of the Maine Chapter of the American Institute of Architects and Co-chairs the Advocacy Committee of the Portland Society of Architects (PSA). He recently served on the steering committee for the PSA Symposium, "Rising Tides," a critical look at how the issues of climate change and rising sea levels will affect the city of Portland, which brought local and national experts on this topic together with concerned citizens in Maine.

Jesse's portfolio straddles the residential and commercial worlds, and has a deep knowledge of modern construction types and project planning. These projects have ranged from designing intimate residential additions to managing multi-million dollar construction projects. Jesse is Kaplan Thompson's director of technical and digital practices, maintaining our leadership in energy efficient construction techniques, software adoption, and digital construction management.

Jesse grew up in the Northeast Kingdom of Vermont, and lives in the Deering Center neighborhood of Portland with his family.

RELEVANT PROJECTS:

Project Architect - The Ecology School

Project Architect - Bayside Anchor



MRLD Landscape Architecture + Urbanism

APPENDIX E

MRLD LANDSCAPE ARCHITECTURE + URBANISM

Mitchell Rasor | Principal : RLA (ME & MA), CLARB

Mitchell Rasor has over 20 years of experience with landscape architecture and urban design, with a focus on integrating economic development with housing to create vibrant urban neighborhoods. He founded Rasor in 2000. Mitchell has been honored by numerous organizations including the Maine Association of Planners (seven times), The AIA, The ASLA, The National Association of Homebuilders, MaineBiz, MoMa/PS1, GrowSmart Maine, The Architect's Newspaper, and the Congress for the New Urbanism.

Select Projects

- 3 Lincoln Street (MERC site), Biddeford, ME
- 89 Main, Orono, ME
- Bayside Transportation and Urban Design Study, Portland, ME
- Beggar's Wharf, Rockland, ME
- Blake & Pine, Lewiston, ME
- Broadturn Workforce Housing, Scarborough, ME
- Downtown / Waterfront Master Plan, Belfast, ME
- DPW Site Redevelopment Study, Portland, ME
- Eastside Mixed-Use Waterfront Park, Boothbay Harbor, Maine
- Eastern Waterfront Study and Guidelines, Portland, ME
- Front Street and Harbor Village Master Plan, Belfast, ME
- HUD Infill Housing Studies for Gray, Steep Falls, and India Street
- Kimball Court, Portland, ME
- Kittery Foreside Neighborhood Plan, Kittery, ME
- Main Street Gateway TOD, Westbrook, ME
- Martel School Housing, Lewiston, ME
- Minot Avenue, Lewiston, ME
- Park Street & East Campus Housing, Orono, ME
- Parris Terraces, Portland, ME
- Reclaiming Franklin Street, Portland, ME
- The Riverway, New Auburn, ME
- Sheridan Heights, Portland, ME
- South End Neighborhood Plan, Bath, ME
- South Street Village TOD, Biddeford, ME
- Thorndike Block, Rockland, ME
- Topsham Crossing Great American Neighborhood, Topsham, ME
- Topsham Main Street Village Master Plan, Topsham, ME
- Vinalhaven Main Street Resiliency Planning and Design, Vinalhaven, ME
- Waterfront Area Redevelopment Plan and Street Design, Rockland, ME
- West Commercial Street Multi-Modal Corridor Study, Portland, ME
- Westbrook Downtown Pedestrian Study, Westbrook, ME

Education

- Harvard University Graduate School of Design, Cambridge, MA: Masters in Landscape

Architecture

- Oberlin College, Oberlin, OH: BA English/Environmental Art



- Strongly supports the commitment to *ethnic diversity* and the possibility of thereof (such as ESL training)
- Strongly support quality *community space* that is open and accessible
- Strongly support this projects commitment to *sustainability* especially the solar arrays, passive house standards and *tree & shrub* planting
- Support the commitment to *active transport* and the integration of transit, limited parking, and commitment to traffic demand management
- Strongly support community *garden/food forest*

The following items are community priorities in design and amenities that may be part of the program but that we did not see as explicit in this proposal. We believe that a strong commitment to the following would make the project better:

- Implementations of the recommendations of the Libbytown traffic study
- Acknowledgement of the history of the site in terms of project name and building materials (e.g., the site sits on or near a former brick foundry)
- Streetscape and Bicycle/Pedestrian improvements along Congress Street
- Public transit (such as trolley cars) on Congress Street, car share and other reductions to parking; secure and covered bicycle parking
- Stormwater design
- Environmental mitigation of the site
- ADA access within the site to community spaces in winter months

Overall we **recommend** this proposal for its commitment to neighborhood design improvements and amenities.

The Libbytown Neighborhood is grateful for your consideration of this proposal.

Sincerely,
Maureen Morse
Chair



June 11, 2020

Honorable Mayor and Councilors:

The Libbytown Neighborhood Association held a special meeting to consider the *Phoenix Fields* proposal for the redevelopment of 43 & 91 Douglass Street, aka, the old West School site. The meeting was well attended after a robust discussion, we are pleased to express support for this proposal. Please factor these recommendations into your consideration of *Design and Amenities* as specified in the *Impact on the Surrounding Neighborhood* section of the RFP score sheet.

With respect to design, the LNA supports projects of quality and distinction which may serve as a neighborhood landmark. Given that the existing fabric and architecture lacks a singular quality, the association would like to see something architecturally notable. Furthermore, the Libbytown Neighborhood is somewhat diverse socio-economically with a prevalence of low to moderate income. The Libbytown Neighborhood Association is strongly supportive of new housing particularly mixed income projects with a focus on low and middle income.

In terms of this projects' design program, we:

- Strongly support this project's *use of site and integration with park amenities*
- *Modest concern* this project's interaction with adjacent structures and would advocate for the largest possible set back buffers from adjacent properties on Douglass Street

The area is underserved as it lacks a school, community space, a vibrant commercial corridor, bus shelters, and other staples of urban life. As such, in terms of amenities we:

- Strongly support the overall commitment to *housing affordability* especially the commitment to mixed incomes and to low to moderate income housing

BROKER OPINION OF VALUE

43 - 91 DOUGLASS STREET, PORTLAND



Appendix G



43 - 91 DOUGLASS STREET, PORTLAND

Prepared for

Jack Soley and Tim Hebert

5.29.2020

Note: This opinion was prepared solely for you, the client, its purpose and function stated in this report and is not intended for subsequent use. It was not prepared by a licensed or certified appraiser and may not comply with the appraisal standards of the Uniform Standards of Professional Appraisal Practice.



PETER HARRINGTON

BROKER

207.772.0088 D • 207.318.8888 C

peter@malonecb.com

MALONE COMMERCIAL BROKERS

5 Moulton Street • Suite 3

Portland, ME 04101

207.772.2422 • malonecb.com

Appendix G

May 29, 2020

Jack Soley
Tim Hebert
Dana Totman
Rebecca Hatfield

Dear Jack, Tim, Dana and Rebecca:

Thank you for the opportunity to present this Opinion of Value for the parcels on Douglass Street. At your request, I have reviewed the property to determine its' market value. This opinion is based primarily upon my market experience and professional judgement of the Subject Property's superiority and/or inferiority of various property specific features as well as the location as compared to similar Property types within Greater Portland.

Please let me know if you have any questions. Thank you.

Sincerely,

Peter Harrington
Malone Commercial Brokers

Appendix G

PROPERTY OVERVIEW

For the purpose of this Broker Opinion of Value (BOV), I am using general dimensions of 0.3981 AC for 43 Douglass Street and an estiated 2.85 AC of the 91 Douglass Street lot. I am also using the existing R-5 zone requirements, which will allow about 47 units.

The goal of the City of Portland in selling these lots is to provide housing opportunities. 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. Restrictions of units must be in place for a minimum of 30 years for home ownership units and the longest period allowed by law for rental units.

On another note, my BOV does not take into account any environmental issues related to the site, as the cost to deal with existing environmental issues is currently unknown.

It was very difficult to find comparables for this location. The majority of land sales in Portland in the past few years has been for development of hotels, higher-end condos and other market rate housing, and other commercial uses. Furthermore the Douglass site is a unique location.

The site, the former site of a school, is located at the end of a public park and behind some single family homes. The site is also close to I-295 and it's Congress Street off ramp.

I do think the site does have some great positives going for it however. The park is really nice and and highly utilized, with a pool, skate park, baseball, softball and soccer fields. Douglass Street is close to Congress Street and Brighton Avenue. It's also located close to both the train and bus station.

Appendix G

There are a great number of retail stores and food establishments within walking distance, including a CVS and a Shaw's.

As I mentioned, there weren't a great number of close comparables based on lot size and location. I used three, 100 Parris Street, 60 Parris Street and 450 Clarks Pond Parkway in South Portland.

COMPARABLES

100 Parris Street is a small 0.22 AC urban site. The property is being built currently into a six story apartment building with a 5,360 SF commercial unit on the first floor. The lot sold for \$233,700 plus the lot owner gets to buy the first floor for a pre-determined favorable price. The per unit cost for this project is \$4,582/unit.

60 Parris Street was a city owned 0.23 AC lot. This sale was part of Portland's move to sell off the former public works sites in the Bayside area. The City wanted housing in this area, it was one of the goals they hoped to achieve in selling. This site sold for \$175,000 in 2018. The developer developed work force condos, without any public, financing or other incentive. The sale price per unit was \$7,291.66. The result was a beautiful building with small efficient units that sold quickly to work force owners.

450 Clark's Pond Parkway in South Portland was a sale of a vacant land parcel, originally marketed as a hotel site in the Maine Mall neighborhood. This site closed after the purchaser secured full approvals. For 256 market rate units in four six-story buildings. The 7.9 AC site sold in June 2018 for 1.6Million, or \$6,250/unit. This site wound up being included in an opportunity zone and the developer sold the site to URS Capital for significantly more.

The per unit price range I used was between \$4,582 for the six-story Parris building to \$7,291 for 56 Parris Street. From my research, I found that the sweet spot for developing affordable housing is between \$5,000 to around \$10,000/unit. I believe that the Douglass Street lots are worth about \$10,000 per unit. Currently at about 47 units, this would value the site at about \$470,000.

COMPARABLE PROPERTY ONE

450 CLARK'S POND PARKWAY, SOUTH PORTLAND



Appendix G



Property	450 Clark's Pond Parkway, South Portland
Lot Size	7.5 ACRES
Sale Price	\$1,600,000 \$213,333/AC 256 units (in four and six story buildings) = \$62,250/unit
Sale Date	June 2018
Notes	This was a sale of a vacant land parcel in the Maine Mall neighborhood. The property sold after the purchaser secured full approvals from the City for 256 market rate units. The property is in an opportunity zone and resold for significantly more.

COMPARABLE PROPERTY TWO

60 PARRIS STREET, PORTLAND



Appendix G



Property	60 Parris Street, Portland
Lot Size	0.23 ACRES
Sale Price	\$175,000 24 units/condos = \$7,291.66/unit
Sale Date	April 6, 2018
Notes	This lot was owned by the City of Portland. The developer built 24 affordable condo units without public financing and made sure they sold as “work force” units.

COMPARABLE PROPERTY THREE

100 PARRIS STREET, PORTLAND



Appendix G



Property 100 Parris Street, Portland

Lot Size 0.2217 ACRES

Sale Price \$233,700 - \$1,054,127/ACRE

51 units = \$4,582/unit

Sale Date August 2019

Notes This is an apartment building with the ground floor unit condo to be sold to the land owner for a pre-determined price based upon a specific formula.



May 18, 2020

City of Portland, Maine
Planning Department
389 Congress Street
Portland, ME 04101

Re: City of Portland RFP for 43 & 91 Douglass Street, Portland, ME

To Whom It May Concern:

This letter is to verify for the City of Portland Planning Department that, based on our understanding of the project, Norway Savings Bank believes that James J. "Jack" Soley and Timothy R. Hebert and their various business entities are financially capable of taking on the proposed project at 43 & 91 Douglass Street, Portland, ME.

While this letter is in no way to be construed as a commitment to lend funds, Jack Soley and Tim Hebert have been customers of Norway Savings Bank since 2008 and 2013 respectively. We have worked successfully with both customers on similar projects in the past and believe they have the financial capacity, management skills, and marketing finesse to successfully develop this site and complete the project.

I hope this letter meets your needs and expectations, but should you require any additional information please don't hesitate to email me at rflagg@norwaysavingsbank.com or call me at (207) 482-7902.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Flagg", is written over a horizontal line.

Richard R. Flagg
Regional Vice President, Commercial Lending



May 18, 2020

City of Portland, Maine
Planning Department
389 Congress Street
Portland, ME 04101

Re: City of Portland RFP for 43 & 91 Douglass Street, Portland, ME

To Whom It May Concern:

This letter is to verify for the City of Portland Planning Department that, based on our understanding of the project, Norway Savings Bank believes that Avesta Housing Development Corporation is financially capable of developing and managing the proposed project at 43 & 91 Douglass Street, Portland, ME.

While this letter is not a commitment to lend, Avesta Housing Development Corporation has been a customer of Norway Savings Bank for over 5 years. We have worked successfully with them on similar projects in the past and believe they have the financial capacity, and management skills to develop this site and complete the project.

With permission from our client, I am happy to provide additional information you may require. I can be reached at hpepin@norwaysavingsbank.com or call me at (207) 284-8355.

Norway Savings Bank looks forward to working with Avesta as this project moves forward in the development process.

Sincerely,

Holly Pepin JR

Holly Pepin
Vice President, Commercial Lending

HP/tbm



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 N/A
If Applicable

COMPANY NAME: Avesta Housing Development Corporation
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE:  DATE: 6-9-20
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: Dana Totman, President & CEO

ADDRESS: 307 Cumberland Avenue, Portland ME 04101

TELEPHONE: 207-232-1021 E-MAIL: nhowes@avestahousing.org

FEDERAL TAX ID #: 01-0315296 DUNS #: 071749287

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.**

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.

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The proposer acknowledges the receipt of Addenda numbered N/A
If Applicable

COMPANY NAME: Hebert Development, LLC
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE:  DATE: 06/12/2020
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: Timothy Hebert | Owner

ADDRESS: 62 India Street, Suite A, Portland, ME 04101

TELEPHONE: (207) 783-2091 E-MAIL: thebert@hebertconstruction.com

FEDERAL TAX ID #: 45-2653836 DUNS #: N/A

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.**

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

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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: HORTON LLC
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE: _____ DATE: 6/10/20
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: JACK SOLEY

ADDRESS: 100 COMMERCIAL ST., PORTLAND, ME.

TELEPHONE: 207-808-4714 E-MAIL: jsdyeast@maine.com

FEDERAL TAX ID #: 83-0733364 DUNS #: _____

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.**

A. Developer

RFP#20067

Nathan Szanton
482 Congress, Suite 203
Portland, ME 04101
nszanton@szantoncompany.com
Phone: 207-871-9811
Fax: 207-245-6442

Alternative Contact:
Carl Szanton
cszanton@szantoncompany.com
Phone: 207-712-6191

B. Douglass Commons Proposal

Imagine a neighborhood that has gardens, courtyards, and green alleys where children of diverse backgrounds play and ride their bikes. Where adults chat about how to manage the grounds, while gardening in raised beds. Where in winter, a single mom and a retiree can share a cup of coffee in a warm, plant-filled space, while watching kids on the snowy playground outside. A neighborhood where retirees, immigrant families, and single parents have the option to rent or own their home, at an affordable cost, and share outdoor gardens and play space.

Douglass Commons aims to be that neighborhood, by building a mix of affordable apartments and Limited Equity Ownership homes on the former West School Site in the Libbytown Neighborhood of Portland, Maine. We hope that our vision will become a replicable model of diversity, equity, cooperation, and community throughout the city and region.

Proposed Use to Achieve the City of Portland's Goals: Market Demand (20 Points)

85% of homes will be priced to be affordable for households earning between 60%-100% of Area Median Income (AMI). Affordability restrictions on Limited Equity Co-op units will be permanent, and for the Apartments, the longest period allowed by law, secured by covenants.

Economic Diversity (10 Points) Douglass Street Commons provides housing options which promote economic diversity in the neighborhood by creating a mixed-income community with long-term affordability in both the Apartments and Co-op homes.

	LIHTC Apartments		Co-op Ownership		Apartments + Co-op	
Income Level: % of Area Median Income (AMI)	Homes	%	Homes	%	Homes	%
50% AMI	16	29%	0	0%	16	15%
60% AMI	24	43%	14	27%	38	35%
80% AMI	0	0%	17	33%	17	16%
Market Rate	16	29%	0	0%	16	15%
100% AMI	0	0%	21	40%	21	19%
Total	56	100%	52	100%	108	100%
Total homes between 60-100% AMI					92	85%

Age Inclusive (10 Points) Both the Co-op and Apartments provide housing which is age-inclusive. There will be large homes and play space for families with children, and small homes, social rooms, and gardens for adults of all ages. Cooperative ownership, shared spaces, and management of co-op by the Cooperative Development Institute will help cultivate community cohesion. We estimate 250 new residents, including 100 children.

Impact on Surrounding Neighborhood: Project Design (15 points)

Our proposal is consistent with the existing pattern, scale, massing, and materials of the surrounding neighborhood. The 3.24 acre site is a vacant lot bounded by playing fields, a site for a future playground, single family and multifamily homes, and a highway ramp. We hosted two design charrettes with both existing neighbors and future residents, and won support from the neighborhood association for our design. Douglass Commons will improve the neighborhood by:

- Creating green space and pathways, connecting transit, trails, and sidewalks that are welcoming to existing neighbors, bikers, pedestrians, and children.
- Facing new homes towards the future Douglass Street playground, fields, and skate park, will make them safer for neighborhood children.
- Replacing the road behind the existing homes on Douglass Street with trees.
- Placing new two-story homes near existing homes and larger buildings farther away.
- Providing community meeting space to the existing neighborhood.
- Accommodating storm water runoff with rain gardens.

Amenities and unit design (10 points)

Amenities & unit design have been well thought out and are appropriate for residents. A mix of unit sizes accommodate a wide range of household sizes and types. The Co-op is a combination of townhomes and 12 unit buildings with community rooms that look out onto patios and green spaces for outdoor eating and play, shared guest rooms, balconies, shared cars, garden plots, and EV charging stations. The Apartments will have a fitness room, community room, bike storage room, and an on-site resident services coordinator and property manager. The Apartments and Co-ops buildings will likely be built to passive house standards and have solar panels, exceeding the city's green building standards. The current unit mix estimates for the Apartments are as follows: 28 one-bedroom; 17 two-bedroom; 10 three-bedroom units. The current unit mix for the Co-op is as follows: 18 one-bedroom, 12 two-bedroom, 6 three-bedroom + 16 three-bedroom townhomes.

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

The current zoning, R-5, allows a maximum of 47 units as planned residential unit development (PRUD). Based on the city's stated willingness to rezone to maximize the number of affordable

homes, to allow higher density to further exceptional projects, and to further the city's comprehensive plan, we plan to request a rezone to R-6 to allow for approximately 108 units.

C. Financial Feasibility

Prospective and Committed Sources of Funding & Letters from Lending Institutions

Apartments

- MaineHousing (Affordable housing tax credits, debt) - letter attached
- Northern New England Housing Investment Fund (investment in tax credits) - letter attached
- Bangor Savings Bank (construction loan) - letter attached
- City of Portland Affordable Housing TIF (75% for 30 years)

Co-op

- Centennial Mortgage HUD Section 213 Loan - letter attached
- Cooperative Fund of New England (CFNE) - Pre-development Funds - letter attached
- Share sales from prospective residents - equivalent of down payment on condo (Approximately \$20,000/unit, 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 (\$400,000 est.) - letter not allowed
- Maine Housing Community Solutions Grant (\$400,000 est) - letter not allowed
- GPCOG & EPA Brownfield Funds (up to \$750,000, if needed) - letter now allowed

Attachments:

Attachment 1: Site Images

Site Photographs and Maps

Proposed Site Plan & Rendering

Attachment 2: Letters of Interest and Support

Letters: Libbytown Neighborhood Association, Cooperative Development Institute, Prospective Residents, MaineHousing, Northern New England Housing Investment Fund, Bangor Savings Bank, Centennial Mortgage, Cooperative Fund of New England

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: Szanton Company, Maine Cooperative Development Partners, Kaplan Thompson Architects, Aceto Landscape Architects, Archetype Architects, UHAB, Cooperative Development Institute, Acorn Engineering, Credere Associates.

C. Financial Feasibility cont. Development and Operating Budgets

Co-op Development Budget

Project Costs			Project Sources	
Land Acquisition	\$100,000		HUD 213 Loan	\$13,038,000
Construction	\$11,866,328		Co-op Member Equity	\$1,162,050
Brownfields	\$750,000		EPA Brownfields	\$750,000
Professional & Consulting / Soft Costs	\$1,216,198		Housing Trust + Community Solutions Grants	\$800,000
Financing Costs	\$1,022,836			
Architect	\$794,688			
Total	\$15,750,050		Total	\$15,750,050

Co-Op Operating Budget

Annual Income	
Income from Rents	\$1,149,415
AHTIF Income	\$193,000
Total Income	\$1,342,415
Annual Expenses	
Admin: Advertising, legal, software	\$50,500
CDI Resident Services, Training	\$25,000
Utilities: Electricity, Water & Sewer, Internet	\$76,600
Replacement Reserve	\$25,000
Taxes & Insurance	\$277,000
Maintenance: snow, trash, landscape, repairs	\$50,400
Total Expenses before Debt Service	\$504,500
Net Income before Debt Service	\$837,915
Debt Service	\$803,900
Net surplus	\$34,015

C. Financial Feasibility cont. Development and Operating Budgets

Apartments Development Budget

Project Costs		Project Sources	
Land Acquisition	\$375,000	Equity – Federal Housing Tax Credits	\$6,879,312
Construction Including Environmental Remediation	\$10,876,172	Interest-Only Mortgage from Maine Housing	\$6,474,690
Consulting & Professional Fees	\$845,500	Deferred Loan from MaineHousing	\$800,000
Financing Fees & Construction Loan Interest	\$604,398		
Architectural /Engineering	\$457,000		
Operating Escrows	\$609,932		
Legal	\$176,000		
City/State/Federal Fees	\$135,000		
Insurance	\$55,000		
Taxes	\$20,000		
Total	\$14,154,002	Total	\$14,154,002

Apartments Operating Budget

Annual Income	
Annual Residential Rents	\$782,507
Laundry Income	\$13,440
Proposed TIF returned from City	\$75,600
Total Income	\$871,547
Annual Expenses	
Administrative	\$112,579
Utilities	\$75,400
Maintenance	\$105,000
Taxes & Insurance	\$106,400
Debt Service	\$388,482
Required Reserve Contributions	\$25,200
Total Expenses	\$813,061
Annual Cash Flow	\$58,486

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	Apartments	Co-op
April 2020	RFP Released, Form team	
May 2020	Outreach to future residents, and neighborhood groups for Design Charrettes	
June 2020	RFP Deadline	
Aug 2020	RFP Award, Obtain site control, Apply for new EPA Phase 1, do additional Brownfield tests, apply for CFNE funds for Co-op	
Oct 2020	Apply for EPA Brownfield Grant	
Jan 2021-July 2022	Start TIF request to City of Portland, LIHTC apply for CDBG Funds from Maine DECD, Work on obtaining Zone Change from City of Portland	
Mar 2021	EPA Brownfield Award Notification	
Mar 2021	Market Study, Obtain renewed letters of interest from investor and construction loan support	Apply for Housing Trust Fund and Community Solutions Grant, Start HUD Concept Package
Jun 2021	Planning Board Review	Market Study, Marketing, Start Pre-sales
Jul-Sep 2021	Prepare & submit Tax Credit Application to Maine Housing	Start HUD Phase I application, Design & Permitting, HUD Processing
Nov 2021- Apr 2022	Get results of LIHTC Application Review, Design Development and Construction Documentation	Design Development and Construction Documentation
Dec 2021 - Jan 2022	Interview and select construction manager	Interview and select construction manager
Mar 2022	Start Construction Bidding Process	Start Construction Bidding Process
May 2022	Receive Construction Bids	Receive Construction Bids
Jul 2022	Construction Loan Closing	HUD 213 Loan Closing
Jul 2022- Aug 2023	Construction	Construction
Aug 2023	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. The Szanton Company has an exceptional depth of human and financial resources to complete this project. They have currently completed 9 projects of this size and scale, and their 10th and 11th are currently in construction. The Szanton Company has brought on a number of its specialists to aid with designing this innovative village that excel in green design, site planning, and environmental remediation. The Szanton Company is committed to long-term ownership of its apartment assets. In 2013, it founded Saco Falls Management, its property management arm, to ensure the highest standards of appearance and livability for our residents, neighbors, and communities. The Co-op team has assembled a team of local professionals with excellent reputations, supported by outside consultants to cover every aspect of a new construction limited equity cooperative of this size. The HUD 213 program is designed specifically for cooperatives, and offers favorable terms which support long-term affordability. Project completion is projected for summer 2023. The Apartment and Co-op teams will work together on overall site design, civil engineering, zone change, and brownfields cleanup.

See Attachment 3: Portfolios

Team Member	Company	Role	Similar Projects Completed
Nathan Szanton	The Szanton Company	Apartment Developer President	Casco Terrace, Walker Terrace, 53 Danforth, Furman Block, The Squamscott Block, 48 Hampshire, Huse School Apartments, Mill at Saco Falls, Lofts at Saco Falls, Lofts at Bates Mill
Robert Monks	The Szanton Company	Partner	Created over 6,000 units of affordable housing across the country; In Portland, redeveloped the Portland Performing Arts Center, Baxter Library, and Oak Street Dorms

Amy Cullen	Saco Falls Management	Apartment Management President	Casco Terrace, Walker Terrace, 53 Danforth, Furman Block, The Squamscott Block, Huse School Apartments, Mill at Saco Falls, Lofts at Saco Falls, Lofts at Bates Mill
David Lloyd	Archetype Architects	Apartment Architect	Verdante, Hobson's Landing, 20 Thames Street, Bramhall Row, 118 on Munjoy Row, One Joy Place, Luminato, 81 Danforth, Casco Terrace, Walker Terrace, 53 Danforth, Furman Block, The Squamscott Block
Brian Eng	Partner, Maine Cooperative Development Partners	Co-op Development Team	M North in Orlando, 288-units in Orlando, Florida. (https://www.mnorthorlando.com/) Master developer of city-owned land on the former Maine Energy Recovery Corp. in Biddeford
Liz Trice	Partner, Maine Cooperative Development Partners	Co-op Development Team	645 Congress Street (with Shinberg/Alfond), Danforth on High (Rando Orbit/Peter Bass), 58 Boyd (Portland Housing Authority), all Portland.
Matt Peters	Partner, Maine Cooperative Development Partners	Co-op Development Team	Young St Apartments, South Berwick; Ridgewood II, Gorham One Meeting Pl, Exeter, NH; Meadows, North Hampton, NH; Carleton St, Portland; Bayside Anchor, Portland; Bartlett Woods, Yarmouth
Jesse Thompson	Kaplan Thompson Architects	Co-op Architect	Parris Terraces, Portland ME; Harborview Townhomes, Portland ME; Blackstone Senior Living, Falmouth, ME; Bayside Anchor Apartments, Portland, ME
Nick Aceto	Aceto Landscape	Landscape	The Downs, Scarborough ME (510

	Architects	Architect	Acre Mixed-Use Master Planned Community); Phases 1 & 3; Jackson Laboratory, Bar Harbor ME (37 Acre Employee Co-Housing Community); Cumberland Multi-Gen COmmunity https://www.mainebiz.biz/article/future-proofing-development-designers-are-ready-for-climate-change
Rip Patten	Credere Associates LLC	Brownfield Assessment & Cleanup Consultant	Marada Adams School, 48 Moody Street, Portland; Thornton Heights Commons, 611 Main Street, South Portland; State Street School, 261 Center Street, Brewer
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 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; 200 Valley St - Avesta; Little Dolphin Drive & Jocelyn Place, 89 Anderson; The Hiawatha

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 Co-op and Apartments will be managed separately.

The Cooperative Development Institute (CDI) will be responsible for the creation of the cooperative ownership structure, management, and will ensure implementation of the permanent affordability provisions. Andy Reicher, executive director of UHAB in New York City, will be a consultant to set up a structure to train future residents in managing their buildings, and help seed future cooperative ownership projects.

The Co-op ownership structure is a Limited Equity Cooperative as defined in Maine State Law, meaning that residents rent from an entity that they co-own. This type of cooperative is democratically owned and operated similar to a condo structure, but allows for a wider range of income affordability, as residents do not have to qualify for a mortgage. Resident-owners pay a share price similar to a small down payment, then have a monthly payment similar to rent or mortgage. The Co-op itself holds the mortgage for the property, and over time, the homes become more affordable as expenses increase only with actual expenses - there is no profit motive. New residents must meet income requirements, and monthly costs must not exceed 30% of the Area Median Income (AMI) income bands. These rules continue in perpetuity.

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 for site design, for self-governance, and to recruit more households.

The Apartments will be managed by Saco Falls Management, which manages all of The Szanton Company's buildings. Saco Falls Management was founded in 2013 to manage properties developed by The Szanton Company, of which Nathan Szanton, Robert C. S. Monks, and Amy Cullen are the primary owners. Upon its founding, Saco Falls Management took over management of six properties with the addition of three properties since its opening. Its portfolio includes Casco Terrace, Walker Terrace, and 53 Danforth in Portland, ME; The Mill at Saco Falls and The Lofts at Saco Falls in Biddeford, ME; The Lofts at Bates Mill and The Hartley Block in Lewiston, ME; The Huse School Apartments in Bath, ME; and The Squamscott Block in Exeter, NH. Nathan Szanton, Robert C. S. Monks, and Amy Cullen are the owners of Saco Falls Management.

Both Apartment and Co-op homes will be principal residences and will not be used to conduct 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:

The City expects to receive Fair Market Value (“FMV”) for the property. This is a desirable location with many nearby amenities, but its environmental history makes it a difficult and expensive site to develop housing, especially affordable, quality housing with safe outdoor space for families.

Historically, the former West School site and most of Dougherty Field were part of the salt marsh that ran from Back Cove almost to the Fore River. The site was under water until 1869, then was excavated for its clay to use in brick manufacturing. The site was then used from the early 1900s until the 1950s by the City of Portland as a municipal dump. In 1961, the City planned and built the West School on the site, then used it as an education, continuing education, and community center until 1997. The site still has solid waste buried 18 to 24 inches under the surface and soil contaminated with lead. The former West School building experienced structural and environmental problems from 1981 to 1997, as a result of settling and methane gas from the former landfill. There are also a gas company easement and sewer easement making significant portions of the site unbuildable.

We are committed to avoiding the environmental and site design mistakes that resulted in safety and structural issues for the West School, and creating permanent spaces for future residents, just as we are planning for long-term affordability. Because of the seriousness of the contamination, the environmental remediation costs will be significant.

We began our estimate by assuming a value for clean land in this location of \$450,000/ acre. Of the 141,487 SF of lot area, we currently estimate 40,000 SF of building footprint, and an additional 5,000 SF of areas for community garden and child play that requires clean soil, and an additional 10% for planning, management, and contingency. At an estimated \$20/sf to remove and/or replace soil, our estimate ranges from \$750,000 to \$1,000,000 in anticipated costs. So we estimate \$1,458,000 minus up to \$1,000,000 in remediation costs, many of which won't be known until we are fully committed to the development of the site, and the delay of up to a year's worth of staff time, property taxes, and uncertainty, while we apply for EPA Brownfield funds and conduct remediation.

Taking into account the best interests of the existing and prospective neighbors, and the city's intention to provide affordable housing to families, and development budget feasibility, we are able to offer \$475,000 for the property, which we believe to be Fair Market Value.

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 1-4
If Applicable

COMPANY NAME: The Szanton Company
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE: Nathan Szanton DATE: 6/15/20
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: Nathan Szanton, President

ADDRESS: 482 Congress St, Suite 203, Portland, ME 04101

TELEPHONE: 207-712-6191 E-MAIL: CSzanton@szantoncompany.com

FEDERAL TAX ID #: 01-0533208 DUNS #: 11-700-3073

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.**



June 11, 2020

Honorable Mayor and Councilors:

The Libbytown Neighborhood Association held a special meeting to consider the *Douglass Commons* proposal for the redevelopment of 43 & 91 Douglass Street, aka, the old West School site. The meeting was well attended after a robust discussion, we are pleased to express our support for this proposal. Please factor these recommendations into your consideration of *Design and Amenities* as specified in the *Impact on the Surrounding Neighborhood* section of the RFP score sheet.

With respect to design, the LNA supports projects of quality and distinction which may serve as a neighborhood landmark. Given that the existing fabric and architecture lacks a singular quality, the association would like to see something architecturally notable. Furthermore, the Libbytown Neighborhood is somewhat diverse socio-economically with a prevalence of low to moderate income. The Libbytown Neighborhood Association is strongly supportive of new housing particularly mixed income projects with a focus on low and middle income.

In terms of this projects' design program, we:

- Strongly support this project's *use of site and integration with Park amenities*
- *Modestly Support* this project's interaction with adjacent structures and would advocate for the largest possible set back buffers from adjacent properties on Douglass Street

The area is underserved as it lacks a school, community space, a vibrant commercial corridor, bus shelters, and other staples of urban life. As such, in terms of amenities we:

- Strongly support community *garden/food forest*
- Strongly support the overall commitment to *housing affordability* especially the commitment to mixed incomes and to low to moderate income housing



- Strongly support the commitment to *ethnic diversity* and the possibility of thereof (such as ESL training)
- Strongly support this projects commitment to *sustainability* especially the solar arrays, passive house standards and *tree & shrub* planting
- Strongly support quality *community space* that is open and accessible
- Strongly supports *shared street concept* or piazza concept which can become a flexible community gathering space
- Support commitment to *active transport* and the integration of transit, limited parking, and commitment to traffic demand management

The following items are community priorities in design and amenities that may be part of the program but that we did not see as explicit in this proposal. We believe that a strong commitment to the following would make the project better:

- Implementations of the recommendations of the Libbytown traffic study
- Streetscape and bicycle/pedestrian improvements along Congress Street
- Acknowledgement to the history of the site in terms of project name and building materials (e.g., the site sits on or near a former brick foundry)
- Public transit (such as trolley cars), car share, and other reductions to parking
- Stormwater design
- Environmental mitigation of the site
- ADA access within the site to community spaces in winter months

Overall we **highly recommend** this proposal for its commitment to neighborhood design improvements and amenities.

The Libbytown Neighborhood is grateful for your consideration of this proposal.

Sincerely,

Maureen Morse

Chair



COOPERATIVE DEVELOPMENT INSTITUTE

P.O. Box 1051, Northampton, Massachusetts 01061-1051
PH 413-665-1271 • FX 413-541-8300 • www.cdi.coop • 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 Douglass Street.

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 Douglass Street, 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

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 basis 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).

Future Residents of Douglass Commons Co-op

June 2020

To whom it may concern:

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

Many 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. Rachel Ackoff & Lee Leviter, 19 Lewis St Apt 1F Portland, ME 04102
2. Eric Muteba Kalala, 11 Massachusetts Avenue Apt #2 Portland, ME 04102
3. Cynthia A. Grier, 1227 Westbrook Street, Apt #2, Portland, ME 04102
4. Elisabeth C. Heij, 97 Pitt Street, Portland, ME 04103
5. Valerie and Matthew Todd, 68 Black Sparrow Drive, Portland, ME 04102
6. Nicole Ivins and Richard Bennett, 93 Pitt St #1, Portland, Me 04103
7. Jules Mutoni & Yvette Unezase, 77 Grant St Apt B13, Portland, ME 04101
8. Wendy Herbert & Peter Ackoff 112 Park St. #2, Portland, Me
9. Apollo Karara, 326 Auburn Street #16, Portland, ME 04103
10. Andrea Levinsky 39 Cumberland Rd Apartment 1 South Portland, ME
11. Jacques Kubwimana & Ange Christelle Abaribeza 61 Deering St.Apt #E 04101
12. Arthur Sabeti & Vanice Busingye, 240 Cumberland st, Westbrook 04092 ME
13. Jackson Ntambara & Peace Kobusinge, 2 Walker Street # 1203 Westbrook 04092 ME

June 1, 2020

Matthew F. Fitzgerald
Purchasing Manager
The City of Portland
389 Congress Street
Portland, ME 04101

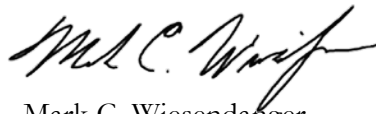
RE: Request for Proposals for 43 & 91 Douglass Street

Dear Mr. Fitzgerald:

MaineHousing is pleased to provide this letter of interest for The Szanton Company's proposal to redevelop a portion of the former West School site. Our understanding is that there will be a mixed-income housing project constructed on the site, potentially financed in part by MaineHousing resources. In our 24-year relationship with The Szanton Company, the applicant has demonstrated an exceptional track record in navigating the processes of market research, site acquisition, design, regulatory approvals, financing, construction, and marketing of a high-quality housing product.

While this letter of interest is not a commitment to allocate affordable housing tax credits, MaineHousing would welcome an application in connection with this project. Based on The Szanton Company's track record, an application would have a strong likelihood of success. Please feel free to contact me directly with any questions.

Sincerely,



Mark C. Wiesendanger
Director of Development



NORTHERN NEW ENGLAND
HOUSING INVESTMENT FUND

5/28/2020

Carl Szanton
Development Associate
482 Congress Street, Suite 203
Portland, ME 04101

RE: Letter of Interest – Douglass Street Project ("Partnership")

Dear Carl:

We are pleased to provide this letter of interest for the creation of affordable and market rate housing in Portland, Maine. As you know, Northern New England Housing Investment Fund ("NNEHIF") invests in community-based projects receiving the Federal Low Income Housing Tax Credit. We understand that you anticipate generating approximately \$800,000 in annual Low Income Housing Tax Credits.

Upon satisfactory resolution of any funding requirements and satisfactory completion of our due diligence we would be interested in investing \$6,878,980 in exchange for a 99.99% limited partnership interest in the Partnership. Approximately 50% of these funds may be available from closing and throughout construction.

This letter of interest is conditioned on the Fund conducting all customary underwriting and due diligence and receipt a final pro-forma, approved by MaineHousing, that addresses any additional loans, grants, fees or other sources.

A more detailed letter of interest will be provided once all the capital sources have been committed.

We wish you great success in your application and look forward to our continued work together.

Sincerely,

Mark Brooks
VP of Underwriting
Northern New England Housing Investment Fund



May 27, 2020

The City of Portland
Planning Department
389 Congress Street
Portland, ME 04101

RE: 43 & 91 Douglass Street

To Whom It May Concern:

On behalf of Bangor Savings Bank I am pleased to provide this letter in support of The Szanton Company for the above-referenced project. Based on our review of the financial elements of the proposal for the development site, we believe that that the applicant has the ability to finance projected costs and develop a project of similar type and scale from a fiscal perspective.

While this letter of support is not a commitment to lend, Bangor Savings Bank would welcome the opportunity to be a resource to The Szanton Company for financing and sponsorship of any equity awards necessary in connection with this project. Please feel free to call me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald B. Hunt". The signature is fluid and cursive, with a stylized "H" and a trailing flourish.

Ronald B Hunt
Vice President
Bangor Savings Bank - Commercial Lending
280 Fore Street, Suite 200
Portland, ME 04101
(207) 420-3967



June 12, 2020

Liz Trice
Principal
Maine Co-op Development Partners
795 Congress Street
Portland, ME 04102

RE: Douglas Commons 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 Douglas Commons 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 Douglas Commons 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.

We have now entered the formal application stage for the FHA 213 mortgage insurance and believe that Douglas Commons Cooperative has a high likelihood of obtaining a 40 year, low interest loan for the project of \$13,308,200. Additional subordinated financing would serve to further increase that likelihood. We also believe that success at Douglas Commons 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. 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, larger signature.

Hugh Jeffers
Vice President of Originations



June 12, 2020

Liz Trice, Principal
Maine Co-op Development Partners
795 Congress Street
Portland, ME 04102

Dear Liz:

Please let this letter serve as an expression of interest in working with Maine Co-op Development Partners to provide financing for the land purchase and predevelopment costs associated with the development of "Douglass Village" cooperatively-owned limited equity housing in Portland, Maine.

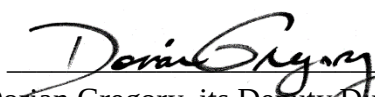
Since CFNE's founding in 1975, we have made over 1,000 loans, totaling over \$60 million, including many loans to support the purchase of cooperatively-owned real estate property. We look forward to seriously consider an application to provide a loan of up to \$855,000 for the above-mentioned purpose.

The terms of any loan would depend on the strengths of the application, collateral, other funders and financing, and the project's *pro forma* for expected cash flow and ability to make payments. Our customary range for interest is 5 -7% and most loans are made with terms of 5-10 years, with a longer amortization possible so that the actual loan payment amounts are affordable.

Our loan committee meets the second or third Thursday of each month, and the deadline for an application is the 15th of the previous month. The process for consideration takes a total of three to four weeks, though sometimes longer, and includes a site visit. My colleague, Deborah Hawkins, will be your loan outreach officer and will usher your application through our committee.

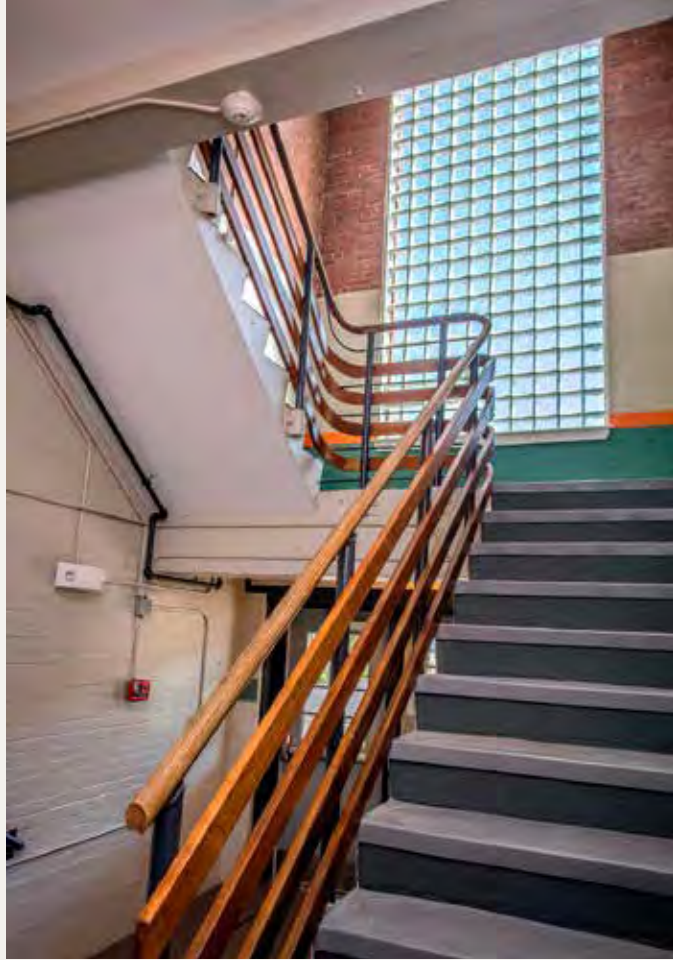
Please let us know if we can provide any other information and we look forward to working with your loan application and other capital needs. Thank you for using the services of the Cooperative Fund.

COOPERATIVE FUND OF NEW ENGLAND, INC.

By: 
Dorian Gregory, its Deputy Director

THE SZANTON COMPANY

an Affiliate of the Monks Companies



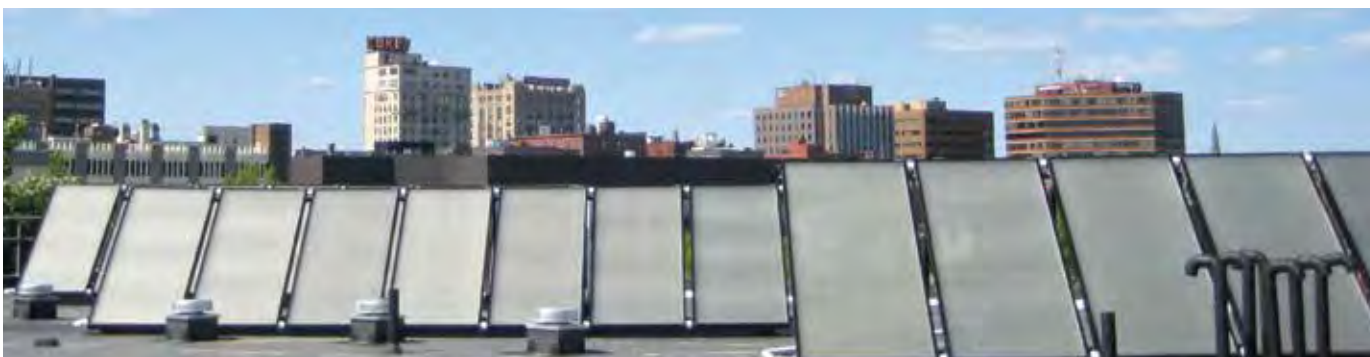
ABOUT THE SZANTON COMPANY

The Szanton Company, an affiliate of the Monks Companies, specializes in developing mixed-income rental housing in or near downtowns. We have completed eight apartment projects in Maine and New Hampshire totaling 393 units.

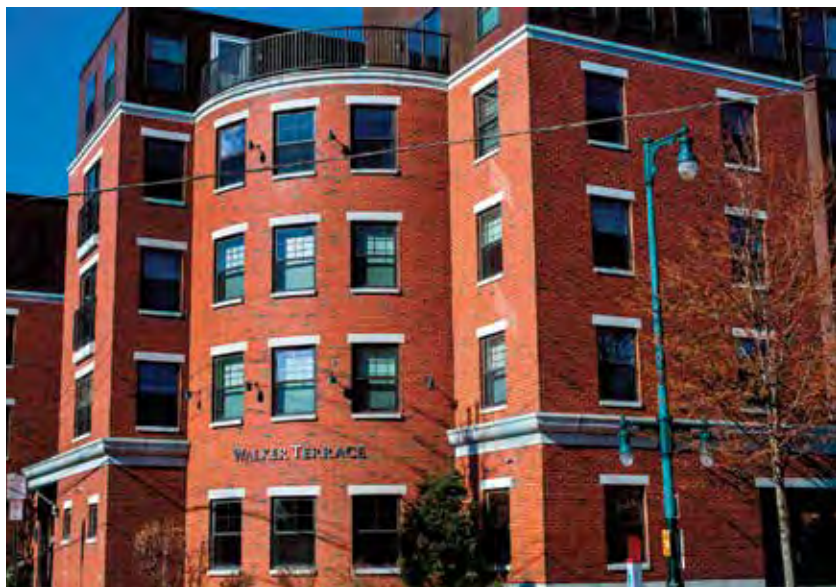
The mission of The Szanton Company is to create attractive and affordable rental housing that our residents are proud to call home. We do this by:

- Creating beautiful apartments of high quality in locations in or near downtowns, adding vitality to our cities and towns;
- Developing properties which provide a consistent, long-term return to their owners, thus ensuring their stability for residents, lenders, and neighborhoods;
- Serving people with diverse incomes;
- Creating amenities for our residents which enhance the quality of their lives;
- Incorporating environmental and energy sustainability in our properties, thereby reducing their impact on the earth's environment.

The Szanton Company is committed to long-term ownership of our apartment assets. In 2013, we founded Saco Falls Management, our property management arm, to ensure the highest standards of visual appearance and livability for our residents, neighbors, and communities.



Rooftop solar panels at 53 Danforth



PRINCIPALS & STAFF

NATHAN SZANTON, PRESIDENT

Nathan founded the company in 1996. Since then he has been responsible for developing 617 apartment units in 24 projects. As manager or principal partner in these projects, Nathan has successfully navigated the process of market research, site acquisition, design, regulatory approvals, financing, construction, and marketing.

He has committed himself to creating comfortable and affordable rental homes for residents with diverse incomes. Some of these have been adaptive reuses for underused historic buildings; others have been thoughtfully designed new construction. Nathan holds a B.A. from Harvard University and a J.D. from the University of Maine School of Law.



ROBERT C.S. MONKS, PRINCIPAL

Robert C.S. Monks is an active capital partner and also provides a deep understanding of real estate development and financing. Throughout his career he has founded, led, and grown 19 businesses in the financial services, real estate, technology and communications sectors.

In 2011, Bobby became an owner and Chairman of Spinnaker Trust, a Maine based trust company managing over \$1 billion in assets. Bobby attended Duke University and graduated from the University of Southern Maine with a Bachelor's Degree in Political Science.

Above: Walker Terrace
Left: The Mill at Saco Falls

Facing Page: The Lofts at Bates Mill

AMY CULLEN, VICE PRESIDENT AND PROJECT PARTNER

Amy joined The Szanton Company in 2006. Her responsibilities include: discovering new project locations, creating financing packages, and working with all development team members to help projects come to life.

Amy also serves as president of our sister company, Saco Falls Management, where she oversees all operations.

Prior to joining The Szanton Company, Amy was on active duty with the U.S. Army for six years, and served as a Training Program Manager for the Department of Defense in Minneapolis, MN. She holds a Bachelors of Science Degree in Accounting from Husson University.

KRISTIN MARTIN, DEVELOPMENT OFFICER

Kristin joined our company in 2013. Her responsibilities include finding and researching sites for new projects, preparing financial analyses, and evaluating development options. She coordinates with lenders, attorneys, architects, engineers, contractors and others on all aspects of The Szanton Company's development projects from concept to completion.

Prior to joining The Szanton Company as a Development Officer, Kristin worked for Saco Falls Management as an Assistant Development Officer, Property Manager and Director of Property Management. She holds a Bachelor of Health Science and a Masters of Occupational Therapy from Quinnipiac University.



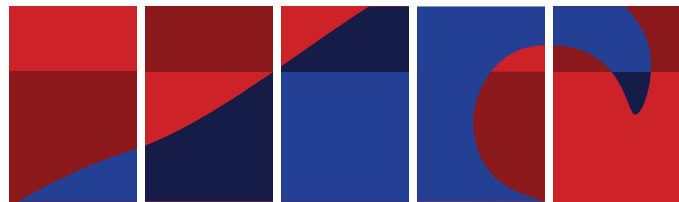
ABOUT SACO FALLS MANAGEMENT

HISTORY

Saco Falls Management is a full-service management company formed by The Szanton Company in 2013 to manage its rental properties, both residential and retail. Since then, the physical condition of the buildings has improved, tenant satisfaction has increased, and the profitability of the properties has grown. We are committed to managing our properties for the long-term with the highest sense of responsibility to our residents, financial partners, and host communities.

OUR MISSION

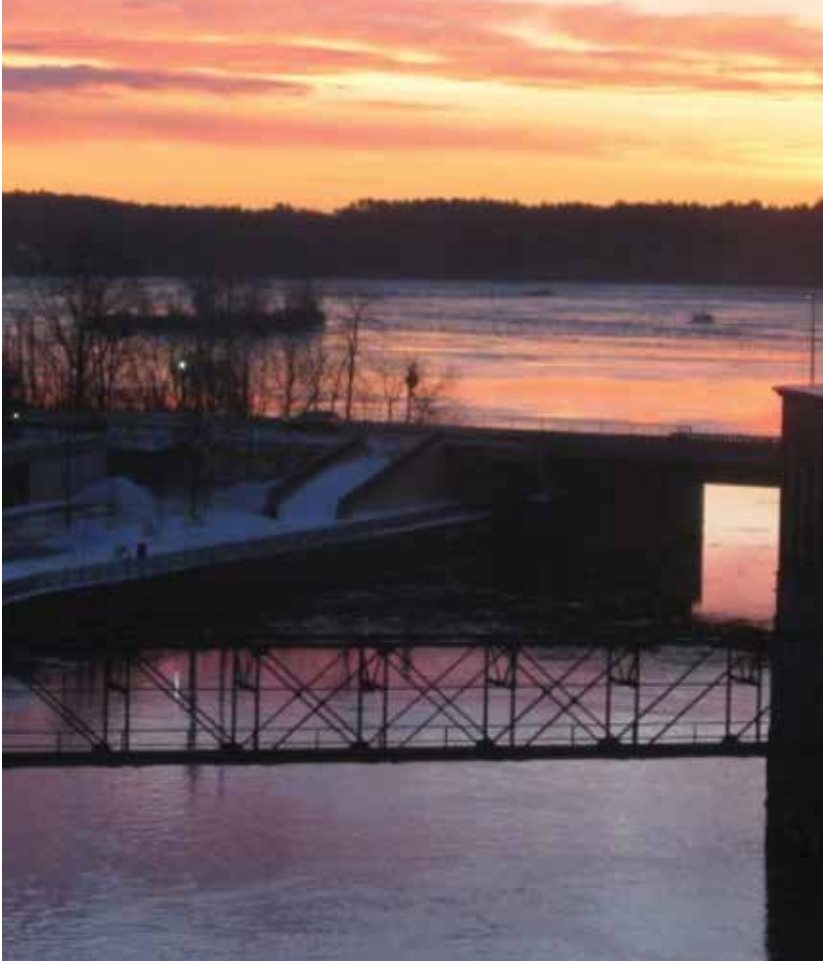
Our mission is creating rental properties that exceed expectations. We are guided by the following core values: honesty, integrity, candor, high standards of quality, respect for all with whom we deal, openness to new ideas, and a culture of continuous learning and enhancement of our knowledge and skills.



SACO FALLS MANAGEMENT



Walker Terrace



View from an apartment at The Mill at Saco Falls

RESIDENT SELECTION

Saco Falls Management Company complies with all state, local, and federal laws regarding fair housing practices or occupancy and resident selection procedures. In addition to program-specific requirements, all adult applicants are screened by our management staff. To be considered for residency at one of our properties, all applicants must have:

- References from prior landlords that show a history of good tenancy. This includes paying rent on time, keeping their unit in good repair and being a good neighbor by following the community rules.
- A favorable credit report.
- An absence of criminal history. We run a criminal background check on all applicants. Any applicant with a history of public disturbances, arrests, criminal activity, listing on the sex offender registry or other law enforcement problems that may indicate behavior inconsistent with lease obligations will be denied.



BATH, MAINE



Huse School Apartments (2017)

LEWISTON, MAINE



The Lofts At Bates Mill (2012)



The Hartley Block (2019)

AUBURN, MAINE



48 Hampshire (2020)

PORTLAND, MAINE



Casco Terrace (2004)



Walker Terrace (2006)



53 Danforth (2009)



The Furman Block (2020)

BIDDEFORD, MAINE



The Mill At Saco Falls (2010)



The Lofts At Saco Falls (2016)

EXETER, NEW HAMPSHIRE



The Squamscott Block (2007)

CASCO TERRACE

41 STATE STREET, PORTLAND, MAINE



Above Left: Casco Terrace, after. Right: Casco Terrace, before

*Facing page: Top: Casco Terrace from State Street
Bottom: Casco Terrace interior*

**“...CITY OFFICIALS SAY THE STATE-FINANCED PROJECT IS THE
KIND OF DEVELOPMENT PORTLAND NEEDS...”** —*Portland Press Herald*

CASCO TERRACE is a 27-unit vertical addition on an existing 27-car parking garage (see before and after photos opposite). The pre-construction newspaper story below describes the project's highlights and the need it addresses in a city desperate for affordable housing.

From the *Portland Press Herald*, May 28, 2003:

“It began as one of the first parking garages in Portland, at a time when few people owned cars ...

...City officials say the state-financed project is the kind of development Portland needs to help stem suburban sprawl and provide affordable rental housing for its workforce. They also give it high marks for being attractive and practical, and making the most of an under-used lot with desirable views of the waterfront.

...‘It’s a project with a lot going for it’, said Mark Adelson, Executive Director, Portland Housing Authority.”

YEAR COMPLETED: 2004

UNITS: 27 (14 Market-Rate + 13 Income-Restricted)

ARCHITECT: Archetype, P.A.

CONSTRUCTION MANAGER: Wright-Ryan Construction

FINANCING: MaineHousing and TD Bank



WALKER TERRACE

1 WALKER STREET, PORTLAND, MAINE



WALKER TERRACE is a six-story building that replaced an abandoned gas station, transforming the site and the neighborhood around it. It also helps to fulfill the city's goal of providing greater housing density along public transportation arteries. Walker Terrace is the first apartment building in Maine built to Maine State Housing Authority's Green Building Standards.

From the *Portland Press Herald*, September 21, 2004:

"Eager for any smart-growth infill opportunity to augment urban housing and curb Greater Portland sprawl, the Portland City Council unanimously let developer Nathan Szanton build 40 varied-income rental units on 0.4 acres of a former gas station in the West End, more than twice the number the current zoning allows, with Mayor Nathan Smith saying, 'This project does just about everything we as a city have been asking for.'"



YEAR COMPLETED: 2006

UNITS: 40 (18 Market-Rate + 22 Income-Restricted)

ARCHITECT: Archetype, P.A.

CONSTRUCTION MANAGER: Portland Builders

FINANCING: MaineHousing; the City of Portland;
Centerline Capital; Bank of America.

**“...THIS PROJECT DOES JUST ABOUT EVERYTHING WE AS A CITY
HAVE BEEN ASKING FOR...”** —Portland Mayor Nathan Smith



Above: Walker Terrace, after
Left: Walker Terrace, before

Previous page: Top: Walker Terrace Sidewalk Gallery
Bottom: Walker Terrace interior

“THIS IS AN AWESOME PROJECT FOR DOWNTOWN.” —Sylvia Von Aulock, Town Planner
Exeter News-Letter 2/22/05

THE SQUAMSCOTT BLOCK addresses the severe lack of affordable rental housing in Seacoast New Hampshire; adds vitality to Exeter’s downtown district; fills a gap in the streetscape of one of Exeter’s most important and beautiful streets; and promotes smart growth by adding density near public infrastructure.

Previously a surface parking lot next to Exeter’s historic 1856 Town Hall, the Squamscott Block is on the site of two historic structures torn down in the mid-20th century to make way for parking. The four-story building features 2,600 square feet of retail space along busy Water Street, currently housing an art gallery and a therapeutic salt cave. Two hidden levels of parking provide 36 spaces for the residents and 58 spaces for neighboring businesses.

YEAR COMPLETED: 2007

UNITS: 30 (14 Market-Rate + 16 Income-Restricted)

ARCHITECT: Archetype, P.A.

CONSTRUCTION MANAGER: North Branch Construction

FINANCING: New Hampshire Housing; the Town of Exeter, New Hampshire; the New Hampshire Community Development Finance Authority; TD Bank; Unitil; and HUD.



53 DANFORTH

53 DANFORTH STREET, PORTLAND, MAINE



Above Left: 53 Danforth, after. Right: 53 Danforth, before

**“THE BUILDING AT 53 DANFORTH STREET WILL HELP MAKE PORTLAND
THE MOST LIVABLE CITY IN AMERICA.”** —Portland Mayor Jill Duson, *Portland Press Herald* 8/13/09

53 DANFORTH is located in the heart of the Portland Peninsula, a few blocks from downtown, the Arts District, the Old Port, the West End, and the Waterfront. It replaced a 50 year-old one-story garage and gravel parking lot. It includes 35 one-bedroom apartments, 8 two-bedroom apartments, and covered on-site parking. Many of the units boast views of Portland’s harbor and downtown Portland. This was our first project to include solar energy.



YEAR COMPLETED: 2009
UNITS: 43 (13 Market-Rate + 30 Income-Restricted)
ARCHITECT: Archetype, P.A.
CONSTRUCTION MANAGER: Wright-Ryan Construction
FINANCING: MaineHousing; TD Bank;
and the City of Portland, Maine.



Above: 53 Danforth interior
Bottom: Rooftop solar panels, 53 Danforth

THE MILL AT SACO FALLS

100 SACO FALLS WAY, BIDDEFORD, MAINE



YEAR COMPLETED: 2010

UNITS: 66 (26 Market-Rate + 40 Income-Restricted)

ARCHITECT: Archetype, P.A.

CONSTRUCTION MANAGER: Wright-Ryan Construction

FINANCING: MaineHousing; TD Bank; HUD; Northern New England Housing Investment Fund; the City of Biddeford; and The America Recovery and Reinvestment Act of 2009.

THE MILL AT SACO FALLS is an adaptive re-use of an 1845 textile mill building adjacent to the Saco River falls in Biddeford. It is a key component of the Biddeford Mill District renaissance—from a collection of aging industrial buildings to a vibrant, mixed-use neighborhood featuring public access to the Saco River.

Features of the project include magnificent views of the Saco River and falls, and a short walk to both the Amtrak station on Saco Island and Biddeford's historic downtown. Residents enjoy a fitness center, outdoor play area, home theater room, and community room with computers.



“THE PROPERTY WILL BE A PHENOMENAL ASSET TO THE CITY AND REFLECTS THE COMMUNITY’S WORKING MILL TRADITION.” –City Council President Bob Mills, *The Courier* 1/28/10



Above: The Mill at Saco Falls, after
Left: The Mill at Saco Falls, before

Previous Page: Left: The Mill at Saco Falls corridor
with mill artifact steel door
Right: The Mill at Saco Falls interior

THE LOFTS AT BATES MILL

36 CHESTNUT STREET, LEWISTON, MAINE



*Bottom Left: The Lofts at Bates Mill, west facade and Fountain Park, before
Above: Same view, after renovations*

Facing page:

Top: The Lofts at Bates Mill entrance

Bottom: Lobby with display of historic artifacts

**“THE QUALITY HOUSING IS AN ESSENTIAL COMPONENT OF
THE DOWNTOWN REVITALIZATION.”** –Mayor Bob MacDonald at his Grand Opening speech

THE LOFTS AT BATES MILL, the Szanton Company’s first Lewiston project, is the adaptive re-use of an 1854 Bates Manufacturing Company textile mill, Mill #2. The Lofts at Bates Mill features 25 one-bedroom, 16 two-bedroom, and 7 three-bedroom apartments. The Lofts at Bates Mill is the first apartment housing built in Lewiston’s Mill District.

The project completely transformed the west facade of this classic red-brick mill structure. Features of the project include 13-foot ceilings, exposed timber framing, large windows with abundant natural light, and an expansive view across Fountain Park and the Bates Mill Complex to the Androscoggin River. The project is a short three-block walk to the services in downtown Lewiston and is on a local bus line. Residents enjoy complimentary wi-fi, fitness center and spacious community room with computer.



YEAR COMPLETED: 2012

UNITS: 48 (15 Market-Rate + 33 Income-Restricted)

ARCHITECT: Platz Associates

CONSTRUCTION MANAGER: Platz Associates

**FINANCING: MaineHousing, The City of Lewiston, People’s
United Bank, Hunt Capital Partners, and Maine Preservation.**

THE LOFTS AT SACO FALLS

75 SACO FALLS WAY, BIDDEFORD, MAINE



Right: The Lofts at Saco Falls, before
Above: Completed project

Facing Page:
The Lofts at Saco Falls renovated interiors



**“IT’S A THRILL TO SEE OLD MILL BUILDINGS BEING RENOVATED.....TODAY WE LOOK
AT MILLS AS BEING SPECIAL, ARCHITECTURALLY AND EVEN CULTURALLY.”**

—Mayor Alan Casavant at his Groundbreaking speech

THE LOFTS AT SACO FALLS is the newest in a series of adaptive re-use projects which The Szanton Company began in 2010. It consists of two connected buildings, built in 1842 and 1867, totaling 92,000 square feet and sitting directly adjacent to our 2010 project, The Mill at Saco Falls.

The Lofts offers 80 (mostly 1-bedroom) apartments, as well as a landscaped courtyard, fitness center, waterfront park next door, and a short walk to downtown Biddeford and Saco. It also includes the features typical of historic New England mill buildings: high ceilings, large windows, revealed brick and exposed timber framing.



YEAR COMPLETED: 2016

UNITS: 80 (14 Market-Rate + 66 Income-Restricted)

ARCHITECT: Archetype, P.A.

CONSTRUCTION MANAGER: Wright-Ryan Construction

FINANCING: MaineHousing; Northern New England Housing Investment Fund; People’s United Bank; Coastal Enterprises; Genesis Fund; City of Biddeford; Southern Maine Planning and Development Commission.

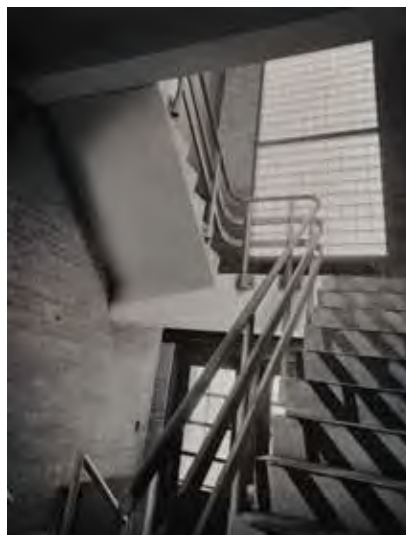
HUSE SCHOOL APARTMENTS

39 ANDREWS ROAD, BATH, MAINE



Above: Renovated Huse School gym

Right: Original design elements such as this stairwell have been maintained in the renovated space.



HUSE SCHOOL APARTMENTS involved the renovation and rehabilitation of the former John E.L. Huse Memorial School, built in 1942 and 1949. We re-purposed this elementary school to create 31 apartments and added a new construction wing with 28 apartments, for a total of 59 units.

The existing building was restored to its original 1942 appearance, designed by notable Maine architect and Bath native, Alonzo Harriman. Included are new windows consistent with the originals, restored masonry, and new signage which reproduced the original distinctive design. The apartments in the existing building feature original wood floors, high ceilings, and large windows with abundant natural light. Building amenities include wi-fi, fitness center, community room, and secure bike storage.

The Huse School Apartments are located steps from the modern YMCA, the 5-mile Whiskeag Trail, and a short walk to downtown Bath with its variety of shops, restaurants, library and more.

YEAR COMPLETED: 2017

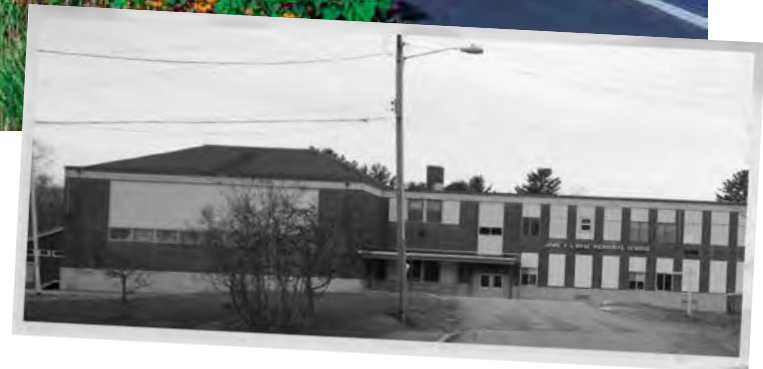
UNITS: 59 (16 Market-Rate + 43 Income-Restricted)

ARCHITECT: Archetype, P.A.

CONSTRUCTION MANAGER: Zachau Construction

FINANCING: MaineHousing; Northern New England Housing Investment Fund; Bangor Savings Bank; Coastal Enterprises; Maine Department of Economic and Community Development.

“THE PROJECT PROTECTS AND SAVES THIS HISTORICAL BUILDING...AND WILL PROVIDE PROPERTY TAX REVENUES FOR THE CITY...” –Lorena Coffin, Director of Sagadahoc Preservation Inc.



Top: Huse School Apartments
Above: Before renovation
Left: Interior of renovated Huse School apartment

THE HARTLEY BLOCK

155 LISBON STREET, LEWISTON, MAINE



Above: The Hartley Block
Left: Historic images of same location

Facing Page Top: The Hartley Block façade
Facing Page Bottom: Before construction

“WE ARE THRILLED THAT THE SZANTON COMPANY WILL BE REINFORCING OUR DOWNTOWN HISTORIC AND COMMERCIAL CORRIDOR BY BUILDING THIS IMPORTANT PROJECT.”

—Lewiston Mayor Shane Bouchard

THE HARTLEY BLOCK brings new life to a prominent 175' x 100' empty lot on downtown Lewiston's Lisbon Street. In 2004 and 2006, four connected historic buildings on Lisbon Street suffered extensive fire damage and were condemned and demolished, leaving a gaping hole in the city's most iconic street. One of the buildings was the site of the 1906 art studio of Marsden Hartley, an important early modern American painter born and raised in Lewiston.

A mixed-use, mixed-income project, The Hartley Block features 63 apartments aimed at a diversity of income groups and 4,000 sq. ft. of retail space along Lisbon Street. The project includes a fitness center, community room, children's playroom, dedicated bike storage, wi-fi and covered parking directly behind the building. The site is within easy walking distance of the public library (across the street), shops, restaurants, cafes, and two major parks.

This project adds momentum to downtown Lewiston's resurgence, including street-level public art at the entrance. Two 9-foot mosaic tile works, after Marsden Hartley paintings, animate its façade.



YEAR COMPLETED: 2019

UNITS: 63 (22 Market-Rate + 41 Income-Restricted)

ARCHITECT: Platz Associates

CONSTRUCTION MANAGER: Hebert Construction

FINANCING: MaineHousing; TD Bank; Northern New England Housing Investment Fund; City of Lewiston.

48 HAMPSHIRE

48 HAMPSHIRE STREET, AUBURN, MAINE



Located at the corner of Hampshire and Troy Streets, 48 HAMPSHIRE will aid the revitalization of downtown Auburn's important Hampshire Street corridor by bringing 53 high-quality new apartments to the neighborhood.

These will be a mixture of one, two and three-bedroom units, varying in size from 590-950 square feet. Included in the rent are heat and hot water, off-street parking, wi-fi, fitness center, community room and indoor bike storage.

48 Hampshire is located within easy walking distance of the public library, YMCA, shops, restaurants, grocery store, drugstores, and all the amenities of downtown Auburn.

The Szanton Company broke ground in March 2019 and expects to open to residents in April 2020.



Above: Rendering of completed project
Left: Same location, prior to construction

“WE ARE LOOKING FORWARD TO WATCHING YET ANOTHER MAJOR CONSTRUCTION PROJECT IN OUR DOWNTOWN TAKE SHAPE — ONE THAT WILL PROVIDE QUALITY WORKFORCE HOUSING, INJECT CAPITAL INTO OUR LOCAL ECONOMY, AND ENHANCE THE IMAGE OF AUBURN AS WE BECOME THE BEST SMALL CITY IN NEW ENGLAND”

—Auburn Mayor Jason Levesque



Above: Rendering of East elevation

PROJECTED COMPLETION: 2020

UNITS: 53 (11 Market-Rate + 42 Income-Restricted)

ARCHITECT: Platz Associates

CONSTRUCTION MANAGER: Benchmark Construction

FINANCING: MaineHousing; Boston Financial;
NBT Bank; City of Auburn.

THE FURMAN BLOCK

100 PARRIS STREET, PORTLAND, MAINE



Above: Rendering of completed project, from corner of Kennebec and Brattle Streets

Right: Before construction, Nathan Szanton and Amy Cullen on project site



“I THINK THIS IS THE NEXT BIG STEP IN CREATING A MULTI-USE NEIGHBORHOOD IN THIS PART OF BAYSIDE. IT’S PRETTY EXCITING TO GET THIS MOVING.”

—Portland City Councilor David Brenerman

THE FURMAN BLOCK is The Szanton Company’s first mixed-income project specifically for seniors, ages 55 and over. Located in the heart of Portland’s West Bayside neighborhood, it’s a short walk to Whole Foods and Trader Joe’s, small restaurants and delis, the 3.5 mile trail that loops around Back Cove and a few blocks from downtown Congress Street’s arts, business, and shopping district.

The property will feature 46 1-bedroom and five studio apartments. Some residents will have water views of Back Cove; others will enjoy views of Deering Oaks Park or Portland’s downtown. All will have abundant natural light. Included in rent are heat and hot water, a fitness center, indoor bike storage and wi-fi. The property also features a community room and coin-op laundry. The street-level commercial space, to be owned and managed by Ross Furman, will be a combination of artists’ studios and gallery space.

Repurposing an empty gravel lot at the corner of Parris and Kennebec Streets, The Furman Block contributes to the revitalization of this former industrial neighborhood.

PROJECTED COMPLETION: 2020

UNITS: 51 (11 Market-Rate + 40 Income-Restricted)

ARCHITECT: Archetype, P.A.

CONSTRUCTION MANAGER: Hebert Construction

FINANCING: MaineHousing; Northern New England Housing Investment Fund; City of Portland.



Above: Rendering of completed project, from corner of Kennebec and Parris Streets

REFERENCES

AUBURN

PETER CRICHTON

City Manager

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MICHAEL CHAMMINGS

Director of Economic and Community Development

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BATH

PETER OWEN

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BIDDEFORD

JOHN BUBIER

Former City Manager

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ALAN CASAVANT

Mayor

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DOUG EASTMAN

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ED BARRETT

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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



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, 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

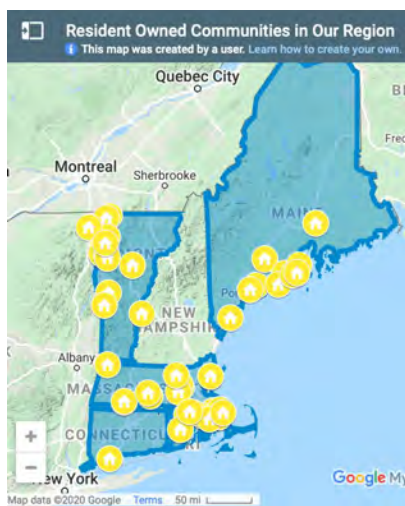


645 CONGRESS STREET—This former downtown college dormitory was converted to 55 one-bedroom and studio apartments with retail on the first floor. Liz worked for developers Shinberg and Alford on the initial concept, conducted a market analysis, developed relationships and communication with neighbors 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

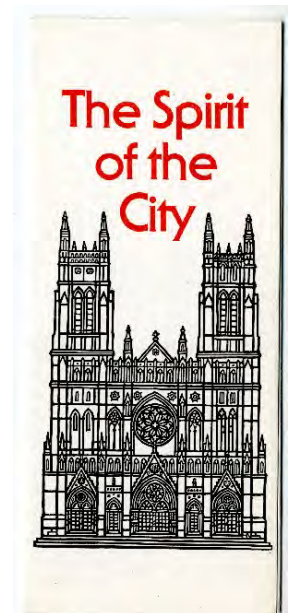
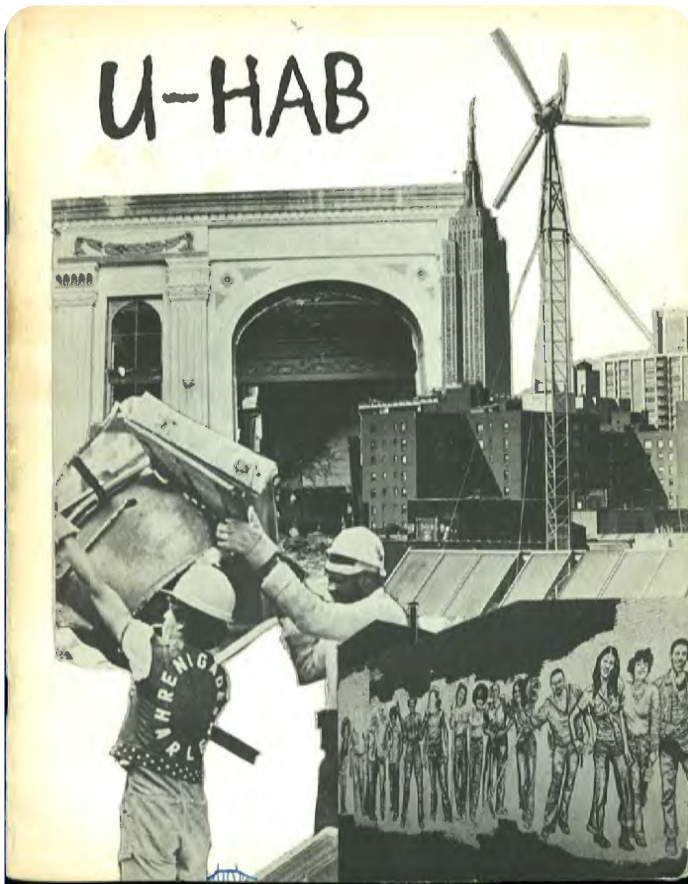
Assistance Fund. "We are so pleased to be able to help the residents of the Mountainside Community Cooperative become property owners today," said Bill Floyd, Executive Director of the Genesis Fund.

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

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,

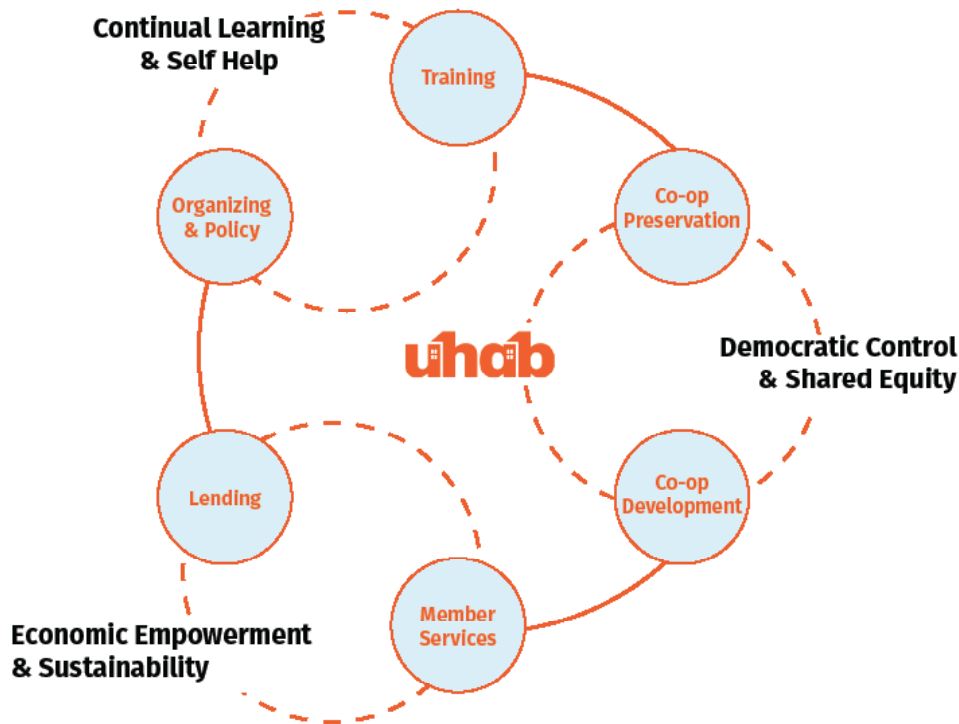
A handwritten signature in blue ink, appearing to read 'A. Reicher', with a stylized flourish at the end.

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

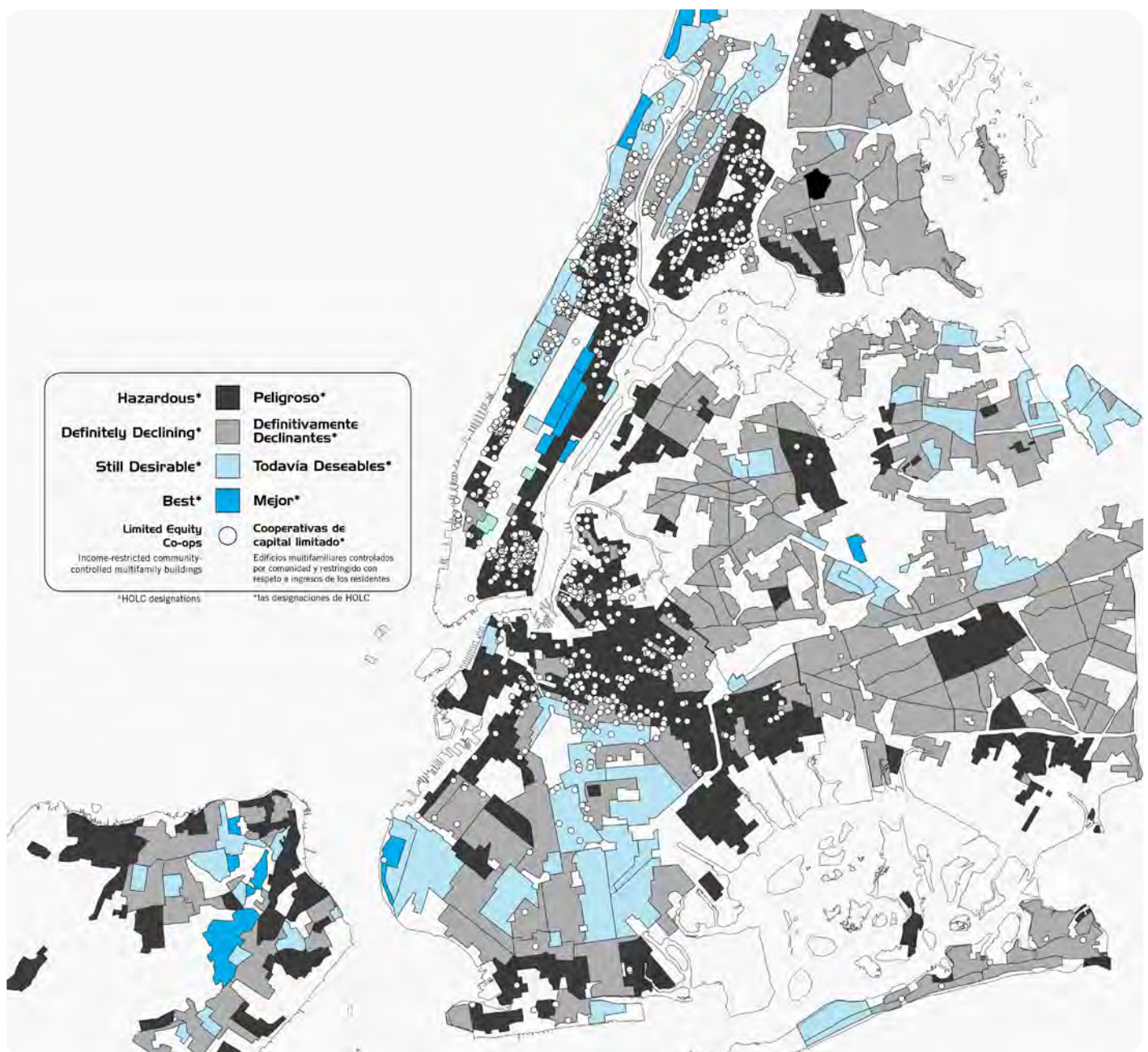
Transparent leadership and the participation of a majority of residents—each contributing unique skills and perspectives—make democratic governing and organizing possible. This collective control of housing helps prioritize a shared equity that keeps affordability manageable for future incoming residents.

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.



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

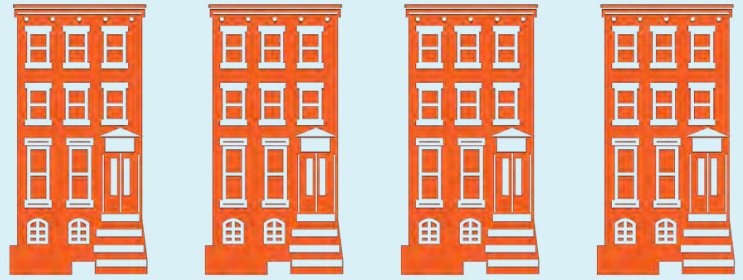
15 co-ops

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.



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

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 a 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

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

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
207.232.5154
DBACON@MR.HOLDINGS

MARK RUDOLF

PRINCIPAL / OWNER VELLUM ARCHITECTS
970 618 1889
MARK@VELLUMAD.COM

JAY CHACE

PLANNING DIRECTOR, TOWN OF SCARBOROUGH
207-730-4042
JCHACE@SCARBOROUGHMAINE.ORG

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

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.

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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



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 town's transit system.

KEY STAFF

Caitlin Aceto, Nick Aceto

SERVICES

Landscape Architecture, Urban Design

STATUS

Under Way Summer 2020

REFERENCE

Glenn Rappaport | 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

KEY STAFF	Nick Aceto, Caitlin Aceto
SERVICES	Landscape Architecture, Urban Design, Planning
STATUS	Planned
REFERENCE	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 'affordable' 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.

KEY STAFF	Nick Aceto, Caitlin Aceto
SERVICES	Landscape Architecture, Visualization
STATUS	On-Hold
REFERENCE	Rich Ciuciuch, Project Workshop



RAISE-OP | BLAKE STREET CHARETTE LEWISTON ME

ALA worked collaboratively with this Lewiston CO-OP via a series of charrettes 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 site's historic commercial character while testing new models for living and working.

KEY STAFF	Nick Aceto, Caitlin Aceto
SERVICES	Landscape Architecture, Site Planning
STATUS	Planned
REFERENCE	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.

KEY STAFF	Nick Aceto
SERVICES	Site Planning, Urban Design
STATUS	Planned, Under Way
REFERENCE	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.

KEY STAFF	Nick Aceto, Caitlin Aceto
SERVICES	Landscape Architecture, Visualization
STATUS	Under Way Summer 2020
REFERENCE	Ethan Hipple, Zack Barowitz

Blackstone Senior Living

Location: Falmouth, Maine

Completion Date: February 2018

Size: 15,000 square feet new

Program: 19 units new, 1-bedroom, and 2- bedroom apartments to Passive House performance levels; plus significant rehabilitation of 20 existing units

Cost: \$185 / sf

Scope: New Construction and rehabilitation

Reference:

Catherine Elliott

Avesta Housing

(207) 553-7780

CElliott@avestahousing.org





48 Union Wharf | Portland, ME. 04101 | tel. 207.772.6022

www.archetype-architects.com

Company Background and History

Archetype Architects has, since 1983, developed an extensive portfolio of building projects in Maine and New England. We are a commercial architectural firm specializing in business, retail and housing developments. Our areas of service include master- planning, architectural design, and interior design. Prior to 1983 David Lloyd and Bill Hopkins maintained separate practices after having begun their careers in Boston and New York, respectively.

Archetype regularly designs and completes commercial projects in a very diverse field of typologies. Everything from hospitality and multi-family residential to offices and light industrial projects is well within our purview.

Personnel:

Principals: David Lloyd
William Hopkins

Architects: David Mele
Barry Yudaken
Virginie Stanley
Katherine Detmer
James Broadbent

Architectural Associates: Michael Hutchins
Mike Coyne
Devin Cough

Architectural Interns: Maryna Nelson
Sam Berry

Interior Designer: Sally Anderson

Office Manager: Susan Geffers

Registration Status:

Maine, New Hampshire, Massachusetts, Connecticut, New York, New Jersey, RI and US Virgin Islands

Professional Affiliations:

National Council of Architectural Registration Board
International Building Code
National Fire Protection Association

RELATED PROJECT EXPERIENCE

Archetype has provided Design Services for the following residential projects.

Project & Location	Type of Project	Client
Osprey Circle S. Portland, ME	48 Units Apartments 2 large multi-unit buildings	Kevin Bunker - Developers Collaborative (207) 766-1632 - bunker.kevin@gmail.com
Oriole Way Ellsworth, ME	50 Units Apartments 7 Buildings, Flats and Townhouses	Kevin Bunker - Developers Collaborative (207) 766-1632 - bunker.kevin@gmail.com
Webster Point Orono, ME	15 Units Condos 7 Buildings Townhouses	Kevin Bunker - Developers Collaborative (207) 766-1632 - bunker.kevin@gmail.com
Summer Street Gardiner, ME	15 Units Apartments 2 Buildings, Flats and Townhouses	Kevin Bunker - Developers Collaborative (207) 766-1632 - bunker.kevin@gmail.com
Minot Ave. Auburn, ME	36 Units Apartments 3 Buildings, Flats and Townhouses	Kevin Bunker - Developers Collaborative (207) 766-1632 - bunker.kevin@gmail.com
Maple Street Augusta, ME	29 Units Apartments 3 Buildings, Flats and Townhouses	Kevin Bunker - Developers Collaborative (207) 766-1632 - bunker.kevin@gmail.com
Deering Place Portland, ME	75 Units Apartments	Avesta Housing (207) 553-7780
Motherhouse Portland, ME	88 Units Elderly Apartments	Kevin Bunker - Developers Collaborative (207) 766-1632 - bunker.kevin@gmail.com
Fox School S. Paris, ME	12 Units Elderly Apartments	Avesta Housing (207) 553-7780
Larrabee Commons Westbrook, ME	38 Units Elderly Apartments	Christopher LaRoche – Westbrook Housing (207) 854-6805-claroche@westbrookhousing.org
Millbrook Estates Westbrook, ME	38 Units Elderly Apartments	Christopher LaRoche – Westbrook Housing (207) 854-6805-claroche@westbrookhousing.org
St. Ignatius Sanford, ME	66 Units Apartments	Kevin Bunker - Developers Collaborative (207) 766-1632 - bunker.kevin@gmail.com
Eliot Housing Eliot, ME	38 Units Elderly Apartments HUD	David Bateman - Bateman Partners, LLC (207) 772-2992-David@batemanpartnersllc.com
Carleton Street Portland, ME	37 Units Apartments	Avesta Housing (207) 553-7780
Huse School Bath, ME	58 Units Apartments	Nathan Szanton - The Szanton Company (207) 8719811- nszanton@szantoncompany.com
Hodgkins School Augusta, Me	47 Units Apartments	Amanda Bartlett - Augusta Housing amanda.bartlett@augustahousing.org
134 Washington Ave. Portland, ME	18 Units Veterans Housing	Avesta Housing (207) 553-7780

RELATED PROJECT EXPERIENCE

Archetype has provided Design Services for the following residential projects.

Project & Location	Type of Project	Client
Village Green Cumberland, ME	38 Units Apartments	David Bateman - Bateman Partners, LLC (207) 772-2992-David@batemanpartnersllc.com
Sanford Mill Sanford, ME	36 Units Apartments	Northland Enterprises, LLC Rex Bell
Danforth on High Portland, ME	30 Units Apartments	Random Orbit, Inc. Peter Bass
Hyacinth Place Westbrook, ME	37 Units Apartments	Avesta Housing (207) 553-7780
Sullivan School Apartments South Berwick, ME	34 Units Apartments	David Bateman - Bateman Partners, LLC (207) 772-2992-David@batemanpartnersllc.com
Emery School Apartments Biddeford, ME	24 Units Apartments	Avesta Housing (207) 553-7780
The Mill at Saco Falls Biddeford, ME	66 Units Apartments	The Szanton Company (207) 8719811- nszanton@szantoncompany.com
Spring Crossing Elderly Housing Westbrook, ME	34 Elderly Apartments	Christopher LaRoche – Westbrook Housing (207) 854-6805-claroche@westbrookhousing.org
53 Danforth Portland, ME	43 Units Apartments	The Szanton Company (207) 8719811- nszanton@szantoncompany.com
Walker Terrace Portland, ME	40 Units Apartments	The Szanton Company (207) 8719811- nszanton@szantoncompany.com
Casco Terrace Portland, ME	27 Units Apartments	The Szanton Company (207) 8719811- nszanton@szantoncompany.com





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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.





CREDERE

ASSOCIATES, LLC

Brownfield Assessment & Cleanup

Credere specializes in redevelopment planning, engineering, and environmental sciences with a goal of providing services that positively impact the community, economy, and environment using Smart Growth principles. Credere is SBA certified 8(a); DOT certified DBE in ME, NH and MA; and Self-Certified EDWOSB/WOSB.

The word “credere” means “to believe” in Italian. Credere is also an acronym for community revitalization, economic development, environmental remediation, and engineering. It was very important to Theresa and Rip Patten when naming the company that the name communicates something more than crediting the owners. The name should embody the company mission: what the company believes, what it aspires to do for its clients, and the means through which it can be achieved. To us, Credere is the perfect name. We believe that we can use our engineering education and our knowledge of environmental remediation to help our clients achieve community revitalization by successful completion of redevelopment projects. It is our small way to make the world a little better. Credere works with planning commissions, municipalities, economic development boards, private developers, and local and federal government agencies to overcome environmental issues that are hindering the redevelopment process.

Credere’s mission is to provide services that positively impact the community, economy, and environment that our clients and employees work, live and play.

Credere has extensive experience in completing long-term, sustainable Brownfields Programs and private redevelopment projects, which use smart growth principles. The projects include various tasks, such as, environmental assessment, re-use planning and remediation and redevelopment engineering.



Marada Adams School – 48 Moody Street, Portland, Maine

The 1.5-acre Marada Adams Community School was used as an educational facility from 1958 until 2006, when the school was closed and the property was vacated. Historically, the property contained a complex of buildings occupied by the Portland Railroad Company and a trolley railroad crossed the middle of the site. During the late 1800s, a portion

of the property was also used as the Burgess, Forbes & Company White Lead & Color Works facility (a can and hand grenade manufacturer). Credere performed a Phase I assessment at the property in anticipation of a transfer of ownership from the City of Portland to a private non-profit affordable housing developer, AVESTA Housing. Following the sale of the property, Credere performed Phase II activities to investigate potential hazardous building materials and contaminated soil. Based on the Phase II data, the developer was able to anticipate concerns with worker and future residential exposure, and waste soil disposal. Credere helped the development team minimize the financial and logistical impact of these issues through the re-design of the site layout, enrollment in the Maine DEP VRAP program, and attainment of a \$200,000 Brownfields cleanup grant. Between 2012 and 2013, Credere oversaw the remediation of hazardous building materials, contaminated soils, and the redevelopment of this site into 16 units of affordable homeownership housing, a public greenway and a playground. The project transformed an underutilized Brownfields site located in an otherwise vibrant neighborhood and returned it to the community.



Thornton Heights Commons – 611 Main Street, South Portland, Maine

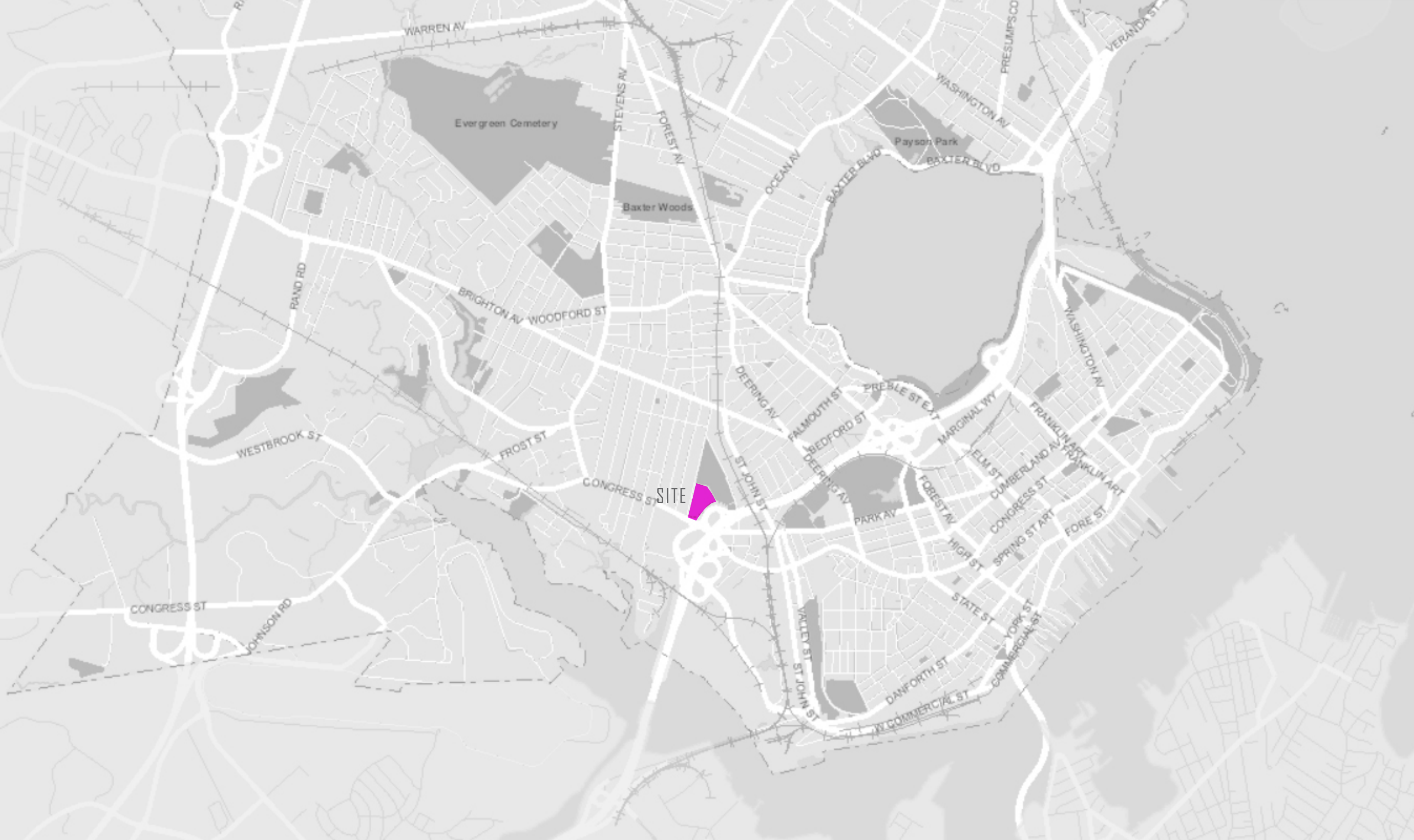
The South Portland Housing Authority acquired the former St. John parish church, rectory (i.e. a residence for clergy), and a church school in Thornton Heights or South Portland, Maine. The buildings on the 1.81-acre site were severely dilapidated and contained substantial hazardous

building materials including lead, asbestos, and PCBs, and soil was contaminated from lead paint around all of the Site buildings. Credere performed several phases of environmental investigation, geotechnical investigation, assisted the housing authority in obtaining a \$500,000 EPA Brownfields cleanup grant, and cleanup and redevelopment planning. In 2020, Credere oversaw the solicitation of bids from cleanup contractors and subsequently implemented the abatement and remediation of the site, demolition of the Site buildings, and preparation of the site for redevelopment. The project is currently moving to construction of a 46,000 square foot four-story mixed-use affordable housing projected that will include parking for seventy vehicles,

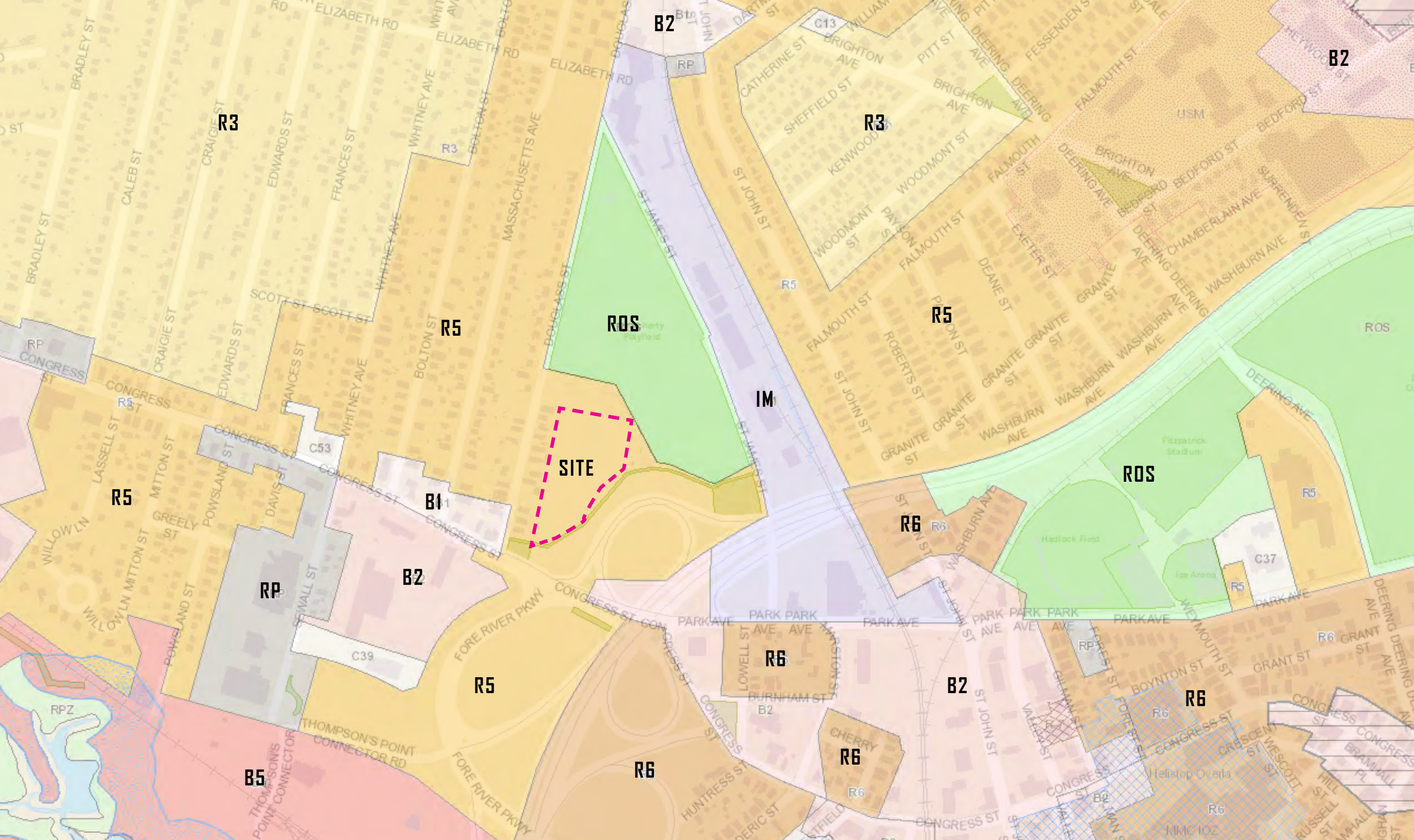
a 10,000 s.f. community open space, and three new single-family house lots. The building will consist of 42 apartments on the three upper floors, a community space, and 7,000 s.f. of commercial space on the ground floor.

State Street School – 261 Center Street, Brewer, Maine

The State Street School was a 6,630-square foot two-story building that was constructed in 1948. The Site building was operated as an elementary school from 1948 until June 2011 and was vacant thereafter. Based on assessment work completed at the Site by Credere and others, asbestos, lead, and universal and/or hazardous waste were considered to be contaminants of concern. Credere assisted the City in remediation planning and environmental clean activities, which included abatement and removal of asbestos; universal, special, and hazardous waste; and lead-based paint building debris in accordance with the Maine DEP VRAP. To support the redevelopment of the Site, Credere completed a geotechnical engineering evaluation and provided recommendations for the design and construction of the 48-unit Community Housing of Maine (CHOM) affordable housing development. This was the first multi-family passive building in ME and in New England, and at the time, was the largest passive housing building anywhere in the country. As part of this work, Credere conducted a subsurface exploration program, which included laboratory testing, evaluating subsurface conditions, and completing geotechnical engineering analyses including settlement and bearing capacity calculations and limited stability assessment of proposed excavations.















LAND USE SUMMARY			
BLDG	HT	UNITS	GSF
A (CO-OP)	3ST.	12	~11,760
B (CO-OP)	2 ST.	4	~4,080
C (CO-OP)	2 ST.	4	~4,080
D (CO-OP)	2 ST.	4	~4,080
E (CO-OP)	2 ST.	4	~4,080
F (CO-OP)	3 ST.	12	~11,760
G (CO-OP)	3 ST.	12	~11,760
H (CO-OP)	4 ST.	56	~63,964
TOTAL		108	~115,564

PARKING SUMMARY	
81 SPACES	(.75/UNIT)

LOT COVERAGE	
TOTAL ENVELOPE	~3.08 AC.
TOTAL BLDG COVERAGE	~40,230 SF
TOTAL IMPERVIOUS PAVING	~40,163 SF
TOTAL LOT COVERAGE	80,393 SF (~60%)

DOUGLASS COMMONS CO-OP+
OVERALL SITE PLAN

NORTH

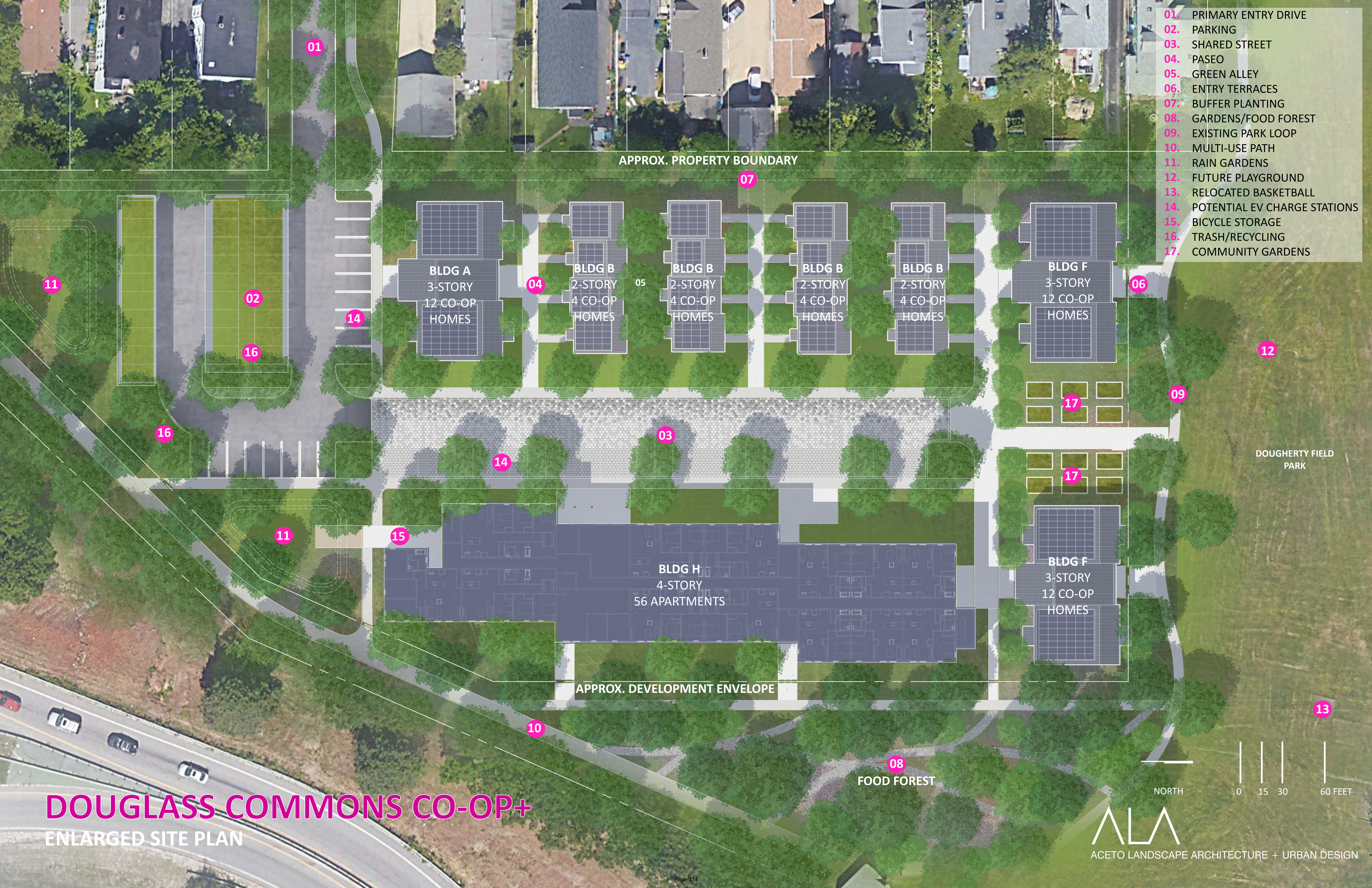
0153060 FEET

EXISTING LITTLE LEAGUE FIELD

ACETO LANDSCAPE ARCHITECTURE + URBAN DESIGN

0153060

- 01. PRIMARY ENTRY DRIVE
- 02. PARKING
- 03. SHARED STREET
- 04. PASEO
- 05. GREEN ALLEY
- 06. ENTRY TERRACES
- 07. BUFFER PLANTING
- 08. GARDENS/FOOD FOREST
- 09. EXISTING PARK LOOP
- 10. MULTI-USE PATH
- 11. RAIN GARDENS
- 12. FUTURE PLAYGROUND
- 13. RELOCATED BASKETBALL
- 14. POTENTIAL EV CHARGE STATIONS
- 15. BICYCLE STORAGE
- 16. TRASH/RECYCLING
- 17. COMMUNITY GARDENS



DOUGLASS COMMONS CO-OP+

ENLARGED SITE PLAN

08
FOOD FOREST





43 & 91 Douglass Street

Development Team	Douglass Yards (Soley, Hebert & Avesta)			Douglass Commons (Szanton, Maine Cooperative Development Partners)	
Type of Housing	Rental (Family)	Homeownership		Rental (Family)	Co-operative Housing
		Condominium	Single-Family Homes and Accessory Dwelling Units		
NUMBER OF UNITS					
Total	40	30	10/10	56	52
Affordable Units (at or below 80% AMI)	40	0	0	40	31
Workforce Housing Units (80% AMI to 120% AMI)	0	24	0	0	21
Market Rate Units	0	6	10/10	16	0
UNIT AFFORDABILITY/AMI %					
no. of units affordable to < 50% AMI	24	0	0	24	0
no. of units affordable to < 60% AMI	16	0	0	16	14
no. of units affordable to < 80% AMI	0	0	0	0	17
no. of units affordable to < 100% AMI	0	0	0	0	21
no. of units affordable to < 120% AMI	0	24	0	0	0
Market Rate Units	0	6	10/10	16	0
BEDROOM TYPE					
efficiency	7	0	10 ADU	0	0
one-bedroom	13	24	0	29	18
two-bedroom	12	6	0	17	12
three-bedroom	8	0	10 SF	10	22
UNIT SQUARE FOOTAGE BY BEDROOM TYPE					
efficiency	375 sq ft	0	450 sq f	0	0
one-bedroom	550 sq ft	475 sq ft	0	600 sq ft	550 sq ft
two-bedroom	800 sq ft	600 sq ft	0	800 sq ft	760 sq ft
three-bedroom	950 sq ft	0	950 sq ft	1,000 sq ft	1,050 - 1,300 sq ft
MAXIMUM HOUSEHOLD SIZE PER UNIT					
efficiency	2	0	2	0	0
one-bedroom	2	2	0	2	2
two-bedroom	4	4	0	4	4
three-bedroom	6	0	6	6	6
NET RENT/PURCHASE PRICE					
efficiency	\$845 - \$1,021	0	0	0	0
one-bedroom	\$898-\$1,086	\$260,000	0	\$895-\$1,300	\$1,129-\$1,500
two-bedroom	\$1,072-\$1,298	\$330,000	0	\$1,068-\$1,550	\$1,354-\$1,900
three-bedroom	\$1,108-\$1,334	0	\$425,000	\$1,229-\$1,750	\$1,565-\$2,000
TAX ASSESSMENT ESTIMATES					
Estimated Assessed Value	\$4,100,000	\$8,220,000	\$4,250,000	\$5,800,000	\$10,000,000
Estimated Annual Tax	\$95,571	\$264,287	\$136,645	\$135,000	\$233,000
CURRENT FUNDING REQUEST					
TIF Request (30 Yr Annual Ave. Cap Rev to Dev)	\$96,430	No	No	\$136,413	\$235,195
LIHTC	Yes 9%	No	No	Yes 9%	No
HOME or Housing Trust Fund Request	No	No	No	No	\$400,000
Brownfield Funding	\$0	\$0	\$0	\$0	\$750,000
Total Development Cost	\$11,030,517	\$6,903,273	\$5,044,150	\$14,154,002	\$15,750,050
PURCHASE PRICE					
Land		\$575,000			\$475,000
PROJECT TIMELINE					
Estimated Construction Start Date	2 Q 2022	2 Q 2021	2 Q 2021	2 Q 2022	2 Q 2022
Estimated Completion Date	3 Q 2023	2 Q 2022	2 Q 2022	3 Q 2023	3 Q 2023

43 & 91 Douglass Street (Rental)

Development Team	Douglass Yards (Soley, Hebert & Avesta)	Douglass Commons (Szanton, Maine Cooperative Development Partners)
Type of Housing	Rental (Family)	Rental (Family)
NUMBER OF UNITS		
Total	40	56
Affordable Units (at or below 80% AMI)	40	40
Workforce Housing Units (80% AMI to 120% AMI)	0	0
Market Rate Units	0	16
UNIT AFFORDABILITY/AMI %		
no. of units affordable to < 50% AMI	24	24
no. of units affordable to < 60% AMI	16	16
no. of units affordable to < 80% AMI	0	0
no. of units affordable to < 100% AMI	0	0
no. of units affordable to < 120% AMI	0	0
Market Rate Units	0	16
BEDROOM TYPE		
efficiency	7	0
one-bedroom	13	29
two-bedroom	12	17
three-bedroom	8	10
UNIT SQUARE FOOTAGE BY BEDROOM TYPE		
efficiency	375 sq ft	0
one-bedroom	550 sq ft	600 sq ft
two-bedroom	800 sq ft	800 sq ft
three-bedroom	950 sq ft	1,000 sq ft
MAXIMUM HOUSEHOLD SIZE PER UNIT		
efficiency	2	0
one-bedroom	2	2
two-bedroom	4	4
three-bedroom	6	6
NET RENT/PURCHASE PRICE		
efficiency	\$845 - \$1,021	0
one-bedroom	\$898-\$1,086	\$895-\$1,300
two-bedroom	\$1,072-\$1,298	\$1,068-\$1,550
three-bedroom	\$1,108-\$1,334	\$1,229-\$1,750
TAX ASSESSMENT ESTIMATES		
Estimated Assessed Value	\$4,100,000	\$5,800,000
Estimated Annual Tax	\$95,571	\$135,000
CURRENT FUNDING REQUEST		
TIF Request	Yes	Yes
LIHTC	Yes 9%	Yes 9%
HOME or Housing Trust Fund Request	No	No
Brownfield Funding	\$0	\$0
Total Development Cost	\$11,030,517	\$14,154,002
PURCHASE PRICE		
Land	\$575,000	\$475,000
PROJECT TIMELINE		
Estimated Construction Start Date	2 Q 2022	2 Q 2022
Estimated Completion Date	3 Q 2023	1 Q 2023

43 & 91 Douglass Street (Homeownership)

Development Team	Douglass Yards (Soley, Hebert, Avesta)		Douglass Commons (Szanton, Maine Cooperative Development Partners)
Type of Housing	Homeownership		Co-operative Housing
	Condominium	Single-Family Homes and Accessory Dwelling Units	
NUMBER OF UNITS			
Total	30	10/10	52
Affordable Units (at or below 80% AMI)	0	0	31
Workforce Housing Units (80% AMI to 120% AMI)	24	0	21
Market Rate Units	6	10/10	0
UNIT AFFORDABILITY/AMI %			
no. of units affordable to < 50% AMI	0	0	0
no. of units affordable to < 60% AMI	0	0	14
no. of units affordable to < 80% AMI	0	0	17
no. of units affordable to < 100% AMI	0	0	21
no. of units affordable to < 120% AMI	24	0	0
Market Rate Units	6	10/10	0
BEDROOM TYPE			
efficiency	0	10 ADU	0
one-bedroom	24	0	18
two-bedroom	6	0	12
three-bedroom	0	10 SF	22
UNIT SQUARE FOOTAGE BY BEDROOM TYPE			
efficiency	0	450 sq ft	0
one-bedroom	475 sq ft	0	550 sq ft
two-bedroom	600 sq ft	0	760 sq ft
three-bedroom	0	950 sq ft	1,050 - 1,300 sq ft
MAXIMUM HOUSEHOLD SIZE PER UNIT			
efficiency	0	2	0
one-bedroom	2	0	2
two-bedroom	4	0	4
three-bedroom	0	6	6
NET RENT/PURCHASE PRICE			
efficiency	0	0	0
one-bedroom	\$260,000	0	\$1,129-\$1,500
two-bedroom	\$330,000	0	\$1,354-\$1,900
three-bedroom	0	\$425,000	\$1,565-\$2,000
TAX ASSESSMENT ESTIMATES			
Estimated Assessed Value	\$8,220,000	\$4,250,000	\$10,000,000
Estimated Annual Tax	\$264,287	\$136,645	\$233,000
CURRENT FUNDING REQUEST			
TIF Request	No	No	Yes
LIHTC	No	No	No
HOME or Housing Trust Fund Request	No	No	\$400,000
Brownfield Funding	\$0	\$0	\$750,000
Total Development Cost	\$6,903,273	\$5,044,150	\$15,750,050
PURCHASE PRICE			
Land			
PROJECT TIMELINE			
Estimated Construction Start Date	2 Q 2021	2 Q 2021	2 Q 2022
Estimated Completion Date	2 Q 2022	2 Q 2022	2 Q 2023

DOUGLASS COMMONS CO-OP PROJECT Page 1

City of Portland - TIF Model
 Douglass St./Szanton & MCDP Co-Op Project
 OAV as of 3/31/2020: \$0
 8/14/2020

City of Portland- TIF Projection Table for Douglass St./Szanton & MCDP-Co-Op Project									
TIF Year	Tax Year- April 1	Increased Assessed Value Real Prop.	% of Value Captured	Captured Valuation	Projected Mill Rate	Total Projected New Taxes Captured	Captured Revenue to Business Project Account	Captured Revenue to Municipal Project Account	City Non- Captured General Fund Revenues
1	2020	\$0	75.00%	\$0	23.78	\$0	\$0	\$0	\$0
2	2021	\$10,000,000	75.00%	\$7,500,000	24.25	\$181,888	\$181,888	\$0	\$60,629
3	2022	\$10,000,000	75.00%	\$7,500,000	24.74	\$185,526	\$185,526	\$0	\$61,842
4	2023	\$10,000,000	75.00%	\$7,500,000	25.23	\$189,236	\$189,236	\$0	\$63,079
5	2024	\$10,000,000	75.00%	\$7,500,000	25.74	\$193,021	\$193,021	\$0	\$64,340
6	2025	\$10,000,000	75.00%	\$7,500,000	26.25	\$196,881	\$196,881	\$0	\$65,627
7	2026	\$10,000,000	75.00%	\$7,500,000	26.78	\$200,819	\$200,819	\$0	\$66,940
8	2027	\$10,000,000	75.00%	\$7,500,000	27.31	\$204,835	\$204,835	\$0	\$68,278
9	2028	\$10,000,000	75.00%	\$7,500,000	27.86	\$208,932	\$208,932	\$0	\$69,644
10	2029	\$10,000,000	75.00%	\$7,500,000	28.41	\$213,111	\$213,111	\$0	\$71,037
11	2030	\$10,000,000	75.00%	\$7,500,000	28.98	\$217,373	\$217,373	\$0	\$72,458
12	2031	\$10,000,000	75.00%	\$7,500,000	29.56	\$221,720	\$221,720	\$0	\$73,907
13	2032	\$10,000,000	75.00%	\$7,500,000	30.15	\$226,155	\$226,155	\$0	\$75,385
14	2033	\$10,000,000	75.00%	\$7,500,000	30.76	\$230,678	\$230,678	\$0	\$76,893
15	2034	\$10,000,000	75.00%	\$7,500,000	31.37	\$235,291	\$235,291	\$0	\$78,430
16	2035	\$10,000,000	75.00%	\$7,500,000	32.00	\$239,997	\$239,997	\$0	\$79,999
17	2036	\$10,000,000	75.00%	\$7,500,000	32.64	\$244,797	\$244,797	\$0	\$81,599
18	2037	\$10,000,000	75.00%	\$7,500,000	33.29	\$249,693	\$249,693	\$0	\$83,231
19	2038	\$10,000,000	75.00%	\$7,500,000	33.96	\$254,687	\$254,687	\$0	\$84,896
20	2039	\$10,000,000	75.00%	\$7,500,000	34.64	\$259,781	\$259,781	\$0	\$86,594
21	2040	\$10,000,000	75.00%	\$7,500,000	35.33	\$264,976	\$264,976	\$0	\$88,325
22	2041	\$10,000,000	75.00%	\$7,500,000	36.04	\$270,276	\$270,276	\$0	\$90,092
23	2042	\$10,000,000	75.00%	\$7,500,000	36.76	\$275,681	\$275,681	\$0	\$91,894
24	2043	\$10,000,000	75.00%	\$7,500,000	37.49	\$281,195	\$281,195	\$0	\$93,732
25	2044	\$10,000,000	75.00%	\$7,500,000	38.24	\$286,819	\$286,819	\$0	\$95,606
26	2045	\$10,000,000	75.00%	\$7,500,000	39.01	\$292,555	\$292,555	\$0	\$97,518
27	2046	\$10,000,000	75.00%	\$7,500,000	39.79	\$298,406	\$298,406	\$0	\$99,469
28	2047	\$10,000,000	75.00%	\$7,500,000	40.58	\$304,375	\$304,375	\$0	\$101,458
29	2048	\$10,000,000	75.00%	\$7,500,000	41.39	\$310,462	\$310,462	\$0	\$103,487
30	2049	\$10,000,000	75.00%	\$7,500,000	42.22	\$316,671	\$316,671	\$0	\$105,557
30 Year TIF Total		\$290,000,000		\$217,500,000		\$7,055,839	\$7,055,839	\$0	\$2,351,946
30 Year Average				\$7,250,000		\$235,195	\$235,195		\$78,398

DOUGLASS COMMONS CO-OP PROJECT Page 2

8/14/2020

Tax Shifts-Avoided Formula Impacts from Sheltering of Valuation: City of Portland- TIF Model for Douglass St./Szanton & MCDP-Co-Op Project							
100% Sheltered - 30 years - 75% to Developer Project Account - 25% to City General Fund							
TIF Year	Tax Year- April 1	Total Added Valuation	Sheltered Valuation	Avoided Formula Impacts from Sheltering of Valuation			
				Avoided Loss of State Aid to for Education	Avoided Loss of State Municipal Revenue Sharing	Avoided Increase in County Tax	Total Avoided Impacts
1	2020	\$0	\$0	\$0	\$0	\$0	\$0
2	2021	\$10,000,000	\$7,500,000	\$0	\$5,620	\$4,141	\$9,761
3	2022	\$10,000,000	\$7,500,000	\$0	\$5,620	\$4,141	\$9,761
4	2023	\$10,000,000	\$7,500,000	\$20,700	\$5,620	\$4,141	\$30,461
5	2024	\$10,000,000	\$7,500,000	\$41,400	\$5,620	\$4,141	\$51,161
6	2025	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
7	2026	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
8	2027	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
9	2028	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
10	2029	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
11	2030	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
12	2031	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
13	2032	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
14	2033	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
15	2034	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
16	2035	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
17	2036	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
18	2037	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
19	2038	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
20	2039	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
21	2040	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
22	2041	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
23	2042	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
24	2043	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
25	2044	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
26	2045	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
27	2046	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
28	2047	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
29	2048	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
30	2049	\$10,000,000	\$7,500,000	\$62,100	\$5,620	\$4,141	\$71,861
30 Year TIF Total		\$290,000,000	\$217,500,000	\$1,614,600	\$162,994	\$120,078	\$1,897,672
30 Year Average		\$9,666,667	\$7,250,000	\$53,820	\$5,433	\$4,003	\$63,256

DOUGLASS COMMONS RENTAL PROJECT

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City of Portland - TIF Model
 Douglass St./Szanton & MCDP Rental Project
[OAV as of 3/31/2020: \\$0](#)
 8/14/2020

City of Portland- TIF Projection Table for Douglass St./Szanton & MCDP-Rental Project									
TIF Year	Tax Year- April 1	Increased Assessed Value Real Prop.	% of Value Captured	Captured Valuation	Projected Mill Rate	Total Projected New Taxes Captured	Captured Revenue to Business Project Account	Captured Revenue to Municipal Project Account	City Non- Captured General Fund Revenues
1	2020	\$0	75.00%	\$0	23.78	\$0	\$0	\$0	\$0
2	2021	\$5,800,000	75.00%	\$4,350,000	24.25	\$105,495	\$105,495	\$0	\$35,165
3	2022	\$5,800,000	75.00%	\$4,350,000	24.74	\$107,605	\$107,605	\$0	\$35,868
4	2023	\$5,800,000	75.00%	\$4,350,000	25.23	\$109,757	\$109,757	\$0	\$36,586
5	2024	\$5,800,000	75.00%	\$4,350,000	25.74	\$111,952	\$111,952	\$0	\$37,317
6	2025	\$5,800,000	75.00%	\$4,350,000	26.25	\$114,191	\$114,191	\$0	\$38,064
7	2026	\$5,800,000	75.00%	\$4,350,000	26.78	\$116,475	\$116,475	\$0	\$38,825
8	2027	\$5,800,000	75.00%	\$4,350,000	27.31	\$118,805	\$118,805	\$0	\$39,602
9	2028	\$5,800,000	75.00%	\$4,350,000	27.86	\$121,181	\$121,181	\$0	\$40,394
10	2029	\$5,800,000	75.00%	\$4,350,000	28.41	\$123,604	\$123,604	\$0	\$41,201
11	2030	\$5,800,000	75.00%	\$4,350,000	28.98	\$126,076	\$126,076	\$0	\$42,025
12	2031	\$5,800,000	75.00%	\$4,350,000	29.56	\$128,598	\$128,598	\$0	\$42,866
13	2032	\$5,800,000	75.00%	\$4,350,000	30.15	\$131,170	\$131,170	\$0	\$43,723
14	2033	\$5,800,000	75.00%	\$4,350,000	30.76	\$133,793	\$133,793	\$0	\$44,598
15	2034	\$5,800,000	75.00%	\$4,350,000	31.37	\$136,469	\$136,469	\$0	\$45,490
16	2035	\$5,800,000	75.00%	\$4,350,000	32.00	\$139,198	\$139,198	\$0	\$46,399
17	2036	\$5,800,000	75.00%	\$4,350,000	32.64	\$141,982	\$141,982	\$0	\$47,327
18	2037	\$5,800,000	75.00%	\$4,350,000	33.29	\$144,822	\$144,822	\$0	\$48,274
19	2038	\$5,800,000	75.00%	\$4,350,000	33.96	\$147,718	\$147,718	\$0	\$49,239
20	2039	\$5,800,000	75.00%	\$4,350,000	34.64	\$150,673	\$150,673	\$0	\$50,224
21	2040	\$5,800,000	75.00%	\$4,350,000	35.33	\$153,686	\$153,686	\$0	\$51,229
22	2041	\$5,800,000	75.00%	\$4,350,000	36.04	\$156,760	\$156,760	\$0	\$52,253
23	2042	\$5,800,000	75.00%	\$4,350,000	36.76	\$159,895	\$159,895	\$0	\$53,298
24	2043	\$5,800,000	75.00%	\$4,350,000	37.49	\$163,093	\$163,093	\$0	\$54,364
25	2044	\$5,800,000	75.00%	\$4,350,000	38.24	\$166,355	\$166,355	\$0	\$55,452
26	2045	\$5,800,000	75.00%	\$4,350,000	39.01	\$169,682	\$169,682	\$0	\$56,561
27	2046	\$5,800,000	75.00%	\$4,350,000	39.79	\$173,076	\$173,076	\$0	\$57,692
28	2047	\$5,800,000	75.00%	\$4,350,000	40.58	\$176,537	\$176,537	\$0	\$58,846
29	2048	\$5,800,000	75.00%	\$4,350,000	41.39	\$180,068	\$180,068	\$0	\$60,023
30	2049	\$5,800,000	75.00%	\$4,350,000	42.22	\$183,669	\$183,669	\$0	\$61,223
30 Year TIF Total		\$168,200,000		\$126,150,000		\$4,092,387	\$4,092,387	\$0	\$1,364,129
30 Year Average				\$4,205,000		\$136,413	\$136,413		\$45,471

DOUGLASS COMMONS RENTAL PROJECT PAGE 2

8/14/2020

Tax Shifts-Avoided Formula Impacts from Sheltering of Valuation: City of Portland- TIF Model for Douglass St./Szanton & MCDP-Rental Project							
100% Sheltered - 30 years - 75% to Developer Project Account - 25% to City General Fund							
TIF Year	Tax Year- April 1	Total Added Valuation	Sheltered Valuation	Avoided Formula Impacts from Sheltering of Valuation			
				Avoided Loss of State Aid to for Education	Avoided Loss of State Municipal Revenue Sharing	Avoided Increase in County Tax	Total Avoided Impacts
1	2020	\$0	\$0	\$0	\$0	\$0	\$0
2	2021	\$5,800,000	\$4,350,000	\$0	\$3,260	\$2,402	\$5,662
3	2022	\$5,800,000	\$4,350,000	\$0	\$3,260	\$2,402	\$5,662
4	2023	\$5,800,000	\$4,350,000	\$12,006	\$3,260	\$2,402	\$17,668
5	2024	\$5,800,000	\$4,350,000	\$24,012	\$3,260	\$2,402	\$29,674
6	2025	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
7	2026	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
8	2027	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
9	2028	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
10	2029	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
11	2030	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
12	2031	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
13	2032	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
14	2033	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
15	2034	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
16	2035	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
17	2036	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
18	2037	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
19	2038	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
20	2039	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
21	2040	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
22	2041	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
23	2042	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
24	2043	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
25	2044	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
26	2045	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
27	2046	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
28	2047	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
29	2048	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
30	2049	\$5,800,000	\$4,350,000	\$36,018	\$3,260	\$2,402	\$41,680
30 Year TIF Total		\$168,200,000	\$126,150,000	\$936,468	\$94,536	\$69,650	\$1,100,654
30 Year Average		\$5,606,666.67	\$4,205,000	\$31,216	\$3,151	\$2,322	\$36,688

DOUGLASS YARDS RENTAL PROJECT PAGE 1

City of Portland - TIF Model
 Douglass St./Avesta-Hebert
OAV as of 3/31/2020: \$0
 8/14/2020

City of Portland- TIF Projection Table for Douglass St./Soley -Avesta-Hebert									
TIF Year	Tax Year- April 1	Increased Assessed Value Real Prop.	% of Value Captured	Captured Valuation	Projected Mill Rate	Total Projected New Taxes Captured	Captured Revenue to Business Project Account	Captured Revenue to Municipal Project Account	City Non- Captured General Fund Revenues
1	2020	\$0	75.00%	\$0	23.78	\$0	\$0	\$0	\$0
2	2021	\$4,100,000	75.00%	\$3,075,000	24.25	\$74,574	\$74,574	\$0	\$24,858
3	2022	\$4,100,000	75.00%	\$3,075,000	24.74	\$76,066	\$76,066	\$0	\$25,355
4	2023	\$4,100,000	75.00%	\$3,075,000	25.23	\$77,587	\$77,587	\$0	\$25,862
5	2024	\$4,100,000	75.00%	\$3,075,000	25.74	\$79,139	\$79,139	\$0	\$26,380
6	2025	\$4,100,000	75.00%	\$3,075,000	26.25	\$80,721	\$80,721	\$0	\$26,907
7	2026	\$4,100,000	75.00%	\$3,075,000	26.78	\$82,336	\$82,336	\$0	\$27,445
8	2027	\$4,100,000	75.00%	\$3,075,000	27.31	\$83,982	\$83,982	\$0	\$27,994
9	2028	\$4,100,000	75.00%	\$3,075,000	27.86	\$85,662	\$85,662	\$0	\$28,554
10	2029	\$4,100,000	75.00%	\$3,075,000	28.41	\$87,375	\$87,375	\$0	\$29,125
11	2030	\$4,100,000	75.00%	\$3,075,000	28.98	\$89,123	\$89,123	\$0	\$29,708
12	2031	\$4,100,000	75.00%	\$3,075,000	29.56	\$90,905	\$90,905	\$0	\$30,302
13	2032	\$4,100,000	75.00%	\$3,075,000	30.15	\$92,723	\$92,723	\$0	\$30,908
14	2033	\$4,100,000	75.00%	\$3,075,000	30.76	\$94,578	\$94,578	\$0	\$31,526
15	2034	\$4,100,000	75.00%	\$3,075,000	31.37	\$96,469	\$96,469	\$0	\$32,156
16	2035	\$4,100,000	75.00%	\$3,075,000	32.00	\$98,399	\$98,399	\$0	\$32,800
17	2036	\$4,100,000	75.00%	\$3,075,000	32.64	\$100,367	\$100,367	\$0	\$33,456
18	2037	\$4,100,000	75.00%	\$3,075,000	33.29	\$102,374	\$102,374	\$0	\$34,125
19	2038	\$4,100,000	75.00%	\$3,075,000	33.96	\$104,422	\$104,422	\$0	\$34,807
20	2039	\$4,100,000	75.00%	\$3,075,000	34.64	\$106,510	\$106,510	\$0	\$35,503
21	2040	\$4,100,000	75.00%	\$3,075,000	35.33	\$108,640	\$108,640	\$0	\$36,213
22	2041	\$4,100,000	75.00%	\$3,075,000	36.04	\$110,813	\$110,813	\$0	\$36,938
23	2042	\$4,100,000	75.00%	\$3,075,000	36.76	\$113,029	\$113,029	\$0	\$37,676
24	2043	\$4,100,000	75.00%	\$3,075,000	37.49	\$115,290	\$115,290	\$0	\$38,430
25	2044	\$4,100,000	75.00%	\$3,075,000	38.24	\$117,596	\$117,596	\$0	\$39,199
26	2045	\$4,100,000	75.00%	\$3,075,000	39.01	\$119,948	\$119,948	\$0	\$39,983
27	2046	\$4,100,000	75.00%	\$3,075,000	39.79	\$122,347	\$122,347	\$0	\$40,782
28	2047	\$4,100,000	75.00%	\$3,075,000	40.58	\$124,794	\$124,794	\$0	\$41,598
29	2048	\$4,100,000	75.00%	\$3,075,000	41.39	\$127,289	\$127,289	\$0	\$42,430
30	2049	\$4,100,000	75.00%	\$3,075,000	42.22	\$129,835	\$129,835	\$0	\$43,278
30 Year TIF Total		\$118,900,000		\$89,175,000		\$2,892,894	\$2,892,894	\$0	\$964,298
30 Year Average				\$2,972,500		\$96,430	\$96,430		\$32,143

DOUGLASS YARDS RENTAL PROJECT PAGE 2

8/14/2020

Tax Shifts-Avoided Formula Impacts from Sheltering of Valuation: City of Portland- TIF Model for Douglass St./Soley-Avesta-Hebert							
100% Sheltered - 30 years - 75% to Developer Project Account - 25% to City General Fund							
TIF Year	Tax Year- April 1	Total Added Valuation	Sheltered Valuation	Avoided Formula Impacts from Sheltering of Valuation			
				Avoided Loss of State Aid to for Education	Avoided Loss of State Municipal Revenue Sharing	Avoided Increase in County Tax	Total Avoided Impacts
1	2020	\$0	\$0	\$0	\$0	\$0	\$0
2	2021	\$4,100,000	\$3,075,000	\$0	\$2,304	\$1,698	\$4,002
3	2022	\$4,100,000	\$3,075,000	\$0	\$2,304	\$1,698	\$4,002
4	2023	\$4,100,000	\$3,075,000	\$8,487	\$2,304	\$1,698	\$12,489
5	2024	\$4,100,000	\$3,075,000	\$16,974	\$2,304	\$1,698	\$20,976
6	2025	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
7	2026	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
8	2027	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
9	2028	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
10	2029	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
11	2030	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
12	2031	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
13	2032	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
14	2033	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
15	2034	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
16	2035	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
17	2036	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
18	2037	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
19	2038	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
20	2039	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
21	2040	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
22	2041	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
23	2042	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
24	2043	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
25	2044	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
26	2045	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
27	2046	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
28	2047	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
29	2048	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
30	2049	\$4,100,000	\$3,075,000	\$25,461	\$2,304	\$1,698	\$29,463
30 Year TIF Total		\$118,900,000	\$89,175,000	\$661,986	\$66,827	\$49,237	\$778,050
30 Year Average		\$3,963,333.33	\$2,972,500	\$22,066	\$2,228	\$1,641	\$25,935

ESTIMATED ASSESSED VALUE & PROJECTED TAXES**DOUGLASS COMMONS COOPERATIVE HOUSING**

Original Assessed Value	Increased Assessed Value
\$0	\$10,000,000
Projected New Taxes (utilizing a 2% escalator)	
30 Year Total	\$9,407,785
30 Year Average	\$313,593

DOUGLASS COMMONS RENTAL HOUSING

Original Assessed Value	Increased Assessed Value
\$0	\$5,800,000
Projected New Taxes (utilizing a 2% escalator)	
30 Year Total	\$5,456,516
30 Year Average	\$181,884

DOUGLASS YARDS CONDOMINIUM

Original Assessed Value	Increased Assessed Value
\$0	\$8,220,000
Projected New Taxes (utilizing a 2% escalator)	
30 Year Total	\$7,928,601
30 Year Average	\$264,287

DOUGLASS YARDS SINGLE FAMILY HOMES w/ADUs

Original Assessed Value	Increased Assessed Value
\$0	\$4,250,000
Projected New Taxes (utilizing a 2% escalator)	
30 Year Total	\$4,099,338
30 Year Average	\$136,645

DOUGLASS YARDS RENTAL HOUSING

Original Assessed Value	Increased Assessed Value
\$0	\$4,100,000
Projected New Taxes (utilizing a 2% escalator)	
30 Year Total	\$3,857,192
30 Year Average	\$128,573.07



June 11, 2020

Honorable Mayor and Councilors:

The Libbytown Neighborhood Association held a special meeting to consider the *Phoenix Fields* proposal for the redevelopment of 43 & 91 Douglass Street, aka, the old West School site. The meeting was well attended after a robust discussion, we are pleased to express support for this proposal. Please factor these recommendations into your consideration of *Design and Amenities* as specified in the *Impact on the Surrounding Neighborhood* section of the RFP score sheet.

With respect to design, the LNA supports projects of quality and distinction which may serve as a neighborhood landmark. Given that the existing fabric and architecture lacks a singular quality, the association would like to see something architecturally notable. Furthermore, the Libbytown Neighborhood is somewhat diverse socio-economically with a prevalence of low to moderate income. The Libbytown Neighborhood Association is strongly supportive of new housing particularly mixed income projects with a focus on low and middle income.

In terms of this projects' design program, we:

- Strongly support this project's *use of site and integration with park amenities*
- *Modest concern* this project's interaction with adjacent structures and would advocate for the largest possible set back buffers from adjacent properties on Douglass Street

The area is underserved as it lacks a school, community space, a vibrant commercial corridor, bus shelters, and other staples of urban life. As such, in terms of amenities we:

- Strongly support the overall commitment to *housing affordability* especially the commitment to mixed incomes and to low to moderate income housing



- Strongly supports the commitment to *ethnic diversity* and the possibility of thereof (such as ESL training)
- Strongly support quality *community space* that is open and accessible
- Strongly support this projects commitment to *sustainability* especially the solar arrays, passive house standards and *tree & shrub* planting
- Support the commitment to *active transport* and the integration of transit, limited parking, and commitment to traffic demand management
- Strongly support community *garden/food forest*

The following items are community priorities in design and amenities that may be part of the program but that we did not see as explicit in this proposal. We believe that a strong commitment to the following would make the project better:

- Implementations of the recommendations of the Libbytown traffic study
- Acknowledgement of the history of the site in terms of project name and building materials (e.g., the site sits on or near a former brick foundry)
- Streetscape and Bicycle/Pedestrian improvements along Congress Street
- Public transit (such as trolley cars) on Congress Street, car share and other reductions to parking; secure and covered bicycle parking
- Stormwater design
- Environmental mitigation of the site
- ADA access within the site to community spaces in winter months

Overall we **recommend** this proposal for its commitment to neighborhood design improvements and amenities.

The Libbytown Neighborhood is grateful for your consideration of this proposal.

Sincerely,
Maureen Morse
Chair



June 11, 2020

Honorable Mayor and Councilors:

The Libbytown Neighborhood Association held a special meeting to consider the *Douglass Commons* proposal for the redevelopment of 43 & 91 Douglass Street, aka, the old West School site. The meeting was well attended after a robust discussion, we are pleased to express our support for this proposal. Please factor these recommendations into your consideration of *Design and Amenities* as specified in the *Impact on the Surrounding Neighborhood* section of the RFP score sheet.

With respect to design, the LNA supports projects of quality and distinction which may serve as a neighborhood landmark. Given that the existing fabric and architecture lacks a singular quality, the association would like to see something architecturally notable. Furthermore, the Libbytown Neighborhood is somewhat diverse socio-economically with a prevalence of low to moderate income. The Libbytown Neighborhood Association is strongly supportive of new housing particularly mixed income projects with a focus on low and middle income.

In terms of this projects' design program, we:

- Strongly support this project's *use of site and integration with Park amenities*
- *Modestly Support* this project's interaction with adjacent structures and would advocate for the largest possible set back buffers from adjacent properties on Douglass Street

The area is underserved as it lacks a school, community space, a vibrant commercial corridor, bus shelters, and other staples of urban life. As such, in terms of amenities we:

- Strongly support community *garden/food forest*
- Strongly support the overall commitment to *housing affordability* especially the commitment to mixed incomes and to low to moderate income housing



- Strongly support the commitment to *ethnic diversity* and the possibility of thereof (such as ESL training)
- Strongly support this projects commitment to *sustainability* especially the solar arrays, passive house standards and *tree & shrub* planting
- Strongly support quality *community space* that is open and accessible
- Strongly supports *shared street concept* or piazza concept which can become a flexible community gathering space
- Support commitment to *active transport* and the integration of transit, limited parking, and commitment to traffic demand management

The following items are community priorities in design and amenities that may be part of the program but that we did not see as explicit in this proposal. We believe that a strong commitment to the following would make the project better:

- Implementations of the recommendations of the Libbytown traffic study
- Streetscape and bicycle/pedestrian improvements along Congress Street
- Acknowledgement to the history of the site in terms of project name and building materials (e.g., the site sits on or near a former brick foundry)
- Public transit (such as trolley cars), car share, and other reductions to parking
- Stormwater design
- Environmental mitigation of the site
- ADA access within the site to community spaces in winter months

Overall we **highly recommend** this proposal for its commitment to neighborhood design improvements and amenities.

The Libbytown Neighborhood is grateful for your consideration of this proposal.

Sincerely,

Maureen Morse

Chair

MEMO

TO: Greg Mitchell, Mary Davis
FROM: Jack Soley, Dana Totman
SUBJECT: Douglass Street RFP Memo
DATE: October 30, 2020
CC: Councilor Thibodeau, Councilor Costa, Jon Jennings

We reviewed the memo in preparation for the November 5th meeting. It appears the memo failed to capture some critical points that were discussed in prior meetings and noted in previous memos. As such, we have highlighted the points below.

- 1) **According to the City's calculation, Douglass Yards generates \$9.3M more in tax revenue over 30 years to City.** The memo appears to misrepresent the true tax benefit (net of the TIF requests) of each project. The Financial Impact summary does not state that both the LIHTC rental portion and the Co-Op portion of Douglass Commons are relying on TIFs. The tax calculation referenced in the summary for each project fails to net out the TIF from the estimated new taxes. The Economic Development Committee received a clear tax revenue analysis which indicated the Douglas yards proposal will pay \$9,276,162 more in City taxes over 30 years than the competing proposal. We feel this information should be shared with all council members with the utmost clarity, similar to how it was presented for the Economic Development Committee.

TAX REVENUE COMPARISON

Avesta/Soley/Hebert - Douglass Yards

	Projected New Taxes*	TIF**	Net tax revenue to City***
Rental	\$3,857,192	(\$2,892,894)	\$964,298
Condo	\$7,928,601	No TIF	\$7,928,601
SFH w/ ADU	\$4,099,338	No TIF	\$4,099,338
Yards - Total City Tax Revenue			\$12,992,237

Szanton / Maine Co-op - Douglass Commons

	Projected New Taxes*	TIF**	Net tax revenue to City***
Rental	\$5,456,516	(\$4,092,387)	\$1,364,129
CoOp	\$9,407,785	(\$7,055,839)	\$2,351,946
Commons - Total City Tax Revenue			\$3,716,075

Difference - Yards vs. Commons	\$9,276,162
---------------------------------------	--------------------

*30-year total utilizing 2% escalator - page 191 of memo

**Captured revenue to business project account – page 185, 187, 189 of memo

***City Non-captured General Fund Revenues – page 185, 187, 189 of memo

- 2) **Douglass Yards scored higher based on the staff's selection criteria.** In the RFP, the scoring is noted as the selection criteria and primary basis for review of the proposals. Yet, the scoring was noticeably absent in the memo for this meeting despite being shown in previous memos and presented at both the Housing Committee and Economic Development Committee meeting. The City's professional housing staff did score the proposals using the Council approved criteria and the Avesta/Soley/Hebert proposal (Douglas Yards) scored two points higher than the competing proposal. We feel this professional scoring should be shared with the full council just as it was with the committees.

- 3) **Co-op is requesting \$400K from housing trust fund reducing City resources that have proven to be critical to building housing for lower income households.** \$400k of Housing Trust Funds has consistently been used to create an additional 40 units of LIHTC housing targeting households at 60% of AMI or lower. Allocating \$400K to Co-Op housing serving middle income residents results in 40 less new LIHTC being built for low income residents. Additionally, as was noted at the Economic Development Committee meeting the combination of Co-Op's Housing Trust Fund request for Lambert Street and their request for Douglas Street exceed the available funds in the Housing Trust Fund.
- 4) **We are paying a higher sales price - \$575k for land vs. \$475k.** The RFP outlines terms, which state the City expects to receive FMV for the property. We are paying fair market value based on a broker's opinion and our offer is not eroded by a request for City funds to offset the acquisition price.
- 5) **Monthly cost of co-op housing is higher than our condos.** It has been mentioned more than once that the monthly cost of the co-op housing is higher than people would like. The co-op housing monthly payments are anticipated to be approximately \$2,100. The condo monthly payments are estimated to be \$1,802, and the homes with ADUs monthly payments are estimated to be \$1,400 (factoring in rent from the ADU). The homeownership units in the Douglas yards proposal are more affordable than the co-op units.
- 6) **Lambert street RFP awarded to co-op housing, as well as Randall Street, both of which are experimental.** If Douglass Commons is selected, it creates co-op models on all three city disposition sites. This both minimizes the housing diversity approaches among the three sites and increases the risk associated with testing a new unproven approach in Portland on every site. While the RFP indicated co-ops and land trusts will be considered there was nothing in the RFP suggesting a preference for co-ops and land trusts.
- 7) **Douglass Yards is a creative approach.** While there is nothing in the RFP or scoring criteria related to creativity, some Housing Committee members voiced a preference for creative models. Micro condo units and single-family homes with ADUs are both creative housing models. There has been a significant discussion about ADUs and micro-units creating natural affordability, and we are responding by delivering these housing solutions. Our proposal is providing the largest range of housing solutions and the broadest range of income targeting that has ever been built on a single site in Portland. It is promoting both economic and social diversity.
- 8) **Douglass Yards has reliable funding sources.** The financing for Douglass Yards is very simple. Some of the financing is already secured facilitating guaranteed and timely payment to the City. There is no risk of relying on money from unfunded or under funded programs such as the Housing Trust Fund or the former Maine Housing Community Solutions Program, nor risk of securing complex, heavily regulated HUD financing that is rarely used across the country.
- 9) **Education Impact.** Providing educational impact data without full context is misleading for three reasons: a) there is no mention of the City's share of education funding; b) the Douglas Commons proposal will lead to one less new LIHTC property which would have housed scores of students; c) most importantly, based on our experience and the testimony of the various households interested in moving into the co-op housing, the families who will occupy the housing already live in Portland with their children already enrolled in Portland schools.
- 10) **We are providing an affordable solution that is unique and creative.** We have responded to the affordability preferences that were referenced in the City Goals section of the RFP as well as the desire for mixed income housing, which was also mentioned as a primary goal. As we mentioned to both committees, all of the units will be affordable, in perpetuity, in accordance with the RFP.
- 11) **We can start construction as soon as entitlements are rewarded.** The site will not sit vacant for a year or two while funding is being secured. Construction activity will start immediately after entitlements are obtained.

MEMORANDUM
City Council Agenda Item

FROM: Paul Bradbury, Jetport Director

DATE: November 4, 2020

SUBJECT: Order 125-20/21 Approving and Appropriating a Federal Aviation Administration Airport Improvement Program for Federal Fiscal Year 2021 Entitlement and Discretionary Grant - Sponsored by Jon P. Jennings, City Manager

SPONSOR: Jon P. Jennings, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading **Final Action**

Can action be taken at a later date: Yes (If no why not?)

PRESENTATION: Paul Bradbury will introduce as needed, and answer any Council questions on this item.

I. SUMMARY

The Portland International Jetport requests approval and appropriation of Federal Aviation Administration Airport Improvement Program federal fiscal year 2021 entitlement and discretionary grant funding totaling an estimated \$6.91 million and naming the Airport Director as the City's official representative for the grant.

II. AGENDA DESCRIPTION

The Federal Aviation Administration issues grants to fund eligible safety and capacity projects at airports nationwide through the Airport Improvement Program (AIP). This program is funded through federal taxes on commercial air fares and on aviation fuel taxes. The amount of entitlement funding allocated to each airport is based on the annual number of enplaned commercial passengers the airport handled in the prior calendar year. For federal fiscal year 2021 the Portland International Jetport will be allocated AIP entitlement funding totaling \$4.15 million based upon 1,088,728 enplaned passengers in calendar year 2019. In addition to entitlement funding the Jetport is also seeking AIP discretionary funding of \$2.76 million in federal fiscal year 2021. This grant will fund the construction of the Jetport's Air Cargo Taxiway & Taxiway A East Phase 1 project. This first phase will provide a new Taxiway A East that will allow for the connection of a future Air Cargo Taxiway. Once all phases are complete this project will improve safety by eliminating aircraft crossings of the crosswind runway which are currently needed in order for aircraft located on the cargo apron to access Runway 29.

The AIP funding amount for this project of \$6.91 million is 90% of the total project cost totaling \$7.68 million. The remaining 10% is covered through the Jetport's operating budget and through state funding of 5% of AIP project costs.

This item must be read on two separate days. It received its first reading on November 9, 2020. Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The FAA requires approval of AIP Grants and the AIP Grant Assurances by the airport sponsor's governing

body, which for the Jetport is the Portland City Council. Additionally, it requires the governing body to name the official representative for those grants, which for the Portland International Jetport is the Airport Director.

All elements of the project being proposed for federal FY 2021 were included and scheduled within the 20 year capital program developed as part of the Jetport's Sustainable Airport Master Plan that was accepted by the Council in November 2016.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The approval of this federal fiscal year 2021 grant application will allow the Portland International Jetport to proceed with the first phase of this needed safety and capacity project.

V. FINANCIAL IMPACT

If approved, the Portland International Jetport will apply for and expects to receive \$6.91 million in federal funding that will provide 90% of the project cost currently estimated at \$7.68 million. The \$768,000 not covered by the federal AIP grant will be covered equally by the Jetport's operating budget and the State in the amount of \$384,000 each. Approval of these grants has no impact to the City of Portland's general fund or the tax rate.

VI. STAFF ANALYSIS AND BACKGROUND

Approval of this grant will provide for planned safety infrastructure investment in the Portland International Jetport, consistent with the Jetport's Sustainable Airport Master Plan.

VII. RECOMMENDATION

Portland International Jetport staff recommends City Council approval of this request for federal fiscal year 2021 AIP Grant funding totaling \$6.91 million.

VIII. LIST ATTACHMENTS

1. Order FAA AIP Grants and Authorizing Dir. of Jetport 11.9.2020
2. Orientation Plan Construct Air Cargo Taxiway & Taxiway A East Project - Phase 1
3. Cost Estimate - Construct Air Cargo Taxiway & Taxiway A East Project - Phase 1
4. airport-sponsor-assurances-aip-2020

Prepared by:

Paul Bradbury, Jetport Director

Date: 11/4/2020

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

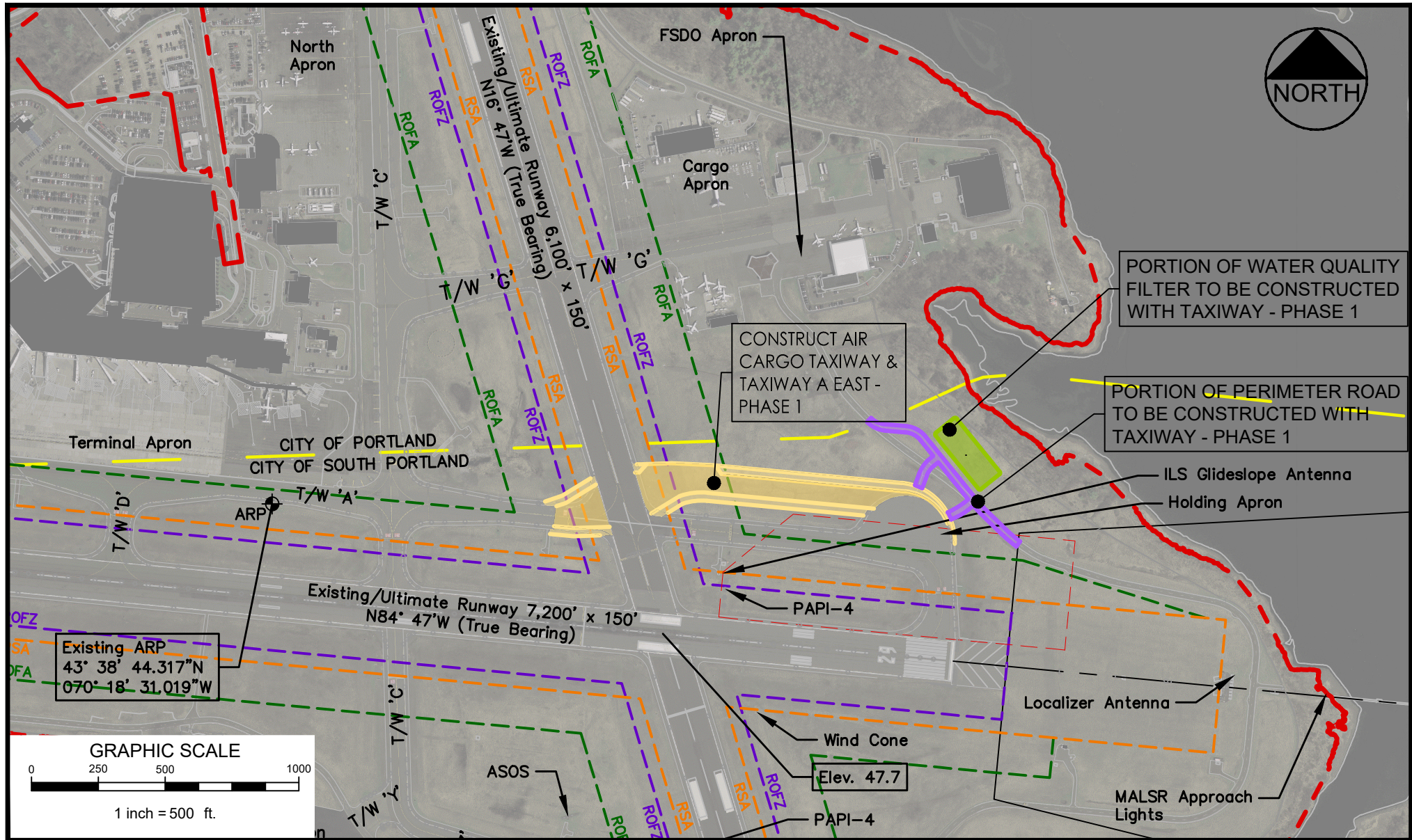
**ORDER APPROVING AND APPROPRIATING
A FEDERAL AVIATION ADMINISTRATION
AIRPORT IMPROVEMENT PROGRAM
FEDERAL FISCAL YEAR 2021 ENTITLEMENT AND DISCRETIONARY
GRANT**

ORDERED, that grant funding of approximately \$4.15 million dollars from the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) from federal fiscal year 2021 entitlement and \$2.76 million in discretionary funding is hereby approved for the Portland International Jetport (Jetport) for the following project:

- Construction of the Jetport's Air Cargo Taxiway & Taxiway A East Phase 1 project; and

BE IT FURTHER ORDERED, that the funds for said project are hereby appropriated from federal and state grant funding, and the local share of the projects shall be appropriated as part of the Jetport's budget and from state funding; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the Director of the Jetport to be the official representative for these AIP grants, as required by the FAA, and to execute grant documents and any other related documents necessary or convenient to carry out the intent of said documents.



Stantec
2211 Congress Street, Suite 380
Portland, Maine 04102-1955
Tel. 207.883.3355
www.stantec.com

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Client/Project

PORTLAND INTERNATIONAL JETPORT
FIGURE TO ACCOMPANY PROJECT
READINESS FORM

File Name: op_m116_figures			
LA	DDA	DDA	2020.10.19
DWN.	CHKD.	DSGN.	DATE

Title

CONSTRUCT AIR CARGO TAXIWAY
& TAXIWAY A EAST - PHASE 1

Figure No.

1

Portland International Jetport Construct Air Cargo Taxiway & TW A Phase 1 - Sept. 2020 Update Estimated Construction Costs					
Item No.	Item Description	Unit	Estimated Quantity	Unit Price	Estimated Price
P-152-1	Excavation	CY	15,000	\$ 15.00	\$ 225,000
P-152-2	Embankment	CY	18,000	6.00	\$ 108,000
P-152-3	Pavement Sawcut	LS	1	5,000.00	\$ 5,000
P-152-4	Pavement Removal	SY	15,000	5.00	\$ 75,000
	Paint and Rubber Removal	LS	1	6,000.00	\$ 6,000
	Cold Mill	SY	1,000	10.00	\$ 10,000
	Saw and Seal	LS	1	3,000.00	\$ 3,000
	Glearing and Grubbing	ACRE	6	2,000.00	\$ 12,000
P-152-5	Demolition	LS	1	40,000.00	\$ 40,000
	Test Pits	EACH	6	1,000.00	\$ 6,000
	Plate Load and Borings	LS	1	15,000.00	\$ 15,000
P-154-1	Subbase Course (24")	CY	31,000	30.00	\$ 930,000
P-156-1	Temporary Air, Water Pollution, Soil erosion,and Siltation Control	LS	1	30,000.00	\$ 30,000
P-156-2	Silt Fence	LF	700	5.00	\$ 3,500
P-156-3	Curlex Erosion Control Blanket	SY	2,000	3.00	\$ 6,000
P-209-1	Crushed Aggregate Base Course (11" SS / 6" TW)	CY	4,400	55.00	\$ 242,000
P-401	HMA (9" - TW) and (4" - SS)	TON	8,100	145.00	\$ 1,174,500
	Hydraulic Cement	CY	160	300.00	\$ 48,000
P-603	Bituminous Tack Coat	GAL	1,450	12.00	\$ 17,400
P-620	Pavement Markings	SF	30,000	1.50	\$ 45,000
	Glass Beads	LBS	1,200	1.00	\$ 1,200
	Grooving Pavment on RW	SY	800	20.00	\$ 16,000
D-701-1	Pipe for Storm Drains 12-24-inch	LF	1,600	80.00	\$ 128,000
D-701-2	Pipe for Storm Drains (36 or 42")	LF	200	200.00	\$ 40,000
D-701-3	6 and 12 inch Underdrain	LF	4,000	25.00	\$ 100,000
D-701-4	UD Cleanouts	EA	10	1,000.00	\$ 10,000
D-701-5	4' Drainage Structure	EA	5	8,000.00	\$ 40,000
D-701-6	6' Drainage Structure	EA	5	12,000.00	\$ 60,000
D-701-7	Adjust Structures to Grade	EA	10	800.00	\$ 8,000
D-701-7	Outlet Control Structure (w/ TW A Phase 1)	EA	1	17,000.00	\$ 17,000
D-701-8	Water Quality Treatment (40% with Cargo TW Phase 2)	SF	30,000	20.00	\$ 600,000
T-901-1	Seeding	UNIT	360	30.00	\$ 10,800
T-905-1	Topsoiling	CY	2,200	40.00	\$ 88,000
T-908	Mulching	UNIT	360	20.00	\$ 7,200
L-108-1	Underground Power Cable	Below			
L-108-2	Cable Trench	Below			
L-108-3	Counterpoise	Below			
L-110-1	Concrete Encased Duct (2-Way 4)"	Below			
L-115	Electrical Manholes and Junction Structures	Below			
L-125	Flush Center Line Lights	Below			
L-125-2	TW Edge Reflective Markers	Below			
L-125-3	Signs	Below			
Elec	All Above Elec Items	LS	1	786,000.00	\$ 786,000
M102	3/4 Crushed Stone for Over Exc Backfill	CY	500	50.00	\$ 25,000
M103	Filter Fabric Other Areas	SY	1,500	3.00	\$ 4,500
M-104	Test Pits	EA	3	1500	\$ 4,500
M-105	Staging Area	LS	1	50000	\$ 50,000
M-106	Field Office (Engineer)	LS	1	20000	\$ 20,000
M-107	Stabilized Construction Entrance	EA	2	3000	\$ 6,000
Subtotal					\$ 5,023,600
Contingencies 10%					\$ 502,360
Total Construction Improvements					\$ 5,525,960
Survey					\$ 20,000
Geotech					\$ 40,000
Engineering and Construction Monitoring (12%)					\$ 663,115
Subtotal					\$ 723,115
M-101	Mobilization (10% of Subtotal)	LS	1	-	\$ 552,596
M-102	Bonds and Insurances (0.8% of Subtotal)	LS	1	-	\$ 44,208
M-103	Traffic Control, Safety and Security (15% of Subtotal)	LS	1	-	\$ 828,894
Subtotal of Mobilization, Bonds, Safety					\$ 1,425,698
				Total	\$ 7,674,773
				SAY	\$ 7,675,000



ASSURANCES

AIRPORT SPONSORS

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. **Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements.

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act – 5 U.S.C. 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.^{1 2}
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).¹
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.¹
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.¹
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.¹
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.¹
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.1
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

EXECUTIVE ORDERS

- a. Executive Order 11246 - Equal Employment Opportunity¹
- b. Executive Order 11990 - Protection of Wetlands
- c. Executive Order 11998 –Flood Plain Management
- d. Executive Order 12372 - Intergovernmental Review of Federal Programs
- e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 - Environmental Justice
- g. Executive Order 13788 - Buy American and Hire American
- h. Executive Order 13858 – Strengthening Buy-American Preferences for Infrastructure Projects

FEDERAL REGULATIONS

- a. 2 CFR Part180 – OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].^{4, 5, 6}
- c. 2 CFR Part 1200 – Non-procurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 - Airport noise compatibility planning.
- f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.¹
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).¹
- l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
- m. 49 CFR Part 20 - New restrictions on lobbying.

- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.^{1 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
- s. 49 CFR Part 28 –Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 –Government-wide Requirements for Drug-Free Workplace (Financial Assistance)
- v. 49 CFR Part 37 –Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

FOOTNOTES TO ASSURANCE C.1.

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.

- ⁵ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁶ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. Subject to the FAA Act of 2018, Public Law 115-254, Section 163, it will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the

Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.

- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.

- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-
 - 1) Operating the airport's aeronautical facilities whenever required;
 - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with

respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
 - 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.

- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated

by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

- 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 - 3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
 - c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, it will keep up to date at all times an airport layout plan of the airport showing:
 - 1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
 - 3) the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
 - 4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity

with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

- b. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, if a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. Applicability
 - 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 - 2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 - 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
- 2) So long as the sponsor retains ownership or possession of the property.

- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

“The **(Name of Sponsor)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

- e. Required Contract Provisions.

- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
- 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
- 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
- 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
 - a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1)

- reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.
 - c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
 - d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

Engineering and Design Services. If any phase of such project has received Federal funds under Chapter 471 subchapter 1 of Title 49 U.S.C., it will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services in the same manner as a contract for architectural and engineering services is negotiated under Chapter 11 of Title 40 U. S. C., or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated _____, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or

operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
 - 1) Describes the requests;
 - 2) Provides an explanation as to why the requests could not be accommodated; and
 - 3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DESIGNATING AREA OF MUNJOY HILL AS A HISTORIC DISTRICT
AND 101-103 CONGRESS, 7 LAFAYETTE, 8-12 MONTREAL, 51 MONUMENT,
21 SHERIDAN AND 28 WATERVILLE AS INDIVIDUAL LANDMARKS AND
AMENDING THE MAP OF HISTORIC DISTRICTS**

WHEREAS, the City Council is authorized pursuant to Portland City Code Chapter 14, Section 622 to designate individual properties as landmarks and a defined area in the City as a historic district; and

WHEREAS, the Historic Preservation Board and Planning Board have both recommended the designation of the Munjoy Hill Historic District; and

WHEREAS, the Historic Preservation Board has recommended the designation of 101-103 Congress Street, 7 Lafayette Street, 8-12 Montreal Street, 51 Monument Street, 21 Sheridan Street and 28 Waterville Street as individual landmarks; and

WHEREAS, the designation of the individual landmarks and the Munjoy Hill Historic District will fulfill a stated goal of the Comprehensive Plan to protect the City's historic resources through ongoing identification and designation of eligible landmarks and districts; and

WHEREAS, the designation of the Munjoy Hill Historic District does not conflict with other stated goals of the Comprehensive Plan and the Plan identifies historic preservation as integral to Portland's economic development strategy, its sustainability goals and to a multidimensional housing strategy; and

WHEREAS, the designation will formally recognize the unique history of Munjoy Hill which developed originally as a working-class neighborhood in direct response to key events and developments in the city's history and was home to generations of immigrants in the City of Portland; and

WHEREAS, the vernacular nineteenth and early twentieth century historic structures and the modest-scale, dense development pattern of Munjoy Hill create an identifiable visual character that is appreciated by residents and visitors to the City; and

WHEREAS, the designation will prevent the demolition of designated landmarks and identified contributing structures within the Munjoy Hill district; avoid the incremental loss of character that can occur through inappropriate building alterations and additions over time; and encourage new infill development that is compatible with the neighborhood's historic character; and

WHEREAS, the designation will stabilize and enhance the Munjoy Hill neighborhood over time for the benefit of Portland residents and visitors alike;

NOW THEREFORE BE IT HEREBY ORDERED that, pursuant to Chapter 14, Section 622, the Portland City Council hereby designates the area shown on the attached map, as the Munjoy Hill Historic District and the historic properties at 101-103 Congress Street, 7 Lafayette Street, 8-12 Montreal Street, 51 Monument Street, 21 Sheridan Street and 28 Waterville Street also shown on the attached map, as individual landmarks.

BE IT FURTHER ORDERED, that the map of Historic Districts with Landmarks and Historic Landscape Districts is hereby amended to include the Munjoy Hill Historic District and 101-103 Congress Street, 7 Lafayette Street, 8-12 Montreal Street, 51 Monument Street, 21 Sheridan Street and 28 Waterville Street as set forth on the attached map.

**AMENDMENT TO ORDER 126-20/21
PREPARED BY CORPORATION COUNSEL AT STAFF REQUEST
RE: REMOVING 21 SHERIDAN STREET FROM ISTORIC LANDMARKS**

**ORDER DESIGNATING AREA OF MUNJOY HILL AS A HISTORIC DISTRICT
AND 101-103 CONGRESS, 7 LAFAYETTE, 8-12 MONTREAL, 51 MONUMENT,
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**PLANNING BOARD REPORT
to the CITY
COUNCIL
PORTLAND, MAINE**

Recommendation to Designate
Munjoy Hill Historic District and Six Individual Landmarks

Submitted to: Mayor Snyder and members of the Council
From: Chair Brandon Mazer & Planning Board
1st Reading: November 9, 2020
Public Hearing: November 16, 2020

Prepared by: Christine Grimando, Planning & Urban
Development Director
Deborah Andrews, Historic Preservation Program Mngr.
Date: October 22, 2020

I. INTRODUCTION

On August 11, 2020, the Planning Board voted (4-3) to recommend to the City Council designation of a portion of the Munjoy Hill neighborhood as a local historic district subject to the provisions of Portland's historic preservation ordinance (Article IX of the Land Use Code) and as delineated in the map below (see also ATTACHMENT 1). The Planning Board's final deliberations and vote followed two workshops and a March 10, 2020 public hearing. Final deliberations were delayed until August due to an interruption to the Covid-19 pandemic's interruption of the Planning Board's schedule.

Proposed Munjoy Hill Historic District and Individual Landmark Designations
Per Historic Preservation Board Recommendation



The Planning Board's consideration of the proposed Munjoy Hill Historic District was upon the unanimous recommendation of the Historic Preservation Board, which concluded its own five-month detailed review process in November 2019. The Historic Preservation Board also voted unanimously to recommend individual landmark designation for six Munjoy Hill historic structures located outside the boundaries of the contiguous historic district. Landmark designation was recommended for 101-107 Congress, 7 Lafayette, 8-12 Montreal, 51 Monument, 21 Sheridan (but since recommended for removal, see p. 6, Noticing issue), and 28 Waterville. The Planning Board did not take up the proposed landmark designations as part of its review, as recommendations for individual designations are forwarded directly by the Historic Preservation Board to the Council under the provisions of the preservation ordinance.

The Council is reviewing both the proposed historic district designation as well the landmark designations. In reviewing the proposed Munjoy Hill Historic District and individual landmark designations, the Council will be considering whether the proposed district and individual structures meet the criteria for designation included in Portland's historic preservation ordinance. The Council will also consider the relationship of the proposed designation to other goals included in the City's comprehensive plan, *Portland's Plan 2030*.

As required under Sec. 14-617 of the historic preservation ordinance, these designation recommendations are accompanied by the following supporting documents and material:

- Map of the proposed district boundary. Map includes classification of every property within the district based on its preservation status, of either Landmark, Contributing, Non-Contributing (ATTACHMENT 1).
- Historic Context Statement describing the development history of Munjoy Hill, the architectural and cultural significance of the neighborhood in the context of the history of Portland, and the prevailing visual character and predominant architectural styles found in the district (ATTACHMENT 2).
- List of every property, 427 in all, within the proposed district with its classification. (ATTACHMENT 3).
- Historic Resources Inventory which includes a detailed entry for every structure within the proposed district. Each inventory form includes the building's date of construction and assigned classification, an architectural description and a summary of alterations since it was photographed in 1924. Also included are current and 1924 (where available) photos of the subject structure. Sample inventory forms are enclosed as ATTACHMENT 4. The full inventory is available on the Planning & Urban Development Department's website: <https://www.portlandmaine.gov/2451/Munjoy-Hill-Historic-District>
- Historic Resources Inventory forms for the six proposed individual landmarks, with same level of information (ATTACHMENT 5).

II. SIGNIFICANCE OF MUNJOY HILL NEIGHBORHOOD, INTENT OF HISTORIC DESIGNATION

The Munjoy Hill neighborhood is significant and unique among neighborhoods on the peninsula for its direct association with four key developments in the city's history: the establishment of the Atlantic & St. Lawrence Railroad and Portland Company in 1850, when founders of the two entities laid out some of Munjoy Hill's first streets to house workers; the Great Fire of 1866, when widespread displacement from other areas of the city led to a rapid build-out of the as-yet largely undeveloped neighborhood; the significant influx of immigrants to the City at the turn of the 20th century, which prompted the construction of triple-deckers and apartment buildings on remaining open lots; and, finally, the laying out of the ambitious Eastern

Promenade, which led to the construction of large, high-style homes facing the Prom. The visual character of Munjoy Hill as we know it today can be traced back to these four important developments in Portland's history and the residential construction they prompted.

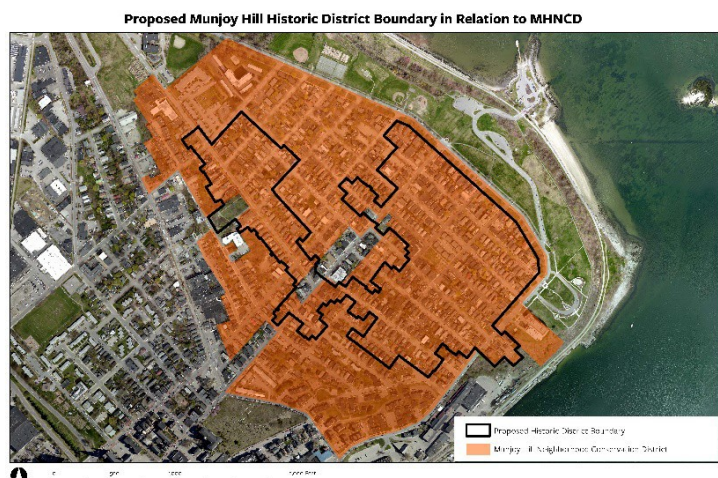
With the exception of the homes that were built along the Eastern Promenade, Munjoy Hill originally developed as a largely working-class neighborhood and the most densely populated and both ethnically and racially diverse on the Portland peninsula. Munjoy Hill's modest-scale, vernacular, closely-spaced buildings are tangible evidence of its unique history that has distinguished the Hill over time. The historic structures that remain today contribute significantly to the neighborhood's identifiable visual character.

The intent behind the proposed Munjoy Hill historic district and landmark designations is to provide a tool to effectively steward the historic building fabric and visual character of Munjoy Hill over time. Portland's historic preservation ordinance provides a comprehensive mechanism to manage change in areas of historic, architectural and/or cultural significance through demolition review, review of alterations and additions to existing historic structures, and design review of new construction. Portland's historic preservation ordinance has been in place since 1990 and its regulations currently apply in eleven Council-designated historic districts within the City.

III. SCOPE OF PROPOSED HISTORIC DISTRICT

The area proposed for historic district designation is comprised of those blocks within the larger Munjoy Hill neighborhood that constitute the greatest concentration of historic structures representative of the 75-year period during which most of the neighborhood was developed (1850-1925) and which contribute to the identifiable visual character of Munjoy Hill. Additionally, the majority of buildings within this area exhibit the level of historic integrity to merit preservation. These were the deciding factors in delineating the boundaries of the proposed district.

The proposed district is comprised of 427 parcels within the larger Munjoy Hill neighborhood, representing approximately 49% of the Hill's building stock. Most of the properties are located within the R-6 residential zone, however the proposed district includes ten buildings within the neighborhood's B1 or B1b business zones. (Two of the ten buildings are previously-designated Landmarks.) Eighty-eight percent of the parcels (376) within the proposed district are classified as "contributing"; twelve percent (51 parcels) are classified as "noncontributing". See map showing the boundaries of the proposed historic district in relation to the overall area of Munjoy Hill's R-6 zone. (The Munjoy Hill Neighborhood Conservation Overlay District coincides with the boundaries of Munjoy Hill's R-6 zone.)



IV. PROPOSED INDIVIDUAL LANDMARK DESIGNATIONS

The six structures recommended for individual landmark designation are located outside the boundaries of the proposed contiguous district. The district boundary does not include them because most of the buildings in their immediate vicinity would not meet designation requirements, especially with regard to the retention of historic integrity. While separated from the contiguous district, these buildings share many of the same characteristics that define the district and are in well-preserved condition. They are recommended for designation based on architectural and/or historical significance. Two of the six proposed landmarks were proposed from the outset by staff. These include the boyhood home of John Ford at 21 Sheridan and the architecturally notable commercial block at 101-107 Congress Street. The other four residential structures at 7 Lafayette, 8-12 Montreal, 51 Monument and 28 Waterville were nominated by their current owners. All are well-preserved 19th century residential buildings typical of the neighborhood. Descriptions of the six structures are provided in ATTACHMENT 5.

V. BACKGROUND

Consideration of a potential Munjoy Hill Historic District is the final component of a multi-pronged planning initiative that began in late 2017 in response to residents' concerns about the scale and character of recent development as well as a concern over the rate and quantity of demolitions. In December 2017, the City Council approved a 180-day moratorium on demolition within the R-6 zone of Munjoy Hill while staff developed proposals for interim and long-term changes to the Land Use Code to better manage development outcomes.

When Planning staff returned to the Council in June 2018, staff recommended a number of new and revised planning tools for Munjoy Hill. These included the creation of a "Munjoy Hill Neighborhood Conservation Overlay District" to implement new dimensional, design, and performance standards related to new construction and demolitions within the R-6 zone on Munjoy Hill. At that time, staff indicated, after discussion with the Council, that they would initiate a process related to possible historic designations on Munjoy Hill as soon as the zoning and moratorium process was concluded. Portland's historic preservation ordinance requires that detailed documentation and analysis be conducted in order to delineate district boundaries, evaluate individual buildings within the district and make the case for designation, necessitating this initiative be carried out on a different schedule than the initial amendments.

VI. PRELIMINARY DOCUMENTATION AND ANALYSIS

A detailed survey and analysis of Munjoy Hill's building stock got underway in late summer of 2018 with assistance from project interns and a preservation consultant. From this work, a draft district boundary was delineated, building classifications (landmark, contributing, non-contributing) were assigned, and a building inventory was prepared that includes a building description as well as current and historic views of every structure within the proposed district boundary and every proposed landmark outside the contiguous district. Finally, a report on Munjoy Hill's history, architectural and cultural significance and visual character was prepared for consideration by the Historic Preservation Board, Planning Board and Council as well as property owners and area residents. A number of informational meetings were held in the neighborhood during this preliminary documentation period. Once complete, Staff presented its draft historic district proposal to the neighborhood on April 30, 2019. The April 30 presentation was followed by additional

neighborhood meetings to answer questions and invite feedback. The proposal was formally introduced to the Historic Preservation Board on July 10th.

VII. DISTRICT BOUNDARY DELINEATION

Early on in the documentation/analysis phase, staff retained the services of Scott Hanson of Sutherland Conservation & Consulting to assess Munjoy Hill's building stock and provide an independent recommendation regarding appropriate and defensible district boundaries consistent with best practices in the preservation field. Mr. Hanson reviewed existing information from previous "windshield" surveys of the neighborhood, historical research and preliminary assessments of individual buildings provided by Greater Portland Landmarks. Mr. Hanson also made his own assessment of the current condition of buildings and made note of perceptible changes in the development pattern. The boundary recommended by Mr. Hanson encompasses structures representative of the key periods of development activity that have shaped Munjoy Hill's current character. Those include:

- 1850's development associated with the establishment of the Atlantic & St. Lawrence Railroad and Portland Company
- residential development prompted by the Great Fire of 1866
- 19th century block settled by African American residents
- late 19th and early 20th century development associated with influx of European Immigrants
- late 19th and early 20th century residential development along the Eastern Promenade

In terms of the size and scope of the proposed district, from the outset of this initiative, the project consultant took an intentionally conservative approach to defining the limits of the district, focusing on those blocks within the larger neighborhood that are: a) representative of the major periods of development that have shaped the current character of the Hill; and b) clearly retain most of their historic character. There are a number of properties that meet a) and b) but are not in the proposed district boundary, because any area under consideration for historic district designation must not only meet the test of architectural, historical and/or cultural significance, but also contain within its boundary a clear majority of structures that retain sufficient integrity to warrant preservation. Areas or blocks that exhibit a significant number of extensively altered buildings or where the historic development pattern is broken or inconsistent are generally not included within a district boundary.

Another factor that contributed to the conservative approach taken in delineating the district boundary was consideration of the need to balance a number of municipal goals as they apply to the Munjoy Hill neighborhood, including the goal of increased housing production. Staff recognized that other land use tools were effective in their own right and better suited for other areas of Munjoy Hill where the historic building fabric is more fragmented.

The final proposed boundary is largely consistent with Mr. Hanson's recommendation, but reflects some adjustments recommended by staff based on additional analysis, as well as feedback from the public and Historic Preservation Board during the Board's review process (described below).

VIII. PUBLIC PROCESS

The planning and review process to date has included extensive public outreach. This outreach began in early 2018 when the Planning staff held a series of meetings on Munjoy Hill to hear concerns of area residents and discuss new or revised land use tools that might better manage development on the Hill. The potential for designating one or two areas within the Hill as historic districts was discussed early on in that process and was presented to the neighborhood as one of the recommendations that would be made to the City Council in June 2018 staff held additional meetings in the neighborhood to describe the history and significance of Munjoy Hill, explain what areas were being evaluated for designation and the rationale for creating a historic district on the Hill. Additional informational meetings focused on what it means to own property in a historic district, what regulations apply, by what standards projects are reviewed and the review process itself. All of this outreach was done before the Historic Preservation Board and Planning Board began their formal reviews and continued throughout. The Historic Preservation Board held four workshops, all of which included the opportunity for public comment, as well as a public hearing. Similarly, public comment was taken at both of the Planning Board's preliminary workshops in addition to the public hearing. Written public testimony was extensive throughout the review process.

See ATTACHMENT 11 for a compilation of written public comment received since the Planning Board's March 10 2020 public hearing. For public comment received prior to the March 10 hearing, see <https://www.portlandmaine.gov/2451/Munjoy-Hill-Historic-District>

Noticing Issues

It was brought to staff's attention shortly before the Historic Preservation Board's public hearing that notices sent to affected property owners during the Historic Preservation Board's review process did not specifically highlight the proposed landmark designation for individual properties outside the contiguous district. (They were shown on the map included with notices, but specific mention wasn't made in the notice itself.) Shortly before the public hearing, the owner of a condominium unit at 21 Sheridan (John Ford's boyhood home) objected to designation on the basis of inadequate notice and the lack of opportunity to express opposition to the building's designation earlier in the review process. As staff had not yet had an opportunity to confirm the status of noticing at the time of the hearing, the Historic Preservation Board moved forward in recommending landmark designation for 21 Sheridan based on their finding that the building met the ordinance's designation criteria. Later, when staff confirmed the noticing error, staff indicated to the property owner that the omission would be flagged for the City Council with the recommendation for the removal of this property from the list of individual landmark designations.

Another noticing question arose during the Planning Board review. Due to a change in ownership of 59 Moody Street, the new owners did not receive early notices regarding their property's inclusion in the proposed historic district. This was due to the fact that it takes about six months for changes in ownership to be reflected in the Assessor's records, upon which mailing lists are based. The owners, who objected to designation, did receive notice in advance of the Planning Board's hearing in March, however, and again in August. The noticing issue in this case was not one that was anticipated, but the applicant has since received multiple notices and multiple opportunities to engage in the review process, and has contributed public comment over the course of the Planning Board's review. The Planning Board, aware of the error that initially

followed the change in property ownership, did not recommend removing the property from the district proposal.

IX. REVIEW PROCESS FOR HISTORIC DISTRICT DESIGNATION

The historic preservation ordinance outlines a three-step review process for historic district designations: a district proposal is considered first by the Historic Preservation Board, which typically conducts the most detailed review of the proposal. During this phase, draft boundaries and assigned building classifications are carefully reviewed and public comment is taken. Upon completion of its preliminary review, the Historic Preservation Board makes a formal recommendation to the Planning Board. The Planning Board, in turn, reviews the recommendation and forwards its own recommendation to the City Council. Final authority to designate a historic district rests with the Council. Unlike the Historic Preservation Board, the Planning Board and Council consider whether the district meets criteria for designation as well as the effect of such designation on other aspects of the comprehensive plan (Sec. 14-610 (d)). See ATTACHMENT 6.

X. HISTORIC PRESERVATION BOARD REVIEW

The Historic Preservation Board held four workshops on the historic district proposal, including an introductory session on July 10, 2019 and three working sessions on September 4th, October 2nd and November 6th. Two site walks were also held to familiarize Board members with the neighborhood's building stock, evaluate proposed district boundaries and review the preservation classification assigned to each building within the proposed district.

A substantial amount of the Board's preliminary review was spent on the proposed district boundary. Some boundary adjustments were made over the course of the review, based on staff input, public input, and Board deliberation. The original classification of a few properties within the district changed as well.

Individual Designations

Individual landmark designations were also considered during the Historic Preservation Board's review. Except for two particularly significant structures identified during the preliminary architectural survey, staff did not recommend individual designation for structures outside the proposed district boundaries. As noted above, emphasis was on providing protection for the area with the greatest concentration of historic structures that retained their historic integrity. The two buildings staff identified for landmark designation were John Ford's boyhood home at 21 Sheridan Street and the Munjoy Block at 101-107 Congress Street.

During the Historic Preservation Board's review process, four additional structures (include 7 Lafayette, 8-12 Montreal, 51 Monument and 28 Waterville) were proposed for individual designation by their respective owner. Given the fact that the nominated buildings 1) are well-preserved historic residential structures located beyond the boundary of the proposed contiguous district; 2) represent the same period of significance as the district; 3) are consistent with the building types and styles exhibited in the district; and 4) the owners of these historic properties wish to see them preserved into the future, the Board found individual designation to be appropriate. Criterion #6 under the Minimum Criteria for Designation provides a mechanism to individually designate this type of structure.

Ordinance Designation Criteria

In considering the designation of individual buildings as local landmarks and/or the designation of a contiguous area as a historic district, the Historic Preservation Board must find that the proposed landmark or district meets at least one of the six minimum criteria for designation outlined in the historic preservation ordinance (Article IX of the Land Use Code, Sec. 14. 610 a. and ATTACHMENT 6). In the case of Munjoy Hill, Criterion #1 was found to be most applicable:

1. *Its value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States;*

In the case of a nominated historic district, the Board must also find that the district meets the criterion for district designations as described in Sec. 14-610 b.

(b) In the case of a nominated historic district, the historic preservation board shall also determine whether a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties, sites, structures or objects which, while not of such cultural, historic, architectural or archeological significance to qualify as landmarks, nevertheless contribute to the overall visual characteristics of the significant properties, sites, structures or objects located within it.

Separate from the above criteria, which address the question of *significance*, the Board must also find that the nominated landmark and/or district exhibits sufficient *integrity* to warrant the building's or district's preservation (Sec. 14-611).

Any area, structure or object that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.

Although many of the buildings within the proposed district exhibit some level of alteration, most of the alterations are superficial and reversible in nature and do not fundamentally undermine the historic character of the building.

With respect to the nominated individual landmarks, Criterion #1 (see above), Criterion #3 (in the case of John Ford's home at 21 Sheridan) and Criterion #6 under Sec. 14-610 a. are applicable:

3. *Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archeological or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States.*
6. *Its representation of a significant cultural, historic, architectural, archeological or related theme expressed through distinctive areas, sites, structures or objects that may or may not be contiguous.*

Ordinance Designation criteria are excerpted in ATTACHMENT 6.

Recommendations of the Historic Preservation Board

On November 20, 2019, following a five-month review process, the Historic Preservation Board voted unanimously to recommend to the Planning Board and Council designation of a Munjoy Hill Historic District as delineated on the map (ATTACHMENT 1). The Board's recommendation was based on findings that the proposed Munjoy Hill Historic District meets the requirements for designation under Sec. 14-610 a.1 and b and Sec. 14-611.

The Board also voted unanimously that the following structures meet the preservation ordinance's criteria for individual designation (landmarks) as follows:

- 101-107 Congress (Munjoy Block) meets Criteria #1 and #6 under Sec. 14-610 (a), also Sec. 14-611.
- 7 Lafayette (Henry Rowe House) meets Criterion #6, also Sec. 14-611
- 8-12 Montreal (James B. Newell House) meets Criterion #6, also Sec. 14-611
- 51 Monument meets Criterion #6, also Sec. 14-611
- 21 Sheridan (John Ford boyhood home) meets Criterion #3 and #6, also Sec. 14-611
- 28 Waterville meets Criterion #6, also Sec. 14-611

XII. PLANNING BOARD REVIEW

Upon receipt of the Historic Preservation Board's recommendation, the Planning Board held two preliminary workshops on the proposed historic district designation. Workshop topics included:

- Role of the Planning Board in the review of historic district nominations
- Context of designation initiative—what prompted this evaluation?
- Requirements of historic preservation ordinance in considering a potential historic district
- Summary of documentation and preliminary analysis, including detailed architectural survey, research and documentation of Munjoy Hill's development history, identification of the area's "period of significance", etc.
- Delineation of district boundary--factors considered, input from consultant
- Summary of Historic Preservation Board review process
- Explanation of historic preservation ordinance's designation criteria
- Findings of the Historic Preservation Board and basis for district recommendation
- Analysis of proposed designation in relation to other Comprehensive Plan goals, including Housing and Sustainability
- Relationship of proposed historic district designation to existing MHNCD measures
- Construction and demolition trends on Munjoy Hill. Data was provided for the period between adoption of R-6 zoning amendments in 2015 and the start of the Munjoy Hill moratorium and also from passage of the MHNCD to present.
- Reports, studies and articles consulted regarding the impact of historic districts on housing, property values, taxes, maintenance costs, etc.
- Comparison of existing MHNCD regulations and historic preservation ordinance
- Interaction of the MHNCD regulations and the proposed new district
- Interaction of historic preservation regulations with other code and life safety regulations
- Clarification regarding determination of a historic district's "period of significance".
- Availability of state and federal historic tax credits for the rehabilitation of income-producing properties

- Time implications for historic preservation review--in relation to building permit and site plan review
- Process for revisiting or amending historic districts once established
- Effect of site plan ordinance's "100-foot rule" on buildings outside the proposed district boundary
- Effect of historic district designation on opportunity to add additional dwelling units to existing contributing properties
- Impact of designation on existing tools for incentivizing affordable housing
- Effect of historic district designation on tax rate.
- Effect of historic designation on achieving sustainability goals
- Reiteration of purpose/intent of designating portion of Munjoy Hill as a historic district
- Case studies of recent new construction within existing historic districts
- The relationship of historic district designation to other goals of the City's comprehensive plan.

For a detailed discussion on each of these topics, staff reports and powerpoint presentations, see: <https://www.portlandmaine.gov/2451/Munjoy-Hill-Historic-District>

XIII. RELATIONSHIP OF HISTORIC DISTRICT DESIGNATION TO COMPREHENSIVE PLAN GOALS

In addition to confirming that the historic district proposal is in conformance with the historic preservation ordinance's designation Criteria, the Planning Board and Council are charged with considering the proposed designation as it relates to the stated goals of the comprehensive plan, *Portland's Plan 2030*. Consideration shall include not only the Plan's historic preservation goals, but also other City goals applicable.

As described below, the proposed designation's relationship to the comprehensive plan was addressed in reports and staff presentations throughout the Planning Board's review process and focused in particular on the Comp Plan's sustainability and housing goals. During workshops, staff presented available data, studies from other communities and articles that address these questions, especially with respect to the effect of historic district designation on housing prices and rents, the potential for neighborhood gentrification and/or stabilization, etc. Staff also consulted with Tax Assessor Chris Huff regarding historic designation's effect on assessed value (who confirmed designation does not affect assessed value).

In addition to a written analysis prepared by Historic Preservation staff, a dedicated analysis on comprehensive plan consistency was included (see ATTACHMENT 7), which noted that:

"From the first pages of Portland's Plan 2030, and consistently throughout the document, historic preservation is acknowledged as central to the City's vision, including not only existing local designations but potential future designations. It is also acknowledged as integral to Portland's economic development strategy, its sustainability goals, and to a multidimensional housing strategy."

XIV. RESPONSES TO KEY QUESTIONS RAISED DURING PLANNING BOARD WORKSHOPS

While numerous questions were addressed during the Planning Board's review, following are some of the key questions raised by members of the Board, together with staff's response.

- *How do the current MHNCD regulations compare to Historic Preservation regulations?*

The regulations currently in place under the Munjoy Hill Neighborhood Conservation Overlay District (MHNCD) govern new construction and demolition. The MHNCD contains dimensional and design standards which revise maximum building heights, address rooftop appurtenances, regulate parking placement and its effect on front facades and regulate roof forms. The MHNCD retains the R-6 maximum height of 45 feet, but only for multi-family housing (otherwise 35 feet), and only with inclusion of an onsite workforce housing unit, in addition to any Inclusionary Zoning requirements. It also includes a demolition delay provision.

The demolition requirements in the MHNCD include a 12-month stay of demolition for structures determined to be “preferably preserved”. The delay period can be reduced if the applicant elects to have their new construction proposal reviewed by the Historic Preservation Board. If the design is approved, the stay is lifted and the “preferably preserved” building can be demolished and replaced. Alternatively, the applicant can wait and move forward with demolition after the 12-month stay. The premise of the demolition delay is that the delay will encourage parties to explore alternatives to demolition. The Alternative Design standards were amended to allow for additional design flexibility when social or environmental public benefits are proposed as part of the project, including the provision of sustainable design, affordable housing units or green technology.

Historic District designation includes regulations and review standards that govern not only demolition and new construction, but also alterations and additions to historic structures. A key premise behind historic preservation measures is not only that new construction be reviewed for compatibility, but that the existing historic buildings warrant stewardship. The intent is not to *prevent* changes but rather to provide a mechanism to *manage* change so that the historic character of the buildings and the neighborhood as a whole is maintained and enhanced over

time. Under the historic preservation ordinance, alterations or additions that are not readily visible from a public way are not subject to review. Alterations to “noncontributing” structures are governed by a more lenient set of review standards and noncontributing structures may be demolished as-of-right. New buildings are subject to new construction standards which address broad areas of compatibility (scale and form; composition of facades; relationship to the street; consideration of surrounding context).

With respect to demolition, landmark or contributing structures cannot be demolished unless 1) the applicant can meet the ordinance’s economic hardship test which requires demonstration of “no reasonable use of the structure”; or 2) the Historic Preservation Board, upon request of an applicant, amends or rescinds the original landmark or contributing classification. Since the ordinance went into effect in 1990, a number of buildings in historic districts have had their classification changed. Proposals for *partial* demolition, for example demolition of a rear ell, is typically reviewed as an alteration.

- *How would the MHNCD regulations interact with the Historic Preservation ordinance regulations in the proposed historic district?*

When the MHNCD was written, it anticipated the possibility of a future historic district designation, and the two both work together. Below is an overview of how the standards interact:

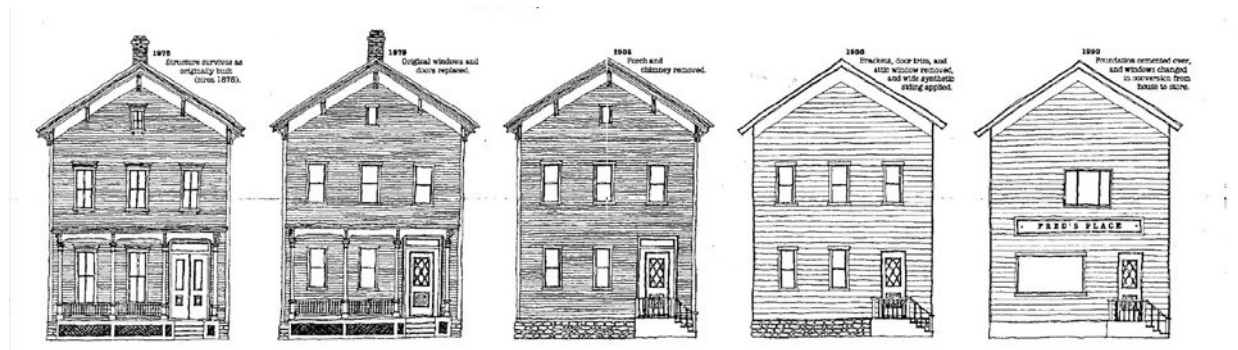
- Within the proposed district, the demolition delay provisions of the MHNCD would not apply. Demolition would be governed by the historic preservation ordinance. Buildings classified as noncontributing could be demolished as of right with no review.
- For proposed new construction within the district, the dimensional standards included in

the underlying MHNCD would still apply, but the R-6 design standards would be superseded by the historic preservation ordinance.

- Under Sec. 14-526 5.b of the site plan ordinance, a project located within 100 feet of the historic district boundary or an individually designated landmark which is subject to site plan review would require advisory review by Historic Preservation.

- *Given existing regulatory measures, why is designation of a Munjoy Hill historic district warranted?*

Some have suggested that with the MHNCD regulations in place, there is no need for historic district designation—essentially, that preserving neighborhood character can be accomplished through zoning and design standards. The existing MHNCD regulations, while appropriate and effective for portions of the Hill where the historic building fabric is more eclectic and/or fragmented, do not ensure that the 19th and early 20th century buildings that make up the neighborhood's identifiable historic character will be. Under the MHNCD demolition is delayed, but not prohibited and there is no review of alterations or additions to historic properties. Far less obvious, but of equal impact, are incremental alterations that gradually rob a building of its architectural character and appeal that would be in a district's review purview but not the MHNCD. The image below, from a 1990 study *Vulnerable Vermont* that documented historic buildings in selected Vermont towns over a fifteen-year period, illustrates a common trend.



As was illustrated through a number of project case studies at the February 11 Planning Board workshop designation does not eliminate the possibility of creating new housing in a historic district, building to the maximum height allowed by zoning, increasing the number of units within existing structures, adding dormers and/or additions, introducing solar panels, building a clearly contemporary new structure, or any number of other changes to existing conditions, but it does put in place a mechanism to review such changes to ensure that the overall historic character of the neighborhood is preserved and enhanced over time.

As noted elsewhere in this report, historic district designation has been proposed for a portion of Munjoy Hill, not the entire neighborhood, whereas the MHNCD applies to all of Munjoy Hill that is in the R-6 zone.

Similarly, the question was also asked whether if a historic district is created, the MHNCD was still warranted, or whether too many regulatory layers would be in place at the end of this process. Staff recommended that the question of the MHNCD be taken sequentially, and brought back before the Board following the Council's decision on the district, in the event of any changes to that proposal or its boundaries, and in order to give the MHNCD adequate time and consideration. Staff anticipates discussion

of potential removal, but also of the possibility of amendments that would remove some of the regulatory overlap between it and a district.

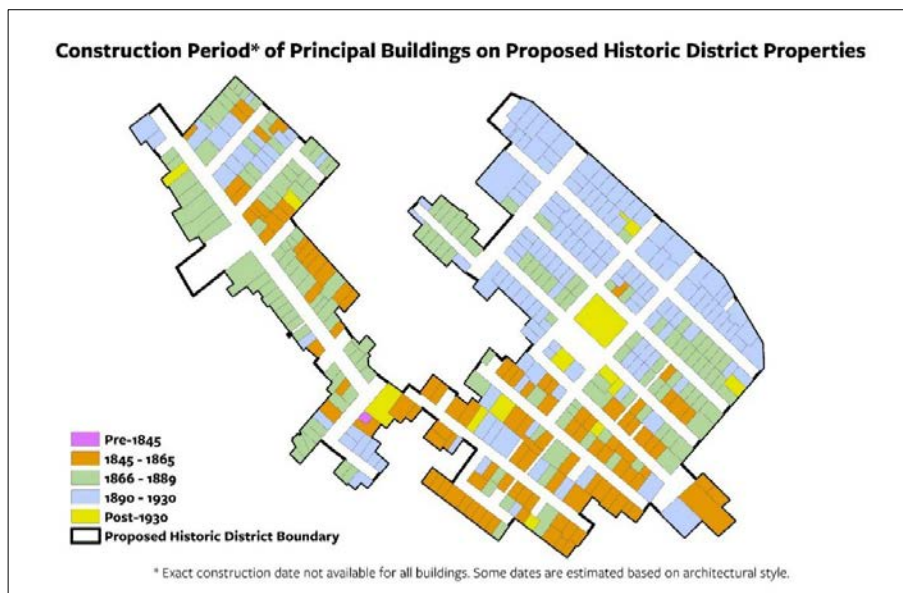
- *How is a district's "period of significance" determined and why has the period 1850-1925 been selected as the proposed district's period of significance?*

A historic district's "period of significance" is identified by researching the buildings that populate a given area and determining the time frame within which the vast majority of extant buildings were constructed. In some districts, like Stroudwater or the Old Port, the period is relatively short because most of the extant buildings were constructed during a very finite period. The Congress Street Historic District, on the other hand, includes buildings from virtually every era of Portland's history. In the case of Munjoy Hill, the neighborhood was largely developed between 1850 and 1925 to house middle-class and working-class residents and was spurred by a series of specific events and demographic trends. Until 1845, Munjoy Hill was largely undeveloped, but the establishment of the Atlantic & St. Lawrence Railroad and the Portland Company led to the first significant residential development on the south slope of the Hill. The founders of the railroad and Portland Company laid out several streets and many of the residents of these streets and others on Munjoy Hill worked for one of these two entities.

While the Great Fire of 1866 barely reached the Hill, it greatly influenced the development of the neighborhood, as 10,000 Portland residents were made homeless by the fire. Large areas of Munjoy Hill that had previously been open fields were subdivided and built upon. Given the number of buildings constructed shortly after the Fire, the architectural character of the Hill is shaped in large part by the architectural styles that were popular during this particular period—the Italianate and Second Empire styles.

The next major impetus for development on the Hill was the influx of immigrants from southern and central Europe in the late nineteenth and early twentieth century. Triple deckers and apartment buildings were constructed in the areas not developed until this time period, such as Morning and Vesper streets. It was during this same period (1890-1920) that the larger, grander residential houses on the Eastern Promenade were built.

By 1925, the street pattern and predominant building styles that make up much of the Hill was in place. Though there are buildings that represent other development periods, their numbers are relatively insignificant and not in sufficient concentration to warrant inclusion in the period of significance.



- *Would it be possible to designate individual structures or create smaller districts in lieu of the current proposal?*

Although it might be technically possible to limit historic designation on Munjoy Hill to a collection of individually-designated landmark structures, this approach was not pursued for a variety of reasons. First and foremost, Munjoy Hill derives its significance as a neighborhood, whose building fabric reflects not only key development periods in Portland's history but also a rich social/cultural history with strong associations to major Portland industries and events. Munjoy Hill is not noteworthy for individual structures that stand out as architectural or historical landmarks, but rather for its overall building fabric, scale, density, consistent pattern of development, and architectural/visual character. On Munjoy Hill, as in most historic districts, the "whole is greater than the sum of its parts" and therefore designation of a contiguous area was considered the appropriate approach. Making such a large quantity of individual designations would have also been procedurally very different as a designation process, as well, and landmarks would have been subject to even more review under the ordinance than as contributing buildings in a district.

XV. PLANNING BOARD DELIBERATIONS AND RECOMMENDATION

Planning Board deliberations were wide ranging and exhaustive. During deliberations, a number of concerns and questions were raised including whether the preservation ordinance's minimum criteria for designation had been met and whether designation might serve as a barrier to achieving other goals of the Comprehensive Plan. These questions are summarized below.

Some members disagreed with the Historic Preservation Board's finding that the following designation criterion (Sec. 14-610. b) had been met:

b) In the case of a nominated historic district, the historic preservation board shall also determine whether a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties, sites, structures or objects which, while not of such cultural, historic, architectural or archeological significance to qualify as landmarks,

nevertheless contribute to the overall visual characteristics of the significant properties, sites, structures or objects located within it.

Based on the fact that only a small percentage of structures within the proposed district had been assigned the classification of “landmark”, some questioned whether this test had been met.

There were also concerns about the proposed district’s identified “period of significance”, which was identified as the 75-year period between 1850 and 1925. Some members felt the district should represent a more discrete period of development, and that it was an unjustifiably long period. One member also found the boundary to be “gerrymandered.”

With respect to the proposed designation’s effect on other aspects of the Comprehensive Plan, one member argued that designation would constitute “exclusionary zoning during the city’s biggest period of growth”, that historic designation was a “regressive rather than progressive tool” and would adversely affect housing production. Another member noted “historic preservation has been used historically as a tool of exclusion” and absent the availability of a social impact study, there was insufficient data to argue one way or the other as to whether this had been the case in Portland. Others expressed concern as to whether historic district designation would inhibit the City’s ability to achieve its goals of sustainability, connectivity, housing equity and in particular racial equity. A question was also raised about the extent to which adequate outreach had been made to communities of color or to renters and whether their views had informed the proposal. A preference to review the MHNCD concurrently instead of sequentially also influenced the decision to not recommend for at least one member.

Ultimately Mr. Chann, Mr. Dundon and Chair Mazer expressed the view that designation of a historic district was the wrong planning tool for Munjoy Hill and voted not to recommend it for adoption.

The four other members of the Board (Dunfey, Silk, Smith and Stanley) expressed support for the designation. They found that the proposed district meets the preservation ordinance’s criteria for designation and noted that the district as proposed, specifically the delineation of its boundary, had been based on detailed documentation, analysis and review by staff, a preservation consultant and the Historic Preservation Board. They noted that having walked the proposed district, the area exhibits a distinct “sense of place”, and that historic district designation will allow for change over time while preserving this unique character. Several of the members expressed particular enthusiasm for the fact that designation would celebrate the history of what had historically been a working-class neighborhood within the city and that it was an important part of Portland’s history to recognize

In response to concerns expressed by opponents about historic designation’s potential to unduly limit opportunities for new development, one member pointed out that only a portion of Munjoy Hill was proposed for designation, which should help balance this concern.

With respect to the potential effect of designation on other goals of the Comprehensive Plan, all Board members acknowledged that this was a challenging question to assess. As one member explained, it is impossible to predict conclusively what effect historic district designation will have on achieving other

Comprehensive Plan goals. Supporting members noted that the relationship between preservation and other land use goals, such as sustainability and maintaining a diverse mix of housing options, had in fact been addressed in the supplementary information, data and studies provided by staff during the workshops and in the Comp Plan analyses provided. With respect to the issue of affordable housing, one member noted that designation did not solve our affordable housing needs, but that the designation would not be the origin of rising home prices in this neighborhood, and that many factors are at play in affecting housing markets. Also mentioned was the fact that historic designation does not preclude the development of other policies or incentives to encourage affordable housing. Another member offered that by protecting modest-scale, vernacular residential structures like those that populate the Hill, it might limit some speculative development to the good of the existing housing stock that may still be relatively affordable. Those supporting designation also pointed out that creating a historic district would not inhibit the ability to increase density in that units could be added within existing structures, additions could be constructed and accessory structures could be converted or built for housing. Each of the Board members engaged the topic of housing affordability and its relationship to this proposal with varying conclusions. Ultimately, those voting in favor found the benefits of designation and supporting documentation compelling enough to recommend the district to the City Council for adoption. As one member noted, while there will likely be costs associated with historic designation, those costs are reasonable ones when one balances the benefits to the City over time in preserving Munjoy Hill's sense of place.

Planning Board Recommendation

Following deliberations and on the basis of the November 20, 2019 recommendation of the Historic Preservation Board; documentation and analysis prepared by staff and consultants; information included in staff reports for the 12/10/19, 2/11/20 and 3/10/20 meetings; and public comment, the Planning Board voted 4-3 (Dunfey, Silk, Smith and Stanley in favor; Chann, Dundon and Mazer opposed) to recommend to the City Council that the proposed Munjoy Hill Historic District be designated a local historic district subject to the provisions of Article IX of the Land Use Code.

ATTACHMENTS

1. Map of proposed Munjoy Hill Historic District
2. Historic Context Statement
3. List of properties within proposed district, with assigned classification
4. Descriptions of properties proposed for individual landmark designation
5. Sample building descriptions from Munjoy Hill Historic Resources Inventory
6. Excerpted designation criteria from historic preservation ordinance (Article IX, Sec. 14-610 a. and b., and Sec. 14-611.
7. 2/7/2020 Comprehensive Plan Analysis from Christine Grimando, Director, Department of Planning & Urban Development
8. Sample of Articles Consulted
9. Case Studies of recent approved residential development project within existing historic districts
10. Flyer: *Frequently Asked Questions about Portland's Historic Preservation Program*
11. Public Comment - rec'd since Planning Board's 3/10/20 public hearing

Memorandum
Department of Planning & Urban Development



To: Mayor Snyder and Members of the City Council
From: Christine Grimando, Director, Planning & Urban Development
Date: November 13, 2020
Mtg Date: November 16, 2020
RE: Munjoy Hill Historic District response to questions

Introduction

Following the Monday, November 9, 2020 City Council workshop, and in anticipation of the November 16th public hearing on the proposed Munjoy Hill Historic District, below are responses to questions and comments made earlier this week. A full report of the process and issues explored throughout the entire designation review, as well as a summary of the Planning Board's recommendations, is included in the Council's packet of supporting materials.

Equity

The Planning Board deliberated the potential equity impacts of a district, especially in regard to housing costs and housing creation, as well as extending that discussion to the relationship of housing density to supporting transit connections. A district would bring some additional application costs, and demolition would be intentionally limited, which would be a new constraint (Munjoy Hill currently has a demolition delay in place, but it does not prohibit demolition) to housing development. But there isn't decisive evidence it would result in a spike in housing costs, and it would not freeze new housing creation within, upon, or around existing buildings, particularly because the density and other dimensional standards (small minimum lot size, relatively small setbacks) of the R-6 allow for this. I've included an email I sent to the City Manager on the role of equity in the Historic District review process as Attachment 12, and have expanded on those topics below.

Housing Creation

Designation does not lower the maximum density permitted in the R-6 zone or freeze existing properties at their current densities. The designation of a portion of Munjoy Hill would intentionally make demolition difficult and rare for contributing properties, and therefore would limit new replacement construction. New construction will often result in the replacement of smaller structures with larger ones, and so a district does introduce a new constraint on maximizing housing creation in exchange for retaining a share of the historic building stock on Munjoy Hill.

However, a historic district designation would not halt new housing creation. As a historic district in the relatively dense R-6 zone, there would still be numerous paths to new housing creation besides the demolition of existing buildings: conversion of existing structures to allow greater residential density (from single family to multi-family, for instance, or more housing units within an existing multi-family); conversion of secondary structures such as garages; additions to existing buildings; construction of new buildings on non-contributing parcels or on available lot area on contributing properties; and as of December 1, up to two Accessory Dwelling Units will be possible per lot.

In the previous 5 years, 536 housing units were created in historic districts or in local and national landmark buildings; an additional 295 are approved and not yet completed.

More housing creation would still be possible within a Munjoy Hill Historic District than in any other residential zone in the city. For instance, an R-6 zone parcel of 2,900 sf would permit four dwelling units (not considering ADUs), where the same sized parcel the R-1, R-2, R-3, R-4 and R-5 would permit none (under certain circumstances previously created non-conforming lots could possibly be approved for one). Larger lot sizes would expand the possibilities in all of these zones, but the density allowances are still considerably smaller, favor single family houses, and not all of these zones allow multi-family (3+ dwelling units/building) to be created. It's also worth noting that many of the homes on Munjoy Hill that were originally single family homes already contain more than one housing unit, as creating density within the existing building stock is not a new practice in this neighborhood.

Proposed Munjoy Hill Historic District and Individual Landmark Designations
Per Historic Preservation Board Recommendation



Included in the Agenda packet materials are examples of residential projects reviewed and approved by the Historic Preservation Board (Attachment 9) showing new market-rate housing, affordable housing, mixed housing and mixed-use developments, many substantially larger than the surrounding development (in footprint, height and/or overall scale).



Examples of new construction in historic districts

Housing Costs

Isolating the effect on home values of historic designation is challenging because of the many variables go into determining property values. The City Tax Assessor, Chris Huff, confirms that designation itself does not change assessed property values (Attachment 13). Implementation of districts in the United States varies from place to place, regulations vary, densities and housing policies vary, as well as trends in housing markets. A sampling of average 2-bedroom apartment rents on the peninsula and predominantly in the R-6 zone, find a range of rents that cannot be attributed to historic district designation (data from 2017):

Parkside (approximately half in a Historic District): \$1,374

West End (largely in a Historic District): \$1,408

Bayside: \$1,346

Munjoy Hill: \$1,482

The City Tax Assessor also notes that the characteristics of properties in districts (such as building design) may already be effecting property values in ways not captured in the analysis that goes into assessing property values in or out of a district. Trends in market conditions in certain neighborhoods, particularly on the peninsula, may already be experiencing increases in property values and greater levels of development, also making capturing the relationship between designation and rising property values challenging. Munjoy Hill has also seen steeper rises in housing prices and higher overall home than the established historic district of the West End. He also mentions that there would be an opportunity to study the impact of designation on home values upon adoption of a new district, by studying pre- and post- designation values while controlling for these many other considerations.

Construction Costs

As with questions of housing costs, it's difficult to capture the precise impact of a designation on costs. There are application fees for historic preservation applications (from \$65 to \$750) and the scale of projects range from a new porch to a new apartment building – there is not a steady increment of difference across these different projects. Review may result in different materials or designs than would otherwise have been the case (the design review by Planning Board for non-historic district properties sometimes does, as well). Designation does not mandate one solution, one design, one set of materials. Ordinary maintenance, replacement-in-kind of existing building features, alterations that are not visible from a public way, paint, and landscaping are not subject to historic preservation review. Guidance on consistency with design standards will vary by district, and in this case structures on Munjoy Hill are mostly fairly modest vernacular buildings (not a lot of ornamental architectural detail, or materials like slate or copper or other more costly elements) and review would not put requirements on them to be more ornate or use more expensive materials than is consistent with the simpler architectural styles found there.

Additional Review Time

Most applications requiring historic preservation review require other reviews and approvals, such as site plan review and/or building permit review, and those occur concurrently. For instance, for renovations that only require building permits, a single building permit application is submitted which is forwarded to plan reviewers in Building Inspections, Fire/Life Safety staff (if applicable) and Historic Preservation and each contributes their input to the single building permit application.

There are categories of review that requires Historic Preservation Board review but not Planning Board review – certain scales of additions, for instance. But for larger projects located within historic districts that require site plan review a concurrent review process is also followed. Planning & Urban Development strives to schedule Planning Board and Historic Preservation Board review on parallel schedules as much as possible, both in the interest of the time and to enhance communication between the two review bodies.

In sum, there is an extra layer of review for applications in historic districts, and some applications will need to factor in the additional time of applying for a certificate of appropriateness, but the majority of these are concurrent with other parts of the application process, and in some cases this is a substitute of one review authority for another (Historic Preservation Board for Planning Board for design review) rather than an additional element.

Availability of Tax Credits/Funding Sources

State and federal historic tax credits are available for the rehabilitation of income-producing properties, including apartment buildings or owner-occupied buildings that also contain rental units. The creation of a district itself does not qualify the district for tax credits, but upon designation, Historic Preservation staff would apply for National Park Service certification of the district in order for the tax credits to become an option in the district. The City previously sought and received NPS certification for the Congress Street Historic District and also for an expanded Portland Waterfront Historic District. Upon certification, individual property owners would then be eligible to apply.

Tax Credit projects are more helpful on larger projects, as qualifying investments begin at \$50,000, but nevertheless since the 1970's it has helped offset rehabilitation costs for many projects. **From 1978-2007, a total of 82 designated historic properties in Portland were rehabilitated using Historic Tax Credits. More than half (47) were residential projects. Since 2008, a total of 38 designated historic properties in Portland have been rehabilitated using Historic Tax Credits (summary sheet included as Attachment 14). Twenty two of the projects were residential projects.**

Affordable Housing Tax Credits, while not a City incentive, would be available for new projects as well as for rehab of existing historic structures for affordable housing. The Affordable Housing Tax Credit has often been combined with the Historic Tax Credit. Avesta Housing and CHOM have used both credits in combination in a number of their projects in the West End Historic District and Deering Street Historic District.

Studies, Findings

As mentioned above, isolating a clear answer on the effect of property values and rents is difficult to do, in part because of the many variables that influence housing markets region by region, city by city. Staff read and compiled many articles that evaluated or expressed strong opinions on the negative impacts or positive benefits of preservation. For every article or study read that showed a correlation between designations

and increased housing costs there were others that indicated that the designation alone was not the deciding factor in housing costs. A list of sample articles referenced in the course of the designation process is included in Attachment 8. Several articles are included as PDF attachments, as well, including a Forbes article (<https://www.forbes.com/sites/reginacole/2018/08/20/your-house-is-in-a-historic-district-does-that-raise-or-lower-its-value/?sh=542b242d7c8c>) that finds that historic district properties increased in value significantly more than non-designated properties, and a CityLab article (<https://www.bloomberg.com/news/articles/2017-06-11/how-historic-preservation-supports-affordability>) that finds that neighborhoods with older, smaller buildings and mixed-age blocks tend to provide more units of affordable rental housing than new construction (CityLab articles have covered a range of strong opinions on the role of historic districts in the contemporary city, from having no place and being a barrier to being affordability to being crucial elements to affordable and walkable neighborhoods). A study from NYU's Furman Center finds that the benefits and costs of districts differ by neighborhood in NYC, boosting them relatively more where development options are low, and less so, or even reducing values, where the potential for new development is high, but that evidence shows they raise property values in immediately adjacent to districts. Attachments to both articles (executive summary only for one) referenced in the City Tax Assessor's memo are included. The attached articles are not intended to summarize one opinion or be exhaustive, but to offer a small sample of the numerous articles available on this topic.

Though not a tax credit, but a source of additional financial support, Munjoy Hill is a CDBG-eligible neighborhood and property owners meeting applicable income requirements would be eligible for CDBG grants or loans. Property owners who may not meet the income requirements themselves, but whose tenants do, would also be eligible. CDBG grants have assisted with a number of residential rehabilitation projects in the West End Historic District and the Deering Street Historic District.

Munjoy Hill Neighborhood Conservation Overlay District

There's an overlay for the entire R-6 zone on Munjoy Hill, and the district when adopted would be nested within this (orange area

on inset map is the overlay, black boundary is proposed district).

When the overlay was implemented it anticipated the possibility of a historic district, and they don't conflict. The overlay has demolition delay provisions that won't apply to a district, because the district has stronger demolition protections. However, for non-contributing structures within a district, these could actually be demolished more easily than in the overlay because the designation has already decided

their historic significance or lack of (there are 52 non-contributing parcels). The district gives greater predictability for property owners in this regard. There are some design standards built into the overlay that would still be applicable in the district.

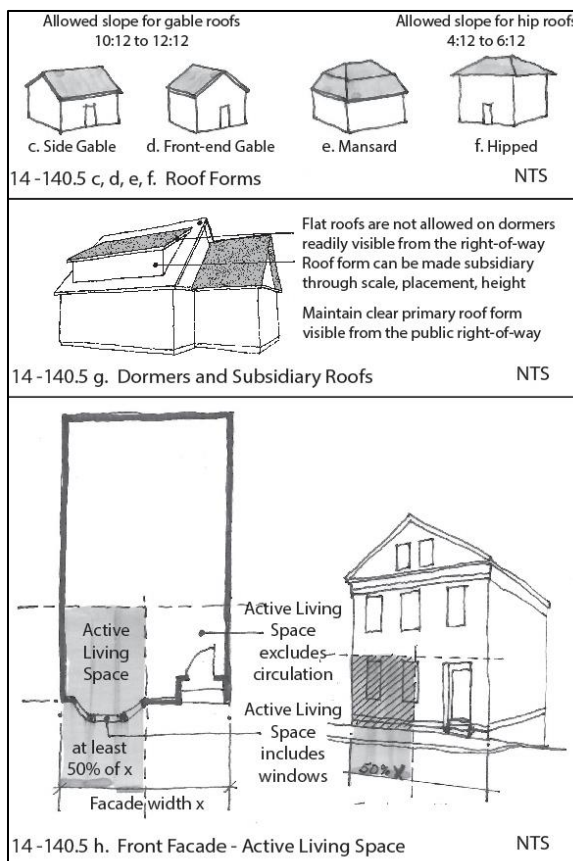


Conservation Overlay with Inset Historic District Boundary

As with most other districts, a project located within 100 feet of the historic district boundary or an individually designated landmark which is subject to site plan review would require advisory, non-binding historic review that may be done by staff.

Several members of the Planning Board expressed a wish to revisit the overlay in light of a new district, expressing concern that both in combination perhaps too complex or included too many regulatory layers for one area. Staff recommended these be taken up in sequence rather than simultaneously, and to that end, Planning will bring the overlay back to the Planning Board with ideas for changes to the overlay when the historic district process concludes. Possibilities for changes include repealing the overlay altogether; creating sharper distinctions between the two so that no property is subject to both district and overlay requirements; eliminating the 100 foot rule.

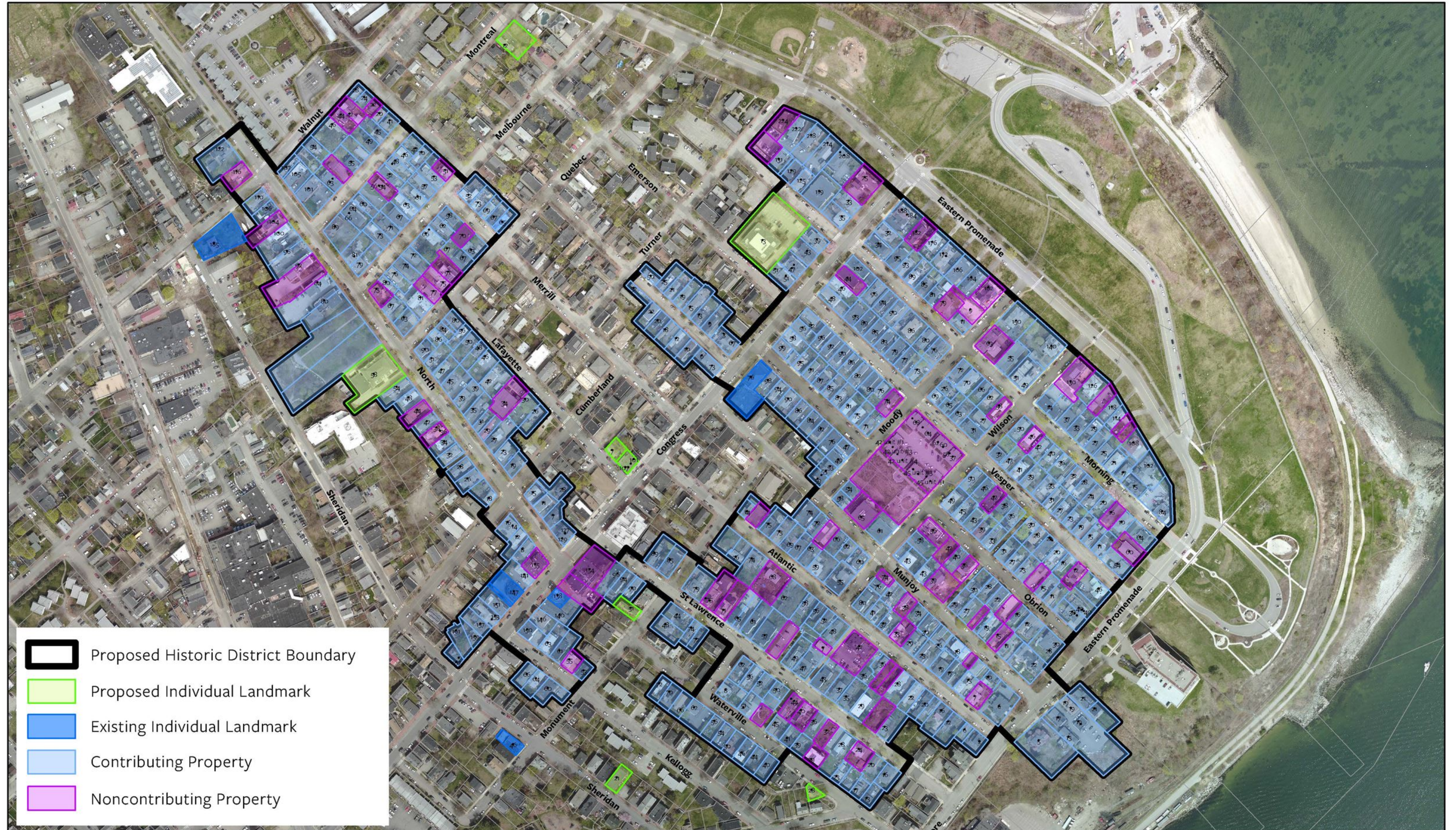
The maximum height in the R-6 has long been 45 feet, but the overlay permits the max height only for multifamily buildings, and only when a workforce dwelling unit is included onsite (in addition to Inclusionary Zoning requirements), to incentivize both density and mixed market rate/affordable housing projects – beyond design and demolition restrictions, this is one of the key policy elements of the overlay that warrants consideration of how to retain or extent or modify going forward.



Sample Overlay Design Standards

Proposed Munjoy Hill Historic District and Individual Landmark Designations

Per Historic Preservation Board Recommendation



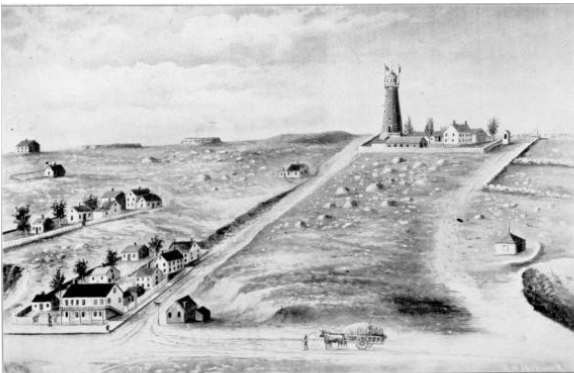
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Munjoy Hill Architectural Development & Context Statement

April 2019



Development History: 1786-1866



Munjoy Hill in the Forties by Charles Goodhue
Collections of the Maine Historical Society, MMN 4144



Munjoy Hill in 1826 as drawn by Lemuel Moody
Collections of the Maine Historical Society , MMN 100727



Munjoy Hill in 1851 from the H.F. Walling Map of Cumberland County.

Munjoy Hill rises 161 feet above Casco Bay on the eastern end of the Portland peninsula. The Hill's namesake George Munjoy (c1626-1680) settled near present day Mountfort and Fore Streets in 1659. He fled Portland after an Indian attack in 1676 and never returned.

The center of activity on Munjoy Hill for many years was the Portland Observatory (1807) which served as a signal communications tower for merchant vessels. Adjacent to the Observatory was a bowling alley and the house of its founder and operator Lemuel Moody.

Although Munjoy Hill came to be the city's most densely populated and ethnically diverse neighborhood, it was one of the last neighborhoods on the peninsula to be developed. Its primary functions from the city's founding in the 1630s until the 1840s were as an occasional gathering place and a pasture for cows. Throughout the mid-18th century a group called the Munjoy Proprietors erected a system of stone walls on the hill, with a gate near the present-day intersection of Washington Avenue and Congress Street. The Munjoy Proprietors sold "cow rights" to locals for pasturing their cattle.

The cow pastures were also the site of large open-air events. The fields between the Observatory and Eastern Cemetery were popular for 4th of July celebrations, circuses, and militia musters.

Early structures on the hill in addition to the Observatory included a hospital for small pox victims, a gun house, and Fort Sumner. The fort was built in 1794 off North Street to protect the city from attacks from the west and Back Cove.

In 1796 Tukey's Bridge was built, connecting the peninsula to the mainland. Washington Avenue was laid out to connect the city to the bridge in anticipation of a residential building boom that didn't immediately materialize.

Instead, groups of structures were scattered across the hill, first near the gate to Munjoy Hill,

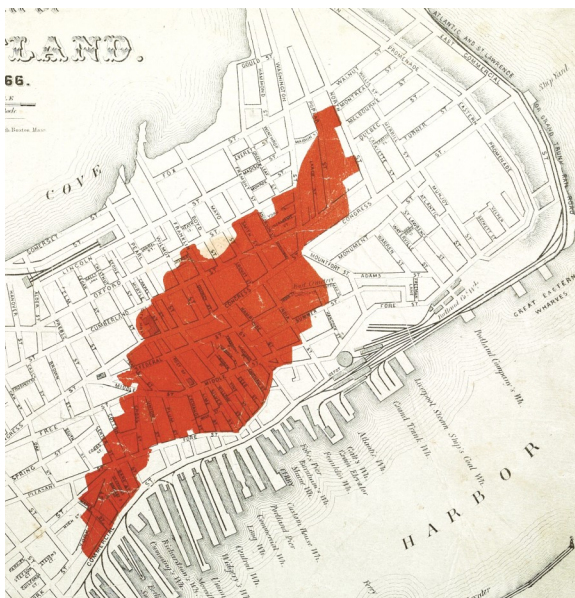
Development History: 1786-1866



Munjoy Hill in 1857 from the H.F. Walling *Map of Cumberland County*.



Congress Street on Munjoy Hill after the Fire of 1866
Greater Portland Landmarks



Extent of the Great Fire of 1866
Greater Portland Landmarks

then along Cumberland Avenue, Congress and Lafayette Streets.

As the Hill's population increased, in 1836 City officials bought up land along the shoreline, despite public outcry at the waste of public money. Much of this area is now the Eastern Promenade.

While the Eastern Promenade was preserved for future public use, on the opposite side of Munjoy Hill tons of gravel were removed to fill in Back Cove. Moses Gould, owner of 18 acres on the Hill, formed the Back Cove Land Co. to fill and develop the mud flats in what is now Bayside.

Expansion on the waterfront was precipitated by the founding by John A. Poor of the Atlantic and St. Lawrence Railroad. Chartered in 1845 and opened in 1853, the railroad connected Portland to Montreal, Quebec. Poor also helped found the Portland Company on Fore Street in 1847 to build locomotives for his new railroad. The upsurge in activity along Fore and India Streets in the 1840s and 1850s led to a residential boom on the Hill, attracting workers from the Portland Company and railroad. Many of these homes were built in the Greek Revival Style that predominated during this period.

On the western side of the Hill, the area between Washington Avenue and North Street developed a unsavory reputation in the early 19th century. In 1849 a riot broke out in a bawdy house. During the riots one man was killed and a dance hall was destroyed by fire. This area would be mostly destroyed in a few decades by a catastrophic fire with significant impact on the entire city.

The Great Fire of July 4th and 5th, 1866 spread from Commercial Street to North Street. It destroyed 1,500 buildings and left over 10,000 people homeless. The field below the Observatory was turned into a makeshift tent-city by the Army, then replaced by wooden dormitories until permanent housing could be built.

Several early homes on the east side of North Street survived the fire including the Benjamin Noble House (1856) at 65 North Street and the double house of Eliphalet Clark and Moses Gould at 79 North Street (c1847).

Development History: 1866-1917



Munjoy Hill from a *Bird's-Eye Map of Portland* Published by J. J. Stoner in 1876



The index of a map prepared by the city Tax Assessor 1882-1884 depicts the extent of development on Munjoy Hill.

Following the Great Fire, the city's need for housing drove development on Munjoy Hill. This development was largely middle-class homes, with a few high style residences in the Italianate and Second Empire styles. A few years earlier in 1863 the city's horse drawn street car line had reached Munjoy Hill helping to make the hillside areas attractive for development after the fire. Residential development spread out from existing residential areas eastward toward the Promenade on Turner, Quebec, Melbourne and Montreal Streets, which had been subdivided 1857 and 1858.

In 1874 the Deering family heirs subdivided their land along Congress, Sheridan and Kellogg Streets. A few years later in 1879 the family subdivided additional land along the east side of Munjoy Street and the north side of Congress Street from Howard Street to the Eastern Promenade.

By the 1880s, Munjoy, Atlantic and St. Lawrence Streets were largely built out. These long streets extended between Fore to Congress and were interconnected by short streets like Sherbrooke Street or small lanes like Gilbert's Lane. To the east, a pond initially blocked the extension of several streets westward to Congress Street. The pond was located in the area generally occupied in the 20th century by the Adams School (*image bottom left*). Within the next ten years the area would be drained and developed. One block within this formerly wet area would become one of four car barns for the Portland Railroad Co. after the street car line expanded its route on the Hill from Congress Street, down Morning Street to the Eastern Prom. It then wended its way back to Congress Street along Beckett, Wilson, and Atlantic Streets. The company's street cars lines were all electrified by 1896.

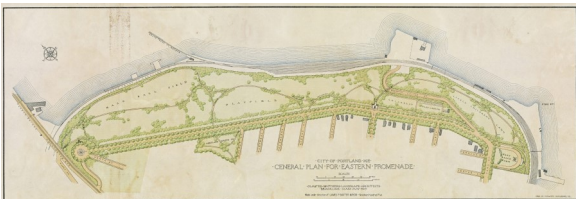
Development History: 1866-1917



Portland Railroad Company's car barn on Beckett Street.



Munjoy Hill Reservoir c1920.
Portland Water District, MMN 82239



Olmsted Brothers design for Eastern Promenade.



J.J. Nissen House, 286 Eastern Promenade in 1924.

In 1889 the Munjoy Hill reservoir was built at the corner of North and Walnut Streets by the Portland Water Company. The reservoir was built to better serve customers in the East End and had a capacity of 20,000,000 gallons. The reservoir burst a few years later in 1893, killing four people and destroying four homes off Walnut Street. The reservoir remained in operation until 1970 as a water supply; today the site is a parking lot above a large underground reservoir.

In the last decade of the 19th century, wealthy local families began to appreciate the Eastern Promenade's sweeping views and began erecting grand homes opposite the City-owned green space. The residential development followed efforts begun by the city in 1878 to improve the publically owned green space. In 1890 the City acquired Fort Allen to extend the city's park space. The park and perimeter roadway became key elements in the park and boulevard system envisioned by Mayor James Phinney Baxter and the Olmsted brothers landscape firm in 1905.

Twenty-one of the thirty-three single family homes on the Eastern Promenade were built between 1888-1912 in the Queen Anne and Colonial Revival styles. Samuel D. Plummer, a Portland real estate dealer, built his Queen Anne house at 140 Eastern Promenade in 1898. The Griffin Brothers, prominent fruit dealers on Portland's waterfront, built large homes on the Promenade. Lindsay B. Griffin first built a house at 182 Eastern Prom in 1897, then built a new Colonial Revival House at 188 Eastern Prom in 1908. His brother John built a similar home at 150 Eastern Prom in 1910. One of the prominent Colonial Revival homes on the northern end of the Promenade was the 1913 residence of John. J Nissen, founder of Nissen Bakery at 59 Washington Avenue.

Development History: 1866-1917



Samuel D. Plummer House, built 1898 at 140 Eastern Promenade.



Triple deckers on Munjoy Hill.



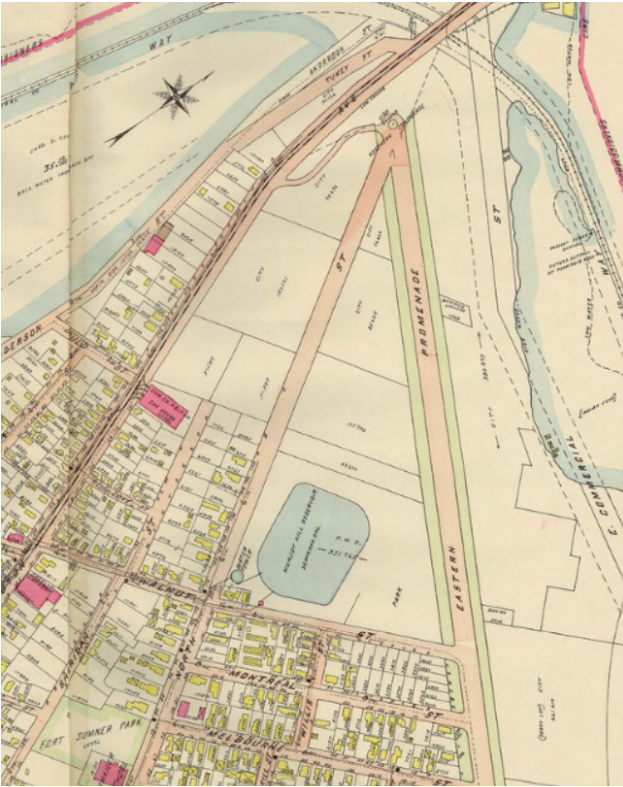
Triple deckers on Munjoy Hill.

Between 1895 and 1917 “triple deckers” or “flat houses” were built in large numbers on Munjoy Hill. They are particularly prevalent on Morning, Vesper and Beckett Streets, as well as Sheridan and Kellogg Streets. The land on Morning, Vesper and Beckett Streets was owned by the Deering and Fessenden families and was some of the last vacant land to be laid out on Munjoy Hill. The triple-deckers and the few apartment buildings built during this period were multi-family residential building types that housed the Hill’s increasing immigrant population from Italy and Northern and Eastern Europe.

Portland was a busy maritime port in the early 20th century and served as an immigrant port of entry. Portland’s primarily English population was joined by groups from Ireland, Canada, Portugal, Scandinavia, Italy, Eastern Europe, and Greece. Munjoy Hill’s close proximity to the downtown made it attractive to many immigrant families. Immigrant families settled on the Hill and often built neighborhood businesses like the Capozza brothers barber shop or Paul Blumenthal’s grocery store.

By World War I, most of the neighborhood’s residential lots were filled, however land to the west along North Street and the Eastern Promenade remained vacant.

Development History: 1917 – Present



Map of the northern end of Munjoy Hill depicting vacant land.
Richards Standard Atlas of the City of Portland, 1914.



View of the Munjoy Hill Reservoir and the Jack school beyond.
Portland Water District, MMN 94455.



View of Portland House in the distance.

By the late 1920s, although most of the neighborhood's residential lots had been developed, some lots remained vacant, particularly along North Street and the Eastern Promenade. During the 20th century infill development and construction of new institutional and educational buildings slowly filled the remaining land.

In 1929 the Jewish Home for the Aged was designed by architect Herbert Rhodes and built at 158 North Street.

Jack Junior High School was built on North Street near the Munjoy Hill Reservoir on land gifted to the city by the Portland Water District in 1943 for seventh and eighth grade students in the Munjoy Hill neighborhood. The school was later used as an elementary school. The building was closed in 2001 and replaced by the East End Community School built on the same site in 2006.

In 1947 the housing development at 304 Eastern Promenade was built on the site of homes destroyed in the reservoir flood. The development includes seven buildings on a 1.7-acre lot with parking along the perimeter of the development.

A few years later in 1950 at the corner of Eastern Promenade and Quebec Street, six multi-unit buildings were constructed on a one-acre lot. Like the other mid-twentieth century housing project on the Eastern Promenade, it is a low scale development and does not follow the traditional street pattern.

Today, the Munjoy Hill skyline is dominated by two large-scale residential buildings. The Portland House, overlooking the Fore River at 45 Eastern Promenade, was built in 1969 as an apartment building and today houses over 100 residential condominiums.

Promenade East, purportedly the first high rise condominium building in Maine, was built in 1975. The building is fourteen stories high and accommodates 80-units. Its interior has a unique layout with two floors sharing a single hallway.



Henry Homer House, 81 Congress Street (c1829) in 1924.



7 Lafayette Street (1849 - 1852) in a 1924 image.



7 Lafayette Street (1849—1852) in 2018.

Architectural styles of the Hill's residences provide useful clues to the development and history of the neighborhood. While few buildings from the Hill's early settlement remain, there are many buildings from the three major periods of construction: early subdivisions for housing for workers along the expanding waterfront (1847-1866), Post Fire development (1866-1890s) and housing for Portland's expanding immigrant population (1890s -1930). Research conducted by Greater Portland Landmarks in the early 1980s provided dates for many of the homes on Munjoy Hill.

A number of buildings on Munjoy Hill exhibit the characteristics of more than one style, either because they are transitional between stylistic periods or due to later additions. Some buildings, altered by the replacement of exterior siding and the removal of exterior features display no particular architectural style.

Early Settlement (1785-1845)

The few buildings that remain from the early settlement on Munjoy Hill are wood-framed, three-bay, side gable capes and are generally located near the crest of the hill. The Henry Homer House (c1829) at 81 Congress Street is a one-and-a-half story three bay cape that has been altered by a side addition. A slightly later example is the dwelling at 7 Lafayette Street (1849-1852).

Another altered example of an early house is located at 62 Munjoy Street. The first floor was a five-bay cape built c1790 in the Federal period. The cape was likely moved and a second floor added c1857 by builder William Hoit.

Early Subdivisions (1845-1866)

Two early subdivisions of land, one off North Street and the other off Fore Street include good examples of the Greek Revival style. These homes typically feature a strong post and lintel door surround. While most homes in this style on Munjoy Hill are wood framed, there are several brick Greek Revival homes in the neighborhood. The brick dwellings usually feature stone lintels over their windows.



Moses Gould and Eliphalet Clark at 79-81 North Street (1847).



Joseph Flower House at 87 St. Lawrence Street (c1852).

One of the best examples of a brick Greek Revival is the Robert Dresser House (1850-1851) at 2 Atlantic Street. The two-story building has stone lintels above the windows and a recessed entry door with sidelights. Another early example is the double house of Moses Gould and Eliphalet Clark at 79-81 North Street (1847). Like the Dresser House, the Gould-Clark House has recessed entries. The entry at 81 North Street retains its entry sidelight design. Altered by Italianate entry hoods, the Greek Revival style is evident in the building's strong gable-end pediments, the recessed brick window bays, and the stone lintels and sills at each window.

Additional brick dwellings are located at 16 Atlantic Street (1852-1853), 55 Atlantic Street (1855), 62 Waterville Street (1855) and 66 Waterville Street (1855-1857). A late example of a brick Greek Revival dwelling is the Gabriel Mark House at 74 St. Lawrence Street built in 1872.

St. Lawrence, Atlantic and Waterville Streets contain a high percentage of Greek Revival frame residences. There are thirteen examples of the Greek Revival style built between 1845 and 1855 on Atlantic Street. Nineteen Greek Revival frame dwellings built between 1847 and 1860 are located on St. Lawrence Street and nine built between 1846 and 1867 are located on Waterville Street.

The neighborhood contains examples of both gable front Greek Revival homes and side gable dwellings. Gable front dwellings are usually 2 1/2 stories, while one and two story examples of side gable dwellings are also present.

One of the most prevalent builders on Munjoy Hill in this period was William Hoit. Research indicates he was responsible for the construction of at least ten wood frame homes on Munjoy Hill in the 1850s. Most of these were Greek Revival homes, although two examples of his construction in the Italianate style are extant at 86 and 104 Congress Street.



Ellen Moody York House, 140 Congress Street in 1924.



A Gothic Revival dwelling on North Street in 1924.



Tall narrow paired windows like these at 80 North Street are typical of the Italianate Style.

Another early 19th century architectural style is the Gothic Revival. There are few examples of the Gothic Revival style on Munjoy Hill. 140 Congress Street is the former home of Ellen Moody York, the granddaughter of Lemuel Moody and proprietress of the Portland Observatory until 1925. Her dwelling once featured ornate decorated vergeboards and drop mold window trim that characterized the Gothic Revival style. Many of the dwelling's details were lost when the dwelling was altered by the addition of a church sanctuary in the mid-20th century.

A second example of the style is located at the rear of 21 North Street. Less decorative than 140 Congress Street, the North Street dwelling features decorative verge board, steeply pitched gable wall dormers, and a projecting two story entry bay with a similarly steep gable roof and decorative verge boards.

Post-Fire Development (1866-1890s)

Most of the extant homes built in the aftermath of the Great Fire of 1866 were constructed in the Italianate and Second Empire styles that predominated during that period. Often similar in form to the gable fronted Greek Revivals homes, the typical Italianate house has more elaborate decoration and machine-made details. The details, such as brackets, were more readily available and affordable than earlier hand carved details due to new machinery technology.

Characteristic features of the Italianate style include tall paired windows, arched window openings, decorative door hoods, brackets below the roofline and bay windows.

The Italianate style predominates on Munjoy Hill. Projecting bays and door hoods are common features on both vernacular dwellings as well as more elaborately detailed homes on the Hill. The Italianate style is also found on commercial and civic buildings like the Shailer School (1880-1881) on North Street.

Architecture



Bay windows on gable front home are a typical feature on the Hill.



The Ann Freeman House on Congress Street is an early example of the Italianate Style. It is a designated local landmark.



While most Italianates style homes have a side hall plan, the Hill also has several examples of an L-plan house with a side entrance like this one at 56 St. Lawrence Street built c1860.

Brick examples of the style include the two-bay, two-story Ann Freeman House (1857) at 147 Congress Street and the three-story double house at 96 St. Lawrence Street. Both examples have hip roofs that formerly were capped by cupolas.

Early examples of the gable end form are the Benjamin Noble House at 63 North Street (1856) and the Jason H Davis House at 23 O'Brien Street (1866-7).

The three bay, one-and-a-half story Cushing House at 83 Munjoy Street (1878) is an unusual example of the Italianate style on Munjoy Hill. Unlike most of its neighbors, the dwelling is set far back on its lot and has an unusual central projecting entry tower form.

A third plan type is the L-shape plan. An example of the L-plan form with side entry, usually off a porch, is the Samuel Libby House at 30 Lafayette Street (late 1870s). Like many dwellings with this form, the Libby House has a narrow gable front form with a projecting bay window on the street façade.

Two of the most prevalent builders on Munjoy Hill in this period were William H. and John Weeks. Research indicates the Weeks family built several Italianate wood-frame houses on Vesper and O'Brien Streets in the last decades of the 19th century.



The Alfred Roberts House (1876) at 80 Quebec Street.



The Second Empire at 60 Kellogg Street retains its historic slate roof, window hoods, and corner boards.



39 and 45 North Street on Munjoy Hill in 1924

The Second Empire style shares many of the Italianate style's characteristics and was popular during the same time period. What distinguishes the Second Empire style, however, is its mansard roof form. It is another predominate style on Munjoy Hill.

Several good examples of small scale, one-and-a-half-story Second Empire dwellings are located on the Hill. The Alfred Roberts House (1876) at 80 Quebec Street and the John C. Main House (1876) at 52 Melbourne Street each have detailed woodwork over the dormers and elaborate brackets supporting the entry hood. The Mains House has a two-bay side hall plan, while the Roberts House has an unusual back hall plan and features bull's eye rosettes as a decorative exterior detail. Like the Mains and Roberts Houses, the Second Empire at 60 Kellogg Street has elaborate dormer and cornice details. It retains its historic slate roof, window hoods, and corner boards.

The late 19th century brought larger scale dwellings to the neighborhood, particularly on North, Congress and Merrill Streets. Larger two-and-a-half-story examples of the Second Empire style are present at 32, 39, 45, 96 North Street. The V.B. Fuller House (1884) at 45 North Street retains its double entry doors, bracketed entry hood, two-story projecting bays with narrow windows, cornice brackets, and dentil molding. The A.L.R. Huston House (1886) at 39 North Street retains its historic carriage house.



Swag detail on entry porch gable at 129 Morning Street.



William N. Taylor House (1895) at 64 Eastern Promenade.



Samuel D. Plummer House (1898) at 140 Eastern Promenade.

Housing a Growing Population (1890s-1930)

The extant homes built on Munjoy Hill at the turn of the century are constructed in the diverse styles that predominated during that period. The two most prevalent styles are Queen Anne and Colonial Revival.

While homes from this era located on the Eastern Promenade are often elaborate and large scale, on interior streets the Queen Anne and Colonial Revival style tend to be smaller scale and follow the same development pattern as earlier homes. Many Queen Anne homes are gable front with a side hall plan, like earlier Greek Revival, Italianate, and Second Empire style homes on the Hill. Only the stylistic details have changed. Similarly, Colonial Revival homes may also have a gable front or may have a hip roof.

The Queen Anne style features a variety of distinctive patterns of decorative detailing. Spindlework with delicate porch details and lace-like brackets is one common type of Queen Anne architectural embellishment found on Munjoy Hill. Another is the Free Classic, with classical columns and decorative details borrowed in part from the early 19th-century Federal period of architecture.

Towers are prominent feature in Queen Anne dwellings and towers are present on the R. Cutler Libby House (1895) at 34 Congress Street, the William N. Taylor House (1895) at 64 Eastern Promenade, the Robert D. Libby House (1901) at 84 Eastern Promenade, and the Samuel D. Plummer House (1898) at 140 Eastern Promenade.

The John E. Farr House (1893) at 39 Congress Street is a good example of a gable front Queen Anne dwelling. The gable front projects beyond the front wall and encompasses the two story projecting window. Typical of the Queen Anne style, the dwelling features a Palladian window, multiple window sizes and styles, panel work, patterned shingles, spindlework, dentil moldings, and gable ornament in the entry portico. A unique feature of the house is the different decorative pattern of the lintels on the first and second floor window trim.



Colonial Revival house at 188 Eastern Promenade.



Colonial Revival house at 150 Eastern Promenade.



Colonial Revival apartment house at 164 Eastern Promenade.

The Colonial Revival style on Munjoy Hill is represented in a wide range of residential building types: large-scale single-family homes, small-scale single-family homes, and on triple decker buildings.

Two excellent examples of the Colonial Revival style are the John W. Griffin House (1910) at 150 Eastern Promenade and the Lindsay B. Griffin House at 188 Eastern Promenade (1908). Both dwellings have a hipped roof with a barrel roof dormer, but one has a full width porch and the other has a central portico. Both have a symmetrical façade and entry door with flanking sidelights that is typical of the Colonial Revival style.

Enoch Richards (1854-1944) was one of the most prolific builders on Munjoy Hill. He built at least sixteen houses on the Eastern Promenade and Beckett, Vesper, and Moody Streets. He built single-family homes, two-units and triple decker apartment buildings in both the Queen Anne and Colonial Revival Styles.

The Colonial Revival Enoch C. Richards Apartment House (1903-1904) at 164 Eastern Promenade features a distinctive element Richards used on many of his buildings--large brackets to support an deep overhanging roofline. This detail is also present on his former home at 162 Eastern Promenade, his triple decker building at 45 Quebec Street and four triple decker buildings at 88-96 Vesper Street.

While most buildings from this turn-of-the-century period of construction are Queen Anne or Colonial Revival, there are other styles present on Munjoy Hill as well, including Folk Victorian, the Shingle Style and Beaux Arts Style.

Folk Victorian architecture has simple detailing inspired by Italianate and Queen Anne Styles. The small home at 100 North Street (1873) has a simple gable roof form, a jig saw cut balustrade, and brackets window hoods typical of the Folk Victorian style.



The Emma Fuller House (1892 at 50 Morning Street.



The Emerson School under construction in 1898, above. Collections of the Maine Historical Society, MMN 20355. The Emerson School today, below.



The Emma Fuller House (1892) at 50 Morning Street is a Queen Anne dwelling that exhibits some characteristics of the Shingle Style, including its strip of three windows in the front gable end, shingled pent roof, and shingle clad brackets supporting the projecting gable end.

The Henry F. Merrill House (1898) at 5 Eastern Promenade was designed by John C. Stevens and John H. Stevens. Colonial Revival in style, it also has elements found in the Shingle Style, including the recessed shingle window in the gable bay, the Palladian window, and the shingled exterior siding that unifies the irregular form of the house. Its porch with Ionic columns and decorative cornice detailing are typical Colonial Revival details.

Although not a dwelling, the Emerson School at 13 Emerson Street is an example of the Beaux Arts Style. Built 1897-1898, it was designed by Frederick Thompson in the Beaux Arts Style as an elementary school serving the Munjoy Hill neighborhood.

The Munjoy Hill neighborhood includes many triple decker apartment buildings. The triple decker is a residential building type that provided a greater number of units than early examples of multi-family housing on Munjoy Hill. It proved to be a critically important housing type to provide for Portland's growing population at the turn of the century. The building form is generally three stories high with one family unit on each floor, usually with a rear porch.

One street largely defined by its row of triple-deckers is Vesper Street. The land on Vesper Street wasn't developed until the late 1880s after being owned for many years by the Deering family. Enoch Richards, a prolific builder on Munjoy Hill, built five triple-deckers on the west side of Vesper Street 1896-1899.



An Italianate Triple Decker Building at 101 North Street



An example of the shingle bay form of triple decker buildings.



This apartment building on Morning Street has a similar form and features to a triple decker building, but has a single building entrance.

One of the most ornate triple-deckers on Munjoy Hill is located at 101 North Street. It was built in 1887 by Moses Gould, a prominent real estate developer who lived at 79 North Street. A similar triple-decker, but somewhat altered, is located at 98 Cumberland Avenue, near the Hill's only four-decker at 106 Cumberland Avenue and a brick triple-decker at 102 Cumberland Avenue.

The triple decker at 82 Beckett Street is a good example of a shingled bay style with a bracketed cornice and Italianate details. Particularly striking is its unusual curved brackets at the entry door. It was built in 1891 by Charles W. Cushing, a carpenter who lived at 87 Munjoy Street.

The Colonial Revival triple-decker at 129 Morning Street has a curved three-story bay, unusual on Munjoy Hill where most bays are segmented. The dwelling was built in 1908 for Edward L. Dame, who also owned the more traditional triple-decker next door at 125 Morning Street.

The triple decker is a more dense form of housing than early examples of multi-family housing that was built on Munjoy Hill. It was critical to house Portland's growing population at the turn of the century. In addition, the development of multi-family apartment buildings allowed for greater density in the neighborhood and accommodation for lower middle class residents. One example of a large apartment block is the building at 119 Morning Street, built circa 1926 for the Albert family and formerly known as the "Cleevesland".

The brick apartment building at 55-57 Morning Street, formerly known as the "Raymond Apartments" is an example of a housing type built to accommodate a greater number of units than the multi-family residences and triple deckers on Munjoy Hill. It was built c1912 for Samuel D Plummer and owned for many years by his family. Samuel D Plummer (1858-1917) was a real estate dealer who lived in a Queen Anne house at 140 Eastern Prom in 1898 on land he bought from the Deering heirs in 1897. He later built two apartment buildings at the rear of his house on Morning Street on the remainder of the land he purchased from the Deering family.

Visual Character of the Hill



Munjoy Hill is largely a neighborhood of wood framed dwellings.



Gables, bay windows, and raised stoops are common.



On many blocks, narrow lots contribute to a consistent streetscape.

Although Munjoy Hill exhibits a variety of architectural styles and residential building types, including single-family, multi-family, triple decker and the occasional apartment building, there are a number of shared building characteristics that serve to unify much of the neighborhood and give it its own identifiable visual character.

First and foremost, the neighborhood is distinguished by its dense development pattern. Buildings occupy narrow, deep lots and are closely spaced. With few exceptions, mostly on the Eastern Promenade, buildings are of modest scale, ranging from 1 ½ to 3 stories. Most dwellings are wood-frame construction with clapboard exteriors; the occasional brick building breaks this predominate material palette. Buildings generally have small footprints, with their narrow, usually gable, end facing the street. Most houses are two or three bays wide, often with a projecting one- or two-story front bay. Projecting front entry vestibules are also common.

Most houses sit above a high brick foundation, with a raised stoop and flight of exterior stairs leading to the main entry. Entries are typically located on the street façade and are generally shifted to one side, although there are examples of primary entrances on the side elevation. Most buildings are set back a short distance from the sidewalk, allowing for a shallow front yard. Driveways, where they exist, occupy much of the width of the lot's side yard.

Just as the scale of houses on Munjoy Hill is generally modest, so too is the architecture. Most of the houses, with the exception of those facing the Eastern Promenade, are vernacular expressions of the various architectural styles popular at the time of their construction. The very large number of Italianate buildings throughout the neighborhood, with their tall vertical expression, gable end facing the street, bracketed entry hood, and projecting bays, lends a certain consistency to the blocks.

Visual Character of the Hill



Unique porch details can differentiate a typical gable front dwelling from its neighbors.



Vernacular dwellings often feature a few character defining details, like a entry hood or tall narrow windows, that help identify these dwellings as Italianate.



Streetscapes like this on North Street, depict the typical rhythm created by vertically orientated facades .

Color photography by Greater Portland Landmarks

Certainly, there are some blocks within the neighborhood (Moody Street, for example) that do not follow this typical development pattern. There are also houses that do not exhibit the common building characteristics described above. These are, however, exceptions rather than the rule on Munjoy Hill. That is why later developments such as MacArthur Gardens, which features several separate-but-related brick buildings set back from the street within a campus-like setting, do not feel sufficiently integrated with the neighborhood.

Munjoy Hill is often described as “friendly” and “approachable”. While there are no doubt many factors that contribute to this reputation, the neighborhood’s distinct visual character is key among them.

List of Properties within the Proposed Munjoy Hill Historic District

Property Address	Classification
2 Atlantic Street	Contributing
6 Atlantic Street	Contributing
7 Atlantic Street	Non Contributing
12 Atlantic Street	Contributing
13 Atlantic Street	Contributing
16 Atlantic Street	Contributing
17 Atlantic Street	Contributing
18-20 Atlantic Street	Contributing
19 Atlantic Street	Contributing
22 Atlantic Street	Contributing
23 Atlantic Street	Contributing
28 Atlantic Street	Contributing
29 Atlantic Street	Contributing
34-26 Atlantic Street	Contributing
33 Atlantic Street	Non Contributing
37 Atlantic Street	Contributing
41 Atlantic Street	Contributing
42 Atlantic Street	Non Contributing
48 Atlantic Street	Contributing
52 Atlantic Street	Contributing
55 Atlantic Street	Contributing
58 Atlantic Street	Contributing
62 Atlantic Street	Contributing
63 Atlantic Street	Contributing
67 Atlantic Street	Contributing
68 Atlantic Street	Non Contributing
69 Atlantic Street	Contributing
73 Atlantic Street	Contributing
74 Atlantic Street	Contributing
75 Atlantic Street	Contributing
76 Atlantic Street	Contributing
71 Beckett Street	Contributing
75 Beckett Street	Contributing
76 Beckett Street	Contributing
81 Beckett Street	Contributing

82 Beckett Street	Contributing
83 Beckett Street	Contributing
84 Beckett Street	Contributing
85 Beckett Street	Contributing
86 Beckett Street	Contributing
87 Beckett Street	Contributing
88 Beckett Street	Contributing
91 Beckett Street	Contributing
94 Beckett Street	Contributing
95 Beckett Street	Contributing
98 Beckett Street	Contributing
99 Beckett Street	Contributing
25 Congress Street	Non Contributing
32 Congress Street	Contributing
33 Congress Street	Contributing
34 Congress Street	Contributing
35 Congress Street	Contributing
39 Congress Street	Contributing
43 Congress Street	Contributing
44 Congress Street	Non Contributing
45-47 Congress Street	Contributing
46 Congress Street	Contributing
48 Congress Street	Contributing
51-53 Congress Street	Contributing
52 Congress Street	Contributing
56 Congress Street	Contributing
58 Congress Street	Contributing
67 Congress Street	Contributing
73 Congress Street	Contributing
76 Congress Street	Previously Designated Landmark
103 Congress Street	Individually Designated Landmark
127-129 Congress Street	Contributing
134 Congress Street	Non Contributing
135 Congress Street	Non Contributing
138 Congress Street	Previously Designated Landmark
140 Congress Street	Contributing (House at Rear)
	Non Contributing (Church)

141 Congress Street	Contributing
146 Congress Street	Contributing
147 Congress Street	Previously Designated Landmark
150 Congress Street	Contributing
151-153 Congress Street	Contributing
155 Congress Street	Contributing
157 Congress Street	Contributing
159 Congress Street	Contributing
161 Congress Street	Contributing
165-167 Congress Street	Contributing
5 Eastern Prom	Contributing
6 Eastern Prom	Contributing
13 Rear Eastern Prom	Contributing
17 Eastern Prom	Contributing
19 Eastern Prom	Contributing
21 Eastern Prom	Contributing
22 Eastern Prom	Contributing
28-30 Eastern Prom	Contributing
38-40 Eastern Prom	Contributing
46 Eastern Prom	Contributing
54 Eastern Prom	Contributing
60 Eastern Prom	Non Contributing
64 Eastern Prom	Contributing
84 Eastern Prom	Contributing
102 Eastern Prom	Contributing
108 Eastern Prom	Contributing
114 Eastern Prom	Contributing
118 Eastern Prom	Contributing
126 Eastern Prom	Contributing
130 Eastern Prom	Non Contributing
140 Eastern Prom	Contributing
150 Eastern Prom	Contributing
158-162 Eastern Prom	Non Contributing
164 Eastern Prom	Contributing
166-168 Eastern Prom	Contributing
172-174 Eastern Prom	Contributing
176 Eastern Prom	Contributing

182 Eastern Prom	Non Contributing
188 Eastern Prom	Contributing
208 Eastern Prom	Contributing
214 Eastern Prom	Contributing
218 Eastern Prom	Contributing
222 Eastern Prom	Contributing
13 Emerson Street	Landmark
7 Gilbert Lane	Non Contributing
9 Howard Street	Contributing
10 Howard Street	Contributing
12 Howard Street	Contributing
13 Howard Street	Contributing
15 Howard Street	Contributing
18 Howard Street	Contributing
19 Howard Street	Contributing
20 Howard Street	Contributing
21 Howard Street	Contributing
22 Howard Street	Contributing
25 Howard Street	Contributing
51-53 Kellogg Street	Contributing
55-57 Kellogg Street	Non Contributing
60 Kellogg Street	Contributing
61 Kellogg Street	Contributing
63 Kellogg Street	Contributing
64 Kellogg Street	Contributing
66 Kellogg Street	Contributing
7 Lafayette Street	Individually Designated Landmark
26 Lafayette Street	Contributing
30 Lafayette Street	Contributing
34 Lafayette Street	Non Contributing
42 Lafayette Street	Contributing
46 Lafayette Street	Contributing
48 Lafayette Street	Contributing
50 Lafayette Street	Contributing
56 Lafayette Street	Contributing
51 Melbourne Street	Non Contributing
52 Melbourne Street	Contributing

53 Melbourne Street	Contributing
57 Melbourne Street	Contributing
58 Melbourne Street	Contributing
61 Melbourne Street	Contributing
62 Melbourne Street	Contributing
63 Melbourne Street	Contributing
64 Melbourne Street	Contributing
67 Melbourne Street	Contributing
71 Melbourne Street	Contributing
72 Melbourne Street	Contributing
73 Melbourne Street	Contributing
74 Melbourne Street	Contributing
76 Melbourne Street	Contributing
80 Melbourne Street	Contributing
65 Merrill Street	Contributing
67 Merrill Street	Contributing
69 Merrill Street	Contributing
73 Merrill Street	Contributing
8-12 Montreal Street	Individually Designated Landmark
41 Montreal Street	Contributing
42 Montreal Street	Contributing
45 Montreal Street	Contributing
46 Montreal Street	Contributing
48 Montreal Street	Contributing
49 Montreal Street	Contributing
52 Montreal Street	Contributing
54 Montreal Street	Non Contributing
55 Montreal Street	Contributing
60 Montreal Street	Contributing
63 Montreal Street	Contributing
64 Montreal Street	Contributing
44 Monument Street	Contributing
48 Monument Street	Contributing
51 Monument Street	Individually Designated Landmark
9 Moody Street	Non Contributing
53-55 and 57-59 Moody Street	Contributing
52-54 and 56-58 Moody Street	Contributing

10 Morning Street	Contributing
11-13 Morning Street	Contributing
16 Morning Street	Non Contributing
17 Morning Street	Contributing
19-21 Morning Street	Contributing
20 Morning Street	Contributing
24 Morning Street	Contributing
25 Morning Street	Contributing
27 Morning Street	Contributing
28 Morning Street	Contributing
29 Morning Street	Contributing
32 Morning Street	Contributing
33 Morning Street	Contributing
36 Morning Street	Contributing
37 Morning Street	Contributing
40 Morning Street	Contributing
42 Morning Street	Contributing
46-48 Morning Street	Non Contributing
40-51 Morning Street	Contributing
50 Morning Street	Contributing
55 Morning Street	Contributing
58 Morning Street	Non Contributing
62 Morning Street	Contributing
63-65 Morning Street	Contributing (Original Structure) Non Contributing (Addition)
64-66 Morning Street	Contributing
68-70 Morning Street	Contributing
72 Morning Street	Contributing
76 Morning Street	Contributing
79 Morning Street	Non Contributing
80 Morning Street	Contributing
81 Morning Street	Contributing
85 Morning Street	Contributing
86 Morning Street	Contributing
89 Morning Street	Contributing
90 Morning Street	Contributing
93 Morning Street	Contributing

94 Morning Street	Contributing
95 Morning Street	Contributing
96 Morning Street	Contributing
102 Morning Street	Contributing
119 Morning Street	Contributing
125 Morning Street	Contributing
129 Morning Street	Contributing
131 Morning Street	Contributing
10 Munjoy Street	Contributing
11 Munjoy Street	Contributing
14 Munjoy Street	Contributing
15 Munjoy Street	Non Contributing
18-20 Munjoy Street	Contributing
19 Munjoy Street	Contributing
26 Munjoy Street	Contributing
27 Munjoy Street	Contributing
29 Munjoy Street	Contributing
30 Munjoy Street	Contributing
34 Munjoy Street	Non Contributing
38 Munjoy Street	Non Contributing
39 Munjoy Street	Non Contributing
42 Munjoy Street	Contributing
43 Munjoy Street	Contributing
60 Munjoy Street	Contributing
62 Munjoy Street	Contributing
66 Munjoy Street	Contributing
72 Munjoy Street	Non Contributing
76 Munjoy Street	Contributing
7 North Street	Contributing
9 North Street/28 Cumberland Ave.	Contributing
11 North Street	Contributing
12 North Street	Contributing
15 North Street	Contributing
14-16 North Street	Contributing
18 North Street	Contributing
19 North Street	Contributing
23 North Street	Contributing

24-26 North Street	Contributing
27 North Street	Contributing
28 North Street	Contributing
29 North Street	Contributing
31 North Street	Contributing
32 North Street	Contributing
34 North Street	Contributing
35 North Street	Contributing
36 North Street	Non Contributing
39 North Street	Contributing
42 North Street	Contributing
44 North Street	Non Contributing
45 North Street	Contributing
47 North Street	Contributing
48 North Street	Contributing
51 North Street	Contributing
54 North Street	Contributing
56-60 North Street	Landmark
63 North Street	Contributing
67 North Street	Contributing
73 North Street	Non Contributing
79 North Street	Contributing
80 North Street	Contributing
84 North Street	Contributing
89 North Street	Contributing
92 North Street	Non Contributing
96 North Street	Contributing
100 North Street	Contributing
101 North Street	Contributing
103 North Street	Contributing
104 North Street	Non Contributing
105 North Street	Contributing
106 North Street	Contributing
107 North Street	Contributing
110 North Street	Contributing
116 North Street	Non Contributing
122 North Street	Contributing

11 O'Brion Street	Contributing
12 O'Brion Street	Contributing
15 O'Brion Street	Contributing (Garage on Adjoining Lot Non Contributing)
16 O'Brion Street	Contributing
22 O'Brion Street	Contributing
27 O'Brion Street	Contributing
28 O'Brion Street	Contributing
30 O'Brion Street	contributing
31 O'Brion Street	Contributing (Outbuilding Non Contributing)
33 O'Brion Street	Contributing
36 O'Brion Street	Non Contributing
39 O'Brion Street	Contributing
40 O'Brion Street	contributing
42 O'Brion Street	Non Contributing
43 O'Brion Street	Contributing
45 O'Brion Street	Contributing
49 O'Brion Street	Contributing
65-67 Quebec Street	Contributing
71 Quebec Street	Non Contributing
75 Quebec Street	Non Contributing
77 Quebec Street	Non Contributing
80 Quebec Street	Contributing
81 Quebec Street	Contributing
84 Quebec Street	Contributing
86 Quebec Street	Contributing
90 Quebec Street	Contributing
8 Sherbrooke Street	Contributing
21 Sheridan Street	Landmark
46 Sheridan Street	Previously Designated Landmark
16 St. Lawrence Street	Contributing
20 St. Lawrence Street	Contributing
23 St. Lawrence Street	Contributing
24 St. Lawrence Street	Contributing
28 St. Lawrence Street	Contributing
29 St. Lawrence Street	Contributing

35 St. Lawrence Street	Contributing
36 St. Lawrence Street	Contributing
37 St. Lawrence Street	Contributing
40 St. Lawrence Street	Non Contributing
43 St. Lawrence Street	Contributing
46 St. Lawrence Street	Non Contributing
47 St. Lawrence Street	Contributing
49 St. Lawrence Street	Contributing
50 St. Lawrence Street	Contributing
52 St. Lawrence Street	Contributing
56 St. Lawrence Street	Contributing
57 St. Lawrence Street	Contributing
61 St. Lawrence Street	Contributing
62 St. Lawrence Street	Contributing
65 St. Lawrence Street	Contributing
71 St. Lawrence Street	Non Contributing
72 St. Lawrence Street	Contributing
74 St. Lawrence Street	Contributing
75-77 St. Lawrence Street	Non Contributing
83 St. Lawrence Street	Contributing
87 St. Lawrence Street	Contributing
91 St. Lawrence Street	Contributing
94-96 St. Lawrence Street	Contributing
50 Turner Street	Contributing
52 Turner Street	Contributing
11 Vesper Street	Contributing
12 Vesper Street	Non Contributing
15 Vesper Street	Contributing
16 Vesper Street	Contributing
19 Vesper Street	Contributing
20 Vesper Street	Contributing
22 Vesper Street	Contributing
23 Vesper Street	Contributing
27 Vesper Street	Contributing
28 Vesper Street	Contributing
31 Vesper Street	Contributing
30-32 Vesper Street	Contributing

33 Vesper Street	Contributing
36 Vesper Street	Contributing
38 Vesper Street	Contributing
39 Vesper Street	Contributing
41 Vesper Street	Contributing
42 Vesper Street	Non Contributing
46 Vesper Street	Contributing
47 Vesper Street	Contributing
50 Vesper Street	Contributing
73 Vesper Street	Contributing
74 Vesper Street	Non Contributing
76 Vesper Street	Contributing
77 Vesper Street	Contributing
79 Vesper Street	Contributing
80 Vesper Street	Contributing
82 Vesper Street	Contributing
83 Vesper Street	Contributing
85 Vesper Street	Contributing
86 Vesper Street	Contributing
89 Vesper Street	Contributing
90 Vesper Street	Contributing
92 Vesper Street	Contributing
93 Vesper Street	Contributing
96 Vesper Street	Contributing
42 Walnut Street	Non Contributing
44 Walnut Street	Non Contributing
46 Walnut Street	Contributing
54 Walnut Street	Contributing
17 Waterville Street	Contributing
23-25 Waterville Street	Contributing
28 Waterville Street	Individually Designated Landmark
29 Waterville Street	Non Contributing
39 Waterville Street	Contributing
40 Waterville Street	Contributing
41 Waterville Street	Contributing
44 Waterville Street	Contributing
45 Waterville Street	Contributing

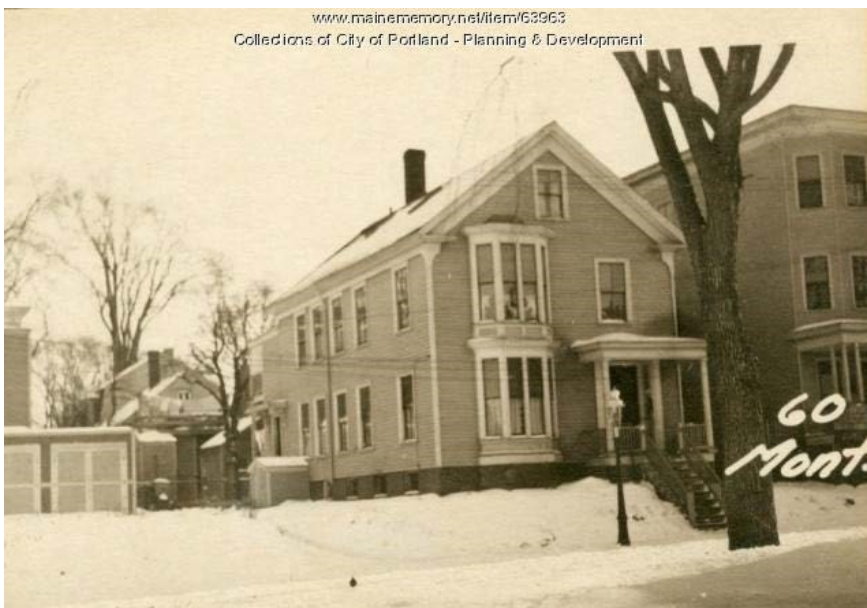
46 Waterville Street	Contributing
50 Waterville Street	Contributing
51 Waterville Street	Contributing
54 Waterville Street	Contributing
56 Waterville Street	Contributing
62 Waterville Street	Contributing
65 Waterville Street	Contributing
66 Waterville Street	Contributing
70 Waterville Street	Contributing
72 Waterville Street	Contributing
73 Waterville Street	Contributing
10 Willis Street	Contributing
20 Willis Street	Contributing
22 Willis Street	Non Contributing
24 Willis Street	Contributing
26 Willis Street	Contributing
14-16 Wilson Street	Contributing
27 Wilson Street	Contributing
29 Wilson Street	Contributing
32 Wilson Street	Contributing
56 Wilson Street	Non Contributing
58 Wilson Street	Contributing
61-65 Wilson Street	Contributing
74 Wilson Street	Non Contributing
76 Wilson Street	Contributing
80 Wilson Street	Contributing

Address: 60 Montreal Street

Approximate/Documented Date of Building: 1915

Surveyed: 8/17/2018

Contributing or Noncontributing: Contributing



Introduction

60 Montreal Street is a vernacular Italianate dwelling, and is a good example of the many gable-front houses built on the narrow lots that typify Munjoy Hill's historic character. Distinguishing characteristics include eave returns, wide friezes, corner

boards, and the façade's two-story canted bay window and recessed main entrance with partial porch.

The dwelling is two by five bays wide, with fewer bays on the southern elevation, and has vinyl siding and replacement 1/1 vinyl sash windows. The façade's bay window retains cornices on both stories. The entry porch in the second bay has tapered column supports and dentil moldings. The recessed, double-door main entry has a simple entablature with wooden paneling on the interior walls. The northern elevation has a secondary entrance in the first bay, which appears to have a bracketed hood, although it is partially obscured from the roadway by trees.

A shed dormer with three vinyl sliding windows runs the full width of the roof's northern slope. The gabled roof is asphalt and has one chimney adjacent to the interior ridge.

Alterations and Additions Since 1924

Changes since 1924 include loss of wood clapboard siding, the addition of 1/1 windows in place of 2/2 and 2/1 windows, replaced corner boards with some loss of detail, and the addition of the large shed dormer. Wooden paneling below the bay window lights has been replaced with vinyl clapboards. However, these changes do not diminish the dwelling's historic character, as it retains significant period details and its nineteenth century form.

Address: 44 North Street

Approximate/Documented Date of Building: 1884

Surveyed: 8/17/2018

Historic Name: A. L. Johnson House

Contributing or Noncontributing: Noncontributing



The multifamily residence at 44 North Street is a front-gable, two-and-a-half-story, wood-frame Italianate structure. The building is clad in natural wood clapboards with wood trim. Although the building's form and massing remain unchanged (at least near the street) and a few architectural details remain to convey its original Italianate style, the number and nature of alterations have effectively robbed the building of its historic integrity. The front entry has been altered with the replacement of the original canopy, front doors and entry porch. The prominent two-story bay has changed significantly in appearance with its windows being reduced in size and infill clapboard siding replacing the bay's decorative paneling and intermediate cornice. Other windows on the façade and side elevations have been reduced in size as well and a group of three single-lite casement windows have replaced a pair of taller windows in the front gable. A rear addition extends beyond the face of the south elevation.

While the building's form, scale and gable end-to-the-street orientation are consistent with North Street's prevailing development pattern, the degree of change has led to its classification as a noncontributing structure.

Address: 101-107 Congress Street

Approximate/Documented Date of Building: 1887

Surveyed: 8/17/2018

Historic Name: Munjoy (Murdock) Block

Classification: Individually Designated Landmark



Introduction

The mixed use building at 101-103 Congress Street is an excellent example of its style and form on Munjoy Hill. The first floor storefronts are separated from the upper floors by a projecting cornice supported by brackets, typical of the Italianate style. The upper levels retain additional Italianate details like the two-story projecting bays with narrow 1/1 sash windows and bracketed cornices, hoods over the single window openings, decorative window surrounds, and the deep projecting cornice at the parapet on the east, west and south elevations. The building is a significant presence on Congress Street. Because it is physically separated from the contiguous area identified for historic district designation, it is proposed for individual landmark status.

The Munjoy block is an early example of an apartment building built in 1887. At first the wooden plaque in the center of the main façade read “Murdock” after its builder David Murdock (1845-1916), but was altered to read Munjoy at an early date. David Murdock is listed in census records as a “soda manufacturer” or “proprietor of a bottling company” but operated a fancy good store at 101 Congress Street. He was born in Nova Scotia to Scottish parents and came to the United States in 1863. The structure has been rehabilitated and the first floor houses law offices.

In 1920 the property was conveyed to Marie E. Rankin and Nellie G. Connolly. In 1924 the tax record describes it as “a four family and stores”.

Current Architectural Description

The three-story building is six bays wide by two bays deep and rests on a low foundation. Most upper story windows are 1/1 replacement sashes, while the first floor windows are 6/6 sashes. Concrete steps lead to the recessed entries.

Additions and Alterations since 1924

Typical of most commercial storefronts, the first-floor storefronts of 101-103 Congress Street have been altered over time with infill panels and windows. The upper floors of the building remain largely intact, except for the replacement window sashes. The building retains a high level of detail and its parapet cornice and the projecting bays give the building a strong visual presence on Congress Street.

Address: 7 Lafayette Street

Approximate/Documented Date of Building: 1849 **Surveyed:** 10/11/ 2019

Historic Name: Henry Rowe House

Classification: Individually Designated Landmark



Introduction

7 Lafayette Street is an excellent example of a one-and-a-half-story side-gable cape built in the mid-nineteenth century. It is one of the few buildings that has survived from the early settlement of Munjoy Hill. The dwelling boasts several distinctive elements, including a Greek Revival door surround and jerkinhead dormer windows over the façade. Though the building has retained some alterations in its 170 years, it has retained a high level of period detail. The three-by-two-bay dwelling has cedar shingle siding and replacement 6/6 double hung sash windows.

The façade is symmetrical, with the main entry in the center bay. The replacement single entry door is flanked by sidelights over panels and sits within a prominent Greek Revival surround. The two jerkinhead dormers over the façade each boast a pair of 6/6 sash windows with wooden trim. Unlike the rest of the dwelling's exterior, the dormers have wood clapboard siding. A skylight, which has been present since at least 1924, sits between the two dormers.

The eastern elevation features a projecting bay where a vestibule secondary entrance and window once stood. The asphalt roof exhibits a single brick chimney over the peak behind the western dormer. A shed dormer on the rear roof is not visible from the road.

Henry Rowe (1812-1870) was an Irish architect who immigrated to the United States circa 1840. He set up a shop in Portland in 1845 after working in Boston and New York. He specialized in Gothic Revival architecture and the Portland Directory shows he resided at 7 Lafayette in 1869.

Additions and Alterations Since 1924

7 Lafayette Street has retained several features or been restored to match the 1924 historical record in many ways. The main entry surround, dormer windows, and overall form of the house reflect its nineteenth-century origins. Deviations from historical record include the dwelling's current cedar shingle siding, loss of corner boards, loss of a second chimney, and removal of the window and entrance on the eastern elevation's first floor. The dormers once exhibited 4/4 windows, and the original main entry door originally featured a single light over panels, rather than two vertical lights. The current owners of 7 Lafayette have made significant efforts to restore architectural elements of the house to match its original form and retain its earlier character.

Address: 8-12 Montreal Street

Approximate/Documented Date of Building: 1855

Historical Name: James B. Newell House

Classification: Individually Designated Landmark



Introduction

8-12 Montreal Street is a good example of a mid-nineteenth-century side-gable cape on Munjoy Hill. The one-and-a-half-story dwelling is five-by-two bays wide and has vinyl siding and 6/1 sash windows. The dwelling has a pedimented gable dormer window over the southern elevation, and a main entry porch with pedimented gable roof in the center bay of the façade (northern elevation). There is a single-story shed-roof addition on the eastern elevation, which is connected

to a covered deck. The main entrance and porch are accessed by a set of wooden stairs. The replacement entry door features a fanlight over panels. The majority of the dwelling's visible windows have shutters. The asphalt roof features a skylight over the façade and two brick chimneys on the interior southern slope.

1924 survey notes describe the side-gable structure to the east of the house as a partially finished workshop set on posts with paper roofing, no floor, and no exterior finish. The current owner notes that the occupant at the time, Harry E. Libby, constructed a boathouse on the property.

James B. Newell built and was the first occupant of the residence. Newell was likely a joiner and resided in the house with his wife, Almira, and their two sons, James N. and Lendell R.

Additions and Alterations Since 1924

8-12 Montreal Street was built in a vernacular style with very little ornamentation. However, the 1924 record shows the main entry boasted a flat hood supported by Italianate brackets. The house has suffered some common losses including wood clapboard siding, wide corner boards, and friezes. The skylight over the northern elevation is a more recent addition, along with the shutters on most of the windows. Despite alterations, the form and style of the house have remained relatively unchanged, and the house retains its historical integrity. It remains one of the longest-standing dwellings on Munjoy Hill, and contributes to the historical-architectural fabric of the neighborhood.

Address: 51 Monument

Approximate/Documented Date of Building: c. 1874

Surveyed: 09/29/2019

Classification: Individually designated landmark



www.maine-memory.net/item/54009

ns of City of Portland - Planning & Development



Introduction

51 Monument Street is a two-and-a-half-story Greek Revival multi-family residence. The front-gable dwelling is three-by-six bays wide and features mixed clapboard and shingle siding. The dwelling is distinguished by a Greek Revival main entry surround and a pedimented front gable. The house also exhibits 1/1 and 2/2 sash windows, eave returns, and wide friezes and corner boards. The current main entry surround, siding, corner boards, pediment, and porch details are the results of renovations completed since the early 2000s.

The main entry is in the third and final bay of the façade, and features a single unglazed door flanked by two partial sidelights. The surround is simple and unornamented. The entry is accessed by a side-facing porch and steps with contemporary cable railings. The dwelling's brick foundation is built high above the walkway, resulting in a main entry that is nearly a full story above grade.

The northern, southern, and western elevations are not easily visible from the public roadway. The dwelling's contemporary metal roof boasts one chimney over the interior southern slope, and another over the rear ell's peak. The rear ell also exhibits a front-gable form and is slightly narrower than the main structure.

Additions and Alterations Since 1924

51 Monument maintains a form and scale that is relatively unchanged from historical record. The majority of the losses and additions the dwelling has sustained are decorative in nature. These include the addition of the pediment on the façade's gable, loss of several 2/2 windows, and replacement of the original, more detailed eaves and eave returns. The most significant alteration is the reduction of the main entry surround, which was previously more detailed and much larger in scale. That said, because 51 Monument originally exhibited an understated appearance, it has been able to retain its earlier character despite these changes.

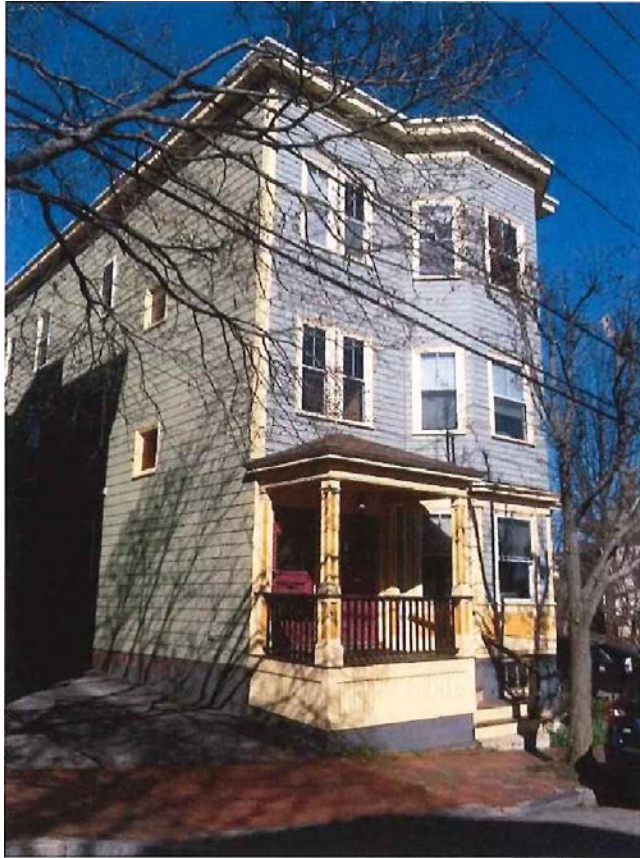
Address: 21 Sheridan Street

Approximate/Documented Date of Building: 1903

Surveyed: 8/17/2018

Historic Name: John Ford boyhood home

Classification: Individually Designated Landmark



Introduction

21-23 Sheridan Street was a boyhood home of John Ford. The noted movie director was born John Feeney at Cape Elizabeth. In 1897 the family moved to Portland and a series of rental accommodations, first at Danforth Street and then at 65 Monument. In 1905 the family moved to this triple decker on Sheridan and lived there until 1917. John was a football hero at Portland High School and in 1914 followed his brother Francis to Hollywood. The Feeney brothers changed their name to Ford and John went on to direct such classic films as "The Informer" (1936) "Stagecoach" (1939), "The Grapes of Wrath" (1940), and "The Searchers" (1956). The building's Landmark classification is based on its association with John Ford,

The building is a classic triple-decker built in 1903. Triple deckers were built in significant numbers on Munjoy Hill at the turn of the twentieth century and proved to be an important building type in providing affordable housing for Portland's growing population, especially Immigrant population. Triple deckers allowed for higher density on a narrow building lot. While accommodating a greater number of units, the triple decker also offered numerous amenities such as a generous floor plan, projecting bays, large windows and, oftentimes, decks for each unit. (From the 1924 photo, it appears the 21-23 Sheridan did not include decks.)

21-23 Sheridan exhibits all the typical elements associated with this building type: a tall, narrow building form; a front porch supported by columns and positioned at the side of the facade; a large faceted bay window that extends the full height of the building; a deep overhanging cornice and generous-size windows. Given the fairly steep grade of Sheridan Street and the building's high foundation, the front porch is located well above the street and is accessed by winding steps.

Alterations and Additions since 1924

21-23 Sheridan remains in well-preserved condition. Although some architectural details are difficult to discern from the 1924 photo, it appears that many of the original details remain. These include the recessed panels at the base of the front bay, the pilasters flanking the bay windows, the front porch's square columns with recessed panels, and the denticulated cornice. Windows remain 2-over-one, however at least some of the windows are vinyl replacements.

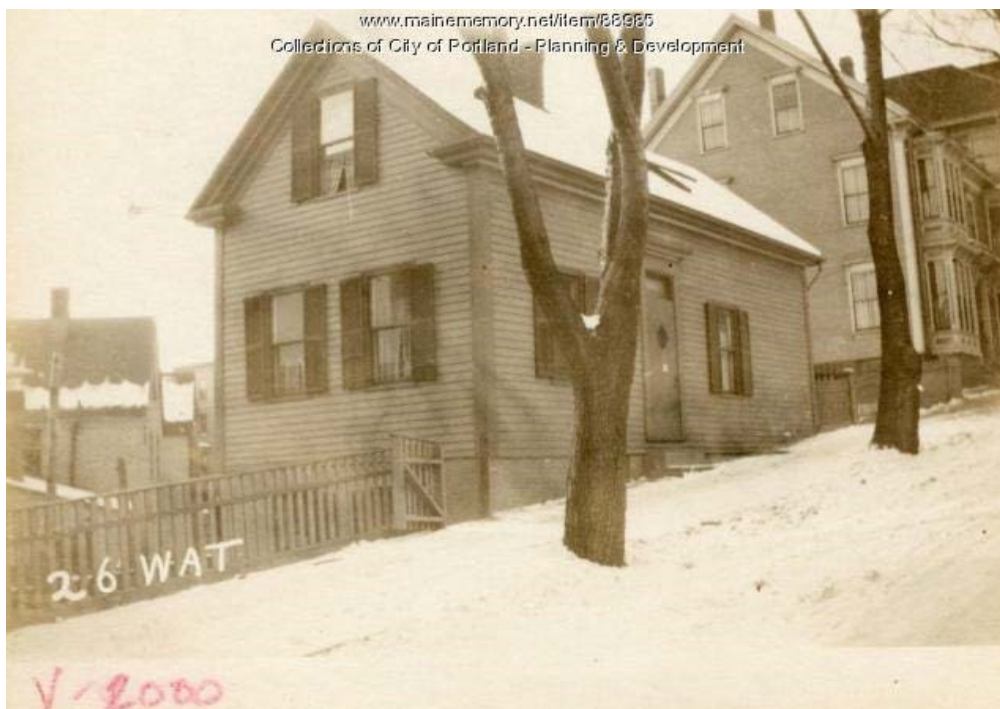
Some changes are evident. For example, on the south elevation the single windows near the front corner of the building are now paired. More obvious is the addition of a three-level porch off the south elevation. Interestingly, the porch addition is consistent with what many tripledeckers featured as amenities when they were built. The changes are compatible with the original character of the building and do not diminish its historic integrity.

Address: 28 Waterville Street

Approximate/Documented Date of Building: c. 1850

Surveyed: 10/11/2019

Classification: Individually Designated Landmark



28 Waterville is a one-and-a-half-story side-gable Greek Revival home. The understated two-by-three-bay dwelling has replacement siding and 1/1 vinyl sash windows. The main entrance and windows on the northern elevation are weighted to the left, with the main entry in the second bay. The single replacement door features a fan transom and sits within the original Greek Revival surround, though the rectangular transom light has been replaced with a wooden panel.

The eastern elevation features a secondary sliding door providing access to a wooden deck. An additional entrance on the western elevation sits within a near-full-length porch with a shed roof. The dwelling exhibits returning eaves, and the asphalt roof does not boast any chimneys. A small one-by-one-bay gable-roof shed sits to the west of the house.

Additions and Alterations Since 1924

Since 1924, 28 Waterville has retained its simple side-gable form and rectangular footprint. Its original understated appearance has remained intact, and it continues to exhibit its Greek Revival main entry surround and eave returns. Common losses include wood clapboard siding, cornerboards, friezes, the original main entry door with diamond light, and window shutters. In 1924 the roof had a chimney and at least one skylight. The eastern elevation previously featured two windows on the first story, with no additional entrance or deck. The entrance on the western elevation was likely present in 1924, though the porch was not. Despite changes, the structure continues to reflect its mid-nineteenth-century origins, and it could be restored to its earlier state with moderate measures.

approval by the council.

- (o) To provide comment, as appropriate, to the planning board and/or city council on matters pertaining to historic preservation in Portland.
 - (p) To confer recognition upon the owners of landmarks or properties, sites, structures or objects within districts by means of certificates, plaques or markers.
 - (q) To assist the planning board in the development of a preservation component in the comprehensive plan of the City of Portland.
 - (r) To periodically review this Code and to make recommendations to the planning board concerning any amendments appropriate for the protection and continued use of landmarks or properties, sites, structures or objects within districts.
 - (s) To annually report to the council with respect to the following matters:
 - 1. Survey work in progress or completed;
 - 2. The number of projects reviewed (by type);
 - 3. How many certificates of each type were issued.
- (Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

DIVISION 3. CATEGORIES AND CRITERIA FOR DESIGNATION

Sec. 14-610. Minimum criteria for designation.

(a) The historic preservation board shall limit its consideration to the following criteria in making a determination on a proposed nomination of an area, site, structure or object for designation by ordinance as a landmark or district:

- 1. Its value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States;

2. Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property;
3. Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archeological or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States;
4. Its exemplification of a significant architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design, detail, materials or craftsmanship;
5. Its identification as the work of an architect, designer, engineer or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States; or
6. Its representation of a significant cultural, historic, architectural, archeological or related theme expressed through distinctive areas, sites, structures or objects that may or may not be contiguous.

(b) In the case of a nominated historic district, the historic preservation board shall also determine whether a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties, sites, structures or objects which, while not of such cultural, historic, architectural or archeological significance to qualify as landmarks, nevertheless contribute to the overall visual characteristics of the significant properties, sites, structures or objects located within it.

(c) In the case of a nominated historic landscape district, the historic preservation board shall also consider its significance as a geologic, natural or man-made landscape feature associated with the development, heritage or culture of the City of Portland, State of Maine, New England region, or the United States.

(d) The planning board and council shall apply the criteria of subsections (a), (b) and (c) but shall also consider the effect of such designation on other aspects of the comprehensive plan of the city.

(Ord. No. 235-90, 2-26-90)

Sec. 14-611. Integrity of landmarks and historic districts.

Any area, structure or object that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.

(Ord. No. 235-90, 2-26-90)

Sec. 14-612. Designation of historic landscape districts.

An historic landscape district may be nominated and considered for designation only if the entire area of the district is owned by a unit of federal, state or local government, or any combination of such ownership.

(Ord. No. 235-90, 2-26-90; Ord. No. 220-93, § 2, 5-17-93)

Sec. 14-613. Reserved.

DIVISION 4. NOMINATION, CONSIDERATION AND DESIGNATION

Sec. 14-614. Procedure.

The provisions of this division shall govern the nomination, consideration and designation of landmarks and districts.

(Ord. No. 235-90, 2-26-90)

Sec. 14-615. Initiation of nomination.

(a) Nomination of an area, site, structure or object for consideration of designation as a landmark, historic district or historic landscape district shall be submitted to the department, on a form provided by the department, by the following:

1. Any two (2) members of the historic preservation board on their own initiative, by written notice to the department; or
2. By written petition of any owner, in the case of a

boundaries of the proposed district have given written consent to the extension.

(c) Failure to comply with any time limit in the nomination and designation process as provided in divisions 3 or 4 shall not affect the validity of any designation nor the interim protection provided by division 5.

(Ord. No. 235-90, 2-26-90)

Sec. 14-629. Reserved.

DIVISION 5. INTERIM PROTECTION FOR NOMINATIONS

Sec. 14-630. Nominated landmarks and districts.

(a) From the time of nomination until the historic preservation board acts upon such nomination, a site, structure, object or area nominated but not yet designated as a landmark or district shall be subject to all of the provisions of divisions 8 and 10 governing demolition and minimum maintenance, to the same extent as if designated. Upon final action of the historic preservation board recommending designation, the site, structure, object or area nominated shall be subject to all of the protection of this article until a final decision on designation by the council becomes effective. If the council rejects designation or fails to designate a property, that property shall no longer be subject to the provisions of divisions 8 and 10 of this article.

(b) Alteration or new construction commenced pursuant to a building permit issued prior to nomination shall not require a certificate of appropriateness, unless such permit has expired, been canceled or revoked. No project for which any application is pending, and which has received substantive review by the planning board prior to nomination, shall be affected by nomination. Substantive review, as used in this paragraph, shall include workshop review of any completed application under articles IV or V of this chapter.

(Ord. No. 235-90, 2-26-90; Ord. No. 220-93, § 4, 5-17-93; Ord. No. 165-08/09, 3-16-09)

Sec. 14-631. National Register of Historic Places.

(a) Every property, landmark or district listed in the National Register of Historic Places prior to adoption of this

Memorandum

Department of Planning & Urban Development Planning Division



To: Brandon Mazer, Chair, and Members of the Planning Board
 From: Christine Grimando, Director, Department of Planning & Urban Development
 Date: February 7, 2020
 Mtg Date: February 11, 2020
 RE: Comprehensive Plan Analysis

INTRODUCTION

The City's Historic Preservation Ordinance states that the Planning Board must consider whether a proposed designation meets the criteria for a district (Sec. 14-610. Minimum criteria for designation), as well as consider the effect of such designation on other aspects of the comprehensive plan of the city. The Historic Preservation Board extensively reviewed the criteria and provided supporting material documenting the basis of their recommendation. Below is analysis of *Portland's Plan 2030* consistency.

PORTLAND'S PLAN 2030

[*Portland's Plan 2030*](#) has eight Policy Guide chapters: Environment, Historic Resources, Waterfront, Economy, Housing, Recreation & Open Space, Facilities & Services, and Transportation. The Plan's structure is explicit that these are considered linked and mutually supportive, rather than competing goals. Stewardship of Portland's historic, cultural, and architectural assets has been an integral part of the City's planning strategy since the Historic Preservation program began in 1990, was widely supported in public feedback received during Portland's Plan creation, and is supported throughout the document.

Examples follow of policy support for preservation of historic resources in *Portland's Plan 2030*.

Executive Summary

- Our economy, housing, historic resources, transportation system, open space, environment, waterfront, and municipal facilities and services are all dependent on each other and inextricably linked.



Figure 1, Portland's Plan 2030 Vision graphic

Vision Statement

Sustainable:

- Portland has been built and rebuilt to endure; we will balance our historic fabric, sound infrastructure, and the best of new technology and design for the future.

Authentic:

- We will maintain our character through preservation, innovation, and excellence in design for the built environment.
- We will celebrate our city's incredible history.
- The uniqueness and integrity of our neighborhoods will be maintained and enhanced.

Historic Resources Policy Guide

- Identify, document, designate, and preserve Portland's historic resources, including individual structures, neighborhoods, parks, cemeteries, and archaeological resources.
- Educate and engage residents and visitors in appreciation of Portland's unique heritage.
- Promote historic preservation as a key economic, sustainability, and community development strategy.
- Stabilize and enhance historic areas of the city by ensuring quality investment in existing structures and compatible infill development.
- Ensure an appropriate balance of continuity and change as Portland grows and evolves.
- Based on survey findings and input from applicable stakeholders, document and designate resources of



ENVIRONMENTAL BENEFITS OF HISTORIC PRESERVATION

Recent research by the National Trust for Historic Preservation found that the re-use or rehabilitation of existing buildings offers significant environmental benefits over new construction. According to their report, *The Greenest Building*, each year approximately 1 billion square feet of buildings are demolished and replaced nationwide, resulting in significant environmental impacts associated with demolition and waste disposal, the production of new raw materials, and new construction. The study found that reusing an existing building can result in 4 to 46% less environmental impact than new construction, depending on the type of building, location, and level of energy efficiency. Even when new construction is designed for optimal energy efficiency, it can take 10 to 80 years for a new building to offset the negative environmental implications of its construction.

Figure 2, Portland's Plan 2030, environmental benefits of preservation

historic, architectural, and/or cultural significance to encourage thoughtful building rehabilitation, deter demolition, and support neighborhood revitalization.

Environment Policy Guide

- Encourage landowners and developers to incorporate sustainable design, materials, and practices in rehabilitation of historic resources and in new construction.
- Historic Resources: strategy Assess new construction techniques, products, and materials for compatibility with historic structures, and develop policies and guidelines for their use in historic rehabilitation projects.

Economy Policy Guide

- Respect that our unique quality of place is key to our current and future economic success.

Housing

- Increase, preserve, and modify the overall supply of housing city-wide to meet the needs, preferences and financial capabilities of all Portland residents.
- Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods.
- Encourage energy efficiency in new construction and rehabilitation of Portland's housing stock.
- Encourage rehabilitation of existing historic buildings and materials.

From the first pages of *Portland's Plan 2030*, and consistently throughout the document, historic preservation is acknowledged as central to the City's vision, including not only existing local designations but potential future designations. It is also acknowledged as integral to Portland's economic development strategy, its sustainability goals, and to a multidimensional housing strategy.

Sample of Articles Consulted

Opportunity at Risk: San Antonio's Older Housing Stock. San Antonio Office of Historic Preservation.

The Heterogeneous Effects of Historic Districts on Local Housing Markets in New York City. Wagner School of Public Service, NYU Furman Center. 2014

Twenty-Four Reasons Historic Preservation is Good for Your Community. Economics, P. 2020.

The Impact of Age on the Value of Historic Homes. The Appraisal Journal. Fall 2011.

Why Historic Preservation Districts Are Crucial to Cities. City Lab. Stephanie Meeks. February 10, 2016

Density Without Demolition. City Lab. Stephanie Meeks June 11, 2017

Sustainable Stewardship: Historic Preservation's Essential Role in Fighting Climate Change. Saving Places. Richard Moe. 2007

Culture, Historic Preservation and Economic Development in the 21st Century. Donovan Rypkema, September 1999.

The Impact of Historic Districts on Residential Property Values. New York City Independent Budget Office. September 2003

Making Normal Neighborhoods Legal Again. Strong Towns. July 2019

The Economic and Fiscal Impact on Maine Of Historic Preservation and The State Historic Preservation Tax Credit. Maine Preservation. April 2011.

The Intersection of Affordable Housing and Historic Districts. ThinkBrooklyn. March 2016

When Historic Preservation Hurts Cities. New York Times. Benjamin Appelbaum. January 2020.

Case Studies of Recent Approved Developments within Historic Districts

West End Place (corner Pine & Brackett), approved 2012

45,844 sq. foot development; 3,329 sq. ft. footprint

4 stories, 39 apartments, 1990 sq. ft. retail, 34 parking spaces

B1 zone

Allowable height per zoning: 45'

Project height: 43'

Project entailed HP Board rescission of contributing status of 1850's residential structure on site on the basis of structural condition. Project is taller and has a much larger footprint than surrounding structures, but met ordinance new construction standards for compatibility.



Existing building on site demolished following rescission of contributing status

17 Carleton, approved 2015

37 affordable housing units, 31 parking spaces, 25,247 sq. ft. site

R-6 zone

Allowable height per zoning: 45'

Project height: 43'

Affordable housing development features 120' long frontage on block characterized by single family homes and duplexes. Although the building footprint is much larger than the surrounding structures, the building's scale is broken down through massing and other architectural devices.



Rear as viewed from Pine St.

Hiawatha (667 Congress Street), approved 2015

25,740 sq. ft. lot

Lot straddles Deering Street Historic District and Congress Street Historic District. Property was rezoned from B3/ R6 to B3 throughout.

8 stories, 139 apartments, 81 parking spaces within building

Allowable height per zoning: 65' at street edges, 85' beyond setback

Project height: 65', 85' beyond required setback

Development introduces a much larger scale building than existing structures within Deering Street Historic District. Various mitigation measures lower the apparent scale as viewed from Deering.



Deering Place (Deering Street & Cumberland Avenue), approved 2017, under construction

1.23 acre site, frontages on three residential streets

New construction and renovation
75 units – 45 affordable, 30 market-rate
52 parking spaces
Allowable height per zoning:
Approved height:

Project entails renovation of existing warehouse on Cumberland with 4-story addition and 3-story new construction on Deering. In response to neighborhood input, one floor of Deering Street building was eliminated, reducing unit count from----- to-----

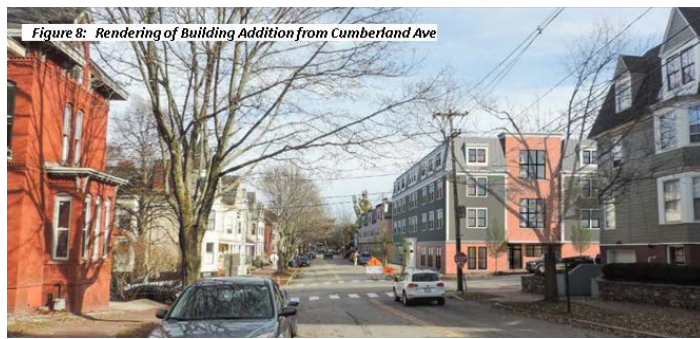


Figure 8: Rendering of Building Addition from Cumberland Ave



Figure 10: Deering Street New Building

One Joy Place, approved 2017

Construction of 3 story structure, 5851 sq. ft. lot

12 residential units

B-1 zone

Allowable height:

Project height:

Project entailed demolition of noncontributing structure. Building takes visual cues from existing triple-decker directly in front, but is a product of its own time.



Ronald McDonald House Expansion, Carleton Street, approved 2019, under construction

Adaptive reuse/renovation of existing two-family residential structure for long-term stays. Project included expansion of building footprint, expansion/addition of large shed dormers on both roof planes and physical connection to abutting RMDH building complex. # units?



Existing RMDH (left) and abutting house (right) proposed for adaptive reuse and expansion.



Existing Condition



Approved Project

Waynflete Lower School Expansion and Gym Replacement

Project entailed replacement of Waynflete's existing gym with a larger gym (not yet built) and construction of a new Lower School complex requiring removal of a portion of the existing complex. The gym fronts onto residential Fletcher Street. The new Lower School addition, while set back behind playing fields, is clearly visible from Danforth and Fletcher.

Previously-approved performing arts center, shown in aerial view, also presented a much larger footprint and scale that surrounding residential development. Various strategies for breaking down the mass were employed to achieve compatibility.



467 Danforth Street, approved 2016

Construction of 2-family residence on open parcel. Historic Preservation Board advocated for a slightly taller building to allow for a more contextual roof form, but a taller building would have exceeded height limit per zoning.



197 Spring Street – Comprehensive Exterior Rehab, approved 2016

This project called for the conversion of a former single-family home, which had operated as a 9-room rooming house for many years, into a seven-unit apartment building. In conjunction with a comprehensive rehabilitation proposal, the applicant received approval to demolish an existing rear ell and replace it with a larger ell to provide more units. Construction has not begun.



Approval rec'd to demolish ell.



Solar Panel and Heat Pump Installations



Heat pump installation – proposal called for installation high on wall between bays. Ground-mounting approved.

Adaptive Reuse/Renovation of Existing Garages for Residential Use



Spruce Street Extension



Chadwick Street



Emery Street



Chadwick Street



City of Portland
Department of Planning and Urban Development
Historic Preservation Office

About the City's Historic Preservation Program

In 1990, the City of Portland adopted a historic preservation ordinance to recognize and preserve one of the city's major assets—its rich collection of historic buildings, neighborhoods and landscapes. To date, 11 local historic districts, five historic landscape districts and 110 individual landmarks have been designated by the Portland City Council, protecting historic properties in neighborhoods as diverse as the Old Port, Stroudwater, Congress Street, the West End, and House Island.



The intent of historic district designation is not to prevent change, but to thoughtfully manage it so that the unique, identifiable character of each of the designated neighborhoods is retained over time. Many small projects are reviewed by staff, and others reviewed by a board whose members have demonstrated expertise and/or experience in architecture, historic preservation, or neighborhood conservation.

Frequently Asked Questions about Local Historic Districts

How are historic districts established?

Designation of a local historic district comes after documentation, analysis and public review.

- ✓ A survey of existing structures within a defined study area is conducted to determine the relative "preservation value" of individual buildings. Based on the findings of the survey, draft historic district boundaries are delineated.
- ✓ Each building within the proposed boundaries is then thoroughly documented and a classification of "landmark", "contributing" or "noncontributing" is assigned.
- ✓ Throughout this process, there is public outreach to property owners in the area.
- ✓ The proposed district is formally reviewed by the Historic Preservation Board, the Planning Board and ultimately the City Council. Notices are sent prior to every meeting and public comment is invited throughout the designation process.

Are all buildings within a local historic district necessarily historic?

No. Within the boundaries of any historic district, some buildings do not contribute to the qualities that give the district its historic or architectural significance. These may have been built within the last 50 years or been so altered that the overall integrity of the building has been lost. These buildings are identified as "noncontributing" when the district is established and may be demolished as-of-right.

Can a building in a local historic district be demolished?

Buildings classified as noncontributing structures may be demolished without review. To demolish a contributing or landmark structure, the property owner is required to demonstrate there is no reasonable use of the property or request reconsideration of the building's original classification based on information not known at the time of its original classification.

Will inclusion in a local historic district prevent me from making changes to my property?

Buildings sometimes need to be modified or expanded to meet changing needs or the desires of occupants. In reviewing a proposed alteration or addition, the architectural characteristics of the existing building are considered under the City's ordinance review. Additions do not have to duplicate the original style and materials, but must be compatible in massing, scale, & other visual characteristics.

Will I have to fix up my building if it is included in a local historic district?

Owners do not have to rehabilitate their building or reverse any previous work.

What types of building activities require review in historic districts?

Ordinary maintenance or replacement-in-kind does not require review, nor does changing a building's paint color. Exterior or site alterations (e.g. installing a new driveway) that will be readily visible from a public way require advance review and approval. Similarly, additions and new construction require review.

Does every application need to be reviewed by the Historic Preservation Board?

Routine or minor alterations, such as porch or window replacement, are typically reviewed and approved by staff. In 2017, 70% of all applications were approved administratively.

Where can I go for help in tailoring a proposal for alterations for my property?

Staff are available for consultation as you develop your plans and often meet with applicants on site to get a better understanding of existing conditions and the owner's goals.

Will I have to hire an architect for my proposed alteration?

Many projects do not require an architect. Larger or more complicated projects such as building additions or new construction usually call for a design professional.

Can new buildings be constructed in a local historic district?

Yes, on undeveloped lots and on lots where noncontributing buildings have been removed.

Do new buildings need to match closely the historic buildings around it?

The historic preservation ordinance's new construction standards encourage contemporary design, however new buildings must also relate to key visual characteristics of the surrounding development.

How do I apply for approval and is there a fee?

You can apply on line. If your project also requires a building permit, you can file one application for both reviews. The application fee for small, staff-reviewed projects is \$65. The fee for Historic Preservation Board review is typically \$125, except for large-scale, major projects.

Google Groups

Munjoy Hill Historic District

abby harvey <ybbarah@netscape.com>

Aug 6, 2020 9:26 PM

Posted in group: **Planning Board**

To whom it may concern,

I am a home owner/resident of Munjoy Hill and I support the Munjoy Hill Historic District & six landmarks with NO changes or modifications to what the Historic Planning Board nominated on 11/20/2019.

Sincerely,

Abby Harvey

Google Groups

Munjoy Hill Historic District

Adair O'Reilly <daysmill@me.com>

Aug 7, 2020 11:51 AM

Posted in group: **Planning Board**

Dear Planning Board Members,

My name is Adair O'Reilly and I am the Senior Warden at St. Paul's Anglican Church located at 279 Congress St., Portland, Maine. On behalf of St. Paul's Church, I am writing this letter in support of the proposed Munjoy Hill Historic District.

St. Paul's Church has been part of the East End and Munjoy Hill neighborhood for over 150 years. We strongly believe it is important to preserve the architectural integrity and cultural history of Munjoy Hill. In 1978, St. Paul's Church was listed on the National Register of Historic Places. The Church and Parish Hall are also part of the India Street Historic District.

On a personal level, I lived on the Eastern Prom for 16 years from 1981 to 1997. Over the last several years, I have been dismayed at the changes to the character of the neighborhood. Classic three deckers and duplexes have been replaced with rectangular boxes and new condo projects. The vibrancy and feel of the neighborhood is disappearing.

We urge the Portland Planning Board to approve the Munjoy Hill Historic District.

Thank you.

Sincerely,

Adair Kathleen O'Reilly
Senior Warden
St. Paul's Anglican Church

Google Groups

Munjoy Hill Historic District

Adrien Duroc-Danner <adurocdanner@gmail.com>

Aug 5, 2020 10:30 AM

Posted in group: **Planning Board**

Dear Board Members, Planners, and Commissioners,

I'm writing to urge you to accept the proposal to designate Munjoy Hill a Historic District.

Although I'm only a recent transplant, my wife is a native of Maine and has lived in Portland for years. Most of her family lives in Portland, as do many of our friends - and many of our out-of-town friends talk about moving here. We're all on the younger side, and only now transitioning from being renters to potential homeowners - but I still strongly back the move to declare Munjoy Hill a Historic District.

Portland is a wonderful city, and deserves its increasing popularity. But I hope Portland continues to grow wisely and sustainably. Please resist the siren song of (self-styled) luxury condo developers. They overestimate their own market, and add little of value architecturally or socially. They have done enormous damage to New York (where I lived for five years) and San Francisco (where I lived for two years).

Cities need affordable housing; beautiful, human-scale spaces; and a sense of beauty, community, and history. Portland has done a great job of all three - and I hope you will encourage developers to focus on retrofitting, rebuilding, and keeping new construction in line with existing architecture. Especially with a jewel of a neighborhood like Munjoy Hill, I sincerely hope you will approve Munjoy Hill's designation as a Historic District.

Sincerely,

Adrien Duroc-Danner
13 Atlantic Street

Google Groups

Munjoy Hill Historic District

Al Hirst <capitalh373@yahoo.com>

Aug 6, 2020 6:21 PM

Posted in group: **Planning Board**

To Whom it May Concern,

I am contacting you to express my complete disapproval of the proposed Munjoy Hill Historic District as the proposal now stands. I am a huge proponent of history of any kind, and in fact, back in college, I volunteered at the Portland Historic Society, but instead of taking steps to educate and demonstrate the importance of history, this proposal forces it down the throats of property owners and then makes them pay for it. I have been reading the specifics and micro-management within the guidelines and payments for living in this proposed district and it has prompted several questions. For example, how does charging \$65, in order to receive approval, to simply re-point some bricks, demonstrate historic preservation? Why does replacing old or broken windows or stairs come with a fee, when a property owner simply wants to make their building look better or be safer? A huge number of property owners are small-time, family-oriented people and this proposal seeks to take more money from the hands of these hard-working citizens. What if, while waiting for this approval, a tenant trips or falls because the re-pointing hasn't taken place? Will the Historic Society take responsibility since it is their guidelines that a landlord is awaiting approval of? Since the Historic Society and their proposal seek to take away partial ownership of these buildings with the stipulations of allowable and unallowable repairs and replacement, will the Historic Society also be taking on partial responsibility

of taxes? Why is this proposal not being put to a public vote for the citizens of Portland to decide?

As I previously stated, I am a great advocate of the teaching, education and preservation of history, but this proposal, as it is now written, is just one more way to push hard-working, small-time owners out of Portland who are already inundated with taxes and fees and does nothing to educate the public on the importance of history, other than the historical repetition of the big city organization quashing the local family and forcing them to subdue and give up their rights as property owners. This proposal should be voted down with a unanimous, "No", until it can be revised to get rid of the micro-management and fees levied on the properties and to show that "little guy's" voice is also very important to the City of Portland.

Most Sincerely,
Albert Hirst

Google Groups

Munjoy Hill Proposed Historic. District.

Alec Jaegerman <alecjaegerman@gmail.com>

Aug 7, 2020 11:35 AM

Posted in group: **Planning Board**

Chair Mazer and Members of the Portland Planning Board:

My name is Alex Jaegerman and I reside at 398 Spring Street in Portland. I own a two-family home on Morning Street, which I have owned since the early 1980's.

I support the proposed Munjoy Hill historic district. I have done repair, rehabilitation, and an addition to my properties, with the Spring Street house subject to local historic preservation review. The process is reasonable and ensures that alterations preserve the historic character of the property and surrounding neighborhood.

Munjoy Hill is a historic neighborhood deserving of protection. With values rising and development activity on the rise it is important to put these provisions in place. Loss of historic fabric diminishes the sense of place and unique identity of the neighborhood. The historic preservation regulations do not prevent change and development, but ensure that the change taking place is a positive contribution to the area and does not detract from or erode the character and qualities that define the Munjoy Hill neighborhood.

Please add my voice in support of the Munjoy Hill Historic District.

Thank you for considering this comment as you deliberate your recommendation to the City Council.

Alex Jaegerman
398 Spring Street
Portland, ME 04102

Sent from my iPhone

Google Groups

Munjoy Hill Historic District

Alice Gauvin <alicesgauvin@gmail.com>

Aug 5, 2020 9:27 AM

Posted in group: **Planning Board**

Hi there,

I have lived in Maine for most of my life and had family living on Munjoy Hill since I was born. Now, my husband and I live on beautiful, quiet Atlantic Street, and I am writing to you today to advocate for the proposed Munjoy Hill Historic District.

My husband and I are both under thirty, and are hoping to stay in Portland, preferably on Munjoy Hill, indefinitely, but if the neighborhood continues to allow new condo development instead of refurbishing old buildings, I doubt whether the hill will continue to be an option for us, both in terms of lifestyle and cost. I also know several other young professional couples who are considering vacating Munjoy Hill if the neighborhood becomes overtaken with new luxury condos. My husband and I spent two years in San Francisco, and over the course of those years saw families displaced or voluntarily leave neighborhoods due to the construction of luxury condominiums--condos that (once built) sat empty because over-eager developers had sorely overestimated buyer enthusiasm.

These days, housing is needed by many, but these condos will not address those needs. Furthermore, from a sustainability perspective, the construction of new buildings rather than the refitting and refurbishing of old ones is unconscionable. Globally, the cities most focused on sustainability are focusing almost exclusively on reuse and refitting.

Portland is lucky to be a city on the rise, and I would urge that local leaders prioritize social and environmental sustainability as they plan for the city's future. Speaking personally, Munjoy Hill is one of my favorite neighborhoods in any city I've lived in or visited. The architecture is a uniquely diverse blend of different New England styles, and the socioeconomic diversity of the neighborhood (even now, despite its growing popularity) is laudable and cannot be reconstructed after the dreams of luxury condo developers are disappointed when the housing market is flooded with identical units and the neighborhood has lost the character that attracted buyers in the first place.

Healthy growth is steady, thoughtful, and sustainable. A majority of studies show that historic districts are a boon to cities, bolstering tourism and attracting full-time residents. Finally, over the years Portland has shown itself to be a city that is committed to its residents, and to fostering a close and supportive community. The creation of a Munjoy Hill Historic District would be a huge step in this direction.

I ask that you please approve the Munjoy Hill Historic District.

Respectfully,
Alice Gauvin
13 Atlantic Street

Google Groups

Munjoy Hill Historic District

aglassberg733@earthlink.net <aglassberg733@earthlink.net>

Aug 5, 2020 3:56 PM

Posted in group: **Planning Board**

I write in strong support of the designation of the Munjoy Hill Historic District. I think this is an essential step, both for the environment in which we all live, but equally important, for the economic future of our city. Neighborhoods such as Munjoy Hill are a key element in the city's draw for visitors and if we erode this we threaten the most robust part of our local economy.

Although we live just outside the historic district boundaries, we walk through it all the time. The "value added" to residents' lives from the atmosphere of Munjoy Hill should not be discounted when you're considering the impact of the designation.

So I again urge your support.

Andrew D. Glassberg, Ph.D.

340 Eastern Promenade #125

Portland, ME 04101



Virus-free. www.avast.com

Google Groups

Munjoy Hill Historic District

Angela Adams <aaa@angelaadams.com>

Aug 5, 2020 9:16 AM

Posted in group: **Planning and Urban Development**

Dear Members of the Planning Board,

I am writing to support the Historic District designation for Munjoy Hill.

Our home at 2 Atlantic Street is within the proposed district and I have lived there for 27 years.

The architecture and character of Portland is what makes Portland a unique place to live and visit. Our history is told in our buildings, piers, wharfs and neighborhoods.

We all know that Munjoy Hill has been experiencing a significant surge in interest and excitement for the neighborhood and the quality of life. We see more people strolling the streets than ever in our history of living there.

While Portland has experienced significant changes in recent years, it is important that we take measures to protect and preserve what makes Portland unique and special. Once it is gone – it is gone forever and it would be a shame to have Portland turn into “Anytown, USA”.

I encourage you to please vote in favor of the Munjoy Hill Historic District.

Thank you and Be Well,

Angela Adams Hamill

2 Atlantic Street

Portland, Maine 04101

Google Groups

Munjoy Hill

Anne Manganello <aemanganello@gmail.com>

Mar 16, 2020 12:34 PM

Posted in group: **Planning Board**

MPACT! IMPACT! IMPACT! Deb Andrews said there had never been an independent study done on the social, cultural and especially economic impact on any of the historical districts in the city of Portland. Why isn't this important when we are deciding the fate of the most important piece of real estate in the state?

Don't you see how crucial doing this would be to the fate of Munjoy Hill and the East End, the "crown jewel" of Portland. This part of the city is experiencing diversity and growth as never before and as in no other part of Maine and perhaps all of New England. To do anything to stunt this growth based on sentiment and "no facts" will be stultifying.

For the sake of the future of Portland, please take the time to investigate further. A modest investment of time and money now may insure the diversity we so propose to desire and millions or even billions of dollars of income in the future for this beloved and last grand municipality on the East Coast.

Anne Manganello
84 Quebec Street
Portland Maine 04101

This message was sent 4 days ago. Somehow, it did not get delivered. I believe this is the correct address.



Diversity and The Historic District

Anne Manganello <aemanganello@gmail.com>
Posted in group: **Planning and Urban Development**

Jul 15, 2020 2:46 PM

Diversity seems to be the topic of the day, and the movement to support and promote the prosperity of our Black and Brown brothers and sisters is a societal priority.

In alignment, Portland's 2030 Plan states the city should be Equitable, as one of its priorities and principles. However, adding another Historic District does not align with those principles. As evidence, please read the attached article drafted by a Preservationist with over 30 years experience.

I have lived on the Hill my entire life. 50 years ago, most Black and Brown people were mostly "corralled" on Lafayette Street and one particularly helpful and friendly family, the Gaskells, were next door neighbors to my parents and my brother and me. There are fewer black families now, and, as the article says, **'preservation is essentially an elitist, class, and racially divisive activity whose result is a form of economic bias and segregation.'** If the Planning Board approves this step, you are directly inhibiting diversity and opportunity for many, which is against the 2030 Plan. You have an opportunity to stop the systemically racist HD activity in our City.

Please vote unanimously against the question of adding a 12th Historic District to our already over-preserved/economically restrictive City. The single exclusionary act of passing HD on the Hill will ensure that elitism and separatism will only increase in Portland.

Sincerely,

Anne E. Manganello
84 Quebec St, Portland, ME 04101



Systemic Bias & Racism of Preservation

POSTED ON JUNE 2, 2020

TWISTED PRESERVATION ON TWITTER

RT @museumbums: Poetry in motion!! ð ð ð |ð
1 day ago

@AAMers @AASLH
@SavingPlaces
twitter.com/oldsaleminc/stâ |
1 day ago

RT @OldSalemInc: This Week at Old Salem with President Frank for the week of July 13, 2020. Everything you need to stay in the know #wsnc #â | 1 day ago

RT @EArchaeol: Day 8 on the Early Medieval House Reconstruction at UCD Centre for Experimental Archaeology & Material Culture. Sorting throâ | 2 days ago

@Apollo_magazine
twitter.com/franklinvagnonâ |
2 days ago

RT @FranklinVagnone: A detailed outline of the steps we

Who Told Us That The Past Is Behind Us?

It is very much alive, and in front of our faces.



Historic Stagville Plantation, Durham, North Carolina, set on fire; United Daughters of the Confederacy, Richmond, Virginia, tagged, broken into, library set on fire and artifacts destroyed; 19th century brownstones, Philadelphia, Pennsylvania, set on fire; Decatur House, Washington DC, tagged; Monument row, Richmond, Virginia, tagged. May 31, 2020.

Twisted Preservation

As someone who has been privileged to help run history & preservation organizations for the last 30 years, I feel compelled to call out, from my experience, what I see as not only my own but a larger institutional bias & racism in the preservation field. I love the study of history and the practice of preservation. Please don't respond to defend preservation, historic districting, or Main Street Preservation Projects etc. I know there are good things about the field but these have come later in its life and I am speaking to the underlying structure of the effort.

I am simply trying to open up an honest conversation.

1. Preservation can be essentially an elitist, class, and racially divisive activity whose result is a form of economic bias and segregation.
2. History sites can perpetuate a divisive form of nostalgia that supports and validates racism and exclusion.
3. Preservation can limit inclusion and perpetuate racial & social bias by regulating cultural narratives to simple themes.
4. Historic District Codes and Restrictions are implicitly economically

took to analyze the COVID-19 effects on our historic living history site and decoraâ | [2 days ago](#)

RT @bernarddonoghue:

Returned from a trip out to find a note & photo album from 2 lady owners of our house in the â 70s, chronicling how theâ | [2 days ago](#)

RT @CuratorJournal:

"Archaeology too often operates in a kind of splendid academic isolation. There is a great need for archaeologists to dâ | [2 days ago](#)

Reinventing a history site A detailed outline of the steps we took to analyze the COVID-19 effects on our historicâ | twitter.com/i/web/status/1â | [5 days ago](#)

RT @ITweetMuseums:

Interesting insight & analysis from @OldSalemInc's @FranklinVagnone & team. Will your museum be sharing the "why" behiâ | [5 days ago](#)

Follow @franklinvagnone

restrictive and exclusionary benefitting only the wealthiest of individuals allowing a form of aesthetically gated communities.

5. Historic districting, Code requirements, and forced single-family residential building types are a contemporary form of
â redliningâ which excludes a diverse economic group of people from actual land ownership.
6. Preservation is susceptible to the harshest form of capitalism in that only those historic sites that are targeted with money actually get preserved.Â Preservation choices are a matter of economics, not just history. The most revealing, unglamorous sites have rarely survived, nor have they been preserved.
7. As Preservation has become more professional, education has become more expensive and thus restricting the possibility of equitable professional practice. Free internships, hiring practices, job requirements are all biased toward wealthy, mainstream backgrounds.
8. Preservationists, right nowâ today, need to stop fetishizing the built environment and begin considering how our hidden, internalized systems of Preservation are producing an environment of exclusion.
9. Look at the money in Preservation. A budget reflects our priorities.Â Money goes where it is told.Â There is nothing natural about the market economy or what gets preserved. **Wealth Preserves Wealth.**

As Preservationists, *We Must Do Better.*

Twisted Preservation

ANARCHIST GUIDE TO HISTORIC HOUSE MUSEUMS

Anarchist Guide to Historic
House Museums

SYSTEMIC RACISM OF PRESERVATION

THESIS:

1. Preservation is essentially an elitist, class and racially divisive activity whose result is a form of economic bias and segregation.

DISCUSSION:

Does this mean that we don't preserve and restore anything? Of course not. This thesis suggests that the act of preservation has inherent in its choices issues of class, race, and economic strata. In making choices, we as Preservationists segregate and prioritize remaining existing fragments of the built environment (or intangible elements and behaviors) that are quantifiable and knowable. This thesis suggests that we reconsider 1. Who is making those choices and how inclusive are the views? 2. Who established the rules, 3. What is being judged? and 4. What is the result of the process? Does the result expand or contract our understanding of the past? As we can see, in all of these steps come the potential for bias, preference, and unknowing exclusion based upon lack of information and cultural exposure. So, you see, this thesis is not about denying the activity of Preservation, it argues that the codified process and results are producing a situation that is systemic and imbedded with internal bias.

What might solutions be to counter the inherent difficulties of this selection process?

As Preservationists, *We Must Do Better.*
Twisted Preservation

SYSTEMIC RACISM OF PRESERVATION ABSTRACT

Â THESIS:

1. *Preservation is essentially an elitist, class and racially divisive activity whose result is a form of economic bias and segregation.*

DISCUSSION:

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What might solutions be to counter the inherent difficulties of this selection process?

SYSTEMIC RACISM OF PRESERVATION

THESIS:

2. History sites can perpetuate a divisive form of nostalgia that supports and validates racism and exclusion.

DISCUSSION:

Does this mean all history and cultural sites should be closed down? Of course not. This thesis suggests that we need to re-think which sites speak to the larger public good and how those sites are used and interpreted. We all need beauty in our lives. The problem is, contrary to philosophers' musings, that physical beauty usually doesn't equate to the historic truth. Something can be beautiful and ugly at the same time. Beauty rarely has a relationship to an accurate and meaningful historic representation. This type of *isolated beauty* we see in fully restored buildings lives in the world of nostalgia and is fueled by personal memory. Research has shown us that memory is usually an inaccurate way to re-member the past. Nostalgia perpetuates stereotypes and racial bias because it selectively excludes most of reality in favor of a tiny slice of inaccurate, dominant-culture shared memory. It's this process of exclusion where systemic bias and racism resides. It is not just minor elements that may be removed from a nostalgic memory but entire swaths of authentic experiences of marginalized populations. Institutionally supported nostalgic narrowing and paring down does not allow for a fully equal, unbiased, and proper representation of very complicated social narratives. This involves the physical buildings, landscapes, as well as interpreted model. In this way Preservation becomes a hidden, divisive barrier.

The causes of this narrowing seem to stem back to core Preservation constructs that dictate a narrow period of significance, a primary person of significance, or architecture of particular beauty. These fundamental, core components in the Preservation field, in themselves, contain systemic forms of racial and cultural bias and yet they are the very elements that historic sites are judged. This institutional bias against **substantial** inclusive layers of meaning and significance in favor of the dominant culture, simply continue to validate narrow, flawed nostalgic memory and expectations. This problem is not with our visitors, it's roots are to be found in the political, social, and institutional processes of the Preservation movement itself.

What are some ways that Preservation can be re-framed so that core fundamentals will be more inclusive?

As Preservationists, *We Must Do Better.*
Twisted Preservation

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SYSTEMIC RACISM OF PRESERVATION

THESIS #3:

Preservation can limit inclusion and perpetuate racial & social bias by regulating cultural narratives to simple themes.

DISCUSSION:

Does this mean we only tell nice, happy stories? Of course not. This thesis suggests that we are all complicated humans and our living situations change over time. None of us are simply one thing – we are many things at the same time and what becomes visible and public in our lives often changes as we mature and gain experiences. A systemic vice in Preservation is that the dominant culture is controlling the narrative. One hundred years ago the story of marginalized populations was not even being told, but now today we are concentrating on eras of oppression involving the very same marginalized populations we excluded a century ago. Without a doubt these narrations needs to be extensively presented without minimizing the pain and long-term effects. But in this effort of selection, we remain exclusive and biased toward seeing entire populations as one single thing. This process of forming an interpreted narrative, either physically with buildings or orally with interpretation - once again, is achieved through exclusion and selection of one building, story, individual, or group of people over another. The dominant culture of Preservation is still in the power position . Preservation through its codified professional practices chooses, frames and modulates the narration and tone of the story. *Choosing to tell the story from a position of power is quite different from the story simply existing as an authentic layer of our complicated history.* In being forced into adhering to an established system and waiting for a story to be told by another authority is a form of cultural bondage. As William Blake wrote, "I must create my own system, or be enslaved by another man's".

How can Preservation release its cultural bondage and allow choices to more freely represent all of us?

As Preservationists, *We Must Do Better.*
Twisted Preservation

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SYSTEMIC RACISM OF PRESERVATION

THESIS #4:

Historical regulations, district codes, and Preservation restrictions can be latently economically restrictive and culturally exclusionary, benefiting only those individuals who can afford the added costs, thus ensuring a form of aesthetically gated communities that reflect the dominant culture.

DISCUSSION:

Does this mean Historic Districts are bad? Of course not. There are many positive and effective results of historic districting efforts. I have, for most of my adult life, lived in historic districts. It is not that the concept is bad, rather this thesis suggests that the execution of regulating efforts can produce an inherently exclusionary process that results in race and cultural bias. Most important to this thesis is that Preservation can, in attempting to return a district environment back to some specific era, exclude certain groups and exhibit bias in favor of the dominant culture. This has effects on not only the architecture (e.g. what is demolished and what is kept or rebuilt), but also acceptable/excluded functions allowed by such regulations (i.e. commercial, residential, mixed-use, multifamily), public amenities (streetscape, sidewalks, lamp posts, plantings), down to the most granular of elements, such as screw type, doorbells, light fixtures, and signage. All of this specificity results in choices that ultimately are seeking an accepted aesthetic, environmental character, and authenticating assets of single-family ownership. At its best, this environment is shared with all segments of the society. At its worst, however, it acts as a latent warning alarm for those who exist outside of that shared cultural norm.

How can Preservation continue to seek the value of large district plans and at the same time allow for flexibility in behaviors, functions, and aesthetics?

As Preservationists, We Must Do Better.
Twisted Preservation

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SYSTEMIC RACISM OF PRESERVATION

THESIS #5:

Historic districting and preservation code requirements can be a contemporary form of “redlining” which excludes a diverse economic group of people from land ownership.

DISCUSSION:

Do designated “Historic Districts” result in cultural segregation? Maybe. There is no long-term agreement among social scientists as to the effects of historic districting on racial and economic displacement. What history and research do suggest is that a large percentage of those displaced by revitalizing efforts are black and brown people. These district-specific revitalization efforts seem to result in a concentration of wealth and wealth-building investment that excludes those displaced (National Community Reinvestment Coalition, “Shifting Neighborhoods,” 2019). The result in increased property value not only limits the possibility of home ownership for many, it also increases rents out of the range for lower income, working poor populations. Added to these financial access issues are the additional costs associated with historical code compliance and environmental regulations that have evolved into manifestly limiting access by large, multi-generational family units in favor of a mythological nuclear American family unit. This fundamental family unit concept is, in itself, born out of anti-immigration and anti-African American policies stemming from the turn of the last century and is an inauthentic favoring of white, dominant-culture, single-family systems.

There is a long history in America of allowing physical space to be politically regulated in order to validate and support exclusion. The results of these separations become apparent when one views the 1970’s location of interstate highway systems through stable, vibrant black neighborhoods, railroads, and buffer greenspaces. Inherent in basic Preservation efforts is the motivation to protect that which is seen as worthy of preserving from that which is viewed as any opposing negative influence. It is fundamentally a divisive dichotomy that systemically codifies issues of class, race, wealth, and cultural interaction.

This thesis does, however, acknowledge that some Preservation efforts have successfully concentrated on affordable housing and the creation of revolving funds and low interest loans to keep existing residents intact within historic districts. We should take lessons from these efforts and reevaluate pre-existing districts and regulations to transform them into more equitable solutions. At their best, historic districts can be viewed as a form of protection against thoughtless development and demolition, as well as areas that promote cultural overlap. At their worst, historic districts can become an aesthetically driven, culturally tone-deaf form of regulating class.

How can historic districting and Preservation regulations become more of a positive force for inclusion in the growth of our communities?

As Preservationists, We Must Do Better.
Twisted Preservation

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contemporary form of â redliningâ which excludes a diverse economic group of people from land ownership.

DISCUSSION:

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How can historic districting and Preservation regulations become more of a positive force for inclusion in the growth of our communities?

SYSTEMIC BIAS & RACISM OF PRESERVATION

THESIS #6:

Preservation is susceptible to the harshest form of capitalism in that only those historic sites that are targeted with money actually get preserved. Preservation choices are a matter of economics, not just history. The most revealing, unglamorous sites have rarely survived, nor have they been preserved.

DISCUSSION:

Everything needs money, but does that make Preservation a bad thing? Of course not. This thesis suggests that we need to acknowledge openly that the market-driven, economically determining factors of Preservation have produced an inaccurate collection of historic sites and artifacts. It is not that the current sites themselves are bad, but that, taken as a body of historical information, the architecture and collections that remain may tell only a small portion of the authentic story. The portion of our collective narrative that has been preserved is a result of monetary support being given to these particular sites, and not necessarily because they are the most informative and revealing. Until recently most historic sites have documented and supported a dominant male cultural narrative and at best, give a marginal presentation of other narratives. At worst, sites actively suppress the complex realities of the historic record and erase marginalized populations that contributed most powerfully to our histories.

In an effort to create a fuller telling of history, there have been important strides by some Preservation organizations to landmark new historic sites and target new narratives. These are excellent steps toward cultural equity. However, these steps in themselves cannot address the preexisting bias inherent in already established historic sites. Now is the time we must pause and reconsider existing historic sites, how we use them to enforce the dominant male culture narrative, and what we must do to manifest a more just and equitable presentation of history.

What are the steps we must take to re-envision our historic sites in ways that can produce a less biased representation of the historic record?

As Preservationists, We Must Do Better.
Twisted Preservation

THESIS #6:

Preservation is susceptible to the harshest form of capitalism in that only those historic sites that are targeted with money actually get preserved. Preservation choices are a matter of economics, not just history. The most revealing, unglamorous sites have rarely survived, nor have they been preserved.

DISCUSSION:

Everything needs money, but does that make Preservation a bad thing?

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SYSTEMIC BIAS & RACISM OF PRESERVATION

THESIS #7:

As Preservation has become more professionalized and can require a four-year degree, college has become more expensive and thus constricts the possibility of a racially, culturally, and economically equitable pool of professional practitioners. As a result, professional practices are sometimes biased.

DISCUSSION:

Isn't this a problem in all fields of practice, not just Preservation? Yes, it is a problem in many professional fields, but it has especially dire consequences in Preservation. At an average cost of \$46,000 a year (out of state), Preservation education is biased toward experiences more easily obtained by those with wealthy, mainstream, dominant-culture backgrounds. Even more significantly, the Preservation professional body, which grows out of this process of expensive education, unpaid internships, and stringent job requirements, becomes the central organism through which all choices are determined. The long-term results of this homogeneous field of practitioners are reflected in similarly homogeneous preservation efforts. Only 8% of National Register sites and 3% of all National Historic Landmarks represent people of color, women, or members of the LGBTQ community (CityLab, 2019). Here lies the core of the problem – these statistics are a direct reflection of the profession that selects, researches, restores, interprets markets, facilitates, regulates, and governs historic sites. **It is not only an issue of access to education but is the result of this lack of access.**

This bias towards the dominant culture, in not only professional practitioners but also the historic sites they manage, simply folds back into itself and becomes a barrier for marginalized populations to engage in the Preservation field in meaningful ways. Once again, the dominant culture may be selectively choosing historic sites that are believed to represent marginalized populations, but in that process, there is inherent bias in judgments and considerations that might be in opposition to those particular constituents themselves.

The real control comes with the power to choose, and when membership into that profession is limited, so too is the resulting representation.

What are ways that the field of Preservation can re-envision the process of education and subsequent professional practice to eradicate bias?

As Preservationists, We Must Do Better.
Extended Prologue

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SYSTEMIC BIAS & RACISM OF PRESERVATION

THESIS #8:

Preservationists, right now—today, need to stop fetishizing the built environment and begin considering how our hidden, internalized systems of Preservation are producing an environment of exclusion.

DISCUSSION:

Great, so what are we supposed to do? Demolish all historic buildings and end Preservation efforts? Of course not. Thinking in a way that polarizes priorities simply removes any possibility of a collaborative process. This thesis suggests that Preservation, far from representing a neutral position, is a symbolic, political act. Restoration budgets reflect priorities, and those in power determine restoration budgets. If our historic sites don't accurately reflect ourselves, then whose fault is it? When Preservation priorities are latently aligned with dominant culture and disaligned with non-dominant populations, the result is a collection of procedures, regulations, and historic sites that are indicative of a larger system of exclusion and bias. It is not accidental that history sites and monuments have become centers of attention in the recent protesting actions related to the murders of African Americans by police.

These internalized systems perpetuate a profession that, despite individual desires of its practitioners, suppresses alternative views of process in favor of preexisting structures. Attempts to modify these structures can result in superficial applications of diversity upon a system which is essentially biased. In order to achieve real, inclusive, poetic Preservation, we must be willing to reenvision the core assumptions, purposes, and goals of Preservation itself.

How can Preservation re-establish its soul as an action of representative inclusion?

As Preservationists, We Must Do Better.
Twisted Preservation

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SYSTEMIC BIAS & RACISM OF PRESERVATION

THESIS #9:

Follow the money in Preservation. A budget reflects our priorities. Money goes where it is told. There is nothing inherently authentic or natural about how the market economy dictates what gets preserved. **Wealth Preserves Wealth.**

DISCUSSION:

Everything has a relationship to the market economy. Defund Preservation? Of course not, but allowing the act and choices of Preservation to be determined by the flow of money produces an overall symbolic narrative which, in itself, is biased toward the wealthy, dominant culture. Many of our sites exist today because money was present to restore and turn the site into a public venue. This type of effort validates a restoration culture which glorifies significantly attractive architecture and beautiful environments over authentic narratives. What we restore is a validation of how we aspirationally wish to see ourselves reflected in the cultural mirror. Much of this reflection gains its strength from nostalgic ideas of history and seems to exist in a place centered on the sentimental rather than the substantive and true.

Even with important contributions to counter this self-reflective impulse, a vast number of existing historic sites and preserved environments illustrate a view of history which glorifies white, male, wealth, dominance, and achievement. Toni Morrison, in her Nobel Prize acceptance speech, stated that language allows us to see without pictures. Perhaps Preservation needs to learn how to restore history without buildings?

How can Preservation build a system of seeing without pictures?

As Preservationists, We Must Do Better.

Twisted Preservation

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As Preservationists, *We Must Do Better.*

Twisted Preservation

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POSTED IN FRANK VAGNONE | 9 COMMENTS |

[← The Usefulness of Things](#)

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9 thoughts on “Systemic Bias & Racism of Preservation”



jaimepartsch says: June 2, 2020 at 4:43 pm

I have worked with historic preservation projects for years and this is the most eloquent statement of what I have felt for a long, long time.

☐ Like

[Reply](#)



twistedpreservation - F. Vagnone says:

June 2, 2020 at 5:01 pm

Thank you. I would be happy to be wrong.

☐ Like

[Reply](#)

Pingback: [Systemic Racism of Preservation | Hetty Startup, public historian](#)



artcultures says: June 3, 2020 at 3:46 am

Well said.

☐ Like

[Reply](#)



Charles C. says: June 3, 2020 at 11:47 am

You raise many excellent points but I would push back on the suggestion that historic districting is a form of redlining when in New York City you have black and minority homeowners and renters in Brooklyn and Upper Manhattan begging for the attention of the Landmarks Preservation Commission to calendar their neighborhoods.

☐ Like

[Reply](#)



twistedpreservation - F. Vagnone says:

June 3, 2020 at 11:54 am

Thank you for your comment. And YES That's why I mentioned the good in a lot of these points. I am not absolutely saying that good does not exist in preservation – I love history and preservation! I think you may know that I lived in NYC for last 10 years and I am aware of great work by Historic District Council and LPC. It is not the act of districting that I wish to reconsider, it's the expectations and codes after the fact. We must also realize that NYC is always an exception – not the rule – as preservation in NYC has been exemplary at landmarking a wide variety of structures (Stonewall to name just one).

☐ Like

[Reply](#)



Jennifer Betsworth says: June 6, 2020 at 9:35 am

There's a lot of good food for thought here. While preservation can be a flawed tool, it is a tool that can be used to positive and negative ends. Regarding historic districts and designation, at NY SHPO we're increasingly seeing historic district projects (local, state/national register) led by communities of color. I've helped shepherd through several projects in recent years where local groups have pursued

preservation designation with the aim of exerting more control over their communities and pushing back against developers. A few examples are Bethel Christian Avenue HD, SANS (Sag Harbor Hills, Azurest, and Ninevah Subdivisions) HD, and Dorrance Brooks HD. People of color have been historically wary of institutions and state agencies, and not unreasonably so, but I am hopeful this trend will continue. At its best, preservation is about sharing and preserving everyone's stories, not just the prettiest and least "controversial" ones.

☐ Like

[Reply](#)



jlbetsworth says: June 6, 2020 at 9:36 am

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Pingback: [Systémová pÅ edsudky a rasismus pamÄtkovÄ pÄÄ e - Artalk.cz](#)

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Google Groups

Munjoy Hill Historic District

April Wernig <aprilwernig@gmail.com>

Aug 6, 2020 1:20 PM

Posted in group: **Planning Board**

Hello,

As a resident of Portland since 2002, I am writing to show support for the creation of a historic district in Munjoy Hill. The neighborhood is one of my favorite places to walk in the City because of its scale and the interesting front porches and entries of all the homes. Many recent homes are built like fortresses with a garage door facing the street while residents of the box that acts as a house, have their outdoor porch situated high above the street. The buildings like this make the neighborhood streets seem like a collection of self storage buildings rather than a community of people. I hope the new historic district will encourage people who redevelop homes in this neighborhood to design them so there is a human component to them.

Sincerely,

April Wernig
69 Brookside Road
207-653-8059

*please phone or text should you need my immediate response.

Google Groups

In favor of historic district

Ava Gurekian <avagurekian@gmail.com>

Aug 4, 2020 6:56 PM

Posted in group: **Planning Board**

Hi Planning Board,

I'm writing to express my position with regards to the historic district proposal on Munjoy Hill.

I support the historic district as it would stabilize renters in my neighborhood and provide longer term opportunities to Mainers and folks moving here (not vacationing here).

Thanks for listening and I look forward to seeing your action on this matter.

Best,
Ava

--

Ava M. Gurekian
c: +1 617-697-9407
w: +1 207-553-7652
ava.gurekian@gmail.com

Google Groups

Approval of the Munjoy Hill Historic District

Barbara Goodbody <bargoodb@gmail.com>

Aug 6, 2020 8:48 AM

Posted in group: **Planning Board**

I support the proposed Preservation of theMUNJOY HILL HISTORIC DISTRICT and six landmarks with NO changes to what the Historic Preservation Board nominated back in 11/20/2019.

As a Resident of the EAST END! THE preservation of the HISTORIC DISTRICTS on the EAST END are CRITICAL to the SPECIAL BEAUTY and HEALTHy ENVIRONMENT that makes PORTLAND'S EAST (and WEST END) residential neighborhoods Environmental treasures and an EXample for PORTLAND to our STATE and to OUR WORLD!

Please VOTE to approve the Munjoy Hill Historic District

Thank YOU'
Barbara Goodbody

Google Groups

Letter in support of Historic District not reproduced correctly

Barbara Vestal <vestal@chesterandvestal.com>

Aug 11, 2020 9:54 AM

Posted in group: **Planning Board**

Hello Deb and Christine,

As I looked at the on-line packet for today's meeting, I discovered that when the email I submitted on July 31st was reproduced in the packet, every place a "ti" appeared in the original submission showed up as "blank blank". Eg, "designation" became "designa on" wherever that combination of letters appeared. That happened many multiple times throughout the email for many different words. I have no idea why that has happened. I am pasting the original letter below and would appreciate it if you would provide the corrected copy to the Planning Board today. Thank you for your attention to this matter.

Contents of original email submitted July 31, 2020:

Hello Chair Mazer and Planning Board Members,

I write to urge you to recommend that the City Council designate a Munjoy Hill Historic District as recommended by the Historic Preservation Board. For the record, I am directly affected by the designation. My husband and I own two buildings that will be contributing structures in the district. We own one buildable vacant lot within the district. And our office is in another building that will be an individually designated landmark. We value these buildings and welcome the idea that we and other building owners in the neighborhood will be adhering to the same standards to protect them going forward.

To my mind, **one of the major advantages** of historic district designation is that it will **promote and encourage preservation, restoration and rehabilitation of existing structures**. This is an important, but sometimes overlooked, tool in the array of strategies to retain affordable housing.

It is important to remember that the most affordable housing unit is the one that is already built. New construction does not create affordable housing unless there is a deep governmental subsidy involved. Portland's workforce housing tools have been largely ineffective on Munjoy Hill. For rare large developments with 10 or more units, developers typically buy out of the 10% workforce housing requirement.

On Munjoy Hill there is currently a 10' height bonus in exchange for one workforce housing unit. This height bonus fails to factor in housing that is being destroyed to make way for the new construction. When demolition of existing housing is factored in, new construction proposed on Munjoy Hill since 2015 making use of the height bonus has resulted in a net loss of affordable housing.

Designating a portion of Munjoy Hill as a historic district will keep the existing landmark and contributing structures from being demolished for new, luxury housing. That will do much more to protect workforce housing than the current inclusionary zoning requirements or height bonus for a workforce unit in new construction.

Many of the people speaking in favor of a historic district designation are small landlords, like me. We have existing buildings with basic, non-luxury apartments in older structures with 2-6 units. We provide housing for regular, working people. We have maintained these buildings for many years, and value the historic building stock, the design to encourage social interaction, and the close-knit character of the Munjoy Hill neighborhood.

In evaluating the importance of historic district designation, **it is important to remember the unprecedented market forces that were unleashed by the City on Munjoy Hill in 2015.** In 2015 the City drastically changed the dimensional requirements in the R-6 zone. The minimum lot size was reduced from 4,500 square feet to 2,000 square feet. The minimum lot area per dwelling unit was significantly decreased from 1,000 to 725 square feet. The ostensible intent was to promote infill development, but in a major mistake, it was not limited to vacant lots or lots without houses. And the height was kept at 45', greatly above the scale of most of the existing housing.

Before the 2015 changes, almost all of the housing on the Hill consisted of grandfathered nonconforming structures of 1.5 to 2.5 stories on undersized lots. With the 2015 changes, much of the existing housing suddenly had a demolition target on it – there was a lot of money to be made by tearing down existing housing and replacing it with luxury boxes that maximized the allowable 4-story building envelope.

Several tear-downs followed, resulting in a neighborhood outcry. The Council agreed to impose a moratorium at the end of 2017 in an attempt to recalibrate the zoning. In **June, 2018** the City Council responded by adopting a **demolition delay ordinance**, by adopting a **Munjoy Hill Conservation overlay district** with new dimensional and design standards, **and by directing the Historic Preservation Board to look at the designation of an historic district on Munjoy Hill.** An historic district could not have been adopted right then, in June of 2018, because of all of the survey work and research that has to be done prior to any designation. **That third prong of what was anticipated by the Council in June of 2018 as what was necessary to recalibrate the zoning is what is before you now.**

Unfortunately, the demolition delay ordinance is very weak. And, disappointingly, the design standards of the overlay district have not been applied in such a way as to provide much protection. Hopefully the historic district, which is proposed to apply to about ½ of the Hill, will go much further to protect the important existing housing stock and the unique social fabric, at least in part of the Hill.

There are multiple purposes to be advanced by a historic district designation for Munjoy Hill. It will protect the distinct architectural and historic character of this iconic neighborhood. It will prevent the demolition of designated landmarks and contributing historic structures within the district. It will extend the protections which have been used so successfully in the West End for 30 years to a portion of the East End. And, in a win-win situation, it will protect a significant portion of the existing workforce housing from being demolished to make way for very expensive new construction.

As has been shown over the last three decades, Portland's successful historic preservation program manages change to prevent the unnecessary loss of the community's historical features and to encourage compatible preservation, restoration and rehabilitation. This is precisely what is needed on Munjoy Hill at this time.

I encourage you to recommend passage of the Munjoy Hill Historic District and designation of several associated landmark structures as recommended by the Historic Preservation Board.

Regards,

Barbara Vestal

--

Barbara A. Vestal, Esq.
Chester & Vestal, PA
107 Congress Street
Portland, Maine 04101
(207) 772-7426 - phone
(207) 761-5822 - facsimile

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Google Groups

Why a Munjoy Hill Historic District now?

Berry Manter <berrymanter@yahoo.com>

Aug 7, 2020 10:06 AM

Posted in group: **Planning Board**

Dear Planning Board members,

The value of a Munjoy Hill Historic District is more compelling now than when the initial inquiry and studies for this district designation began.

The architectural fabric of Portland's peninsula has rapidly changed with current development, resulting in the a decline in our city's unique visual integrity. This is not consistent with good development, and serves no one. EVERY city construction should be vetted to ensure it complements, adds visual value, along with meeting standards of durability and contemporary energy standards to meet future needs.

A recent mid-harbor water view towards the new construction of Fore Street, (including the WEX) buildings reveals an ominous "penitentiary" mass of rambling gray construction. This sort of '60's architecture fails all standards. More disheartening, is that this waterfront, off-putting industrial strip has consumed prime residential area (walkable, ocean views), adding traffic issues on Franklin, and putting unreasonable pressure on Munjoy Hill for those seeking walkable, urban residential living in our city.

The post-pandemic question leads to asking "the future of doing business" and the need for large office space. A recent trip to the surrounding Maine Mall area revealed untold lease signs, large commercial properties overgrown with weeds, vacant windows. Will this outlying area become a commercial desert and financial burden? (WEX adds no "value" to the city downtown while their former property still stands empty).

The above underscores the value of protecting Munjoy Hill as well as supporting residential construction over commercial growth within the penninsula . I write this in part, because the future Portland will find increasing value in the protection of the historic and aesthetic character of Munjoy Hill I write this in part, because without protection the pressure to destroy and condo-ize this community will be unbearable.

Per Deb Andrew's many excellent presentations with her patient in-depth explanations, answering our concerns, a "historic district" does NOT freeze a community in time, nor prevents growth or new construction. Portland Planners owe the public this modest protection of a small section of neighborhood that brings people from all over the city (not a NIMBY issue), and outlying areas to walk our streets.

Please, consider a vote of YES on the proposed MUNJOY HILL HISTORIC DISTRICT.

Thank you and Sincerely,

BERRY MANTER

46 E. Prom
Portland

Google Groups

in support of the Munjoy Hill Historic District

Beth Snyder <snyderbes@gmail.com>

Aug 6, 2020 2:17 PM

Posted in group: **Planning Board**

I'm writing to urge you to vote for the Munjoy Hill Historic District and six landmarks with no changes or modifications of the proposal nominated on November 20, 2019.

After the careful and thorough work by the Planning staff and the Historic Preservation Board, it is time for us to commend their efforts; and to legitimize the support and endorsement of the Munjoy Hill Historic District by the Historic Preservation Board by voting 'yes.'

Historic districts do not hinder or reduce affordable housing. Repairing and reusing historic buildings is better for our environment than new construction. Historic districts manage change rather than prevent it. These favorable arguments cannot be ignored.

Finally, let's take the long view. Our historic districts are critical to the stewardship of what makes Portland a livable and desirable city now and for years from now.

Please vote in favor of our historic district.

Thank you,
Beth Snyder
81 North Street
Munjoy Hill

Google Groups

Portland's Proposed Historic District

betsy elliman <betsyelliman@msn.com>

Aug 5, 2020 8:55 AM

Posted in group: **Planning Board**

Maine has been my home for 33 my 75 years. Portland has been my home for the last 13. I have always appreciated Portland's profound sense of place with its stair-step houses going down hilly streets to the water and with its sight lines to the water from various parts of the city. The East End's compact grid of streets provide neighbors with little communities, all part of the greater community. I am convinced that the proposed historic district will protect all these qualities. Historic districts are a compatible way of managing change, they allow for affordable housing as well as maintenance of existing buildings. Just walking around Munjoy Hill we can see where change has gone awry. Please help us to protect the precious qualities that still exist on the East End..

Betsy Elliman
207-400-6871 - cell

Google Groups

public comment 8/7/20 Historic District Munjoy Hill

Brent Adler <brentadler@gmail.com>

Aug 6, 2020 2:44 PM

Posted in group: **Planning Board**

Hi. My name is Brent Adler, 91 Walnut Street. I am not in support of any Historic District on Munjoy Hill. Knowing that this Historic District will pass, my question is. Will all my properties on munjoy Hill receive those fancy plaques that all the west end mansions have that say something historical about the property. Like "1838, John Johnson, Mason"? Do we get these cool fancy historic plaques for free? I sure hope so because this is the only benefit I see in a historic district.

Brent

--

Brent Adler
cell 207-518-7038
PO Box 15372
Portland, ME 04112

Google Groups

Munjoy Hill Historic District

Bruce Wood <brucesar@yahoo.com>

Aug 5, 2020 10:58 AM

Posted in group: **Planning Board**

I urge support of the Munjoy Hill Historic District as approved by the Historic Preservation Board in December 2019. The district includes many properties very much in need of protection so that the Hill continues to reflect its 19th and early 20th century beginnings. Our great city has protected early commercial areas (Congress Street, Commercial Street, and India Street) and the upper class area (the West End - Bramhall Hill).

Protection of what started as a working class community is essential to tell the story of Portland's past.

Bruce Wood
607 Chandler's Wharf
Portland, ME 04101

Google Groups

Historic District, Munjoy Hill

Candice Lee <cthortonlee@gmail.com>

Aug 5, 2020 9:12 AM

Posted in group: **Planning and Urban Development**

As a long time member and two time Board member of Greater Portland Landmarks, I support wholeheartedly the Historic District proposals for Munjoy Hill. Munjoy Hill is a unique place in Portland, now enhanced by some very good contemporary additions. Little tweaks here and there to strive to keep what is authentic to the older buildings of the area will enrich the whole area and make it a wonderful addition to Portland's landscape/streetscape for decades to come. This is a very exciting time for Munjoy Hill, we must do the right thing by saving it's essence.

Candice Lee, Trustee, Greater Portland Landmarks

July 30, 2020

Planning Board,

As you make your final vote this month, please consider the following Executive Summary.

1. Is 14-610(a)(1) met?
2. The City's Legal exposure
3. Business & other reasons against

1. Did the HPB Satisfy the Requirements of 14-610(a)(1).

In sharp contrast to the other Portland HDs, no justification has been provided to date.

Re **14-610(a)(1)**, Staff presented a lot of documents but no reasoning why the criteria has been met. Check the record: there is ZERO justification provided by Staff, unlike other districts in our City where ample reasoning was presented. Yes, Staff spent a lot of tax money and produced many documents but in the hundreds of pages, there is no justification provided. Effort & hard work does not equal justification.

2. Procedural/Legal Exposure

The City finds itself legally exposed due to negligent practices, which have been entered into the formal record by the public and by staff.

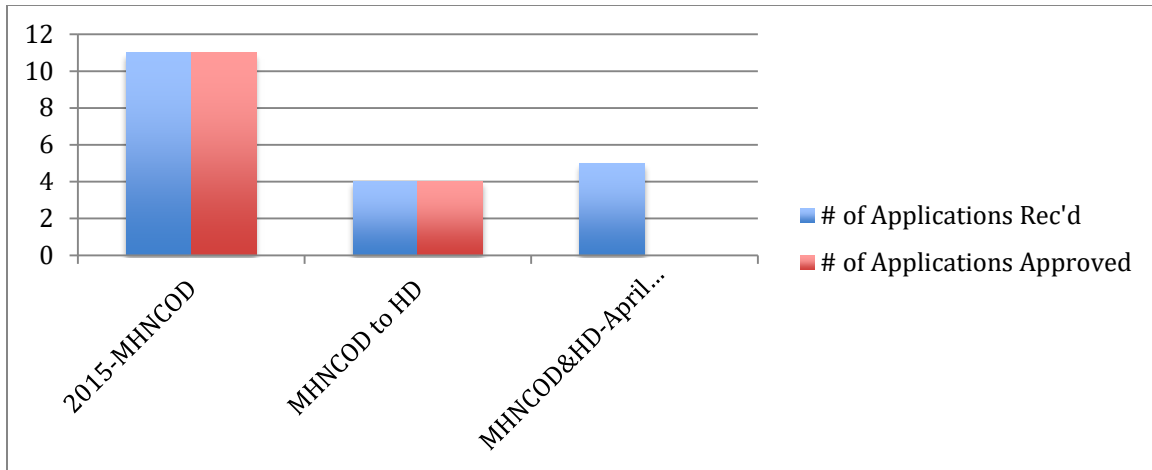
1. **Legal notice was not given to, at least, 56 property owners** in the proposed area. One property owner raised this issue during the last public PB meeting. Staff admitted on the record that an issue existed in May/June of 2019 thru Jan 2020 but did not research further. Upon pulling all sales records for properties sold on the hill since May 2019, we found 56. Since Staff does not know when the 'list issue' started, there could well be many more affected predating May 2019. **[See Addendum A for details.]**
2. As reported in the Phoenix pre COVID and currently under investigation by Corporation Council, voting records show that a **member of the HPBoard is not a legal resident of Portland** (which is a qualification to serve.) This member has tainted any work product completed by the board throughout this process. This issue was reported to the City Clerk in the fall of 2019 and she dismissed the accusation without properly investigating. **[See Addendum B for details.]**
3. The City Planning Staff made a public commitment in 2018 to independently survey the Hill residents & failed to do so. As presented earlier this year, an independent survey was done in July of 2019. The results were conclusive and statistically significant: the residents of Munjoy Hill voted against the district.

3. Business Reasons to Oppose the HD Recommendation

Many business & economic reasons exist to vote against this proposal.

Proposed District Boundary Issues & Proliferation of HDs

1. **The proposed district is NOT contiguous.** 38 & 39 Munjoy Street are Non Contributing buildings across the street from one another. This causes a break in the district. Check the map to verify.
2. **Questionable designations** connect other sections of the proposed district. Take just one example; 43 Saint Lawrence. It is categorized as a contributing building but that is a 'stretch' AND across the street, two non-contributing structures stand. [The two non-contributing have very similar non-contributing features as the 3 story flat top (43).] **[See Addendum C for more details.]**
3. The proposed district map has a large section of non-contributing and vacant lots from Moody Street to Fore Street (Vesper, O'Brion, Munjoy.) If an HD comes to pass, dozens of buildings are non-contributing and can be knocked down as a matter of 'right' – imagine the outcry from the public because Planning may approve a plan enabling more demolition (the primary concern.)
4. Further, Portland's peninsula is overwhelmed by HDs. Like Boston, we are an old city. Unlike Boston, we have more HDs than they do and less square footage. **[See Addendum D for details and a follow up to the Boston HD comparison.]**
5. If this 12th HD passes, the **precedent is set & the criteria to pass additional HDs will become very low.** There will be nothing stopping additional HDs from springing up across Portland. (PGL is already meeting with Peaks Island) Addressing the housing crisis will become even more challenging.
6. **Development has declined on Munjoy Hill since the Overlay:** The Hill is not at risk of losing its 'fabric', as evidenced by data provided by Staff
 - On May 11th, other Staffers (Samantha, Jimmy) provided the Planning Raw Application Data to quantify building trends on the Hill.
 - From 2015 – thru May 31, 2018 (prior to MHNCOD), the City received 11 Applications for Level I, II, III Reviews on Munjoy Hill. All 11 were approved.
 - From June 1, 2018 – June 20, 2019 (MHNCOD but prior to HD being invoked), the City received 4 applications for Level I, II, III Reviews on Munjoy Hill. All 4 were approved.
 - From July 1, 2019 thru April 15, 2020 (MHNCOD & HD regulations in place), the City received 5 applications. 0 have been approved, as of 4/15/20.



In addition, the following facts have already been reported by Staff showing the decline in development on the Hill

- With MHNCOD, new applications dropped by 64%
- Since HD was added, ZERO applications have been approved by the City (as of April 15, 2020)
- Demolitions are down by more than 50% since 2015
- Re new construction permits,
 - o From 2015 to the MHNCOD, 15 new construction permits were issued
 - o Post MHNCOD thru Feb 2020, 7 were issued
 - o Only 1 since HD regs went into place in July of 2019 (as of 4/15/20)

Munjoy Hill have gone from a thriving neighborhood to a stagnant one in 5 years due to over regulation by the City.

[See Addendum E for the City provided data]

7. During the last public meeting, we learned that the City has no data on the impacts of the 11 other districts on taxes, tenants and homeowners from the past 30 years. The good news is (as submitted separately) a study was done 4 years ago looking at several US Cities.

In the “Extracts from the Literature on the Effects of Historic Preservation on Property Values” paper by Richard Schmidt, it provides documents from several cities and institutions that researched HD impacts thoroughly. Sources include the UPenn, the TN Preservation Trust, PhDs from various markets, NJ Historic Trust, CT Trust for HP, Washington Dept of Archaeology and HP, etc. In summary, the paper states

- Home values increase
- Rents increase

- **Taxes increase**

8. Four of the leading **Affordable Housing companies** in town state that HD on the Hill ‘**closes the door**’ on them for any future development in that area.

9. The 2030 Master Plan

“We will remain an open and inclusive City, celebrating diversity and providing a welcoming and safe place for residents and visitors alike.”

Key to our plan is creating an **Equitable City**. This critical aspect of our 2030 Plan was not included in Staff’s memo, as a response to your recent request for a Comprehensive Plan Analysis. Creating a 12th Historic District which caters to only one class of people does not promote an ‘open and inclusive City’.

With the BLM movement and the Affordable Housing recent advocacy, please refer to submitted articles on the Systemic Bias & Racism of Preservation. One example is <https://twistedpreservation.com/2020/06/02/systemic-racism-of-preservation/>

Viable alternatives exist to address the needs of the City and the citizenry

- Home owners/Preservationists, like myself, can self-designate. I own an 1849 home and spend a lot of money to preserve it. Ironically, the original homeowner significantly altered the façade of my home in the 1850s. The ‘new features’ are celebrated today but would not be allowed if HD were in place then
- The Conservation Overlay was never evaluated and adding additional regulations on the Hill without a comprehensive review is negligent. The Overlay is flawed and needs this Board’s attention to remedy. You can do this during the Recode project. Remove the proposed Hill R6 Changes, the Overlay and this proposal from your plates. Address the public’s zoning concerns via the Recode project.
- Finally, looking at this proposal since COVID-19 has hit us all and impacted our economy, it is more important that we do not impose additional expense and burden on this neighborhood and/or push the housing crisis into other neighborhoods.

Please send the City Council a clear message by voting ‘no’ unanimously.

Carle Henry

Addendum A

Legal Notice Details

Based upon Staff testimony on March 10th, **proper notice could not occur** to any of these homeowners due to a universal list error, as confirmed by Staff in Feb

Note: The City does not know when this issue started, so will assume May 2019 for this discussion....however, more homeowners may be affected

If the problem/error started in May 2019, here are the events owners were unaware of because the City, per its own process/legal obligation, did not provide notice. Without knowledge of proceedings, the following events were missed:

1. June 13, 2019: Neighborhood Informational Meeting held by the City
2. July 10, 2019: The HPB 1st Workshop on the Proposed District
3. July 18, 2019: Notification of District Nomination
4. July 31, 2019: Historic Preservation Board Walking Tour
5. August 28, 2019: 2nd Walking Tour
6. September 4, 2019: HPB 2nd Workshop on the Proposed District
7. October 2, 2019: HPB 3rd Workshop on the Proposed District
8. November 6, 2019: HPB 4th Workshop on the Proposed District
9. November 20, 2019: HPB Public Hearing on the Proposed District
10. December 10, 2019: Planning Board Workshop on the Proposed District
11. Feb 11, 2020: Planning Board's 2nd Workshop
12. March 10, 2020: Planning Board's 3rd Workshop
13. TBD: Deliberations and Voting

Note: There is no cure for these homeowners. Many homeowners had no opportunity to give their voice in this process due to the City's error. It's too late to start this project over and too expensive (the inventory report is already 2+ years old/outdated, etc.) If you'd like a list of addresses impacted, please advise.

Addendum B

HPB Board Challenge

Under state law, (title 21-A within section 112(1)(a)), one can only have 1 domicile, thus 1 voting residence. By her action of voting in CE for (at least) the last few elections, Ms. Pollard is a Cape Elizabeth resident under the eyes of the law, even if she sleeps in Portland.

As the article states, this matter was raised in 2019 and quickly dismissed by the City Clerk, without researching the state law. In other words, the City was put on notice, did little research and went on the record closing this matter without doing its due diligence. The lack of effort shown opens the City to legal action (in addition to the fact that a unqualified member of the public is serving on HPB.)

Here is the March 25th, 2020 article link for your reference: <https://portlandphoenix.me/munjoy-hill-historic-district-proposal-has-supporters-but-questions-remain/>

Addendum C

The City is potentially creating a huge HD based upon lynchpin structures like this 3 story, flat roofed, significantly altered, historically unimportant building.

- Two non contributing buildings sit across the street
- The City's Inventory Report description of this Contributing Structure is incorrect
- It is a spectacularly uninteresting multi unit and provides little to anything to the character of the hill.

This should be non-contributing and once challenged and reclassified, this corridor will be another break (in addition to the existing break) in the gerrymandered district.

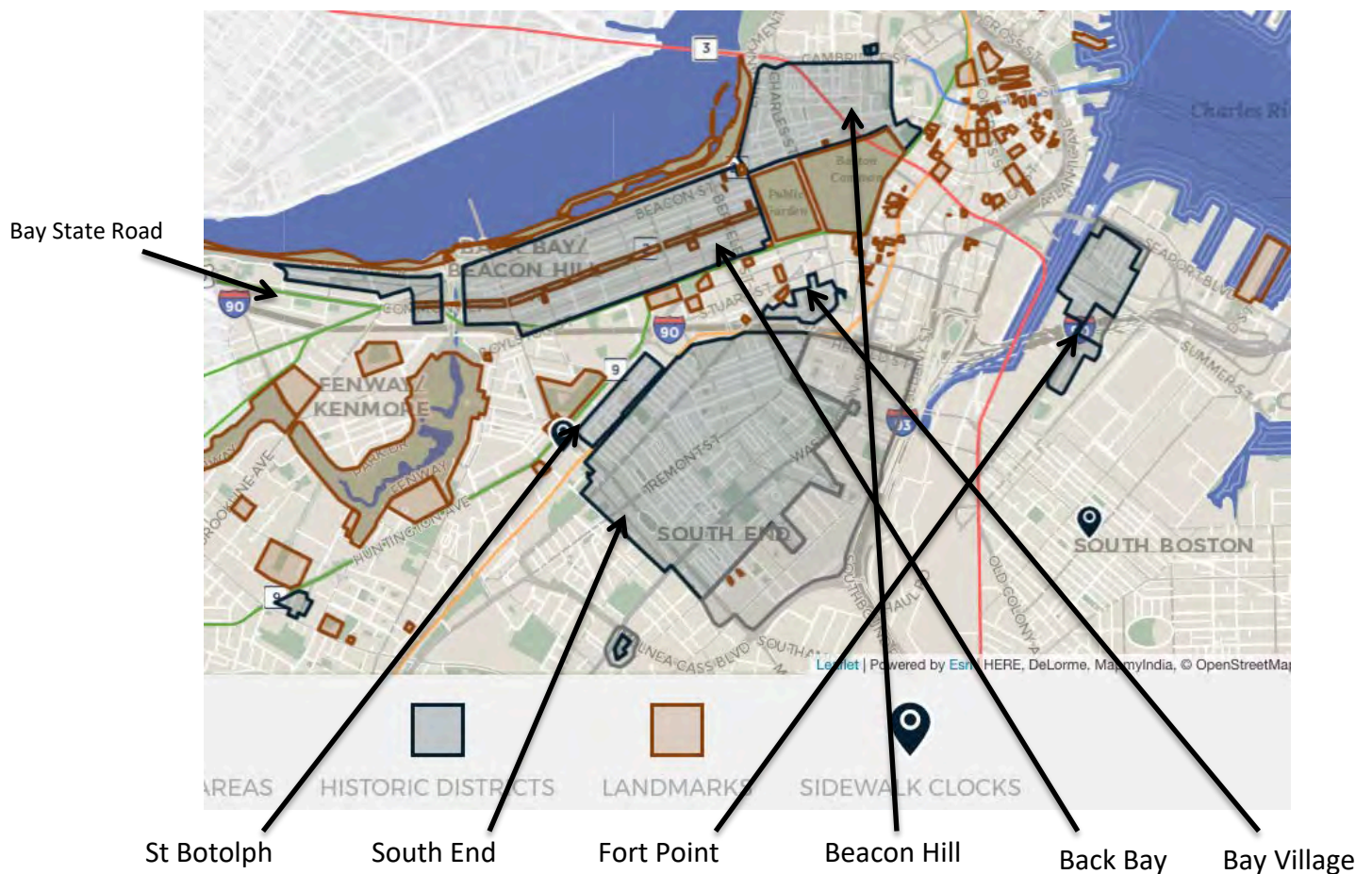
Address: 43 St. Lawrence
Approximate/Documented Date of Building: Unknown
Surveyed: 8/17/2018
Historic Name: Unknown
Contributing or Noncontributing: Contributing



Addendum D

Re **comparing the # of HDs in Portland to Boston**, I agree with Staff, in part, that it is an apple-to-orange discussion. 3 min is not enough time to give proper context. Here are some data points to make it more of an apple-to-apple comparison:

- Boston has 9 historic districts, within their 89.63 square miles or 1 HD for every 9.95 square miles roughly
- Portland has 11 HDs today. With a 12th, we will have 1 HD for every 5.75 square miles
- Of the 7 HDs in Boston proper, 6 are HDs while one is a Landmark District



- In Portland, our Peninsula is littered with HDs
 - Deering Street
 - West End
 - Congress Street District
 - Waterfront District
 - India Street District

- o How House District
- o Portland Company

The map shown by Staff on March 10th illustrated how HD consumes our peninsula, especially if a 12th is added. I requested the map for this document but received no response from Staff.

Addendum E

As stated by staff, the City has **never measured the impact of the 11 HDs** over the past 30 years on tenants, owners, development, diversity, etc. While it's too late to conduct a study, here is some relevant, free data as shared by Samantha Chapin, the City's Principal Administrative Officer & Jimmy Dealaman (City Planner) about the last 5 years on the Hill.

<u>Location</u>	<u>Applied</u>	<u>Approved</u>	<u>Other</u>
93 Saint Lawrence St	July 22 2015	Sept 29 2015	
72 Munjoy St	July 23 2015	Sept 29 2015	
65 Munjoy St	Dec 14 2015	Feb 9 2016	
31 Fore Street	Jan 16 2016	March 22 2016	
5 Romasco Ln	Jan 27 2016	March 8 2016	
30 Merrill St	July 18 2016	Oct 25 2016	
5 Cumberland Ave	March 8 2017	May 23 2017	
155 Sheridan St	March 29 2017	Sept 12 2017	
88 Walnut St	April 27 2017	July 25 2017	
24 Saint Lawrence St	Oct 11 2017	July 24 2018	
25 Monument St	Oct 13 2017	April 24 2018	
94 Walnut St	Oct 15 2018	Dec 19 2018	MHNCOD
57 Saint Lawrence St	Feb 21 2019	Aug 13 2019	MHNCOD
130 Morning St	June 21 2019	Oct 22 2019	MHNCOD
42 Lafayette St	July 11 2019	(submitted)	MHNCOD/HD
40 Obrion St	July 17 2019	(in review)	MHNCOD/HD
128 North St	Aug 5 2019	(in review)	MHNCOD/HD
33 Montreal St	Aug 13 2019	(in review)	MHNCOD/HD
49 Saint Lawrence St	Feb 18 2020	(in review)	MHNCOD/HD
33 Montreal St	Aug 15 2018	(in review)	MHNCOD

Staff is right that development can technically occur in an HD. No one questions this blanket statement. However, due to regulations, development has stopped on the hill. 0 approvals have been granted (as of 4/15/20) since HD went into place in July of 2019.

MHNCOD went into place on June 1, 2018

HD went into place on July 1, 2019

Google Groups

Munjoy Hill Historic District

Carol Connor <balsamique@live.com>

Aug 1, 2020 11:26 AM

Posted in group: **Planning Board**

August 1, 2020

Chair Mazer and members of the planning board,

My name is Carol Connor and I am privileged to live at 12 Montreal Street overlooking the eastern Promenade. As I write to you I reflect on the Department of Planning & Urban Development's mission statement which is, "to strengthen and revitalize the City of Portland's neighborhoods and communities and to preserve and positively transform our physical, social and economic environment, while protecting the health, safety and welfare of our residents and visitors."

In light of that statement, I assert that the establishment of historic districts in Portland has shown to be in compliance with that intention. Revitalizing a neighborhood is most effective if affordable existing housing stock is maintained, improved and preserved, encouraging young families to become part of our community. In addition, the health, safety and welfare of our residents is best served by a thriving community of "doorstep" neighbors who actually know and greet each other on a regular basis. Mega-box dwellings do not lend themselves to this kind of close knit community life where folks look out for each other.

I am writing to express my wholehearted support for the establishment of the Munjoy Hill Historic District and for the individually proposed landmarks as well. I applaud the detailed research and study by the Historic Preservation Board and planning staff, and support their proposal as written. This plan has been carefully and conservatively crafted to include a fair portion of the documented historic homes along with the 6 others put forth by individual owners including me. We are fortunate to have a city whose 2015 Comprehensive Plan values and supports our historical landmarks, buildings, parks, green spaces, and iconic family homes.

Munjoy Hill is a rare gem, and one of the most admired, appreciated and frequented areas of Portland. It is geographically and historically unique not only because of its majestic seaside setting, but for the charm and enduring appeal of the many early homes that have survived destruction and development.

In order to protect and preserve the history, character and unique qualities of Munjoy Hill, I respectfully request that you make our city and state proud by voting in favor of the Munjoy Hill Historic District.

Thank You,

Carol M. Connor
12 Montreal St.
Portland, Maine 04101
Balsamique@live.com

Sent from my iPad

5 August 2020

Dear Chair Mazer and members of the Planning Board:

On March 13th of this extraordinary year, I emailed you my comment on the Munjoy Hill Historic District. I am quoting it here. I think the line of reasoning is even stronger today.

“The days of top-down planning are over. That method of making decisions brought us the “arterials” Franklin Street and Spring Street and destroyed neighborhoods in the name of progress in far too many places in Portland and around the world.

Our City staff practice a new method, where the residents of the City are consulted at the beginning of every planning initiative and throughout the process until the proposed planning initiative is approved by the Planning Board and the City Council. This process was followed for the Comprehensive Plan and it has been followed for the proposed Munjoy Hill Historic District.

Portland residents expressed a strong desire to protect our historic resources and neighborhoods in the Comp Plan process. They have reinforced that strong desire throughout the Munjoy Hill process. An overwhelming majority of written and spoken comments to the Planning Board favor the historic district. An overwhelming majority. The neighborhood wants this.

I urge you not to dismiss the desires of the neighborhood. Don’t take a top-down approach. Recommend the proposed Munjoy Hill Historic District to the City Council with your strong support.”

Thank you for all of the time, energy and thoughtfulness that you give to the City.

Carol De Tine
144 Vaughan Street

Google Groups

Munjoy Hill Historic District

Carol De Tine <chstudio@maine.rr.com>

Mar 13, 2020 11:25 AM

Posted in group: **Planning Board**

Dear Chair Mazer and members of the Planning Board:

The days of top-down planning are over. That method of making decisions brought us the “arterials” Franklin Street and Spring Street and destroyed neighborhoods in the name of progress in far too many places in Portland and around the world.

Our City staff practice a new method, where the residents of the City are consulted at the beginning of every planning initiative and throughout the process until the proposed planning initiative is approved by the Planning Board and the City Council. This process was followed for the Comprehensive Plan and it has been followed for the proposed Munjoy Hill Historic District.

Portland residents expressed a strong desire to protect our historic resources and neighborhoods in the Comp Plan process. They have reinforced that strong desire throughout the Munjoy Hill process. An overwhelming majority of written and spoken comments to the Planning Board favor the historic district. An overwhelming majority. The neighborhood wants this.

I urge you not to dismiss the desires of the neighborhood. Don't take a top-down approach. Recommend the proposed Munjoy Hill Historic District to the City Council with your strong support.

Thank you.

Carol De Tine
144 Vaughan Street

Carol De Tine AIA

Maine Licensed Architect

Carriage House Studio Architects LLC

144 Vaughan Street
Portland Maine 04102
207 318 0731

www.carriagehousestudio.com

Google Groups

Munjoy Hill

CHUCK <cvkamar@comcast.net>

Aug 6, 2020 9:23 PM

Posted in group: **Planning Board**

I am a resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with NO changes or modifications to what the Historic Preservation Board nominated back in November 20, 2019.

Sincerely,

Charles V. Kamar

55 Morning Street

Portland, 04101 ME

Sent from Xfinity Connect Application



P.O. Box 4825
Portland, ME
04112-4825

Date: August 6, 2020

To: Brandon Mazer, Chair and the Members of the City of Portland Planning Board
Via e-mail: planningboard@portlandmaine.gov

From: Christine C. Cantwell
Highland Street, Portland

RE: Munjoy Hill Local Historic District Designation

I strongly support the Munjoy Hill Local Historic District as proposed and urge you to approve its historic designation. These are my thoughts

Heritage. The Munjoy Hill Historic Preservation District delineates a tangible repository of significant cultural history. Although there are few buildings in it designed by notable nineteenth and early twentieth-century architects, there remains a consistent display of sturdy American building characteristics, street landscape dimensions, and view corridors that demonstrate how closely the Hill's occupants were tied to the sea to the east and the mountains and forest to the north.

A City Neighborhood. The recent well documented inventory and studies of Munjoy Hill by Greater Portland Landmarks and others makes the case that the vernacular domestic architectural trends of distinct periods are intact. Structures in the Greek revival, Italianate styles, and early twentieth century wood triple-decker construction, some with brick facades contain the cultural memory of the movement of people in and out of Portland. Many of them were working class immigrants. The disposition of buildings - often compactly and awkwardly placed next to one another - without consideration for village-like scale and context that are fought over today - demonstrate a history of people moving into middle class homeownership, the provision of suitable rental units for families, and proximity to provisioners. Even the finest architectural examples of historic residences on the Hill fall short of architectural artistry. They do not employ understated Classical, English, or Japanese references seen in the architecture of upper-class residential development in Portland, but they are well built successes of people with ambition, and together they speak to earlier times when workers contributed to the prosperity and customs of Maine.

Christine C. Cantwell, con't.

Ground Plan. I view the Munjoy Hill District overlay map figure - in the way an anthropologist regards a fragment of woven cloth – as evidence with which to amplify and dignify the past so that it can enrich contemporary development and urban texture. As I see it, understanding land use patterns and historical rootedness are the geometric and social basis for advancing construction in Portland. The community is full of concern about preservation of our architectural inheritance and simultaneous social justice angst. Because the Munjoy Hill District is a small-scale, tightly packed, and primarily residential zone, it is crucial that the City not only protect the historical urban fabric and key artifacts, but foster and incentivize well-designed, sustainable new architecture to address need and can become landmark buildings and designed interstitial zones of the future.

Review Authority. If contemporary architectural projects are proposed and need to be reviewed within or at the edge of the district where the urban fabric is not as historically intact, the HP Review Board and staff enforcement authority can be reinforced with adjunct, civically-minded design reviewers who can offer technical and artistic insight concerning contemporary design in historical settings. The Department of Interior Guidelines that historic preservation relies upon do not always cover the interface of old and new; but because they offer principles for interpreting architecture, it is helpful to exercise dialogue that can raise knowledge of what effect the results of proposals will have on the public realm.

Google Groups

MH Historic District

Christopher Akerlind <chrisakerlind@gmail.com>

Aug 5, 2020 8:34 AM

Posted in group: **Planning Board**

To whom it may concern:

I'm a Munjoy Hill resident who is fully supportive of the Historic District plan. Hoping you will lass it along to the City Council with your approval.

Christopher Akerlind
44 Monument Street
Portland 04101

Google Groups

Supporting the Munjoy Hill Historic District

Chris Stewart <stewart.christopher1@gmail.com>

Aug 6, 2020 4:49 PM

Posted in group: **Planning Board**

Dear Planning Board,

I'm a resident of Munjoy Hill and I hope you will vote for the Munjoy Hill Historic District and six landmarks with no changes or modifications of the proposal nominated on November 20, 2019.

I support the Munjoy Hill Historic District. Historic districts do not hinder or reduce affordable housing. Repairing and reusing historic buildings is better for our environment than new construction. Historic districts manage change rather than prevent it. These favorable arguments cannot be ignored. Those who come after us will be grateful if we preserve the character of this vital community.

Thank you,
Christopher. R Stewart
81 North Street
Munjoy Hill

Google Groups

Historic preservation

CHUCK <cvkamar@comcast.net>

Aug 4, 2020 9:54 PM

Posted in group: **Planning Board**

Dear Board Members,
Please endorse the recommendation of the HPC that the Munjoy Hill Historic District be adopted.

Thank you,

Charles V. Kamar
55 Morning St.
Unit 2-1
Portland, ME 04101

Sent from Xfinity Connect Application

Google Groups

Munjoy Hill Historic District

Clare LaVergne <clare.lavergne@gmail.com>

Aug 3, 2020 4:49 PM

Posted in group: **Planning Board**

Dear Chair Mazer and Planning Board members,

I write to urge you to recommend that the City Council designate a Munjoy Hill Historic District as recommended by the Historic Preservation Board.

As a renter for 5+ years on Munjoy Hill, I stand to be directly affected by the designation. The building in which I rent an apartment is one of many rental properties that will be contributing structures in the District. Anyone who has rented in Portland in the last 10 years knows that the market is tight and the prices are high, especially in this neighborhood. **Historic districts stabilize neighborhoods for long-term renters** like me and many others who contribute to keeping a neighborhood thriving.

Historic districts also protect residents, property owners, and their investments from insensitive development that block views, eat up off-street parking space, and become eye-sores in otherwise beautiful and historic neighborhoods. How many bland, boxy luxury condos for seasonal residents do we need?

Historic districts are also better for the environment. The carbon emissions footprint for renovating an existing building is 10 times less than that for demolishing and building new construction. This makes good sense.

Maintaining economic diversity on Munjoy Hill is paramount for preserving this vibrant and thriving neighborhood and keeping it accessible to as wide a cross-section of our population as possible. Because of the historic tax credits that exist, **there is a greater chance that affordable housing will be built in a historic district.**

These and many other sound reasons point toward the need for a historic district designation for Munjoy Hill. It will protect the distinct architectural and historic character of this iconic neighborhood, one of Portland's many gems. It will prevent the demolition of designated landmarks and contributing historic structures within the district. It will extend the protections which have been used so successfully in the West End for 30 years to a portion of the East End. And it will protect a significant portion of the workforce housing from being demolished to make way for very expensive new construction.

As has been shown over the last three decades, Portland's successful historic preservation program manages change to prevent the unnecessary loss of the community's historic features and to encourage compatible preservation, restoration, and rehabilitation. This is precisely what is needed on Munjoy Hill.

I encourage you to recommend passage of the Munjoy Hill Historic District and designation of several associated landmark structures as recommended by the Historic Preservation Board.

Kind regards,

Clare LaVergne

--

Clare LaVergne
clare.lavergne@gmail.com
210-621-8816

Google Groups

Munjoy Hill Historic District

Curt Sachs <sachsarch@gmail.com>

Aug 5, 2020 8:39 AM

Posted in group: **Planning Board**

I am an architect living in the West End. With nearly 40 years in profession, I have supported the establishment of such districts and maintaining their character. I am currently the Owners Representative for restoring the Maine Jewish Museum on Congress Street, a priceless piece of Munjoy Hill's fabric.

The City would be remiss if it didn't support creating and sustaining Munjoy Hill.

Curt Sachs

--

M. Curt Sachs

Studio Curt Sachs

sachsarch@gmail.com

207.615.6628

Maine Licensed Architect

Google Groups

Re: Munjoy Hill Preservation

Dave Haeger <d.haeger@roadrunner.com>

Aug 5, 2020 11:47 AM

Posted in group: **Planning Board**

To Whom it may concern:

Our Grandson just moved to Munjoy Hill and we hope that the unique beauty of Munjoy Hill will be preserved. It is indeed a unique area and it must be preserved.

Mary Haeger

69 Knickerbocker Lane

Peaks Island, ME 04108

Google Groups

Support Proposed Munjoy Hill Historic District

David Machesney <dmachesney@prattabbott.com>

Aug 7, 2020 8:51 AM

Posted in group: **Planning Board**

To All:

I am a resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with No /changes or modifications to what the Historic Preservation Board nominated in 11/20/2019.

Thanks for your attention to this important issue.

David Machesney

213 Sheridan Street

Dear Chair Mazer and Members of the Planning Board,

I write to encourage you to support the designation of a portion of Munjoy Hill as an Historic District. There are so many good reasons to support this designation. I am currently a resident of an historic district in Portland, but previously I lived in New Hampshire.

I've attached a fact sheet from the New Hampshire Division of Historical Resources titled, "What Are Historic Districts Good For, Anyway?" Most of the information in this document is directly relevant to the consideration of Munjoy Hill for historic designation.

Relating to the issue of the economic benefits to communities of supporting the designation of historic districts, here are some statistics from Donovan Rypkema, a principal in a nationally known real estate & economic development consulting firm:

"Historic preservation does have a measurable economic effect on a community. This impact is not only as an economic activity in general, but in comparison to new construction in particular...Suppose a community is choosing between spending \$1,000,000. in new construction and spending \$1,000,000. on rehabilitation. What would the differences be?

- ☐ \$120,000. more dollars will initially stay in the community with rehabilitation than with new construction. (
- ☐ 5 to 9 more construction jobs will be created with rehabilitation than with new construction. (
- ☐ 4.7 more new jobs will be created elsewhere in the community with rehabilitation than with new construction. (
- ☐ Household incomes in the community will increase \$107,000. more with rehabilitation than with new construction. (
- ☐ Retail sales in the community will increase \$142,000. as a result of that \$1 million of rehabilitation expenditure -- \$34,000. more than with \$1,000,000. of new construction. (
- ☐ Real estate companies, lending institutions, personal service vendors, and eating and drinking establishments will all receive more monetary benefit from \$1,000,000. in rehabilitation than from \$1,000,000. in new construction... ([he goes on to say:] ("Historic preservation makes sense in large measure because historic preservation makes dollars and cents, but it also saves dollars and cents. Historic preservation is a rational and effective economic response to overconsumption. To make a new brick today to build a building on a site where there is already a building standing steals from two generations.

It steals from the generation that built the brick originally by throwing away (their asset before its work is done, and it steals from a future generation by using increasingly scarce natural resources today that should have been saved for tomorrow. Perhaps we have already consumed enough of somebody else's assets -- it's time for us to make better use of our own. Historic preservation is a way for us to do that."

Thank you for considering my views,

Deb Chase
Orchard Street
Portland



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

State of New Hampshire, Department of Cultural Resources
19 Pillsbury Street, Concord, NH 03301-3570
TDD Access Relay NH 1-800-735-2964
www.nh.gov/nhdhr

603-271-3483
603-271-3558
FAX 603-271-3433
preservation@dcr.nh.gov

WHAT ARE HISTORIC DISTRICTS GOOD FOR, ANYWAY?

Daniel Webster once said that a person who doesn't respect the past isn't performing his [or her] duty to the future. Perhaps it was Webster's eloquence that inspired the 1963 session of the New Hampshire General Court when it established New Hampshire's historic district enabling legislation. The legislators could have been very straightforward and perfectly legal by saying something prosaic like "New Hampshire municipalities may establish historic districts according to the following procedures..." What they actually DID say was:

"The preservation of structures and places of historic and architectural value is hereby declared to be a public purpose. The heritage of the municipality will be safeguarded by:

- I. Preserving a district in the municipality which reflects elements of its cultural, social, economic, political and architectural history;*
- II. Conserving property values in such district;*
- III. Fostering civic beauty;*
- IV. Strengthening the local economy; and*
- V. Promoting the use of a historic district for the education, pleasure, and welfare of the citizens of the municipality."*

[RSA 31:89-a (1963), now RSA 674:45]

In 1992, these purposes were broadened to include cultural resources and community history, and to recognize multiple districts. It's clear that the legislators didn't intend historic districts to be isolated shrines forever frozen in white paint. Instead, they deliberately described historic districts as centers of civic and economic activity.

Historic districting is a strategy that WORKS -- literally and figuratively -- to preserve both the character *and* the tax base of a community.

Historic districts have the paradoxical twin virtues of stability and flexibility. They encourage continuity and the care of existing properties, while respecting changes over time -- layers of life -- that add architectural richness and visual variety to townscapes. But they do not prevent new construction, nor should they prohibit contemporary design that is respectful of existing resources.

What about the reasons NOT to have a local historic district? Whenever the idea of historic districting comes up locally, "historic district horror stories" are sure to follow. Most of them are either misinterpretations, or misunderstandings, or just plain wrong -- and they usually happened in some other state, anyway. What happens in other states is their business. What happens here in New Hampshire follows New Hampshire laws and policies, administered by New Hampshire people, in New Hampshire communities.

RESISTING A HISTORIC DISTRICT SHOWS A LACK OF TRUST IN YOUR OWN COMMUNITY'S COLLECTIVE COMMON SENSE.

Historic district horror stories seem to circulate most freely in communities that haven't adopted a historic district. Once a district is established, criticism almost always dies down, and the positive realities of historic districting chase the myths away.

Sometimes historic districts are portrayed as anti-business. That's not true! Historic districts encourage reinvestment. And historic preservation is a GOOD investment. Here are some statistics from Donovan Rypkema, a principal in a real estate & economic development consulting firm:

"Historic preservation does have a measurable economic effect on a community. This impact is not only as an economic activity in general, but in comparison to new construction in particular...Suppose a community is choosing between spending \$1,000,000. in new construction and spending \$1,000,000. on rehabilitation. What would the differences be?"

- *\$120,000. more dollars will initially stay in the community with rehabilitation than with new construction.*
- *5 to 9 more construction jobs will be created with rehabilitation than with new construction.*
- *4.7 more new jobs will be created elsewhere in the community with rehabilitation than with new construction.*
- *Household incomes in the community will increase \$107,000. more with rehabilitation than with new construction.*
- *Retail sales in the community will increase \$142,000. as a result of that \$1 million of rehabilitation expenditure -- \$34,000. more than with \$1,000,000. of new construction.*
- *Real estate companies, lending institutions, personal service vendors, and eating and drinking establishments will all receive more monetary benefit from \$1,000,000. in rehabilitation than from \$1,000,000. in new construction..."*

[he goes on to say:]

"Historic preservation makes sense in large measure because historic preservation makes dollars and cents, but it also saves dollars and cents. Historic preservation is a rational and effective economic response to overconsumption. To make a new brick today to build a building on a site where there is already a building standing steals from two generations. It steals from the generation that built the brick originally by throwing away

their asset before its work is done, and it steals from a future generation by using increasingly scarce natural resources today that should have been saved for tomorrow. Perhaps we have already consumed enough of somebody else's assets -- it's time for us to make better use of our own. Historic preservation is a way for us to do that."

That's the dollars; now for the sense: If the activities of historic district commissions were truly controversial, there would have been dozens of court cases in the more than 30 years that New Hampshire has had historic districts. But there have been only a few cases in which the role of historic district commissions has been specifically addressed by the New Hampshire Supreme Court.

The most important case is already several years old: *Victorian Realty Group v. City of Nashua*, 130 N.H. (1987), unanimously affirmed that the planning board may draw on a historic district commission's expertise "based on factors related to the historic character and significance of the buildings at issue" in making decisions on subdivisions and site plan approvals involving a historic district.

The Court stated, "The members of the historic district commission are the most familiar with the historic district, and are uniquely suited to provide recommendations to the planning board. We conclude that the planning board may properly consider the recommendations of the historic district commission..."

This is a clear assertion that historic district commissions can help planning boards implement the community's desire to safeguard its historic districts.

Furthermore, New Hampshire state law requires that "all districts and regulations shall be compatible with the master plan and zoning ordinance of the city, town, or county in which they exist" [RSA 674:46-a, IV.]. Many planners and local officials see historic districts as important tools for maintaining local character and for strengthening property values.

Historic district regulations are quality assurance standards, so that one owner's major investment (or treasured homestead) isn't negated by a "sleaze job" next door.

At the state level, developers, investors, planners, and architects who want to be known for excellent work purposely seek out properties in historic districts. It reduces their risk factors; they know up front what the rules are; and they know that the historic district acts as an early warning system to insure that any changes to surrounding properties (which could affect the value of their investment) will be subject to consistent ground rules and community standards, administered through an open public process in which they or their clients, as abutters, can participate.

A historic district commission can be an important source of expert technical assistance for property owners, helping them to cope with the creatures that think of historic buildings as Old Home Day dinner; educating owners about good and bad historic preservation techniques; and sharing simple but effective advice about getting maximum benefit from the effort and expense involved in preservation work.

Historic district members can provide professional-level architectural and historical expertise which might be otherwise unavailable or unaffordable for many applicants.

Generally -- unless the citizens demand it -- historic districts do NOT regulate paint colors, since paint is cosmetic and colors, no matter how jarring, can be changed in a day or two. In communities with historic districts, the more frequent complaint is that the commission isn't able to do enough, *not* that it's doing too much.

One of the things a historic district commission *must* do, as part of developing a proposed district and ordinance, to conduct a local historical resources survey which is linked to statewide as well as local historical themes and contexts. (The Division of Historical Resources can provide how-to advice and some assistance.)

Communities that have established a local survey process, a historic district or heritage commission, a historic district ordinance, and a historic district, are eligible to apply for "Certified Local Government" status. If the local historic district ordinance, regulations, and procedures meet special state and federal program standards, the municipal government enters into a "Certification Agreement" to establish the basic historic preservation performance standards that the *entire municipality* -- not just the historic district commission alone -- must fulfill in order to become and remain certified. After they meet the certification standards, the "CLGs" become part of a technical assistance and information-sharing network with the DHR and other CLGs, which strengthens the local preservation program. They are also eligible to apply for federal matching grants from a special pass-through fund set aside for the exclusive use of Certified Local Governments. CLGs are monitored regularly to insure that they continue to meet program requirements and can remain eligible for CLG funds and services.

The CLG program is a federal incentive. The 1992 state legislative session enacted a new state incentive: heritage commissions, which give local governments in New Hampshire new abilities to recognize and protect historical and cultural resources. Unlike historic district commissions, whose responsibilities are limited to specific parts of a community, heritage commissions are intended to have a town-wide or city-wide scope, and a range of activities that is determined by each individual municipality.

Heritage commissions do for cultural resources what conservation commissions do for natural resources. Functionally, heritage commissions are somewhere between historical societies and historic district commissions, with their precise role determined locally. And while their primary duties are to advise and assist other local boards and commissions, including the planning board, heritage commissions are also empowered to accept and expend funds for a non-lapsing heritage fund, and to acquire and manage property and property rights.

Some communities have heritage commissions that are only advisory, but others want their commissions to take a much more active role, and to assume the responsibilities of a historic district commission. And all of these are local decisions, authorized by the state enabling legislation: it gives communities a menu, not a mandate.

When communities consider creating heritage commissions or historic districts, it's easy to get distracted by procedures and processes and legalistic technicalities; but those are details. The principal reason for having a historic district (or several) is that a historic district is a community's way of taking a deep breath and a long look around at itself and saying, "*THIS IS SPECIAL. THIS IS IMPORTANT TO ALL OF US IN MANY DIFFERENT WAYS. THIS IS TOO GOOD TO WASTE. THIS IS A PLACE WE SHOULD TAKE CARE OF TOGETHER.*"

Taking time to establish historic districts is a good investment. A historic district helps citizens to recognize and appreciate the often-overlooked (or taken-for-granted) values of time and place, and helps to keep those values in place. It reminds us to look for richness of detail in our "everyday" environment.

Most important, a historic district is a way of recognizing that books aren't our only source of information about the past.

When we lose the storytelling capability of a building or a place, we may be silencing historical voices that can't communicate with us in any other way. And the danger here is not only the dramatic demolition of a well-known landmark. It is also the gradual but pervasive erosion (or perversion) of historical character that can happen with the accumulation of incremental changes to buildings and places. Yet often those causing the losses would have made different (and more respectful) choices with only the slightest encouragement, or better information.

Historic districts are an ideal tool for focusing a community's attention and fostering wise decisions that, over the years, add up to a whole that has value and meaning greater than any of its separate parts.

Making the effort to establish and to maintain historic districts is an effective way to acknowledge the character and meaning of our community life, with its three-dimensional heritage of people, places, and patterns.

Historic districts help us to recognize and fulfill our responsibility both to the past and, simultaneously, to the future.

So, how do you DO it? What you need to know is in the two books cited below; consider them cookbooks or instruction manuals or field guides -- and then study them, and follow them. When you're puzzled, call the Division of Historical Resources. And always remember: historic districting is a public process for the public benefit. The more people who are involved in the process, the better -- and the more popular -- the final results will be.

FOR MORE INFORMATION:

New Hampshire Planning and Land Use Regulation.: Issued by the New Hampshire Office of Energy and Planning, Concord, New Hampshire. Charlottesville, Virginia: © Matthew Bender & Company, Inc., a member of the LexisNexis Group. (New editions issued annually.)

Preserving Community Character: A Preservation Planning Handbook for New Hampshire. Concord, New Hampshire: New Hampshire Preservation Alliance, 2006.

Copies of the New Hampshire Revised Statutes Annotated (RSAs) are online at <http://www.gencourt.state.nh.us/rsa/html/indexes/default.html>.

"This publication has been financed in part with a federal 'Historic Preservation Fund' matching grant from the National Park Service of the United States Department of the Interior, through the New Hampshire Division of Historical Resources / State Historic Preservation Office. However, its contents and opinions do not necessarily reflect the views or policies of the Department of the Interior. New Hampshire's state historic preservation program receives federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended, the U. S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, or disability or age in its federally assisted programs. The State of New Hampshire (under RSA 275 and RSA 354-A) prohibits discrimination on the basis of age, sex, race, creed, color, marital status, physical or mental disability or national origin. If you believe that you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Office for Equal Opportunity, National Park Service, 1849 C Street, NW, Washington D.C. 20240."

NHDHR/SHPO ★ 1997 ★ Revised 1999-2008

Google Groups

FW: Munjoy Hill Historic District

Carolyn Swartz <carolynswartz@gmail.com>

Aug 7, 2020 4:38 PM

Posted in group: **Planning Board**

To the Members of the Planning Board, City Manager Jennings, Mayor Snyder, and Councilor Ray:

As a Munjoy Hill homeowner, I ask you to vote in favor of the proposed Munjoy Hill Historic District.

My husband and I are relatively new to Portland - here for a matter of a few years, not generations. What attracted us to Portland - and in particular this neighborhood (after months of looking at others) - was the sense of relatively unvarnished history; that these were homes built not by the wealthy, privileged, the powerful - but rather by the working people who built this city with their labor, using their minds and their hands; and that this neighborhood retained so much of its original look and feel.

Before moving here, we were New Yorkers who vacationed nearly every summer in Maine. On visits to Portland, we always made our way to Munjoy Hill, to walk the neighborhood, enjoy looking at the houses and gardens, and take in the beauty of the Eastern Prom. Since buying our house five years ago, we've seen old buildings torn down and ugly, tasteless allegedly luxury boxes go up. Not one has been harmonious with the human-in-scale and unpretentious beauty of the Hill. Neither have any added to the much touted about (by the opposition) "workforce" housing.

A neighborhood with working class origins is as worthy of preservation and protection as a neighborhood of wood and stone mansions and refined brick townhouses. On Munjoy Hill, we have a number of friends with multi-unit older buildings - who continue to provide affordable housing. The Hill is not an appropriate area for building massive structures. The big, disproportionate buildings that have gone up (example: the monstrosity at 5 Merrill) don't even pretend to offer housing within reach to middle income families. And the proposed trade off of "extra height for one affordable unit" represents a bizarre and unfortunate pact. Developers opt out and the neighborhood is further degraded. And even if they were to provide that one tiny token unit, why should it be okay to destroy the fabric of a neighborhood?

Munjoy Hill needs protection from developers out to build the tallest, the widest, and the most massive - squeezing the most square footage possible on to a lot, achieving greatest amount of living space between walls by making those walls faceless, graceless and flat. These same developers set out to bypass regulations on building height by manipulating measurements related to grade.

I'm not an expert on code and zoning. I know only what I see and feel. And when our friends from out of town - who also love Portland - visit, see the monstrous new construction (like 5 Merrill, on our street), and ask, dismayed - "What happened? How can this be allowed?" I feel terrible because to date I have no answer,

Our house is not even within the proposed district. It is an old house we are carefully refurbishing to compliment and fit in with the older homes here we have long admired. My husband and I are both vehemently in favor of the Historic District, as well as the additional nominated houses.. I respectfully ask you to vote "yes" on this proposal.

Sincerely,

Carolyn Swartz

8/10/2020

FW: Munjoy Hill Historic District - Google Groups

27 Merrill Street
Portland, ME 04101

Carolyn Swartz | Writer/Director | Content Strategist | [website](#) | [Vimeo](#) | 917.714.5743

Google Groups

Munjoy Hill

Daniel T. Haley Jr. <danielthaleyjr@gmail.com>

Aug 7, 2020 8:11 PM

Posted in group: **Planning and Urban Development**

As the owner of a pristine 1898 Queen Ann Victorian on the Eastern Promenade, I reiterate my prior letter expressing my opposition to the 12th Historical district and I still see no value to implementing it. I do see the negative side that so many have expressed as well as additional administration costs that the City can ill afford. Thank you.

Dan Haley Jr
140 Eastern Promenade.

Google Groups

Historic District Designation

David Cowie <dcowie@maine.rr.com>

Aug 4, 2020 11:35 AM

Posted in group: **Planning and Urban Development**

Dear Planning Board,

Please establish the proposed Historic District for Munjoy Hill. As a homeowner in the proposed Historic District I support this designation and look forward to the Board's approval.

Thank you,

Dave Cowie
32 North Street
Portland
207 318 1810

Google Groups

Historic district for Munjoy Hill

Deborah Cole <debcole1030@gmail.com>

Aug 5, 2020 2:38 PM

Posted in group: **Planning Board**

To:

Portland Planning board

From: Deborah Cole Munjoy Hill homeowner since 1980

Date: August 5, 2020

Dear Planning board,

I am strongly in favor of your passing this initiative.

The benefits have been outlined and reviewed and support for this initiative is broad-based and well articulated.

These benefits include:

Stable neighborhood infrastructure

Tax benefits to home owners

Historical preservation

Quality of design and street scape integrity

To name a few.

Please add my name to those in favor of your "yes"

Vote and without further adieu pass this historic district designation for Munjoy Hill and we can all breathe a sigh of relief that our wonderful city is in sensible hands.

Thank you,

Deborah Cole

71 Walnut

St

Portland 04101

Sent from my iPhone

Google Groups

Munjoy Hill historic district

Denise Preisser <depreisser@hotmail.com>

Aug 5, 2020 9:35 PM

Posted in group: **Planning Board**

To whom it may concern:

I am informing you that as a resident on Munjoy Hill I am in favor or the Munjoy Hill Historic Désignation As was outlined on the card I received in the mail. I feel this designation will help preserve the history and charm for future generations.

Best Regards,

Denise Preisser

25 Fore Street #2

Get Outlook for iOS

Google Groups

Munjoy Hill preservation

Derek Campbell <derekc76@gmail.com>

Aug 5, 2020 12:30 PM

Posted in group: **Planning Board**

I am a resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with NO changes to what the Historic Preservation Board nominated back in 11/20/19.

I feel Munjoy Hill is historically significant and worthy of preservation. It is clear the rules as presently written have loopholes that are too easily exploited by developers eager to make a quick buck and without regard to history and architectural heritage. There is real value in preserving Munjoy Hill as a historical district that continues to offer somewhat affordable housing options.

Thank you for your consideration,

Derek Campbell
Sent from my iPhone

Google Groups

Historic District

Diane Davison <dmdavison5@gmail.com>

Aug 6, 2020 11:28 AM

Posted in group: **Planning Board**

Planning Board Members;

The Munjoy Hill neighborhood borders Portland's premier historic Olmsted park, the Eastern Promenade.

Brandon- having recently served as President for Friends of the Eastern Promenade, I trust you understand and value the integrity of this beloved historic landmark and the long overdue historic district covenant for the architecture within this region of Portland.

NOW is the time to support the efforts and wisdom of our Historic Preservation Board's recommendation for protection of the historically and architecturally significant buildings in Portland's premier location; the Eastern Promenade.

I urge the planning board do the right thing and preserve the dignity of Munjoy Hill by supporting inclusion of our neighborhood as one of Portland's historic districts.

Better late than never.
Respectfully,

Diane Davison
Morning Street
Munjoy Hill

Google Groups

Munjoy Hill Historic District Designation

Edmund Gardner <ed@gardnerregroup.com>

Aug 5, 2020 3:30 PM

Posted in group: **Planning and Urban Development**

Dear Members of the Planning Board,

I want to voice my vote for being very much in favor of the proposed Historic District on Munjoy Hill. This peninsula neighborhood is peppered with many notable historic structures that help keeping to tell the story of Portland. I have had the pleasure and benefit of owning and renovating several Hill buildings including the John Ford house at 21 Sheridan St, the "BOX BAY" triple decker at 101 North Street and the Victorian at 84 Eastern Promenade, the backdrop of historic Ft. Allen Park. Hopefully these buildings, along with several other contributing ones, can be saved by a district for decades to come, so that future generations can enjoy the necessary fabric of Portland's creation and beauty. Let us never be sorry that the history of Portland, is irresponsibly erased forever.

Thank you!

Ed

Ed Gardner

Broker / Owner

Gardner Real Estate Group

511 Congress Street Lobby level

Portland, Me. 04101

207-415-4493 Cell

207-GARDNER Office

GardnerREGroup.com



Google Groups

Munjoy Hill

Edward Fiske Mooney <efmooney@syr.edu>

Aug 4, 2020 9:17 PM

Posted in group: **Planning Board**

From: Edward F Mooney

Date: August 4, 2020

To: Planning Board <planningboard@portlandmaine.gov>, Deb Andrews <dga@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>

Subject: Munjoy Hill Historic District

An historic district preserves architectural heritage – buildings worthy of preservation. It also preserves a neighborhood, and a neighborhood isn't just streets and buildings.

A neighborhood is a place where neighbors know each other, greet each other in passing, walk to the local grocery store, push baby carriages and walk dogs that we know as well as we know their owners.

When new construction reaches six and eight stories, with the concentration of inhabitants piled backward and skyward, streets will not be neighborly, traffic will not be leisurely, there will be too many cars spiriting owners away, fewer walkers and carriage pushers and dog walkers. A quiet and friendly neighborhood will morph into a noisy, busy, urban melee.

**Sincerely, Edward F Mooney
77 Vesper Street #1, Munjoy Hill**

Google Groups

Support for Munjoy Hill Historic District

Edwin Chester <chester@chesterandvestal.com>

Aug 6, 2020 10:21 AM

Posted in group: **Planning Board**

Chair Mazer and Members of the Planning Board:

I support the designation of a Historic District for Munjoy Hill and support the designation of several individual landmark buildings, all as recommended by the Historic Preservation Board. I own property in the proposed district that would be classified as contributing, and own one of the buildings proposed to be designated as a local landmark.

A lot of misinformation has been generated by some opponents. For example, it was recently asserted that a historic district would not prevent developers from demolishing old buildings “as of right” to make way for new construction. This simply isn’t accurate.

It is clear in the Historic Preservation Ordinance, and has been the experience in Portland’s existing historic districts (e.g., Parkside, West End, Congress Street, India Street, etc.), over the last 30 years, that **landmark and contributing buildings in a designated district may not just be demolished as a matter of right.**

It is true that “**noncontributing buildings**” in a district may be demolished as a matter of right. But noncontributing buildings are a small fraction of the total number of buildings in a historic district. **In the proposed Munjoy Hill Historic District, of 433 structures, only approximately 52 structures (12%) are “noncontributing.”** The ordinance would not prevent any of those 52 structures from being demolished. However, economic considerations would probably reduce the likelihood that many of those 52 structures will actually be candidates for demolition. Of the 12%, many are deemed “noncontributing” because they are relatively new (e.g. less than 50 years old). Even if not protected by the ordinance, outright demolition of those buildings constructed after 1970 is probably unlikely.

In the proposed Munjoy Hill Historic District, **88% of the structures**, the vast majority of the buildings, are either “**contributing**” or “**landmarks**.” Under the terms of Portland’s Historic Preservation Ordinance, if an owner wants to demolish one of those buildings, the owner **will have to apply to the Zoning Board of Appeals (ZBA) for a certificate of economic hardship to allow the demolition.** (Sec. 14-660 (a)) **The ZBA will not grant a demolition permit unless the owner proves that denying the demolition “will result in the loss of all reasonable use of the structure.”** (Sec. 14- 661) The owner has to prove, by clear and convincing evidence, that “denial of a demolition permit would result in a hardship to the property owner so great that it would effectively deprive the owner of all reasonable use of the structure.” (Sec. 14-664(b)(2). This is a very high bar to meet. That hardly qualifies as demolition “as of right.”

In fact, there have been a mere handful of demolitions of contributing or landmark structures allowed in Portland’s historic districts over the last 30 years on the basis of economic hardship. A few owners have pursued an alternative path of asking the Historic Preservation Board to determine that the structure shouldn’t have been categorized as contributing or landmark in the first place. Only a few structures have been recategorized and demolitions allowed on that basis over the last 30 years.

It is true that new buildings can be constructed in a historic district. They may even be high end residential units. A historic district designation does not freeze the district in time, nor does it regulate type of use. It does not prevent change. But due to limits on demolition of landmark and contributing buildings, the scale and pervasiveness of new construction is moderated. New construction will be limited to infill development on already vacant lots or on lots created by the demolition of noncontributing structures. Those lots are likely to be smaller and scattered,

minimizing the opportunity for consolidation of multiple lots for large out of scale new construction. And the design of new construction will be subject to review by the Historic Preservation Board using standards intended to ensure that new construction is compatible with and respectful of the historic architectural fabric of the neighborhood. The combined limits on which buildings can be demolished, and the review standards regulating exterior design of new construction, additions, and renovations will protect the valued, historical character of our neighborhood.

Finally, an opponent continues to complain that the City has not polled the residents of Munjoy Hill to get our opinion on the historic district designation. This has not been done for any of the other historic districts. The overwhelming support (about 80% or more of all testimony and written comments) is clear evidence of the support of neighborhood residents for a historic district designation.

The City has established an admirable track record over the last 30 years of using its historic preservation program to positively manage change in large portions of the peninsula. It is past time for Munjoy Hill to have the benefit of the same level of stewardship.

Sincerely,

/s/ Edwin P. Chester

Edwin P. Chester

--

Edwin P. Chester, Esq.
Chester & Vestal, PA
107 Congress Street
Portland, Maine 04101
(207) 772-7426 - phone
(207) 761-5822 - facsimile

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Google Groups

Munjoy Hill historic district

Einar Juhlin <ejuhlin1@maine.rr.com>

Aug 5, 2020 11:20 AM

Posted in group: **Planning Board**

I support the planning board.
Ruth G. Hansen

Sent from my iPad

Google Groups

Munjoy Hill Historic District

Elaine Clark <elaineplclark@gmail.com>

Aug 5, 2020 7:56 PM

Posted in group: **Planning and Urban Development**

As a member of Greater Portland Landmarks, I have attended many public informational sessions and meetings about the Munjoy Hill Historic District designation, and attended one Planning Board meeting where I spoke in favor of the designation. The mix of housing on Munjoy Hill (aside from being completely charming) allows for a range of incomes to coexist in beautiful Portland. The Historic District will help to retain the character of the Hill along with its diverse community. Please support the designation and encourage the City Council to do the same. Thank you for considering my comments.

Elaine Clark

Google Groups

Munjoy Hill

Eleanor Morse <eleanor.morse@gmail.com>

Aug 5, 2020 9:51 AM

Posted in group: **Planning Board**

Dear Planning Board,

Please help preserve and protect Munjoy Hill. It is a special part of Portland, and if developers come in and change its character, we can never get that beauty back.

Thank you,

Eleanor Morse
Peaks Island, Maine

Google Groups

Vote NO on the Munjoy Hill historic district

Emma Holder <president@parksideneighborhood.org>

Aug 7, 2020 1:44 PM

Posted in group: **Planning Board**

Dear Planning Board members,

Thank you for your work juggling the needs of growth with the preservation of character in Portland. It is no mean feat.

Portland is transitioning from a medium sized town to a small city, and with that comes growing pains. Humans really hate change; evidently it takes global calamity to even consider shutting a few streets down to improve pedestrian access to local businesses. We'll see if that sticks - I hope it does.

But I am writing to urge you to vote NO on the NIMBY'ism evident in the possible creation of a Munjoy Hill Historic District. In this case, a group of affluent folks with expensive properties wish to use a historic district moniker to maintain property value and eliminate possibilities of increased housing density in the Munjoy Hill area. We all have to face reality and acknowledge that Portland is growing, whether we want it to or not. It can grow evenly and together, or disproportionately and askew. Restricting the development of residential possibilities in a particular neighborhood will have the eventual effect of unfairly pressurizing others.

We are all going to have to make compromises. Some of us will lose the views/peace/space/property value we thought we were entitled to forever.

Prohibiting certain types of development under the mantle "historic district" to protect a few folk's property values is not only unfair and biased toward a particular class/race, its also bad for the health and growth of a city in transition.

I urge the planning board to support policies that are fair to all, be ready for lots of squawking from the "haves", and keep the 5,10 and 30 year view in mind when bracing against waves of entitlement. History is there to teach us, but was cannot live in it, we have to live in the present and plan for the future. Onward. Not backward.

Thanks, and I hope you and your families stay well,

Emma

Emma Holder
Parkside Prez
207 415 7204
president@parksideneighborhood.org
<http://parksideneighborhood.org>

Google Groups

Munjoy Hill Historic district

e w <eenebw@hotmail.com>

Aug 6, 2020 9:53 PM

Posted in group: **Planning Board**

Dear Planning Board Members:

I am writing this comment to affirm my support for a Historic District on Munjoy Hill. As long term ~30 year property owner of two 3 units within the proposed district, I believe it is a win - win deal for landlords/property owners and tenants. I have attended many meetings on the proposed district and am fully aware of the advantages and disadvantages of being in a district. However, in my judgement the advantages far out weigh any disadvantages. The main advantage I see that benefits tenants is the continued ability for landlords to provide affordable rents in terms of what affordable means in Portland. The trend that has occurred on Munjoy Hill in the past few years has been to tear down and rebuild huge expensive Condos. Even if people end up renting these condos out, the monthly rents on these are massive and well beyond any rent that would have been paid by tenants in the building that stood in its place previously. This trend tears down community spirit and well being of most Munjoy Hill residents. I also believe it is important as a society to maintain a certain level of historical architecture in a community so it does not turn into a glass and metal jungle like so many cities and towns across the country. I realize, there are many people that believe old buildings should be replaced vs. preserved but if we don't work as a community to preserve our heritage it will soon be gone. I also believe tourists flock to Portland and Munjoy hill because they like the look and feel of a Historic Area.

In the last few months it is apparent there is a lot of instability in many aspects of our day to day lives. I believe small things like designating parts of Munjoy Hill as a Historic area is a good step in healing the community vs. creating more division by allowing the old buildings to be torn down only for the profit of a few developers, real estate agents and other like minded individuals promoting the redevelopment of Munjoy Hill.

Thanks

Enoch Wenstrom

88 and 83 Beckett St

Google Groups

Munjoy Hill Historic District!

Francesca <cesca.gs@gmail.com>

Aug 5, 2020 3:59 PM

Posted in group: **Planning and Urban Development**

Dear Members of the Planning Board,

Although time has elapsed since you last considered making Munjoy Hill an Historic District, for those of us who think it's a great idea whose time has come and worked hard to make it happen, our enthusiastic support for the designation has not waned.

Portland is a city full of historic charm - and many long time residents as well. Preserving the character of Munjoy Hill is imperative to sustaining and celebrating Portland's long-time sense of place and attracting visitors from all over the world who appreciate it's historic nature.

Likewise, by preserving this working class neighborhood, and it's affordable housing which has always been available to residents, the Planning Board can make a statement about the importance of sustaining affordable housing on the "Peninsula" and having it be an inherent part of our community.

I encourage each of you to take this "historic" action and vote in favor of the Munjoy Hill Historic District.

Thank you!

Francesca Galluccio-Steele
22 Clifford St
Portland, ME 04102
cesca.gs@gmail.com

Re: Munjoy Hill

me <jmy@portlandmaine.gov>

Jul 17, 2020 8:06 AM

Posted in group: **Planning Board**

Hello,

Thanks for your email. We appreciate the time you have taken to offer your thoughts, and will include your comments in the materials and as part of the public record.

If you have any questions, please contact our office.

Jennifer Munson, Office Manager

jmy@portlandmaine.gov | (207) 874-8719 | Fax (207) 756-8258

City of Portland, Department of Planning and Urban Development

[389 Congress St., 4th Floor, Portland, ME 04101](#)

On Thursday, July 16, 2020 at 9:42:20 AM UTC-4, Fraser Nelson wrote:

Dear members of the Planning Board,

My mother and father Norm and Sally Nelson retired to Munjoy Hill and spent the last years of their lives reveling in all the pleasures of the neighborhood - the restaurants and shops, the theater, and the houses that make this place so unique. They enjoyed walking from their home at 38 Eastern Prom, and my Dad even has a tree planted in his honor at the park he loved so much.

My dad served on the board of Portland Landmarks and I continue to appreciate their work all the way from Utah. Please add this western voice to those that are asking the Planning Board to heed the advice of this exceptional agency and the residents of this very special place.

Though my parents are now both gone, Munjoy Hill is a place of wonderful memories. We'd love it to be preserved for generations to enjoy the way they did.

Most sincerely,

Fraser Nelson

230 East Broadway #709

Salt Lake City, Utah 84111

Google Groups

Munjoy Hill Historic District

George Carhart <gscarhart@gmail.com>

Aug 6, 2020 7:24 PM

Posted in group: **Planning Board**

Dear Planning Board,

My wife and I are 24 year residents of Munjoy Hill and have owned our 1849 house on Lafayette St. for twenty one years. We strongly support the proposed Munjoy Hill Historic District and six landmarks with NO changes or modifications to what the Historic Preservation Board nominated previously on 11/20/2019. The Historic Preservation Board and Historic Preservation Office have done their due diligence in laying out the argument for the proposed Historic District. They have clearly shown at the multiple and extended Planning Board reviews of the proposed Historic District, that it meets the required benchmarks for nomination. We therefore ask that you, without further delay, pass the proposal along to the City Council with your full support.

With Best Regards

Dr. George Carhart and Uschi Carhart.

--

Dr. George S. Carhart, Ph.D
Historian of Cartography
and Early Modern Europe
Antiquarian Map Consultant
Historic Research Consultant

7 Lafayette Street
Portland
ME, 04101
USA
(207) 766-1517

Google Groups

PUBLIC COMMENT: Say No to Exclusion; Say No to Historic Preservation as Pretext for Exclusion

George Rheault <george.rheault@gmail.com>

Aug 7, 2020 12:00 PM

Posted in group: **Planning Board**

Just say no to the Munjoy Hill Historic District.

It is amazing that the Planning Board has dragged its feet for months on finishing the public hearing and vote that began on the evening of March 10, 2020.

Many projects that had not even made it on a planning board agenda pre-pandemic have already been expedited by Team Jennings and approved by this planning board, but the subject of the proposed Munjoy Hill Historic District sat untouched so the City Council could avoid having to deal with it for as long as possible.

We all know that historic districting as practiced in the United States is a mere pretext for NIMBY exclusion to artificially elevate property values thereby worsening housing insecurity and structural inequality.

This abuse of history is made even worse in this episode because those arguing for it (mostly white people aged 55+) have attempted to justify the urgency of the historic designation using the light presence of African American Portlanders in Munjoy Hill's past.

This, despite the fact that no attempt was made to meaningfully contextualize this African-American history (including telling the full and honest story post-1920 including even mentioning the Munjoy South urban renewal project and other more recent governmental interventions meant to gentrify and flush the area of low-income inhabitants including its few historical pockets of BIPOC).

This, despite ZERO acknowledgement that the BENEFITS of this historic district will NOT accrue to BIPOC and will indeed ensure that BIPOC as a group (and low-income people of any heritage) will almost certainly be denied occupancy in the district long into the future if the Planning Board or City Council endorses any part of the district's proposed boundaries.

Watching the Planning Board members bob and weave during the winter, trying to rationalize how the proposed district is sound policy while avoiding its true purposes (protecting the investments of affluent incumbent property-owners and guaranteeing them an even greater windfall into the future) is now its own historical record on which they will be judged, both by history, and if there is true justice, perhaps in a civil courtroom as well. The Planning Board at a minimum should put the burden of the politics squarely on the shoulders of the City Council and admit the district does nothing to preserve Portland's history (unless amnesia is the goal) and vote against it as bad planning policy that actively harms any progress on denser housing development (a requirement for effective economic development and the fight against worsening climate change). At least this way the Planning Board can retain its integrity and hold their heads high no matter what the City Council ultimately does.

As a final note, while I have largely refused to do the work that the planning staff and the Planning Board SHOULD have done in analyzing the policy implications and underlying justifications of the proposed Munjoy Hill historic district, I saw a news article this week involving Sausalito, CA that is really perfect even though it is not precisely on-topic. I attach it here to include it with the public comment above.

Everyone who is honest knows that Portland's whole "working waterfront" debate is also a pretext for NIMBY anti-development politics just like historic preservation is a pretext for NIMBY anti-development politics.

While Sausalito is much smaller population-wise than Portland, it was one of the inspirations for Portland's waterfront exclusionary efforts (one where the highest paid municipal employee in the state of Maine, Jon Jennings, can easily afford to rent a Chandler's Wharf condo to gain the Portland residency required by his contract, while low-income Portlanders have been PROHIBITED BY ZONING LAW since the late 1980s from ever getting the same opportunity to live waterside). What is encouraging in Sausalito is that some members of

that community are admitting the obvious pretexts behind their land-use policies and trying to ensure more equitable outcomes (and isn't this all about good outcomes versus mere empty rhetoric?) even if it risks upsetting the white economic privilege many Sausalito incumbent property-owners currently enjoy in their exclusionary enclave created through explicit government action.

The big question right now is whether anyone among Portland's elite political class has the courage to follow in the footsteps of Sausalito...

Sausalito confronts historic inequities

City reconsiders strict zoning rules to make way for affordable housing

By J.K. Dineen



Photos by McArdle Hankin / The Chronicle

Floating homes under construction in Sausalito, where officials are weighing new housing proposals.

For 32 years, Sausalito has protected its scrappy industrial waterfront, banning both housing and offices in the 225-acre Marinship district, which stretches for about a mile north of downtown.

And, for the most part, it's worked. Instead of expensive

condos and trinket-filled tourist shops, Marinship remains a place where vessels are hauled out and repaired, houseboats built, sails sewn and outboard motors tuned up. Hundreds of maritime workers and artists live and toil on the water, a world apart from the glass towers visible across the bay.

But with the Black Lives Matter movement forcing cities to confront historic racial, social and economic inequality, Sausalito officials are debating



Brenda Berg (right) and her family, property owners in the Marinship district, would like the area to convert some land to senior housing.

whether some land in Marinship might be appropriate for low-income or senior housing. In July, during a contentious, eight-hour meeting that focused on both

racial justice and a new, 20-year general plan — a state-mandated document meant to guide development — the City Council voted 4-1 to erase language that barred land-based housing there.

At the meeting, Vice Mayor Ray Withy said: “We cannot hope to increase diversity in Sausalito if you don’t increase the diversity of available housing for a multitude of income levels.”

Mayor Susan Cleveland-Knowles agreed, saying, “We are an overwhelmingly white

community” and that opening select sites to housing “is the only way we can increase diversity in our town.”

The conflict between preserving light industry and meeting the need for housing has played out across the Bay Area, from San Francisco’s central waterfront to West Oakland to South San Francisco. Supporters of zoning restrictions say prohibiting residential and office development preserves often well-paying bluecollar jobs and ensures a diverse economic base. Housing advocates say opposition to residential development will continue to drive up prices and force thousands of workers to relocate.

On the website of the Sausalito Working Waterfront Coalition, which advocates for “those whose livelihoods are linked to the Marinship,” Bob Silvestri lashed out at consultants working on the general plan, saying the vision laid out “a predictable, banal, soulless celebration of consumerism, bereft of character or sense of place.”

Coalition members say current Marinship protections are not just about preserving the city’s maritime legacy but about supporting its economic future. The area has a strong base of manufacturers, something that became apparent during the early days of the coronavirus pandemic when two Marinship companies — Universal Sonar Mount and Starbuck Canvas Works — collaborated to quickly manufacture 1,300 plastic face shields that were donated to first responders.

Possible candidates for housing around Marinship

In a June memo, the Sausalito Community Development Department identified places in and near the Marinship district where housing could possibly be added. The department is not recommending that any of them be developed for housing, and none of the property owners have formally submitted applications to develop their parcels.



To Planning Commissioner Janelle Kellman, the collaboration showed that the Marinship is vital as a center of industry and that the city should seek to encourage the growth of those companies rather than replace them with housing.

Marinship, she said, “has a history of contributing to the safety and security of our nation.”

Sausalito resident John DiRe, a retired engineer, said that instead of relaxing the zoning to allow for residential development, the city should expand the district’s light industrial space, which generates about 41% of the city’s business taxes. He said the new general plan should seek to convert some of the office space allowed in the 1970s and ’80s to arts and light industry.

“People in the Marinship are welcoming of change if that change is reducing office uses,” he said. “What is going on down here is so special, up and down the Marinship. The working waterfront is booming. It has never been busier.”

But the question of who is benefiting from the busy Sausalito waterfront is especially charged, given its history as a jobs center for Black Americans during World War II. More than 2,200 Black workers, mostly transplants from the South, migrated to Marin County during the war, working to pump out 92 cargo ships in about five years. But while Blacks were allowed to work alongside whites in Sausalito, they were barred from buying or renting property there, and instead were housed in Marin City, an unincorporated area a mile northwest of the shipyards.

Today, Marin City remains poor and isolated from Sausalito and the rest of Marin County, economically, geographically and racially. Marin City is 40% Black, 13% Latino and 7% other minority groups, and about 40% white. Its median household income of just under \$43,000 is less than half the county’s median. Sausalito, by contrast, is 92% white and just 1.5% black. Its median household income is \$110,000.

Marin City — physically cut off from Sausalito by Highway 101 — has four major affordable housing complexes, including 300 units at Golden Gate Village, 225 at Ridgeway Apartments and 56 at Ponderosa Estates. Sausalito has just 38 units of affordable senior housing.

Paul Austin, who runs Play Marin — a Marin City nonprofit dedicated to bringing kids of different racial and economic backgrounds together — said that allowing some affordable housing in the Marinship flatlands “would do wonders for the entire ZIP code” by integrating schools and creating housing opportunities for teachers and nurses who can’t currently afford to stay in Marin County.

He said that he welcomes the racial justice discussion Sausalito City Council has embarked on, but that “we have to put the onus back on the residents in Sausalito” to make sure the debate is followed by action.

“If it gets shot down, it would show me that Sausalito is very much a place where people say the right things about diversity and inclusion, but when it comes to their own backyard, it’s a different matter,” Austin said. “If they vote yes, that will show me that they are ready to set a higher standard for justice and equity.”

Pastor Marcus Small, who leads Peoples Inter-Cities Fellowship in Marin City, said many in his congregation have been forced to move to Vallejo, Sacramento or Vacaville because Marin is so expensive. Sausalito homes average \$1.5 million, according to Zillow, and an average two-bedroom apartment rents for \$4,000.

“As American citizens, Black folks should have the right to live wherever, and that includes Sausalito,” Small said. “And that would require some more affordable housing.”

If some housing is allowed in the Marinship, the question of where exactly it would go is sure to be controversial. The city’s traditional hillside neighborhoods are largely built out and the flatlands that stretch along the waterfront represent some of the only large parcels on which new housing could be constructed.

Others point to several office complexes that were built in the 1980s, before the 1988 Marinship plan banned new offices. One of these properties is Marina Office Plaza, an 86,000-square-foot facility. Property owner Brenda Berg would like to explore converting the land to senior housing, a need she discovered firsthand a few years ago when her husband developed Lewy body dementia and had to be placed in an assisted living facility in Santa Rosa.

Sausalito has an unusually large senior population — 37% of residents are over 60 — and replacing an office building with senior housing would not interfere with maritime or arts uses, the Bergs argue.

“Nobody wants to replace the arts or light industry or maritime, nobody is saying, ‘Let’s build a gleaming condo tower 150 feet tall,’ ” said Carlo Berg, who manages the property with his mother. “You can’t have an age-friendly city if you don’t have agefriendly land-use policy and won’t even consider housing.”

Meanwhile, the debate over whether Sausalito will open up some of its flatlands for housing will be decided this fall as the general plan goes before the Planning Commission in September and the City Council in October.

At the July City Council meeting, Mayor Cleveland Knowles acknowledged that it would be a tough political fight.

“I have met a lot of resistance in town and continue to meet a lot of resistance in town to expanding our housing opportunities,” she said.

J.K. Dineen is a San Francisco Chronicle staff writer. Email: jdineen@sfgate.com Twitter: @sfjkdineen

Google Groups

Proposal regarding Munjoy Hill

Grace Braley <gbraley55@gmail.com>

Aug 5, 2020 3:54 PM

Posted in group: **Planning Board**

I moved to Portland nearly twenty years ago, finding it to be a city with many interests, good history, waterfront, varied neighborhoods, diversity.

Also, I have found interesting the varying neighborhoods of Portland, and Munjoy Hill is a particularly interesting asset to the city.

I have noticed the needs and changes since coming. I have felt the needs and concerns for a wider selection of housing opportunities and neighborhood possibilities. I was concerned, and still am, when the number of tear-downs and rebuilds was (and is) going too fast and at considerable price escalation. This has been a trend that limits the diversity and options for people who wish to live and perhaps work in Portland.

Changing it too radically takes away from its quality and therefore does not enhance the city. I made a decision to attend many of the meetings and heard the serious struggles, discussions, workshops of the last couple of years, which brought forth a solution that seems as fair as possible and beneficial to Portland. I went to the Planning Meeting, only to see the vote postponed.

I urge that the vote be to support the agreement that has been worked out because, hopefully, it will retain the positive dynamic of Munjoy Hill, this interesting sector of the city.

Grace Braley

Google Groups

Munjoy Hill Historic District

Herb Adams <hadams@smccme.edu>

Aug 7, 2020 11:36 AM

Posted in group: **Planning and Urban Development**

What a difference day makes.

The board's public forum on the Munjoy Hill Historic District back in March was one of the last hearings held in City Hall before the COVID-19 curtain came down.

It seems long ago now -- but was not.

It is also symbolic of why the Munjoy Historic District is so important.

Things can change overnight, and permanently -- there is no going back

The Hill looks solid but is a fragile place that can change overnight. It holds a huge amount of Portland's heritage. It escaped the Great Fire but has seen more development in one decade than in a century.

The time is here for a reasonable, thoughtful historic plan that allows change but preserves the best of what we are. The proposed plan does that and comes at the right moment -- now, just in time.

Change is inevitable -- progress is not. We have to work for progress. The proposed historic district gives us that tool as the Hill changes and our City grows.

Time will not wait for us --- we work with change, or it will just overwhelm us. The proposed historic district works with time, heritage, and the future, all in mind at once.

For the sake of all three things I urge the board to endorse the Munjoy Hill Historic District proposal.

The time will not come again.

Sincerely yours,

Herb Adams

Former State Representative

Google Groups

Munjoy Hill

Jamie Hogan <jamiehogan58@gmail.com>

Aug 5, 2020 12:30 PM

Posted in group: **Planning Board**

Dear Chair Mazer,

I am writing in support of designating Munjoy Hill an Historic District. As a resident of Peaks Island and owner of a house built in 1844, I am well aware of Portland's need to retain and value historic properties. The steady demolition of Portland's history on the hill must STOP. Portland's identity is told in it's historic houses, and those stories must be kept intact. The reuse of antique buildings is environmentally cheaper and wiser, and will only increase in value.

Thank you,

Jamie

Jamie Hogan illustrator

instagram: <https://www.instagram.com/jamiepeaks/>
website: www.jamiehogan.com
email: jamiehogan58@gmail.com
shop: <https://www.etsy.com/shop/Jamiehoganstudio>
blog: <http://www.jamiepeeps.com/>
phone: 207-766-9726

Google Groups

Munjoy Hill Historic District

Jenny Potter Scheu <jpscheu@zwi.net>

Aug 5, 2020 12:19 PM

Posted in group: **Planning Board**

Greetings Planning Board,

I do not see the need for a Munjoy Hill Historic District.

I DO see the need for affordable housing on Munjoy Hill/throughout the city.

Thanks for your work,
JENNY SCHEU

Home address:
29 Waterville Street, #3
Portland ME 04101
Work address:
REDHOUSE ARCHITECTS + STUDIO
61 Pleasant Street, Portland ME 04101

Google Groups

NO on Munjoy Hill Historic Designation

Jeremy Rutkiewicz <jeremyrutkiewicz@gmail.com>

Aug 5, 2020 1:35 PM

Posted in group: **Planning and Urban Development**

Dear City of Portland Planning Board,

I am writing to urge you to please, please vote against the Munjoy Hill Historic Designation.

Several years ago, I was lucky enough to be able to purchase the house I was renting - a 920sq foot single family home situated on the back of a 4234sq foot lot. Having rented on Munjoy Hill since I was a teenager, it was a dream for me to be able to stay in the community I love so much.

As my family grew, we began working with a local architect to plan a renovation project that would give us some of the extra space we desired, whilst keeping the charm and character of the house. Despite the irregular lot lines, non-conforming setbacks, and myriad of other issues to troubleshoot (all common on Munjoy Hill), the Planning Board was extremely adept at helping us through this process.

We worked through many design iterations to create something that was comfortable and energy efficient... something that was both classic and contemporary... something that created a dialogue between past and present. Our design preserved the mature trees in front of the house that make our lot unique, and (at less than 2000sq feet overall) was tailored specifically to fit gracefully between our neighbors without overwhelming them or the lot. For context, our small house is surrounded by:

- 4732sq foot home on a 4913sq foot lot
- 2144sq foot home on a 2515sq foot lot
- 3702sq foot home on a 2847sq foot lot
- 3455sq foot home on a 1993sq foot lot

Our design did not even come close to any of these land-to-building ratios! And yet, in the last year, it has become clear that, unlike Planning, the Historic Preservation Board is ill-equipped to deal with the unique situations that ours and so many other eclectic Munjoy Hill properties face. The Historic Preservation Board is so focused on the front-facing facade, it seemed they would be more satisfied with us moving the entire house to the front of the lot and doing "whatever we want" behind the house - regardless of the enormous financial implications, or the fact that this would destroy the unique relationship between buildings that we and our neighbors have all enjoyed.

Moreover, the methods and standards of the Historic Preservation Board have made it extremely difficult to work with contractors. Many are reluctant to even consider a project when it is bound by the Historic Preservation rules - especially while we are in some sort of bureaucratic limbo between when HP enacted the district, and City Council votes to confirm it. Despite having purchased my home long before these rules were ever in place, it appears we are likely to lose a massive amount of architectural and engineering work that we patiently and carefully crafted over several years. Given the way the market has gone, it is extremely unlikely we could ever find another property on Munjoy Hill within our budget and we have essentially been forced to start looking in other communities. This is heartbreaking, and we have been financially and emotionally blindsided by it.

Planning and Zoning have shown themselves to be capable of flexibly working with homeowners to navigate the many interests of the neighborhood as a whole. Historic Preservation has not. **Now, especially during the time of increased work-from-home, it is crucially important that we and other families are able to make our homes work for us. Please vote against the Munjoy Hill Historic Designation so that people like me, who live and love the Munjoy Hill way of life, are not pushed out.**

Thank you for your service,
Jeremy Rutkiewicz
161 Congress St

Google Groups

Munjoy Hill Historic District

jeremy smith <octahonk@yahoo.com>

Aug 7, 2020 3:29 PM

Posted in group: **Planning and Urban Development**

To whom it may concern.

I would like it to be known that I strongly oppose the proposed Munjoy Hill Historic District Overlay.
Thank you for your time.

Jeremy Smith
100 Sheridan St
Portland, ME

Sent from my iPhone

Google Groups

Munjoy Hill Historic District Support

Jill Terranova <jterrart@gmail.com>

Aug 7, 2020 4:47 AM

Posted in group: **Planning Board**

Chair Mazer and Members of the Planning Board:

I live on Munjoy Hill, own properties here, and strongly support the designation of a Historic District for Munjoy Hill which includes the designation of several individual landmark buildings.

Munjoy Hill is a special neighborhood which is reflective of the historical architectural character of the neighborhood. This character needs to be preserved through the designation of the Historic District.

Public support has been strong for the Historic District. Please vote to approve this proposal.

Sincerely,

Jill Terranova

Portland Maine

Google Groups

In support of Munjoy Hill Historic Designation

Jo Israelson <welcomingthestrangerart@gmail.com>

Aug 7, 2020 9:08 AM

Posted in group: **Planning Board**

TO: Chair Mazer and Members of the Planning Board

FR: Jo Israelson
59 Moody St family home for 30+ years
8 Grassy Path, Peaks Island

RE: In Support of the Historic Designation of Munjoy Hill

Once again, I am writing to the Portland Planning Board to support historic designation of an important iconic neighborhood – known as “The Hill” – Munjoy Hill.

I grew up on the Hill: attended public schools, played on the Prom, made life-long friends and learned that it does take a village to raise a child. Our doors were always open to our neighbors. We shared both happy moments as well as sorrows. Our homes contained our family histories – often 3 generations living under one roof – as well as the histories of those that preceded us.

The current trend to demolish and/ or conduct extensive re-design of many of the existing structures does not take into consideration the incongruous nature of those projects. Fort Allen is restored to its original configuration. Yet a few blocks away, a glass faced structure is built without regard to the cultural heritage of the place.

Two years ago, I worked with residents of the City of Portland, Munjoy Hill, Maine Jewish Museum, Peaks Island and other groups to obtain historic designation for House Island. Discovering that it served as a quarantine station and was known at the ‘Ellis Island of the North’ convinced me to coordinate the effort to prevent development of the island and to preserve the existing structures. Further research uncovered the stories of immigrants – one in particular – whose life was saved by the actions of Portland police and others helped by the National Council of Jewish Women.

Although we were successful in our efforts, we were unable to save the quarantine station itself – it had already been demolished. The stories within walls that once contained the lives of immigrants coming to and through Portland – were lost forever.

We could not preserve the India Street corridor where our immigrant relatives walked, shopped and worshipped. The rush to development changed the architectural face of that neighborhood. Once the buildings were removed, there was no opportunity to preserve that cultural heritage.

In 1972 I wrote my first letter to the Editor decrying a plan to develop the Eastern Prom. Fortunately, the plan never materialized. Almost 50 years later, I am once again advocating for preservation of land, structures, and buildings that comprise the cultural history of our city – specifically “the Hill.” Please protect the heritage of this part of Portland for those of us who once lived there and for future residents.

Once something is ‘gone’, it’s gone forever.

Re: Historic District on Munjoy Hill

Joe Walsh <jwalsh@greencleanmaine.com>
To: jmy <jmy@portlandmaine.gov>
Cc: Planning Board <planningboard@portlandmaine.gov>

Mon, Mar 9, 2020 at 5:04 PM

Thank you very much.

On Thu, Mar 5, 2020 at 11:24 AM jmy <jmy@portlandmaine.gov> wrote:
Hello,

Thanks for your email. We appreciate the time you have taken to offer your thoughts, and will include your comments in the materials and as part of the public record.

If you have any questions, please contact our office.

Jennifer Munson, Office Manager
jmy@portlandmaine.gov | (207) 874-8719 | Fax (207) 756-8258

City of Portland, Department of Planning and Urban Development
389 Congress St., 4th Floor, Portland, ME 04101

On Wednesday, March 4, 2020 at 4:54:34 PM UTC-5, Joe Walsh wrote:
To the Board,

I am writing to urge you to make a "no" recommendation on the proposed Historic District for Munjoy Hill.

I was a resident of Munjoy Hill for 7 years. During that time, I watched as larger condo developments went up, and old, dilapidated multi-family housing was replaced with new, modern building stock.

While on one hand I was sad to see the cheap rents disappearing, these were positive changes. As a renter I had lived in several of these old buildings - they are drafty, loaded with lead paint and pose numerous code and safety hazards. Many (most?) of them were never built to stand the test of time - they are old 2-4 unit multiplexes that have reached the end of their serviceable life. It's time for an update.

In replacing these old buildings, we have an opportunity to maximize density, increase safety and build the new housing this city so desperately needs. Designating Munjoy Hill as a historic district will restrict this positive change and put further regulatory burden on property owners and developers, increasing the cost of housing even more.

If there are any changes to be made on the hill, it should be to *increase density*, as this is already a walkable neighborhood and density can be increased with minimal impact on vehicle traffic.

Regarding affordability - there is a major affordability problem in our city, and while all this new building stock isn't cheap (for renters or buyers), creating a historic district will only exacerbate the issue, and limit the City's options when looking to find creative ways to reduce cost. As a city, we have to find a way to create housing that can be made affordable for the working class and working artists - otherwise we risk becoming a shell of a city - inhabited only by the wealthy with second homes or those in subsidized housing.

That would be a tragedy, as Portland has such a unique sense of place - in large part because it's a real living small city, where a wide range of people can live *and work*. A rarity in America, and I would argue a bigger draw for many than low taxes or a favorable regulatory environment, myself included. I started a business here precisely for this reason.

Please, allow Munjoy Hill to grow with the city, and allow property owners to do as they see fit to find the highest and best use of their property, while leaving the most options open for density and redevelopment.

Thank you for your consideration,

--

Joe Walsh
Founder & CEO

Green Clean Maine
[583 Warren Ave.](#)
[Portland, ME 04103](#)

Ph: [\(207\) 221-6600](#)

www.greencleanmaine.com

facebook.com/greencleanmaine

instagram.com/greencleanmaine

Please consider the environment before printing this email

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

--
Joe Walsh
Founder & CEO

Green Clean Maine
[583 Warren Ave.](#)
[Portland, ME 04103](#)

Ph: [\(207\) 221-6600](#)

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facebook.com/greencleanmaine

instagram.com/greencleanmaine

Please consider the environment before printing this email

Re: Munjoy Hill Historic District

1 message

John Johnstone <johnstoneguitar@gmail.com>

Fri, Jul 17, 2020 at 8:32 AM

To: jmy <jmy@portlandmaine.gov>

You're welcome!

On Fri, Jul 17, 2020, 8:07 AM jmy <jmy@portlandmaine.gov> wrote:

Hello,

Thanks for your email. We appreciate the time you have taken to offer your thoughts, and will include your comments in the materials and as part of the public record.

If you have any questions, please contact our office.

Jennifer Munson, Office Manager
jmy@portlandmaine.gov | (207) 874-8719| Fax (207) 756-8258

City of Portland, Department of Planning and Urban Development
389 Congress St., 4th Floor, Portland, ME 04101

On Thursday, July 16, 2020 at 1:41:06 PM UTC-4, John Johnstone wrote:

To whom it may concern,

Portland has many diverse districts and all of them are significant in their own way however the uniqueness of Munjoy Hill cannot be denied. As a resident of Portland for 40 years after moving down from Camden to go to USM I was struck by the beauty, originality and variety that the Hill had to offer. There were a myriad of house styles on the Hill that just made it fascinating to walk there, not to mention the ocean views that popped up around every corner. There was a common refrain years ago that you heard if you were a student, artist, musician or working class person: "if you don't have much money move to the Hill" and so I moved there. Ironically these people who were low on the economic ladder, myself included, helped preserve this neighborhood. They simply wanted to live in a beautiful and affordable neighborhood without any desire to destroy or alter its character.

Of course nothing like the Hill lasts forever. Developers are like heat seeking missiles, always trying to figure out where artists and musicians and original types are moving to so they can buy everything up, tear it down, build an ugly metal box with garage doors on the street and no front yard and then convince everyone this is the new hip look that everyone from away is looking for and must have to be in the new cool and hip Portland. Yes, this tactic has worked in every city in America and has usually been supported by the city in the name of economic development and urban renewal. Basically get the poor and working class out and bring the money in.

Occasionally, to the dismay and surprise of the city, the residents stand up and say they've had enough. They don't want the history and soul of their neighborhood erased by greedy developers for homes for seasonal visitors and others that have no love of their wonderful and quirky neighborhood. Most of the residents of the Hill have had enough and say no more! This began the movement to make Munjoy Hill a Historic District.

I fully support turning Munjoy Hill into a Historic District and hope that the city of Portland will make it become a reality. I lived for 20 years on Park Street, a very obvious Historic District but I believe that the Hill with its mixture of Victorian homes side by side with simple cottages and a little further down a ramshackle mix and match home all exist in a harmony that is unique not just to Portland but to every city in America. Please preserve the heart and soul of Portland and say no to the developers who don't care about the community and yes to Portlanders.

Thank you and I hope Portland does the right thing!
John

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

Google Groups

Munjoy Hill Historic District

John Whitehouse <jtwh888@gmail.com>

Aug 7, 2020 3:34 PM

Posted in group: **Planning Board**

Dear Planning Board Members,

It pains me to see that Private sector tax dollars are still being used to support Deb Andrew's crusade to turn a swath of Munjoy Hill into a historic district during this unprecedented pandemic. Is the Public sector so insulated in their bubble of security that the rest of us do not matter? This proposal will handcuff property owners with ANOTHER level of bureaucracy when it comes to renovating, improving and adding more space for tenants during the worst economic times since the Great Depression. This on the heels of a talked about substantial tax increase for Munjoy Hill!? Tenants will be levied with higher rents to offset the tax increase, and since this proposal will effectively halt any development or renovations, the rents will surpass affordability for everyone. Munjoy Hill could soon be all Condos.

In addition to the terrible timing, the proposal is terribly written! There is a 90 year block of history for Deb and company to subjectively deny projects or stretch out for months and extract more and more fees with. Given the substantial loss of revenue to the City during this pandemic, this is what you spend money on? Portland must have deep tax revenue coiffers.

Is Deb Andrews trying to maintain her job security? As the Planning Board highlighted during one of the workshops, this concern for change and loss of character to the neighborhood is unfounded and is not shown in the facts. Building permits have been dwindling in the neighborhood. What was the count last year, 8? Her proposal was so desperate for examples she had to go back to the late 1980s in completely different areas of Portland to even hint at making her case. This is a permanent designation that will affect this neighborhood for years to come, and for owners like myself who are decades away from retirement it is just unfair. At least consider re-writing her proposal to a less ridiculously broad level, or better yet stop it. It is not the time to make these hard times harder on tenants or taxpayers. It is time for the Public Sector to care about the Private Sector.

Thank you,
John W.

Google Groups

Munjoy Hill Local Historic District.

Jon Hall <cbbhall@maine.rr.com>

Aug 5, 2020 10:09 AM

Posted in group: **Planning Board**

To: Portland Planning Board.

Re. Munjoy Hill Local Historic District

I am writing this letter in support of the proposed Historic District. As a longtime Portland resident, having grown up here, and having returned here to live in 1979, I am strongly in support of Portland's Historic Districts, not for preventing change, but for controlling change. I'm afraid that all too often new projects are pushed in the interest of profit, and not in the interest in the livability and attractiveness of our cityscape and cherished neighborhoods. I do hope that the Board will consider Portland's best interests as an attractive city with a long history and a lot to offer.

Jon F. Hall

44 Belfield Street

August 7, 2020

Chair Mazer and Members of the Planning Commission:

I am writing this letter in support of designating Munjoy Hill a historical district.

I was born and raised on the “Hill” in the 1950’s through 1960’s. Although I no longer live in Maine, I return often to Portland and always visit Munjoy Hill. I consider the “Hill” my home. It is to me the very essence of what “neighborhood” means.

As anyone who’s moved a few times recognizes all neighborhoods are not equal. Munjoy Hill is unique in that it supported and continues to support characteristics found in great neighborhoods. With the help and dedication of the Munjoy Hill Neighborhood Organization, there is a pride in ownership on the “Hill” whether owners or residents that is obvious to those of us who return to visit. Homes are maintained and demonstrate true caring of the historical roots of the “Hill” in design and renovation. Neighbors participate to connect and create local groups that bring the residents together for the betterment of the area. There is something about an area with history that makes it very desirable. New developments are wonderful, however; the value of a great neighborhood is stability with longtime residents and community support which helps encourage safety and low crime rates.

Another great aspect of a neighborhood is walkability. Being able to leave the car keys at home and walk to markets, shopping, restaurants and the Promenade creates a deeper connection to the neighborhood.

The “Hill” gives me a sense of my history and the history made by my great grandparents and grandparents who lived on the “Hill” too. Friends, relatives, uniquely designed houses with people sitting on their stoops give this area much more than historical value. It is a true neighborhood.

Please protect the “Hill” and its history.

Thank you. Judith Perry (former resident of 123 Congress St.)

Google Groups

Munjoy Hill Historic District

Judith Tierney <judy.tierney@gmail.com>

Aug 6, 2020 2:22 PM

Posted in group: **Planning Board**

Dear Planning Board members,

I am a long time resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with NO changes or modifications to what the Historic Preservation Board nominated back in 11/20/2019.

Thank you,
Judith Tierney



13 March 2020

Chair Mazer and Members of the Planning Board:

Greater Portland Landmarks strongly supports the proposed Munjoy Hill Historic District. It meets the minimum criteria for designation in Division 3 of the historic preservation ordinance and is consistent with Portland's comprehensive plan, which supports historic preservation as an integral part of the city's planning strategy.

- The proposed Munjoy Hill Historic District meets the historic preservation ordinance's minimum criteria for designation as set forth in Sec. 14-610 (a) (1) and (b), as well as the integrity criterion in Sec. 14-611 for its value as a significant example of the cultural, historic, & architectural aspect of the heritage of the City of Portland.
 - o "The neighborhood's dense development pattern, shared building characteristics, and history as a working-class neighborhood for generations of maritime workers and immigrant families unifies much of the neighborhood and gives it its own identifiable visual character."
(12/3/2019 Staff Memo, Attachment 2: Context Statement, Attachment 3: List of Properties with Classifications and the 3/10/2020 district boundary map)
- The designation of the Munjoy Hill Historic District is consistent with the Sustainability, Housing, Economy, & Historic Resources goals of Portland's Plan 2030.
 - o "Stewardship of Portland's historic, cultural, and architectural assets has been an integral part of the City's planning strategy since the Historic Preservation program began in 1990, ...and is supported throughout the document."
(2/7/2020 Staff Memo, Attachment 2: Comp plan analysis)

More than 200 residents, property owners and supporters offered support for the historic district in oral and written testimony, demonstrating overwhelmingly that:

- Munjoy Hill has a strong visual character that defines the neighborhood.
- The stories of its current residents, a number of whose families have connections to past generations of residents on the Hill, illustrate how the physical fabric of this proposed historic district embodies a unique sense of place that is invaluable to Portland's citizens and visitors.
- Professionals in the fields of history, planning, preservation, and architecture have reinforced the documented findings of the staff and Historic Preservation Board members that the proposed historic district meets the criteria for significance and integrity contained in the City's ordinance.
- The value and benefit of historic preservation is central to achieving the multi-faceted vision in *Portland's Plan 2030* because it is integral to the City's economic development strategy, sustainability goals, and affordable housing goals. Designation of the Munjoy Hill Historic District will materially advance achieving these goals.

The Hill's visual character is defined by its streetscapes and the collection of buildings more than by individual buildings. Individual local landmarks are not an appropriate substitute for a district. Local landmarks are not equivalent to individual buildings listed on the National Register of Historic Places and could not be certified by the city for historic tax credits.

We strongly urge members of the Planning Board to recommend to the City Council that the proposed Munjoy Hill Historic District be designated a local historic district subject to the provisions of Article IX of the Land Use Code.

Thank you for considering our views,

Julie Larry
Director of Advocacy



Greater Portland Landmarks
93 High Street, Portland, ME

Google Groups

Munjoy Hill Historic District

Julius Ciembroniewicz <jciem@gmail.com>

Aug 5, 2020 10:00 AM

Posted in group: **Planning and Urban Development**

City of Portland Planning Board:

I'm writing with regards to the Munjoy Hill Historic District. I support the Historic District. A large majority of my fellow MH residents and neighbors also support the historic district.

I am not opposed to development in our City, of which I've lived for 25 years. However, I am opposed to irresponsible development, which in the last five years the City has allowed to occur unchecked on Munjoy Hill. Some of the new construction projects have threatened the integrity of our historic neighborhoods. Without a historic district, new construction for these types of new projects will continue.

My 100 year old building on MH, which has 8 large condominium units, is similar in size to some of the newly constructed buildings on MH. However, currently the City's only requirement for new construction projects is that they host two units. So, technically, much of the new construction in the historic district is resulting in less available housing. Is this the planning we want in our overcrowded peninsula?

If the City allows development to continue to go unchecked in our historic neighborhoods, the historic integrity of our neighborhoods will soon be gone forever. There will be no way to turn back the clock. Accordingly, I respectfully ask that you vote in favor of the Munjoy Hill Historic District.

Thank you for your attention to this issue.
Julius

Julius Ciembroniewicz
55 Morning Street

Please Support Tonight 7/10/2019-Nomination of Proposed Munjoy Hill Historict District

Karen Snyder <karsny@yahoo.com>

Jul 10, 2019 8:05 AM

Posted in group: **Planning and Urban Development**

Dear Historic Preservation Board Members,

Please nominate the proposed Munjoy Hill Historic District in the Historic Preservation Board Workshop that will be held tonight on 7/10/2019. The City Planning Dept/Planning Board continues to ignore adhering to the R6 infill design standards and protecting the street scape as well as to consider how the pre-existing community is affected by these oversized luxury cubes that are being built next to them.

It is bad enough affordable housing is being removed without being replaced but for the City to ignore the surrounding street scape and to not consider how these new structures affect the surrounding property owners is morally and ethically not right and potentially legally not right based on pending lawsuits.

Below are comments sent to the Planning Dept, PPH, and the new property owners by existing property owners that made this neighborhood a home and community rather than an investment flip. It is to show you how upset they are with this trend on Munjoy Hill and what happens when design standards, streetscape, and considering surrounding properties are being ignored by the City Planning Department/Planning Board.

Comment #1:

> Dear xxxx and xxxx,

> Not only is your monster house blocking light and air from my and the neighbors homes the much beloved and cherished views of the observatory from the street and gardens have now gone forever.

> Maybe the rules and guidelines approved your plans but does that really, morally give you the right to do what you have done helping to turn our beautiful Munjoy Hill into Munjoy Hell.

> I am someone who has dedicated the last ten years to beautifying the streets and gardens and providing affordable housing to this neighborhood.

> I am heartsick and disgusted to witness your callous ,selfishness.I had hoped for something so much better.

Comment #2:

City Representatives:

I'm writing in connection with the Demolition/Construction Project at 9 Moody Street on Munjoy Hill.

I'm the owner of a condominium unit at xx Morning Street, a building with 8 condominium units that has existed for more than 100 years with uninterrupted views of the western mountains and daily sunsets. Until now.

The City exempted this 9 Moody Street Demolition/Construction project from its new construction moratorium. However, by allowing this single-family 4 1/2 story tower project, the City (perhaps unwittingly) enabled the views in our historic Munjoy Hill neighborhood to be decimated. Rather than explain in words, the best evidence is seeing it for yourself. Accordingly, I've attached pictures taken with an iPhone from my kitchen window across the street.

The **before** and **after** pictures are dramatic. Attached please find:

- 1) One picture from Summer 2018 before demolition and construction (the rainbow actually rests on the prior house located on the lot)
- 2) Three pictures from the last couple days outside my kitchen window at xx Morning Street
- 3) A compilation of pictures in a Word document

It is sad and frustrating that the City allowed this to occur; for a single-family personal residence no less. I'm not sure how the owners of this house tower (developer Jim Brady according to the architect drawings) described the project to the City, but I can't imagine the City would have allowed it to go forward if it had any idea it would look so dramatically obstructionist, in a historic Portland neighborhood no less.

A couple of you have kindly met with me on this issue. I appreciate it, but steps need to be taken to avoid this occurring again, particularly in Portland's residential neighborhoods. Once the City allows projects like this, there is no way to turn back. Historic districts are one option, if properly adopted. Also, perhaps going forward the City should consider view easement protections to protect residents from developers like Mr. Brady who aren't interested in protecting the integrity of our City's residential neighborhoods.

While I appreciate your personal efforts, more needs to be done to preserve our communities and the residential neighborhoods in the City of Portland.

Thank you for your time and attention to this matter.

Comment #3:

LETTERS

Posted July 3

INCREASE FONT

Letter to the editor: Historic district will help save what makes the Hill special

Share

When I first walked into the house on Munjoy Hill that I would buy and begin to restore 23½ years ago, one of the first charms I noticed was the view from its front windows of one of our city's icons, the Portland Observatory.

Yesterday, I witnessed the total erasure of these views by the construction of the third floor of the building going up at 47 Monument St., a voluminous behemoth that occupies every possible square foot of the lot and grows as tall as it's allowed, apparently. Sad day for me.

RELATED HEADLINES

Letter to the editor: Medical costs prevent expatriate Mainer's return

Permanently pay for vital conservation fund

Rein in Cumberland's proposed building, paving spree

Though mostly pro-development, I'm shocked by the lack of concern for local context in allowing these giant structures to be built with no concern for impact on others' property – in other words, for the pre-existing community. I look forward to actively participating in the consideration of a Munjoy Hill Historic Preservation District and hope that the City Council will urge it on.

Christopher Akerlind

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In conclusion, I sincerely hope you take into consideration how these demolitions and poorly designed oversized buildings that are being allowed affect existing property owners that have lived here for decades and don't consider this an investment flip but their home and community.

Once again, please nominate the proposed Munjoy Hill Historic District before the "Hill", it's character, and it's history are erased for good.

Regards,
Karen Snyder
72 Waterville

Google Groups

For 8/11/2020 -Planning Board Hearing: Please Vote YES for Proposed Munjoy Hill Historic District & 6 Landmarks

Karen Snyder <karsny@yahoo.com>

Aug 4, 2020 11:30 AM

Posted in group: **Planning Board**

Dear Portland Planning Board Members,

I support the proposed Munjoy Hill Historic District and the 6 Landmarks and I am in the proposed Historic District.

It has been 5 long months since the Planning Board was to actually vote on the proposed Munjoy Hill historic back on 3/10/2020.

A lot has changed in this world but some things are still clear and more important than ever.

- 1) Because of COVID-19 virus pandemic, it should show the Planning Board it is important to stabilize a neighborhood and that is what Historic Districts do.
- 2) Because of the developer speculation that is still rampant on Munjoy Hill, the average rents for studio, 1 BR, and 2 BR are actually higher on Munjoy Hill which is not in a Historic District vs. West End which is in a Historic District. We need to stabilize rents for long term residents and that is what Historic Districts do.
- 3) In the previous 4 meetings (1 Historic Preservation Board and 3 Planning Board workshops) that were previously held on the proposed Munjoy Hill Historic District, **around 80% of Munjoy Hill residents were and are consistently in support of the proposed Munjoy Hill Historic District and the 6 landmarks.**

Please review the evidence illustrated in below chart and I have also attached the detail for you to review.

Item Summary From The Past 4 Meetings/Workshops Held that Show Majority of Portland Supports the Proposed Munjoy Hill Historic District & 6 Landmarks											
As of: Tuesday 3/10/2020 at 4:47pm		Email Sent to HPB or Planning Board					Public Comment at Meeting/Workshop				
#		HD Yes	HD Yes %	HD No	HD No %	Total	HD Yes	HD Yes %	HD No	HD No %	Comments:
1)	Historic Preservation Board Nomination - 11/20/2019	32	72.7%	12	27.3%	44	14	93.3%	1	6.7%	15
	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	8	28.6%	28					
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26					
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	16	20.5%	78					
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61					
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40					
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24					
4)	Planning Board Hearing - 3/10/2020 downloaded 3/10 4:14p	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77					
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	8	13.8%	58					
OVERALL TOTALS: Total All Emails Sent		221	76.5%	68	23.5%	289	97	78.2%	27	21.8%	124
	-If A Munjoy Hill Resident (Unique Person)	159	85.9%	26	14.1%	185					
	-If In the Proposed Munjoy Hill Historic District (Unique)	117	81.8%	26	18.2%	143					
Sources:											
HPB Nomination- 11/20/2019		https://portlandme.civiclerk.com/Web/Player.aspx?id=533&key=1&mod=1&mk=1&nov=0									
PB Workshop-12/10/2019		https://portlandme.civiclerk.com/Web/Player.aspx?id=571&key=1&mod=1&mk=1&nov=0									
PB Workshop-02/11/2020		https://portlandme.civiclerk.com/Web/Player.aspx?id=1207&key=1&mod=1&mk=1&nov=0									
PB Workshop-03/10/2020		https://portlandme.civiclerk.com/Web/Player.aspx?id=1219&key=1&mod=1&mk=1&nov=0									

- 4) Munjoy Hill can preserve more affordable housing if designated in a Historic District because right now more affordable housing is being removed and not being replaced because of our neighborhood is NOT in a Historic District.

- 5) If Munjoy Hill goes into Historic District, there is a greater chance that affordable housing will be created or maintained due to the Historic Tax Credits.
- 6) Historic Districts protects property owner's residence from insensitive developments such as the luxury cubed condos.
- 7) Historic Districts are better for the environment since the carbon emissions is 10x greater demolishing than renovating.
- 8) Historic Districts gives neighborhood's voices rather than behind closed door deals and ignoring public comments.

In conclusion, there is no reason for the Portland Planning Board members to vote against the proposed Munjoy Hill Historic District and the 6 landmarks based on above bullet points. All your questions raised to the Planning Dept Historic Preservation Department in the previous 3 Planning Board workshops were answered that ultimately favored Historic Districts for various reasons.

It is finally time now for the Planning Board to vote in support for the proposed Munjoy Hill Historic District and the 6 landmarks. In the time of Covid-19 pandemic and racism awakening, Munjoy Hill Historic District would be to not only stabilize our community but also to maintain long term immigrant/working class/middle class tenants before they are entirely pushed out and replaced with seasonal visitors in large cubed luxury condos. It would also preserve the houses where the immigrants/minorities/poor and working class Mainers use to live and some still do on Munjoy Hill. Munjoy Hill use to be a United Nations on the hill. It is important to save that story but also to save and/or create affordable housing for the people that can't afford these seasonal luxury condos. This conflict on Munjoy Hill now may not be about specifically about racism since we are the only high density residential zone district but it is about classism which is about the poor/immigrant/working class/middle class versus the wealthy.

As such, I urge you to vote in support for the proposed Munjoy Hill Historic District and 6 landmarks at the 8/11/2020 Planning Board Hearing.

Regards,

Karen Snyder,

Property Owner providing affordable housing on Munjoy Hill

72 Waterville St

Attachment: PublicCommentSummary2PBFinalVoteMHHD_20200811.xls

Item Summary From The Past 4 Meetings/Workshops Held that Show Majority of Portland Supports the Proposed Munjoy Hill Historic District & 6 Landmarks												
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#	Portland, ME Meeting/Works Shop Held	HD Yes	HD Yes %	HD No	HD No%	Total	HD Yes	HD Yes%	HD No	HD No%	Total	Comments:
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	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	8	28.6%	28						
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26						
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
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	-If In the Proposed Munjoy Hill Historic District (Unique)	117	81.8%	26	18.2%	143						

Itemized Detail Of All the People Who Emailed or Public Comment in the Last 4 Workshops/Meetings regarding the Proposed Munjoy Hill Historic District & 6 Landmarks

Meeting Date on Proposed Munjoy Hill Historic District	#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident	In Proposed HD?	Comment	#	Public Comment At Meeting	HD Yes	HD No	Address	Munjoy Hill Resident?	In Proposed HD?
HPB Nomination- 11/20/2019	PC 1	Barbara Vestal	X		7-9 Fore St., 14-16 North St, 101 Congress	X	X	Petition signatures to nominate. 21 signatures representing 21 properties	PC 1	Tom Abbott		X	21 Sheridan St.	X	X
HPB Nomination- 11/20/2019	PC2	Johanna Henry		X	50 St. Lawrence St.	X	X		PC 3	Gail Rengel	X		34 Lafayette St.	X	
HPB Nomination- 11/20/2019	PC 3	Carol Conner	X		12 Montreal St.	X	X	Individual Landmark Request	PC 4	Sive Nelson	X		29 Emerson St.	X	
HPB Nomination- 11/20/2019	PC 4	Karen Snyder	X		72 Waterville St.	X	X		PC 5	Wayne Valzania	X		27 Merrill St.	X	
HPB Nomination- 11/20/2019	PC 5	George Rheault		X	East Bayside				PC 6	Peter Murray	X		104 North St.	X	X
HPB Nomination- 11/20/2019	PC 6	George Reiche	X		50 Waterville St.	X	X		PC 7	Karen Snyder	X		72 Waterville St.	X	X
HPB Nomination- 11/20/2019	PC 7	Enoch Wenstrom	X		88 Beckett St.	X	X		PC 8	Paula Agopian	X		91 Monument St.	X	
HPB Nomination- 11/20/2019	PC 8	Berry Manter	X		46 Eastern Promenade	X	X		PC 9	Carol Conner	X		12 Montreal St.	X	X
HPB Nomination- 11/20/2019	PC 9	Mark Googins		X	63 Morning St.	X	X		PC 10	Nini McManamey	X		10 Willis St.	X	X
HPB Nomination- 11/20/2019	PC 9	Mark Googins			39 Morning St.				PC 11	Stacey Mitchell	X		74 Atlantic St.	X	X
HPB Nomination- 11/20/2019	PC 10	Susan Yandell	X		51 Monument St.	X	X	Individual Landmark Request	PC 12	George Carhart	X		7 Lafayette St.	X	X
HPB Nomination- 11/20/2019	PC 11	Christopher Akerlind	X		44 Monument St.	X	X	Individual Landmark Request	PC 13	Pam Days	X		25 Waterville St.	X	X
HPB Nomination- 11/20/2019	PC 12	Joanne Dow	X		28 Waterville St.	X	X	Individual Landmark Request	PC 14	Sally Oldham	X		118 Congress St.	X	
HPB Nomination- 11/20/2019	PC 13	Julius Ciembroniewicz	X		55 Morning St.	X	X		PC 15	Barbara Vestal	X		7-9 Fore St.	X	X
HPB Nomination- 11/20/2019	PC 14	Linsay Steven Mann		X	122 North St.	X	X								
HPB Nomination- 11/20/2019	PC 15	Alexis Santos		X											
HPB Nomination- 11/20/2019	PC 16	George and Ushi Carhart	X		7 Lafayette St.	X	X	Individual Landmark Request							
HPB Nomination- 11/20/2019	PC 17	Carl Henry		X	50 St. Lawrence St.	X	X	Opposition petition signatures; 25							
HPB Nomination- 11/20/2019	PC 18	Markos Miller		X	17 Atlantic St.	X	X								
HPB Nomination- 11/20/2019	PC 19	Peter and Deb Murray	X		104 North St.	X	X								
HPB Nomination- 11/20/2019	PC 20	Liz Hayes	X		107 North St.	X	X								
HPB Nomination- 11/20/2019	PC 21	Markos Miller		X	17 Atlantic St.	X	X								
HPB Nomination- 11/20/2019	PC 22	Carol Conner	X		12 Montreal St.	X	X								
HPB Nomination- 11/20/2019	PC 23	Berry Manter	X		46 Eastern Promenade	X	X								
HPB Nomination- 11/20/2019	PC 24	Nini McMananmy	X		10 Willis St.	X	X								
HPB Nomination- 11/20/2019	PC 25	Mike Hoover	X		40 Melbourne St.	X	X								
HPB Nomination- 11/20/2019	PC 26	Live Chase/Brent Adler		X	65 St. Lawrence St.	X	X								
HPB Nomination- 11/20/2019	PC 27	Karen Snyder	X		72 Waterville St.	X	X	Petition submitted; 80 signatures							
HPB Nomination- 11/20/2019	PC 28	Nini McMananmy	X		10 Willis St.	X	X	Petition submitted- small petition							
HPB Nomination- 11/20/2019	PC 29	Susan Yandell	X		51 Munjoy St.	X	X								
HPB Nomination- 11/20/2019	PC 30	Adam Frederick	X		75 W. Commercial St.	X	X								
HPB Nomination- 11/20/2019	PC 31	EJ Koch	X		81 Vesper St.	X	X								
HPB Nomination- 11/20/2019	PC 32	Lauren Ashwell		X	8 Emerson St.	X									
HPB Nomination- 11/20/2019	PC 33	Travis Agaman		X	8 Emerson St.	X									
HPB Nomination- 11/20/2019	PC 34	Liz Hayes	X		107 North St.	X	X								
HPB Nomination- 11/20/2019	PC 35	Mart99	X												
HPB Nomination- 11/20/2019	PC 36	Barbara Vestal	X		107 Congress St.	X	X								
HPB Nomination- 11/20/2019	PC 37	Francesca Gallucio-Steele	X		22 Clifford St.										
HPB Nomination- 11/20/2019	PC 38	Julie Larry	X		Greater Portland Landmark										
HPB Nomination- 11/20/2019	PC 39	Rhoda Renschler	X		37 Channel Road, SoPo										
HPB Nomination- 11/20/2019	PC 40	Sally Oldham	X		118 Congress St.	X	X								
HPB Nomination- 11/20/2019	PC 41	Ed Gardner	X		84 Eastern Promenade										
HPB Nomination- 11/20/2019	PC 42	Maggy Wolf	X		28 St. Lawrence St.	X	X								

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2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
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3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
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HPB Nomination- 11/20/2019	PC 43	Diane Davison	X		29 & 33 Morning St.	X	x								
PB Workshop-12/10/2019	PC 1	Barbara Vestal	X		7-9 Fore St.	X	X	Petition signatures to nominate.	PC1	Enoch Wenstrom	X		88 Beckett St.	X	X
PB Workshop-12/10/2019	PC 2	Johanna Henry		X	50 St. Lawrence St.	X	X		PC2	Jake Halpert	X		74 Atlantic St.	X	X
PB Workshop-12/10/2019	PC 3	Carol Conner	X		12 Montreal St.	X	X	Individual Landmark Request	PC3	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-12/10/2019	PC 4	Karen Snyder	X		72 Waterville St.	X	X		PC4	Berry Manter	X		46 Eastern Promenade	X	X
PB Workshop-12/10/2019	PC 5	George Rheault		X	East Bayside				PC5	Josh Baston		X	42 Munjoy St.	X	X
PB Workshop-12/10/2019	PC 6	George Reiche	X		50 Waterville St.	X	X		PC6	John Wuestoff	X		11 Morning St.	X	X
PB Workshop-12/10/2019	PC 7	Enoch Wenstrom	X		83 Beckett St.	X	X		PC7	Zack Barowitz		X	Libby Town		
PB Workshop-12/10/2019	PC 8	Berry Manter	X		46 Eastern Promenade	X	X		PC8	Greg Shinberg	X		Outside Portland		
PB Workshop-12/10/2019	PC 9	Mark Googins		X	63 & 39 Morning St.	X	X		PC9	Nini McManamy	X		10 Willis St.	X	X
PB Workshop-12/10/2019	PC 10	Susan Yandell	X		51 Monument St.	X	X	Individual Landmark Request	PC10	Wayne Valzania	X		27 Merrill St.	X	
PB Workshop-12/10/2019	PC 11	Christopher Akerlind	X		44 Monument St.	X	X	Individual Landmark Request	PC11	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 12	Joanne Dow	X		28 Waterville St.	X	X	Individual Landmark Request	PC12	Ann Manganello		X	84 Quebec St.	X	X
PB Workshop-12/10/2019	PC 13	Julius Ciembroniewicz	X		55 Morning St.	X	X		PC13	John Whitehouse		X	18 North St.	X	X
PB Workshop-12/10/2019	PC 14	Linsay Steven Mann		X	122 North St.	X	X		PC14	Justine Denny	X		56 North St.	X	X
PB Workshop-12/10/2019	PC 15	Alexis Santos		X					PC15	Peter Murray			104 North St.	X	X
PB Workshop-12/10/2019	PC 16	George and Ushi Carhart	X		7 Lafayette St.	X	X	Individual Landmark Request	PC16	Mark Holden	X		37 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 17	Carl Henry		X	50 St. Lawrence St.	X	X	Opposition petition signatures; 25 signaturs representing 15 properties	PC17	Erna Koch	X		81 Vesper St.	X	X
PB Workshop-12/10/2019	PC 18	Markos Miller		X	17 Atlantic St.	X	X		PC18	Ned Chester	X		7 Fore St.	X	X
PB Workshop-12/10/2019	PC 19	Peter and Deb Murray	X		104 North St.	X	X		PC19	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 20	Liz Hayes	X		107 North St.	X	X		PC20	Beth Snyder	X		81 North St.	X	X
PB Workshop-12/10/2019	PC 21	Markos Miller		X	17 Atlantic St.	X	X		PC21	Julie Larry	X		GPL		
PB Workshop-12/10/2019	PC 22	Carol Conner	X		12 Montreal St.	X	X		PC22	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-12/10/2019	PC 23	Berry Manter	X		46 Eastern Promenade	X	X		PC23	Caroly Swartz	X		27 Merrill St.	X	
PB Workshop-12/10/2019	PC 24	Nini McMananmy	X		10 Willis St.	X	X		PC24	Lori Round		X	47 Monument St.	X	
PB Workshop-12/10/2019	PC 25	Mike Hoover	X		40 Melbourne St.	X	X		PC25	Barbara Vestal	X		7 Fore St.	X	X
PB Workshop-12/10/2019	PC 26	Live Chase/Brent Adler		X	65 St. Lawrence St.	X	X		PC26	Pamela Day	X		25 Monument St.	X	X
PB Workshop-12/10/2019	PC 27	Karen Snyder	X		72 Waterville St.	X	X	Petition submitted; 80 signatures representing 60 properties.	PC27	Sue ?	X		122 North St.	X	X
PB Workshop-12/10/2019	PC 28	Nini McMananmy	X		10 Willis St.	X	X	Petition submitted- small petition on Willis St.	PC28	Julie Larry	X		GPL		
PB Workshop-12/10/2019	PC 29	Susan Yandell	X		51 Munjoy St.	X	X		PC29	George Rheult		X	Bayside		
PB Workshop-12/10/2019	PC 30	Adam Frederick	X		75 W. Commercial St.	X	X		PC30	Tim Wells		X	33 Montreal St.	X	X
PB Workshop-12/10/2019	PC 31	EJ Koch	X		81 Vesper St.	X	X		PC31	Oliver Murray	X		55 Montreal St.	X	X
PB Workshop-12/10/2019	PC 32	Lauren Ashwell		X	8 Emerson St.	X			PC32						
PB Workshop-12/10/2019	PC 33	Travis Agaman		X	8 Emerson St.	X			PC33						
PB Workshop-12/10/2019	PC 34	Liz Hayes	X		107 North St.	X	X								
PB Workshop-12/10/2019	PC 35	Mart99	X												
PB Workshop-12/10/2019	PC 36	Barbara Vestal	X		107 Congress St.	X	X								
PB Workshop-12/10/2019	PC 37	Francesca Gallucio-Steele	X		22 Clifford St.										
PB Workshop-12/10/2019	PC 38	Julie Larry	X		Greater Portland Landmar										
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PB Workshop-12/10/2019	PC 40	Sally Oldham	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 41	Ed Gardner	X		511 Congress St St.										
PB Workshop-12/10/2019	PC 42	Maggy Wolf	X		28 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 43	Diane Davison	X		29 Morning St St.	X	X								
PB Workshop-12/10/2019	PC 44	Julius Ciembroniewicz	X		55 Morning St St.	X	X	Note: Included in PB packet were previous were from HPB 11/20/2019 meeting. This Starts to address Planning Board for 12/10/2019 workshop.							
PB Workshop-12/10/2019	PC 45	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-12/10/2019	PC 46	James Hambley /Jenny Dig	X		61 Monument St.	X	X								
PB Workshop-12/10/2019	PC 47	Wayne Valzania	X		27 Merrill St.	X									
PB Workshop-12/10/2019	PC 48	Marlies Reppenhagan	X		55 Morning Stl, Unit 2-2	X	X								
PB Workshop-12/10/2019	PC 49	Paula Agopian	X		91 Monument St.	X									
PB Workshop-12/10/2019	PC 50	Anita Stewart	X		25 A Forest Ave.										
PB Workshop-12/10/2019	PC 51	Lori Rounds		X	47 Monument St.	X									
PB Workshop-12/10/2019	PC 52	Kate Howe		X	40 Quebec St.	X									
PB Workshop-12/10/2019	PC 53	Berry Manter	X		46 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 54	Carle Henry		X	50 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 55	Carol Conner	X		12 Montreal St.	X	X								
PB Workshop-12/10/2019	PC 56	Joshua Baston		X											
PB Workshop-12/10/2019	PC 57	Nancy/Bob Jordan	X			X		Owens 6 Buildings on Munjoy Hill?							
PB Workshop-12/10/2019	PC 58	Carolyn Swartz	X		27 Merrill St.	X									
PB Workshop-12/10/2019	PC 59	YIMBY		X											
PB Workshop-12/10/2019	PC 60	Erna Koch	X		81 Vesper St.	X	X								
PB Workshop-12/10/2019	PC 61	Vana Carmona	X		105 North St., Unit 1	X	X								
PB Workshop-12/10/2019	PC 62	David Kelly		X	Portland, ME										
PB Workshop-12/10/2019	PC 63	Debrah Yale		X				Broker for Tom Landry							
PB Workshop-12/10/2019	PC 64	Gary Bahlkow	X		42 Lafayette St.	X									
PB Workshop-12/10/2019	PC 65	Jeremy Rutkiewicz		X	161 Congress St.	X	X								
PB Workshop-12/10/2019	PC 66	Lorraine Carrol	X		31 North St.	X	X	30 yr resident							
PB Workshop-12/10/2019	PC 67	Lydia Savage	X		19 Melbourne St.	X									
PB Workshop-12/10/2019	PC 68	William Gemmill	X												
PB Workshop-12/10/2019	PC 69	Bruce Wood	X		Old Port										
PB Workshop-12/10/2019	PC 70	Beth Snyder	X		81 North St.	X	X								
PB Workshop-12/10/2019	PC 71	Stephen Gaal	X		176 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 72	Diane Davison	X		29 Morning St.	X	X								
PB Workshop-12/10/2019	PC 73	Robin Whitten	X		23 St. Lawerence St.	X	X								
PB Workshop-12/10/2019	PC 74	Elizabeth Miller		X	46 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 75	Sara Mills	X												
PB Workshop-12/10/2019	PC 76	Sally Oldham	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 77	Leslie Hart	X		215 Sheridan St.	X									
PB Workshop-12/10/2019	PC 78	Betty Lorber	X		225 Sheridan St.	X									

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PB Workshop-12/10/2019	PC 79	Priscilla Harrison	X					Moved off of Munjoy Hill 6 yrs ago							
PB Workshop-12/10/2019	PC 80	Chris Stewart	X		81 North St.	X	X								
PB Workshop-12/10/2019	PC 81	Susan Gillis		X	48 Congress St.	X	X								
PB Workshop-12/10/2019	PC 82	Carol McCracken		X	Portland, ME			Doesn't live on the Hill.							
PB Workshop-12/10/2019	PC 83	Oliver Murray	X		55 Montreal St.	X	X								
PB Workshop-12/10/2019	PC 84	Patricia Erikson	X					3rd generation Munjoy Hill							
PB Workshop-12/10/2019	PC 85	Ben Poirer	X		Cape Elizabeth										
PB Workshop-12/10/2019	PC 86	Susan Yandell	X		51 Monument St.	X	X								
PB Workshop-12/10/2019	PC 87	Liz Hayes	X		107 North St.	X	X								
PB Workshop-12/10/2019	PC 88	Anne Manganello		X	84 Quebec St.	X	X								
PB Workshop-12/10/2019	PC 89	Jonathan Wylie/Gail Ringel	X		34 Lafayette St.	X	X								
PB Workshop-12/10/2019	PC 90	Martha Emerson	X		340 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 91	KE Smith	X		80 Quebec St.	X	X								
PB Workshop-12/10/2019	PC 92	Ann Casady	X		205 Sheridan St.	X									
PB Workshop-12/10/2019	PC 93	Peter and Deb Murray	X		104 North St.	X	X								
PB Workshop-12/10/2019	PC 94	Abbie McMillen	X		26-28 Vesper St.	X	X								
PB Workshop-12/10/2019	PC 95	Nancy Brian	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 96	Carol J. DeTine	X		144 Vaughn St.	X	X								
PB Workshop-12/10/2019	PC 97	Marianne Pratt	X		224 Sheridan St.	X									
PB Workshop-12/10/2019	PC 98	Hillary Bassett	X		55 Morning St.	X	X								
PB Workshop-12/10/2019	PC 99	Dan Haley		X	140 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 100	Betty and John Wuestoff	X		15 Morning St.	X	X								
PB Workshop-12/10/2019	PC 101	Katy Brewer	X					Grew Up on the Hill							
PB Workshop-12/10/2019	PC 102	Nancy Guimond	X		13 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 103	Greater Portland Landmark	X												
PB Workshop-12/10/2019	PC 104	Tica Douglas	X		11 Munjoy St.	X	X								
PB Workshop-12/10/2019	PC 105	Lori Rounds		X	47 Monument St.	X									
PB Workshop-12/10/2019	PC 106	Mary Casale	X		39 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 107	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-12/10/2019	PC 108	Pamela Day	X		25 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 109	Travis Agaman		X	8 Emerson St.	X									
PB Workshop-12/10/2019	PC 110	Andrew Glassberg	X		340 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 111	Jill Nixon	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 112	Rob Whitten	X		188 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 113	Paul Haley		X	62 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 114	Nini McMananmy	X		10 Willis St.	X	X		0						
PB Workshop-12/10/2019	PC 115	Carl Henry		X	50 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 116	Peter Pitegoff			205 Sheridan St.	X		Referring to 128R North/ 126 North							
PB Workshop-12/10/2019	PC 117	Anne Pringle	X		Neal St										
PB Workshop-12/10/2019	PC 118	William Hall	X		Pleasant Ave.			Use to be on Planning Board							
PB Workshop-12/10/2019	PC 119	Gail Ringle	X		34 Lafayette St.	X	X								
PB Workshop-12/10/2019	PC 120	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 121	Markos Miller		X	17 Atlantic St.	X	X								

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PB Workshop-12/10/2019	PC 123	Mike Hammen	X		127 Pleasant St.	X									
PB Workshop-12/10/2019	PC 124	Nancy Machesney	X		213 Sheridan St.	X									
PB Workshop-12/10/2019	PC 125	Stephen Shiffman	X		9 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 126	Wayne Valzania - MHNO	X		MHNO										
PB Workshop-12/10/2019	PC 127	Chuck Kamr	X		55 Morning St.	X									
PB Workshop-12/10/2019	PC 128	Lauren Ashwell		X	8 Emerson St.	X		Downloaded packet on noon 12/10/2019							
PB Workshop-02/11/2020	PC 1	Ann Manganello		X	84 Quebec St.	X	X		PC1	Zack Barowitz		X	Libbytown		
PB Workshop-02/11/2020	PC2	John Whitehouse		X	18 North St.	X	X		PC2	Nathan Z.	X		22 Eastern Promenad	X	X
PB Workshop-02/11/2020	PC 3	Markos Miller		X	17 Atlantic St.	X	X		PC3	David Lloyd	X		29 Waterville St.	X	X
PB Workshop-02/11/2020	PC 4	Sally Oldham	X		118 Congress St.	X			PC4	John Wuestoff	X		11 Morning St.	X	X
PB Workshop-02/11/2020	PC 5	Zack Barowitz		X	Libby Town				PC5	John White		X	18 North St.	X	X
PB Workshop-02/11/2020	PC 6	George Rheault		X	West Bayside				PC6	Vanna Carmona	X		105 North St.	X	X
PB Workshop-02/11/2020	PC 7	David Kelly		X	Portland				PC7	Rob Whitten	X		29 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 8	Emily Liebling		X	54 Tyng St.				PC8	Mike Hoover	X		40 Melburne St.	X	X
PB Workshop-02/11/2020	PC 9	Francesa Galluccio-Steele	X		22 Clifford St.				PC9	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-02/11/2020	PC 10	Zack Barowitz		X	Libby Town				PC10	Anne Manganello		X	84 Quebec st.	X	X
PB Workshop-02/11/2020	PC 11	Lauren Ashwell		X	8 Emerson St.	X			PC11	Tica Douglas	X		11 Munjoy St.	X	X
PB Workshop-02/11/2020	PC 12	Lori Rounds		X	47 Monument St.	X			PC12	Sally Oldham	X		118 Congress St.	X	
PB Workshop-02/11/2020	PC 13	Lynn Kuzma		X	10 Emerson St.	X			PC13	Juli Larry	X		GPL		
PB Workshop-02/11/2020	PC 14	Wayne Valzania (MHNO)	X		MHNO				PC14	Nini McManamey	X		10 Willis St.	X	X
PB Workshop-02/11/2020	PC 15	George Carhart	X		7 Lafayette St.	X	X		PC15	Lori Round		X	47 Monument St.	X	
PB Workshop-02/11/2020	PC 16	Wayne Valzania	X		27 Merrill St.	X			PC16	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 17	Carolyn Swartz	X		27 Merrill St.	X			PC17	Wayne Valzania	X		23 Merrill St.	X	
PB Workshop-02/11/2020	PC 18	Erna Koch	X		81 Vesper St.	X	X		PC18	Enoch Wenstrom	X		88 Beckett St.	X	X
PB Workshop-02/11/2020	PC 19	Linda Tyler	X		52 St. Lawrence St.	X	X		PC19	karen Snyder	X		72 Waterville St.	X	X
PB Workshop-02/11/2020	PC 20	Mark Holden	X		37 St. Lawrence St.	X	X		PC20	Smith - female developer		X	?		
PB Workshop-02/11/2020	PC 21	Michael Englerbert	X		193 Sheridan St.	X			PC21	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-02/11/2020	PC 22	Richard Rollins	X		Hill Boy				PC22	Tim Wells		X	33 Montreal St.	X	
PB Workshop-02/11/2020	PC 23	Mary Morse	X		208 Sheridan St.	X			PC23	George Rheault		X	Bayside		
PB Workshop-02/11/2020	PC 24	Robin Whitten	X		23 St. Lawrence St.	X	X		PC24	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 25	Heather Sullivan		X	32 Merrill St.	X			PC25	Peter Murray	X		104 North St.	X	X
PB Workshop-02/11/2020	PC 26	Julie Larry	X		GPL				PC26	Barry Manter	X		46 Eastern Promenad	X	X
PB Workshop-02/11/2020	PC 27	Kevin Schochat	X		215 Sheridan St.	X			PC27	Sive Nelson	X		29 Emerson St.	X	
PB Workshop-02/11/2020	PC 28	Mary Barrett	X		27 Parson St.										
PB Workshop-02/11/2020	PC 29	Nancy Machesney	X		213 Sheridan St.	X									
PB Workshop-02/11/2020	PC 30	Steven Inman	X		81A Vesper St.	X	X								
PB Workshop-02/11/2020	PC 31	Edward Fiske Mooney	X		77 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 32	Susan Yandell	X		51 Monument St.	X	X								
PB Workshop-02/11/2020	PC 33	Sara Auld	X		43 Munjoy St.	X	X								
PB Workshop-02/11/2020	PC 34	Carol Connor	X		12 Montreal St.	X	X								
PB Workshop-02/11/2020	PC 35	Ann Casady	X		213 Sheridan St.	X									
PB Workshop-02/11/2020	PC 36	George Carhart	X		7 Lafayette St.	X	X								
PB Workshop-02/11/2020	PC 37	Lincoln Payne	X		150 Eastern Promenade	X	X								

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	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26						
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
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	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61						
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40						
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24						
4)	Planning Board Hearing - 3/10/2020 downloaded 3/10 4:14p	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51	
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77						
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	-If A Munjoy Hill Resident (Unique Person)	159	85.9%	26	14.1%	185						
	-If In the Proposed Munjoy Hill Historic District (Unique)	117	81.8%	26	18.2%	143						

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PB Workshop-02/11/2020	PC 38	Travis Agaman		X	8 Emerson St.	X									
PB Workshop-02/11/2020	PC 39	Amy Alward	X		South Portland										
PB Workshop-02/11/2020	PC 40	Elizabeth Peavey	X		Portland										
PB Workshop-02/11/2020	PC 41	Nick Murray		X	40 St. Lawrence St.	X	X								
PB Workshop-02/11/2020	PC 42	James Rohman		X	57 Elmwood St.										
PB Workshop-02/11/2020	PC 43	James Hambley	X		61 Monument St.	X									
PB Workshop-02/11/2020	PC 44	Donna Jones	X		Portland										
PB Workshop-02/11/2020	PC 45	Abbie McMillen	X		26-28 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 46	Anne Pringle	X		Neal St.										
PB Workshop-02/11/2020	PC 47	Daryl Renschler	X		Portland										
PB Workshop-02/11/2020	PC 48	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-02/11/2020	PC 49	Kathleen Bender	X		11 North St.	X	X								
PB Workshop-02/11/2020	PC 50	Marlies Reppenhagen	X		55 Morning St.	X	X								
PB Workshop-02/11/2020	PC 51	Pamela Day	X		25 Waterville St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan	X		13-15 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			17-19 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			91-93 Morning St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			26-30 Eastern Promenade	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			19 Locust St.										
PB Workshop-02/11/2020	PC 53	Carl Henry		X	50 St. Lawrence	X	X								
PB Workshop-02/11/2020	PC 54	Carol J. De Tine	X		144 Vaughn St.										
PB Workshop-02/11/2020	PC 55	Charlton Smith	X		33 Turner St.	X									
PB Workshop-02/11/2020	PC 56	John Watson & Nancy Brai	X		118 Congress St.	X									
PB Workshop-02/11/2020	PC 57	Justine Denney	X		56 North St.	X	X								
PB Workshop-02/11/2020	PC 58	Tom Keating	X		166 Pleasant Ave.										
PB Workshop-03/10/2020	PC59	Abby Harvey	X		17 Waterville St.	X	X		PC1	Jake Halpert	X		74 Atlantic St.	X	X
PB Workshop-03/10/2020	PC60	Anne Manganello		X	84 Quebec St.	X	X		PC2	David Cowie	X		32 North St.	X	X
PB Workshop-03/10/2020	PC61	Anne Manganello		X	84 Quebec St.	X	X		PC3	Gemma Cannon	X		204 Congress St.		
PB Workshop-03/10/2020	PC62	Audrey Puleio	X		27 North St.	X	X		PC4	Pam Plum	X		104 Park St.		
PB Workshop-03/10/2020	PC63	Barbara Brown	X		156 Sheridan St., #2C	X			PC5	Nini McManamy	X		10 Willis St.	X	X
PB Workshop-03/10/2020	PC64	Barti Bourgault	X		49 Waterville St.	X	X		PC6	Saura Shannon		X	59 Moody St.	X	X
PB Workshop-03/10/2020		Barti Bourgault			51 Waterville St.	X	X		PC7	George Rheult		X	West Bayside		
PB Workshop-03/10/2020	PC65	Beth Snyder	X		81 North St.	X	X		PC8	Josh Baston		X	42 North St.	X	X
PB Workshop-03/10/2020	PC66	Bruce Wood	X		607 Chandler's Wharf				PC9	Lauren Ashwell		X	8 Emerson St.	X	
PB Workshop-03/10/2020	PC67	Candace Myers	X		45 Eastern Promenade, Unit B-G	X			PC10	Mark Holden	X		37 St. Lawrence	X	X
PB Workshop-03/10/2020	PC68	Carl Henry		X	50 St. Lawrence	X	X		PC11	Mildred Bachrach		X	211 Brackett St.		
PB Workshop-03/10/2020	PC69	Carol Conner	X		12 Montreal St.	X	X		PC12	Dianne Davison	X		29 Morning St.	X	X
PB Workshop-03/10/2020	PC70	Carol McCracken		X	Portland				PC13	Bill Hall	X		Peaks Island		
PB Workshop-03/10/2020	PC71	Carolyn Swartz	X		27 Merrill St.	X	X		PC14	Michelle Polacsek	X		167 Newbury St., Unit 406		
PB Workshop-03/10/2020	PC72	Christopher Ackerland	X		44 Monument St.	X	X		PC15	Robin Whitten	X		23 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC73	Christopher Stewart	X		81 North St.	X	X		PC16	Sherwin Hamill	X		2 Atlantic St.	X	X
PB Workshop-03/10/2020	PC74	Claudia Diller	X		Munjoy Hill?	X			PC17	Stacy Mitchell	X		74 Atlantic St.	X	X
PB Workshop-03/10/2020	PC75	Cynthia Schmidt	X		21 Sheridan St, #1	X	X		PC18	Beth Snyder	X		81 North St.	X	X
PB Workshop-03/10/2020	PC76	David Lloyd	X		29 Waterville St.	X	X		PC19	Angela Adams	X		2 Atlantic St.	X	X
PB Workshop-03/10/2020	PC77	Debra Cole	X		71 Walnut St.	X	X		PC20	Keri lord	X		Deering St.		

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2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
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3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
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PB Workshop-03/10/2020	PC78	Debra Pressier	X		25 Fore St.	X	X		PC21	Ann Mangello		X	84 Quebec St.	X	X
PB Workshop-03/10/2020	PC79	Liz Hays	X		107 North St.	X	X		PC22	Lindsey Mann	X		122 North St.	X	X
PB Workshop-03/10/2020	PC80	Gary Stern	X		65 Revere St.				PC23	Richard Heffern	X		8 Sherbrooke St.	X	X
PB Workshop-03/10/2020	PC81a	George Rheult		X	Bayside				PC24	Hilary Bassett	X		55 Morning St.	X	X
PB Workshop-03/10/2020	PC82	Joe Walsh		X	Portland, Munjoy ?Green Clean Maine?				PC25	Thomas Brokish	X		43 Munjoy St.	X	X
PB Workshop-03/10/2020	PC83	John Whitehouse		X	1 Cumberside Falmouth				PC26	Sally Oldham	X		118 Congress St.	X	X
PB Workshop-03/10/2020	PC84	Kathryn Yates	X						PC27	Rob Whitten	X		23 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC85	Kenneth and Joyce Bailly	X		59 Mountfort St.	X			PC28	Berry Manter	X		46 Eastern Promenad	X	X
PB Workshop-03/10/2020	PC86	Kevin Schochat	X		215 Sheridan St.	X			PC29	Carol Swartz	X		27 Merrill St.	X	X
PB Workshop-03/10/2020	PC87	Leslie Hart	X		215 Sheridan St.	X			PC30	Wayne Valzania	X		27 Merrill St.	X	X
PB Workshop-03/10/2020	PC88	Maggy Wolf	X		28 St. Lawrence	X	X		PC31	Steve Cannon	X		204 Congress St.		
PB Workshop-03/10/2020	PC89	Martica Swain	X		28 St. Lawrence	X	X		PC32	Mike Hoover	X		40 Melbourne St.	X	X
PB Workshop-03/10/2020	PC90	Nan Cumming	X		87 Vesper St.	X	X		PC33	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-03/10/2020	PC91	Nancy Machesney	X		215 Sheridan St.	X			PC34	Oliver Murray	X		40 Montreal St.	X	X
PB Workshop-03/10/2020	PC92	Nancy Thayer	X		7 Gilbert Lane	X	X		PC35	Sive Whelan	X		29 Emerson St.	X	X
PB Workshop-03/10/2020	PC93	Ned Chester	X		11 Fore St.	X	X		PC36	John Wuestoff	X		17 Morning St.	X	X
PB Workshop-03/10/2020	PC94	Paul Flaxman	X		7 Atlantic St.	X	X		PC37	John Mahoney		X	73 Atlantic St.	X	X
PB Workshop-03/10/2020	PC95	Bob and Jeanne Bull	X		68 Atlantic St.	X	X		PC38	Ned Chester	X		7 Fore St.	X	X
PB Workshop-03/10/2020	PC96	Ryan Fitzgerlad		X	51 Morning St.	X	X		PC39	Herb Adams	X		Parkside		
PB Workshop-03/10/2020	PC97	Sally Oldham	X		118 Congress	X			PC40	Pam Day	X		25 Waterville St.	X	X
PB Workshop-03/10/2020	PC98	Ted Oldham	X		118 Congress	X			PC41	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-03/10/2020	PC99	Tica Douglas	X		11 Munjoy St.	X	X		PC42	Barbara Vestal	X		7 Fore St.	X	X
PB Workshop-03/10/2020	PC100	Tom Kennedy	X		340 Eastern Promenade, Unit 213	X			PC43	Lori Round		X	47 Monument St.	X	
PB Workshop-03/10/2020	PC101	Travis Agaman		X	8 Emerson St.	X			PC44	Peter Blackstone	X		76 Cumberland Ave	X	X
PB Workshop-03/10/2020	PC102	Wendy Cherubini		X	33 May St.				PC45	Lorrayne Carroll	X		31 North St.	X	X
PB Workshop-03/10/2020	PC103	William Cleaves	X		27 North St, Apt 4	X	X		PC46	Mary Casale	X		39 Waterville St.	X	X
PB Workshop-03/10/2020	PC104	Megan Roberts		X	Portland, Woodsford				PC47	Tim Wells		X	33 Montreal	X	
PB Workshop-03/10/2020	PC105	Vana Carmona	X		105 North St., Apt 1	X	X		PC48	Peter Murray	X		104 North St.	X	X
PB Workshop-03/10/2020	PC106	Martha Emerson	X		340 Eastern Promenade, Unit 247	X			PC49	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC107	Betts Mayer	X		211 Sheridan St.	X			PC50	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC108	Gemma Cannon	X		WHSa Secretary?	X			PC51	Karen Snyder	X		72 Waterville St.	X	X
PB Workshop-03/10/2020	PC109	Matt Thayer	X		62 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC110	Uschi Carhart	X		7 Lafayette St.	X	X								
PB Workshop-03/10/2020	PC111	Mildred Bachrach		X	211 Brackett St.										
PB Workshop-03/10/2020	PC112	Nini McManamy	X		11 Willist St.	X	X								
PB Workshop-03/10/2020	PC113	Nathan Szanton	X		22 Eastern Promenade, Unit #3	X	X								
PB Workshop-03/10/2020	PC114	Mary Casale	X		39 Waterville St.	X	X								
PB Workshop-03/10/2020	PC115	Joel Harris	X		38 Blanchard St, Cumberland										
PB Workshop-03/10/2020	PC116	Peter Murray	X		104 North St.	X	X								
PB Workshop-03/10/2020	PC117	Lindsay Swann	X		122 North St.	X	X								
PB Workshop-03/10/2020	PC118	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-03/10/2020	PC119	Barbara Vestal	X		11 Fore St.	X	X								
PB Workshop-03/10/2020	PC120	Gail Wenstrom	X		83 Beckett St.	X	X								
PB Workshop-03/10/2020	PC121	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-03/10/2020	PC122	Gail Wenstrom	X		83 Beckett St.	X	X								

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PB Workshop-03/10/2020	PC123	Pam Day	X		25 Waterville St.	X	X								
PB Workshop-03/10/2020	PC124	Betty Wuestoff	X		11 Morning St.	X	X								
PB Workshop-03/10/2020	PC125	Hillary Bassett	X		55 Morning St.	X	X								
PB Workshop-03/10/2020	PC126	Cara DeTign	X		144 Vaughn St.										
PB Workshop-03/10/2020	PC127	Ed Gardner	X		511 Congress St.										
PB Workshop-03/10/2020	PC128	Francesca Galluccio-Steele	X		22 Clifford St.										
PB Workshop-03/10/2020	PC129	Robert Derry	X		63 Melbourne St.	X	X								
PB Workshop-03/10/2020	PC130	Carl Henry		X	50 St. Lawrence	X	X								
PB Workshop-03/10/2020	PC131	George Carhart	X		7 Lafayette St.	X	X								
PB Workshop-03/10/2020	PC132	Greater Portland Landmark	X		GPL										
PB Workshop-03/10/2020	PC133	Debby Murray	X		104 North St.	X	X								
PB Workshop-03/10/2020	PC134	Janie Lynch		X	???										
PB Workshop-03/10/2020	PC135	Jo-Ann Kayatta	X		????										
PB Workshop-03/10/2020	PC136	Kristina Minister	X		101 North St, Apt 4	X	X								
PB Workshop-03/10/2020	PC137	Laura Shen & Will Stilton		X	59 Moody St.	X	X								
PB Workshop-03/10/2020	PC138	Lynne Panico	X		49 Moody St.	X	X								
PB Workshop-03/10/2020	PC139	Robin Ferrar		X	46 Walnut St.	X	X								
PB Workshop-03/10/2020	PC140	Sarah Goan	X		54 Walnut St.	X	X								
PB Workshop-03/10/2020	PC141	Kathleen Bender	X		11 North St.	X	X								
PB Workshop-03/10/2020	PC142	Karen Harrison		X	34 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC143	Brent Adler		X	92 Walnut St.	X									
PB Workshop-03/10/2020	PC144	Eleanore Houghton	X		Portland										
PB Workshop-03/10/2020	PC145	Erna Koch	X		81 Vesper St.	X	X								
PB Workshop-03/10/2020	PC146	George Rheault		X	Bayside										
PB Workshop-03/10/2020	PC147	George Rheault		X	Bayside										
PB Workshop-03/10/2020	PC148	Jen Micoles	X		61 Mountfour St.	X									
PB Workshop-03/10/2020	PC149	John Carolan		X	28 North St.	X	X								
PB Workshop-03/10/2020	PC150	Julian Ciembroniewicz	X		55 Morning St.	X	X								
PB Workshop-03/10/2020	PC151	Kate Howe		X	40 Quebec St.	X									
PB Workshop-03/10/2020	PC152	Kelly Worster	X		52 Monument St.	X									
PB Workshop-03/10/2020	PC153	Mary Barret	X		Portland										
PB Workshop-03/10/2020	PC154	Mike Cavanaugh	X		39 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC155	MJ Hill?	X		Fake?										
PB Workshop-03/10/2020	PC156	Paula Agopian	X		90 Monument St.	X									
PB Workshop-03/10/2020	PC157	Robert Morse	X		Portland										
PB Workshop-03/10/2020	PC158	Sophie Samuels	X		46 Howard St.	X									
PB Workshop-03/10/2020	PC159	William Alcorn	X		125 Morning St.	X	X								
PB Workshop-03/10/2020	PC160	Barbara Keppel	X		141 North St.	X	X								

Sources:

HPB Nomination- 11/20/2019	https://portlandme.civicclerk.com/Web/Player.aspx?id=533&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-12/10/2019	https://portlandme.civicclerk.com/Web/Player.aspx?id=571&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-02/11/2020	https://portlandme.civicclerk.com/Web/Player.aspx?id=1207&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-03/10/2020	https://portlandme.civicclerk.com/Web/Player.aspx?id=1219&key=-1&mod=-1&mk=-1&nov=0

Google Groups

Munjoy Hill Preservation

Katy Brewer <katycasalebrewer@yahoo.com>

Aug 6, 2020 11:25 AM

Posted in group: **Planning Board**

Planning board members-

As a resident of Munjoy Hill I support the proposed Munjoy Hill Historic District and six landmarks with NO CHANGES to what the Historic Preservation Board nominated back in 11/20/2019.

-proud member of the Munjoy Hill community

Sent from my iPhone

Google Groups

Re: Advocacy Alert: Planning Board to Vote on Munjoy Hill Historic District

KenCapron1 <kcapron1@maine.rr.com>

Aug 5, 2020 11:09 AM

Posted in group: **Planning Board**

You ask "Did you know that over 324 new units of affordable housing were built in Portland's historic landmarks and districts in the last five years?"

I ask "How many landmarks are or could be owned rather than rented by people with disabilities? Doesn't this landmark designaon kind of rule out certain segments of the populaon who are less well off?"

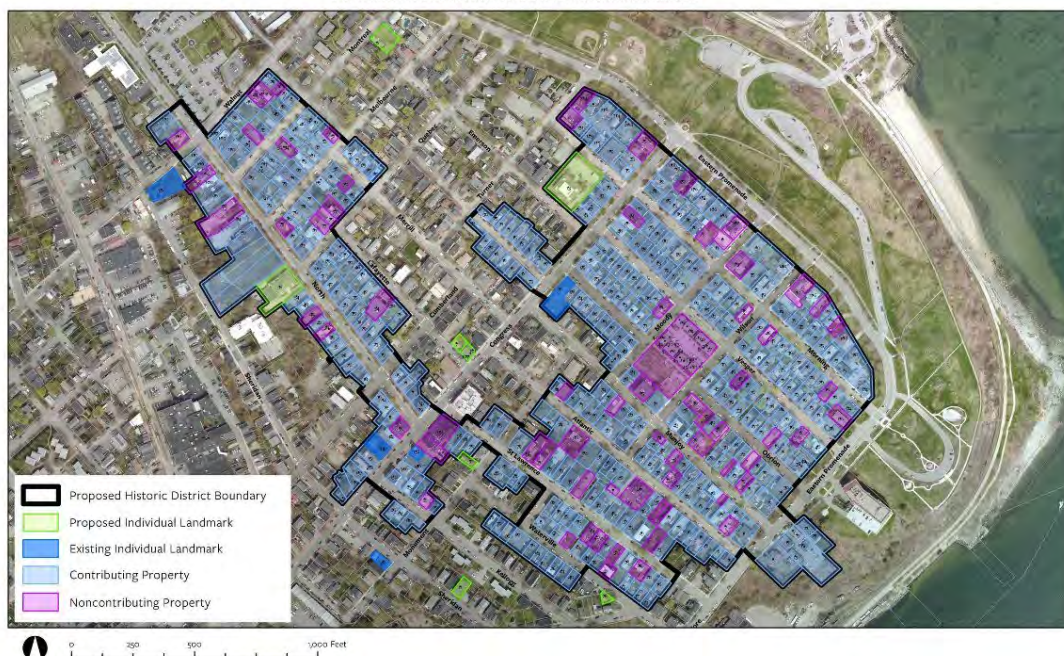
Would MHNO be willing to accept having a homeless shelter in their Historic District?

Kenneth A. Capron, ret. CPA, MCSE**1375 Forest Avenue D-11****Portland, Maine 04103****Phone: 207-797-7891****Email: kcapron1@maine.rr.com****From:** Julie Larry**Sent:** Wednesday, August 05, 2020 8:29 AM**To:** maglev@maine.rr.com**Subject:** Advocacy Alert: Planning Board to Vote on Munjoy Hill Historic District

The Planning Board will vote on the proposed Munjoy Hill Historic District next week and we need your support. *Public comments due Friday at noon!*

Proposed Munjoy Hill Historic District and Individual Landmark Designations

Per Historic Preservation Board Recommendation



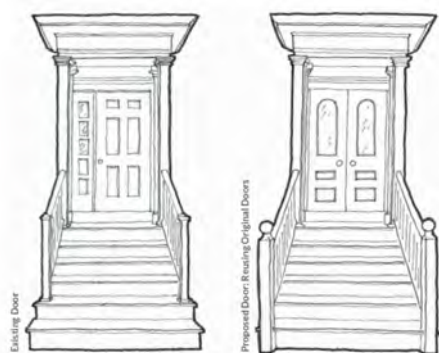
Portland's Planning Board will reconvene its public hearing on the proposed Munjoy Hill Local Historic District on **Tuesday, August 11**. The public hearing was tabled at a March meeting just before city meetings were canceled due to the COVID-19 pandemic.

The planning board is still accepting written public comment on the proposed district. Please take this last opportunity to show your support!

Emails need to be submitted by noon this Friday, August 7th to

planningboard@portlandmaine.gov.

Email your support!



Did you know that historic district protections have been temporarily in effect since the Historic Preservation Board recommended the district move forward last year? [Read about the projects that have already been reviewed and approved by the Historic Preservation Board.](#)

Historic Districts are good for our communities!

[Read about the economic and environmental benefits of Local Historic Districts on our blog.](#)

Affordable housing and historic districts are compatible goals.

Did you know that over 324 new units of affordable housing were built in Portland's historic landmarks and districts in the last five years?

Reusing historic buildings is better for the environment than new construction.

Re-using historic buildings reduces the energy needed to manufacture and transport new materials as well as conserving the embodied energy in our existing buildings. Portland's Historic Preservation Board has approved the installation of solar panels on buildings in historic districts and routinely approves projects that make historic buildings more energy efficient.

Historic districts don't prevent change, they manage change.

Projects are rarely denied. According to [Portland's Historic Preservation Program Report](#), in 2016 only 2 of the 429 projects reviewed in Portland's local historic districts were denied.

Ordinary maintenance is not reviewed, and replacement of in-kind of existing materials is allowed in Portland's Local Historic Districts.

You don't need permission to repaint your house! And if you have vinyl siding, you don't need to revert to wood siding if it needs to be replaced - you can install new vinyl siding.

Help us advocate for places that matter.

Our advocacy work, from surveying and research to working with neighborhood organizations and attending public meetings, is made possible by the support of our members and donors.



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Virus-free. www.avg.com

Google Groups

Before and After the Historic District

KenCapron1 <kcapron1@maine.rr.com>

Aug 5, 2020 11:02 AM

Posted in group: **Planning Board**

Dear Sirs,

Before we start carving out more “districts”, the public should be fully informed about the short and long term financial impacts of a Historic District.

What are the tax implications? What do taxpayers become obligated to do? Or not? Doesn't such designation result in a disparate impact on people with disabilities who are less able to afford “historical” standards.

What other potential historic districts exist in Portland? Certainly the Deering Center has great historic value.

Even the islands – which have a much greater historic value than Munjoy. Before we leap into this permanent designation,

we need to know the repercussions that could come up later and perhaps regret.

What are the political motivations behind this effort?

Kenneth A. Capron, ret. CPA, MCSE

1375 Forest Avenue D-11

Portland, Maine 04103

Phone: 207-797-7891

Email: kcapron1@maine.rr.com



Virus-free. www.avg.com

Google Groups

proposed Munjoy Hill Historic District

Kevin Johannen <kjohannen@iknow.net>

Aug 7, 2020 10:23 AM

Posted in group: **Planning Board**

To the Portland Planning Board, City Manager, and City Council,

I am a resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with NO changes to what the Historic Preservation Board nominated back in 11/20/2019.

I urge you to vote in support for the proposed Munjoy Hill Historic District and 6 landmarks at the 8/11/2020 Planning Board Hearing.

Sincerely,

Kevin Johannen

Munjoy Hill Resident at 41 Montreal St.

Google Groups

Proposed Munjoy Hill Historic District

Kevin Schochat <kevin@kevinschochat.com>

Aug 5, 2020 12:20 PM

Posted in group: **Planning Board**

To Whom It May Concern,

As a resident of Munjoy Hill I am writing to you to tell you I support the proposed Munjoy Hill Historic District and six landmarks with **NO** changes to what the Historic Preservation Board nominated back in 11/20/2019.

This is a crucial decision on your part and should not be taken lightly.

When I first moved to Portland I told everyone I knew that this city was very progressive and forward thinking.

Please don't disappoint me!

Best,

Kevin Schochat

Kevin Schochat
215 Sheridan Street
Portland, Maine 04101

Google Groups

I urge you to vote unanimously for the enactment of the Munjoy Hill Historic District

EJ Koch <ejkoch@gmail.com>

Aug 4, 2020 12:12 PM

Posted in group: **Planning and Urban Development**

Dear Portland Planning Board Members,

I join Karen Snyder and the majority of Hill residents to support the proposed Munjoy Hill Historic District. My multi family home is in the District. I endorse Karen's letter, and repeat most of it here.

It has been 5 long months since the Planning Board was to actually vote on the proposed Munjoy Hill historic district.

Much has changed but some things are still clear and more important than ever.

- 1) the Planning Board should show how important it is to stabilize a neighborhood - that is an important part of what Historic Districts do.
- 2) Because of ongoing developer speculation on Munjoy Hill, the average rents for studio, 1 BR, and 2 BR are higher on Munjoy Hill which is not in a Historic District vs. West End which *is* in a Historic District. We need to stabilize rents for long term residents and that is another thing Historic Districts have been shown to enhance.
- 3) In the previous 4 meetings (1 Historic Preservation Board and 3 Planning Board workshops) that were previously held on the proposed Munjoy Hill Historic District, **around 80% of Munjoy Hill residents were and are consistently in support of the proposed Munjoy Hill Historic District and the 6 landmarks.** There were a few vocal non-residents and some residents who did not.

Please review the evidence illustrated in below chart and the detail by Karen Snyder attached.

 Inline image

- 4) Munjoy Hill can preserve more affordable housing if designated in a Historic District because right now affordable housing is being removed and not being replaced because our neighborhood is NOT in a Historic District, and therefore subject to speculative development..
- 5) If Munjoy Hill goes into Historic District, there is a greater chance that affordable housing will be created or maintained due to the Historic Tax Credits.
- 6) Historic Districts protects a property owner's neighborhood and residence from insensitive developments such as the luxury "big box" condos.
- 7) Historic Districts are better for the environment since carbon emissions are 10x greater demolishing than renovating.
- 8) In this case, enacting a Historic District will give neighborhood voices weight, and enhance community TRUST in local government, rather than behind closed door deals, and a pervasive perception that public comments and wishes are ignored.

In conclusion, there is no legitimate reason for the Portland Planning Board members to vote against the proposed Munjoy Hill Historic District. All questions raised to the Planning Dept Historic Preservation Department in the previous 3 Planning Board workshops were answered and ultimately favored Historic Districts for the same reasons other Historic Districts have been approved..

It is finally time now for the Planning Board to vote in support for the proposed Munjoy Hill Historic District and the 6 landmarks. Munjoy Hill Historic District will not only stabilize our community but also can maintain long term immigrant/working class/middle class tenants before they are entirely pushed out and replaced with the wealthy in large big box luxury condos. It would also preserve the houses where historically immigrants/minorities/poor and working class Mainers lived as they built this city. A few of us still live here. Munjoy Hill used to be a United Nations on the hill. It is

8/11/2020

I urge you to vote unanimously for the enactment of the Munjoy Hill Historic District - Google Groups

important to save that story and also to save and/or create housing for longer term Portland residents who can't afford newly built luxury condos.

I strongly urge you to vote in support of the proposed Munjoy Hill Historic District and 6 landmarks at the 8/11/2020 Planning Board Hearing.

It is your responsibility to the city's residents.

Erna Koch (with thanks to Karen Snyder)

Resident at 81 Vesper St. on the Hill since 1980.

Item Summary From The Past 4 Meetings/Workshops Held that Show Majority of Portland Supports the Proposed Munjoy Hill Historic District & 6 Landmarks													
As of: Tuesday 3/10/2020 at 4:47pm			Email Sent to HPB or Planning Board					Public Comment at Meeting/Workshop					
#	Portland, ME Meeting/Works Shop Held	HD Yes	HD Yes %	HD No	HD No%	Total	HD Yes	HD Yes%	HD No	HD No%	Total	Comments:	
1)	Historic Preservation Board Nomination - 11/20/2019	32	72.7%	12	27.3%	44	14	93.3%	1	6.7%	15		
	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	8	28.6%	28							
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26							
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31		
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	16	20.5%	78							
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61							
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27		
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40							
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24							
4)	Planning Board Hearing - 3/10/2020 downloaded 3/10 4:14p	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51		
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77							
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	8	13.8%	58							
	OVERALL TOTALS: Total All Emails Sent	221	76.5%	68	23.5%	289	97	78.2%	27	21.8%	124		
	-If A Munjoy Hill Resident (Unique Person)	159	85.9%	26	14.1%	185							
	-If In the Proposed Munjoy Hill Historic District (Unique)	117	81.8%	26	18.2%	143							

Itemized Detail Of All the People Who Emailed or Public Comment in the Last 4 Workshops/Meetings regarding the Proposed Munjoy Hill Historic District & 6 Landmarks

Meeting Date on Proposed Munjoy Hill Historic District	#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident	In Proposed HD?	Comment	#	Public Comment At Meeting	HD Yes	HD No	Address	Munjoy Hill Resident?	In Proposed HD?
HPB Nomination- 11/20/2019	PC 1	Barbara Vestal	X		7-9 Fore St., 14-16 North St, 101 Congress	X	X	Petition signatures to nominate. 21 signatures representing 21 properties	PC 1	Tom Abbott		X	21 Sheridan St.	X	X
HPB Nomination- 11/20/2019	PC2	Johanna Henry		X	50 St. Lawrence St.	X	X		PC 3	Gail Rengel	X		34 Lafayette St.	X	
HPB Nomination- 11/20/2019	PC 3	Carol Conner	X		12 Montreal St.	X	X	Individual Landmark Request	PC 4	Sive Nelson	X		29 Emerson St.	X	
HPB Nomination- 11/20/2019	PC 4	Karen Snyder	X		72 Waterville St.	X	X		PC 5	Wayne Valzania	X		27 Merrill St.	X	
HPB Nomination- 11/20/2019	PC 5	George Rheault		X	East Bayside				PC 6	Peter Murray	X		104 North St.	X	X
HPB Nomination- 11/20/2019	PC 6	George Reiche	X		50 Waterville St.	X	X		PC 7	Karen Snyder	X		72 Waterville St.	X	X
HPB Nomination- 11/20/2019	PC 7	Enoch Wenstrom	X		88 Beckett St.	X	X		PC 8	Paula Agopian	X		91 Monument St.	X	
HPB Nomination- 11/20/2019	PC 8	Berry Manter	X		46 Eastern Promenade	X	X		PC 9	Carol Conner	X		12 Montreal St.	X	X
HPB Nomination- 11/20/2019	PC 9	Mark Googins		X	63 Morning St.	X	X		PC 10	Nini McManamey	X		10 Willis St.	X	X
HPB Nomination- 11/20/2019	PC 9	Mark Googins			39 Morning St.				PC 11	Stacey Mitchell	X		74 Atlantic St.	X	X
HPB Nomination- 11/20/2019	PC 10	Susan Yandell	X		51 Monument St.	X	X	Individual Landmark Request	PC 12	George Carhart	X		7 Lafayette St.	X	X
HPB Nomination- 11/20/2019	PC 11	Christopher Akerlind	X		44 Monument St.	X	X	Individual Landmark Request	PC 13	Pam Days	X		25 Waterville St.	X	X
HPB Nomination- 11/20/2019	PC 12	Joanne Dow	X		28 Waterville St.	X	X	Individual Landmark Request	PC 14	Sally Oldham	X		118 Congress St.	X	
HPB Nomination- 11/20/2019	PC 13	Julius Ciembroniewicz	X		55 Morning St.	X	X		PC 15	Barbara Vestal	X		7-9 Fore St.	X	X
HPB Nomination- 11/20/2019	PC 14	Linsay Steven Mann		X	122 North St.	X	X								
HPB Nomination- 11/20/2019	PC 15	Alexis Santos		X											
HPB Nomination- 11/20/2019	PC 16	George and Ushi Carhart	X		7 Lafayette St.	X	X	Individual Landmark Request							
HPB Nomination- 11/20/2019	PC 17	Carl Henry		X	50 St. Lawrence St.	X	X	Opposition petition signatures; 25							
HPB Nomination- 11/20/2019	PC 18	Markos Miller		X	17 Atlantic St.	X	X								
HPB Nomination- 11/20/2019	PC 19	Peter and Deb Murray	X		104 North St.	X	X								
HPB Nomination- 11/20/2019	PC 20	Liz Hayes	X		107 North St.	X	X								
HPB Nomination- 11/20/2019	PC 21	Markos Miller		X	17 Atlantic St.	X	X								
HPB Nomination- 11/20/2019	PC 22	Carol Conner	X		12 Montreal St.	X	X								
HPB Nomination- 11/20/2019	PC 23	Berry Manter	X		46 Eastern Promenade	X	X								
HPB Nomination- 11/20/2019	PC 24	Nini McMananmy	X		10 Willis St.	X	X								
HPB Nomination- 11/20/2019	PC 25	Mike Hoover	X		40 Melbourne St.	X	X								
HPB Nomination- 11/20/2019	PC 26	Live Chase/Brent Adler		X	65 St. Lawrence St.	X	X								
HPB Nomination- 11/20/2019	PC 27	Karen Snyder	X		72 Waterville St.	X	X	Petition submitted; 80 signatures							
HPB Nomination- 11/20/2019	PC 28	Nini McMananmy	X		10 Willis St.	X	X	Petition submitted- small petition							
HPB Nomination- 11/20/2019	PC 29	Susan Yandell	X		51 Munjoy St.	X	X								
HPB Nomination- 11/20/2019	PC 30	Adam Frederick	X		75 W. Commercial St.	X	X								
HPB Nomination- 11/20/2019	PC 31	EJ Koch	X		81 Vesper St.	X	X								
HPB Nomination- 11/20/2019	PC 32	Lauren Ashwell		X	8 Emerson St.	X									
HPB Nomination- 11/20/2019	PC 33	Travis Agaman		X	8 Emerson St.	X									
HPB Nomination- 11/20/2019	PC 34	Liz Hayes	X		107 North St.	X	X								
HPB Nomination- 11/20/2019	PC 35	Mart99	X												
HPB Nomination- 11/20/2019	PC 36	Barbara Vestal	X		107 Congress St.	X	X								
HPB Nomination- 11/20/2019	PC 37	Francesca Gallucio-Steele	X		22 Clifford St.										
HPB Nomination- 11/20/2019	PC 38	Julie Larry	X		Greater Portland Landmark										
HPB Nomination- 11/20/2019	PC 39	Rhoda Renschler	X		37 Channel Road, SoPo										
HPB Nomination- 11/20/2019	PC 40	Sally Oldham	X		118 Congress St.	X	X								
HPB Nomination- 11/20/2019	PC 41	Ed Gardner	X		84 Eastern Promenade										
HPB Nomination- 11/20/2019	PC 42	Maggy Wolf	X		28 St. Lawrence St.	X	X								

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HPB Nomination- 11/20/2019	PC 43	Diane Davison	X		29 & 33 Morning St.	X	x								
PB Workshop-12/10/2019	PC 1	Barbara Vestal	X		7-9 Fore St.	X	X	Petition signatures to nominate.	PC1	Enoch Wenstrom	X		88 Beckett St.	X	X
PB Workshop-12/10/2019	PC 2	Johanna Henry		X	50 St. Lawrence St.	X	X		PC2	Jake Halpert	X		74 Atlantic St.	X	X
PB Workshop-12/10/2019	PC 3	Carol Conner	X		12 Montreal St.	X	X	Individual Landmark Request	PC3	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-12/10/2019	PC 4	Karen Snyder	X		72 Waterville St.	X	X		PC4	Berry Manter	X		46 Eastern Promenade	X	X
PB Workshop-12/10/2019	PC 5	George Rheault		X	East Bayside				PC5	Josh Baston		X	42 Munjoy St.	X	X
PB Workshop-12/10/2019	PC 6	George Reiche	X		50 Waterville St.	X	X		PC6	John Wuestoff	X		11 Morning St.	X	X
PB Workshop-12/10/2019	PC 7	Enoch Wenstrom	X		83 Beckett St.	X	X		PC7	Zack Barowitz		X	Libby Town		
PB Workshop-12/10/2019	PC 8	Berry Manter	X		46 Eastern Promenade	X	X		PC8	Greg Shinberg	X		Outside Portland		
PB Workshop-12/10/2019	PC 9	Mark Googins		X	63 & 39 Morning St.	X	X		PC9	Nini McManamy	X		10 Willis St.	X	X
PB Workshop-12/10/2019	PC 10	Susan Yandell	X		51 Monument St.	X	X	Individual Landmark Request	PC10	Wayne Valzania	X		27 Merrill St.	X	
PB Workshop-12/10/2019	PC 11	Christopher Akerlind	X		44 Monument St.	X	X	Individual Landmark Request	PC11	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 12	Joanne Dow	X		28 Waterville St.	X	X	Individual Landmark Request	PC12	Ann Manganello		X	84 Quebec St.	X	X
PB Workshop-12/10/2019	PC 13	Julius Ciembroniewicz	X		55 Morning St.	X	X		PC13	John Whitehouse		X	18 North St.	X	X
PB Workshop-12/10/2019	PC 14	Linsay Steven Mann		X	122 North St.	X	X		PC14	Justine Denny	X		56 North St.	X	X
PB Workshop-12/10/2019	PC 15	Alexis Santos		X					PC15	Peter Murray			104 North St.	X	X
PB Workshop-12/10/2019	PC 16	George and Ushi Carhart	X		7 Lafayette St.	X	X	Individual Landmark Request	PC16	Mark Holden	X		37 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 17	Carl Henry		X	50 St. Lawrence St.	X	X	Opposition petition signatures; 25 signaturs representing 15 properties	PC17	Erna Koch	X		81 Vesper St.	X	X
PB Workshop-12/10/2019	PC 18	Markos Miller		X	17 Atlantic St.	X	X		PC18	Ned Chester	X		7 Fore St.	X	X
PB Workshop-12/10/2019	PC 19	Peter and Deb Murray	X		104 North St.	X	X		PC19	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 20	Liz Hayes	X		107 North St.	X	X		PC20	Beth Snyder	X		81 North St.	X	X
PB Workshop-12/10/2019	PC 21	Markos Miller		X	17 Atlantic St.	X	X		PC21	Julie Larry	X		GPL		
PB Workshop-12/10/2019	PC 22	Carol Conner	X		12 Montreal St.	X	X		PC22	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-12/10/2019	PC 23	Berry Manter	X		46 Eastern Promenade	X	X		PC23	Caroly Swartz	X		27 Merrill St.	X	
PB Workshop-12/10/2019	PC 24	Nini McMananmy	X		10 Willis St.	X	X		PC24	Lori Round		X	47 Monument St.	X	
PB Workshop-12/10/2019	PC 25	Mike Hoover	X		40 Melbourne St.	X	X		PC25	Barbara Vestal	X		7 Fore St.	X	X
PB Workshop-12/10/2019	PC 26	Live Chase/Brent Adler		X	65 St. Lawrence St.	X	X		PC26	Pamela Day	X		25 Monument St.	X	X
PB Workshop-12/10/2019	PC 27	Karen Snyder	X		72 Waterville St.	X	X	Petition submitted; 80 signatures representing 60 properties.	PC27	Sue ?	X		122 North St.	X	X
PB Workshop-12/10/2019	PC 28	Nini McMananmy	X		10 Willis St.	X	X	Petition submitted- small petition on Willis St.	PC28	Julie Larry	X		GPL		
PB Workshop-12/10/2019	PC 29	Susan Yandell	X		51 Munjoy St.	X	X		PC29	George Rheult		X	Bayside		
PB Workshop-12/10/2019	PC 30	Adam Frederick	X		75 W. Commercial St.	X	X		PC30	Tim Wells		X	33 Montreal St.	X	X
PB Workshop-12/10/2019	PC 31	EJ Koch	X		81 Vesper St.	X	X		PC31	Oliver Murray	X		55 Montreal St.	X	X
PB Workshop-12/10/2019	PC 32	Lauren Ashwell		X	8 Emerson St.	X			PC32						
PB Workshop-12/10/2019	PC 33	Travis Agaman		X	8 Emerson St.	X			PC33						
PB Workshop-12/10/2019	PC 34	Liz Hayes	X		107 North St.	X	X								
PB Workshop-12/10/2019	PC 35	Mart99	X												
PB Workshop-12/10/2019	PC 36	Barbara Vestal	X		107 Congress St.	X	X								
PB Workshop-12/10/2019	PC 37	Francesca Gallucio-Steele	X		22 Clifford St.										
PB Workshop-12/10/2019	PC 38	Julie Larry	X		Greater Portland Landmar										
PB Workshop-12/10/2019	PC 39	Rhoda Renschler	X		37 Channel Road, SoPo										

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	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	8	28.6%	28						
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26						
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	16	20.5%	78						
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61						
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40						
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24						
4)	Planning Board Hearing - 3/10/2020 downloaded 3/10 4:14p	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51	
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77						
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	8	13.8%	58						
	OVERALL TOTALS: Total All Emails Sent	221	76.5%	68	23.5%	289	97	78.2%	27	21.8%	124	
	-If A Munjoy Hill Resident (Unique Person)	159	85.9%	26	14.1%	185						
	-If In the Proposed Munjoy Hill Historic District (Unique)	117	81.8%	26	18.2%	143						

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PB Workshop-12/10/2019	PC 40	Sally Oldham	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 41	Ed Gardner	X		511 Congress St St.										
PB Workshop-12/10/2019	PC 42	Maggy Wolf	X		28 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 43	Diane Davison	X		29 Morning St St.	X	X								
PB Workshop-12/10/2019	PC 44	Julius Ciembroniewicz	X		55 Morning St St.	X	X	Note: Included in PB packet were previous were from HPB 11/20/2019 meeting. This Starts to address Planning Board for 12/10/2019 workshop.							
PB Workshop-12/10/2019	PC 45	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-12/10/2019	PC 46	James Hambley /Jenny Dig	X		61 Monument St.	X	X								
PB Workshop-12/10/2019	PC 47	Wayne Valzania	X		27 Merrill St.	X									
PB Workshop-12/10/2019	PC 48	Marlies Reppenhagan	X		55 Morning Stl, Unit 2-2	X	X								
PB Workshop-12/10/2019	PC 49	Paula Agopian	X		91 Monument St.	X									
PB Workshop-12/10/2019	PC 50	Anita Stewart	X		25 A Forest Ave.										
PB Workshop-12/10/2019	PC 51	Lori Rounds		X	47 Monument St.	X									
PB Workshop-12/10/2019	PC 52	Kate Howe		X	40 Quebec St.	X									
PB Workshop-12/10/2019	PC 53	Berry Manter	X		46 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 54	Carle Henry		X	50 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 55	Carol Conner	X		12 Montreal St.	X	X								
PB Workshop-12/10/2019	PC 56	Joshua Baston		X											
PB Workshop-12/10/2019	PC 57	Nancy/Bob Jordan	X			X		Owns 6 Buildings on Munjoy Hill?							
PB Workshop-12/10/2019	PC 58	Carolyn Swartz	X		27 Merrill St.	X									
PB Workshop-12/10/2019	PC 59	YIMBY		X											
PB Workshop-12/10/2019	PC 60	Erna Koch	X		81 Vesper St.	X	X								
PB Workshop-12/10/2019	PC 61	Vana Carmona	X		105 North St., Unit 1	X	X								
PB Workshop-12/10/2019	PC 62	David Kelly		X	Portland, ME										
PB Workshop-12/10/2019	PC 63	Debrah Yale		X				Broker for Tom Landry							
PB Workshop-12/10/2019	PC 64	Gary Bahlkow	X		42 Lafayette St.	X									
PB Workshop-12/10/2019	PC 65	Jeremy Rutkiewicz		X	161 Congress St.	X	X								
PB Workshop-12/10/2019	PC 66	Lorraine Carrol	X		31 North St.	X	X	30 yr resident							
PB Workshop-12/10/2019	PC 67	Lydia Savage	X		19 Melbourne St.	X									
PB Workshop-12/10/2019	PC 68	William Gemmill	X												
PB Workshop-12/10/2019	PC 69	Bruce Wood	X		Old Port										
PB Workshop-12/10/2019	PC 70	Beth Snyder	X		81 North St.	X	X								
PB Workshop-12/10/2019	PC 71	Stephen Gaal	X		176 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 72	Diane Davison	X		29 Morning St.	X	X								
PB Workshop-12/10/2019	PC 73	Robin Whitten	X		23 St. Lawerence St.	X	X								
PB Workshop-12/10/2019	PC 74	Elizabeth Miller		X	46 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 75	Sara Mills	X												
PB Workshop-12/10/2019	PC 76	Sally Oldham	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 77	Leslie Hart	X		215 Sheridan St.	X									
PB Workshop-12/10/2019	PC 78	Betty Lorber	X		225 Sheridan St.	X									

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PB Workshop-12/10/2019	PC 79	Priscilla Harrison	X					Moved off of Munjoy Hill 6 yrs ago							
PB Workshop-12/10/2019	PC 80	Chris Stewart	X		81 North St.	X	X								
PB Workshop-12/10/2019	PC 81	Susan Gillis		X	48 Congress St.	X	X								
PB Workshop-12/10/2019	PC 82	Carol McCracken		X	Portland, ME			Doesn't live on the Hill.							
PB Workshop-12/10/2019	PC 83	Oliver Murray	X		55 Montreal St.	X	X								
PB Workshop-12/10/2019	PC 84	Patricia Erikson	X					3rd generation Munjoy Hill							
PB Workshop-12/10/2019	PC 85	Ben Poirer	X		Cape Elizabeth										
PB Workshop-12/10/2019	PC 86	Susan Yandell	X		51 Monument St.	X	X								
PB Workshop-12/10/2019	PC 87	Liz Hayes	X		107 North St.	X	X								
PB Workshop-12/10/2019	PC 88	Anne Manganello		X	84 Quebec St.	X	X								
PB Workshop-12/10/2019	PC 89	Jonathan Wylie/Gail Ringel	X		34 Lafayette St.	X	X								
PB Workshop-12/10/2019	PC 90	Martha Emerson	X		340 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 91	KE Smith	X		80 Quebec St.	X	X								
PB Workshop-12/10/2019	PC 92	Ann Casady	X		205 Sheridan St.	X									
PB Workshop-12/10/2019	PC 93	Peter and Deb Murray	X		104 North St.	X	X								
PB Workshop-12/10/2019	PC 94	Abbie McMillen	X		26-28 Vesper St.	X	X								
PB Workshop-12/10/2019	PC 95	Nancy Brian	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 96	Carol J. DeTine	X		144 Vaughn St.	X	X								
PB Workshop-12/10/2019	PC 97	Marianne Pratt	X		224 Sheridan St.	X									
PB Workshop-12/10/2019	PC 98	Hillary Bassett	X		55 Morning St.	X	X								
PB Workshop-12/10/2019	PC 99	Dan Haley		X	140 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 100	Betty and John Wuestoff	X		15 Morning St.	X	X								
PB Workshop-12/10/2019	PC 101	Katy Brewer	X					Grew Up on the Hill							
PB Workshop-12/10/2019	PC 102	Nancy Guimond	X		13 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 103	Greater Portland Landmark	X												
PB Workshop-12/10/2019	PC 104	Tica Douglas	X		11 Munjoy St.	X	X								
PB Workshop-12/10/2019	PC 105	Lori Rounds		X	47 Monument St.	X									
PB Workshop-12/10/2019	PC 106	Mary Casale	X		39 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 107	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-12/10/2019	PC 108	Pamela Day	X		25 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 109	Travis Agaman		X	8 Emerson St.	X									
PB Workshop-12/10/2019	PC 110	Andrew Glassberg	X		340 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 111	Jill Nixon	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 112	Rob Whitten	X		188 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 113	Paul Haley		X	62 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 114	Nini McMananmy	X		10 Willis St.	X	X		0						
PB Workshop-12/10/2019	PC 115	Carl Henry		X	50 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 116	Peter Pitegoff			205 Sheridan St.	X		Referring to 128R North/ 126 North							
PB Workshop-12/10/2019	PC 117	Anne Pringle	X		Neal St										
PB Workshop-12/10/2019	PC 118	William Hall	X		Pleasant Ave.			Use to be on Planning Board							
PB Workshop-12/10/2019	PC 119	Gail Ringle	X		34 Lafayette St.	X	X								
PB Workshop-12/10/2019	PC 120	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 121	Markos Miller		X	17 Atlantic St.	X	X								

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PB Workshop-12/10/2019	PC 122	Peggy Hefferen	X		8 Sherbrook St.	X	X								
PB Workshop-12/10/2019	PC 123	Mike Hammen	X		127 Pleasant St.	X									
PB Workshop-12/10/2019	PC 124	Nancy Machesney	X		213 Sheridan St.	X									
PB Workshop-12/10/2019	PC 125	Stephen Shiffman	X		9 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 126	Wayne Valzania - MHNO	X		MHNO										
PB Workshop-12/10/2019	PC 127	Chuck Kamr	X		55 Morning St.	X									
PB Workshop-12/10/2019	PC 128	Lauren Ashwell		X	8 Emerson St.	X		Downloaded packet on noon 12/10/2019							
PB Workshop-02/11/2020	PC 1	Ann Manganello		X	84 Quebec St.	X	X		PC1	Zack Barowitz		X	Libbytown		
PB Workshop-02/11/2020	PC2	John Whitehouse		X	18 North St.	X	X		PC2	Nathan Z.	X		22 Eastern Promenad	X	X
PB Workshop-02/11/2020	PC 3	Markos Miller		X	17 Atlantic St.	X	X		PC3	David Lloyd	X		29 Waterville St.	X	X
PB Workshop-02/11/2020	PC 4	Sally Oldham	X		118 Congress St.	X			PC4	John Wuestoff	X		11 Morning St.	X	X
PB Workshop-02/11/2020	PC 5	Zack Barowitz		X	Libby Town				PC5	John White		X	18 North St.	X	X
PB Workshop-02/11/2020	PC 6	George Rheault		X	West Bayside				PC6	Vanna Carmona	X		105 North St.	X	X
PB Workshop-02/11/2020	PC 7	David Kelly		X	Portland				PC7	Rob Whitten	X		29 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 8	Emily Liebling		X	54 Tyng St.				PC8	Mike Hoover	X		40 Melburne St.	X	X
PB Workshop-02/11/2020	PC 9	Francesa Galluccio-Steele	X		22 Clifford St.				PC9	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-02/11/2020	PC 10	Zack Barowitz		X	Libby Town				PC10	Anne Manganello		X	84 Quebec st.	X	X
PB Workshop-02/11/2020	PC 11	Lauren Ashwell		X	8 Emerson St.	X			PC11	Tica Douglas	X		11 Munjoy St.	X	X
PB Workshop-02/11/2020	PC 12	Lori Rounds		X	47 Monument St.	X			PC12	Sally Oldham	X		118 Congress St.	X	
PB Workshop-02/11/2020	PC 13	Lynn Kuzma		X	10 Emerson St.	X			PC13	Juli Larry	X		GPL		
PB Workshop-02/11/2020	PC 14	Wayne Valzania (MHNO)	X		MHNO				PC14	Nini McManamey	X		10 Willis St.	X	X
PB Workshop-02/11/2020	PC 15	George Carhart	X		7 Lafayette St.	X	X		PC15	Lori Round		X	47 Monument St.	X	
PB Workshop-02/11/2020	PC 16	Wayne Valzania	X		27 Merrill St.	X			PC16	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 17	Carolyn Swartz	X		27 Merrill St.	X			PC17	Wayne Valzania	X		23 Merrill St.	X	
PB Workshop-02/11/2020	PC 18	Erna Koch	X		81 Vesper St.	X	X		PC18	Enoch Wenstrom	X		88 Beckett St.	X	X
PB Workshop-02/11/2020	PC 19	Linda Tyler	X		52 St. Lawrence St.	X	X		PC19	karen Snyder	X		72 Waterville St.	X	X
PB Workshop-02/11/2020	PC 20	Mark Holden	X		37 St. Lawrence St.	X	X		PC20	Smith - female developer		X	?		
PB Workshop-02/11/2020	PC 21	Michael Englerbert	X		193 Sheridan St.	X			PC21	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-02/11/2020	PC 22	Richard Rollins	X		Hill Boy				PC22	Tim Wells		X	33 Montreal St.	X	
PB Workshop-02/11/2020	PC 23	Mary Morse	X		208 Sheridan St.	X			PC23	George Rheault		X	Bayside		
PB Workshop-02/11/2020	PC 24	Robin Whitten	X		23 St. Lawrence St.	X	X		PC24	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 25	Heather Sullivan		X	32 Merrill St.	X			PC25	Peter Murray	X		104 North St.	X	X
PB Workshop-02/11/2020	PC 26	Julie Larry			GPL				PC26	Barry Manter	X		46 Eastern Promenad	X	X
PB Workshop-02/11/2020	PC 27	Kevin Schochat	X		215 Sheridan St.	X			PC27	Sive Nelson	X		29 Emerson St.	X	
PB Workshop-02/11/2020	PC 28	Mary Barrett	X		27 Parson St.										
PB Workshop-02/11/2020	PC 29	Nancy Machesney	X		213 Sheridan St.	X									
PB Workshop-02/11/2020	PC 30	Steven Inman	X		81A Vesper St.	X	X								
PB Workshop-02/11/2020	PC 31	Edward Fiske Mooney	X		77 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 32	Susan Yandell	X		51 Monument St.	X	X								
PB Workshop-02/11/2020	PC 33	Sara Auld	X		43 Munjoy St.	X	X								
PB Workshop-02/11/2020	PC 34	Carol Connor	X		12 Montreal St.	X	X								
PB Workshop-02/11/2020	PC 35	Ann Casady	X		213 Sheridan St.	X									
PB Workshop-02/11/2020	PC 36	George Carhart	X		7 Lafayette St.	X	X								
PB Workshop-02/11/2020	PC 37	Lincoln Payne	X		150 Eastern Promenade	X	X								

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3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
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4)	Planning Board Hearing - 3/10/2020 downloaded 3/10 4:14p	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51	
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77						
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	8	13.8%	58						
	OVERALL TOTALS: Total All Emails Sent	221	76.5%	68	23.5%	289	97	78.2%	27	21.8%	124	
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PB Workshop-02/11/2020	PC 38	Travis Agaman		X	8 Emerson St.	X									
PB Workshop-02/11/2020	PC 39	Amy Alward	X		South Portland										
PB Workshop-02/11/2020	PC 40	Elizabeth Peavey	X		Portland										
PB Workshop-02/11/2020	PC 41	Nick Murray		X	40 St. Lawrence St.	X	X								
PB Workshop-02/11/2020	PC 42	James Rohman		X	57 Elmwood St.										
PB Workshop-02/11/2020	PC 43	James Hambley	X		61 Monument St.	X									
PB Workshop-02/11/2020	PC 44	Donna Jones	X		Portland										
PB Workshop-02/11/2020	PC 45	Abbie McMillen	X		26-28 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 46	Anne Pringle	X		Neal St.										
PB Workshop-02/11/2020	PC 47	Daryl Renschler	X		Portland										
PB Workshop-02/11/2020	PC 48	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-02/11/2020	PC 49	Kathleen Bender	X		11 North St.	X	X								
PB Workshop-02/11/2020	PC 50	Marlies Reppenhagen	X		55 Morning St.	X	X								
PB Workshop-02/11/2020	PC 51	Pamela Day	X		25 Waterville St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan	X		13-15 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			17-19 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			91-93 Morning St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			26-30 Eastern Promenade	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			19 Locust St.										
PB Workshop-02/11/2020	PC 53	Carl Henry		X	50 St. Lawrence	X	X								
PB Workshop-02/11/2020	PC 54	Carol J. De Tine	X		144 Vaughn St.										
PB Workshop-02/11/2020	PC 55	Charlton Smith	X		33 Turner St.	X									
PB Workshop-02/11/2020	PC 56	John Watson & Nancy Brai	X		118 Congress St.	X									
PB Workshop-02/11/2020	PC 57	Justine Denney	X		56 North St.	X	X								
PB Workshop-02/11/2020	PC 58	Tom Keating	X		166 Pleasant Ave.										
PB Workshop-03/10/2020	PC59	Abby Harvey	X		17 Waterville St.	X	X		PC1	Jake Halpert	X		74 Atlantic St.	X	X
PB Workshop-03/10/2020	PC60	Anne Manganello		X	84 Quebec St.	X	X		PC2	David Cowie	X		32 North St.	X	X
PB Workshop-03/10/2020	PC61	Anne Manganello		X	84 Quebec St.	X	X		PC3	Gemma Cannon	X		204 Congress St.		
PB Workshop-03/10/2020	PC62	Audrey Puleio	X		27 North St.	X	X		PC4	Pam Plum	X		104 Park St.		
PB Workshop-03/10/2020	PC63	Barbara Brown	X		156 Sheridan St., #2C	X			PC5	Nini McManamy	X		10 Willis St.	X	X
PB Workshop-03/10/2020	PC64	Barti Bourgault	X		49 Waterville St.	X	X		PC6	Saura Shannon		X	59 Moody St.	X	X
PB Workshop-03/10/2020		Barti Bourgault			51 Waterville St.	X	X		PC7	George Rheult		X	West Bayside		
PB Workshop-03/10/2020	PC65	Beth Snyder	X		81 North St.	X	X		PC8	Josh Baston		X	42 North St.	X	X
PB Workshop-03/10/2020	PC66	Bruce Wood	X		607 Chandler's Wharf				PC9	Lauren Ashwell		X	8 Emerson St.	X	
PB Workshop-03/10/2020	PC67	Candace Myers	X		45 Eastern Promenade, Unit B-G	X			PC10	Mark Holden	X		37 St. Lawrence	X	X
PB Workshop-03/10/2020	PC68	Carl Henry		X	50 St. Lawrence	X	X		PC11	Mildred Bachrach		X	211 Brackett St.		
PB Workshop-03/10/2020	PC69	Carol Conner	X		12 Montreal St.	X	X		PC12	Dianne Davison	X		29 Morning St.	X	X
PB Workshop-03/10/2020	PC70	Carol McCracken		X	Portland				PC13	Bill Hall	X		Peaks Island		
PB Workshop-03/10/2020	PC71	Carolyn Swartz	X		27 Merrill St.	X	X		PC14	Michelle Polacsek	X		167 Newbury St., Unit 406		
PB Workshop-03/10/2020	PC72	Christopher Ackerland	X		44 Monument St.	X	X		PC15	Robin Whitten	X		23 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC73	Christopher Stewart	X		81 North St.	X	X		PC16	Sherwin Hamill	X		2 Atlantic St.	X	X
PB Workshop-03/10/2020	PC74	Claudia Diller	X		Munjoy Hill?	X			PC17	Stacy Mitchell	X		74 Atlantic St.	X	X
PB Workshop-03/10/2020	PC75	Cynthia Schmidt	X		21 Sheridan St, #1	X	X		PC18	Beth Snyder	X		81 North St.	X	X
PB Workshop-03/10/2020	PC76	David Lloyd	X		29 Waterville St.	X	X		PC19	Angela Adams	X		2 Atlantic St.	X	X
PB Workshop-03/10/2020	PC77	Debra Cole	X		71 Walnut St.	X	X		PC20	Keri lord	X		Deering St.		

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2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
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PB Workshop-03/10/2020	PC78	Debra Pressier	X		25 Fore St.	X	X		PC21	Ann Mangello		X	84 Quebec St.	X	X
PB Workshop-03/10/2020	PC79	Liz Hays	X		107 North St.	X	X		PC22	Lindsey Mann	X		122 North St.	X	X
PB Workshop-03/10/2020	PC80	Gary Stern	X		65 Revere St.				PC23	Richard Heffern	X		8 Sherbrooke St.	X	X
PB Workshop-03/10/2020	PC81a	George Rheult		X	Bayside				PC24	Hilary Bassett	X		55 Morning St.	X	X
PB Workshop-03/10/2020	PC82	Joe Walsh		X	Portland, Munjoy ?Green Clean Maine?				PC25	Thomas Brokish	X		43 Munjoy St.	X	X
PB Workshop-03/10/2020	PC83	John Whitehouse		X	1 Cumberside Falmouth				PC26	Sally Oldham	X		118 Congress St.	X	X
PB Workshop-03/10/2020	PC84	Kathryn Yates	X						PC27	Rob Whitten	X		23 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC85	Kenneth and Joyce Bailly	X		59 Mountfort St.	X			PC28	Berry Manter	X		46 Eastern Promenad	X	X
PB Workshop-03/10/2020	PC86	Kevin Schochat	X		215 Sheridan St.	X			PC29	Carol Swartz	X		27 Merrill St.	X	X
PB Workshop-03/10/2020	PC87	Leslie Hart	X		215 Sheridan St.	X			PC30	Wayne Valzania	X		27 Merrill St.	X	X
PB Workshop-03/10/2020	PC88	Maggy Wolf	X		28 St. Lawrence	X	X		PC31	Steve Cannon	X		204 Congress St.		
PB Workshop-03/10/2020	PC89	Martica Swain	X		28 St. Lawrence	X	X		PC32	Mike Hoover	X		40 Melbourne St.	X	X
PB Workshop-03/10/2020	PC90	Nan Cumming	X		87 Vesper St.	X	X		PC33	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-03/10/2020	PC91	Nancy Machesney	X		215 Sheridan St.	X			PC34	Oliver Murray	X		40 Montreal St.	X	X
PB Workshop-03/10/2020	PC92	Nancy Thayer	X		7 Gilbert Lane	X	X		PC35	Sive Whelan	X		29 Emerson St.	X	X
PB Workshop-03/10/2020	PC93	Ned Chester	X		11 Fore St.	X	X		PC36	John Wuestoff	X		17 Morning St.	X	X
PB Workshop-03/10/2020	PC94	Paul Flaxman	X		7 Atlantic St.	X	X		PC37	John Mahoney		X	73 Atlantic St.	X	X
PB Workshop-03/10/2020	PC95	Bob and Jeanne Bull	X		68 Atlantic St.	X	X		PC38	Ned Chester	X		7 Fore St.	X	X
PB Workshop-03/10/2020	PC96	Ryan Fitzgerlad		X	51 Morning St.	X	X		PC39	Herb Adams	X		Parkside		
PB Workshop-03/10/2020	PC97	Sally Oldham	X		118 Congress	X			PC40	Pam Day	X		25 Waterville St.	X	X
PB Workshop-03/10/2020	PC98	Ted Oldham	X		118 Congress	X			PC41	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-03/10/2020	PC99	Tica Douglas	X		11 Munjoy St.	X	X		PC42	Barbara Vestal	X		7 Fore St.	X	X
PB Workshop-03/10/2020	PC100	Tom Kennedy	X		340 Eastern Promenade, Unit 213	X			PC43	Lori Round		X	47 Monument St.	X	
PB Workshop-03/10/2020	PC101	Travis Agaman		X	8 Emerson St.	X			PC44	Peter Blackstone	X		76 Cumberland Ave	X	X
PB Workshop-03/10/2020	PC102	Wendy Cherubini		X	33 May St.				PC45	Lorrayne Carroll	X		31 North St.	X	X
PB Workshop-03/10/2020	PC103	William Cleaves	X		27 North St, Apt 4	X	X		PC46	Mary Casale	X		39 Waterville St.	X	X
PB Workshop-03/10/2020	PC104	Megan Roberts		X	Portland, Woodsford				PC47	Tim Wells		X	33 Montreal	X	
PB Workshop-03/10/2020	PC105	Vana Carmona	X		105 North St., Apt 1	X	X		PC48	Peter Murray	X		104 North St.	X	X
PB Workshop-03/10/2020	PC106	Martha Emerson	X		340 Eastern Promenade, Unit 247	X			PC49	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC107	Betts Mayer	X		211 Sheridan St.	X			PC50	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC108	Gemma Cannon	X		WHSa Secretary?	X			PC51	Karen Snyder	X		72 Waterville St.	X	X
PB Workshop-03/10/2020	PC109	Matt Thayer	X		62 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC110	Uschi Carhart	X		7 Lafayette St.	X	X								
PB Workshop-03/10/2020	PC111	Mildred Bachrach		X	211 Brackett St.										
PB Workshop-03/10/2020	PC112	Nini McManamy	X		11 Willist St.	X	X								
PB Workshop-03/10/2020	PC113	Nathan Szanton	X		22 Eastern Promenade, Unit #3	X	X								
PB Workshop-03/10/2020	PC114	Mary Casale	X		39 Waterville St.	X	X								
PB Workshop-03/10/2020	PC115	Joel Harris	X		38 Blanchard St, Cumberland										
PB Workshop-03/10/2020	PC116	Peter Murray	X		104 North St.	X	X								
PB Workshop-03/10/2020	PC117	Lindsay Swann	X		122 North St.	X	X								
PB Workshop-03/10/2020	PC118	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-03/10/2020	PC119	Barbara Vestal	X		11 Fore St.	X	X								
PB Workshop-03/10/2020	PC120	Gail Wenstrom	X		83 Beckett St.	X	X								
PB Workshop-03/10/2020	PC121	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-03/10/2020	PC122	Gail Wenstrom	X		83 Beckett St.	X	X								

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PB Workshop-03/10/2020	PC123	Pam Day	X		25 Waterville St.	X	X								
PB Workshop-03/10/2020	PC124	Betty Wuestoff	X		11 Morning St.	X	X								
PB Workshop-03/10/2020	PC125	Hillary Bassett	X		55 Morning St.	X	X								
PB Workshop-03/10/2020	PC126	Cara DeTign	X		144 Vaughn St.										
PB Workshop-03/10/2020	PC127	Ed Gardner	X		511 Congress St.										
PB Workshop-03/10/2020	PC128	Francesca Galluccio-Steele	X		22 Clifford St.										
PB Workshop-03/10/2020	PC129	Robert Derry	X		63 Melbourne St.	X	X								
PB Workshop-03/10/2020	PC130	Carl Henry		X	50 St. Lawrence	X	X								
PB Workshop-03/10/2020	PC131	George Carhart	X		7 Lafayette St.	X	X								
PB Workshop-03/10/2020	PC132	Greater Portland Landmark	X		GPL										
PB Workshop-03/10/2020	PC133	Debby Murray	X		104 North St.	X	X								
PB Workshop-03/10/2020	PC134	Janie Lynch		X	???										
PB Workshop-03/10/2020	PC135	Jo-Ann Kayatta	X		????										
PB Workshop-03/10/2020	PC136	Kristina Minister	X		101 North St, Apt 4	X	X								
PB Workshop-03/10/2020	PC137	Laura Shen & Will Stilton		X	59 Moody St.	X	X								
PB Workshop-03/10/2020	PC138	Lynne Panico	X		49 Moody St.	X	X								
PB Workshop-03/10/2020	PC139	Robin Ferrar		X	46 Walnut St.	X	X								
PB Workshop-03/10/2020	PC140	Sarah Goan	X		54 Walnut St.	X	X								
PB Workshop-03/10/2020	PC141	Kathleen Bender	X		11 North St.	X	X								
PB Workshop-03/10/2020	PC142	Karen Harrison		X	34 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC143	Brent Adler		X	92 Walnut St.	X									
PB Workshop-03/10/2020	PC144	Eleanore Houghton	X		Portland										
PB Workshop-03/10/2020	PC145	Erna Koch	X		81 Vesper St.	X	X								
PB Workshop-03/10/2020	PC146	George Rheault		X	Bayside										
PB Workshop-03/10/2020	PC147	George Rheault		X	Bayside										
PB Workshop-03/10/2020	PC148	Jen Micoles	X		61 Mountfour St.	X									
PB Workshop-03/10/2020	PC149	John Carolan		X	28 North St.	X	X								
PB Workshop-03/10/2020	PC150	Julian Ciembroniewicz	X		55 Morning St.	X	X								
PB Workshop-03/10/2020	PC151	Kate Howe		X	40 Quebec St.	X									
PB Workshop-03/10/2020	PC152	Kelly Worster	X		52 Monument St.	X									
PB Workshop-03/10/2020	PC153	Mary Barret	X		Portland										
PB Workshop-03/10/2020	PC154	Mike Cavanaugh	X		39 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC155	MJ Hill?	X		Fake?										
PB Workshop-03/10/2020	PC156	Paula Agopian	X		90 Monument St.	X									
PB Workshop-03/10/2020	PC157	Robert Morse	X		Portland										
PB Workshop-03/10/2020	PC158	Sophie Samuels	X		46 Howard St.	X									
PB Workshop-03/10/2020	PC159	William Alcorn	X		125 Morning St.	X	X								
PB Workshop-03/10/2020	PC160	Barbara Keppel	X		141 North St.	X	X								

Sources:

HPB Nomination- 11/20/2019	https://portlandme.civicclerk.com/Web/Player.aspx?id=533&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-12/10/2019	https://portlandme.civicclerk.com/Web/Player.aspx?id=571&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-02/11/2020	https://portlandme.civicclerk.com/Web/Player.aspx?id=1207&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-03/10/2020	https://portlandme.civicclerk.com/Web/Player.aspx?id=1219&key=-1&mod=-1&mk=-1&nov=0

Google Groups

Historic Districting of Munjoy Hill

Elizabeth Hayes <silverlakehayes@gmail.com>

Aug 4, 2020 11:48 AM

Posted in group: **Planning and Urban Development**

Hi, everyone:

I've lived on the Hill for six years and have come to love our special neighborhood. I'm very much in favor of protecting the history of our community and believe it is our obligation and in our best interest to keep our neighborhood's history alive and well. Our history is magnificent! Elizabeth Hayes 77 St. Lawrence Street.

--

Elizabeth Hayes Traveling Mom, wife and CEO

Google Groups

Public Comment on the Munjoy Hill Historic District

Elizabeth McCormack <elizabeth.j.mccormack@gmail.com>

Aug 11, 2020 10:52 AM

Posted in group: **Planning Board**

Good morning, Planning Board Members!

I'm writing today in support of designating a Munjoy Hill Historic District. If this designation is not approved, I'm deeply concerned that even more historic homes on Munjoy Hill will be torn down to make way for high-end condos catered to summer visitors and other part-time residents.

If the historic buildings of Munjoy Hill are not permanently preserved, the sense of community that currently exists there will likely be lost. This feeling— of walking around a quaint neighborhood with wonderful eateries and sweet, unique homes— is what attracts people to Portland, Maine in the first place. For a state so dependent on tourism dollars, why would we squander this? Visitors will no longer flock to Portland when glossy high rises and hotels consume the landscape, and the money they bring will no longer flow in.

I care deeply about affordable housing in the Portland area and stood in support with the unhoused folks at the City Hall encampment; this designation is just as important. I have friends who are musicians, bakers, and tutors that can afford living on Munjoy Hill by living together, splitting a 3-bedroom in one of the single family homes turned into a 2 or 3-unit apartment building. My friends will be priced out of this neighborhood when the new development comes. These are people that add so much to the city: they keep our dining scene afloat, they support the city's young learners, they bring culture and vitality to Portland. This is who you will lose to Biddeford, South Portland, and Lewiston.

I urge you to please support the designation of a Munjoy Hill Historic District. The essence of Portland— the cobblestones, the friendly faces of the restaurant servers you've come to know, the sun peeking behind an old home on Munjoy Hill, all the things that make Portland what it is — depends on it.

Thank you for your time,
Elizabeth McCormack
Masters Student, Clinical Mental Health Counseling, USM
371 Preble St. Apt. 1, South Portland, ME

Google Groups

Proposed Munjoy Hill Historic District

Elizabeth Streeter <streeter.beth@gmail.com>

Aug 9, 2020 11:13 AM

Posted in group: **Planning Board**

Dear Planning Board,

I am a resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with NO changes or modifications to what the Historic Preservation Board nominated back in 11/20/2019.

*I have sent a letter prior to this but hadn't included those who are cc'd.
I realize this is after the time to submit but I hope you will consider my voice since I feel very strongly about this issue.*

*Thank you for your
Sincerely
Elizabeth Streeter
Quebec st.*

Google Groups

Support the Munjoy Hill Historic District

Hilary Bassett <hilarydbassett@gmail.com>

Aug 7, 2020 10:04 PM

Posted in group: **Planning Board**

Dear Planning Board Members: As a Munjoy Hill resident and property owner for 14 years, **I urge you to support the Munjoy Hill Historic District as recommended by the Historic Preservation Board.** The District has strong support in the neighborhood, and will be a powerful tool that preserves the irreplaceable historic character of our City, and at the same time supports environmental sustainability and affordable housing — all objectives outlined in the comprehensive plan.

Thanks for your consideration,

Hilary Bassett

55 Morning Street, 1-1, Portland

Google Groups

Proposed Munjoy Hill Historic District

Karen Harrison <karen.harrison.me@gmail.com>

Posted in group: **Planning and Urban Development**

I have lived at 34 Munjoy Street (District 1) since 1993. I love my street, and I love my neighborhood, in which people are quick to help one another and respectful of differences. Over the years, we have found ways to make them more enjoyable, economical or useful. I like some of the changes and dislike others, but all of them represent people making the best decisions for themselves and the neighborhood.

I'm strongly opposed to any historic district designation for this neighborhood for these reasons:

- Historic designation restrictions on additions, renovations and demolitions will prevent people from making the best design and financial decisions for their families and their futures.
- Historic designation restrictions will reduce the energy and vitality of the neighborhood and discourage or prevent the use of high-quality, cost-saving contemporary materials and methods that look different than older glass.
- Historic designation restrictions have a disproportionate financial impact on people with fewer resources. This includes young people using "sweat equity" to fix up a dilapidated building for reasonable rents while maintaining their buildings as cost-effectively as possible for their tenants' safety and comfort.
- The historic district guidelines for renovations may not allow homeowners to conform to contemporary building safety standards, for example in the size of egress windows. This applies to many buildings in the neighborhood.

Some additional thoughts:

- Behavior can't be regulated through planning and zoning. Neighborhoods are better when people see each other coming and going – and I'd rather not look at garage doors when I'm on the side or back of a building doesn't force people to interact with their neighbors if they typically leave and enter their residence through the garage.
- It's always unfortunate when someone loses a wonderful view, but that happens everywhere, and that's why houses and apartments on Eastern Prom (or, for that matter, Central Park West) have current views, many of which are enjoyed by residents whose buildings blocked others' views when they were built.
- It seems that 118 Congress Street has become the poster child for people who are upset about development on the Hill. But there are other ugly buildings on that side of Congress Street, and the bleakly utilitarian Cummings Center and fire station at 134. And 118, for all of its faults, includes street-level retail.
- At a community meeting a couple of years ago, we watched a slide show on the history of development on the Hill. I'm pretty sure that around the turn of the last century, the people living in the apartment buildings now considered quaint and historic.

I respect the depth of knowledge and tremendous love for Portland's older buildings shown by the staff of Greater Portland Landmarks and the City's Historic Preservation team, but I don't think that the problems presented by development in this neighborhood can be reasonably and fairly addressed by an historic district designation. I'd rather not live in a neighborhood where photographs happened to have been taken. I'd like to continue to live in a vibrant, energetic, live-and-let-live neighborhood.

Thanks for listening,
Karen Harrison

Google Groups

I support the designation of an historic district on Munjoy Hill

Kate Philbin <kphilb3@gmail.com>

Aug 4, 2020 3:33 PM

Posted in group: **Planning and Urban Development**

I fully support the Munjoy Hill Neighborhood Association's assessment of the value of the designated districts:

The historic character of the Hill, a remarkably intact example of working-class residential architecture of the 19th and early 20th century, is threatened by this incompatible new development. The plethora of vernacular frame houses on small lots on Hill streets produces an uninterrupted, rich urban fabric. The uniformity of scale, massing and orientation, and the way buildings are sited in relation to each other, results in a valued streetscape which is greater than the sum of its individual parts. The uninterrupted concentration of structures of a similar design and age, most of which have retained their architectural integrity, contributes greatly to the ambience and amenity of the Hill as a place to live today. This fabric is jeopardized by redevelopment projects that replace existing residential structures with large condominium blocks that frequently appear to be out of scale and proportion to the surrounding buildings and seem not to respect the historic built environment of the neighborhood.

I ask that you vote in support of the proposed historic district on Munjoy Hill.

Kate Philbin
45 Eastern Promenade 6J

Google Groups

Munjoy Hill Historic district

kathleen bender <kabendr@yahoo.com>

Aug 9, 2020 9:18 AM

Posted in group: **Planning and Urban Development**

Greetings,

The Planning Board should recommend the historic district to the City Council.

There is a concept referred to as diminishing return. We don't want to go too far with further commercial development. Please keep the Hill as designated by the Historic Preservation Board.

Thank you for your attention to this,
Kathleen Bender
11 North St. LLC

resident and landlord

Google Groups

Historic district Munjoy Hill

Kirsten Platt <kirstenplatt@gmail.com>

Aug 7, 2020 8:18 AM

Posted in group: **Planning and Urban Development**

When will you be making your decision about the proposed historic district on Munjoy Hill? I hope you will vote to preserve the neighborhood and limit the ever higher luxury condos for part-time residents. Thank you

Kirsten Platt

61 Montreal St #3

Portland Maine 041010

Re: March 17 Planning Board Public Comment from 59 Moody Street re: Potential Munjoy Hill Historic District and Individual Landmark Designations

Laura Shen <lauraelizabethshen@gmail.com>

Tue, Aug 4, 2020 at 4:45 PM

To: Planning Board <planningboard@portlandmaine.gov>

Cc: Belinda Ray <bsr@portlandmaine.gov>, jmy <jmy@portlandmaine.gov>, Will Siltan <willsiltan@gmail.com>

To: Planning Board, City of Portland, ME

Cc: Belinda Ray, District 1 Councilwoman & Jennifer Munson, Office Manager, Will Siltan (co-owner [59 Moody St](#))

Dear Mr. Mazer,

Please find attached our public comments ahead of the Tuesday, August 11th Planning Board Meeting regarding the Potential Munjoy Hill Historic District and Individual Landmark Designations. These are in response to the questions you asked at the end of the meeting on March 10th and the responses provided by members of the Historic Preservation Board. I had submitted these for the March 17th meeting that was not held.

We will not be able to attend the session as we are getting married on Saturday and will be offline next week but we look forward to watching the recording when we return.

With kind regards,

Laura Shen & Will Siltan

On Wed, Mar 11, 2020 at 11:17 PM Laura Shen <lauraelizabethshen@gmail.com> wrote:

To: Planning Board, City of Portland, ME

Cc: Belinda Ray, District 1 Councilwoman & Jennifer Munson, Office Manager, Will Siltan (co-owner [59 Moody St](#))

Dear Mr. Mazer,

Please find attached our public comments ahead of the Tuesday, March 17th Planning Board Meeting regarding the Potential Munjoy Hill Historic District and Individual Landmark Designations. These are in response to the questions you asked at the end of the meeting on March 10th and the responses provided by members of the Historic Preservation Board.

With kind regards,

Laura Shen & Will Siltan



200311 Follow-up Letter to Planning Committee.pdf

2053K

59 Moody Street
Portland, ME 04101

Brandon Mazer
Chair, Planning Committee
City of Portland, Maine
389 Congress St
4th Floor
Portland, ME 04101

March 11, 2020

Dear Mr. Mazer,

Thank you and the Planning Board for listening to Laura's public comments yesterday, March 10th. Laura had to leave at 9PM but we watched the recording and wanted to follow-up with responses to Ms. Andrews and Ms. Grimando comments regarding our concerns – particularly around the Notification to Property Owners & Inclusion in the Process and District Line Inconstistencies. Our comments below are additive to our letter submitted on March 5th (*see Exhibit 6*).

Notification to Property Owners & Inclusion in the Process.

- The Historic Preservation members present seemed to imply that we were at fault for not knowing that our home was affected by the historic district and they both agreed that our not being notified was a one-off exception ("they only ones we are aware of" Ms. Andrews stated).
- **Basic Notification.** The formal messaging on the Historic Preservation Board website said that "All affected property owners will receive notices prior to each upcoming meeting." When we bought our home, half the property was in the draft document and half was not. We checked the website and it said affected homeowners would be notified before each meeting. Nowhere on the website does it say – check the Portland Press Herald for more details. Nor was there language on the website that said recent homeowners must proactively reach out because the Assessor's office takes up to 4 months (Ms. Andrews told us up to 4 months last week – not "4-5 months" as she stated last night). Nor were there signs posted on the affected streets ahead of major hearings and workshops. The Historic Preservation Board and city websites are the official source for all information regarding this process. As responsible homeowners, we were aware (we would not go as far as to say "well aware" as Ms. Andrews stated) of the on-going overlay and process but we also trusted that local government would keep us informed per the instructions on their website that is regularly updated before and after each meeting. We'd like to reiterate that we were never actually notified. We proactively reached out on February 17 and Ms. Andrews returned on message on February 20. We were not given basic notification and as a result have issue with the current map and our inclusion as a "contributing" property.
- **One-off exception.** Given Ms. Andrew's verbal description of the administrative error that left us off the distribution list, we would assume that anyone who bought a home in the proposed district during a certain period of time would have been excluded from proper notification. We only caught this issue two weeks ago. We believe it is the responsibility of the Preservation

Board to audit their processes to determine how homeowners were affected and conduct additional workshops and allow for changes to the current proposal. An audit would include reviewing all property transactions in the affected area over an extended period of time then comparing the new homeowner list to the distribution list used by the Historic Preservation Board. According to Ms. Andrews' statement, the erroneous list was pulled in the "summer" of 2019 but that list would preclude anyone who's paperwork was being processed in the Assessor's office. We bought our home in June, but there's no telling how outdated the list was without an internal investigation. I conducted a rudimentary Zillow search of the Munjoy Hill area that showed 56 homes sold in the last 12 months.

District Line Inconsistencies.

- Half of our property is in the proposed district and half is outside of the proposed district. Ms. Andrews said that was because our property is on two parcels of land and referred to the land excluded from the proposed district as a "separate parcel" and "an empty, undeveloped parcel" based on their examination of the map.
- **A single parcel according to City and State documentation.** To the best of our knowledge as homeowners, our property at 59 Moody and the combined Homeowners Association with 57 Moody is one parcel that is not subdivided on the line that appears in the current version of the proposed historic district as two parcels – one of which is in and one of which is out of the proposed historic (*see Exhibit 1*). The documentation we have – including past Zoning Board approvals (*see Exhibit 2*) and the Plan of Boundary Survey submitted and approved by the State of Maine Registry of Deeds (*see Exhibit 3*) – indicates we have a single lot with one property line around both encapsulating the building unit and parking area.
- **Not an "empty, undeveloped parcel".** Ms. Andrews' statement that the excluded area of 59 Moody Street is a "undeveloped lot" is false. It is an active paved parking area that houses up to two cars and used for our household activities. We step foot in that area everyday. Every evening it has houses our two cars. It is actively maintained with fencing and seasonally curated by us as homeowners. It is by no means empty and undeveloped.
- **Identical neighboring area included.** Would also like to reiterate that behind all four rowhomes is one combined parking area. The area behind 59&57 Moody – is paved while the area behind 55&53 Moody is a mix of pavement and gravel (*see Exhibit 4*). For some reason, which still hasn't been clearly articulated by Ms. Andrews or Ms. Grimando, the parking area behind 59&57 Moody is excluded from the Historic District recommendation, while the parking area behind 55&53 Moody is included in the Historic District (*see Exhibit 5*). Had we been part of the conversation before the recommendation was finalized, we could've had this discussion. Our recommendation would be to exclude the parking area from both HOAs for consistency as neither should be deemed contributing factors to the historic district.
- This oversight exemplifies the haphazard approach to district lines and the lack of knowledge of all affected properties. Given the impact of this proposed district, we would expect clear understanding of lot lines and properties from those managing the process. Ms. Andrews could not give facts about the property when asked by Mr. Mazer about the merged nature of the lots, which our documentation as homeowners would say it is not. The Preservation Board has spread itself too broad – without the depth and knowledge needed - as it tries to do too much with its current proposal.

We would also continue to emphasize the point from our March 5 letter that our home should be excluded from the proposed district as "non-contributing" due to extensive renovations including an addition and installation of a large modern roof deck. No other property within the proposed district has

such a structure because they have all already been deemed “non-contributing”. We believe our property should also fall in this category.

This city is in the process of building the Portland of the future and the City Council has a plan for 2030 and vision of the city we evolve into. It is unclear how the designation of Munjoy Hill as a historic district will allow us to do that. The vibrancy of a community that is equitable, sustainable, and dynamic does not stem from the burden of historic district designation and rules. We understand significant effort has been put into the process to-date, but the result is an inconsistent proposal.

Again, from our vantage point, we were unable to inform the process because of a lack of due process and would like our property at 59 Moody Street removed from any list of “contributing” properties.

We thank you for your time in reading this and hope that the Planning Committee will consider our on-going experience and vote to reject the proposed Historic District on March 17th.

With kind regards,
Laura Shen & Will Siltan

EXHIBIT 1: Current Historic Preservation Board Recommendation (pulled from website on 3/11/20)

59 Moody Street property lines highlighted in red



-  Proposed Historic District Boundary
-  Proposed Individual Landmark
-  Existing Individual Landmark
-  Contributing Property
-  Noncontributing Property

IF THIS SHEET IS NOT 24" x 36" IT IS A REDUCED SCALE PRINT - SCALE ACCORDINGLY

CHARLETTE
DESIGN

16 YORK STREET
PORTLAND, MAINE 04101
CONTACT: PITCHER.COM

LEBLANC
RESIDENCE
16 YACKEY STREET
PORTLAND, MAINE

1 16 YACKEY STREET
PORTLAND, MAINE

1 16 YACKEY STREET
PORTLAND, MAINE

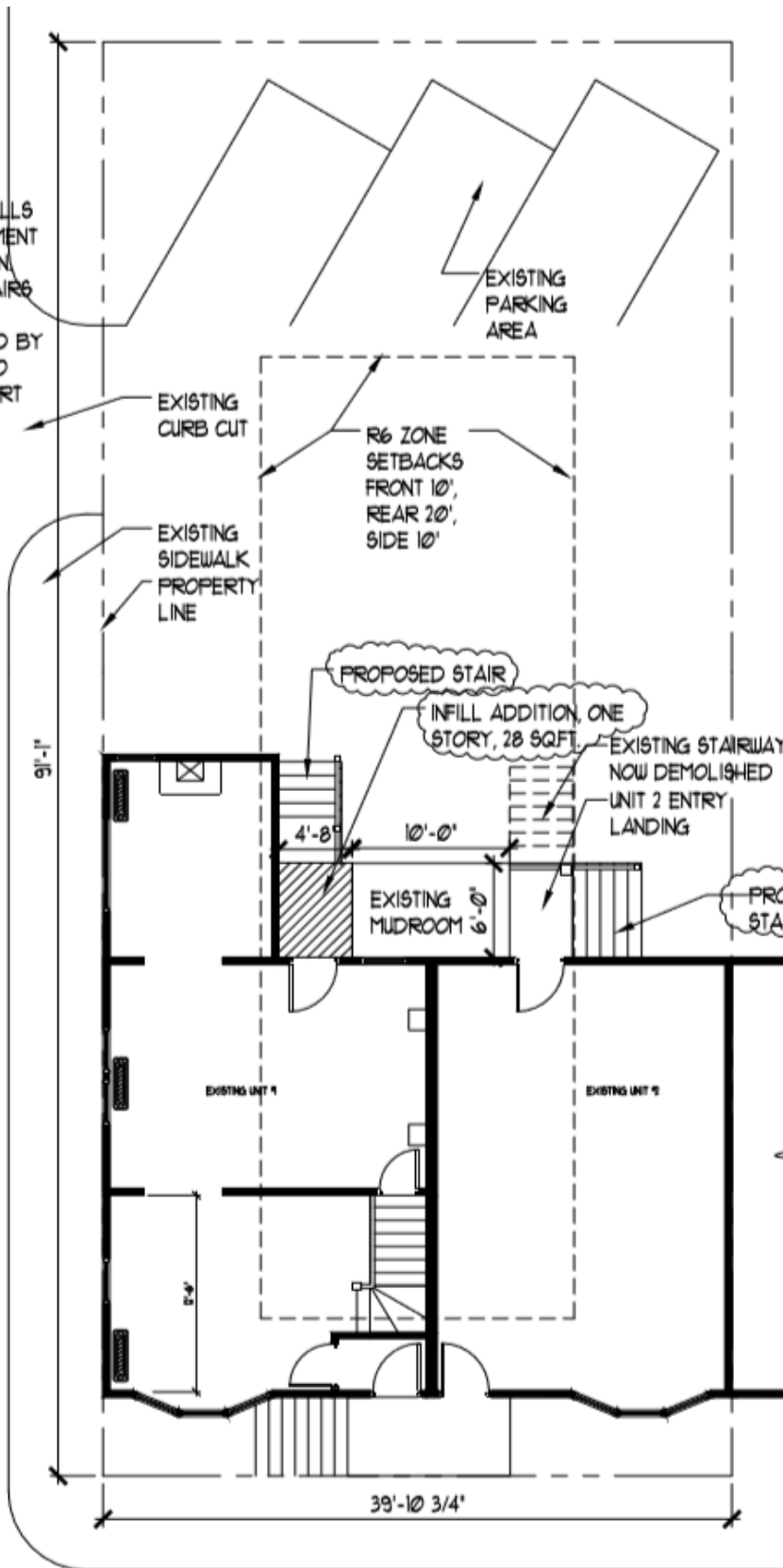
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PORTLAND, MAINE

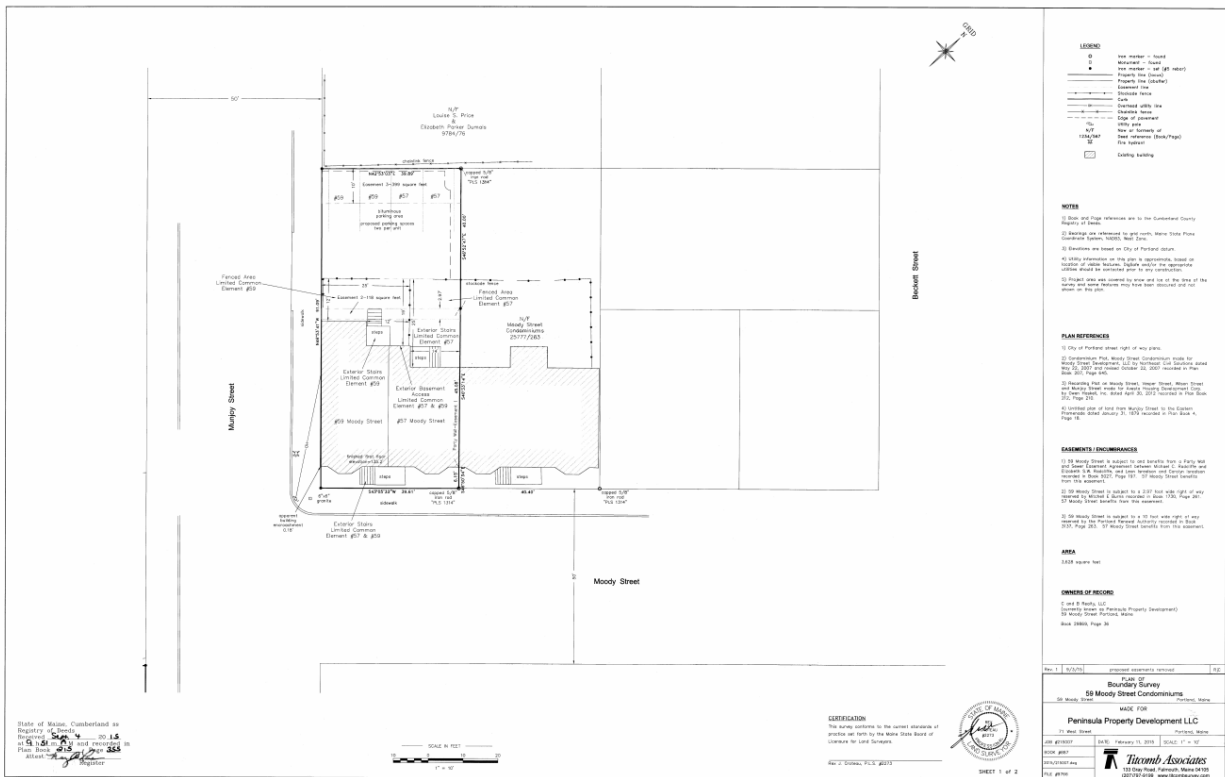
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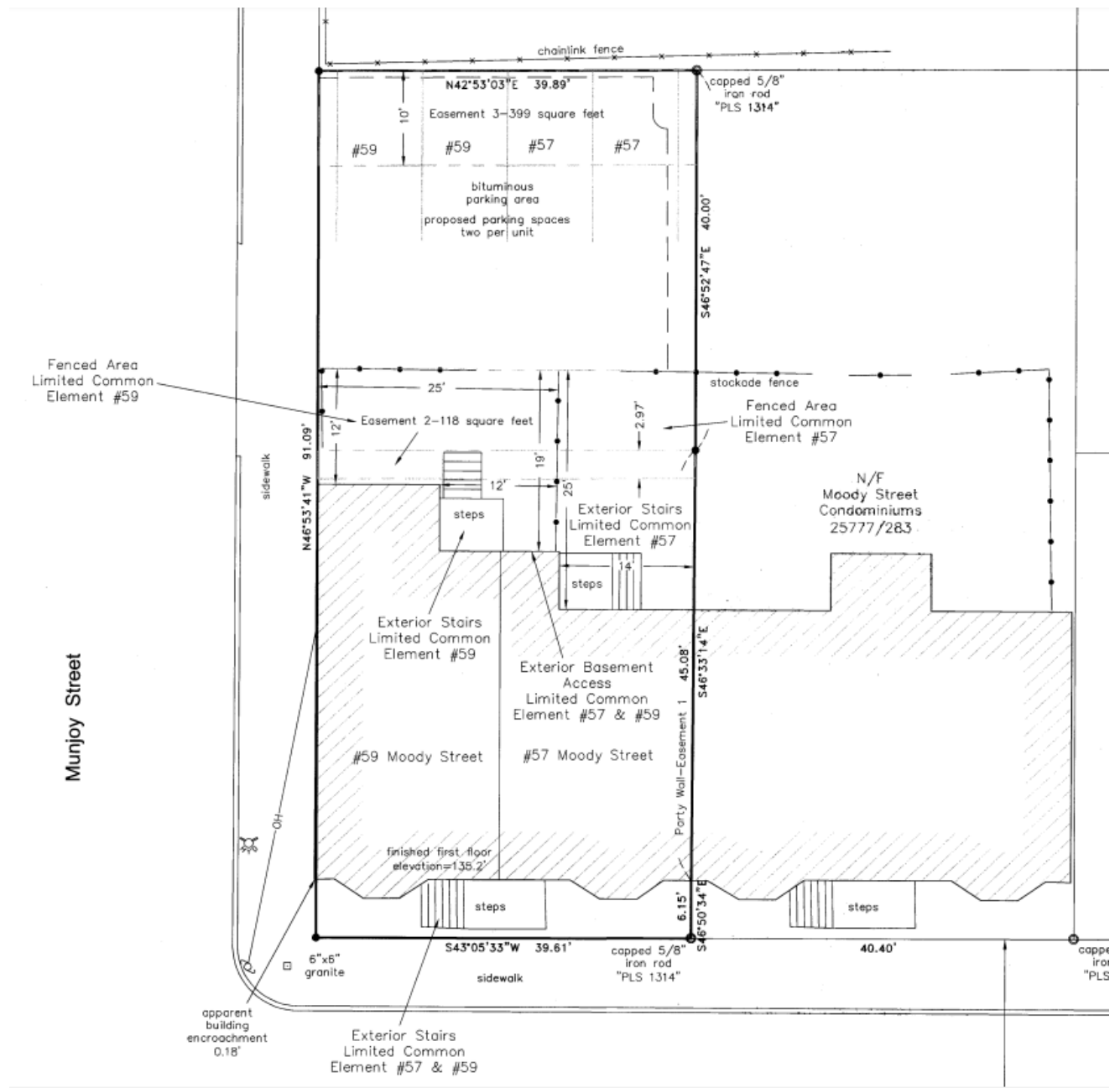
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MUNJOY STREET



MOODY STREET





LEGEND

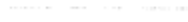
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	Monument - found
	Iron marker - set (#5 rebar)
	Property line (locus)
	Property line (abutter)
	Easement line
	Stockade fence
	Curb
	Overhead utility line
	Chainlink fence
	Edge of pavement
	Utility pole
N/F	Now or formerly of
1234/567	Deed reference (Book/Page)
	Fire hydrant
	Existing building

EXHIBIT 4:



EXHIBIT 5:



EXHIBIT 6: Written Comment provided 59 Moody Street ahead of March 10th Planning Board Hearing

59 Moody Street
Portland, ME 04101

Brandon Mazer
Chair, Planning Committee
City of Portland, Maine
389 Congress St
4th Floor
Portland, ME 04101

March 5, 2020

Dear Mr. Mazer,

Ahead of the workshop and public hearing on Tuesday, March 10th, we wanted to voice our concerns regarding the Munjoy Hill Historic District recommendation. As property owners within the proposed district, we are concerned about the impact on our property. We recognize that each side of this proposal has articulated pros and cons but what we would like to raise are three specific examples of how the process to-date and proposed district is flawed and questions the integrity of the entire initiative. These are examples that affect our property and I am sure our story is not dissimilar to other residents.

Notification to Property Owners & Inclusion in the Process. We closed on our townhouse at 59 Moody Street on June 6, 2019. We understood there was an on-going process with the overlay and history district proposal. We followed in the Portland Press Herald updates and the city website clearly stated that *"All affected property owners will receive notices prior to each upcoming meeting."*¹ On February 17, 2020, I checked the city website after reading the Planning Board was taking up the proposal for a vote. Half of our property seemed to be in the map and half wasn't. We were obviously confused as we had not received any notices from the city regarding our property being affected.

We reached out to Deb Andrews via voicemail on Monday, February 17th and received a phone call response on Thursday, February 20th. Ms. Andrews explained that an administrative error occurred and that we were never added to the distribution lists that sent the physical mailers to affected property owners. The explanation was that the Portland Assessor's Office takes up to four months to update records of new property owners. Even if it took four months, we should've been added to the distribution list by October at the latest – which would have allowed us to participate in several of the workshops and public discussions that all other notified affected homeowners were invited to participate in. When we followed up with Ms. Andrews regarding the further past October, she looked

¹ As of March 5, 2020 and following our meeting with Christine Grimando and Deb Andrews on March 2, 2020, that language was removed from the city website and no longer exists for viewing.

into it and said it was administrative error. The city employee in charge of these distributions never updated the contact list with the most recent version of affected homeowners.

We have several concerns:

- Unclear breadth of impact. We met in-person with Ms. Andrews and Ms. Grimando on March 2, and they said they had rectified the issue with the system but did not say how many people this administrative issue affected or how outdated the previous list of the affected homeowners was.
- Inability to inform the process. Given the short timeline of us proactively discovering we were excluded and the upcoming March 10th Planning Meeting, we have not been able to participate in the process with other affected homeowners. All the site lines have been drawn and there has been no opportunity for proper debate or input. Ms. Grimando and Ms. Andrews did take time to meet with us on March 2nd but the general tone of the meeting was informational and not an opportunity to change the version of the map that the Historic Preservation Board had already approved and excluded us from.
- Integrity of the process. This administrative error raises questions about the integrity of the historic district proposal process as a whole. I would also think it raises legal questions regarding how the process was executed. This could have been avoided if the committee had been more inclusive in the neighborhood it was potentially impacting. Signs or flyers around the neighborhood with the proposed district map and times of the public hearings would have avoided the situation we find ourselves in today.

District Line Inconsistencies.

- The recommendation from the Historic Preservation Board splits our property (59 Moody). We own the end unit of a four unit rowhouse complex. The rowhouse complex is split into two homeowners associations (59&57 Moody and 55&53 Moody). Behind all four rowhomes is a parking area. The parking area behind our HOA – 59&57 Moody – is paved while the area behind 55&53 Moody is a mix of pavement and gravel (*see Exhibit 1*). For some reason, which wasn't clearly articulated by Ms. Andrews or Mr. Grimando, the parking area behind 59&57 Moody is excluded from the Historic District recommendation, while the parking area behind 55&53 Moody is included in the Historic District. Had we been part of the conversation before the recommendation was finalized, we could've had this discussion. Our recommendation would be to exclude the parking area from both HOAs for consistency as neither should be deemed contributing factors to the historic district.
- Our property is on the edge of what is in and what is out of the Historic District. It seems a bit arbitrary about which homes are included and which aren't. I understand that there is an art to all of this from Ms. Andrews and Ms. Grimando and a "feel" to the street. We would argue that Munjoy Street (the Moody to Congress portion) represents historic features that should be included if we're included. Non-contributing units – like 85 Munjoy – should be excluded. The Munjoy St landscape is nearly identical to Vesper Street, which are included as contributing buildings (*see Exhibit 2*)

Recommending 59 Moody as a Non-Contributing property.

- 59 Moody is currently recommended as a contributing property. We would argue that recent renovations in 2012 and additions to the home would preclude it from the contributing category (*see Exhibit 3*). Specifically, the large roofdeck is a very visible non-contributing factor. From the street, you can see the protruding staircase and modern railings.

- In the Building Inventory notes on the city website, the commentary on our property and initial argument for inclusion as contributing is as follows: *"The westernmost row house has a two-story addition and a rooftop deck. Despite these alterations and losses, the row houses retain their form and scale that are unusual in the neighborhood and contribute to the story of the neighborhood's historic residential development."* We would argue that those alterations are enough to warrant the designation of non-contributing. If the historic "story" is what matters, it doesn't seem like the protecting a rental property from 1910 is of the highest priority. We are part of a HOA and have rules regarding our maintenance and appear of our attached row homes, we do not need the historic designation to maintain the appearance and flavor of our part of the street.
- Again, because we were excluded from the process given to other affected homeowners, we were never able to make our case and have it considered in the recommended district map in front of you on March 10th.

I would also note that we do not have the funds to hire legal counsel to push this matter forward more than this letter to the Planning Board. We know others who have successfully challenged and had their properties removed from the Historic District zone by spending thousands of dollars on lawyers to find loopholes to this process.

We were excited to move to Munjoy Hill and become part of this community. As a younger couple who looks forward to raising a family here in Portland, we have found this process to be decisive and polarizing. It makes it less attractive for others to move to Munjoy Hill with this uncertainty and fear of what the Historic District will restrict and the additional expense it brings to homeowners. I hope the Planning Board and City Council is able to hear our concerns and is able to find a way to preserve the community without a Historic District.

We thank you for your time in reading this and hope that the Planning Committee will consider our experience and vote to reject the recommended Historic District as is presented by the Historic Preservation Board on March 10th.

With kind regards,

Laura Shen & Will Siltan

EXHIBIT 1:



EXHIBIT 2

Multi-unit homes on Vesper Street (proposed contributing buildings)



Multi-unit homes on Munjoy Street (proposed non-contributing buildings)



EXHIBIT 3



Google Groups

letter opposing historic district on Munjoy Hill

Lauren M Ashwell <lashwell@gmail.com>

Aug 4, 2020 10:30 AM

Posted in group: **Planning Board**

Please find my full letter attached. I am opposed to the historic district; it will prevent us from thoughtfully balancing the concerns and challenges of the city as a whole and elevates aesthetic value over other values we ought to promote, and the Planning Board and City Council needs to be able to target the promotion of affordable housing and sustainability in a more effective way than this will allow.

August 3rd, 2020

To the Planning Board;

Munjoy Hill does not need restrictive historic preservation. We need more creative, forward looking policies that address real issues in our neighborhood and city rather than restrictive policies that put aesthetics ahead of other community values. The Planning Board and City Council needs to have the flexibility to effectively target policies for development that promotes the good of the whole city, and Munjoy Hill needs to be able to contribute to that good for the whole city.

This plan elevates historic preservation over other values we ought to promote. For example, within this proposed ordinance there is no way to balance preservation against environmental sustainability. Sustainability is, of course, supported by not tearing down buildings for no good reason. But in certain cases sustainability may require this; in adopting policies that help drive up prices even further, we continue to force those who work in Portland further out into the suburbs and other towns. This brings more traffic congestion and pollution, which could be alleviated by smart planning of new housing on the peninsula. This kind of concern needs to be taken into account when the city reviews the zoning; putting in a historic district now makes this kind of thoughtful review much more difficult if not impossible.

The proposed districting also effectively prohibit solar panels and solar hot water for most residents (they're allowed, but only if not visible from the street). This is a completely ridiculous restriction even if you are in favor of historic districting for aesthetic reasons. Solar hot water or panels hardly impact the historic aesthetics of a building – less certainly than having modern cars on the street or in our driveways, or modern lightbulbs in our streetlights and over our front doors. In requiring a particular aesthetic, we prevent smartly designed passive solar buildings as well. In a time of increased urgency to slow climate change we should not be adding restrictions on residents doing a small part for sustainability.

I have lived on the hill for a decade and my partner and I plan to live on the hill for the next 30 years, at least. However, if we are held to the standards under the proposed district, **we may not be able to afford to maintain our property and many others will not as well.** This plan is being built on working-class history, yet there is no provision in this plan to assist any people who would find the restrictions too costly (I have been told by the historic district's proponents that Deb Andrews will personally provide me with options that I can afford, but this is simply not possible for all working families within the proposed restrictions. As I have mentioned before in public meetings, the cost to re-side our house is more than doubled by this plan; when one considers the cost of maintenance of wood siding as well it will be even more). We want the city to consider this plan in a longer term context than what a small number of residents want now, especially when many others will be here and impacted by this district much longer. **We also urge you to think about the way that Munjoy Hill can contribute to addressing the issues facing the city as a whole.** Munjoy Hill is lovely, and we love it here, but it is only one small part of a city that needs to be thought of as a whole in planning for the future.

Sincerely,
Lauren Ashwell, 8 Emerson St, Portland

Google Groups

Munjoy Hill Historic District

Leslie Hart <blesliehart@gmail.com>

Aug 6, 2020 6:00 PM

Posted in group: **Planning Board**

Dear members of the Planning Board

I am writing to urge you to support the proposal in front of you to create the Munjoy Hill Historic District, with no changes or modifications.

An historic district on Munjoy Hill is a good idea for many reasons including a greater chance that affordable housing will be created or maintained as a result of tax credits, and because it can prevent affordable housing from being removed and replaced by more expensive housing. Plus there is the positive effect of preserving the character and stability of the neighborhood.

Thank you for your consideration.

Leslie Hart
215 Sheridan St.
Portland ME 04101
917.364.3682

Google Groups

Proposed Munjoy Hill Historic District

Linda Bancroft <linda@aquariuspmp.com>

Aug 7, 2020 9:06 AM

Posted in group: **Planning and Urban Development**

Aquarius Property Management manages a number of rental units in the proposed historic district, in both newer buildings and very old buildings. We are strongly opposed to the proposed historic district, as it will have a significant negative impact on landlords' ability to maintain and improve their rental units cost-effectively. This will of course have a negative impact on landlords' ability to continue to offer rentals at affordable rates. If implemented, the historic district will elevate the interests and desires of wealthy property owners over the needs of Munjoy Hill renters, particularly those in long-term, stable housing situations.

Thank you,
Linda Bancroft

Linda Bancroft, President & COO
Aquarius Property Management

p: (207) 899-3845
e: linda@aquariuspmp.com
w: aquariuspmp.com
m: PO Box 4910, Portland ME 04112



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Google Groups

Munjoy Hill: Historic District

Linda Tyler <ltyler8@gmail.com>

Jul 31, 2020 1:51 PM

Posted in group: **Planning Board**

Please enable Munjoy Hill to become a Historic District.

I support the idea for several reasons; most important to me, however, is to deny unnecessary demolition which has, as we all know, detrimental environmental effects. As well, we have so far seen disastrous aesthetic results from overly large, ill-designed projects that belong somewhere else if anyway.

Thank you.

Linda P. Tyler
52 Saint Lawrence Street
Portland, ME 04101

Google Groups

Munjoy Hill

Linda Tyler <ltyler8@gmail.com>

Aug 7, 2020 6:26 AM

Posted in group: **Planning Board**

Whoops! Sorry; forgot to add the following clause to my previous email. Thanks.

*I am a resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with **NO changes to what the Historic Preservation Board nominated back in 11/20/2019.***

Liz Hays <lizchays@gmail.com>

Mar 24, 2020 11:33 AM

Posted in group: **Planning Board**

Let Planning Board members know that you support the district as recommended by the Historic Preservation Board in November and ask them to recommend designation of the proposed historic district to the Portland City Council.

Google Groups

Vote Yes for the Munjoy Hill Historic District

Liz Hays <lizchays@gmail.com>

Jul 31, 2020 8:04 PM

Posted in group: **Planning Board**

Dear City of Portland Planning Board

I am a home owner in the proposed Munjoy Hill Historic District. I strongly support the Munjoy Hill Historic District as recommended by the Historic Preservation Board in November 2019, in order to preserve the unique character of the neighborhood. I feel this designation will protect the investment I have made in buying my home by controlling insensitive development. I ask you to recommend designation of the proposed historic district to the Portland City Council.

Thank you considering my request.

Elizabeth Hays
107 North Street
Portland, ME 04101

Google Groups

Proposed Munjoy Hill Historic District

Lori Rounds <lori.j.rounds@gmail.com>

Aug 7, 2020 10:51 AM

Posted in group: **Planning Board**

To the Planning Board:

I am writing to urge you to vote AGAINST the proposed Munjoy Hill Historic District.

Recent communications with two Munjoy Hill homeowners illustrate the financial impact of Historic District rules on their ability to repair and renovate their homes. One long time MH homeowner seeks to replace the deteriorating wood shingle siding on her house with a cost effective alternative. Vinyl siding is the least costly replacement material but historic district rules require replacement in-kind with wood shingles or clapboards, resulting in a labor and materials cost differential of \$30k for wood vs vinyl. The homeowners budget cannot manage the additional cost of wood siding so she has not made needed repairs to her existing shingle siding. A second homeowner, who bought his MH house well before the historic district rules were imposed last year, has spent considerable time, energy and money over the past several years on architectural and engineering services to design an expansion of his < 1000 square foot MH home to accommodate his growing family. Potential renovations would be in compliance with Munjoy Hill Conservation Overlay District requirements. Unfortunately he is finding the HD rules and process and (in his words) the Historic Preservation Board to be inflexible, all resulting in significant additional cost and time to the project. Additionally, the homeowner is discovering that many contractors are unwilling to accept projects in an historic district due to the complexity (and sometimes subjectivity) of the rules. Although the homeowner has lived on the Hill for many years first as a renter and then homeowner, he is now forced to consider moving off of Munjoy Hill in order to find a home that is suitable for his family because the costs of complying with HD-required design and construction changes are beyond his means.

Portland has a housing affordability crisis. Adding a 12th historic district to the City will increase maintenance and renovation costs to HD homeowners and those costs will be passed along to renters. Some homeowners will decide to forego maintenance and repairs due to increased costs. Neither outcome is desirable. I respectfully urge Planning Board members to reject the proposed Munjoy Hill Historic District.

Regards,
Lori Rounds
47 Monument Street

Google Groups

Portland resident and hopeful future property owner against Historic Districts

Lucas Blom <lfblo@mykolab.com>

Aug 5, 2020 11:39 AM

Posted in group: **Planning Board**

Hello Planning Board,

I'm a 32 year old web app developer who can't afford to own property on the peninsula. I'm leaving Portland for my second time in a decade to chase after opportunity (again) via a masters in information systems in the hopes I can come back here and finally make my forever home here. My fiancée is in middle of acing all her prerequisite class work for starting a masters in speech pathology. We both come from a long line of successful people and in theory should be able to garner down payment funds from our parents yet, because property values are so darn high even that support isn't enough.

We love it here yet are leaving so we can theoretically some day afford the ridiculous living costs here. We're smart, hardworking, honest civically engaged children of privilege and still need housing costs to go down. The only healthy way to do so that helps all is to build thousands of quality housing units year after year for the next 8-10 years. This means your board should be focusing on:

- removing parking minimums
 - expanding mixed use zoning through out ALL of Portland
 - allowing for much higher height maximums
- and
- doing everything you can to make walking, biking and public transport use the de-facto forms transportation

Much of the above is the antithesis of what it means to be a Historic District which is what the Munjoy Hill people are looking to enact. These people are blocking Portland's long and midterm prosperity by trying to limit housing in one of the most valuable spots north of Boston. They're also looking to prevent my generation's future and in turn are helping to force a likely property valuation free fall once housing in Biddeford and Westbrook get all their housing built.

Please do not make the Munjoy Hill area a Historic District. The future of Portland likely depends on it never happening.

Best,

Lucas Blom
183 Brackett Street
Unit 401
Portland, ME 04102

Google Groups

Munjoy Hill historic designation

Lynne Mason <lynnemason108@yahoo.com>

Aug 5, 2020 9:10 PM

Posted in group: **Planning Board**

Dear Planning Board

Thank you for the opportunity to express my support for creating a Historic designation district for Munjoy Hill. What's good enough for the west end of the city is also deserving of the east end..

I am a proud 4th generation from Munjoy Hill. My mother, Caroline Barofsky Israelson, spent practically all of her 86 years on Munjoy Hill. My father swam in the race from East End Beach. As a child, I attended Adams School, Emerson School, and the former Jack Junior. Our teachers like Mrs. Bowery lived in our neighborhood with us. In summer, we swam at the East End beach, laid pennies down on the train track and waved to the conductor, roller skated down Moody streets, picnicked and played Monopoly on the eastern promenade, attended the 4th of July celebration, played tennis on the courts and picked blueberries and blackberries behind the tennis courts. In winter, I sledded down the hill and trudged up the hill again with my flying saucer, ice skated on North Street, learned to baton twirl at Adams School on Saturdays with Portland High School majorettes, and later cross country skied across the prom and beach. My brother played basketball in the school yard and visited the "Bakery" on the Hill for cupcakes and "elephant ears" pastry. As a teen, I started to learn to sail off the east end beach in a community program, worked in the kitchen of the old Jewish Home for the Aged and as a Peace Corps/Vista Volunteer for the Munjoy Hill Neighborhood Association. We worked on tree planting of Ginkgo trees, flower boxes, historic research of the Observatory, historic research of the Black community on Munjoy Hill with Representative Gerald Talbot, and a community Garden with donations to the Cummings Center senior citizens.

What a great community I could walk everywhere and walk to all my friends on Moody Street, Becket Street, Monument Street, Atlantic Street and North Street. As a young adult, I had apartments on Monument Street and others as I didn't want to leave my beloved Munjoy Hill. Our police personnel were from the neighborhood and knew us and used to be the kids that got into trouble hanging out at the "corner" on Congress.

Please do all you can to maintain the unique character of Munjoy Hill, her special historic roots and her culture. As you have read, there are many positive practical aspects of designating Munjoy Hill as a Historic District.

Please recommend the Munjoy Hill Historic District Historic Preservation to the City Council for designation on Tuesday, August 11.

Please maintain the working class structures and neighborhoods. Please be respectful to all those families that through the years maintained their hard-earned homes secured with VA loans that they lovingly fixed up. These families grew up poor with cardboard in their shoes and worked for the American dream of owning a home or part of a duplex and making it a beautiful place with sweat equity. First generation ownership. The Cavallaros' house so neat and orderly, freshly painted, humble but well-maintained. The Carter house planting gorgeous roses by Robert. The Esposito's grapes, vines for wine, and turning dirt into safe gardens and yards for their children, grandchildren and now great grandchildren to play in. I almost can see all those grandmothers from Italy, Mrs. Montibello near Becket Street, and Mrs. Laponis from Greece on Moody St., Mrs. Walsh from Ireland with her Irish setter, on Morning St. The Talbots, Cummings, and "Kippy", families from the Black Community on the Hill. The longshoremen going to work at the wharf, the factory workers at Nissens, the nursing aids in their uniforms, and those on 3rd shift at the Bean factory. The Israelsons, Brennermans, Benjamins and Crasnicks from the Jewish community inviting their Catholic neighbors to Passover Seder, the intersex person that drove the Big Delivery truck, the gay couples and inter-racial couples that found refuge on the Hill when the rest of the city did not offer them a safe home. Our corner stores, the veterans at the Post on the lane near Atlantic St. helping each other cope with war stress.. Everyone gathering at the Myhavers' house on the prom on bread-making day. The families gathering on their stoops on hot summer nights watching over their children and their neighbors' children. Playing hearts and gin rummy. We are so proud of my mother working the voting polls with the Connells and everyone voting at Adams School. Everyone from all faiths attending their neighbors' Christenings, weddings, bar mitzvahs and funerals in the neighborhood churches and temples. Marching from Munjoy Hill to City Hall for civil rights and poor people's rights. Listening as a white little girl outside the door of the AME church while my friends sang inside. This is the fabric of the Hill. My mother distributing big blocks of government cheese and helping families with neglectful landlords.

As you are aware and I have been reading, there is research and evidence to support Historic Districts because they keep the community buildings for the community, ensure we don't demolish historic houses but at the same time allow

for density, keep the historic record of all the diversity and rich history. Can be better for the environment than new construction, and can allow for renewable energy technologies.

Munjoy Hill when I was growing up was always a bit neglected by the city, last to be plowed in the winter storms, last to have the pot holes fixed, last for new sidewalks, and last to get grants etc. We were the poorer working class part of the city. The Dodgy side of the city.

I urge you please don't repeat the mistake of the past don't neglect Munjoy Hill don't leave Munjoy Hill to rampant development without protecting her history, her soul, her character with this important Historic Preservation decision.

Sincerely Lynne Mason, Ph.D
Sailing Vessel Ocean Stars
PO box 26
Newburyport, Ma. 01950

Google Groups

Munjoy Hill Historic District

Maggy W <mswnola@gmail.com>

Aug 4, 2020 11:50 AM

Posted in group: **Planning Board**

On March 10th, the Planning Board adjourned prior to voting on the Historic District, intending to take it up the following week - nobody in that crowded room guessed that it would be five months later and via internet that we would be reconvening to proceed with that vote. At the time, the majority of the public who live or work or own property on Munjoy Hill who voiced an opinion - about 80% of the public comment and emails - supported this designation. The Planning staff had made a very compelling case as to how these historic preservation designations are compatible with the Comprehensive Plan and enhance Portland's brand and vision for the future. The Historic Preservation Board spent months studying and reviewing the case for the Historic District and also resoundingly endorsed it. Please do not ignore all of the expert work that has gone into this proposal.

Despite the dramatic changes in the world in those intervening months due to the global pandemic, nothing has changed the case for the Historic District for Munjoy Hill. Its diverse history is represented in its mix of architecture, from the grand houses on the Prom to the working class triple deckers; from the pre-fire New England farmhouses to the early 1900s immigrant workforce housing, this neighborhood's architecture tells the story of Portland. In recent years, we have lost some important buildings - important because they were typical of the neighborhood, and important because they housed multiple working families. Houses like these have been replaced by characterless boxes containing luxury condos which are occupied part of the year only. These often-empty condos contribute little, if anything, to the city of Portland, and only further the loss of diversity in our neighborhoods.

Short of government subsidized housing, the most affordable housing is the housing which already exists. Building costs are so high that developers are building for the wealthiest segment of society. None of the affordable housing that has been torn down in the past 5 years has been replaced with affordable housing, or even family-friendly housing. There are groups which are advocating for urban density, but that is not the housing that is being built either.

Please vote to approve the Munjoy Hill Historic District.

Thank you,
Maggy Wolf
28 Saint Lawrence

Google Groups

Marianne Chapman <mjchapman@maine.rr.com>

Aug 5, 2020 10:53 AM

Posted in group: **Planning Board**

I am a resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with NO changes to what the Historic Preservation Board nominated back in 11/20/2019.

Marianne J. Chapman



Jennifer Munson <jmy@portlandmaine.gov>

Re: Letter to Planning Board RE: Munjoy Hill HD

jmy <jmy@portlandmaine.gov>

Mon, Jul 27, 2020 at 11:42 AM

To: Planning Board <planningboard@portlandmaine.gov>

Cc: cdg@portlandmaine.gov, markosmiller@hotmail.com

Hello,

Thanks for your email. We appreciate the time you have taken to offer your thoughts, and will include your comments in the materials and as part of the public record.

If you have any questions, please contact our office.

Jennifer Munson, Office Manager

jmy@portlandmaine.gov | (207) 874-8719 | Fax (207) 756-8258

City of Portland, Department of Planning and Urban Development

[389 Congress St., 4th Floor, Portland, ME 04101](#)

On Saturday, July 25, 2020 at 10:19:54 AM UTC-4, Markos Miller wrote:

Please include my attached letter re: the Munjoy Hill Historic District in the appropriate packet for Planning Board review.

Many thanks,

Markos

Markos Miller

[17 Atlantic St](#)

Portland, ME

04101

(207) 807-2681

Planning Board Chair Mazier and Esteemed Planning Board Members,

I am writing again to express my grave concerns about the proposed Munjoy Hill Historic District (HD). I have lived and owned rental property on Munjoy Hill for over two decades. I have strived to provide high quality affordable housing to local artists, musicians, and families, including people of color and recipients of housing assistance. The socio-economic diversity of my community is important to me. It's what makes Portland special, and is at the foundation of our city's recent success. This asset is under threat on Munjoy Hill and throughout the city. I love the social and architectural character of the Hill. I also see a valuable role for HD in cities. However, the proposed historic district does nothing to address the current threat; to the contrary, it will make housing on the Hill more expensive for owners and renters, with ripple effects that will push more middle and low-income residents further and further away. I've written about these concerns in my previous letters to the Historic Preservation Board and the Planning Board, and ask you to refer to those for more detail.

The review process has failed to examine a number of critical issues that must be understood before consideration of the proposed historic district, or any other significant housing or zoning initiative. Portland has been experiencing a slow brewing housing crisis that only recently could not be ignored. From census-based housing data to homeless encampments on the steps of City Hall, it is clear that we must be taking action to create more housing, particularly for middle and low-income residents. Addressing this crisis should be the priority, not establishing a historic district that will increase housing costs and barriers to affordable housing.

The Planning Board has not been informed of the following critical issues regarding the proposed historic district:

- How will the district impact the rental market in the neighborhood and city?
- How will the district effect sale prices in the neighborhood and the city?
- How will the district impact the cost of building maintenance?
- How will the district impact renovation costs?
- How will the district effect new construction?
- How will the district effect the creation of the low and middle income housing we know we most desperately need?

Responsible policy development would address these essential concerns. This proposal has failed to address any of these, and thus should not receive the recommendation of the Planning Board.

Finally, we should all be examining current and proposed housing policy through the lens of systemic racism, which we finally can not ignore. I doubt local HD advocates have any racist intentions, but that does not mean HD will not have consequences that will perpetuate structural racism in our community. Zoning and districting have a long history of being used for racial segregation and oppression. Just because we do not have that intent does not mean it does not have that result. I'm attaching [one](#) of a plethora of available articles that discusses the structural racism that we must address in our land-use policies. HD on the Hill will do nothing to address this issue. Portland can do better.

I value your public service and regret that the Planning Board has to spend time and energy on an issue that makes no attempt to address the critical housing crisis our city faces. Please vote to not recommend this proposal to the City Council and ask the Council, the Mayor, the City Manager, and the Planning Department to prioritize pro-housing policy solutions to address the ongoing housing crisis for low and middle-income housing and to expedite the ReCode process so that Portland has the 21st century zoning we need to address today's real problems and plan for our city's future.

Thank you for your service,

Markos Miller

17 Atlantic St.

Google Groups

Munjoy Hill Historic District

mreppenhagen@yahoo.com <mreppenhagen@yahoo.com>

Aug 5, 2020 6:35 PM

Posted in group: **Planning Board**

Dear Chair Mazer and Members of the Planning Board, Historic Preservation Program Manager Deb Andrews, City Manager Jennings, Mayor Snyder, and Councilor Ray,

I am a long-time resident of Munjoy Hill. I strongly support the proposed Munjoy Hill Historic District and six landmarks with NO changes to what the Historic Preservation Board nominated back in 11/20/2019.

Thank you for your consideration,
Marlies Reppenhagen

55 Morning St. 2-2
Portland, ME 04101
mreppenhagen@yahoo.com

Google Groups

Munjoy Hill Historic District

Martha Emerson (Gmail) <marthahhem@gmail.com>

Aug 5, 2020 3:57 PM

Posted in group: **Planning Board**

Dear Portland Maine Planning Board,

I support the plan developed by the Historic Preservation Board. Please vote to approve the proposed Munjoy Hill Historic District.

Sincerely,

Martha Emerson

340 Eastern Promenade #247

Portland, ME 04101-2672

Google Groups

Munjoy Hill Historic District

MARY K CASALE <dirtgirl1@aol.com>

Aug 7, 2020 9:10 AM

Posted in group: **Planning Board**

Mr. Chairman and members of the Planning Board ,

I respectfully ask you to vote in favor of the proposed Munjoy Hill Historic District and designated Landmarks as presented to you in their entirety.

I make this plea as a 4th generation Munjoy Hill resident. I was a homeowner in 1989 when this was first proposed for our beautiful Hill . The essence of our neighborhood was working class with a "live and let live" attitude. And that worked for quite sometime.

But as folks(developers, investors,realtors) began to recognize the natural beauty, aging residents & charming buildings, and zoning that was the least restrictive in our city -an all out assault began . This was aided and abetted by the disastrous 2015 R6 Zone Changes.

The attempt to mitigate those changes with the Munjoy Hill Overlay was a futile attempt to appease the continued rise in neighborhood concern .

While I fully embrace progress , it is the families and their homes who make up our neighborhoods . By designating this Historic District in its entirety you will be allowing this Munjoy Hill that I know and love to continue. Grant the respect for the history of families who created it , and acknowledge the care of the homes they made -it is so deserved .

Thank you for your time and consideration
Mary Westort Casale
39 Waterville St.

Sent from my iPhone

Google Groups

MUNJOY HILL HISTORIC DISTRICT

Melissa Sweet <melissa@melissasweet.net>

Aug 5, 2020 5:11 PM

Posted in group: **Planning Board**

Good afternoon:

I'll keep this short.

I live on Munjoy Hill on Saint Lawrence St.

I've been to countless meetings at city hall and witnessed the overwhelming support of the historic district.

I support the proposed Munjoy Hill Historic District and six landmarks with NO changes to what the Historic Preservation Board nominated back in 11/20/2019.

Please, listen to the people and make this happen.

Thank you,

Melissa Sweet

Google Groups

Support For The Munjoy Hill Historic District

Mike Hoover <chzstk@gmail.com>

Aug 6, 2020 5:49 PM

Posted in group: **Planning Board**

Chair Mazer and Members of the Planning Board:

I live on Munjoy Hill, own two properties here, and strongly support the designation of a Historic District for Munjoy Hill which includes the designation of several individual landmark buildings. I believe that the Planning Board should approve the Historic District currently under consideration without any changes to this proposal.

The current architectural fabric of Munjoy Hill is clearly deserving of being designated a Historic District, and this land planning tool will provide the most effective management tool to guide future development which recognizes and enhances the historic nature of this neighborhood. The technical experts representing the City have also come to this conclusion, which is reflected in their recommendation to the Planning Board for the adoption of this Historic District.

As you may recall, the current proposal was also approved UNANIMOUSLY by the members of the City's Historic Preservation Board. In addition, your Historic Preservation Program Manager, Deb Andrews, has led a thorough evaluation of the merits of the architectural characteristics of the neighborhood which included an analysis by a National Historic Preservation Act qualified architectural historian and multiple public meetings soliciting feedback from city residents. The result of this analysis has resulted in a recommendation that the Planning Board approve the proposal currently under consideration. In simpler terms, the City's experts clearly recommend that the Planning Board adopt this Historic District.

In addition to the City's own experts recommending the creation of the Historic District, it should also be noted that throughout the public involvement process, between 75 and 80 percent have indicated, both in writing and verbal comments during public meetings and hearings, that they are in favor of the designation of the Munjoy Hill Historic District.

I would also like to note that the City's Comprehensive Plan anticipates and encourages the creation of Historic Districts throughout the City. The Munjoy Hill Historic District clearly fits into the land use planning goals outlined by the City's Comprehensive Plan.

The technical experts and public have been extremely clear in their strong support of the proposed Historic District. I urge the members of the Planning Board to vote to recommend the adoption of the Historic District, which again is consistent with your technical experts and THE WILL OF VAST MAJORITY OF THE CITY'S RESIDENTS WHO PARTICIPATED IN THIS PROCESS.

The City has recognized and implemented historic preservation land use tools to manage the unique and diverse nature of the City. I look forward to the adoption of the Munjoy Hill Historic District so that this neighborhood will also benefit from this effective stewardship.

In closing, a large part of the concern I have for the absence of the planning tools provided by the designation of a Historic District for Munjoy Hill are reflected in the recent trend of permitting large high end condo developments on Munjoy Hill, which does not reflect the existing built fabric that is so crucial to the neighborhood. In the sweeping changes we have experienced in our society since the last public meeting, I think we can all agree that new condos currently for sale priced at 1.3 to 1.6 MILLION dollars on Munjoy Hill (25 Monument Street) will not augment the historic architectural fabric or societal concerns of the current neighborhood residents, nor help solve the significant issues we now face.

8/7/2020

Support For The Munjoy Hill Historic District - Google Groups

Michael Hoover

Melbourne Street, Portland Maine

Google Groups

Munjoy Hill Historic District Public Opinion

Michael St. Pierre <mdstpierre@yahoo.com>

Aug 6, 2020 2:19 PM

Posted in group: **Planning Board**

Hello,

I am writing in opposition to the proposed Munjoy Hill Historic District. Munjoy Hill has one of the most difficult building environments in the world because of its restrictive building code and zoning overlays. This makes it extremely expensive to build in this location. With another zoning overlay like the Munjoy Hill Historic District it would make the difficulty of building or renovating in this area even more restrictive and difficult. This would push Portland further from its goal of building affordable housing which it desperately needs. Also, I believe many (most) of the structures in this area do not warrant any historic designation or preservation. I am strongly for the preservation of historic buildings and believe many of the historic buildings in Portland are what make it great however, I do not believe a vinyl wrapped building is worth preserving no matter what tie it may have to history.

Sincerely,

A long time Portland resident, amateur builder/developer in Portland/Boston and Portland's future,

Michael St. Pierre

Google Groups

Historic Distric

Mike <mkeweb@gmail.com>

Aug 5, 2020 9:13 AM

Posted in group: **Planning Board**

Hi there,

As a property owner on Munjoy Hill that is unaffected by the proposed changes for the historic district, I'm probably less passionate than most about this issue. From my perspective, if you have individually selected historic landmarks prior, why not just select those exact buildings you want to protect and leave out other properties? Protecting a poorly built, aesthetically displeasing building doesn't do anyone any favors. It makes it harder on the homeowner for upgrades and repairs.

I would recommend picking individual buildings to protect rather than a sweeping change of the district. Thanks for your consideration.

Mike Webster
175 Congress St, Portland

13 March 2020

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

Via email: planning@portlandmaine.gov.

To Whom it May Concern:

As an architect and former seven-year member of the Portland Historic Preservation Commission, I am writing to support the need for an historic district on Munjoy Hill.

I know from first-hand experience that each of the projects we reviewed as a board, and each of the projects that we've brought to the board as architects, are reviewed on a case-by-case. The nature of the historic preservation standards in the ordinance is that there is inherent flexibility in the standards. This flexibility allows for lower cost solutions when needed or alternative solutions.

Many of the houses on Munjoy Hill are vernacular and non-high style buildings with siding and replacement windows. These are all taken on a case-by-case basis. When there is already a substitute, or false material on a house, the Board is at liberty to review alternative substitute materials in replacement. Of course, they would be remiss if they failed to highlight the option of returning to the original material that sometimes is hidden under, say, as with vinyl siding over wood clapboards, but they by no means can dictate that outcome.

With the in-kind replacement standard wood siding and high-end wood windows are not required. Modern materials can also be considered, such as Hardiplank or Boral. Most window manufacturers' have the ability to create products similar to original materials without trying to replicate the original appearance.

One of the aspects that I have come to really appreciate about the Historic Preservation Commission is that they represent a deep resource of information. Together, they comprise a wealth of knowledge that can offer homeowners resources and free advice. They have a thirty (30) year record of offering reasonable and fair information to assist homeowners in achieving the goals of the ordinance and respecting the best of Portland's historic buildings.

Another key aspect is that the Commission really understands design and especially how to work with new buildings and additions within historic districts. History doesn't stop in the nineteenth century, but in the case of the reviews that the Portland Historic Preservation Commission, they understand that the buildings built today will become beloved designs in the future IF they are designed and built well. Their review will assure that the Munjoy Hill neighborhoods will maintain their cohesiveness for many years to come.

I strongly urge you to consider granting historic district status to the Munjoy Hill District.

Sincerely,



Nancy L. Barba, AIA, LEED AP, NCARB
Maine Licensed Architect #1288
Principal, Barba + Wheelock

Google Groups

Historic Preservation

Nancy Thayer <nancy.thayer1@gmail.com>

Aug 5, 2020 10:09 AM

Posted in group: **Planning Board**

I am a resident of Munjoy Hill. I support the proposed Munjoy Hill Historic District and six landmarks with NO changes to what the Historic Preservation Board nominated back in 11/20/2019.

Nancy Thayer

Google Groups

Proposed Munjoy Hill Historic District

Stevens, Nate <nstevens@boulos.com>

Aug 7, 2020 11:04 AM

Posted in group: **Planning and Urban Development**

Dear members of the Portland Planning Board,

I am writing in support of the proposed historic district on Munjoy Hill. While I am not a resident of the Hill I am a longtime resident of Portland and am heavily involved in the real estate industry throughout the City, including Munjoy Hill. I believe the timing is right for the Board to support the designation of the Munjoy Hill Historic District as proposed and to recommend its designation by Portland's City Council. Through my relationships in the City I have heard strong support from residents of the neighborhood and outside the neighborhood, real estate agents, developers, landlords, and business owners. This will have a positive impact on the neighborhood and city as a whole as well as provide responsible stewardship for generations to come.

Thank you for your commitment and hard work on this matter.

Nate Stevens

80 Best Street, Portland

(207) 272-2385

Google Groups

Munjoy Hill Historic District

Nathan Szanton <nszanton@szantoncompany.com>

Aug 7, 2020 11:05 AM

Posted in group: **Planning Board**

Dear Planning Board members,

As a resident of Portland since 1987 and a current resident of Munjoy Hill, I urge a vote to recommend creating the proposed historic district on portions of the Hill. This district will help preserve an important part of Portland's history and culture for future generations to think about, interpret, and enjoy.

Thank you for considering my views.

Very best,

Nathan Szanton

22 Eastern Prom #3

Portland, ME

Google Groups

Please do not vote for the Munjoy Hill Historic Designation

nick@masomurray.com <nick@masomurray.com>

Aug 5, 2020 3:27 PM

Posted in group: **Planning and Urban Development**

City of Portland Planning Board,

I am writing to ask you to please vote against the Munjoy Hill Historic Designation. I am a homeowner in the proposed district.

In talking to contractors about improvements to my property many don't want to deal with the Historic Preservation Board. Those who will do so specialize in working with Historic Preservation Boards, specialize in historic renovation, and charge specially high premiums to do so. My home has no historic architectural features so the extra expense, time and hurdles to make simple repairs and improvements are an unnecessary burden on me. Those who invest in architecturally historic buildings and homes are unlikely to destroy their investment. This seems like a solution looking for a problem.

Planning and Zoning seems has worked with homeowners on Munjoy Hill so far. Not so the methods and standards of the Historic Preservation Board – we hear many complaints and sad stories from neighbors and friends. The extra expense, burden, wait times and difficulty of working with the Historic Preservation Board in this interval of home-improvement-suspension is discouraging my neighbors who have grown up on the Hill and younger working families who would like to live here from moving in and/or improving existing properties to be able to work from home (especially relevant in the current pandemic environment) and/or expand for growing families.

It is especially important families are able to responsibly make their homes work for their needs, that we do not prevent young and diverse homeowners from moving to the Hill and that long time residents can afford to stay where they grew up. Please vote against the Munjoy Hill Historic Designation so that people like them are not pushed out of Munjoy Hill and older more affluent homeowners are not overburdened when we need repairs and improvements on our property.

Kind Regards

Nick and Caron Murray

40 Saint Lawrence St.

Google Groups

Testimony in support of the Munjoy Hill Historic District

JEAN MC MANAMY <ninimaine@aol.com>

Aug 7, 2020 11:21 AM

Posted in group: **Planning Board**

Members of the Portland Planning Board

This week I had the privilege of signing up for an alert system for a neighbor with Alzheimer's who has begun to get lost on the Hill. He lives in a multigenerational three unit building, and we the neighbors are committed to looking out for one another.

It is this social fabric on Munjoy Hill which we seek to preserve, and the buildings that house and support that social fabric.

Recent changes on the Hill have removed much of the traditional family housing that sheltered its population, well known for its stable, safe, and close knit demographic. Unfortunately, well-meant zoning changes have started a cascade of tear downs and renovations which have brought in part time residents and short term renters. Hoped for construction of moderate income housing has not occurred, and will not occur on the Hill with vacant lots now listing for over a million dollars.

The end goal of zoning is to preserve and enhance the quality of life for residents. A historic district will help protect what is here. Speaking personally, I would have done some things differently to my house had I been aware of Historic Preservation and the resources available. When I spent a lot of money as a new homeowner replacing siding and trim I could easily have preserved the pillar post on the front porch, and built a rear porch addition differently. I always thought Historic Preservation was skewed toward the wealthy.

Left to its own devices, the market has not worked to protect what we have, and perhaps we need to promote our city differently. Just since the beginning of this process, on the edge of the proposed Historic District, a very fine single family house on my block was torn down (it is a vacant lot today), a 19th century house across the street had traditional windows replaced with picture windows, and another 19th century house had its traditional bay window replaced with casement windows. More discordant change is surely on the way.

As one of the founders of the Friends of Fort Sumner Park, I urge you to provide it with Historic District Protection. North St. is clearly a special and grand street, with rich history.

But so is my humbler block, with its neighborhood cellar speakeasy, remnants of a greenhouse business, and houses built by and for the working people who built Portland.

Please vote to support the Historic District.

Nini McManamy

Sent from my iPad

Google Groups

Support for Munjoy Hill Historic District

Pamela Day <pday2304@gmail.com>

Aug 6, 2020 2:52 PM

Posted in group: **Planning Board**

We are residents of Munjoy Hill who have written to the Planning Board previously in support of the proposed Munjoy Hill Historic District designation. We urge the Planning Board to approve this designation as well as the six proposed landmarks with NO changes or modifications as it was recommended by the Historic Preservation Board on November 20, 2019.

Written and public testimony provided at the March 2020 Planning Board meeting overwhelmingly spoke to the importance of this designation for Munjoy Hill property owners and residents. Now more than ever the Planning Board should let this initiative move forward.

Pamela Day & Michael Petit

25 Waterville Street
Portland
207-461-1461

Google Groups

Development/West End

pamela w shelton <pamelashelp@aol.com>

Aug 7, 2020 3:06 PM

Posted in group: **Planning Board**

To Whom It May Concern,

My name is Pamela Shelton, resident of 225 York Street since 1982, writing as a concerned citizen, to express my concerns r/t what seems like out of control development, not only in the West End but, in Portland, in general.

I strongly oppose the idea of cold storage development, of any height, on Commercial Street.

Traffic is unmanageable .. as it is.

The gateway to the heart of the Old Port.

Congested..an eyesore.

Shame on us for destroying such beauty entering Portland.

We need to stop the mindless development ...

Portland is losing it's heart! Becoming a hub of huge hotels! Swallowed up by greed.

I was made ill when viewing the slash and burn of Nature, where land raised for development of the Veteran's Center is happening. It is dreadful to witness such development when alternative options exist!

There will be no balance soon for man, animals and nature .. Better planning is essential as we are presented with the crisis of climate change. Covid19.. Both will require long term, mindful planning. Tomorrow's children, grandchildren, for seven generations, deserve this attention to detail!

Pamela W Shelton

Google Groups

Munjoy Hill Historic District proposal

Paul Lafavore <plafavore@earthlink.net>

Aug 5, 2020 8:48 AM

Posted in group: **Planning Board**

Dear Planning board:

I am very much in favor of the proposed historic district in the Munjoy Hill area. I have been concerned over the last few years regarding the overdevelopment in my opinion of some of our residential areas in the city which seem to have little regard to blend in with their historic neighbors. Like other cities in this country, it would be very easy for Portland to lose its historic charm and structures at the hands of overzealous development. Once this occurs, the city will become like any other concrete and glass place that has little historic value.

Portland Maine has a long and rich history as a seacoast city. The pockets of historic structures that have survived fire, overdevelopment and even war should be preserved and cherished. It is this history that makes the town so attractive not only to residents but to the many thousands of visitors which support the local economy.

I strongly urge the planning board to do what's right in this situation and preserve Portland's historic structures and neighborhoods for future generations

Paul Lafavore MD

Portland, ME

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Google Groups

HP for Munjoy Hill

Pa Ag <pagopian1@yahoo.com>

Aug 7, 2020 11:25 AM

Posted in group: **Planning Board**

Good morning friends,

I am a longtime property owner, landlord and realtor. I am writing in support for an Historic Preservation District for "The Hill". It has been long overdue! I support no changes for now. I would have liked to have seen a Conservation District for the entire "Hill" but luck was not with me. However meager the area covered now, it's better than nothing and I hope it will be expanded in the future.

Sincerely,

Paula Guillemette Agopian 🍷

Sent from my iPhone

Google Groups

Munjoy Hill Historic District,

Peter Monro <jpmonro@me.com>

Aug 5, 2020 8:43 AM

Posted in group: **Planning Board**

Hello Planning Board members,

I support the creation of the Munjoy Hill Historic District. It's only unfortunate that it is taken this long to create it does not encompass more of the Hill. Several of the buildings created without the district make it clear of the need for the district.

I live in historic District on the West End, and only regret the exclusions.

Here's hoping you again support the creation of this needed district.

Peter

Peter Monro, 32 May St., Portland, ME 04102
jpmonro@me.com (207) 318-6052

Google Groups

Munjoy Hill Hist District

Philip Pendleton <pependle@gmail.com>

Aug 5, 2020 8:58 AM

Posted in group: **Planning Board**

A citizen of Portland and advocate of Livable Communities, I enthusiastically support the creation of the Munjoy Hill Historic District in the form proposed by Greater Portland Landmarks.

Portland needs to maintain the character of a viable community with an intact historic and scenic urban environment that is welcoming and nourishing to creative and aesthetically minded residents as well as visitors. Portland is clearly “special” — but a balanced (that is, somewhat restrained) approach to development is needed if we are to preserve that unique character for our city.

Philip E. Pendleton
77 Park Street
Portland

Sent from my iPhone

Google Groups

Munjoy Hill Historic District

Betty Wuesthoff <jwuest@maine.rr.com>

Aug 4, 2020 7:10 AM

Posted in group: **Planning Board**

Chairman Mazer and Planning Board Members:

As long time Mainers we have a serious interest in preserving Portland's history . (John's family, his mother's side, sailed from Gloucester and settled here in 1745). We are blest to live on Munjoy Hill, something affirmed by numbers of Portlanders and those "from away" coming here daily to picnic and stroll our streets.

Probably the most important vote of your tenure will occur on August 11 when you consider the Munjoy Hill Historic District. The establishment of the district is supported by many of us who were co-founders and/or supporters of Friends of the Eastern Promenade, the rehabilitation of historic Ft. Allen Park, the crown jewel of Munjoy Hill, the relocation/rehabilitation of the Jacob Cousin' s Memorial and the protection of the Eastern Prom, Portland's "signature park".

The district will preserve for the pleasure of future generations of residents, and travelers alike, the present allure of the Hill while memorializing our forbearers. "One of the great things about the city of Portland, " said John R. Moon in his book City By The Sea, A Photographic History of Portland, Maine (2010), "is that you can still walk about town and see many of these wonderful 19th century buildings one hundred to one hundred fifty years after they were built." The sense of author Moon's comment will be greatly enhanced by a Munjoy Hill Historic District and be complementary of historic Ft. Allen...pearls to Ft. Allen's crown...drawing resident and traveller alike to this historic place.

We ask you, Chairman Mazer and members of our Planning Board, to leave a legacy, as did the Baxters, City Engineer Goodwin and the Olmsteds before you, and endorse the action of Portland's Historic Preservation Commission. Let present and future Portlanders refer to you with the respect, appreciation and admiration often expressed for those predecessors who had the foresight to protect Portland's heritage for us and our heirs.

Sincerely,

R. John and Betty J. Wuesthoff
11 Morning Street
Portland, Maine 04101

Google Groups

Munjoy Hill Historic District

Rebecca Stephans <rebecca.stephans@gmail.com>

Aug 5, 2020 9:01 AM

Posted in group: **Planning Board**

Greetings,

I'm writing in support of a designated historic district on Munjoy Hill. I have lived on Vesper Street for 7 years, and in Portland for 34 years.

I worked on the committee that tried to block the development of the Portland Complex on Fore Street, and now that it is underway, I see how correct we were. Those gigantic luxury yachts littering the harbor are reason enough to cringe and dread what is coming next.

This spring I watched two projects that excited me. Across the street, two workers slowly rebuilt a brick stairway to the front door. Diagonally on the other side, I have watched a building be completely restored. Yes, it's noisy and dirty, and I am delighted to live in a construction zone for this kind of work. Then there is Moody Street, where a huge, aesthetically bizarre building went up.

There are more than enough condo boxes on Munjoy Hill already - let's keep some semblance of history alive by preserving and restoring the beautiful character of this neighborhood.

Thank you,
Rebecca Stephans

Google Groups

Munjoy Hill Historic District: vote Yes and include 6 Landmarks

Rob Whitten <rob@whittenarchitects.com>

Aug 4, 2020 1:02 PM

Posted in group: **Planning Board**

To the Members of the Portland Planning Board,

As a Munjoy Hill home owner, a Munjoy Hill apartment owner, and as a Portland architect who specializes in residential design; I support the proposed Munjoy Hill Historic District and the designation of six landmarks.

Over the past four years the City of Portland Planning staff, volunteers, Greater Portland Landmarks, and public funds have researched and identified a distinct area of Munjoy Hill to be a Historic District and an area of traditional, affordable housing.

The Munjoy Hill Historic District has a period of historic significance from 1840 (well before the Portland fire of 1866) through the creation of group housing in the early 1950's. It presents a co-hesive, liveable neighborhood of affordable housing, green spaces, and commercial services that does not require an automobile. It is a fabric of housing that is not dominated by a single type of residential living or a dominant architectural "style". It evolved over 100 years as a unique neighborhood and as a distinct area of affordable housing.

The mapping of the proposed Munjoy Hill Historic District has been carefully documented, and it has been the subject of four public meetings. The proposed Munjoy Hill Historic District is supported by the homeowners who have identified Munjoy Hill as a good place to live, as a good environment to raise family, and as a neighborhood that supports a sustainable lifestyle. The proposed Munjoy Hill Historic District does not represent the special interests of investors, businesses, or people of influence. The attached files represent the attendance at those meetings and the comments of the citizen-participants.

Thank you for your support.

Sincerely,

Rob Whitten
23 Saint Lawrence Street
Portland, Maine 04101

**Rob Whitten** / Founder & Principal**Whitten Architects**

207.774.0111 x101

37 Silver Street

Portland, Maine 04101

www.whittenarchitects.com

Item Summary From The Past 4 Meetings/Workshops Held that Show Majority of Portland Supports the Proposed Munjoy Hill Historic District & 6 Landmarks													
As of: Tuesday 3/10/2020 at 4:47pm			Email Sent to HPB or Planning Board					Public Comment at Meeting/Workshop					
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1)	Historic Preservation Board Nomination - 11/20/2019	32	72.7%	12	27.3%	44	14	93.3%	1	6.7%	15		
	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	8	28.6%	28							
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26							
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31		
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	16	20.5%	78							
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61							
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27		
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40							
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24							
4)	Planning Board Hearing - 3/10/2020 downloaded 3/10 4:14p	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51		
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77							
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	8	13.8%	58							
	OVERALL TOTALS: Total All Emails Sent	221	76.5%	68	23.5%	289	97	78.2%	27	21.8%	124		
	-If A Munjoy Hill Resident (Unique Person)	159	85.9%	26	14.1%	185							
	-If In the Proposed Munjoy Hill Historic District (Unique)	117	81.8%	26	18.2%	143							

Itemized Detail Of All the People Who Emailed or Public Comment in the Last 4 Workshops/Meetings regarding the Proposed Munjoy Hill Historic District & 6 Landmarks

Meeting Date on Proposed Munjoy Hill Historic District	#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident	In Proposed HD?	Comment	#	Public Comment At Meeting	HD Yes	HD No	Address	Munjoy Hill Resident?	In Proposed HD?
HPB Nomination- 11/20/2019	PC 1	Barbara Vestal	X		7-9 Fore St., 14-16 North St, 101 Congress	X	X	Petition signatures to nominate. 21 signatures representing 21 properties	PC 1	Tom Abbott		X	21 Sheridan St.	X	X
HPB Nomination- 11/20/2019	PC2	Johanna Henry		X	50 St. Lawrence St.	X	X		PC 3	Gail Rengel	X		34 Lafayette St.	X	
HPB Nomination- 11/20/2019	PC 3	Carol Conner	X		12 Montreal St.	X	X	Individual Landmark Request	PC 4	Sive Nelson	X		29 Emerson St.	X	
HPB Nomination- 11/20/2019	PC 4	Karen Snyder	X		72 Waterville St.	X	X		PC 5	Wayne Valzania	X		27 Merrill St.	X	
HPB Nomination- 11/20/2019	PC 5	George Rheault		X	East Bayside				PC 6	Peter Murray	X		104 North St.	X	X
HPB Nomination- 11/20/2019	PC 6	George Reiche	X		50 Waterville St.	X	X		PC 7	Karen Snyder	X		72 Waterville St.	X	X
HPB Nomination- 11/20/2019	PC 7	Enoch Wenstrom	X		88 Beckett St.	X	X		PC 8	Paula Agopian	X		91 Monument St.	X	
HPB Nomination- 11/20/2019	PC 8	Berry Manter	X		46 Eastern Promenade	X	X		PC 9	Carol Conner	X		12 Montreal St.	X	X
HPB Nomination- 11/20/2019	PC 9	Mark Googins		X	63 Morning St.	X	X		PC 10	Nini McManamey	X		10 Willis St.	X	X
HPB Nomination- 11/20/2019	PC 9	Mark Googins			39 Morning St.				PC 11	Stacey Mitchell	X		74 Atlantic St.	X	X
HPB Nomination- 11/20/2019	PC 10	Susan Yandell	X		51 Monument St.	X	X	Individual Landmark Request	PC 12	George Carhart	X		7 Lafayette St.	X	X
HPB Nomination- 11/20/2019	PC 11	Christopher Akerlind	X		44 Monument St.	X	X	Individual Landmark Request	PC 13	Pam Days	X		25 Waterville St.	X	X
HPB Nomination- 11/20/2019	PC 12	Joanne Dow	X		28 Waterville St.	X	X	Individual Landmark Request	PC 14	Sally Oldham	X		118 Congress St.	X	
HPB Nomination- 11/20/2019	PC 13	Julius Ciembroniewicz	X		55 Morning St.	X	X		PC 15	Barbara Vestal	X		7-9 Fore St.	X	X
HPB Nomination- 11/20/2019	PC 14	Linsay Steven Mann		X	122 North St.	X	X								
HPB Nomination- 11/20/2019	PC 15	Alexis Santos		X											
HPB Nomination- 11/20/2019	PC 16	George and Ushi Carhart	X		7 Lafayette St.	X	X	Individual Landmark Request							
HPB Nomination- 11/20/2019	PC 17	Carl Henry		X	50 St. Lawrence St.	X	X	Opposition petition signatures; 25							
HPB Nomination- 11/20/2019	PC 18	Markos Miller		X	17 Atlantic St.	X	X								
HPB Nomination- 11/20/2019	PC 19	Peter and Deb Murray	X		104 North St.	X	X								
HPB Nomination- 11/20/2019	PC 20	Liz Hayes	X		107 North St.	X	X								
HPB Nomination- 11/20/2019	PC 21	Markos Miller		X	17 Atlantic St.	X	X								
HPB Nomination- 11/20/2019	PC 22	Carol Conner	X		12 Montreal St.	X	X								
HPB Nomination- 11/20/2019	PC 23	Berry Manter	X		46 Eastern Promenade	X	X								
HPB Nomination- 11/20/2019	PC 24	Nini McMananmy	X		10 Willis St.	X	X								
HPB Nomination- 11/20/2019	PC 25	Mike Hoover	X		40 Melbourne St.	X	X								
HPB Nomination- 11/20/2019	PC 26	Live Chase/Brent Adler		X	65 St. Lawrence St.	X	X								
HPB Nomination- 11/20/2019	PC 27	Karen Snyder	X		72 Waterville St.	X	X	Petition submitted; 80 signatures							
HPB Nomination- 11/20/2019	PC 28	Nini McMananmy	X		10 Willis St.	X	X	Petition submitted- small petition							
HPB Nomination- 11/20/2019	PC 29	Susan Yandell	X		51 Munjoy St.	X	X								
HPB Nomination- 11/20/2019	PC 30	Adam Frederick	X		75 W. Commercial St.	X	X								
HPB Nomination- 11/20/2019	PC 31	EJ Koch	X		81 Vesper St.	X	X								
HPB Nomination- 11/20/2019	PC 32	Lauren Ashwell		X	8 Emerson St.	X									
HPB Nomination- 11/20/2019	PC 33	Travis Agaman		X	8 Emerson St.	X									
HPB Nomination- 11/20/2019	PC 34	Liz Hayes	X		107 North St.	X	X								
HPB Nomination- 11/20/2019	PC 35	Mart99	X												
HPB Nomination- 11/20/2019	PC 36	Barbara Vestal	X		107 Congress St.	X	X								
HPB Nomination- 11/20/2019	PC 37	Francesca Gallucio-Steele	X		22 Clifford St.										
HPB Nomination- 11/20/2019	PC 38	Julie Larry	X		Greater Portland Landmark										
HPB Nomination- 11/20/2019	PC 39	Rhoda Renschler	X		37 Channel Road, SoPo										
HPB Nomination- 11/20/2019	PC 40	Sally Oldham	X		118 Congress St.	X	X								
HPB Nomination- 11/20/2019	PC 41	Ed Gardner	X		84 Eastern Promenade										
HPB Nomination- 11/20/2019	PC 42	Maggy Wolf	X		28 St. Lawrence St.	X	X								

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HPB Nomination- 11/20/2019	PC 43	Diane Davison	X		29 & 33 Morning St.	X	x								
PB Workshop-12/10/2019	PC 1	Barbara Vestal	X		7-9 Fore St.	X	X	Petition signatures to nominate.	PC1	Enoch Wenstrom	X		88 Beckett St.	X	X
PB Workshop-12/10/2019	PC 2	Johanna Henry		X	50 St. Lawrence St.	X	X		PC2	Jake Halpert	X		74 Atlantic St.	X	X
PB Workshop-12/10/2019	PC 3	Carol Conner	X		12 Montreal St.	X	X	Individual Landmark Request	PC3	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-12/10/2019	PC 4	Karen Snyder	X		72 Waterville St.	X	X		PC4	Berry Manter	X		46 Eastern Promenade	X	X
PB Workshop-12/10/2019	PC 5	George Rheault		X	East Bayside				PC5	Josh Baston		X	42 Munjoy St.	X	X
PB Workshop-12/10/2019	PC 6	George Reiche	X		50 Waterville St.	X	X		PC6	John Wuestoff	X		11 Morning St.	X	X
PB Workshop-12/10/2019	PC 7	Enoch Wenstrom	X		83 Beckett St.	X	X		PC7	Zack Barowitz		X	Libby Town		
PB Workshop-12/10/2019	PC 8	Berry Manter	X		46 Eastern Promenade	X	X		PC8	Greg Shinberg	X		Outside Portland		
PB Workshop-12/10/2019	PC 9	Mark Googins		X	63 & 39 Morning St.	X	X		PC9	Nini McManamy	X		10 Willis St.	X	X
PB Workshop-12/10/2019	PC 10	Susan Yandell	X		51 Monument St.	X	X	Individual Landmark Request	PC10	Wayne Valzania	X		27 Merrill St.	X	
PB Workshop-12/10/2019	PC 11	Christopher Akerlind	X		44 Monument St.	X	X	Individual Landmark Request	PC11	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 12	Joanne Dow	X		28 Waterville St.	X	X	Individual Landmark Request	PC12	Ann Manganello		X	84 Quebec St.	X	X
PB Workshop-12/10/2019	PC 13	Julius Ciembroniewicz	X		55 Morning St.	X	X		PC13	John Whitehouse		X	18 North St.	X	X
PB Workshop-12/10/2019	PC 14	Linsay Steven Mann		X	122 North St.	X	X		PC14	Justine Denny	X		56 North St.	X	X
PB Workshop-12/10/2019	PC 15	Alexis Santos		X					PC15	Peter Murray			104 North St.	X	X
PB Workshop-12/10/2019	PC 16	George and Ushi Carhart	X		7 Lafayette St.	X	X	Individual Landmark Request	PC16	Mark Holden	X		37 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 17	Carl Henry		X	50 St. Lawrence St.	X	X	Opposition petition signatures; 25 signaturs representing 15 properties	PC17	Erna Koch	X		81 Vesper St.	X	X
PB Workshop-12/10/2019	PC 18	Markos Miller		X	17 Atlantic St.	X	X		PC18	Ned Chester	X		7 Fore St.	X	X
PB Workshop-12/10/2019	PC 19	Peter and Deb Murray	X		104 North St.	X	X		PC19	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-12/10/2019	PC 20	Liz Hayes	X		107 North St.	X	X		PC20	Beth Snyder	X		81 North St.	X	X
PB Workshop-12/10/2019	PC 21	Markos Miller		X	17 Atlantic St.	X	X		PC21	Julie Larry	X		GPL		
PB Workshop-12/10/2019	PC 22	Carol Conner	X		12 Montreal St.	X	X		PC22	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-12/10/2019	PC 23	Berry Manter	X		46 Eastern Promenade	X	X		PC23	Caroly Swartz	X		27 Merrill St.	X	
PB Workshop-12/10/2019	PC 24	Nini McMananmy	X		10 Willis St.	X	X		PC24	Lori Round		X	47 Monument St.	X	
PB Workshop-12/10/2019	PC 25	Mike Hoover	X		40 Melbourne St.	X	X		PC25	Barbara Vestal	X		7 Fore St.	X	X
PB Workshop-12/10/2019	PC 26	Live Chase/Brent Adler		X	65 St. Lawrence St.	X	X		PC26	Pamela Day	X		25 Monument St.	X	X
PB Workshop-12/10/2019	PC 27	Karen Snyder	X		72 Waterville St.	X	X	Petition submitted; 80 signatures representing 60 properties.	PC27	Sue ?	X		122 North St.	X	X
PB Workshop-12/10/2019	PC 28	Nini McMananmy	X		10 Willis St.	X	X	Petition submitted- small petition on Willis St.	PC28	Julie Larry	X		GPL		
PB Workshop-12/10/2019	PC 29	Susan Yandell	X		51 Munjoy St.	X	X		PC29	George Rheult		X	Bayside		
PB Workshop-12/10/2019	PC 30	Adam Frederick	X		75 W. Commercial St.	X	X		PC30	Tim Wells		X	33 Montreal St.	X	X
PB Workshop-12/10/2019	PC 31	EJ Koch	X		81 Vesper St.	X	X		PC31	Oliver Murray	X		55 Montreal St.	X	X
PB Workshop-12/10/2019	PC 32	Lauren Ashwell		X	8 Emerson St.	X			PC32						
PB Workshop-12/10/2019	PC 33	Travis Agaman		X	8 Emerson St.	X			PC33						
PB Workshop-12/10/2019	PC 34	Liz Hayes	X		107 North St.	X	X								
PB Workshop-12/10/2019	PC 35	Mart99	X												
PB Workshop-12/10/2019	PC 36	Barbara Vestal	X		107 Congress St.	X	X								
PB Workshop-12/10/2019	PC 37	Francesca Gallucio-Steele	X		22 Clifford St.										
PB Workshop-12/10/2019	PC 38	Julie Larry	X		Greater Portland Landmar										
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	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	8	28.6%	28						
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26						
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	16	20.5%	78						
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61						
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40						
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24						
4)	Planning Board Hearing - 3/10/2020 downloaded 3/10 4:14p	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51	
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77						
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	8	13.8%	58						
	OVERALL TOTALS: Total All Emails Sent	221	76.5%	68	23.5%	289	97	78.2%	27	21.8%	124	
	-If A Munjoy Hill Resident (Unique Person)	159	85.9%	26	14.1%	185						
	-If In the Proposed Munjoy Hill Historic District (Unique)	117	81.8%	26	18.2%	143						

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PB Workshop-12/10/2019	PC 40	Sally Oldham	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 41	Ed Gardner	X		511 Congress St St.										
PB Workshop-12/10/2019	PC 42	Maggy Wolf	X		28 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 43	Diane Davison	X		29 Morning St St.	X	X								
PB Workshop-12/10/2019	PC 44	Julius Ciembroniewicz	X		55 Morning St St.	X	X	Note: Included in PB packet were previous were from HPB 11/20/2019 meeting. This Starts to address Planning Board for 12/10/2019 workshop.							
PB Workshop-12/10/2019	PC 45	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-12/10/2019	PC 46	James Hambley /Jenny Dig	X		61 Monument St.	X	X								
PB Workshop-12/10/2019	PC 47	Wayne Valzania	X		27 Merrill St.	X									
PB Workshop-12/10/2019	PC 48	Marlies Reppenhagan	X		55 Morning Stl, Unit 2-2	X	X								
PB Workshop-12/10/2019	PC 49	Paula Agopian	X		91 Monument St.	X									
PB Workshop-12/10/2019	PC 50	Anita Stewart	X		25 A Forest Ave.										
PB Workshop-12/10/2019	PC 51	Lori Rounds		X	47 Monument St.	X									
PB Workshop-12/10/2019	PC 52	Kate Howe		X	40 Quebec St.	X									
PB Workshop-12/10/2019	PC 53	Berry Manter	X		46 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 54	Carle Henry		X	50 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 55	Carol Conner	X		12 Montreal St.	X	X								
PB Workshop-12/10/2019	PC 56	Joshua Baston		X											
PB Workshop-12/10/2019	PC 57	Nancy/Bob Jordan	X			X		Owns 6 Buildings on Munjoy Hill?							
PB Workshop-12/10/2019	PC 58	Carolyn Swartz	X		27 Merrill St.	X									
PB Workshop-12/10/2019	PC 59	YIMBY		X											
PB Workshop-12/10/2019	PC 60	Erna Koch	X		81 Vesper St.	X	X								
PB Workshop-12/10/2019	PC 61	Vana Carmona	X		105 North St., Unit 1	X	X								
PB Workshop-12/10/2019	PC 62	David Kelly		X	Portland, ME										
PB Workshop-12/10/2019	PC 63	Debrah Yale		X				Broker for Tom Landry							
PB Workshop-12/10/2019	PC 64	Gary Bahlkow	X		42 Lafayette St.	X									
PB Workshop-12/10/2019	PC 65	Jeremy Rutkiewicz		X	161 Congress St.	X	X								
PB Workshop-12/10/2019	PC 66	Lorraine Carrol	X		31 North St.	X	X	30 yr resident							
PB Workshop-12/10/2019	PC 67	Lydia Savage	X		19 Melbourne St.	X									
PB Workshop-12/10/2019	PC 68	William Gemmill	X												
PB Workshop-12/10/2019	PC 69	Bruce Wood	X		Old Port										
PB Workshop-12/10/2019	PC 70	Beth Snyder	X		81 North St.	X	X								
PB Workshop-12/10/2019	PC 71	Stephen Gaal	X		176 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 72	Diane Davison	X		29 Morning St.	X	X								
PB Workshop-12/10/2019	PC 73	Robin Whitten	X		23 St. Lawerence St.	X	X								
PB Workshop-12/10/2019	PC 74	Elizabeth Miller		X	46 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 75	Sara Mills	X												
PB Workshop-12/10/2019	PC 76	Sally Oldham	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 77	Leslie Hart	X		215 Sheridan St.	X									
PB Workshop-12/10/2019	PC 78	Betty Lorber	X		225 Sheridan St.	X									

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PB Workshop-12/10/2019	PC 79	Priscilla Harrison	X					Moved off of Munjoy Hill 6 yrs ago							
PB Workshop-12/10/2019	PC 80	Chris Stewart	X		81 North St.	X	X								
PB Workshop-12/10/2019	PC 81	Susan Gillis		X	48 Congress St.	X	X								
PB Workshop-12/10/2019	PC 82	Carol McCracken		X	Portland, ME			Doesn't live on the Hill.							
PB Workshop-12/10/2019	PC 83	Oliver Murray	X		55 Montreal St.	X	X								
PB Workshop-12/10/2019	PC 84	Patricia Erikson	X					3rd generation Munjoy Hill							
PB Workshop-12/10/2019	PC 85	Ben Poirer	X		Cape Elizabeth										
PB Workshop-12/10/2019	PC 86	Susan Yandell	X		51 Monument St.	X	X								
PB Workshop-12/10/2019	PC 87	Liz Hayes	X		107 North St.	X	X								
PB Workshop-12/10/2019	PC 88	Anne Manganello		X	84 Quebec St.	X	X								
PB Workshop-12/10/2019	PC 89	Jonathan Wylie/Gail Ringel	X		34 Lafayette St.	X	X								
PB Workshop-12/10/2019	PC 90	Martha Emerson	X		340 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 91	KE Smith	X		80 Quebec St.	X	X								
PB Workshop-12/10/2019	PC 92	Ann Casady	X		205 Sheridan St.	X									
PB Workshop-12/10/2019	PC 93	Peter and Deb Murray	X		104 North St.	X	X								
PB Workshop-12/10/2019	PC 94	Abbie McMillen	X		26-28 Vesper St.	X	X								
PB Workshop-12/10/2019	PC 95	Nancy Brian	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 96	Carol J. DeTine	X		144 Vaughn St.	X	X								
PB Workshop-12/10/2019	PC 97	Marianne Pratt	X		224 Sheridan St.	X									
PB Workshop-12/10/2019	PC 98	Hillary Bassett	X		55 Morning St.	X	X								
PB Workshop-12/10/2019	PC 99	Dan Haley		X	140 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 100	Betty and John Wuestoff	X		15 Morning St.	X	X								
PB Workshop-12/10/2019	PC 101	Katy Brewer	X					Grew Up on the Hill							
PB Workshop-12/10/2019	PC 102	Nancy Guimond	X		13 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 103	Greater Portland Landmark	X												
PB Workshop-12/10/2019	PC 104	Tica Douglas	X		11 Munjoy St.	X	X								
PB Workshop-12/10/2019	PC 105	Lori Rounds		X	47 Monument St.	X									
PB Workshop-12/10/2019	PC 106	Mary Casale	X		39 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 107	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-12/10/2019	PC 108	Pamela Day	X		25 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 109	Travis Agaman		X	8 Emerson St.	X									
PB Workshop-12/10/2019	PC 110	Andrew Glassberg	X		340 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 111	Jill Nixon	X		118 Congress St.	X	X								
PB Workshop-12/10/2019	PC 112	Rob Whitten	X		188 Eastern Promenade	X	X								
PB Workshop-12/10/2019	PC 113	Paul Haley		X	62 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 114	Nini McMananmy	X		10 Willis St.	X	X		0						
PB Workshop-12/10/2019	PC 115	Carl Henry		X	50 St. Lawrence St.	X	X								
PB Workshop-12/10/2019	PC 116	Peter Pitegoff			205 Sheridan St.	X		Referring to 128R North/ 126 North							
PB Workshop-12/10/2019	PC 117	Anne Pringle	X		Neal St										
PB Workshop-12/10/2019	PC 118	William Hall	X		Pleasant Ave.			Use to be on Planning Board							
PB Workshop-12/10/2019	PC 119	Gail Ringle	X		34 Lafayette St.	X	X								
PB Workshop-12/10/2019	PC 120	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 121	Markos Miller		X	17 Atlantic St.	X	X								

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PB Workshop-12/10/2019	PC 122	Peggy Hefferen	X		8 Sherbrook St.	X	X								
PB Workshop-12/10/2019	PC 123	Mike Hammen	X		127 Pleasant St.	X									
PB Workshop-12/10/2019	PC 124	Nancy Machesney	X		213 Sheridan St.	X									
PB Workshop-12/10/2019	PC 125	Stephen Shiffman	X		9 Waterville St.	X	X								
PB Workshop-12/10/2019	PC 126	Wayne Valzania - MHNO	X		MHNO										
PB Workshop-12/10/2019	PC 127	Chuck Kamr	X		55 Morning St.	X									
PB Workshop-12/10/2019	PC 128	Lauren Ashwell		X	8 Emerson St.	X		Downloaded packet on noon 12/10/2019							
PB Workshop-02/11/2020	PC 1	Ann Manganello		X	84 Quebec St.	X	X		PC1	Zack Barowitz		X	Libbytown		
PB Workshop-02/11/2020	PC2	John Whitehouse		X	18 North St.	X	X		PC2	Nathan Z.	X		22 Eastern Promenad	X	X
PB Workshop-02/11/2020	PC 3	Markos Miller		X	17 Atlantic St.	X	X		PC3	David Lloyd	X		29 Waterville St.	X	X
PB Workshop-02/11/2020	PC 4	Sally Oldham	X		118 Congress St.	X			PC4	John Wuestoff	X		11 Morning St.	X	X
PB Workshop-02/11/2020	PC 5	Zack Barowitz		X	Libby Town				PC5	John White		X	18 North St.	X	X
PB Workshop-02/11/2020	PC 6	George Rheault		X	West Bayside				PC6	Vanna Carmona	X		105 North St.	X	X
PB Workshop-02/11/2020	PC 7	David Kelly		X	Portland				PC7	Rob Whitten	X		29 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 8	Emily Liebling		X	54 Tyng St.				PC8	Mike Hoover	X		40 Melburne St.	X	X
PB Workshop-02/11/2020	PC 9	Francesa Galluccio-Steele	X		22 Clifford St.				PC9	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-02/11/2020	PC 10	Zack Barowitz		X	Libby Town				PC10	Anne Manganello		X	84 Quebec st.	X	X
PB Workshop-02/11/2020	PC 11	Lauren Ashwell		X	8 Emerson St.	X			PC11	Tica Douglas	X		11 Munjoy St.	X	X
PB Workshop-02/11/2020	PC 12	Lori Rounds		X	47 Monument St.	X			PC12	Sally Oldham	X		118 Congress St.	X	
PB Workshop-02/11/2020	PC 13	Lynn Kuzma		X	10 Emerson St.	X			PC13	Juli Larry	X		GPL		
PB Workshop-02/11/2020	PC 14	Wayne Valzania (MHNO)	X		MHNO				PC14	Nini McManamey	X		10 Willis St.	X	X
PB Workshop-02/11/2020	PC 15	George Carhart	X		7 Lafayette St.	X	X		PC15	Lori Round		X	47 Monument St.	X	
PB Workshop-02/11/2020	PC 16	Wayne Valzania	X		27 Merrill St.	X			PC16	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 17	Carolyn Swartz	X		27 Merrill St.	X			PC17	Wayne Valzania	X		23 Merrill St.	X	
PB Workshop-02/11/2020	PC 18	Erna Koch	X		81 Vesper St.	X	X		PC18	Enoch Wenstrom	X		88 Beckett St.	X	X
PB Workshop-02/11/2020	PC 19	Linda Tyler	X		52 St. Lawrence St.	X	X		PC19	karen Snyder	X		72 Waterville St.	X	X
PB Workshop-02/11/2020	PC 20	Mark Holden	X		37 St. Lawrence St.	X	X		PC20	Smith - female developer		X	?		
PB Workshop-02/11/2020	PC 21	Michael Englerbert	X		193 Sheridan St.	X			PC21	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-02/11/2020	PC 22	Richard Rollins	X		Hill Boy				PC22	Tim Wells		X	33 Montreal St.	X	
PB Workshop-02/11/2020	PC 23	Mary Morse	X		208 Sheridan St.	X			PC23	George Rheault		X	Bayside		
PB Workshop-02/11/2020	PC 24	Robin Whitten	X		23 St. Lawrence St.	X	X		PC24	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-02/11/2020	PC 25	Heather Sullivan		X	32 Merrill St.	X			PC25	Peter Murray	X		104 North St.	X	X
PB Workshop-02/11/2020	PC 26	Julie Larry			GPL				PC26	Barry Manter	X		46 Eastern Promenad	X	X
PB Workshop-02/11/2020	PC 27	Kevin Schochat	X		215 Sheridan St.	X			PC27	Sive Nelson	X		29 Emerson St.	X	
PB Workshop-02/11/2020	PC 28	Mary Barrett	X		27 Parson St.										
PB Workshop-02/11/2020	PC 29	Nancy Machesney	X		213 Sheridan St.	X									
PB Workshop-02/11/2020	PC 30	Steven Inman	X		81A Vesper St.	X	X								
PB Workshop-02/11/2020	PC 31	Edward Fiske Mooney	X		77 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 32	Susan Yandell	X		51 Monument St.	X	X								
PB Workshop-02/11/2020	PC 33	Sara Auld	X		43 Munjoy St.	X	X								
PB Workshop-02/11/2020	PC 34	Carol Connor	X		12 Montreal St.	X	X								
PB Workshop-02/11/2020	PC 35	Ann Casady	X		213 Sheridan St.	X									
PB Workshop-02/11/2020	PC 36	George Carhart	X		7 Lafayette St.	X	X								
PB Workshop-02/11/2020	PC 37	Lincoln Payne	X		150 Eastern Promenade	X	X								

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PB Workshop-02/11/2020	PC 39	Amy Alward	X		South Portland										
PB Workshop-02/11/2020	PC 40	Elizabeth Peavey	X		Portland										
PB Workshop-02/11/2020	PC 41	Nick Murray		X	40 St. Lawrence St.	X	X								
PB Workshop-02/11/2020	PC 42	James Rohman		X	57 Elmwood St.										
PB Workshop-02/11/2020	PC 43	James Hambley	X		61 Monument St.	X									
PB Workshop-02/11/2020	PC 44	Donna Jones	X		Portland										
PB Workshop-02/11/2020	PC 45	Abbie McMillen	X		26-28 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 46	Anne Pringle	X		Neal St.										
PB Workshop-02/11/2020	PC 47	Daryl Renschler	X		Portland										
PB Workshop-02/11/2020	PC 48	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-02/11/2020	PC 49	Kathleen Bender	X		11 North St.	X	X								
PB Workshop-02/11/2020	PC 50	Marlies Reppenhagen	X		55 Morning St.	X	X								
PB Workshop-02/11/2020	PC 51	Pamela Day	X		25 Waterville St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan	X		13-15 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			17-19 Vesper St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			91-93 Morning St.	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			26-30 Eastern Promenade	X	X								
PB Workshop-02/11/2020	PC 52	Nancy & Robert Jordan			19 Locust St.										
PB Workshop-02/11/2020	PC 53	Carl Henry		X	50 St. Lawrence	X	X								
PB Workshop-02/11/2020	PC 54	Carol J. De Tine	X		144 Vaughn St.										
PB Workshop-02/11/2020	PC 55	Charlton Smith	X		33 Turner St.	X									
PB Workshop-02/11/2020	PC 56	John Watson & Nancy Brai	X		118 Congress St.	X									
PB Workshop-02/11/2020	PC 57	Justine Denney	X		56 North St.	X	X								
PB Workshop-02/11/2020	PC 58	Tom Keating	X		166 Pleasant Ave.										
PB Workshop-03/10/2020	PC59	Abby Harvey	X		17 Waterville St.	X	X		PC1	Jake Halpert	X		74 Atlantic St.	X	X
PB Workshop-03/10/2020	PC60	Anne Manganello		X	84 Quebec St.	X	X		PC2	David Cowie	X		32 North St.	X	X
PB Workshop-03/10/2020	PC61	Anne Manganello		X	84 Quebec St.	X	X		PC3	Gemma Cannon	X		204 Congress St.		
PB Workshop-03/10/2020	PC62	Audrey Puleio	X		27 North St.	X	X		PC4	Pam Plum	X		104 Park St.		
PB Workshop-03/10/2020	PC63	Barbara Brown	X		156 Sheridan St., #2C	X			PC5	Nini McManamy	X		10 Willis St.	X	X
PB Workshop-03/10/2020	PC64	Barti Bourgault	X		49 Waterville St.	X	X		PC6	Saura Shannon		X	59 Moody St.	X	X
PB Workshop-03/10/2020		Barti Bourgault			51 Waterville St.	X	X		PC7	George Rheult		X	West Bayside		
PB Workshop-03/10/2020	PC65	Beth Snyder	X		81 North St.	X	X		PC8	Josh Baston		X	42 North St.	X	X
PB Workshop-03/10/2020	PC66	Bruce Wood	X		607 Chandler's Wharf				PC9	Lauren Ashwell		X	8 Emerson St.	X	
PB Workshop-03/10/2020	PC67	Candace Myers	X		45 Eastern Promenade, Unit B-G	X			PC10	Mark Holden	X		37 St. Lawrence	X	X
PB Workshop-03/10/2020	PC68	Carl Henry		X	50 St. Lawrence	X	X		PC11	Mildred Bachrach		X	211 Brackett St.		
PB Workshop-03/10/2020	PC69	Carol Conner	X		12 Montreal St.	X	X		PC12	Dianne Davison	X		29 Morning St.	X	X
PB Workshop-03/10/2020	PC70	Carol McCracken		X	Portland				PC13	Bill Hall	X		Peaks Island		
PB Workshop-03/10/2020	PC71	Carolyn Swartz	X		27 Merrill St.	X	X		PC14	Michelle Polacsek	X		167 Newbury St., Unit 406		
PB Workshop-03/10/2020	PC72	Christopher Ackerland	X		44 Monument St.	X	X		PC15	Robin Whitten	X		23 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC73	Christopher Stewart	X		81 North St.	X	X		PC16	Sherwin Hamill	X		2 Atlantic St.	X	X
PB Workshop-03/10/2020	PC74	Claudia Diller	X		Munjoy Hill?	X			PC17	Stacy Mitchell	X		74 Atlantic St.	X	X
PB Workshop-03/10/2020	PC75	Cynthia Schmidt	X		21 Sheridan St, #1	X	X		PC18	Beth Snyder	X		81 North St.	X	X
PB Workshop-03/10/2020	PC76	David Lloyd	X		29 Waterville St.	X	X		PC19	Angela Adams	X		2 Atlantic St.	X	X
PB Workshop-03/10/2020	PC77	Debra Cole	X		71 Walnut St.	X	X		PC20	Keri lord	X		Deering St.		

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	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26						
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	16	20.5%	78						
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61						
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40						
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24						
4)	Planning Board Hearing - 3/10/2020 downloaded 3/10 4:14p	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51	
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77						
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	8	13.8%	58						
	OVERALL TOTALS: Total All Emails Sent	221	76.5%	68	23.5%	289	97	78.2%	27	21.8%	124	
	-If A Munjoy Hill Resident (Unique Person)	159	85.9%	26	14.1%	185						
	-If In the Proposed Munjoy Hill Historic District (Unique)	117	81.8%	26	18.2%	143						

Itemized Detail Of All the People Who Emailed or Public Comment in the Last 4 Workshops/Meetings regarding the Proposed Munjoy Hill Historic District & 6 Landmarks

Meeting Date on Proposed Munjoy Hill Historic District	#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident	In Proposed HD?	Comment	#	Public Comment At Meeting	HD Yes	HD No	Address	Munjoy Hill Resident?	In Proposed HD?
PB Workshop-03/10/2020	PC78	Debra Pressier	X		25 Fore St.	X	X		PC21	Ann Mangello		X	84 Quebec St.	X	X
PB Workshop-03/10/2020	PC79	Liz Hays	X		107 North St.	X	X		PC22	Lindsey Mann	X		122 North St.	X	X
PB Workshop-03/10/2020	PC80	Gary Stern	X		65 Revere St.				PC23	Richard Heffern	X		8 Sherbrooke St.	X	X
PB Workshop-03/10/2020	PC81a	George Rheult		X	Bayside				PC24	Hilary Bassett	X		55 Morning St.	X	X
PB Workshop-03/10/2020	PC82	Joe Walsh		X	Portland, Munjoy ?Green Clean Maine?				PC25	Thomas Brokish	X		43 Munjoy St.	X	X
PB Workshop-03/10/2020	PC83	John Whitehouse		X	1 Cumberside Falmouth				PC26	Sally Oldham	X		118 Congress St.	X	X
PB Workshop-03/10/2020	PC84	Kathryn Yates	X						PC27	Rob Whitten	X		23 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC85	Kenneth and Joyce Bailly	X		59 Mountfort St.	X			PC28	Berry Manter	X		46 Eastern Promenad	X	X
PB Workshop-03/10/2020	PC86	Kevin Schochat	X		215 Sheridan St.	X			PC29	Carol Swartz	X		27 Merrill St.	X	X
PB Workshop-03/10/2020	PC87	Leslie Hart	X		215 Sheridan St.	X			PC30	Wayne Valzania	X		27 Merrill St.	X	X
PB Workshop-03/10/2020	PC88	Maggy Wolf	X		28 St. Lawrence	X	X		PC31	Steve Cannon	X		204 Congress St.		
PB Workshop-03/10/2020	PC89	Martica Swain	X		28 St. Lawrence	X	X		PC32	Mike Hoover	X		40 Melbourne St.	X	X
PB Workshop-03/10/2020	PC90	Nan Cumming	X		87 Vesper St.	X	X		PC33	Carol Conner	X		12 Montreal St.	X	X
PB Workshop-03/10/2020	PC91	Nancy Machesney	X		215 Sheridan St.	X			PC34	Oliver Murray	X		40 Montreal St.	X	X
PB Workshop-03/10/2020	PC92	Nancy Thayer	X		7 Gilbert Lane	X	X		PC35	Sive Whelan	X		29 Emerson St.	X	X
PB Workshop-03/10/2020	PC93	Ned Chester	X		11 Fore St.	X	X		PC36	John Wuestoff	X		17 Morning St.	X	X
PB Workshop-03/10/2020	PC94	Paul Flaxman	X		7 Atlantic St.	X	X		PC37	John Mahoney		X	73 Atlantic St.	X	X
PB Workshop-03/10/2020	PC95	Bob and Jeanne Bull	X		68 Atlantic St.	X	X		PC38	Ned Chester	X		7 Fore St.	X	X
PB Workshop-03/10/2020	PC96	Ryan Fitzgerlad		X	51 Morning St.	X	X		PC39	Herb Adams	X		Parkside		
PB Workshop-03/10/2020	PC97	Sally Oldham	X		118 Congress	X			PC40	Pam Day	X		25 Waterville St.	X	X
PB Workshop-03/10/2020	PC98	Ted Oldham	X		118 Congress	X			PC41	George Carhart	X		7 Lafayette St.	X	X
PB Workshop-03/10/2020	PC99	Tica Douglas	X		11 Munjoy St.	X	X		PC42	Barbara Vestal	X		7 Fore St.	X	X
PB Workshop-03/10/2020	PC100	Tom Kennedy	X		340 Eastern Promenade, Unit 213	X			PC43	Lori Round		X	47 Monument St.	X	
PB Workshop-03/10/2020	PC101	Travis Agaman		X	8 Emerson St.	X			PC44	Peter Blackstone	X		76 Cumberland Ave	X	X
PB Workshop-03/10/2020	PC102	Wendy Cherubini		X	33 May St.				PC45	Lorrayne Carroll	X		31 North St.	X	X
PB Workshop-03/10/2020	PC103	William Cleaves	X		27 North St, Apt 4	X	X		PC46	Mary Casale	X		39 Waterville St.	X	X
PB Workshop-03/10/2020	PC104	Megan Roberts		X	Portland, Woodsford				PC47	Tim Wells		X	33 Montreal	X	
PB Workshop-03/10/2020	PC105	Vana Carmona	X		105 North St., Apt 1	X	X		PC48	Peter Murray	X		104 North St.	X	X
PB Workshop-03/10/2020	PC106	Martha Emerson	X		340 Eastern Promenade, Unit 247	X			PC49	Carl Henry		X	50 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC107	Betts Mayer	X		211 Sheridan St.	X			PC50	Maggy Wolf	X		28 St. Lawrence St.	X	X
PB Workshop-03/10/2020	PC108	Gemma Cannon	X		WHSa Secretary?	X			PC51	Karen Snyder	X		72 Waterville St.	X	X
PB Workshop-03/10/2020	PC109	Matt Thayer	X		62 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC110	Uschi Carhart	X		7 Lafayette St.	X	X								
PB Workshop-03/10/2020	PC111	Mildred Bachrach		X	211 Brackett St.										
PB Workshop-03/10/2020	PC112	Nini McManamy	X		11 Willist St.	X	X								
PB Workshop-03/10/2020	PC113	Nathan Szanton	X		22 Eastern Promenade, Unit #3	X	X								
PB Workshop-03/10/2020	PC114	Mary Casale	X		39 Waterville St.	X	X								
PB Workshop-03/10/2020	PC115	Joel Harris	X		38 Blanchard St, Cumberland										
PB Workshop-03/10/2020	PC116	Peter Murray	X		104 North St.	X	X								
PB Workshop-03/10/2020	PC117	Lindsay Swann	X		122 North St.	X	X								
PB Workshop-03/10/2020	PC118	Enoch Wenstrom	X		88 Beckett St.	X	X								
PB Workshop-03/10/2020	PC119	Barbara Vestal	X		11 Fore St.	X	X								
PB Workshop-03/10/2020	PC120	Gail Wenstrom	X		83 Beckett St.	X	X								
PB Workshop-03/10/2020	PC121	Karen Snyder	X		72 Waterville St.	X	X								
PB Workshop-03/10/2020	PC122	Gail Wenstrom	X		83 Beckett St.	X	X								

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PB Workshop-03/10/2020	PC123	Pam Day	X		25 Waterville St.	X	X								
PB Workshop-03/10/2020	PC124	Betty Wuestoff	X		11 Morning St.	X	X								
PB Workshop-03/10/2020	PC125	Hillary Bassett	X		55 Morning St.	X	X								
PB Workshop-03/10/2020	PC126	Cara DeTign	X		144 Vaughn St.										
PB Workshop-03/10/2020	PC127	Ed Gardner	X		511 Congress St.										
PB Workshop-03/10/2020	PC128	Francesca Galluccio-Steele	X		22 Clifford St.										
PB Workshop-03/10/2020	PC129	Robert Derry	X		63 Melbourne St.	X	X								
PB Workshop-03/10/2020	PC130	Carl Henry		X	50 St. Lawrence	X	X								
PB Workshop-03/10/2020	PC131	George Carhart	X		7 Lafayette St.	X	X								
PB Workshop-03/10/2020	PC132	Greater Portland Landmark	X		GPL										
PB Workshop-03/10/2020	PC133	Debby Murray	X		104 North St.	X	X								
PB Workshop-03/10/2020	PC134	Janie Lynch		X	???										
PB Workshop-03/10/2020	PC135	Jo-Ann Kayatta	X		????										
PB Workshop-03/10/2020	PC136	Kristina Minister	X		101 North St, Apt 4	X	X								
PB Workshop-03/10/2020	PC137	Laura Shen & Will Stilton		X	59 Moody St.	X	X								
PB Workshop-03/10/2020	PC138	Lynne Panico	X		49 Moody St.	X	X								
PB Workshop-03/10/2020	PC139	Robin Ferrar		X	46 Walnut St.	X	X								
PB Workshop-03/10/2020	PC140	Sarah Goan	X		54 Walnut St.	X	X								
PB Workshop-03/10/2020	PC141	Kathleen Bender	X		11 North St.	X	X								
PB Workshop-03/10/2020	PC142	Karen Harrison		X	34 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC143	Brent Adler		X	92 Walnut St.	X									
PB Workshop-03/10/2020	PC144	Eleanore Houghton	X		Portland										
PB Workshop-03/10/2020	PC145	Erna Koch	X		81 Vesper St.	X	X								
PB Workshop-03/10/2020	PC146	George Rheault		X	Bayside										
PB Workshop-03/10/2020	PC147	George Rheault		X	Bayside										
PB Workshop-03/10/2020	PC148	Jen Micoles	X		61 Mountfour St.	X									
PB Workshop-03/10/2020	PC149	John Carolan		X	28 North St.	X	X								
PB Workshop-03/10/2020	PC150	Julian Ciembroniewicz	X		55 Morning St.	X	X								
PB Workshop-03/10/2020	PC151	Kate Howe		X	40 Quebec St.	X									
PB Workshop-03/10/2020	PC152	Kelly Worster	X		52 Monument St.	X									
PB Workshop-03/10/2020	PC153	Mary Barret	X		Portland										
PB Workshop-03/10/2020	PC154	Mike Cavanaugh	X		39 Munjoy St.	X	X								
PB Workshop-03/10/2020	PC155	MJ Hill?	X		Fake?										
PB Workshop-03/10/2020	PC156	Paula Agopian	X		90 Monument St.	X									
PB Workshop-03/10/2020	PC157	Robert Morse	X		Portland										
PB Workshop-03/10/2020	PC158	Sophie Samuels	X		46 Howard St.	X									
PB Workshop-03/10/2020	PC159	William Alcorn	X		125 Morning St.	X	X								
PB Workshop-03/10/2020	PC160	Barbara Keppel	X		141 North St.	X	X								

Sources:

HPB Nomination- 11/20/2019	https://portlandme.civicclerk.com/Web/Player.aspx?id=533&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-12/10/2019	https://portlandme.civicclerk.com/Web/Player.aspx?id=571&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-02/11/2020	https://portlandme.civicclerk.com/Web/Player.aspx?id=1207&key=-1&mod=-1&mk=-1&nov=0
PB Workshop-03/10/2020	https://portlandme.civicclerk.com/Web/Player.aspx?id=1219&key=-1&mod=-1&mk=-1&nov=0

Google Groups

MUNJOY HILL

Robert Morse <rmorse52@yahoo.com>

Aug 6, 2020 2:17 PM

Posted in group: **Planning Board**

I FULLY SUPPORT THE HISTORIC DISTRICT PROPOSED FOR MUNJOY HILL.

ROBERT MORSE 208 SHERIDAN STREET

Google Groups

Munjoy Hill Local Historic District

Ronald Savitt <rsavitt43@gmail.com>

Aug 5, 2020 10:50 AM

Posted in group: **Planning Board**

Portland Planning Board

I fully support the proposal to enact a Munjoy All Historic District. I lived in the area for two years and believe it will be an important addition for Portland.

I spent nearly ten years in Portland, Oregon as a volunteer for the Architectural Heritage Center. During that time I had several opportunities to appreciate the development of Historic Districts, some that had existed for over a decades, some less so and applications for new districts.

I was privy to submissions by land owners, residents and interested parties and while I had only informal input to the AHC's portion, I took no part in the decision itself. What I learned is that historic districts are an important addition to the preservation of a community. The ideal historic districts respects the rights of property owners but in doing that it also protects the integrity of a community. Some restrictions on what can be done should be considered; in Oregon local governments provided advice and in some case architectural and financial support. One of the roles the AHC played was the library which had extensive resources to help describe the buildings, what they were constructed of and what type of repairs would fit. I am not familiar enough with Portland or Maine to contemplate what policies are available. In any case, support for property owners within reason is necessary as long as it provides rewards for them.

You might want to look at the AHC web page to learn about how they are now handling historic districts. In the current economic times where there is a greater probability that areas and building will fall into decay, historic districts make great sense.

Please feel to contact me if you have further questions.

Best,

Ron Savitt

Dear Chair Mazer and Members of the Planning Board,

The process of considering the designation of a portion of Munjoy Hill as an Historic District has been a long one. There has been extensive public input and public education. The support from both Munjoy Hill residents and from Portland citizens has been very strong. **75% to 80% of the comments** at each step of the way before the Historic Preservation Board and Planning Board **have been in favor of designation.**

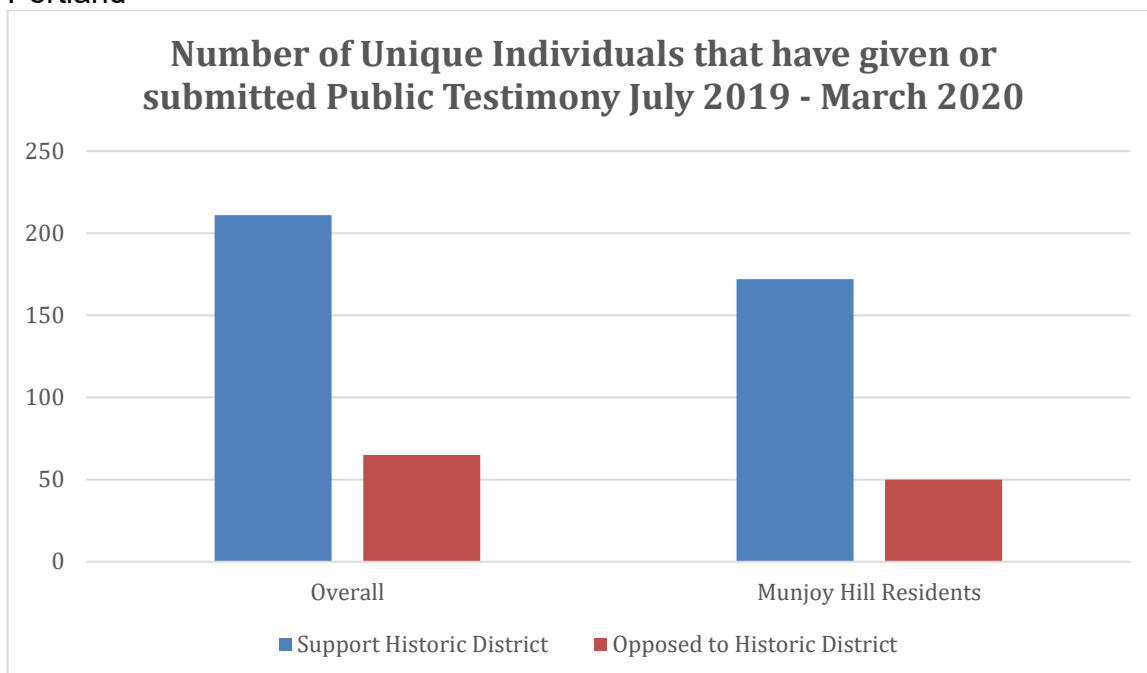
The statements below draw from testimony offered at the Planning Board's Pubic Hearing on March 10. They are representative of the comments offered and illustrate:

- **The workability of the Historic Preservation Board's review process from both architects' and owners' viewpoints**
- **The benefits of designation in retaining affordable and workforce housing on the Hill and the ability to build affordable housing in historic districts.**
- **The unique identity of Munjoy Hill that merits historic designation including its ability to tell the stories of Portland's multi-ethnic and multi-racial residents.**

I urge you to support the designation of the Munjoy Hill Historic District as proposed and to recommend its designation by Portland's City Council.

Thank you for you dedicated efforts as members of this Planning Board,

Sally Oldham
118 Congress Street
Portland



David Lloyd, 29 Waterville Street, local architect and resident of Munjoy Hill

"[As an] architect that has presented to the board over many years... I have been able to successfully design low income housing under the guidelines of an historic district. The HP review process moves quickly, and I have found that by weaving the HP reviews into the planning board schedule no time is lost in the approval process. Successful design is not burdened or made less-creative by design critiques. Good design is promoted through successful critiques. My experience with the board has resulted in successful traditional architecture and modern architecture."

Nathan Szanton, 22 Eastern Prom, affordable housing developer and resident of Munjoy Hill

"I am very much in support of the proposed district.... I've thought a lot about how affordable housing is impacted by historic districts. If this [district] is implemented, there's still many, many opportunities to build new housing...I myself have done Casco Terrace, which is affordable housing at 41 State Street. That [is] in an historic district and went through the historic district review process. I felt as though the process actually made the building better. There are many, many examples of not only housing but affordable housing that has been built in districts: Elm Terrace, Oak Street Lofts, Carlton Street Apartments..."

Michelle Policheck, 167 Newbury Street, Portland resident and new owner of 24 St. Lawrence Street

"I am speaking in support of the historic district and from personal experience having just undergone review by the Portland Historic Preservation Board. My husband and I recently purchased a two-unit home on the hill. The goal of our project includes an extensive remodel of the back of the house, which is designed to be modern, bring in light, and maximize views. We presented our project... then we submitted additional information to answer the board's questions and the board approved our project at their next meeting. This process was not onerous."

Nini McNanamy, 10 Willis Street

"Munjoy Hill has had such a strong enduring identity over the last couple of hundred years. It has its own historic literature! Numerous local magazines have profiled the hill. What other neighborhood in Portland has bumper stickers - *This car climbed Munjoy Hill!* Or announces it milestones like this obituary last week for our wonderful neighbor Tommy Joyce, whose house is in the district, "*he grew up in the melting pot of Irish, Italian, and Jewish immigrants on Munjoy Hill*" There is no mention of Portland, Munjoy Hill alone does it.

Gemma Cannon, 204 Congress Street, Portland Resident

"I am someone that loves walking up there, you talk about a sense of place... I think for all of us in Portland there are places that make us say, oh this is why I love living here. And when you talk about bringing new people into Portland...they want to live here because of that sense of place that we have. This is rare, please don't give it away."

Beth Snyder, 81 North Street, Munjoy Hill resident

"I own the Moses Gould House built in 1854. I want to be a good steward of my house. I had many, many questions about the historic preservation district. I went to so many of the workshops at the East End School and I've attended your meetings. My questions were

answered.... I have a lot of renovations I need to do. I am convinced that if we are a historic preservation neighborhood, designated, the city will work with me, it will be affordable, that I can meet with Deb Andrews and others to help me replace in kind. I urge you to support this."

Angela Adams Hammill, 2 Atlantic Street, business owner and Munjoy Hill resident

"I think it's a really important time right now, with all the development that's been going on over the years to continue to develop Portland as we will, but to do it as thoughtfully as possible. I think it is time especially to protect Munjoy Hill, to keep that quality, integrity, and character that we have here in Portland."

Stacy Mitchell, 74 Atlantic, Munjoy Hill resident and landlord

"My husband and I have lived there since 2003. We have a four unit building, so...we rent the other three units. The number one reason to vote in favor of this district tonight is because of housing affordability. Preserving our existing affordable housing is the most important thing we need to do in addition to building new housing that is affordable. My building with our three other units, we currently have a cook that works at a local restaurant, a librarian, and a letter carrier for the postal service. If we were to sell our building, what would happen to it...even though it's in great condition, it would be torn down. In its place would be luxury condominiums. We know this because we see it happening all around us. So that's the threat. The underlying financial reality is that my building is worth more dead than alive. If we don't take a stand now... to preserve a mix in our neighborhood...I strongly encourage you to vote in favor of this."

Keri Lord, 58 Deering Street, Deering Street Historic District resident and landlord

"I live on Deering Street and have for over 40 years. I own my building. I have... two apartments. I've done a lot of restoration on my building. When I was still working I was a Special Ed teacher...And I have managed to do a lot of restoration work on my building... I have not found that costs were onerous. Historic preservation is not a problem, it's the reason we are Portland."

Pam Plumb, 104 Park Street, former Mayor of Portland

"I don't live on the hill, but I live in one of the city's first historic districts...As a person who has lived in a historic district I want to say, it's great. New modern buildings have been built...change has happened. We put a modern ell on the back of our 1833 Greek Revival townhouse, that was permitted."

Google Groups

Munjoy Hill Historic District

Sarah Auld <sauld@gmail.com>

Aug 7, 2020 7:32 AM

Posted in group: **Planning Board**

Dear Chairman Mazer, Planning Board Members and City Officials,

We are residents and homeowners of Munjoy Hill. We support the proposed Munjoy Hill Historic District and six landmarks—

please approve the Preservation Board's recommendation with no changes or modifications.

We are grateful for your time and consideration.

Sincerely,

Sarah Auld and Tom Brokish

43 Munjoy Street

Portland, ME 04101

207 899 0284

sauld@maine.rr.com



August 7, 2020

Chair Mazer and Members of the Planning Board:

In their November decision the Historic Preservation Board found that **the proposed Munjoy Hill Historic District meets the applicable designation criteria under Section 14-610 a and b as well as Section 14-611**. Specifically they cited Section 14-610 a.1., finding that the documentation presented to them demonstrated that the proposed Munjoy Hill Historic District has, *“value as a significant example of the cultural, historic, architectural, archeological or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States”*.

Designation of the proposed Munjoy Hill Historic District clearly supports the goals of Portland’s Plan 2030, as stated in the February 7, 2020 Memorandum to the Planning Board from Christine Grimando, Director, Department of Planning and Urban Development, *“From the first pages of Portland’s Plan 2030, and consistently throughout the document, historic preservation is acknowledged as central to the City’s vision, including not only existing local designations but potential future designations. It is also acknowledged as integral to Portland’s economic development strategy, its sustainability goals, and to a multidimensional housing strategy.”*

As with the 11 other historic districts in Portland, buildings within the proposed district have been altered over time, but the board found enough buildings within the proposed boundaries had sufficient integrity of location, design, materials, condition and workmanship to be worthy of preservation. Greater Portland Landmarks supported this decision and found that in addition to the inclusive public input process, the detailed discussions and deliberations of the board over four workshops, two site walks and a public hearing were thorough and well-reasoned.

We support the historic district for myriad reasons:

- it will conserve mid-19th century residential buildings developed to house the families of workers associated with the Portland Company (1846) and the Atlantic & St. Lawrence Railroad (1845).

- it will be the first district in Portland that will protect homes of the city's early Black and immigrant residents, a powerful step that will ensure we can tell the complete story of the history of our waterfront community.
- it will ensure that the dwellings that serve as a backdrop to the historic Eastern Promenade and Fort Allen will be protected from demolition.
- it will ensure that new construction, as well as building alterations, within the proposed district will be undertaken in a manner that is complementary to the scale, massing, and character of the existing housing stock, while meeting the modern needs of its residents.
- Portland faces many challenges, including preparing for the impacts of climate change. Historic Preservation is recycling on a large scale. **Re-use matters.**

In the last five years nearly 400 units of new housing were created in Portland's landmark buildings and historic districts, including 324 units of affordable housing. **While only 8% of Portland's land area is protected under the historic district ordinance, those 324 affordable units represent nearly 30% of the affordable new units created or approved in the city during the same period.**

The historic district has been **overwhelmingly supported** in public comment throughout the designation process. More than 70% of the written and in-person public comment has been *in favor* of the proposed district. This designation is an important final step in a comprehensive planning initiative begun in late 2017. We urge you to now recommend the historic district to the City Council.

Thank you for considering our views.

Cordially,

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

Sarah Hansen, Executive Director
Greater Portland Landmarks

Google Groups

Munjoy Hill Historic District

S Hamill <SHamill@angelaadams.com>

Aug 6, 2020 8:19 AM

Posted in group: **Planning Board**

Dear Planning Board Members,

I am writing to you today to support the Munjoy Hill Historic District as proposed on 11-20-19. I have lived in the proposed district since 1982 in a building built in 1850 and believe it's important to protect the history of the hill and our city for future generations.

Please vote FOR this Historic District and the six Landmarks.

Thank you,

Sherwood Hamill

2 Atlantic Street

Google Groups

Munjoy Hill Historic District

Stephen Gaal <steve@gaal.com>

Aug 6, 2020 7:55 AM

Posted in group: **Planning Board**

Dear Planning Board,

I STRONGLY SUPPORT the creation of the proposed Historic District on Munjoy Hill and the 6 landmark designations **without modification**. Let's just get on with this initiative that has been delayed for far too long.

Respectfully

Stephen Gaal
Munjoy Hill,
Portland ME
steve@gaal.com
(603) 651-9183 mobile

The Russian dissident and chess grandmaster Garry Kasparov drew upon long familiarity with that process when he tweeted: "The point of modern propaganda isn't only to misinform or push an agenda. It is to exhaust your critical thinking, to annihilate truth."

Google Groups

Munjoy Hill Historic District Analysis

Susan Bristol <spbarch@gmail.com>

Aug 4, 2020 9:37 AM

Posted in group: **Planning Board**

Dear Planning Board of Portland Maine:

As a new resident of Portland (but life long visitor), I am writing to thank you for the notice of your upcoming meeting. WE ARE IN FAVOR OF THE MUNJOY HILL HISTORIC DISTRICT PROPOSAL.

Before we bought our new home here, I visited the City Hall (pre-Covid) and was very impressed with the staff and the help I was given when I investigated the zoning surrounding our building. I am an Architect and Planner who has been Chair of a municipal planning board that was charged with implementing an Historic Preservation Ordinance, therefore have professional and personal experience with these matters.

Managing change in architecturally diverse, vibrant cities makes sense and is a fulfillment of your duties as Planning Board members. Preservation is good for the community and provides visible evidence of the heritage of the city. Preservation makes economic sense and enriches our sense of place. A healthy city is able to enjoy its past while imagining its future.

Thank you for accepting our comments.

Susan Pikaart Bristol

Henry Platt Bristol

31 Fore Street, Portland, Maine

--

SPB Architecture LLC

SPBArchitecture.com

Susan Pikaart Bristol Architect

R.A., LEED AP, NJ P.P.

P.O. Box 814

Rocky Hill, NJ 08553

609.924.7989

Google Groups

Munjoy Hill Historic Preservation District

welmaurya@gmail.com <welmaurya@gmail.com>

Aug 7, 2020 1:16 PM

Posted in group: **Planning Board**

Dear Planning Board Members,

I urge you to vote to recommend to the City Council to reject the proposed Historic District on Munjoy Hill.

This simply is not the time to make such a permanent decision. Portland is struggling with the lack of housing and the low production of housing, and the Country is struggling with the effects of decades of racial and economic injustice, voting to support the Munjoy Hill Historic District would only reinforce and strengthen these barriers to economic and social prosperity of disenfranchised citizens and continue the ever widening economic inequality gap. Munjoy Hill is not the right area to designate as a Historic District. Historic Districts work best in mixed-use districts. This is where HDs can really have the greatest impact. We have seen this in Portland's Old Port. Portland needs to keep areas of the City open to change, to innovation and creativity and Munjoy Hill is one of those neighborhoods. It historically has attracted the disenfranchised, the artistic, imaginative set and spawned many creative people and ideas. Allowing Munjoy Hill to continue to evolve and continue to attract new, different and diverse groups of people is actually paying homage to Munjoy Hill's heritage. It is showing respect to its historic role in the City of Portland. Let this continue.

Now that we are through a building moratorium, zoning changes and full analysis of the buildings on Munjoy Hill is over, it is also time to repeal the Conservation District Overlay. The CD Overlay was put into place while the evaluation of the Historic District was ongoing. That process is

now complete. If you look at the new rules implemented in the CD Overlay it is clear that it is simply a Historic District with a different name and is significantly more restrictive for new construction. In either possible outcome the CD Overlay District should be removed from Munjoy Hill:

1. If the City Council votes to accept the HD then those areas of the Hill identified as being worthy of historic protection are properly designated for protection. This makes the CD Overlay redundant and unnecessary for the parts of Munjoy Hill that were not identified as worthy of historic designation.
2. If the Munjoy Hill HD is rejected, and since the CD Overlay is modeled and creates similar restrictions/conditions as a historic district, it follows logically that the CD Overlay should also be lifted. The HD will have been rejected on the grounds that it is deemed to be more destructive than constructive and is counter to the needs and goals of the City. This means the CD Overlay is also counter to these goals.

The CD Overlay has stopped all new development on Munjoy Hill. It is the most restrictive zoning in the entire City and effectively places more rigid rules on new construction than a Historic District. It heavily penalizes the production of more housing which is counter to the Comprehensive Plan and to the urgent needs of this City. It has paused construction for 3 years and now it is time to for the Conservation District Overlay to be repealed and for Munjoy Hill to revert back to R6 Zoning.

Now is also the time to address the many issues with the current land use regulations (Zoning). What people value in the physical built environment cannot be replicated with the City's current zoning. Current zoning regulations are stifling the production of housing, jobs, the protection of the environment and the development of a rich cultural/social experience in Portland. Now is the time for a comprehensive rethinking and re-imagining of our land use policy. The current ReZone process needs to think big and act bold. Portland is

already 20 years late on this issue it cannot let this opportunity pass it by and accept the status quo for another 20, 30 or 40 years.

Planning should consider its organizational structure. The definition of Strategy is ***The Effective Allocation of Scarce Resources***. How much resources does the City commit to looking backwards in time? The City staff and Council has spent a significant amount of time on the Munjoy Hill Historic District. How much time is spent imagining and creating a vision for the future? Why isn't there a position within the Planning Department focused solely on the future? It would be a much better allocation of resources. It will be a valuable investment for the citizens of this City to make that will reap rewards. People, time, money and land are the scarce resources the City can effect. Land is a precious resource and how it is used should be well thought through.

While I care greatly about historic preservation and feel that Historic Districts can be a very useful tool, when misused they can be very harmful. The areas in Portland of obvious historic and architectural significance have already been protected. These areas were the low-hanging fruit that all could see were worthy of protection. Munjoy Hill was never regarded in this way and that is because most of the housing stock does not rise to the level intended for historic preservation. With a few exceptions the housing and architecture is simply commonplace in Portland and other areas of Maine and New England.

Thank you for your time.

Best regards,

Tim Wells

Montreal Street

Google Groups

Munjoy Hill Historic District

Travis Agaman <index207@gmail.com>

Aug 7, 2020 3:20 PM

Posted in group: **Planning and Urban Development**

To the City of Portland Planning Board,

I am writing today to strongly urge you all to reject the proposal for another Historic District in Portland, over the Munjoy Hill area. Right now is not the time (or ever, to be honest) for the Portland City government to be so overly concerned with protecting the property values of a few affluent members of one neighborhood. It is distressing to see that this issue has advanced to this point as it is another clear move by the city against low-income and less-than-affluent citizens.

Arguments that a Historic District will preserve a community is both wrong and sad. It will break apart existing communities and destroy a sense of neighborhood...at least it will for anyone that is not so wealthy that they can comply with this type of regulation. Although I did not catch her name at the time, one of the speakers in the early Munjoy Hill historic district proposal meetings put it best "I used to live in the West End until the historic district was put in place. So I moved to the East End to escape it. And now you're doing this again."

Those that support the historic district on Munjoy Hill could have gone the route of a city-wide referendum to be voted upon by everyone. They have chosen the current method specifically because it circumvents the will of many Portland residents. Please stop this proposal NOW, and tell the wealthy elite in Portland they do not get to trod on the rights of those who aren't rich *enough to live near them*.

Travis Agaman

8 Emerson Street

Portland

Google Groups

Munjoy Historic District

Vana Carmona <vanacarmona@gmail.com>

Aug 7, 2020 9:13 AM

Posted in group: **Planning and Urban Development**

Re. The meeting on August 11th for the Munjoy Hill Historic District

I am happy that this issue is finally proceeding. I feel that the Covid pandemic has delayed this far too long and that this postponement is playing into the hands of the developers.

Please rest assured, that **everyone on the Hill who was supporting the new District back in March has not changed their minds.** We still very much want this to pass.

It is critical that it does pass as soon as possible.

We, the residents of the Hill, are being threatened by a rash of demolitions and new developments. They may have slowed temporarily but they are all waiting in the wings to start up again.

Munjoy Hill does not need their million dollar condos. We need the neighborhood we have had, that can accommodate people from all spectrums.

And we certainly do not need that huge increase in property taxes that is coming because of these developments that are putting dollars into a few people's pockets while driving out of their long time homes those who can no longer afford to live here.

So much of Portland is under historic districts and that has been so beneficial to the City and its residents to keep our unique character. This is the very character that brings in the tourists and their much needed dollars. It maintains why we stay here, came here in the first place, or (as in my case) returned after living elsewhere.

There is no reason to not include Munjoy Hill as a historic district. Our history here has been just as important as that of the other districts. In fact, our history is unique to this City and should be recognized. We need to be included.

Our neighborhood should not be left as the last fertile ground for unbridled development on the peninsula.

And lastly, we do need that 100 foot rule. Nothing proves that more than the proposed developments at 128R and 126 North St. and that on Montreal St/Willis.

Please vote for the Munjoy Hill Historic District.

Thank you.

Vana Carmona
105 North St. Apt 1
Portland, ME 04101
207 420 6962

Google Groups

Munjoy Hill Proposed Historic District

w.valzania@munjoyhill.org <w.valzania@munjoyhill.org>

Aug 4, 2020 3:31 PM

Posted in group: **Planning Board**

Chair Mazer and Planning Board Members:

I have the pleasure of serving as the President of the Munjoy Hill Neighborhood Organization (MHNO). Throughout the long process of refining the proposal for designation of a historic district on Munjoy Hill, the MHNO has supported the concept as one of several important tools to productively manage real estate redevelopment on Munjoy Hill.

The MHNO continues to be strongly in support of a historic district designation for a portion of Munjoy Hill as recommended by the Historic Preservation Board. The MHNO also supports the designation of several individual landmarks as recommended by the Historic Preservation Board.

Munjoy Hill represents a remarkably intact example of working-class residential architecture of the 19th and early 20th century. The plethora of vernacular frame houses on small lots in Hill streets has survived past economic trends and contributes greatly to the ambience, sense of place and quality of life. We believe designation of at least the recommended portion of Munjoy Hill as a local Historic District is an important way to protect the rich architectural heritage of Munjoy Hill, while thoughtfully managing change. We also believe it will help stabilize our neighborhood's character, and protect existing affordable housing. Historic preservation protections are an important tool for managing compatible change while also protecting the important character-defining features of Munjoy Hill's built environment.

The MHNO urges you to support the recommendation from the Historic Preservation Board.

Regards,

Wayne Valzania, President

Munjoy Hill Neighborhood Organization

Celebrating 40 Years of Community Service

92 Congress Street

Portland, ME 04101

207-274-4918

Join Us !! www.MunjoyHill.org



Google Groups

Munjoy Hill Historic District

Wayne@redhookdesignalliance.com <Wayne@redhookdesignalliance.com>

Aug 4, 2020 9:21 AM

Posted in group: **Planning Board**

Good Morning Members of the Planning Board, City Manager Jennings, Mayor Snyder, and Councilor Ray,

I am writing to reaffirm my support for the designation of "Historic District" for the area of Munjoy Hill as proposed. Further, and as a point for future reference, I support the expansion of that Historic District to be all inclusive of the Munjoy Hill area.

As I have stated in the past, in letter, in workshops, and at numerous city meetings, I feel that Munjoy Hill is as historically significant, important, and worthy of preservation, as any of the other eleven designated Portland Historic Districts. It is part of a whole Portland, having a rich history and architectural heritage, and is of social significance. It remains as a somewhat affordable place to live, to work, and to contribute to our city. There is value in that, worthy of protection.

Despite what has been argued as anti-progressive, there is no proven downside to a "Historic District" designation. It will only serve to protect what we have and love as "Munjoy Hill".

Thank you for your consideration,

Wayne Valzania

27 Merrill Street

Portland, ME 04101

207-274-4918

Google Groups

Munjoy Hill Historic Overlay District

Wendy Cherubini <wcherubini@gmail.com>

Aug 7, 2020 3:36 PM

Posted in group: **Planning Board**

Chair Mazer and Members of the Portland Planning Board,

I write urging you not to recommend passage of the Munjoy Hill Historic District.

The proposal covers a ridiculous amount of time (80 years!) and building types that are common around the city and not of great historical significance.

Proponents have been clear; they are opposed to any and all change and development on the hill. But change, development and higher density are necessary if we are to address the housing crisis and reduce, not exacerbate, economic disparities in Portland.

Change is what cities do or they stagnate and die. Thoughtful change, not exclusive districts, will make Portland better and livable for all its residents, not a select few. Creating opportunities for new housing and affordable housing development on already developed land supports transit, fights sprawl and is sustainable.

This proposal will do nothing to increase the supply of housing, mitigate gentrification or address affordability. It will increase rehabilitation costs and restrict development.

A more reasoned approach might take a more narrow look at individual buildings constructed over a shorter period of time and identify those few worthy of preservation.

However, now is clearly not the time to preserve in amber another huge swath of the peninsula.

Thank you for your consideration.

Wendy Cherubini
33 May Street
Portland

Google Groups

Munjoy Hill Historic District

William Hall <bh6671@icloud.com>

Aug 7, 2020 11:42 AM

Posted in group: **Planning Board**

I urge you to approve the Munjoy Hill Historic District.

- The issue has been thoroughly vetted over a long, very open process of consideration that has involved your board deliberation, neighborhood meetings, and public - including business - input through multiple channels.

- I believe that the majority of the residents of Munjoy Hill support the designation.

- An historic district will benefit the city as a whole, and Portland's record with other historic districts has been a positive one. Historic districts have helped make Portland a more interesting, vibrant, and prosperous community.

- Portland's unique and attractive character owes a lot to careful, well-reasoned preservation of our historic structures and neighborhoods. It's a successful strategy that's in our interest to continue.

Thanks for your hard work on this important issue,

Bill Hall

317 Pleasant Avenue

Peaks Island

Google Groups

Please do not recommend the Munjoy Hill Historic Overlay

Zack Barowitz <zbarowitz@gmail.com>

Aug 7, 2020 10:22 AM

Posted in group: **Planning Board**

Chair Mazer and Members of the Planning Board:

I am writing to ask that you not recommend passage of the Munjoy Hill Historic Overlay District.

Many proponents of the Munjoy Hill Historic Overlay District have stated on multiple occasions and in a variety of ways that the basis of the district is as a form of social preservation, a defense against keeping "new" and other named and unnamed groups of people out (including "rich people"). This is a form of exclusionary zoning which, whether conscious, unconscious, or unwitting, has the effect of (further) racial and economic segregation. Whether exclusion is the feeling of all supporters of the district is of course uncertain. But regardless, the case for preservation on the basis of aesthetic/historical significance is weak as the proposed zone spans an inordinate period of time and contains styles in great abundance, and little significance, throughout the City of Portland.

As with many things housing related; economics is a major factor, with two likely outcomes:

1. If the historic district passes, we will continue to see *gentrification though scarcity* and prices will continue to rise (as will the cost of work done to the exteriors of homes in order to meet historic guidelines) and little supply will be added.
2. If the measure does not pass, prices will continue to rise as the value of the land will increase due to the viability of multi-unit housing. However, the supply of housing will increase as well which would (eventually) stabilize prices. Moreover, more units mean additional tax revenue for the city which lessens the burden on owners and renters alike.

As much as people disparage "luxury condominiums," condo units are a cheaper form of home ownership than single family housing. Moreover, the historic district would make rental housing (including affordable rental housing) less viable if not illegal; although the current Conservation District Overlay has had much the same effect.

The historic bell jar seems less about preservation and more about stopping change; but as all planners know, change is inevitable, the question is who controls it.

Thank you,
Zack Barowitz
Huntress Street

--
207-838-6120
917-696-5649
ZacharyBarowitz.com



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Google Groups

Munjoy Hill Historic District

zane peterson <zane.arah.peterson@gmail.com>

Aug 6, 2020 10:16 AM

Posted in group: **Planning and Urban Development**

Dear council,

I would like to strongly suggest that you don't change Munjoy Hill to a historic district. I have lived in Munjoy Hill for ten years at this point, and in that time I have seen Portland change a lot. As most of you are aware COVID-19 has effected this city in more ways than one, and a huge issues from that is housing. We are at a time were a large percentage of people (including everyone on this board) are either working from home or not working at all, which inturn means that income has also decreased.

With a new historic district in place on Munjoy Hill it is inevitable that expenses and cost of living will increase. If you want the Historic Preservation Board to look at your plans, there is a one hundred twenty-five dollar fee. Approved or not, which is a fee that has never had to be paid.

If there is a landlord who has to pay a free to get their plans looked at, to then have to use more expensive materials to fit within the historic parameters, the only logical next step would be to charge more for rent to cover your cost. That is going to push out anyone who is a low to middle income level, leaving what feels to be another gentrified neighborhood.

As someone who is considered slightly above low income, this is not reassuring. The renting market for people like myself is unreal. And I'm not talking avesta housing. People like to justify this district by saying there is avesta housing still. That is great, it should be, but it's the people right above that who are the workers of your local restaurants who are effected. Where are they supposed to live? The average rent for a two bedroom on the hill is around 2000-2500 dollars a month. If I am making an average of 15 dollars (on the high side) working a 40 hour week, that gives me 2400 dollars before taxes. That means over half of all the money I make has to go rent, that's not including heat, wifi, or electric. Not to mention groceries or trying to enjoy yourself. And now with our COVID rent freeze soon to be over landlords are free to kick people to the streets.

Over the past month we have truly seen how homeless is running rapid in this city and how they need our help. There are much bigger issues tat we need to be addressing and this is not one of them. We need to be providing housing for people in need, not telling people what color they can and can't paint their house. Please do the right thing and not pass this so we can get back to providing housing for everyone in our community.

Thank you,
Zane

Google Groups

Historic District needed for Munjoy Hill

Kristina Minister <krisminister@me.com>

Aug 7, 2020 5:38 PM

Posted in group: **Planning Board**

To the Portland, Maine, Planning Board:

Attracted to the character of a traditional neighborhood with high interaction among the residents and an impressive stock of early 19 century homes, I bought a condo at 101 North Street. In 2003, the newly organized condo association began restoring the building to its 1915 original design, repairing long neglected infrastructure and building a new front porch and new back deck structure that are replicas of the original. The building is one of the 75 tippie decker condos on the hill that provided solid housing for Portland's 100,000 residents. Our building sports Italianate scrolls and fancy trim. It's a gem.

My neighbor across the street who has always lived in his big house can recite the name of every family and every family member who has lived at 101 North since 1945. He describes the children who played in the street and how they all went to the East End Beach to swim and play for the day. If children misbehaved, the behavior would be reported to the parents who would make sure errant children toed the line.

In the last few years, boxlike structures filling the entire lot with garages and no front porches have been built on Munjoy Hill. These new structures interrupt the character of the neighborhood. If more are built, they will destroy the architectural integrity of Munjoy Hill.

Yes, Portland needs housing, especially affordable housing that can accommodate more people. But the new housing design should be compatible with the existing housing.

I urge the Planning Board to recommend to the City Council that the historic district carefully planned for Munjoy Hill be accepted.

Thank you.

Sincerely yours,

Kristina Minister

Kristina Minister, Ph.D.
101 North St., #4
Portland, Maine 04101
207-415-8274

Google Groups

Munjoy Hill Historic District

Lorrayne Carroll <rayne.carroll6@gmail.com>

Aug 4, 2020 12:20 PM

Posted in group: **Planning and Urban Development**

Dear Planning Board,

I strongly support the proposed Munjoy Hill Historic District, as discussed in the 3/11/20 meeting @ City Hall. During the public comments section, I joined the robust majority of commenters in urging the Planning Board—and down the line, the City Council—to adopt this designation.

We need to preserve the architectural integrity of the Hill, for historical, aesthetic, economic, and social reasons. Most important to me is the preservation of working class/affordable housing in the many multi-unit houses, especially those with landlords living in them. A community needs stability to flourish and, indeed, to transform in deliberate, thoughtful ways. The designation for Munjoy Hill, which would join the West End and several other sections of Portland, is a necessary step in ensuring that Portland retains a humane scale and humane social fabric and proceeds with an **inclusive** development strategy.

I urge you to vote with the majority of Hill residents to recommend this historic designation to the City Council.

Thank you for your work on behalf of the City of Portland.

in peace,
Lorrayne Carroll
31 North St.

Google Groups

Munjoy Hill Historic District

Margaret Walker <margaretellenwalker@gmail.com>

Aug 4, 2020 1:17 PM

Posted in group: **Planning and Urban Development**

I strongly support founding a Munjoy Historic District in order to retain the character and vitality of this ever-changing community.

Meg Walker
234 Eastern Promenade
Portland, ME 04101

Google Groups

Munjoy Hill Historic District

Nancy Brain <nrbjcw@me.com>

Aug 4, 2020 2:04 PM

Posted in group: **Planning and Urban Development**

To the members of Portland's Planning Board,

My husband and I live on Munjoy Hill and are strong supporters of the proposed Munjoy Hill Historic District. The historic character of our neighborhood is changing dramatically. If we do not carefully manage the destruction of our historic buildings, the character of the area will be lost forever. As you witnessed at the public hearing on March 10, the vast majority (83%) of the 53 citizens who spoke did so in support of the district. We hope that you will listen to the will of those living on the Hill and vote to protect our neighborhood.

Thank you for your consideration.

Nancy Brain
nrbjcw@me.com
207-776-3525

John Watson
jwcip@icloud.com
207-776-0558

Google Groups

Historic District On Munjoy Hill Please!

Nancy Machesney <dmaches101@aol.com>

Aug 4, 2020 10:53 AM

Posted in group: **Planning and Urban Development**

To all on the Planning Board,

I believe a Historical District on Munjoy Hill makes sense and should be approved by the Planning Board. We need to protect the landmark homes in our neighborhood in whatever way we can.

Respectfully,
Nancy Machesney
213 Sheridan St



Jennifer Munson <jmy@portlandmaine.gov>

Re: Testimony in support of the Munjooy Hill Historic District

1 message

Carol Connor <balsamique@live.com>

Sat, Aug 8, 2020 at 8:54 AM

To: JEAN MC MANAMY <ninimaine@aol.com>

Cc: planningboard@portlandmaine.gov, dga@portlandmaine.gov

Your letter evokes images of our Hill Community in a very personal way. It delivers the message with feeling.

Sent from my iPhone

> On Aug 7, 2020, at 11:21 AM, JEAN MC MANAMY <ninimaine@aol.com> wrote:

>

> Members of the Portland Planning Board

> This week I had the privilege of signing up for an alert system for a neighbor with Alzheimer's who has begun to get lost on the Hill. He lives in a multigenerational three unit building, and we the neighbors are committed to looking out for one another.

> It is this social fabric on Munjoy Hill which we seek to preserve, and the buildings that house and support that social fabric.

> Recent changes on the Hill have removed much of the traditional family housing that sheltered its population, well known for its stable, safe, and close knit demographic. Unfortunately, well-meant zoning changes have started a cascade of tear downs and renovations which have brought in part time residents and short term renters. Hoped for construction of moderate income housing has not occurred, and will not occur on the Hill with vacant lots now listing for over a million dollars.

> The end goal of zoning is to preserve and enhance the quality of life for residents. A historic district will help protect what is here. Speaking personally, I would have done some things differently to my house had I been aware of Historic Preservation and the resources available. When I spent a lot of money as a new homeowner replacing siding and trim I could easily have preserved the pillar post on the front porch, and built a rear porch addition differently. I always thought Historic Preservation was skewed toward the wealthy.

> Left to its own devices, the market has not worked to protect what we have, and perhaps we need to promote our city differently. Just since the beginning of this process, on the edge of the proposed Historic District, a very fine single family house on my block was torn down (it is a vacant lot today), a 19th century house across the street had traditional windows replaced with picture windows, and another 19th century house had its traditional bay window replaced with casement windows. More discordant change is surely on the way.

> As one of the founders of the Friends of Fort Sumner Park, I urge you to provide it with Historic District Protection. North St. is clearly a special and grand street, with rich history.

> But so is my humbler block, with its neighborhood cellar speakeasy, remnants of a greenhouse business, and houses built by and for the working people who built Portland.

> Please vote to support the Historic District.

>

> Nini McManamy

> Sent from my iPad

Google Groups

Munjoy Hill Historic District

Thomas Ainsworth <tainsworth207@gmail.com>

Aug 8, 2020 9:05 AM

Posted in group: **Planning Board**

To the Planning Board

This email is submitted in support of creating a new historic district on Munjoy Hill. As a property owner on the Hill for over forty years and as a resident of the Stroudwater Historic District for over thirty years, I have witnessed the benefits of historic districts and the pitfalls of permitting construction on non-conforming lots in older residential neighborhoods without involvement of the City's Historic Preservation Program. To be clear, I fully appreciate that density of residential development is an integral part of a thriving urban community, but a project that makes economic sense to a developer ought not be permitted to violate the common sensibilities of a historic neighborhood without third party review by a body such as the Historic Preservation Program. The effectiveness of this Program balancing development and preservation of historic districts within Portland are visible throughout our city, a city that has some of the oldest average age housing stock in America. I do hope you will help protect Munjoy Hill by creating a new historic district for the portions of the neighborhood set forth in the proposal.

Sincerely,

Thomas Ainsworth
12 Garrison Street
Portland

Sent from my iPad

We support the historic district!

Abbie McMillen <abbiecmillen@mac.com>

Nov 9, 2020 2:27 PM

Posted in group: **Planning Board**

Dear Belinda:

Our house is on Munjoy Hill and we may be retiring there in a few years - we live there part time now. We rent the top two floors at below-market rates, and are able to pay the taxes, mortgage and upkeep from those funds. The historic district will do nothing harmful to us, and only enhance the neighborhood, keeping it lovely and liveable. Some of the recent development has been destructive to that goal! Please support the historic district!

Abbie McMillen
28 Vesper St

Munjoy Hill

Adair O'Reilly <daysmill@me.com>

Nov 12, 2020 3:50 PM

Posted in group: **Planning Board**

St. Paul's Anglican Church, located at the corner of Congress and Locust St., strongly supports the creation of the Munjoy Hill Historic District.

Sincerely,
Adair Kathleen O'Reilly
Senior Warden

Sent from my iPhone

Please support the Munjoy Hill Historic District!

Ali Wood <awood228@gmail.com>

Nov 12, 2020 4:29 PM

Posted in group: **Planning Board**

Alexandra Wood
87 Monument Street, #2 (owner)
Portland, ME 04101

Mayor Snyder and City Councilors,

I urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland's existing historic districts in the last five years. Portland's historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th.

Thank you,
Alexandra Wood

Please Vote Yes on Munjoy Hill Historic District

Allison Rogers <allison.x.rogers@gmail.com>

Nov 7, 2020 10:28 AM

Posted in group: **Planning Board**

Dear Mayor Snyder,

I am writing to ask you to vote yes on the Munjoy Hill Historic District.

My husband, Michael, and I own a home in the proposed district. While the location itself is wonderful, one of the primary reasons we chose Munjoy Hill was because we love the historic homes and the character of the neighborhood.

We love walking around our neighborhood and taking in the distinctive details of our neighbors' homes - the beautiful latticework on a Queen Anne style house on Morning street; a striking set of original double doors on North Street; scallop-edge siding that was just revealed on a house undergoing renovation on Beckett Street. There are so many treasures on the Hill, loved by many generations of Hill families and hopefully preserved for generations to come.

I believe that preserving Munjoy Hill is a worthwhile investment for our city, even in light of financial constraints from the pandemic - it is worthwhile for our residents and for visitors from away who come to Portland to enjoy Portland and its distinctive character. If we pass up this opportunity to preserve our neighborhood, it will be too late to go back later - we have already seen many homes lost in favor of overbearing, nondescript condo buildings that do not respect the scale or character of the Hill. We support thoughtful, congruent development that meets the guidelines of historic preservation and positively contributes to the unique composition of Munjoy Hill.

Thank you for voting yes to preserve our neighborhood!

Allison Rogers
Michael Marsocci
9 Howard St.

Allison M. Rogers, MHSA
E-mail: allisonxrogers@gmail.com
Cell: (210) 771-2760

Historic District

Anne Manganello <aemanganello@gmail.com>
Posted in group: Planning Board

Oct 31, 2020 2:41 PM

Diversity seems to be the topic of the day, and the movement to support and promote the prosperity of our black and brown brothers and sisters is a societal priority.

In alignment, Portland's 2030 Plan states the city should be Equitable, as one of its priorities and principles. However, adding another Historic District does not align with those principles. As evidence, please read the attached article drafted by a Preservationist with over 30 years experience.

I have lived on the Hill my entire life. 50 years ago, most Black and Brown people were mostly "corralled" on Lafayette Street and one particularly helpful and friendly family, the Gaskells, were next door neighbors to my parents and my brother and me. There are fewer black families now, and, as the article says, **'preservation is essentially an elitist, class, and racially divisive activity whose result is a form of economic bias and segregation.'** If the Planning Board approves this step, you are directly inhibiting diversity and opportunity for many, which is against the 2030 Plan. You have an opportunity to stop the systemically racist HD activity in our City.

Please vote unanimously against the question of adding a 12th Historic District to our already over-preserved/economically restrictive City. The single exclusionary act of passing HD on the Hill will ensure that elitism and separatism will only increase in Portland.

Sincerely,

Anne E. Manganello
84 Quebec St, Portland, ME 04101

Systemic Bias & Racism of Preservation

Systemic Bias & Racism of Preservation

As someone who has been privileged to help run history & preservation organizations for the last 30 years, I fee...

HD

Anne Manganello <aemanganello@gmail.com>

Nov 10, 2020 11:20 AM

Posted in group: **Planning Board**

A Letter to the Mayor

Hi Kate,

I listened in on the workshop. I heard concerns from most all of the participants about the seriousness of the decision to make Munjoy Hill an HD, especially from Mr. Chong, Mr. Mavadones, Mr. Mazer and Mr. Ali, and rightly so. I felt the least willing to be open to discussion and less willing to give forth more detailed information by giving "pat" answers or by giving answers that were sanitized and general were Belinda Ray, Christine Gramando and Deb Andrews.

When Deb Andrews was asked about the expense of renovations. She cited only the example of redoing a house that had vinyl windows and siding; but she neglected to give an appropriate answer for a house that had wood clapboards and original 18th century wood windows. How intrusive would Deb Andrews of the Portland Historical Preservation Program be in dictating the terms of restoration or renovation in that situation, which is really where the question of time and expense becomes a burden.

Thank you.

Anne Manganello
84 Quebec Street
Portland, Maine

Proposed Munjoy Hill Historic District

Anne Pringle <oldmayor@maine.rr.com>

Nov 10, 2020 5:25 PM

Posted in group: **Planning Board**

I have lived in the West End for 46 years, both before and after the Historic Preservation Ordinance was adopted by the Council (in 1990, I think) and the Western Prom Historic District created. We have had numerous projects on our home reviewed by the Historic Preservation Board and/or staff. In addition, in connection with my service on our neighborhood association Board, I have attended many HPB meetings over the years on residential, commercial and historic landscape projects.

I have found both the Board and staff to be respectful of applicant's desires and collaborative in finding cost-efficient solutions that meet applicant's needs as well as the Ordinance's guidelines. While some express understandable fear of the review that will come with Historic District designation, I can say from experience that they will find that fear unfounded.

Some oppose the Historic District designation on the basis that "the City shouldn't tell me what I can do with my property". Unfortunately, in recent years, we have seen what that can mean on Munjoy Hill, as the R-6 changes of several years ago have resulted in many unforeseen consequences.

For example, friends of ours who have lived on the Hill for 40+ years and been wonderful stewards of their historic home, saw the potential tear-down of the frame two-family directly across the street. A late Greek revival house, it was built around 1860 and had side and rear setbacks. The scale was totally consistent with the development pattern of the neighborhood. The building provided affordable housing and was in good condition. But it was presented as "unsalvageable" by the owners, who planned to replace it with five high-end condo units in a box-like structure built to the maximums allowed by the revised R-6. If they had succeeded in being able to "do what they wanted" with the property, it would have had a significant impact on all of their neighbors -- as has been the case with numerous other redevelopment projects on the Hill. (There is no question in my mind that the proposal would have been allowed under the existing zoning review process: thankfully, it was withdrawn because of significant site issues.)

So, whose "rights" should prevail when there is a conflict of interests? Should any neighbor be able to so dramatically affect the property context and value of abutters? What is the responsible public policy role in balancing competing interests?

I have been to several of the public hearings on the proposed designation and have heard and weighed the perspectives offered. Based on my personal experience, I believe that the proposed Historic District will provide the protection needed to assure that Munjoy Hill's unique built environment is not transformed in a way from which it will never recover.

Remember the refrain from Joni Mitchell's "Big Yellow Taxi"... "That you don't know what you've got 'til it's gone"... Please vote in favor of the proposed Historic District designation.

Anne Pringle

Neal Street, Western Prom Historic District

In favor of Munjoy historic district

Ava Gurekian <avagurekian@gmail.com>

Nov 9, 2020 8:13 AM

Posted in group: **Planning Board**

Mayor Snyder and Members of Portland City Council,

I'm writing to express my position with regards to the historic district proposal on Munjoy Hill.

I support the historic district as it would stabilize renters in my neighborhood and provide longer term opportunities to Mainers and folks moving here (not vacationing here).

As a renter on the hill for the last ~6 years, I view this as incredibly important. I have seen many neighbors pushed off of the hill because their apartment building was razed to the ground and replaced with condos starting at \$500k going up to \$1.5M per unit. This is not affordable for most Mainers and takes housing away from the working people who contribute to Portland's economy. As we've seen in the West End, historic districts will protect the houses and apartment buildings in existence and will pave the way for more affordable housing in the future.

Thanks for listening and I look forward to seeing your action on this matter.

Best,
Ava

Ava M. Gurekian
c: +1 617-697-9407
w: +1 207-553-7652
ava.gurekian@gmail.com



1 message

Thu, Nov 12, 2020 at 11:36 AM

----- Forwarded message -----

From: **Barbara Brown** <brown.barbaras@yahoo.com>

Date: Thu, Nov 12, 2020 at 10:57 AM

Subject: Please forward to City Council; original email to council@portlandmaine.gov bounced back as undeliverable

To: <klj@portlandmaine.gov>

Dear City Council members,

I am writing to support creation of the Munjoy Hill Preservation District recommended by the Planning Board and discussed in the City Council workshop held on November 9, 2020.

I live immediately below Sumner Park and am therefore, sadly, just outside the recommended boundary. One of the major reasons I bought on Munjoy Hill as opposed to elsewhere in the city is because of the ambience and historic nature of the neighborhood, including its walkability and the diversity of those living on the Hill.

I previously lived - very happily, and for many of the same reasons - in a historic district in Swampscott, Massachusetts, just north of Boston. I would therefore like to offer some input to help address the questions Councilor Chong posed during the workshop. We made several major improvements to the house, such as rebuilding the garage and the wrap around front porch. Our property taxes did NOT increase. The cost of the improvements was comparable to what it would have cost if we had not been in the historic district. The length and complexity of the permitting process, including review by the Historic Board, Planning Board, and Zoning Board, was comparable to that which had occurred in other towns where we have owned properties not in a historic district and made improvements.

Since moving to Portland, I have been upset by the ongoing tear-down of existing old houses on the Hill and their replacement with modern bland boxes incongruous with the neighborhood. I believe protection of the Munjoy Hill neighborhood is important in maintaining the character not just of the neighborhood, but the entire city. Portland is a vibrant, diverse, attractive city which draws visitors and new residents from all over the world, and Munjoy Hill, much like the West End and the Old Port, is key to this character.

Please vote to designate Munjoy Hill a historic district.

Thank you,
Barbara S Brown
156 Sheridan St Unit 2C
Portland, ME 04101

Support for Proposed Munjoy Hill Historic District

Barbara Vestal <vestal@chesterandvestal.com>

Nov 6, 2020 11:01 AM

Posted in group: **Planning Board**

Hello Mayor Snyder and Councilors Ray, Thibodeau, Mavodones, Ali, Costa, Cook, Chong and Duson:

I write to urge you to vote to designate a Munjoy Hill Historic District as recommended by the Historic Preservation Board. For the record, I am directly affected by the designation. My husband and I own two buildings that will be contributing structures in the district. We own one buildable vacant lot within the district. And our office is in another building that will be an individually designated landmark. We value these buildings and welcome the idea that we and other building owners in the neighborhood will be adhering to the same standards to protect them going forward.

To my mind, **one of the major advantages** of historic district designation is that it will **promote and encourage preservation, restoration and rehabilitation of existing structures**. This is an important, but sometimes overlooked, tool in the array of strategies to retain affordable housing.

It is important to remember that the most affordable housing unit is the one that is already built. New construction does not create affordable housing unless there is a deep governmental subsidy involved. Portland's workforce housing tools have been largely ineffective on Munjoy Hill. For rare large developments with 10 or more units, developers typically buy out of the 10% workforce housing requirement.

On Munjoy Hill there is currently a 10' height bonus in exchange for one workforce housing unit. This height bonus fails to factor in housing that is being destroyed to make way for the new construction. When demolition of existing housing is factored in, new construction proposed on Munjoy Hill since 2015 making use of the height bonus has resulted in a net loss of affordable housing.

Designating a portion of Munjoy Hill as a historic district will keep the existing landmark and contributing structures from being demolished for new, luxury housing. That will do much more to protect workforce housing than the current inclusionary zoning requirements or height bonus for a workforce unit in new construction.

Many of the people speaking in favor of a historic district designation are small landlords, like me. We have existing buildings with basic, non-luxury apartments in older structures with 2-6 units. We provide housing for regular, working people. We have maintained these buildings for many years, and value the historic building stock, the design to encourage social interaction, and the close-knit character of the Munjoy Hill neighborhood.

In evaluating the importance of historic district designation, **it is important to remember the unprecedented market forces that were unleashed by the City on Munjoy Hill in 2015.** In 2015 the City drastically changed the dimensional requirements in the R-6 zone. The minimum lot size was reduced from 4,500 square feet to 2,000 square feet. The minimum lot area per dwelling unit was significantly decreased from 1,000 to 725 square feet. The ostensible intent was to promote infill

development, but in a major miscalculation, it was not limited to vacant lots or to lots without residential structures. And the height was kept at 45', greatly above the scale of most of the existing housing.

Before the 2015 changes, almost all of the housing on the Hill consisted of grandfathered nonconforming structures of 1.5 to 2.5 stories on undersized lots. With the 2015 changes, much of the existing housing suddenly had a demolition target on it – there was a lot of money to be made by tearing down existing housing and replacing it with luxury boxes that maximized the allowable 4-story building envelope.

Several tear-downs followed, resulting in a neighborhood outcry. The Council agreed to impose a moratorium at the end of 2017 in an attempt to recalibrate the zoning. In **June, 2018** the City Council responded by adopting a **demolition delay ordinance**, by adopting a **Munjoy Hill Conservation overlay district** with new dimensional and design standards, **and by directing the Historic Preservation Board to look at the designation of an historic district on Munjoy Hill.** An historic district could not have been adopted right then, in June of 2018, because of all of the survey work and research that has to be done prior to any designation. **That third prong of what was anticipated by the Council in June of 2018 as what was necessary to recalibrate the zoning is what is before you now -- the proposed historic district.**

The proposed historic district will apply to slightly less than 1/2 of the geographic area known as Munjoy Hill. The boundaries have been carefully drawn to encompass only the areas with the greatest concentrations of historic structures. Within those boundaries 88% of the structures are classified as "contributing", meaning that they have sufficient significance and integrity to contribute to the character-defining elements that form the basis for the district designation.

There are multiple purposes to be advanced by a historic district designation for Munjoy Hill. It will protect the distinct architectural and historic character of this iconic neighborhood. It will prevent the demolition of designated landmarks and contributing historic structures within the district. It will extend the protections which have been used so successfully in the West End for 30 years to a portion of the East End. And, in a win-win situation, it will protect a significant portion of the existing workforce housing from being demolished to make way for very expensive new construction.

As has been shown over the last three decades, Portland's successful historic preservation program manages change to prevent the unnecessary loss of the community's historical features and to encourage compatible preservation, restoration and rehabilitation. This is precisely what is needed on Munjoy Hill at this time.

I encourage you to adopt the Munjoy Hill Historic District and to designate several associated individual landmark structures, all as unanimously recommended by the Historic Preservation Board. Thank you for your consideration of this matter.

Regards,

Barbara Vestal

--

Barbara A. Vestal, Esq.
Chester & Vestal, PA
107 Congress Street
Portland, Maine 04101
(207) 772-7426 - phone
(207) 761-5822 - facsimile

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Munjoy Hill Historic District Vote

Berry Manter <berrymanter@yahoo.com>

Nov 9, 2020 9:15 AM

Posted in group: **Planning Board**

Dear Mayor Snyder and Councilors Ray, Thibodeau, Ali, Chong, Mavodones, Cook, Duson, and Costa:

As we approach this crucial decision to designate the proposed Munjoy Hill Historic District I again *strongly convey my full support* for this to be passed on November 16th.

NO SUBSTANTIATED DATA SUPPORTS THE CONCERNS PLAYED BY THE OPPOSITION (Carl Henry as lead voice, and sorry to "yell").

Deb Andrews graciously allayed ALL his concerns during the numerous public city meetings that were widely attended.

I support this Historic District because:

- The majority of letters and testimony by Portland city residents consistently support this Historic District proposal.
- The proposal, exactly as written, has already been passed and approved by the vote of Historic Preservation Board, AND the Portland Planning Board.
- I support this because it has been endorsed by Portland Landmarks, whose role is stewarding the future of Portland's city scape.
- I support this fully confident that I am allowed to "develop" my own property in very reasonable ways to ensure its value and suitability to Portland's city scape.

I urge each one of you to scrutinize the present record of Portland's Historic Districts and honestly assess their value and protection of this city. Portland residents have valued over the past century and for the future decades and centuries.

Thank you and respectfully,

Berry Manter
46 Eastern Promenade
Portland, ME

Historic districts work

William Hall <wpeaks@earthlink.net>

Nov 13, 2020 9:49 AM

Posted in group: **Planning Board**

Mayor Snyder and City Councilors,

I strongly urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

During my service on the city planning board, 2006-2016, the board forwarded for City Council approval new or expanded historic districts in the areas of Congress Street, India Street, House Island, and the Portland Company. Those places are all now thriving - in the city, existing businesses benefitting, new buildings and businesses appearing, new housing being created, people moving in, pedestrians enlivening the streetscape. Historic districts work in Portland. They make the city more interesting, attractive, and prosperous. And they engender neighborhood pride and incentivize high-quality standards of upkeep and new construction.

Please vote to support the new district on November 16th.

Thank you your service to the great city of Portland,

Bill Hall
317 Pleasant Avenue
Peaks Island

Munjoy Hill Historic District

Bill Stauffer <bstaufer@eco-story.com>

Nov 12, 2020 2:36 PM

Posted in group: **Planning Board**

Dear Council: I wanted to write in **support** of the proposed Munjoy Hill Historic District. I have not always been on the side of supporting Portland's historic district. In the early years of my career, I fought the restrictions. It was only in the last 15 or so years that I 1) saw the benefits of these districts and 2) witnessed that the restrictions are not very restrictive when it comes to the existing building stock. As I have worked to maintain the historic character of buildings such as The Temple Building at 145 Newbury Street and the David Phinney Baxter building at 22 Monument Square, I have discovered that people prefer to work in buildings that offer a sense of character and history. Similarly, the City has worked with me to make energy efficiency upgrades to these buildings without compromising the historic integrity. For example, we installed 96 solar panels on the roof of 145 Newbury Street as well as a modern gas fired forced air system at 22 Monument Square. Even a little building we own at 578 Congress Street has been heated with heat pump technology for the last decade. I have heard the arguments against historic districts and, for the most part, I don't buy those arguments because I have been on both sides and had to reckon with the reality that historic districts do not substantially raise costs, if at all. The fact is that visitors love Portland because of the character of the City. And residents and businesses, too, appreciate how existing historic districts have protected the beauty of our City. The argument has often been that older buildings increase cost. If that is the case, then why are the cheaper rents (both commercially and residentially) most often found in the older building stock? If any of you have interest in seeing how we have maintained the historic character of our buildings, below market rents, made energy efficient/green improvements, and now Covid safety improvements, I invite you to reach out for a quick tour. Thank you, and thank you for all that this council had done for the City during such a difficult time,

Bill Stauffer

Bill Stauffer

PH: (207) 699-5727 x11

FX: (207) 699-2321

Storrey Industries

Eco-story LED Lighting

151 Newbury Street
Portland, ME 04101

USA

www.eco-story.com

www.cultivatetech.com

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Munjoy Hill Historic District

Bobbi Keppel <bobbik@zwi.net>

Nov 9, 2020 1:03 PM

Posted in group: **Planning Board**

I support establishment of the Munjoy Hill Historic District. I moved here 30 years ago because of the diversity of residents, the old buildings, and, yes, the views, and want to keep them all. Please support this district.

Thank you,
Bobbi Keppel
141 North St.

Please support the Munjoy Hill Historic District!

Brad Sprague <bsprague@systemsengineering.com>

Nov 12, 2020 2:35 PM

Posted in group: **Planning Board**

This message was sent securely using Zix®

Mayor Snyder and City Councilors,

My name is Bradford Sprague and I have worked in downtown Portland for 17 years and have lived in Portland and Greater Portland for my entire life. I am particularly interested in the preservation of Portland's neighborhoods as accessible to its historical residents. I am also interested in the preservation of our historical landmarks and neighborhoods as key features driving the appeal of this city to live, work, and visit. I urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland's existing historic districts in the last five years. Portland's historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th. Thank you.

Sincerely,

Brad Sprague

Bradford Sprague

Systems Engineering | Account Management

(d/m) 207.553.1559

(o) 888.624.6737

(d) bsprague@systemsengineering.com



This message was secured by Zix[®]174.

Fwd: Munjoy Hill Historic District

Carol Connor <balsamique@live.com>

Nov 9, 2020 9:49 AM

Posted in group: **Planning Board**

Get Outlook for iOS

From: Carol Connor <balsamique@live.com>

Sent: Monday, November 9, 2020 9:45 AM

To: bsr@portlandmaine.gov; sthibodeau@portlandmaine.gov; nmm@portlandmaine.gov; pali@portlandmaine.gov; jcosta@portlandmaine.gov; kcook@portlandmaine.gov; tchong@portlandmaine.gov; ksnyder@portlandmaine.gov; planningboard@portlandmaine.gov;

Cc: Karen Snyder; Deb Andrews

Subject: Fwd: Munjoy Hill Historic District

>
> November 9, 2020
>
> Dear Mayor and City Council Members,
>
> As a Munjoy Hill resident and homeowner on Portland's East End, I am committed to the establishment of The Munjoy Hill Historic District. I am also in favor of including individual buildings outside the designated district. Such buildings deemed appropriate as local landmarks are part of the history and fabric of the hill. As a supporter of preservation, I have requested that my home at 12 Montreal Street be granted landmark status. Built in 1855, it is one of the earliest working class homes on this part of the hill.
>
> I appreciate the scrutiny that you must impose on the viability of this proposal, and understand it is a big step for the city, however I am heartened by the support of the planning board in approving this important step toward acceptance.
>
> The Historic Preservation Board has done extensive research and documentation in developing this district, and I applaud their efforts to present a fair and sound proposal.
> I've followed the progress of this initiative over the years and have come to realize that the best hope for preserving the unique quality and character of Munjoy Hill is through the protections provided by establishing this district along with the individual landmarks. From the meetings attended, letters sent in and public comments, it is clear that 80% or more of the district's residents support the establishment of the Munjoy Hill Historic District.
>
> My vision for our city is that it thrives by insightful planning, thoughtful development and preservation of the treasures that define its character. Please support the proposal put forth by the Historic Preservation Board and approved by the Planning Board and act to establish the Munjoy Hill Historic District including Individual Landmark Designations.
>
> Respectfully,
>
> Carol M. Connor
> 12 Montreal St
> Portland, ME 04101
> balsamique@live.com
>
>
>
>
>
>
>
> Sent from my iPad

Munjoy Hill

Carol J. De Tine AIA <carol@carriagehousestudio.com>

Nov 9, 2020 2:17 PM

Posted in group: **Planning Board**

Dear Mayor Snyder and members of the City Council,

These are extraordinary times. We all realize that in the past, not all voices have been able to be heard, even though we have all endeavored to provide opportunity for that to happen. We can and will do better.

The Munjoy Hill Historic District is a case where the peoples' voices were heard. An overwhelming number of residents of the Hill requested that a historic district be established. They wrote letters. They spoke at meetings. Their desires were dismissed by some members of the Planning Board. Please listen to them now.

Please vote YES.

Here are the comments that I sent to the Planning Board for their August hearing. I think they remain relevant today.

"The days of top-down planning are over. That method of making decisions brought us the "arterials" Franklin Street and Spring Street and destroyed neighborhoods in the name of progress in far too many places in Portland and around the world.

Our City staff practice a new method, where the residents of the City are consulted at the beginning of every planning initiative and throughout the process until the proposed planning initiative is approved by the Planning Board and the City Council. This process was followed for the Comprehensive Plan and it has been followed for the proposed Munjoy Hill Historic District.

Portland residents expressed a strong desire to protect our historic resources and neighborhoods in the Comp Plan process. They have reinforced that strong desire throughout the Munjoy Hill process. An overwhelming majority of written and spoken comments to the Planning Board favor the historic district. An overwhelming majority. The neighborhood wants this.

I urge you not to dismiss the desires of the neighborhood. Don't take a top-down approach. Recommend the proposed Munjoy Hill Historic District to the City Council with your strong support."

Thank you,

Carol De Tine
144 Vaughan St

MH resident

Christopher Akerlind <chrisakerlind@gmail.com>

Nov 12, 2020 11:46 AM

Posted in group: **Planning Board**

Please support the MH Historic district plan.
Christopher Akerlind
44 Monument Street
Portland ME 04101

CHUCK <cvkamar@comcast.net>

Nov 9, 2020 6:57 PM

Posted in group: **Planning Board**

Please protect the historic character of Munjoy Hill!
Charles Kamar
55 Morning St.
Unit 2-1

Sent from Xfinity Connect Application

Support for the Munjoy Hill Historic District

Clare LaVergne <clare.lavergne@gmail.com>

Nov 9, 2020 8:25 AM

Posted in group: **Planning Board**

Dear Mayor Snyder and City Councilors,

I write in **strong support** of the proposed Munjoy Hill Historic District as proposed by the City's Planning Department in 2019, approved unanimously by the Historic Preservation Board on 11/20/19, and approved by the Planning Board on 8/11/20.

As a renter for 5+ years on Munjoy Hill, I stand to be directly affected by the designation. The building in which I rent an apartment is one of many rental properties that will be contributing structures in the District. Anyone who has rented in Portland in the last 10 years knows that the market is tight and the prices are high, especially in this neighborhood. **Historic districts stabilize neighborhoods for long-term renters** like me and many others who contribute to keeping a neighborhood thriving.

Historic districts also protect residents, property owners, and their investments from insensitive development that block views, eat up off-street parking space, and become eye-sores in otherwise beautiful and historic neighborhoods. How many bland, boxy luxury condos for seasonal residents do we need?

Historic districts are also better for the environment. The carbon emissions footprint for renovating an existing building is 10 times less than that for demolishing and building new construction. This makes good sense.

Maintaining economic diversity on Munjoy Hill is paramount for preserving this vibrant and thriving neighborhood and keeping it accessible to as wide a cross-section of our population as possible. Because of the historic tax credits that exist, **there is a greater chance that affordable housing will be built in a historic district.**

These and many other sound reasons point toward the need for a historic district designation for Munjoy Hill. It will protect the distinct architectural and historic character of this iconic neighborhood, one of Portland's many gems. It will prevent the demolition of designated landmarks and contributing historic structures within the district. It will extend the protections which have been used so successfully in the West End for 30 years to a portion of the East End. And it will protect a significant portion of the workforce housing from being demolished to make way for very expensive new construction.

As has been shown over the last three decades, Portland's successful historic preservation program manages change to prevent the unnecessary loss of the community's historic features and to encourage compatible preservation, restoration, and rehabilitation. This is precisely what is needed on Munjoy Hill.

I encourage you to vote in favor of the Munjoy Hill Historic District.

Kind regards,

Clare LaVergne
Vesper Street resident

--

Clare LaVergne
clare.lavergne@gmail.com
210-621-8816

Please support the Munjoy Hill Historic District

Craig Lorimer <cg4501@icloud.com>

Nov 12, 2020 3:56 PM

Posted in group: **Planning Board**

Mayor Snyder and City Councilors,

As a Portland native and frequent return visitor, I'd like to express support for the proposed Munjoy Hill Historic District. Much of increased economic prosperity in Portland since the 1970s is due to its historic architecture and historic neighborhoods. Along with a handful of other cities like Charleston, SC and Savannah, GA, Portland was fortunate to narrowly escape the worst of the short-sighted urban renewal period of the 1960s and 70s. This is the major reason why it is now a major travel destination for so many people living outside the state. But the surge in new development also threatens to overwhelm the historic fabric of the city. Visitors are not coming to Portland to see modern condos and high-rises.

With its outstanding views of the harbor, it is likely that without historic district protection of the Munjoy Hill neighborhood, there would be substantial demolition of existing houses and replacement by luxury condominiums. The gentrification of the neighborhood would make it more difficult to retain adequate levels of affordable housing. Long-time Portland residents should not be compelled to move off the peninsula because of rising housing costs.

Please vote to support historic district designation on November 16th. Thank you.

Craig Lorimer
4501 Gregg Road
Madison, WI 53705

City Council

Daniel T. Haley Jr. (via Google Docs) <danielthaleyjr@gmail.com>

Nov 6, 2020 7:53 PM

Posted in group: **Planning Board**

danielthaleyjr@gmail.com has attached the following document:



City Council



Good Evening, Attached is my view of the Historical District request. Especially in the light of additional building ordinances imposed by the recent referendum I feel it would be better to set this issue aside and concentrate on the challenges presented by the referendums. I wish you all the best in these challenging times.

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because danielthaleyjr@gmail.com shared a document with you from Google Docs.



Dear Councilors,

I have proudly lived on Munjoy Hill for over seventy (70) years and I have seen many changes, good and not so good. There is a minority outcry of the Hill becoming gentrified but when you walk the streets, it is evident that we have maintained our blue-collar appeal.

I am opposed to declaring this neighborhood another historic district with the same requirements and limitations as the other eleven (11) historic districts. I do not see a need for all the staff and volunteer board time already spent on this issue or the cost to increase staffing to address a larger number of historic districts. I suspect this additional responsibility will encumber the HPD effort to provide timely permitting. There are far more pressing needs to be attended to in this great City.

The Hill home owners have done a very good job of maintaining their historic homes and do not need further regulations that will impede their efforts. The new rules imposed by the referendum will make it more difficult to share the extra cost of improvements and make some hesitant to make any upgrades. I have restored and meticulously maintained an 1898 Queen Anne Victorian on the Eastern Promenade without needing to go through the extra steps and cost of a Historic review process. My home has been featured on HGTV and local and national magazines and used for catalog shoots and even a music video. over the years. I have hosted a fundraiser for Greater Portland Landmarks. I share this information not to brag or gloat but to stress that I do support maintaining our historic homes but I do not see a need to regulate the process. But that given I would encourage non- profit interests to provide free advice and guidance when requested by the homeowner.

For those who would like to hi lite their home as historic there is a placard program available from Greater Portland Landmarks.

If you choose to live in one of the City's historic districts that is one thing but to have it imposed on you by the HPB staff and unqualified neighbors is another thing. It has the ring of an eminent domain taking. All said and done I have attended and watched videos of many presentations of the proposal and can only conclude it is not a good move for Munjoy Hill or the City in general. Thank You for your consideration and all you do for the City.

Dan T. Haley, Jr.
140 Eastern Promenade
Portland, Maine 04101

Please support the Munjoy Hill Historic District!

Nancy Machesney <dmaches101@aol.com>

Nov 12, 2020 10:27 PM

Posted in group: **Planning Board**

Mayor Snyder and City Councilors,

I urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland's existing historic districts in the last five years. Portland's historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th. Thank you.

Kate,

We hope you , Spencer ,and the rest of the council seriously consider the impact of not having a mindful plan to control development on Munjoy Hill. Not implementing a historic district to date has allowed projects to move forward that will permanently impact historical homes on the hill and permanently change the uniqueness and charm of this part of the city.

Thank you in advance for your expedience in approving the motion ,as stated ,for a historical district on Munjoy Hill.

Respectfully,

David and Nancy Machesney

Historic district for Munjoy Hill

Deborah Cole <debcole1030@gmail.com>

Nov 9, 2020 12:38 PM

Posted in group: **Planning Board**

To the planning board

From Deborah Cole

Please support the historic districting for Munjoy Hill.

It is a very important protection for Munjoy Hill

At a time of unprecedented growth and development

We want to maintain the very thing that makes Munjoy Hill so very special

Thank you

Sent from my iPhone

Munjoy Hill

Delene Perley <deleneperley@gmail.com>

Nov 9, 2020 11:19 AM

Posted in group: **Planning Board**

I support the Munjoy Hill historic district. Thanks for your work.

Delene Perley
15 Middle Street, Unit 302

Historic Designation

Diane Davison <dmdavison5@gmail.com>

Nov 8, 2020 11:53 AM

Posted in group: **Planning Board**

Good Afternoon -

Please see my attached letter regarding importance of historic designation for Munjoy Hill.

Thank you for your service!

Diane Davison

Dear Mayor Snider & City Councilors;

The Munjoy Hill neighborhood borders Portland's premier historic Olmsted park, the Eastern Promenade. The integrity of this beloved historic landmark and the long overdue historic district covenant for the architecture within this region of Portland go hand in hand. *To deny this designation would indicate no devotion to Portland's other historic neighborhoods – and, they may as well be eliminated.*

As you are aware, the Master Plan for the Eastern Promenade requires any improvement projects within the park undergo Historic Preservation Board review and approval. Why shouldn't the neighboring residences also deserve support for preservation and protection?

If this Council does not take measures now to support preservation of the rich landscape of Portland's Eastern Promenade, who will? The issue is not just about aesthetics, it's about balance; preserving sacred history while consciously allowing for renewal.

NOW is the time to support the extensive research, public outreach and wisdom of Greater Portland Landmarks in collaboration with our Historic Preservation Board in their recommendation for protection of the historically and architecturally significant buildings in Portland's premier location; the Eastern Promenade!

I respectfully urge you - PLEASE preserve the dignity of Munjoy Hill by supporting inclusion of our neighborhood as one of Portland's historic districts.

Better late than never.
Sincerely,

Diane Davison
Morning Street



Imagine!

Photo of the Cummings house; formerly located just right of the entrance to Fort Allen . . . where the Portland House now looms.

Proposed Historic District

ebw <eenebw@gmail.com>

Nov 9, 2020 9:21 AM

Posted in group: **Planning Board**

As a property owner of 2 three unit buildings on Beckett St, I fully support a Historic District. My support has included attending many meetings, gathering signatures and sending supporting emails to the council and planning board. I hear overwhelming support from the majority of neighbors for a district. In fact this year there have been three buildings restored and not demoed. The latest is beside my property on 83 Beckett Street which fit the mold as a tear down candidate had it not been for interim district protections.

The bottom line is without a district demos will increase and the historic nature of our neighborhood will be lost.

My final thought is rent control is a game changer and WILL promote more teardowns and condo conversions if we do not have district protections in place.

thank you

Support for the Munjoy Hill Historic District Designation

Edwin Chester <chester@chesterandvestal.com>

Nov 12, 2020 12:45 PM

Posted in group: **Planning Board**

Mayor Snyder and members of the Portland City Council:

I write in support of the designation of Munjoy Hill neighborhood as an historic district as proposed by the Historic Preservation Board, the Planning Department, and the City Staff. It will serve our neighborhood in a number of significant ways.

An historic district would preserve the architecture of an era 100-175 years ago when the greater part of Munjoy Hill was developed as housing for waves of immigrant workers in need of basic housing and access to the City and its waterfront. There are still streets on Munjoy Hill which are basically intact; you can walk down those streets and, except perhaps for the automobiles, get a sense of what our neighborhood was like those many years ago. That is a phenomenon to be treasured by the current residents of our neighborhood and the other neighborhoods in the City, and the thousands of visitors who come to Portland to feel that sense of history and culture. The City staff and the Historic Preservation Board – the experts- have agreed that this neighborhood is worthy of designation.

Please do not be distracted by the suggestions that an historic district would limit the development of low-income and affordable housing. That is not supported by the research done on those effects in historic districts, and it flies in the face of what we know about the housing market on Munjoy Hill.

- Recent data indicates that in Portland, no less than 42% of all of the affordable units created in the past 6 years have been created in historic districts. Current rents in the West End, which has an historic district are not as high as in some places that do not have an historic district designation.
- The historic district does not cover the entire neighborhood; there will be plenty of property available on Munjoy Hill to any low-income or affordable housing projects if a developer shows any interest and doesn't want to build in an historic district.
- The people who are most concerned about the historic district – the developers – have had an opportunity to develop or support low-income or affordable housing for years now. They are exactly the ones who have access to capital and the skills to develop housing. They have built nothing but housing for very wealthy buyers. They have made **no** attempt to develop or even propose or support housing for low income families and it is disingenuous for them to raise that issue at this point.
- In fact, the major barrier to maintaining what low-income and affordable housing is available on Munjoy Hill is the type of projects that the developers have been creating. When they tear down a house which is already providing low-income and affordable housing and replace it with luxury condominiums, they are actually **removing** that affordable housing from the market. The increase in value of the property they develop from a few hundred thousand to millions of dollars creates pressure on the neighboring properties, whose valuation and taxes increase without any action on the neighbors' part and makes it less viable for the neighbors to be able to provide reasonably priced housing for families.

The historic district designation will limit the option to tear down perfectly serviceable housing and make it more difficult for the developers to continue their efforts to reshape the neighborhood. It will allow current residents to stay in their homes. Units that do get built will have to be of like kind and character which will protect our heritage. All of these goals are critical to the health and diversity of our neighborhood.

I urge you to support the designation.

Ned Chester
7 Fore Street
Portland, ME

--
Edwin P. Chester, Esq.
Chester & Vestal, PA
107 Congress Street
Portland, Maine 04101
(207) 772-7426 - phone
(207) 761-5822 - facsimile

Please support the Munjoy Hill Historic District

Elena Schmidt <eschmidtme@outlook.com>

Nov 12, 2020 8:09 PM

Posted in group: **Planning Board**

Mayor Snyder and City Councilors,

I was delighted once to learn that one of the first houses in Portland is on Munjoy Hill and still appears on historical maps. I hope that other sites of such historical importance can be protected for future generations, and I urge you to support the proposed Munjoy Hill Historic District.

The district will help protect important properties that contribute to the diversity and heritage of Portland and honor the history and tenacity of Munjoy Hill and its residents, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean and survivors of some of Portland's most challenging episodes.

In addition to providing access to federal and state Historic Tax Credits -- significant funding for challenging housing projects -- reusing and improving our existing building stock will also significantly help meet environmental goals.

Please vote to support the district on November 16th.

Thank you.

Elena Schmidt
99 Atlantic Street

Munjoy Hill Historic District

Ellen D. Murphy <radochas@gmail.com>

Nov 6, 2020 8:47 AM

Posted in group: **Planning and Urban Development**

Hi, Spencer -

I understand that the Council will soon (Monday) hold a workshop on the proposed Munjoy Hill Historic District.

When I first moved to Portland in 2008 I rented on the Hill for about a year, and loved the neighborhood. When I decided to buy a place, however, there was very little for sale there, and I was lucky to find a beautiful place on Park Street. At the time I was a bit regretful about leaving the Hill - but not at all now, because development in my old neighborhood has changed it so much.

I support the proposed Munjoy Hill historic district. I hope it will be sufficient to preserve the character of the neighborhood and forestall any more cheap-looking, boxy structures that are unimaginatively designed and, quite simply, ugly - and not at all consonant with the housing that exists there.

The visual difference between the Hill and District 2 is so clear. I hope you will support this proposal as well.

Sincerely,

Ellen D. Murphy
88 Park Street

Please support Munjoy Hill Historic District

Hilary Bassett <hilarydbassett@gmail.com>

Nov 9, 2020 2:50 PM

Posted in group: **Planning Board**

Dear Mayor Snyder and Councilors Ali, Chong, Cook, Costa, Duson, Mavodones, Ray, and Thibodeau:

I write to ask you to support the proposed Munjoy Hill Historic District. As a property owner and resident of Munjoy Hill for the past 15 years, **I believe that historic district designation is the best land use tool for the continued evolution of the neighborhood.**

Historic district designation has achieved proven success in Portland neighborhoods such as the West End, India Street, Congress Street, and Deering Street. It supports growth and change, it preserves the scale and character of neighborhoods, it welcomes compatible new buildings, and sustains affordable housing. It also promotes environmental sustainability through adapting, reusing and repurposing existing buildings and incorporating new technologies such as solar panels.

There is strong support in the neighborhood for a historic district. The proposed district boundaries include portions of the neighborhood with the highest concentration of historic properties which have been carefully researched and vetted with public input from neighborhood residents. Many of us are concerned about out-of-scale new developments that don't respect the context where they are being proposed. We would welcome sensitively designed additions and new buildings that fit in with the neighborhood.

As evidenced in Portland's other historic districts, historic preservation review encourages quality, compatible new construction and provides a more robust opportunity for public input in design review. It does not "freeze" the neighborhood. New projects in existing historic districts such as affordable housing units on Carleton Street, Walker Terrace on Congress Street, apartments at the corner of Pine and Brackett Streets, Casco Terrace on State Street, and the Hiawatha on Congress Street have all benefitted from the historic preservation review process and increased housing options. Many incorporate affordable housing and some have integrated historic buildings, such as Elm Terrace on High Street.

The proposed historic district supports the City's comprehensive plan, particularly the goals for historic preservation, sustainability, and housing affordability.

Please vote to enact the historic district on Munjoy Hill. Historic preservation is a proven tool that has helped Portland achieve a resurgence as a desirable place to live work and visit.

Thank you very much for your hard work for our City, and for your consideration.

Hilary Bassett, 55 Morning Street, 1-1, Portland

Strong Support for Historic District on Munjoy Hill

jack vreeland <jackvreeland@me.com>

Nov 9, 2020 2:29 PM

Posted in group: **Planning Board**

Dear Planning Board members,

I agree with my wife Nancy who has also written you:

In addition to maintaining our City's **authentic sense of place and quality of life** — vitally important to me,

Historic Districts are an important strategy for housing affordability

- Building new buildings to rent or sell is expensive unless there are deep subsidies, so older housing stock plays an important role in affordable housing.

- Emerging patterns on Munjoy Hill indicate that affordable units of housing are being replaced with expensive condominiums. i ?.,m

I do not want to see us become another "generic city".

I also care deeply that Portland retain or regain what was once a mixed income housing stock on Munjoy Hill and elsewhere.

Have you visited this link from Greater Portland Landmarks for info on Affordable Housing and Historic Districts?

They are NOT in conflict.

Kindly consider this important data:

<https://static1.squarespace.com/static/555c99afe4b027a64d6975df/t/5fa45fc32562bc2fdafe86d6/1604607944901/Housing+Sheet+DraftFINAL11.5.pdf>

Thank you for listening.

As they say, the **greenest** building is an existing building.

Warm regards and thanks for your work,

Best, Jack

.....
Jack Vreeland
Montgomery Design
447 Deering Ave., Portland, ME 04103
207.831.8927

jackvreeland@gmail.com

207-831-8927 cell and text

Munjoy Hill Local Historic District

Jane Ceraso <jane.ceraso@paragon-c.com>

Nov 10, 2020 9:32 PM

Posted in group: **Planning Board**

Dear Planning Board, Mayor Snyder, and City Councilors,

Upon my first visit to Portland several decades ago ago, I was taken in by the natural beauty, history, neighborhood feel, presence of affordable housing units, and the walkability of Munjoy Hill. Last year my husband and I moved to Munjoy Hill into a building built in 1900. We were thrilled to find a lovely historic building into which we could settle.

It is clear that many others have also been attracted to Munjoy Hill and this has created pressure to tear down historic homes and build costly new structures which maximize the square footage of a building on a lot. Sensible controls are needed to ensure that the development of Munjoy Hill harmonizes with existing historical housing and natural areas and allows those on restricted incomes to remain.

I support the adoption of the proposed designation of a portion of the Munjoy Hill neighborhood as a local historic district, subject to the provisions of Portland's historic preservation ordinance. Adoption of a historic district will help preserve the working class, immigrant, maritime history of Munjoy Hill while at the same time helping to maintain the scale and character of this unique corner of Portland. Additionally, such controls will encourage the maintenance and restoration of existing housing and prevent escalating new housing costs which drive out lifelong and working residents.

Thank you,

Jane Ceraso
49 Morning Street
Portland

Please support the Munjoy Hill Historic District!

Jane Hurd <mainejnh@gmail.com>

Nov 12, 2020 2:22 PM

Posted in group: **Planning Board**

Mayor Snyder and City Councilors,

I am writing to ask you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the Hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland's existing historic districts in the last five years. Portland's historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th.

Thank you.

Sincerely,

Jane N. Hurd
207 712-3017

Sent from my iPhone

Munjoy Hill Historic District

Jean Russo <russo@maine.rr.com>

Nov 9, 2020 3:02 PM

Posted in group: **Planning Board**

Mayor Snyder and Portland City Council Members:

I am writing in support of the proposed Munjoy Hill Historic District. I am a Portland native – born on India Street before it was fashionable to live in what we called “Little Italy” in the 1950’s. I am also a Portland Realtor who has sold real estate in Portland for the past 35 years and I currently own and operate a small real estate company in Portland. I’ve seen a lot of changes in the past 35 years – some good and some not so good.

In the 60’s, I watched as Union Station was torn down to make way for a cheaply built shopping center. Even at a young age, I knew that destroying that beautiful brick and stone historic building was not right. What makes Portland so special and attractive to everyone is the charm that we have been able to retain over the past half century. When I walk around India Street and Munjoy Hill now, I am dismayed at not only the amount of development with zero set-back on the property lines, but also at some of the architecture which sticks out like a sore thumb – some of these buildings look like a container box turned on its side! How is that allowed in such a historic neighborhood? That design should never be allowed on the peninsula (or anywhere for that matter!).

Out of state developers have discovered Portland and are cramming several units on a single lot to get the most cash from it. They reap the profits and then leave Portland with no regard as to how their buildings are destroying those neighborhoods. They are not creating affordable apartments and their “market rate” apartments at \$1800 per month or more are not affordable to most people who were born and raised here. Many of these condos or apartments are not even occupied most of the year. This takes even more housing out of the market. Let’s pass these restrictions in the historic district to discourage not only over-building on the peninsula but to also retain the character of these old buildings that make Portland the great “City by the Bay”.

Thanks for the hard (and often thankless) work you all do for the City and a special thanks to those councilors moving on to other things. Your contribution to our city is appreciated.

Stay well -

Jean Russo, Owner

Harborcity Realty

Portland

Fwd: A note in favor of the Munjoy Hill Historic District

Jenna Koester Wolf <jennakoester@gmail.com>

Nov 10, 2020 4:41 PM

Posted in group: **Planning Board**

Note to the Planning Board: I have sent the email below to the Mayor and members of the City Council. Please record this note as a voice of support for the Historic District designation of Munjoy Hill.

Dear Mayor Snyder and fellow City Council members,

My husband, Tom, and I have been living with our family on Munjoy Hill since May in a historic home divided into two two-bedroom apartments. We'd like to take a few moments to outline our support for the historic district designation on Munjoy Hill that is up for debate within the City Council. Many of these points have been made again and again but we are passionate about saving this beautiful hill in Portland and would like to lend our voices to the chorus of preservation.

- Affordability - A note that has come up frequently in this conversation since I became engaged in it in May is that historic districts decrease affordability. This is a mind boggling argument given that the majority, if not all, the new structures built on Munjoy Hill in recent years have been luxury condos and single family homes. Currently, the multi-unit apartment building across from us is for sale. The sellers recommend demolition because the current residents are paying rent below market. Actually, you may be interested to see the exact quote from the Zillow listing:

"Quality built at the turn of the century and very well maintained, this 7 unit is an income producer poised to throw off much more income (current rents are well below market) or be re-imagined."

What is unfathomable is how these blatant money grabs by developers have been disregarded in the conversation. Isn't it remarkable that the individuals saying that historic preservation is inherently racist are nearly all white men who have made or make money from real estate development? Most of the diverse Munjoy Hill residents oppose the kind of luxury developments and luxury single family homes that have been built on Munjoy Hill over the past few years and would prefer to keep their neighbors. They **would** support thoughtful and strategic new affordable housing. It is well understood and well studied that historic designation can promote affordable housing by maintaining the current affordable housing while supporting infill in empty lots of new housing. This is not a conflict of the elitist (those in favor of preservation) vs. the middle-class (those in favor of development). This is a conflict of the middle-class in favor of preservation vs. the Portland area developers.

- Character - Supporting the historic Munjoy Hill would maintain its historic character. As a temporary resident of Munjoy while we live with our family for the year, I'm struck by the beauty of the Hill and the value these historic homes bring to the city. Walking down the cobblestone streets and looking from the Observatory and out to the water, you can imagine yourself in the Portland of 1875. It is only until you walk in front of a cheaply built, glass-fronted luxury condo that you find yourself snapped out of the moment. Our up-the-hill neighbor, Carle Henry, may say that the buildings that have been demolished "were falling down on their own" but we find that statement to be insulting and unimaginative. Behind the layers of vinyl siding and asbestos tile are original clapboard siding, hand-carved corbels, and stone foundations unseen in new construction today. Behind the storm windows are thick baseboard moulding from old growth Maine forests that, even if they could be reproduced, would cost tens of thousands of dollars to do so. The newel posts in these homes and apartment buildings that are, according to Mr. Henry, "falling down on their own", were hand-turned by artisans who do not exist in today's economy.

We urge you to preserve the charm of Portland by supporting historic preservation. A city can always build new but what is lost is impossible to bring back. Portland can never replicate the artistry of the homes built on Munjoy Hill 150 years ago. If you have never spent time typing addresses on Munjoy Hill into the MaineMemory.Net database, I recommend you do so before declaring this neighborhood unworthy of preservation. The history captured in these photos is truly a remarkable asset to the city of Portland. To see those same homes standing 100 years later is a gift in and of itself.

- Sustainability - The materials used to build homes 150 years ago were meant to last for lifetimes, and they have. The builders of that time used sustainable resources that were meant to be patched and maintained for centuries. We have watched while the nextdoor neighbors have restored their 1850s residence. The construction crew revealed to us that between the clapboard siding and framing were strips of newspaper from over 130 years ago. This building has withstood more Maine winters than even the toughest Mainer!

The unfortunate reality of today is that cost preempts quality in many small and large scale developments. The large luxury condo on the corner of Waterville and Fore that replaced a well-maintained historic home is only a few years old and already has pieces of the facade falling off around the foundation. Most of the large condos built today use manufactured materials that are not meant to last 30 years, much less 150 years. The carbon impact of building a structure from scratch using raw materials is significantly higher than refurbishing an existing structure, no matter how

worn the building may appear. In forty years, the City Council of Portland will be debating how to tear down these massive but cheaply built former luxury condos whereas the original Munjoy Hill homes will be going on their seventh generation.

Every generation is tasked with what legacy we want to leave to the next generation. Let this generation of Portlanders leave future Portlanders the gift of living history, the gift of affordable and dense housing, and the gift of a beautiful city. All these things are possible with the designation of the Historic District.

Sincerely,
Jenna and Tom Wolf

Historic district on Munjoy Hill

Judy George <jgeorgemaine@hotmail.com>

Nov 9, 2020 3:48 PM

Posted in group: **Planning Board**

Good afternoon. Please note that I do not support zoning this is historic district, because I have lived in one of those type of set ups in another city and it's extremely difficult for the homeowner. You have to get permission to do all kinds of things, it hurt resale values, and it slowed the real estate business. I do not wish to support it and I hope that you do not as well. Thank you for your time.

Judy George

Sent from my iPhone

Munjoy Hill Historic District

Julius Ciembroniewicz <jciem@b@gmail.com>

Nov 9, 2020 12:06 PM

Posted in group: **Planning Board**

City of Portland Councilors:

I'm writing with regards to the Munjoy Hill Historic District. I support the Historic District. A majority of my fellow MH residents and neighbors also support the historic district.

I am a Maine native. I am a Portland resident of 25 years. I am not opposed to development in our City. However, I am opposed to irresponsible development, which in the last five years the City has allowed to occur unchecked on Munjoy Hill.

First, the current construction trend in the proposed MH historic district is decreasing affordable housing. My 100 year old building on MH, which has 8 large condominium units, is similar in size to some of the newly constructed buildings on MH. However, currently the City's only requirement for new MH construction projects is that they host two units. Accordingly, buyers are changing existing multi-unit affordable MH apartment buildings into larger, taller, expensive personal residences with in-law apartments. Rather than making housing more affordable (as it is in the historic West End), the trend is resulting in less affordable housing on MH; as well as more elitism and less diversity in our MH neighborhoods. Is this the planning we want in our overcrowded peninsula?

Second, if the MH Historic District isn't approved, new MH construction projects will escalate and they will decimate the integrity of our historic neighborhoods. My deck looks west alongside the Eastern Promenade. For illustration purposes only, see attached view from my deck 2 years ago versus now. Without a historic district, rows of these new residences appear to be the future of the "historic" Eastern Prom. Is our City's comprehensive plan to turn the Eastern Promenade into rows of these homes?

Third, the area covered in the proposed MH historic represents only a small portion of Munjoy Hill, closest to the Promenade and Fort Allen Park.

If the City allows development to continue to go unchecked in our neighborhoods, the historic integrity of our neighborhoods will soon be gone forever. Accordingly, I respectfully ask that you vote in favor of the Munjoy Hill Historic District.

Thank you for your attention to this issue.

Respectfully,
Julius

Julius Ciembroniewicz
55 Morning Street





Proposed Munjoy Hill historic district

Karen Harrison <karen.harrison.me@gmail.com>

Nov 9, 2020 2:12 PM

Posted in group: **Planning Board**

Good afternoon,

At a community meeting a couple of years ago, we watched a slide show on the history of development on the Hill. I'm pretty sure that around the turn of the last century, the people living in houses built in the early to mid-1800s were horrified by the arrival of the apartment buildings now considered quaint and historic.

I'd rather not live in a neighborhood of compulsory architectural styles, frozen during a random year when photographs happened to have been taken. I'd like to continue to live in a vibrant, energetic, live-and-let-live neighborhood.

I remain strongly opposed to the proposed historic district designation for this neighborhood for the following reasons. (Although I live on Munjoy Street, I don't have a dog in this fight, as my house is non-contributing.)

- Historic designation restrictions on additions, renovations and demolitions will prevent people from making the best design and financial decisions for their families and their futures.
- Historic designation restrictions have a disproportionate financial impact on people with fewer resources. This includes young people using "sweat equity" to fix up a dilapidated building, older people on fixed incomes, and good landlords who try to keep rents reasonable while maintaining their buildings as cost-effectively as possible for their tenants' safety and comfort.
- Historic designation restrictions will reduce the energy and vitality of the neighborhood and discourage or prevent the use of high-quality, cost-saving contemporary materials and methods that reduce energy use, such as contemporary glazing products facing the street that look different than older glass.
- The historic district guidelines for renovations may not allow building owners to conform to contemporary building safety standards, for example in the size of egress windows. This appears to be in conflict with Portland's rightful emphasis on tenant safety.

Some additional thoughts:

- I have lived at 34 Munjoy Street (District 1) since 1993. I love my street, and I love my neighborhood, in which people are quick to help one another and respectful of differences. Over the years, I've seen my neighbors modify their houses in many different ways to make them more enjoyable, economical or useful. I like some of the changes and dislike others, but all of them represent people making the best decisions for themselves and their families.
- Behavior can't be regulated through planning and zoning. Neighborhoods are better when people see each other coming and going – and I'd rather not look at garage doors when I'm walking around – but if you allow garages to be built, locating them at the side or back of a building doesn't force people to interact with their neighbors if they typically leave and enter their residence through the garage.
- It's always unfortunate when someone loses a wonderful view, but that happens everywhere, and that's why houses and apartments on Eastern Prom (or, for that matter, Central Park West) cost more. It's unreasonable to attempt to freeze all of the current views, many of which are enjoyed by residents whose buildings blocked others' views when they were built.
- It seems that 118 Congress Street has become the poster child for people who are upset about development on the Hill. But there are other ugly buildings on that side of Congress between Munjoy and St. Lawrence, such as the MHNO building at 92 and the bleakly utilitarian Cummings Center and fire station at 134. And 118, for all of its faults, includes street-level retail.

- I respect the depth of knowledge and tremendous love for Portland's older buildings shown by the staff of Greater Portland Landmarks and the City's Historic Preservation team, but I'm afraid that "if you've got a hammer, every problem looks like a nail." I don't think that the challenges presented by development in this neighborhood can be reasonably and fairly addressed by an historic district designation.

Thank you for your consideration,
Karen Harrison

11/9/2020 - Support for Proposed Munjoy Hill Historic District

Karen Snyder <karsny@yahoo.com>

Nov 6, 2020 12:49 PM

Posted in group: **Planning Board**

Dear Mayor Snyder and Councilors Ray, Thibodeau, Ali, Chong, Mavodones, Cook, Dusen, and Costa,

I support the proposed Munjoy Hill Historic District that has been proposed by the City Planning Department in 2019.

It was approved unanimously by Historic Preservation Board on 11/20/2019 and approved by majority of Planning Board on 8/11/2020 with no modifications.

I hope we have your support for the proposed Munjoy Hill Historic District with no changes for the following reasons:

Fact #1: In the last 6 years, there have been at least 40% of all affordable housing built or proposed in Portland's Historic Districts versus non Historic Districts.

-Why? Mostly because developers can use the Historic tax credits and other grants to re-develop buildings such as churches, schools, etc in Historic Districts.

-Please note that **approximately 8% of Portland is in Historic Districts but yet approximately 40% of affordable housing has been built or proposed in Historic Districts.**

-This means there is a higher probability of affordable housing built in Historic Districts than not being in an Historic District.

-Please refer to the data which I have pulled from the City website below:

Affordable Housing Projects in Portland, ME in Last 6 Years (2015-2020) Either Built or in Proposal Stages

Updated:	9/3/2020		Summary:	Historic District	Non-Historic District	Total	
			# of Affordable Units Built or to be Created	566	781	1,347	
			% of Affordable Units Built to to be Created	42.0%	58.0%	100.0%	
			% of Portland Land Area	8.0%	92.0%		
Historic District?	Historic District	Within 100 ft of Historic District	Building Address	Building Status	Affordable # of Units	Market Rate Units	Type
N	N/A		58 Boyd St.	Under construction as of 9/2018	44		Apt.
N	N/A		81 East Oxford St. (Bayside Anchor)	Completed 2017	36		Apt.
N	N/A		409 Cumberland Ave.	Completed 2015	57		Apt.
N	N/A		134 Washington Ave. (Thomas Heights)	Completed 2015	18		Apt.
N	N/A		548 St. John St.	Completed	4		Apt.
N	N/A		977 Brighton Ave.	Under construction as of 9/2018	34		Apt.
N	N/A		95 Front St.	Permit Approved on 7/23/2019	63		Apt.
N	N/A		140 Park St. (Rosa True School)	Completed 2016	8		Apt.
N	N/A		605 Stevens Ave. (Motherhouse)	Completed 2018	66		Apt.
N	N/A		65 Munjoy St.	Completed in 2017	8		Condo
N	N/A		178 Kennebec St	Under construction as of 9/2018	40		Apt.
N	N/A		409 Cumberland St.	Completed 2015	46		Apt.
N	N/A		104 Grant St	Under construction as of 9/2020	12	11	Condo
N	N/A		200 Valley St	Permit Approval Pending 8/2020	12	48	Apt.
N	N/A		44/52 Hanover St.	Permit Approval Pending 8/2020	17	154	
N	N/A		21 Randall St.	Permit Approval Pending 8/2020	12		
N	N/A		43 & 91 Douglass St	Permit Approval Pending 8/2020	40		
N	N/A		165 Lambert St	Permit Approval Pending 8/2020	46		
N	N/A		577 Washington Ave	Permit Approval Pending 8/2020			
N	N/A	Congress	45 Brown St. (Within 100 ft HD)	City Council 8/3/2020	121	157	Apt.
N	N/A	Congress	337 Cumberland (Within 100 ft HD)	City Council 8/3/2020	48	12	Apt.
N	N/A	Landmark	83 Middle St. (Within 100 ft HD)	City Council 8/3/2020	49		Apt.
				Affordable Unit Total	781		57.98%
				Percent of Portland Area NOT in HD			92.0%
Y	West End		77 Pine St. (Butler School and Payson)	Completed 2016	56		Apt.
Y	West End		27 Carlton St.	Completed 2018	37		Apt.
Y	Deering Oaks		510 Cumberland Ave.	Under construction as of 9/2018	75		Apt.
Y	West End		66 State St.	Permit Approved on 8/13/2019	30		Apt.
Y	West End		66 State St.	Permit Approved on 8/13/2019	38		Lodging
Y	West End		160-166 State St. (Precious Blood Monastery)	Pending Permit Approval	40		Lodging
Y	West End		99 Winter St.	Waiting for PB Workshop 8/2020	40		Apt.
Y	New District		21 Popham St (Sagamore Village)	Early Stages			
Y	West End		100 State St (Old Mercy Hospital)	Early Stages	250	300	
				Affordable Unit Total	566		42.02%
				Percent of Portland Area in HD			8.0%
				Overall Affordable Unit Total	1,347		

Fact #2: There have been 16 City meetings held since early 2018 informing residents of all the pros and cons of Portland's Historic Districts and consistently the majority of public support is for the proposed Munjoy Hill Historic District.

- In the last 5 City meetings held, there has been consistently documented majority public support of around 80% for the proposed Historic District by the documented public emails sent and public comment when these meetings have been held. **Public Support for the Proposed Munjoy Hill District Averages from the Past 5 City Meetings:**

-Public Overall Support= 77%; If a Munjoy Hill Resident Support = 84%; If within the Proposed District Support= 95%

Item Summary From The Past 5 Meetings/Workshops Held that Show Majority of Portland Supports the Proposed Munjoy Hill Historic District & 6 Landmarks

As of: Tuesday 3/10/2020 at 4:47pm		Email Sent to HPB or Planning Board					Public Comment at Meeting/Workshop					Comments:
#	Portland, ME Meeting/Works Shop Held	HD Yes	HD Yes %	HD No	HD No %	Total	HD Yes	HD Yes %	HD No	HD No %	Total	
1)	Historic Preservation Board Nomination - 11/20/2019	32	72.7%	12	27.3%	44	14	93.3%	1	6.7%	15	
	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	8	28.6%	28						
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	6	23.1%	26						
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31	
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	16	20.5%	78						
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	13	21.3%	61						
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27	
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	10	25.0%	40						
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	5	20.8%	24						
4)	Planning Board Meeting - 3/10/2020 downloaded 3/10 4:14	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51	
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	10	13.0%	77						
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	8	13.8%	58						
5)	Planning Board Meeting - 8/11/2020 downloaded at 3pm	110	80.3%	27	19.7%	137						
	-If A Munjoy Hill Resident (Unique Person)	70	81.4%	16	18.6%	86						
	-If In the Proposed Munjoy Hill Historic District (Unique)	61	87.1%	9	12.9%	70						
OVERALL TOTALS: Total All Emails Sent		331	77.7%	95	22.3%	426	97	78.2%	27	21.8%	124	
	-If A Munjoy Hill Resident (Unique Person)	229	84.5%	42	15.5%	271						
	-If In the Proposed Munjoy Hill Historic District (Unique)	178	95.2%	9	4.8%	187						

Sources:

HPB Nomination- 11/20/2019	https://portlandme.civiclerk.com/Web/Player.aspx?id=533&key=1&mod=1&mk=1&nov=0
PB Workshop #1-12/10/2019	https://portlandme.civiclerk.com/Web/Player.aspx?id=571&key=1&mod=1&mk=1&nov=0
PB Workshop#2-02/11/2020	https://portlandme.civiclerk.com/Web/Player.aspx?id=1207&key=1&mod=1&mk=1&nov=0
PB Meeting #1-03/10/2020	https://portlandme.civiclerk.com/Web/Player.aspx?id=1219&key=1&mod=1&mk=1&nov=0
PB Meeting #2-08/11/2020	https://portlandme.civiclerk.com/Web/Player.aspx?id=1213&key=1&mod=1&mk=1&nov=0

Note: Please see attached file called Analysis_ProVSCon_HistoricDistrict_20201106.xls for the supporting detail of the above percentages.

Fact #3: The City Planning Department has all ready gone through a lengthy process with this effort and the Different Board Votes showed majority support for the proposed Munjoy Hill Historic District

- 11/20/2019 - Historic Preservation Board - 7-0 unanimous vote approval
- 8/11/2020 - Planning Board - 4-3 majority approval
- City Public Meetings held on 11/20/2019, 12/10/2019, 2/11/2020, 3/10/2020, 8/11/2020
 - Public Overall= 77% support, If Munjoy Hill resident = 84% support; If In Proposed District =95% support (Shown in Fact #2 chart)

Fact #4: Another interesting Factoid is that Munjoy Hill which is not in an Historic District the rents are higher than the West End's rents which are in a Historic District.

- In February 2020, the City Planning Department presented that the average rents on Munjoy Hill were higher than on the West End. I believe it has only gotten worse.

Average Rents by Neighborhood

East End	\$1482
West End	\$1,408
Parkside	\$1,374
Bayside	\$1,346

* based on 2017 rental registration data and a survey sample of 2-bedroom units only

Source: <https://www.portlandmaine.gov/DocumentCenter/View/27271/Staff-Presentation---February-11-2020?bidId=>

Fact #5: The 2015 R6 Zoning Change Reasoning Left "Unintended Consequences"

The City stated the reasoning for the 2015 R6 Zoning Change stated in below bullet points on the website.

- What happened on Munjoy Hill since 2015 just from demolitions alone approximately 35 "affordable" housing units have been removed off the market and instead were replaced with approximately 65 units of either seasonal luxury condos or single family homes.
- The only "affordable" project was 65 Munjoy St of 8 units which the buyers had to make 120% AMI basically \$80K/year to buy a condo.
- Basically, the 2015 R6 Zoning change did the **EXACT** opposite of what was stated in below City website .

- A) There are now less housing opportunities unless you are rich.
- B) Some small lots were filled in with oversized and out of place seasonal luxury housing.
- C) Most of the newly built housing proposed or built does NOT fit Munjoy Hill's historic pattern of character.

[Home](#) › [Government](#) › [Departments](#) › [Planning & Urban Development](#) › [Planning, Historic Preservation and Transportation](#) › [Long Range Planning Projects](#) › Amendments to the R-6 Zone

Amendments to the R-6 Residential Zone

In 2015, the City Council approved major updates to the R-6 residential zone, which includes much of the residential area on the Peninsula. These changes were designed to:

- Provide for greater housing opportunities
- Enable infill development on small parcels
- Have standards in place that make it possible for new construction to be consistent with the historic pattern of development prevalent in the neighborhoods where R-6 is prevalent.

A secondary but important aspect of the amendment is increased clarity of the zoning ordinance through reformatting the dimensional standards into a table, and shortening and simplifying text where possible.

A summary of the approved changes is available [here](#). For the full text of the R-6 zone as of September 2017, click [here](#).

In summary, Portland's Historic Districts stabilize communities, the socio-economic diversities of neighborhoods, and also is more environmentally friendly to restore buildings with a 10x reduced carbon emissions footprint. It is also less costly to restore than to demolish and rebuild.

I hope we will have your vote for the proposed Munjoy Hill Historic District on November 16, 2020.

Regards,
Karen Snyder
Waterville St.

Attachment: Analysis_ProVCon_HistoricDistrict_20201106.xls

Munjoy Hill Property Owners AGAIN				Total Separate Properties	
				Total Valid Anti Signature/Comment	43
#	Who Signed	HD Yes	HD No	Address	Munjoy Hill Resident
1	Erin Carter			37 Montreal? Wife?	X
2	Timothy Mayo			47 Monument	X
3	Lori Rounds			47 Monument	X
6	Liv Chase			40 Eastern Promenade 40A	X
8	Dan Haley			60 Eastern Promenade	X
13	Kevin Carter			37 Montreal	X
14	Corey Bryant			155 Congress, Apt 5	X
15	Albert Cloutier			95 Congress, Apt 1	X
17	Anne E. Manganello			84 Quebec St	X
18	Elizabeth Miller			46 Waterville	X
19	Benjamin Borkon			75 Congress Apt 2	X
PC18-1	Amy Smith		X	17 Kellogg St., Apt 3.	X
PC18-2	Tim Wells		X	33/37 Montreal St.	X
PC18-3	Carle Henry		X	50 St. Lawrence St.	X
PC18-4	Lori Rounds		X	47 Monument St.	X
PC18-5	Tim Mayo		X	47 Monument St.	X
PC18-6	Johanna Henry		X	50 St. Lawrence St.	X
PC18-7	Dan Stevens		X	64 Eastern Promenade	X
PC18-8	Andrew Jarvis		X	Property Mgr of 13-21 East Prom, 102-104 Morning St.	
PC18-9	Daniel Haley		X	140 Eastern Promenade	X
PC18-10	Markos Miller		X	17 Atlantic St.	X
PC18-11	Sarah Cushman		X	99 Beckett St., 2nd floor	X
PC18-12	Jamie Parker		X	73 Atlantic St.	X
PC18-13	John Mahoney		X	73 Atlantic St.	X
PC18-14	Alison Kamra		X	73 Atlantic St.	X
PC18-15	Sanjay Patel		X	32 Montreal St.	X
PC18-16	Lauren Patel		X	32 Montreal St.	X
PC18-17	Christian Gelfand		X	33 Atlantic St.	X
PC18-18	Michael Valentine		X	81 Quebec St. #4	X
PC18-19	Carlton Wale		X	81 Quebec St. #1	X
PC18-20	Anne Manganello		X	84 Quebec St.	X
PC18-21	Norma Krauzeuler		X	59 St. Lawrence St.	X
PC18-22	Andrew Ray		X	76 Quebec St.	X
PC18-23	Ed Gillis		X	24 Montreal St.	X
PC18-24	Marla Rankin		X	24 Montreal St.	X
PC18-25	Kevin Carter		X	33 Montreal St.	X
PC18-26	Samruat Sungtha		X	33 Montreal St.	X
PC18-27	Meghan Wells		X	33 Montreal St.	X

In HD?	Individual Property Owners	Anti HD Effort
		Carl Henry On-Line Petition
	1	Carl Henry On-Line Petition
		Carl Henry On-Line Petition
X	1	Carl Henry On-Line Petition
X	1	Carl Henry On-Line Petition
	1	Carl Henry On-Line Petition
	1	Carl Henry On-Line Petition
	1	Carl Henry On-Line Petition
X	1	Carl Henry On-Line Petition
X	1	Carl Henry On-Line Petition
	1	Carl Henry On-Line Petition
	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
		PC 18: Carl Henry's Letter to HPB 9/5/2019
		PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
		PC 18: Carl Henry's Letter to HPB 9/5/2019
X		PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
		PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
X	1	PC 18: Carl Henry's Letter to HPB 9/5/2019
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		PC 18: Carl Henry's Letter to HPB 9/5/2019
		PC 18: Carl Henry's Letter to HPB 9/5/2019
		PC 18: Carl Henry's Letter to HPB 9/5/2019

Source

<https://www.ipetitions.com/petition/protectMunjoy>

<https://www.ipetitions.com/petition/protectMunjiv>

<https://www.ipetitions.com/petition/protectMunjiv>

<https://www.petitions.com/petition/protectMunjiv>

<https://www.ipetitions.com/petition/protectMunjoy>

<https://www.ipetitions.com/petition/protectMunjoy>

<https://portlandme.civicclerk.com/web/ADA/AgendaPacketDoc.aspx?id=573&categoryId=34>

<https://portlandme.civicclerk.com/web/ADA/AgendaPacketDoc.aspx?id=573&categoryId=34>

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<https://portlandme.civicclerk.com/web/ADA/AgendaPacketDoc.aspx?id=573&categoryId=34>

<https://portlandme.civicclerk.com/web/ADA/AgendaBasketDoc.aspx?id=575&categoryId=34>

<https://portlandme.civcclerk.com/web/ADA/AgendaPacketDoc.aspx?Id=573&categoryId=34>

<https://portlandme.civicclerk.com/web/ADA/AgendaPacketDoc.aspx?id=573&categoryId=34>

<https://portlandme.civicclerk.com/web/ADA/AgendaPacketDoc.aspx?id=573&categoryId=34>

Munjoy Hill Property Owners Support Historic District Petitions

ID	Name	HD Yes	HD No
1	Berry Manter	X	
2	Jayne Hurley	X	
3	Zack Anchors	X	
4	Enoch Wenstrom	X	
5	Elizabeth Streeter	X	
6	Stacy Mitchell	X	
7	George Carhart	X	
8	Barbara Vestal	X	
9	Pam Macomber	X	
10	Peter Macomber	X	
11	Karen Snyder	X	
12	Paula Agopian	X	
13	Keith Lane	X	
14	James Cloutier	X	
15	Nancy j. Guimond	X	
16	Gail Kunchau	X	
17	Joann Dowe	X	
18	Marck Hogan	X	
19	Lindsey Ryer	X	
20	Andrew Ryer	X	
21	Emily Smith	X	
22	Sarah Davies	X	
23	Tracy Tingley	X	
24	Kelly Tingley	X	
25	Enoch Wenstrom	X	
26	Colin Windser	X	
27	Briar Pelletier	X	
28	Simon Rucker	X	
29	Catherine Waycatle	X	
30	D. Murray	X	
31	Sarah Waite	X	
32	Jan Marie Lindholm	X	
33	Bryn Arbuckle	X	
34	Jill Koufman	X	
35	Nina B	X	
36	Deb Tabue	X	
37	Martica Douglas	X	
38	Brian Wells	X	
39	Kaity Mahoney	X	
40	Cathleen Cassie	X	

41	Bendict Cassie	X	
42	Alicia Tefft	X	
43	Jeanine Bishoff	X	
44	Hannah Underwood	X	
45	Kevin Brewster	X	
46	Karen Hamilton	X	
47	Karbara Goodbody	X	
48	Ellen Bailey	X	
49	Bonie Coplon	X	
50	Micahel Coplon	X	
51	Pat C. Tryon	X	
52	Mike Sylvester	X	
53	Edwin Chester	X	
54	Vana Carmona	X	
55	Nat Pendelton	X	
56	Steven Goodman	X	
57	Justine Denny	X	
58	Erna Koch	X	
59	Tania Briceno	X	
60	Collin McRann	X	
61	Steve Inman	X	
62	Susan Inman	X	
63	Ed Mooney	X	
64	Rachel Gips	X	
65	Courtney Zorena	X	
66	Allan Horneman	X	
67	Paul Gregg	X	
68	Alex Flynn	X	
69	Taylor Brassard	X	
70	Michael Brassard	X	
71	Stuart Lambert	X	
72	Katelyn Kniffin	X	
73	Charles Jackson	X	
74	Patrick Bartley	X	
75	Jessica Place	X	
76	Mark W. Cashin	X	
77	Anna Bolton	X	
78	Jess Howell	X	
79	Saben Anderson	X	
80	Chrstine Riley	X	
81	Colin Franklin	X	
82	Mark Holden	X	
83	Sadhbh Neilan	X	
84	Stacy Mitchell	X	
85	James Plagenhoff	X	
86	Jacob Habert	X	
87	Jordan Guerette	X	

88	Jason Walker	X	
89	Shelly Brown	X	
90	Samuel De Fayette	X	
91	Megan Sutherland	X	
92	Eric Wnstrom	X	
93	Jordan Moody	X	
94	Alex Busack	X	
95	Reeve Chace	X	
96	Margaret Silsby	X	
97	Jessie Robb	X	
98	Thomas Preti	X	
99	John Hardy	X	
100	Mary Capron	X	
101	Kristen Stogsdill	X	
102	Tesa Forunson	X	
103	Melissa Sweet	X	
104	Ted Arnold	X	
105	Besy Eliman	X	
106	Charlotte Daniels	X	
107	Dan Ogier	X	
108	Sara Goan	X	
109	Elena Schmidt	X	
110	Lincoln Paine	X	
111	Alison Paine	X	
112	Lynn Hallett	X	
113	Tom Hallett	X	
114	Pat Tryon	X	
115	Carol Conner	X	
116	Patricia Ryan	X	
117	Paul E. Cote	X	
118	G.R. Whitten	X	
119	Lauren Peer	X	
120	E. Streeter	X	
121	J. Streeter	X	
122	Jocelyn King	X	
123	Marcie Lister	X	
124	Isabel Walsh	X	
125	Evan Holliday	X	
126	Matt Capon	X	
127	Margaret Cummings	X	
128	Mary Morse	X	
129	Robert E. Morse	X	
130	Kate Philbin	X	
131	Rae Barnes	X	
132	Derek Cambpell	X	
133	Gail Kuhnltau	X	
134	Stephen Gaal	X	

135	Cynthia Cochran	X	
136	Sandra Flanagan	X	
137	Kelly and Jacob Bordeau	X	
138	Pamela Day and Michael Petit	X	
139	Mary Casale	X	
140	Carl Casale	X	
141	George Reiche	X	
142	Richard Gold Trust	X	
143	Joanne Bolzano	X	
144	Karen Snyder	X	
145	Richard Gold Trust	X	
146	Joanne Dowe	X	
147	Peggy Heffern	X	
148	Richard Stillwell	X	
149	Carol Stillwell	X	
150	Rob Whitten	X	
151	Robin Whitten	X	
152	Fitch House LLC	X	
153	Christine Braceras	X	
154	Christopher Gilbert	X	
155	Lawrence Whitten	X	
156	Steven Beneson Trustee	X	
157	Elke Muller	X	
158	Robert Tate	X	
159	Matthew Anderson	X	
160	Chris Akerlind	X	
161	Sue Yandell	X	
162	Sherwood Hamill	X	
163	William Brennan	X	
164	Susan Grinsanti	X	
165	Christoph Gelfand	X	
166	Christina Berkow	X	
167	Alison Mann	X	
168	Kathleen Ferrante	X	
169	Robert Jordan Trustee	X	
170	Phillip & Patricia Curran	X	
171	Pat Curran	X	
172	Megan McIntyre	X	
173	Larry Bucholz	X	
174	Diane Hudson	X	
175	Alexandra Mas & Antonio Naylor	X	
176	Charles Cohen & Mary Iaculli	X	
177	Promenade-Whitten LLC #4	X	
178	Diane Davison	X	
179	John Romano	X	
180	Martica Douglas	X	
181	Jean McManamy	X	

182	Margaret Johnson	X	
183	Paul Prescott #1	X	
184	Janet & Michael Sangster #4	X	
185	Sharon McGauley	X	
186	Peter & Deb Murray	X	
187	Tom and Kate Doherty - 100	X	
188	Kristina Minister - 101 #4	X	
189	Beth Snyder - 81	X	
190	Janine Galli - manager of the Mancini Trust 80, 84, 92	X	
191	Janine Galli - manager of the Mancini Trust 80, 84, 93	X	
192	Janine Galli - manager of the Mancini Trust 80, 84, 94	X	
193	Daryl Mcilwain - 89	X	
194	Ryan Pierce - 106 (maybe)	X	
195	Wayne Valzania	X	
196	George Carhart	X	
197	Nini McManamy	X	
198	Gail & Enoch Westrom	X	
199	Simon Rucker & Samantha Lambert	X	
200	Cathleen Murray Trustee	X	
201	Francisca Lopez #A	X	
202	Jeanine Bishoff	X	
203	Peter and Lisa Adams	X	
204	Maureen and Elizabeth Streeter	X	
205	Julie	X	
206	Angela Adams	X	
207	Pat Tryon	X	
208	Pam and Peter Macomber	X	
209	Denise Pressier	X	
1		X	
PC27-1	Martica Douglas	X	
PC27-2	Beth Snyder	X	
PC27-3	Maggy Wolf	X	
PC27-4	John Wuestoff	X	
PC27-5	Martica Sawin	X	
PC27-6	Catherine Waycotte	X	
PC27-7	Nina Miller	X	
PC27-8	Janet Springborn	X	
PC27-9	Jay Gorham	X	
PC27-10	Sally Oldham	X	
PC27-11	Ralph Carmona	X	
PC27-12	James Isaacson	X	
PC27-13	Jeffrey Davidson	X	
PC27-14	Ann Cowie	X	
PC27-15	Ann Cowie	X	

PC27-16	James Cowie	X	
PC27-17	Ayriel Chase	X	
PC27-18	Richard Reed	X	
PC27-19	Linda Dillingham	X	
PC27-20	Ginneth Larsdotter	X	
PC27-21	Steve Goodman	X	
PC27-22	Jane Bayer	X	
PC27-23	Nadine Niyindemhn	X	
PC27-24	Terry Austin	X	
PC27-25	David Dimatteo	X	
PC27-26	Susan Lyons	X	
PC27-27	Steve Teel	X	
PC27-28	Margaret Jacks	X	
PC27-29	Grant Jacks	X	
PC27-30	Mike Ferrante	X	
PC27-31	Justine Denny	X	
PC27-32	Janet C. Prochaska	X	
PC27-33	Susan Emerson	X	
PC27-34	David Price	X	
PC27-35	Diana Burton/York	X	
PC27-36	Debbie Smith	X	
PC27-37	Peter Blackstone	X	
PC27-38	Alison Weiss	X	
PC27-39	Wayne Valzania	X	
PC27-40	Kelly Masilou	X	
PC27-41	Richard Saloil	X	
PC27-42	Sue Yandell	X	
PC27-43	JD Cowie	X	
PC27-44	Annie Cowie	X	
PC27-45	K.E. Smith	X	
PC27-46	Leolie Stewart	X	
PC27-47	Robert Derry	X	
PC27-48	Peter Murray	X	
PC27-49	Deborah Murray	X	
PC27-50	Pamela Day	X	
PC27-51	Michael Petit	X	
PC27-52	Carol Conner	X	
PC27-53	Berry Manter	X	
PC27-54	Enoch Wenstrom	X	
PC27-55	Vana Carmona	X	
PC27-56	G.R. Whitten	X	
PC27-57	Michael Hoover	X	
PC27-58	Jean McManamy	X	
PC27-59	Barbara Vestal	X	
PC27-60	Barbara Vestal	X	
PC27-61	Mary Casale	X	
PC27-62	Jayne Hurley	X	

PC27-63	Erna Koch	X	
PC27-64	Karen Snyder	X	
PC27-65	Marianne Hubert	X	
PC27-66	Robert Hubert	X	
PC27-67	Sara Goan	X	
PC27-68	George Weatherbee	X	
PC27-69	Annie Wadleigh	X	
PC27-70	John Whitaker	X	
PC27-71	Kerry Whitaker	X	
PC27-72	Greg Bronn	X	
PC27-73	Stephen Booth	X	
PC27-74	Alison Rogers	X	
PC27-75	Midau Marsoco	X	
PC27-76	Katy Brewer	X	
PC27-77	Catherine Moser	X	
PC27-78	Gregory Moser	X	
PC27-79	Jeff Von Munkwitz	X	
PC27-80	Jim Barter	X	
PC27-81	Lois Barter	X	
PC27-82	Oliver Murray	X	
PC27-83	Alison Grey	X	
PC28-1	Margaret Hillman	X	
PC28-2	Jean McManamy	X	
PC28-3	Frances McGovern	X	
PC28-4	Susan Shaw	X	
PC28-5	Carol Conner	X	
PC28-6	Vanessa McGrath	X	
PC28-7	Kevin Johannen	X	
PC28-8	Lance S. Billings	X	
PC28-9	James Cole	X	
PC28-10	Cama Clarkson Woodward	X	
PC28-11	Alison Grey	X	
PC28-12	Patricia Ryan	X	
PC28-13	Marguerite Cartorio	X	
PC28-14	Oliver Murray	X	
PC1-1	Berry Manter	X	
PC1-2	Erna Koch	X	
PC1-3	Nini McManamy	X	
PC1-4	Peter Murray	X	
PC1-5	Michael Hoover	X	
PC1-6	Tica Douglas	X	
PC1-7	Vana Carmona	X	
PC1-8	John Wuestoff	X	

PC1-9	Wayne Valzania	X	
PC1-10	Diane Davison	X	
PC1-11	Hillary Bassett	X	
PC1-12	Pamela Day	X	
PC1-13	Mary Casala	X	
PC1-14	Enoch Wenstrom	X	
PC1-15	Enoch Wenstrom	X	
PC1-16	Edmund Gardner	X	
PC1-17	Carol Conner	X	
PC1-18	Rob Whitten	X	
PC1-19	Karen Snyder	X	
PC1-20	Robin Whitten	X	
PC1-21	Barbara Vestal	X	
PC1-22	Barbara Vestal	X	

Total Separate Properties			
Total Valid Pro Signature/Comments			
Street	Munjoy Hill Resident	In Historic District	Comments
46 E. Prom			Signed Historic District Petition in 2018
11 St. Lawrence			Signed Historic District Petition in 2018
44 Waterville St, #1			Signed Historic District Petition in 2018
88 Beckett St, #1			Signed Historic District Petition in 2018
66 Quebec Street			Signed Historic District Petition in 2018
74 Atlantic St			Signed Historic District Petition in 2018
7 Lafayette St			Signed Historic District Petition in 2018
7 Fore St.			Signed Historic District Petition in 2018
4 St. Lawrence			Signed Historic District Petition in 2018
4 St. Lawrence			Signed Historic District Petition in 2018
72 Waterville St, #3			Signed Historic District Petition in 2018
98 Monument St			Signed Historic District Petition in 2018
73 Waterville St.			Signed Historic District Petition in 2018
13 Bleecker			Signed Historic District Petition in 2018
13 Waterville St			Signed Historic District Petition in 2018
9 Adams St			Signed Historic District Petition in 2018
28 Waterville St			Signed Historic District Petition in 2018
41 Monument St			Signed Historic District Petition in 2018
105 Congress St			Signed Historic District Petition in 2018
105 Congress St			Signed Historic District Petition in 2018
46 Howard St, #1			Signed Historic District Petition in 2018
100 Congress St. #1			Signed Historic District Petition in 2018
87 St. Lawrence #4			Signed Historic District Petition in 2018
87 St. Lawrence #4			Signed Historic District Petition in 2018
85 Beckett St			Signed Historic District Petition in 2018
88 Beckett St. #2			Signed Historic District Petition in 2018
85 Beckett St			Signed Historic District Petition in 2018
85 Beckett St. #2			Signed Historic District Petition in 2018
91 Beckett St., #2			Signed Historic District Petition in 2018
91 Beckett St., #1			Signed Historic District Petition in 2018
44 Wellmont?			Signed Historic District Petition in 2018
52 Moody St			Signed Historic District Petition in 2018
82 Beckett St, #3			Signed Historic District Petition in 2018
66 Munjoy St #2			Signed Historic District Petition in 2018
76 Wilson St			Signed Historic District Petition in 2018
26 Munjoy St			Signed Historic District Petition in 2018
11 Munjoy St			Signed Historic District Petition in 2018
72 Waterville St, #1			Signed Historic District Petition in 2018
72 Waterville St, #1			Signed Historic District Petition in 2018
72 Waterville St, #2			Signed Historic District Petition in 2018

72 Waterville St #2			Signed Historic District Petition in 2018
13 Forest Park			Signed Historic District Petition in 2018
68 Quebec Street			Signed Historic District Petition in 2018
85 Vesper St			Signed Historic District Petition in 2018
68 Quebec Street			Signed Historic District Petition in 2018
23 Vesper St.			Signed Historic District Petition in 2018
118 Congress T.			Signed Historic District Petition in 2018
17 Hammond St.			Signed Historic District Petition in 2018
9 Waterville St 1-C			Signed Historic District Petition in 2018
9 Waterville St 1-C			Signed Historic District Petition in 2018
1 St Lawrence B-3			Signed Historic District Petition in 2018
159 Central Ave. Peaks Island			Signed Historic District Petition in 2018
7 Fore St.			Signed Historic District Petition in 2018
105 North St., #1			Signed Historic District Petition in 2018
86 Quebec St, #1			Signed Historic District Petition in 2018
89 Morning St.			Signed Historic District Petition in 2018
56 North St, Apt 203			Signed Historic District Petition in 2018
79 Vesper St.			Signed Historic District Petition in 2018
79 Vesper St.			Signed Historic District Petition in 2018
79 Vesper St			Signed Historic District Petition in 2018
81-A Vesper St.			Signed Historic District Petition in 2018
81-A Vesper St			Signed Historic District Petition in 2018
77 Vesper St			Signed Historic District Petition in 2018
77 Vesper St.			Signed Historic District Petition in 2018
11 Moody St			Signed Historic District Petition in 2018
58 Turner St.			Signed Historic District Petition in 2018
44 Howard St.			Signed Historic District Petition in 2018
48 Turner St.			Signed Historic District Petition in 2018
54 Turner St.			Signed Historic District Petition in 2018
54 Turner St.			Signed Historic District Petition in 2018
36 Gilan St			Signed Historic District Petition in 2018
54 Turner St.			Signed Historic District Petition in 2018
138 Pine St, #4			Signed Historic District Petition in 2018
54 Turner St.			Signed Historic District Petition in 2018
54 Turner St, #1			Signed Historic District Petition in 2018
27 Morning St, #4			Signed Historic District Petition in 2018
35 Merrill St			Signed Historic District Petition in 2018
15 Munjoy St, #2			Signed Historic District Petition in 2018
27 Morning St, #5			Signed Historic District Petition in 2018
52 Turner St			Signed Historic District Petition in 2018
54 Turner St.			Signed Historic District Petition in 2018
37 St. Lawrence St.			Signed Historic District Petition in 2018
29 Emerson #3			Signed Historic District Petition in 2018
74 Atlantic St, #2			Signed Historic District Petition in 2018
21 Eastern Prom			Signed Historic District Petition in 2018
74 Atlantic St, #2			Signed Historic District Petition in 2018
58 Congress St. #3			Signed Historic District Petition in 2018

58 Congress St. #3			Signed Historic District Petition in 2018
87 Munjoy St. #3			Signed Historic District Petition in 2018
83 Beckett St. #2			Signed Historic District Petition in 2018
83 Beckett St. #1			Signed Historic District Petition in 2018
88 Beckett St, #1			Signed Historic District Petition in 2018
18 Florida Ave			Signed Historic District Petition in 2018
62 Monument St, #1			Signed Historic District Petition in 2018
31 Vesper St, #1			Signed Historic District Petition in 2018
45 Congress St, #2			Signed Historic District Petition in 2018
486 Congress			Signed Historic District Petition in 2018
419 Cumberland Ave			Signed Historic District Petition in 2018
11 Ponce St. Apt1			Signed Historic District Petition in 2018
55 Montfort St			Signed Historic District Petition in 2018
24 Sheridan St			Signed Historic District Petition in 2018
151 North St			Signed Historic District Petition in 2018
37 St. Lawrence St.			Signed Historic District Petition in 2018
67 St. Lawrence St.			Signed Historic District Petition in 2018
23 Emerson			Signed Historic District Petition in 2018
62 St. Lawrence St			Signed Historic District Petition in 2018
158 North St			Signed Historic District Petition in 2018
54 Walnut St.			Signed Historic District Petition in 2018
99 Atlantic St			Signed Historic District Petition in 2018
150 Eastern Prom			Signed Historic District Petition in 2018
150 Eastern Prom			Signed Historic District Petition in 2018
9 St. Lawrence St.			Signed Historic District Petition in 2018
9 St. Lawrence St.			Signed Historic District Petition in 2018
1 St. Lawrence B3			Signed Historic District Petition in 2018
12 Montreal St			Signed Historic District Petition in 2018
60 Montreal St			Signed Anti Historic District
98 Monument St.			Signed Historic District Petition in 2018
23 St. Lawrence			Signed Historic District Petition in 2018
119 Congress St, #1			Signed Historic District Petition in 2018
66 Quebec St			Signed Historic District Petition in 2018
66 Quebec St.			Signed Historic District Petition in 2018
46 E. Prom			Signed Historic District Petition in 2018
40 E. Prom Apt B			Signed Historic District Petition in 2018
32 Wilson St, #2			Signed Historic District Petition in 2018
32 Wilson St, #2			Signed Historic District Petition in 2018
42 Vesper St, #2			Signed Historic District Petition in 2018
32 Wilson St. #1			Signed Historic District Petition in 2018
208 Sheridan St.			Signed Historic District Petition in 2018
288 Sheridan St.			Signed Historic District Petition in 2018
45 Eastern Prom 6J			Signed Historic District Petition in 2018
23 Emerson St, #3			Signed Historic District Petition in 2018
45 Easter Prom 65			Signed Historic District Petition in 2018
9 Adams St.			Signed Historic District Petition in 2018
176 Eastern Prom			Signed Historic District Petition in 2018

17 Hammond St.			Signed Historic District Petition in 2018
13 Waterville			Signed Historic District Petition in 2018
17 Waterville St.			Signed Historic District Petition in 2018
23 Waterville St			Signed Historic District Petition in 2018
29 Waterville St.			Signed Historic District Petition in 2018
45 Waterville St.			Signed Historic District Petition in 2018
50 Waterville St.			Signed Historic District Petition in 2018
51 Waterville St.			Signed Historic District Petition in 2018
66 Waterville St.			Signed Historic District Petition in 2018
72 Waterville St.			Signed Historic District Petition in 2018
49 Waterville St.			Signed Historic District Petition in 2018
28 Waterville St			Signed Historic District Petition in 2018
8 Sherbrook			Signed Historic District Petition in 2018
29 St. Lawrence St.			Signed Historic District Petition in 2018
29 St. Lawrence St.			Signed Historic District Petition in 2018
23 St. Lawrence St.			Signed Historic District Petition in 2018
23 St. Lawrence St.			Signed Historic District Petition in 2018
28 St. Lawrence St.			Signed Historic District Petition in 2018
35 St. Lawrence St.			Signed Historic District Petition in 2018
47 St. Lawrence St.			Signed Historic District Petition in 2018
52 St. Lawrence St.			Signed Historic District Petition in 2018
56 St. Lawrence St.			Signed Historic District Petition in 2018
94 St. Lawrence St.			Signed Historic District Petition in 2018
94 St. Lawrence St.			Signed Historic District Petition in 2018
43 Monument St			Signed Historic District Petition in 2018
44 Monument St			Signed Historic District Petition in 2018
51 Monument St.			Signed Historic District Petition in 2018
2 Atlantic St.			Signed Historic District Petition in 2018
23 Atlantic St.			Signed Historic District Petition in 2018
29 Atlantic St.			Signed Historic District Petition in 2018
33 Atlantic St.			Signed Anti Historic District
36 Atlantic St.			Signed Historic District Petition in 2018
41 Atlantic St.			Signed Historic District Petition in 2018
11 Vesper St.			Signed Historic District Petition in 2018
15 Vesper St.			Signed Historic District Petition in 2018
16 Vesper St.			Signed Historic District Petition in 2018
19 Vesper St.			Signed Historic District Petition in 2018
20 Vesper St.			Signed Historic District Petition in 2018
46 Vesper St			Signed Historic District Petition in 2018
16 O'Brion St.			Signed Historic District Petition in 2018
28 O'Brion St.			Signed Historic District Petition in 2018
30 O'Brion St.			Signed Historic District Petition in 2018
188 E. Prom			Signed Historic District Petition in 2018
29 Morning			Signed Historic District Petition in 2018
40 Morning			Signed Historic District Petition in 2018
11 Munjoy			Signed Historic District Petition in 2018
10 Willis St.			Signed Historic District Petition in 2018

30 Lafayette			Signed Historic District Petition in 2018
34 Lafayette			Signed Historic District Petition in 2018
34 Lafayette			Signed Historic District Petition in 2018
23 Cumberland			Signed Historic District Petition in 2018
104 North			Signed Historic District Petition in 2018
100 North St.			Signed Historic District Petition in 2018
101 North #4			Signed Historic District Petition in 2018
81 North St			Signed Historic District Petition in 2018
80 North St.			Signed Historic District Petition in 2018
84 North St.			Signed Historic District Petition in 2018
93 North St.			Signed Historic District Petition in 2018
89 North			Signed Historic District Petition in 2018
106 Pierce			Signed Historic District Petition in 2018
27 Merrill St			Signed Historic District Petition in 2018
7 Lafayette St.			Signed Historic District Petition in 2018
10 Willis St.			Signed Historic District Petition in 2018
83 Beckett			Signed Historic District Petition in 2018
85 Beckett			Signed Historic District Petition in 2018
91 Beckett			Signed Historic District Petition in 2018
94 Beckett			Signed Historic District Petition in 2018
68 Quebec			Signed Historic District Petition in 2018
Merrill St			Signed Historic District Petition in 2018
Corner of Congress and Merrill			Signed Historic District Petition in 2018
Emerson			Signed Historic District Petition in 2018
2 Atlantic St.			Signed Historic District Petition in 2018
Corner of St. Lawrence and Fore			Signed Historic District Petition in 2018
Corner of St. Lawrence and Fore			Signed Historic District Petition in 2018
25 Fore St.			Signed Historic District Petition in 2018
			PC27 Karen Snyder HD Petition 9/28/2019
11 Munjoy St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
81 North St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
28 St. Lawrence St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
11 Morning St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
28 St. Lawrence St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
91 Beckett St	X	X	PC27 Karen Snyder HD Petition 9/28/2019
76 Watson St.			PC27 Karen Snyder HD Petition 9/28/2019
340 Eastern Promenade, Unit 145	X	X	PC27 Karen Snyder HD Petition 9/28/2019
20 Essex St.			PC27 Karen Snyder HD Petition 9/28/2019
118 Congress St.	X		PC27 Karen Snyder HD Petition 9/28/2019
105 North St., Apt 1	X	X	PC27 Karen Snyder HD Petition 9/28/2019
71 St. Lawrence St.	X		PC27 Karen Snyder HD Petition 9/28/2019
29 Morning St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
32 North St., Unit 1	X	X	PC27 Karen Snyder HD Petition 9/28/2019
32 North St., Unit 2	X	X	PC27 Karen Snyder HD Petition 9/28/2019

32 North St., Unit 3	X	X	PC27 Karen Snyder HD Petition 9/28/2019
4 Monument St.			PC27 Karen Snyder HD Petition 9/28/2019
46 Cumberland Ave.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
36 North St.			PC27 Karen Snyder HD Petition 9/28/2019
46 Cumberland Ave., Unit 2			PC27 Karen Snyder HD Petition 9/28/2019
89 Morning St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
89 Morning St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
Saco, ME			PC27 Karen Snyder HD Petition 9/28/2019
312 Sherbrook			PC27 Karen Snyder HD Petition 9/28/2019
72 St. Lawrence St.			PC27 Karen Snyder HD Petition 9/28/2019
25 High St, Apt 301			PC27 Karen Snyder HD Petition 9/28/2019
76 Watson St.			PC27 Karen Snyder HD Petition 9/28/2019
51 Congress St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
51 Congress St.			PC27 Karen Snyder HD Petition 9/28/2019
69 Vesper St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
56 North St., Apt 203	X	X	PC27 Karen Snyder HD Petition 9/28/2019
151 North St., Apt 209	X	X	PC27 Karen Snyder HD Petition 9/28/2019
56 North St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
24 Mellen St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
190 Munjoy South	X		PC27 Karen Snyder HD Petition 9/28/2019
523 Washington Ave			PC27 Karen Snyder HD Petition 9/28/2019
76 Cumberland Ave	X	X	PC27 Karen Snyder HD Petition 9/28/2019
292 Eastern Promenade			PC27 Karen Snyder HD Petition 9/28/2019
27 Merrill St.	X		PC27 Karen Snyder HD Petition 9/28/2019
71 Melbourne St.	X		PC27 Karen Snyder HD Petition 9/28/2019
71 Melbourne St.			PC27 Karen Snyder HD Petition 9/28/2019
51 Monument St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
32 North St.			PC27 Karen Snyder HD Petition 9/28/2019
32 North St.			PC27 Karen Snyder HD Petition 9/28/2019
80 Quebec St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
63 Melbourne St., Apt 1	X		PC27 Karen Snyder HD Petition 9/28/2019
63 Melbourne St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
104 North St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
104 North St.			PC27 Karen Snyder HD Petition 9/28/2019
25 Waterville St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
25 Waterville St.			PC27 Karen Snyder HD Petition 9/28/2019
12 Montreal St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
46 Eastern Promenade	X	X	PC27 Karen Snyder HD Petition 9/28/2019
88 Beckett St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
105 North St., Apt 1	X	X	PC27 Karen Snyder HD Petition 9/28/2019
23 St. Lawrence St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
40 Melbourne St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
10 Willis St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
14-16 North St	X	X	PC27 Karen Snyder HD Petition 9/28/2019
101-107 Congress St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
39 Waterville St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
11. St. Lawrence St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019

81 Vesper St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
72 Waterville St., Apt 3	X	X	PC27 Karen Snyder HD Petition 9/28/2019
147 Congress St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
147 Congress St.			PC27 Karen Snyder HD Petition 9/28/2019
54 Walnut St.	X		PC27 Karen Snyder HD Petition 9/28/2019
108 Dorset St.			PC27 Karen Snyder HD Petition 9/28/2019
74 Grant St., Apt 1			PC27 Karen Snyder HD Petition 9/28/2019
104 Congress St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
104 Congress St.			PC27 Karen Snyder HD Petition 9/28/2019
33 Howard St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
79 North St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
9 Howard St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
9 Howard St.			PC27 Karen Snyder HD Petition 9/28/2019
39 Waterville St.			PC27 Karen Snyder HD Petition 9/28/2019
80 Vesper St., Apt 3	X	X	PC27 Karen Snyder HD Petition 9/28/2019
80 Vesper St., Apt 3			PC27 Karen Snyder HD Petition 9/28/2019
340 Eastern Promenade, Unit 142	X	X	PC27 Karen Snyder HD Petition 9/28/2019
23 Greenway Drive			PC27 Karen Snyder HD Petition 9/28/2019
55 Kellogg St.	X		PC27 Karen Snyder HD Petition 9/28/2019
55 Montreal St.	X	X	PC27 Karen Snyder HD Petition 9/28/2019
55 Montreal St.			PC27 Karen Snyder HD Petition 9/28/2019
9 Willis St.	X		PC28 Nini McManamy HD Petition
10 Willis St.	X	X	PC28 Nini McManamy HD Petition
23 Willis St.	X		PC28 Nini McManamy HD Petition
28 Willis St.	X	X	PC28 Nini McManamy HD Petition
12 Montreal St.	X	X	PC28 Nini McManamy HD Petition
22 Montreal St.	X		PC28 Nini McManamy HD Petition
41 Montreal St.	X		PC28 Nini McManamy HD Petition
42 Montreal St.	X		PC28 Nini McManamy HD Petition
45 Montreal St.	X		PC28 Nini McManamy HD Petition
48 Montreal St.	X		PC28 Nini McManamy HD Petition
55 Montreal St.	X		PC28 Nini McManamy HD Petition
60 Montreal St.	X		PC28 Nini McManamy HD Petition
46 Montreal St.	X		PC28 Nini McManamy HD Petition
55 Montreal St.	X	X	
46 Eastern Promenade	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
81 Vesper St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
10 Willis St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
104 North St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
40 Melbourne St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
11 Munjoy St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
105 North St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
11-15 Morning St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,

27 Merrill St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
29 Morning St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
55 Morning St. , Unit 1-1	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
25 Waterville St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
39 Waterville St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
88 Beckett St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
83 Beckett St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
84 Eastern Promenade	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
12 Montreal St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
23 St. Lawrence St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
72 Waterville St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
188 Eastern Promenade	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
22 O'Brion St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,
101-107 Congress St.	X	X	PC1 Barbara Vestal Letter with Signatures of 4,

82	
	182
Individual Property Owners	Valid Address
1	Yes
1	Yes
	Yes
1	Yes
1	Yes
1	Yes
1	Yes
1	Yes
1	Yes
	Yes
1	Yes
1	Yes
1	Yes
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1	Yes
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Meetings Regarding Proposed MunjoyHill Historic District

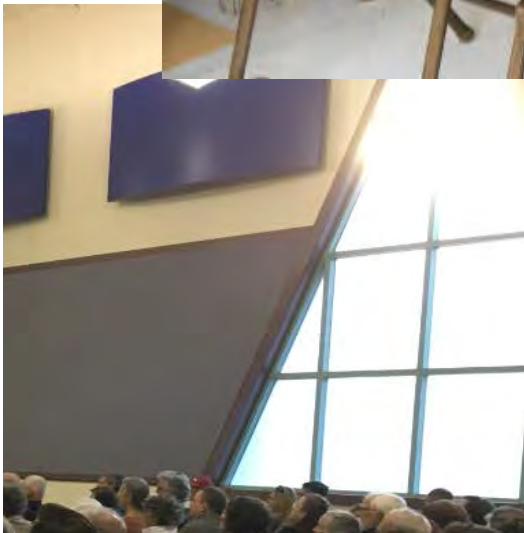
#	Date	Meeting Title
1	2/24/2018	City Listening Session
2	5/7/2018	City Historic Preservation Info Session
3	4/30/2019	Neighborhood Meeting
4	6/13/2019	Neighborhood Information Meeting
5	7/10/2019	Historic Preservation Board Workshp #1
6	7/18/2019	City Notification of District Nomination
7	7/31/2019	Historic Preservation Board Walking Tour #1
8	8/28/2019	Historic Preservation Board Walking Tour #2
9	9/4/2019	Historic Preservation Board Workshp #2
10	10/2/2019	Historic Preservation Board Workshp #3
11	11/6/2019	Historic Preservation Board Workshp #4
12	11/20/2019	Historic Preservation Board Nomination
13	12/10/2019	Planning Board Workshop #1
14	2/11/2020	Planning Board Workshop #2
15	3/10/2020	Planning Board Hearing
16	8/11/2020	Planning Board Final Hearing Vote

Source: <https://portlandmaine.gov/2451/Munjoy-Hill-Historic-District>
<https://portlandmaine.gov/2451/Munjoy-Hill-Historic-District>

Location
East End School
City Hall
East End School?
East End School
City Hall
Deb Andrews
Munjoy Hill
Munjoy Hill
City Hall
City Hall
City Hall
City Hall
City Hall
City Hall
City Hall-Zoom











Item Summary From The Past 5 Meetings/Workshops Held that Show Majority of Portland Supports the Proposed Munjoy Hill Historic District

As of: Tuesday 3/10/2020 at 4:47pm		Email Sent to HPB or Planning Board					Public Comment at Meeting/Workshop				
#	Portland, ME Meeting/Works Shop Held	HD Yes	HD Yes %	HD No	HD No %	Total	HD Yes	HD Yes %	HD No	HD No %	Total
1)	Historic Preservation Board Nomination - 11/20/2019	32	72.7%	12	27.3%	44	14	93.3%	1	6.7%	15
	-If A Munjoy Hill Resident (Unique Person)	20	71.4%	#####	#####	28					
	-If In the Proposed Munjoy Hill Historic District (Unique)	20	76.9%	#####	#####	26					
2)	Planning Board Workshop #1 - 12/10/2019	99	76.7%	30	23.3%	129	23	74.2%	8	25.8%	31
	-If A Munjoy Hill Resident (Unique Person)	62	79.5%	#####	#####	78					
	-If In the Proposed Munjoy Hill Historic District (Unique)	48	78.7%	#####	#####	61					
3)	Planning Board Workshop #2 - 2/11/2020	42	72.4%	16	27.6%	58	19	70.4%	8	29.6%	27
	-If A Munjoy Hill Resident (Unique Person)	30	75.0%	#####	#####	40					
	-If In the Proposed Munjoy Hill Historic District (Unique)	19	79.2%	#####	#####	24					
4)	Planning Board Meeting - 3/10/2020 downloaded 3/10 4:14pm	80	78.4%	22	21.6%	102	41	80.4%	10	19.6%	51
	-If A Munjoy Hill Resident (Unique Person)	67	87.0%	#####	#####	77					
	-If In the Proposed Munjoy Hill Historic District (Unique)	50	86.2%	#####	#####	58					
5)	Planning Board Meeting - 8/11/2020 downloaded at 3pm	#####	80.3%	#####	19.7%	#####					
	-If A Munjoy Hill Resident (Unique Person)	70	81.4%	#####	18.6%	86					
	-If In the Proposed Munjoy Hill Historic District (Unique)	61	87.1%	#####	12.9%	70					
	OVERALL TOTALS: Total All Emails Sent	331	77.7%	95	22.3%	426	97	78.2%	27	21.8%	124
	-If A Munjoy Hill Resident (Unique Person)	#####	84.5%	#####	#####	#####					
	-If In the Proposed Munjoy Hill Historic District (Unique)	#####	95.2%	#####	#####	#####					

Sources:

HPB Nomination- 11/20/2019
 PB Workshop #1-12/10/2019
 PB Workshop#2-02/11/2020
 PB Meeting #1-03/10/2020
 PB Meeting #2-08/11/2020

<https://portlandme.civicclerk.com/Web/Player.aspx?id=533&key=-1&mod=-1&mk=-1&nov=0>
<https://portlandme.civicclerk.com/Web/Player.aspx?id=571&key=-1&mod=-1&mk=-1&nov=0>
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1207&key=-1&mod=-1&mk=-1&nov=0>
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1219&key=-1&mod=-1&mk=-1&nov=0>
<https://portlandme.civicclerk.com/Web/Player.aspx?id=1213&key=-1&mod=-1&mk=-1&nov=0>

#	Other Signed Forms of Public Support or Opposition	# of Signed	# of Munjoy Hill Properties	HD Action	Comments
1)	Barbara Vestal's Letter of 4/30/2019 to HPB with property owners Supporting Proposed Munjoy Hill Historic District (Public Comment #1 from HPB 11/20/2019 Agenda Packet)	23	21	Support	Note: 20 properties were in the proposed Historic District.
2)	Carl Henry's Letter of 8/30/2019 to Deb Andrews and City Councilors with other property owners Opposing Proposed Munjoy Hill Historic District (Public Comment #18 from HPB 11/20/2019 Agenda Packet)	28	18	Opposed	Note: 9 of the properties were in the proposed Historic District.
3)	Karen Snyder's petition on supporting Proposed Munjoy Hill Historic District presented to HPB on 10/1/2019 (Public Comment #27 from HPB 11/20/2019 Agenda Packet)	82	66	Support	
4)	Nini McManamy's petition on supporting Proposed Munjoy Hill Historic District presented to HPB on 10/1/2019. (Public Comment #28 from HPB 11/20/2019 Agenda Packet)	13	12	Support	

Public Feedback in the Historic Preservation Board 11

#	Email Sent By	HD Yes	HD No
TOTALS	Emails Sent Analysis	32	12
	Total Emails Sent	44	
	% Support Munjoy Hill HD	72.73%	
	% Against Munjoy Hill HD	27.27%	
	Email Sent by Unique Person	25	11
	Total Person who Sent Emails	36	
	% Support Munjoy Hill HD	69.44%	
	% Against Munjoy Hill HD	30.56%	
	Public Comment on 11/20/2019	14	1
	Total Public Comments on 11/20/2019	15	
	Support for Munjoy Hill HD	93.33%	
	Against Munjoy Hill HD	6.67%	
#	Email Sent By	HD Yes	HD No
PC 1	Barbara Vestal	X	
PC 1	Barbara Vestal		
PC 1	Barbara Vestal		
PC 1	Barbara Vestal		
PC2	Johanna Henry		X
PC 3	Carol Conner	X	
PC 4	Karen Snyder	X	
PC 5	George Rheault		X
PC 6	George Reiche	X	
PC 7	Enoch Wenstrom	X	
PC 8	Berry Manter	X	
PC 9	Mark Googins		X
PC 9	Mark Googins		
PC 10	Susan Yandell	X	
PC 11	Christopher Akerlind	X	
PC 12	Joanne Dow	X	
PC 13	Julius Ciembroniewicz	X	
PC 14	Linsay Steven Mann		X
PC 15	Alexis Santos		X
PC 16	George and Ushi Carhart	X	
PC 17	Carl Henry		X
PC 18	Markos Miller		X

PC 19	Peter and Deb Murray	X	
PC 20	Liz Hayes	X	
PC 21	Markos Miller		X
PC 22	Carol Conner	X	
PC 23	Berry Manter	X	
PC 24	Nini McMananmy	X	
PC 25	Mike Hoover	X	
PC 26	Live Chase/Brent Adler		X
PC 27	Karen Snyder	X	
PC 28	Nini McMananmy	X	
PC 29	Susan Yandell	X	
PC 30	Adam Frederick	X	
PC 31	EJ Koch	X	
PC 32	Lauren Ashwell		X
PC 33	Travis Agaman		X
PC 34	Liz Hayes	X	
PC 35	Mart99	X	
PC 36	Barbara Vestal	X	
PC 37	Francesca Gallucio-Steele	X	
PC 38	Julie Larry	X	
PC 39	Rhoda Renschler	X	
PC 40	Sally Oldham	X	
PC 41	Ed Gardner	X	
PC 42	Maggy Wolf	X	
PC 43	Diane Davison	X	
PC 43	Diane Davison		
	Emails Sent	32	11

Total Emails Sent	43	
% Support Munjoy Hill HD	74.42%	
% Against Munjoy Hill HD	25.58%	
11/20/2019 HP Public Comment	15	1
Total Public Comments	16	
% Support Munjoy Hill HD	93.75%	
% Against Munjoy Hill HD	6.25%	

Source <https://portlandme.civicclerk.com/Web/Player.aspx?id=533&key=->

/20/2019 Agenda Nomination of Propose

Address	Munjoy Hill Resi	In Proposed HD?
As of 2:30pm 12/10/2019		

Address	Munjoy Hill Resident	In Proposed HD?
7-9 Fore St.	X	X
14-16 North St.	X	X
101 Congress St.	X	X
7-9 Fore St.	X	X
50 St. Lawrence St.	X	X
12 Montreal St.	X	X
72 Waterville St.	X	X
East Bayside		
50 Waterville St.	X	X
88 Beckett St.	X	X
46 Eastern Promenade	X	X
63 Morning St.	X	X
39 Morning St.		
51 Monument St.	X	X
44 Monument St.	X	X
28 Waterville St.	X	X
55 Morning St.	X	X
122 North St.	X	X
7 Lafayette St.	X	X
50 St. Lawrence St.	X	X
17 Atlantic St.	X	X

104 North St.	X	X
107 North St.	X	X
17 Atlantic St.	X	X
12 Montreal St.	X	X
46 Eastern Promenade	X	X
10 Willis St.	X	X
40 Melbourne St.	X	X
65 St. Lawrence St.	X	X
72 Waterville St.	X	X
10 Willis St.	X	X
51 Munjoy St.	X	X
75 W. Commercial St.	X	X
81 Vesper St.	X	X
8 Emerson St.	X	
8 Emerson St.	X	
107 North St.	X	X
107 Congress St.	X	X
22 Clifford St.		
Greater Portland Landmark		
37 Channel Road, SoPo		
118 Congress St.	X	X
84 Eastern Promenade		
28 St. Lawrence St.	X	X
29 Morning St.	X	x
33 Morning St.	X	X

1&mod=-1&mk=-1&nov=0

ed Munjoy Hill Historic District

Comment			
Counting # of emails sent.			
Since some people sent more than 1 email, counting # of people instead of emails sent.			
Comment	#	Public Comment At Meeting	HD Yes
Petition signatures to nominate. 21 signatures representing 21 properties	PC 1	Tom Abbott	
	PC 3	Gail Rengel	X
	PC 4	Sive Nelson	X
	PC 5	Wayne Valzania	X
	PC 6	Peter Murray	X
Individual Landmark Request	PC 7	Karen Snyder	X
	PC 8	Paula Agopian	X
	PC 9	Carol Conner	X
	PC 10	Nini McManamey	X
	PC 11	Stacey Mitchell	X
	PC 12	George Carhart	X
	PC 13	Pam Days	X
	PC 14	Sally Oldham	X
Individual Landmark Request	PC 15	Barbara Vestal	X
Individual Landmark Request			
Individual Landmark Request			
Individual Landmark Request			
Opposition petition signatures; 25 signaturs representing 15 properties			

[illegible]

HD No	Address	Munjoy Hill Resident?	In Proposed HD?
X	21 Sheridan St.	X	X
	34 Lafayette St.	X	
	29 Emerson St.	X	
	27 Merrill St.	X	
	104 North St.	X	X
	72 Waterville St.	X	X
	91 Monument St.	X	
	12 Montreal St.	X	X
	10 Willis St.	X	X
	74 Atlantic St.	X	X
	7 Lafayette St.	X	X
	25 Waterville St.	X	X
	118 Congress St.	X	
	7-9 Fore St.	X	X

Public Feedback in the 12/10/2019 Planning Board Workshop #1 on Propose

#	Email Sent By	HD Yes	HD No	Address	
TOTALS	Emails Sent Analysis	99	30		
	Total Emails Sent	129		As of 2:30pm 12/10/2019	
	% Support Munjoy Hill HD	76.74%			
	% Against Munjoy Hill HD	23.26%			
	Email Sent by Unique Person	79	24		
	Total Person who Sent Emails	103			
	% Support Munjoy Hill HD	76.70%			
	% Against Munjoy Hill HD	23.30%			
	Public Comment on 12/10/2019	23	8		
	Total Public Comments on 11/20/2019	31			
	Support for Munjoy Hill HD	74.19%			
	Against Munjoy Hill HD	25.81%			
#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident?
PC 1	Barbara Vestal	X		7-9 Fore St.	X
PC 2	Johanna Henry		X	50 St. Lawrence St.	X
PC 3	Carol Conner	X		12 Montreal St.	X
PC 4	Karen Snyder	X		72 Waterville St.	X
PC 5	George Rheault		X	East Bayside	
PC 6	George Reiche	X		50 Waterville St.	X
PC 7	Enoch Wenstrom	X		83 Beckett St.	X
PC 8	Berry Manter	X		46 Eastern Promenade	X
PC 9	Mark Googins		X	63 & 39 Morning St.	X
PC 10	Susan Yandell	X		51 Monument St.	X
PC 11	Christopher Akerlind	X		44 Monument St.	X
PC 12	Joanne Dow	X		28 Waterville St.	X
PC 13	Julius Ciembroniewicz	X		55 Morning St.	X
PC 14	Linsay Steven Mann		X	122 North St.	X
PC 15	Alexis Santos		X		
PC 16	George and Ushi Carhart	X		7 Lafayette St.	X
PC 17	Carl Henry		X	50 St. Lawrence St.	X

Public Feedback in the 12/10/2019 Planning Board Workshop #1 on Propose

#	Email Sent By	HD Yes	HD No	Address	
TOTALS	Emails Sent Analysis	99	30		
	Total Emails Sent	129		As of 2:30pm 12/10/2019	
	% Support Munjoy Hill HD	76.74%			
	% Against Munjoy Hill HD	23.26%			
	Email Sent by Unique Person	79	24		
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	% Support Munjoy Hill HD	76.70%			
	% Against Munjoy Hill HD	23.30%			
	Public Comment on 12/10/2019	23	8		
	Total Public Comments on 11/20/2019	31			
	Support for Munjoy Hill HD	74.19%			
	Against Munjoy Hill HD	25.81%			
#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident?
PC 18	Markos Miller		X	17 Atlantic St.	X
PC 19	Peter and Deb Murray	X		104 North St.	X
PC 20	Liz Hayes	X		107 North St.	X
PC 21	Markos Miller		X	17 Atlantic St.	X
PC 22	Carol Conner	X		12 Montreal St.	X
PC 23	Berry Manter	X		46 Eastern Promenade	X
PC 24	Nini McMananmy	X		10 Willis St.	X
PC 25	Mike Hoover	X		40 Melbourne St.	X
PC 26	Live Chase/Brent Adler		X	65 St. Lawrence St.	X
PC 27	Karen Snyder	X		72 Waterville St.	X
PC 28	Nini McMananmy	X		10 Willis St.	X
PC 29	Susan Yandell	X		51 Munjoy St.	X
PC 30	Adam Frederick	X		75 W. Commercial St.	X
PC 31	EJ Koch	X		81 Vesper St.	X
PC 32	Lauren Ashwell		X	8 Emerson St.	X
PC 33	Travis Agaman		X	8 Emerson St.	X
PC 34	Liz Hayes	X		107 North St.	X
PC 35	Mart99	X			
PC 36	Barbara Vestal	X		107 Congress St.	X

Public Feedback in the 12/10/2019 Planning Board Workshop #1 on Propose

#	Email Sent By	HD Yes	HD No	Address	
TOTALS	Emails Sent Analysis	99	30		
	Total Emails Sent	129		As of 2:30pm 12/10/2019	
	% Support Munjoy Hill HD	76.74%			
	% Against Munjoy Hill HD	23.26%			
	Email Sent by Unique Person	79	24		
	Total Person who Sent Emails	103			
	% Support Munjoy Hill HD	76.70%			
	% Against Munjoy Hill HD	23.30%			
	Public Comment on 12/10/2019	23	8		
	Total Public Comments on 11/20/2019	31			
	Support for Munjoy Hill HD	74.19%			
	Against Munjoy Hill HD	25.81%			
#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident?
PC 37	Francesca Gallucio-Steele	X		22 Clifford St.	
PC 38	Julie Larry	X		Greater Portland Landmar	
PC 39	Rhoda Renschler	X		37 Channel Road, SoPo	
PC 40	Sally Oldham	X		118 Congress St.	X
PC 41	Ed Gardner	X		511 Congress St St.	
PC 42	Maggy Wolf	X		28 St. Lawrence St.	X
PC 43	Diane Davison	X		29 Morning St St.	X
PC 44	Julius Ciembroniewicz	X		55 Morning St St.	X
PC 45	Enoch Wenstrom	X		88 Beckett St.	X
PC 46	James Hambley /Jenny Dignan	X		61 Monument St.	X
PC 47	Wayne Valzania	X		27 Merrill St.	X
PC 48	Marlies Reppenhagen	X		55 Morning Stl, Unit 2-2	X
PC 49	Paula Agopian	X		91 Monument St.	X
PC 50	Anita Stewart	X		25 A Forest Ave.	
PC 51	Lori Rounds		X	47 Monument St.	X
PC 52	Kate Howe		X	40 Quebec St.	X
PC 53	Berry Manter	X		46 Eastern Promenade	X
PC 54	Carle Henry		X	50 St. Lawrence St.	X
PC 55	Carol Conner	X		12 Montreal St.	X
PC 56	Joshua Baston		X		

Public Feedback in the 12/10/2019 Planning Board Workshop #1 on Propose

#	Email Sent By	HD Yes	HD No	Address	
TOTALS	Emails Sent Analysis	99	30		
	Total Emails Sent	129		As of 2:30pm 12/10/2019	
	% Support Munjoy Hill HD	76.74%			
	% Against Munjoy Hill HD	23.26%			
	Email Sent by Unique Person	79	24		
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	% Support Munjoy Hill HD	76.70%			
	% Against Munjoy Hill HD	23.30%			
	Public Comment on 12/10/2019	23	8		
	Total Public Comments on 11/20/2019	31			
	Support for Munjoy Hill HD	74.19%			
	Against Munjoy Hill HD	25.81%			
#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident?
PC 57	Nancy/Bob Jordan	X			X
PC 58	Carolyn Swartz	X		27 Merrill St.	X
PC 59	YIMBY		X		
PC 60	Erna Koch	X		81 Vesper St.	X
PC 61	Vana Carmona	X		105 North St., Unit 1	X
PC 62	David Kelly		X	Portland, ME	
PC 63	Debrah Yale		X		
PC 64	Gary Bahlkow	X		42 Lafayette St.	X
PC 65	Jeremy Rutkiewicz		X	161 Congress St.	X
PC 66	Lorraine Carrol	X		31 North St.	X
PC 67	Lydia Savage	X		19 Melbourne St.	X
PC 68	William Gemmill	X			
PC 69	Bruce Wood	X		Old Port	
PC 70	Beth Snyder	X		81 North St.	X
PC 71	Stephen Gaal	X		176 Eastern Promenade	X
PC 72	Diane Davison	X		29 Morning St.	X
PC 73	Robin Whitten	X		23 St. Lawrence St.	X
PC 74	Elizabeth Miller		X	46 Waterville St.	X
PC 75	Sara Mills	X			
PC 76	Sally Oldham	X		118 Congress St.	X
PC 77	Leslie Hart	X		215 Sheridan St.	X

Public Feedback in the 12/10/2019 Planning Board Workshop #1 on Propose

#	Email Sent By	HD Yes	HD No	Address	
TOTALS	Emails Sent Analysis	99	30		
	Total Emails Sent	129		As of 2:30pm 12/10/2019	
	% Support Munjoy Hill HD	76.74%			
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	Support for Munjoy Hill HD	74.19%			
	Against Munjoy Hill HD	25.81%			
#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident?
PC 78	Betty Lorber	X		225 Sheridan St.	X
PC 79	Priscilla Harrison	X			
PC 80	Chris Stewart	X		81 North St.	X
PC 81	Susan Gillis		X	48 Congress St.	X
PC 82	Carol McCracken		X	Portland, ME	
PC 83	Oliver Murray	X		55 Montreal St.	X
PC 84	Patricia Erikson	X			
PC 85	Ben Poirer	X		Cape Elizabeth	
PC 86	Susan Yandell	X		51 Monument St.	X
PC 87	Liz Hayes	X		107 North St.	X
PC 88	Anne Manganello		X	84 Quebec St.	X
PC 89	Jonathan Wylie/Gail Ringel	X		34 Lafayette St.	X
PC 90	Martha Emerson	X		340 Eastern Promenade	X
PC 91	KE Smith	X		80 Quebec St.	X
PC 92	Ann Casady	X		205 Sheridan St.	X
PC 93	Peter and Deb Murray	X		104 North St.	X
PC 94	Abbie McMillen	X		26-28 Vesper St.	X
PC 95	Nancy Brian	X		118 Congress St.	X
PC 96	Carol J. DeTine	X		144 Vaughn St.	X
PC 97	Marianne Pratt	X		224 Sheridan St.	X
PC 98	Hillary Bassett	X		55 Morning St.	X

Public Feedback in the 12/10/2019 Planning Board Workshop #1 on Propose

#	Email Sent By	HD Yes	HD No	Address	
TOTALS	Emails Sent Analysis	99	30		
	Total Emails Sent	129		As of 2:30pm 12/10/2019	
	% Support Munjoy Hill HD	76.74%			
	% Against Munjoy Hill HD	23.26%			
	Email Sent by Unique Person	79	24		
	Total Person who Sent Emails	103			
	% Support Munjoy Hill HD	76.70%			
	% Against Munjoy Hill HD	23.30%			
	Public Comment on 12/10/2019	23	8		
	Total Public Comments on 11/20/2019	31			
	Support for Munjoy Hill HD	74.19%			
	Against Munjoy Hill HD	25.81%			
#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident?
PC 99	Dan Haley		X	140 Eastern Promenade	X
PC 100	Betty and John Wuestoff	X		15 Morning St.	X
PC 101	Katy Brewer	X			
PC 102	Nancy Guimond	X		13 Waterville St.	X
PC 103	Greater Portland Landmark	X			
PC 104	Tica Douglas	X		11 Munjoy St.	X
PC 105	Lori Rounds		X	47 Monument St.	X
PC 106	Mary Casale	X		39 Waterville St.	X
PC 107	Enoch Wenstrom	X		88 Beckett St.	X
PC 108	Pamela Day	X		25 Waterville St.	X
PC 109	Travis Agaman		X	8 Emerson St.	X
PC 110	Andrew Glassberg	X		340 Eastern Promenade	X
PC 111	Jill Nixon	X		118 Congress St.	X
PC 112	Rob Whitten	X		188 Eastern Promenade	X
PC 113	Paul Haley		X	62 Waterville St.	X
PC 114	Nini McMananmy	X		10 Willis St.	X
PC 115	Carl Henry		X	50 St. Lawrence St.	X
PC 116	Peter Pitegoff			205 Sheridan St.	X
PC 117	Anne Pringle	X		Neal St	
PC 118	William Hall	X		Pleasant Ave.	
PC 119	Gail Ringle	X		34 Lafayette St.	X

Public Feedback in the 12/10/2019 Planning Board Workshop #1 on Propose

#	Email Sent By	HD Yes	HD No	Address	
TOTALS	Emails Sent Analysis	99	30		
	Total Emails Sent	129		As of 2:30pm 12/10/2019	
	% Support Munjoy Hill HD	76.74%			
	% Against Munjoy Hill HD	23.26%			
	Email Sent by Unique Person	79	24		
	Total Person who Sent Emails	103			
	% Support Munjoy Hill HD	76.70%			
	% Against Munjoy Hill HD	23.30%			
	Public Comment on 12/10/2019	23	8		
	Total Public Comments on 11/20/2019	31			
	Support for Munjoy Hill HD	74.19%			
	Against Munjoy Hill HD	25.81%			
#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident?
PC 120	Karen Snyder	X		72 Waterville St.	X
PC 121	Markos Miller		X	17 Atlantic St.	X
PC 122	Peggy Hefferen	X		8 Sherbrook St.	X
PC 123	Mike Hammen	X		127 Pleasant St.	X
PC 124	Nancy Machesney	X		213 Sheridan St.	X
PC 125	Stephen Shiffman	X		9 Waterville St.	X
PC 126	Wayne Valzania - MHNO	X		MHNO	
PC 127	Chuck Kamr	X		55 Morning St.	X
PC 128	Lauren Ashwell		X	8 Emerson St.	X

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d Munjoy Hill Historic District

	Comment
	Counting # of emails sent.
	Since some people sent more than 1 email, counting # of people instead of emails sent.
	Only 2 of the 8 that opposed were actually in the proposed Munjoy Hill Historic District. 2 were not even Munjoy Hill residents. Another 2 all ready had demolitions on Munjoy Hill.
In Proposed HD?	Comment
X	Petition signatures to nominate. 21 signatures representing 21 properties
X	
X	Individual Landmark Request
X	
X	
X	
X	
X	
X	Individual Landmark Request
X	Individual Landmark Request
X	Individual Landmark Request
X	
X	
X	Individual Landmark Request
X	Opposition petition signatures; 25 signaturs representing 15 properties

d Munjoy Hill Historic District

	Comment
	Counting # of emails sent.
	Since some people sent more than 1 email, counting # of people instead of emails sent.
	Only 2 of the 8 that opposed were actually in the proposed Munjoy Hill Historic District. 2 were not even Munjoy Hill residents. Another 2 all ready had demolitions on Munjoy Hill.
In Proposed HD?	Comment
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	Petition submitted; 80 signatures representing 60 properties.
X	Petition submitted- small petition on Willis St.
X	
X	
X	
X	
X	

d Munjoy Hill Historic District

	Comment
	Counting # of emails sent.
	Since some people sent more than 1 email, counting # of people instead of emails sent.
	Only 2 of the 8 that opposed were actually in the proposed Munjoy Hill Historic District. 2 were not even Munjoy Hill residents. Another 2 all ready had demolitions on Munjoy Hill.
In Proposed HD?	Comment
X	
X	
X	
X	Starts to address Planning Board for 12/10/2019 workshop.
X	
X	
X	

X	
X	
X	

d Munjoy Hill Historic District

	Comment
	Counting # of emails sent.
	Since some people sent more than 1 email, counting # of people instead of emails sent.
	Only 2 of the 8 that opposed were actually in the proposed Munjoy Hill Historic District. 2 were not even Munjoy Hill residents. Another 2 all ready had demolitions on Munjoy Hill.
In Proposed HD?	Comment
	Owns 6 Buildings on Munjoy Hill?
X	
X	
	Broker for Tom Landry
X	
X	30 yr resident
X	
X	
X	
X	
X	
X	

d Munjoy Hill Historic District

	Comment
	Counting # of emails sent.
	Since some people sent more than 1 email, counting # of people instead of emails sent.
	Only 2 of the 8 that opposed were actually in the proposed Munjoy Hill Historic District. 2 were not even Munjoy Hill residents. Another 2 all ready had demolitions on Munjoy Hill.
In Proposed HD?	Comment
	Moved off of Munjoy Hill 6 yrs ago
X	
X	
	Doesn't live on the Hill.
X	
	3rd generation Munjoy Hill
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	

d Munjoy Hill Historic District

	Comment
	Counting # of emails sent.
	Since some people sent more than 1 email, counting # of people instead of emails sent.
	Only 2 of the 8 that opposed were actually in the proposed Munjoy Hill Historic District. 2 were not even Munjoy Hill residents. Another 2 all ready had demolitions on Munjoy Hill.
In Proposed HD?	Comment
X	
X	
	Grew Up on the Hill
X	
X	
X	
X	
X	
X	
X	
X	
X	
X	0
X	
	Referring to 128R North/ 126 North
	Use to be on Planning Board
X	

d Munjoy Hill Historic District

	Comment
	Counting # of emails sent.
	Since some people sent more than 1 email, counting # of people instead of emails sent.
	Only 2 of the 8 that opposed were actually in the proposed Munjoy Hill Historic District. 2 were not even Munjoy Hill residents. Another 2 all ready had demolitions on Munjoy Hill.
In Proposed HD?	Comment
X	
X	
X	
X	
	Downloaded packet on noon 12/10/2019

Public Feedback in the 03/10/2020 Planning Board Public Hearing on Proposed Munjoy Hill Historic District

#	Email Sent By	HD Yes	HD No	#			
Emails Sent Analysis		80	22	Downloaded on 3/10/2020 at 3:50pm			Counting # of emails sent.
Total Emails Sent		102					
% Support Munjoy Hill HD		78.43%					
% Against Munjoy Hill HD		21.57%					
Email Sent by Unique Person		79	18	6 of 18 (33%) do not live on Munjoy Hill 9 of 18 (50%) are not in proposed HD District			Since some people sent more than 1 email, counting # of people instead of emails sent.
Total Person who Sent Emails		87					
% Support Munjoy Hill HD		81.44%					
% Against Munjoy Hill HD		18.56%					
Public Comment on 03/10/2020		41	10				
Total Public Comments on 3/11/2020		51					
Support for Munjoy Hill HD		86.39%					
Against Munjoy Hill HD		13.61%					

#	Email Sent By	HD Yes	HD No	Address	Munjoy Hill Resident?	% Proposed 100?	Comment
PC10	Abby Nelson	X		12 Wadsworth St.	X	X	
PC10	Alice MacGillivray	X	X	84 Quabbin St.	X	X	
PC11	Aimee MacGillivray	X		84 Quabbin St.	X	X	
PC12	Andrew Fialos	X		17 North St.	X	X	
PC13	Barbara Brown	X		156 Sheridan St. #2C	X		
PC14	Bern Bouvard	X		40 Wadsworth St.	X	X	
PC14	Bern Bouvard	X		51 Wadsworth St.	X	X	
PC15	Beth Slinger	X		81 North St.	X	X	
PC16	Bruce Wood	X		607 Chandler's Wharf	X		
PC17	Caroline Myers	X		45 Eastern Promenade, Unit B-6	X		
PC18	Carol Hemen	X	X	50 St. Lawrence	X	X	
PC19	Carol Connor	X		12 Monmouth St.	X	X	
PC20	Carol MacCadden	X	X	Portland			
PC21	Caroline Searcy	X		127 Merrill St.	X	X	
PC22	Christopher Ackerman	X		44 Monmouth St.	X	X	
PC23	Christopher Jensen	X		81 North St.	X	X	
PC24	Christa Diller	X		Munjoy Hill?	X		
PC25	Carlynn Schmidt	X		211 Sheridan St. #1	X	X	
PC26	David Lind	X		29 Wadsworth St.	X	X	
PC27	Debra Cote	X		71 Wadsworth St.	X	X	
PC28	Debra Frazier	X		215 St. Lawrence	X	X	
PC29	Don Hays	X		107 North St.	X	X	
PC30	Don Stein	X		61 Rogers St.			
PC31	George Branch	X		Beverly			
PC32	Joe Walsh	X		Portland, Munjoy, Nkenen Clean Maney?			
PC33	John McManis	X	X	4 Cumberland Fallsouth			
PC34	Kathryn Yates	X					
PC35	Kenneth and Joyce Baly	X		59 Mountfort St.	X		
PC36	Karen Schofield	X		215 Sheridan St.	X		
PC37	Linda Hart	X		215 Sheridan St.	X		
PC38	Maggie Grant	X		28 St. Lawrence	X	X	
PC39	Marissa Swann	X		28 St. Lawrence	X	X	
PC40	Max Cormack	X		87 Rogers St.	X	X	
PC41	Nancy MacGillivray	X		215 Sheridan St.	X		
PC42	Nancy Triggler	X		7 Abbott Lane	X	X	
PC43	Ned Chasler	X		11 St. Lawrence	X	X	
PC44	Paul Freeman	X		7 Atlantic St.	X	X	
PC45	Rob and Jeanne Bull	X		68 Abbott St.	X	X	
PC46	Ryan Fitzgerald	X	X	51 Monmouth St.	X	X	
PC47	Sally O'Brien	X		118 Congress	X		
PC48	Ted O'Brien	X		118 Congress	X		
PC49	Tina Duncan	X		111 Munjoy St.	X	X	
PC50	Toni Kennedy	X		140 Eastern Promenade, Unit 213	X		
PC51	Tyler Agopian	X		8 Emerson St.	X		
PC52	Wendy Chandler	X	X	33 May St.			
PC53	William Schmitt	X		177 North St. Apt 4	X	X	
PC54	William Roberts	X		Portland, Woodford			
PC55	Vera Carmina	X		105 North St. Apt 3	X	X	
PC56	Martha Emerson	X		140 Eastern Promenade, Unit 247	X		
PC57	Benji Mayer	X		211 Sheridan St.	X		
PC58	Georgia Carlson	X		80 St. Lawrence?	X		
PC59	Matt Thayer	X		62 Munjoy St.	X	X	
PC60	Uchi Carhart	X		7 Lafayette St.	X	X	
PC61	Mikael Backstrom	X		211 Branchett St.			
PC62	Miss McManis	X		51 Willow St.	X	X	
PC63	Nathan Swanson	X		215 Eastern Promenade, Unit #1	X	X	
PC64	Mary Casale	X		39 Wadsworth St.	X	X	
PC65	Joel Harris	X		18 Branchett St. Cumberland			
PC66	Patricia Murray	X		104 North St.	X	X	
PC67	Lindsey Swann	X		122 North St.	X	X	
PC68	Erin MacGillivray	X		88 Backett St.	X	X	
PC69	Barbara Vintia	X		115 Fore St.	X	X	
PC70	Gail Weststrom	X		81 Backett St.	X	X	
PC71	Karen Swisher	X		17 Wadsworth St.	X	X	
PC72	Gail Weststrom	X		81 Backett St.	X	X	
PC73	Faye Day	X		51 Wadsworth St.	X	X	
PC74	Beth Wainwright	X		51 Monmouth St.	X	X	
PC75	Hilary Russell	X		51 Monmouth St.	X	X	
PC76	Cara DeChen	X		144 Congress St.			
PC77	Ed Gardner	X		511 Congress St.			
PC78	Francesca Gallicchio-Fleete	X		12 Clifford St.			
PC79	Robert Davis	X		61 Mulbourne St.	X	X	
PC80	Carl Henry	X	X	50 St. Lawrence	X	X	
PC81	George Carlson	X		7 Lafayette St.	X	X	
PC82	Greater Portland Landmarks	X		50%			
PC83	Emily Hartley	X		104 North St.	X	X	
PC84	Joan Lynch	X	X	777			
PC85	Jo Ann Kayatta	X		777			
PC86	Priscilla Kinsley	X		101 North St. Apt 4	X	X	
PC87	Laura Shen & Will Gilson	X	X	59 Moody St.	X	X	
PC88	Leann Patrick	X		63 Moody St.	X	X	
PC89	Adam Fernald	X	X	46 Walnut St.	X	X	
PC90	Sarah Goss	X		54 Walnut St.	X	X	
PC91	Kathleen Bender	X		11 North St.	X	X	
PC92	Karen Harrison	X	X	84 Munjoy St.	X	X	
PC93	Ryan Keller	X	X	52 Clifford St.	X		
PC94	Elizabeth Houghton	X		Portland			
PC95	Erica Koch	X		81 Rogers St.	X	X	
PC96	George Branch	X		Beverly			
PC97	George Branch	X	X	Beverly			
PC98	John Canham	X	X	61 Mountfort St.	X		
PC99	Julian Cieslinski-Szwarc	X		51 Monmouth St.	X	X	
PC100	Kate Howe	X	X	40 Quabbin St.	X	X	
PC101	Kathy Winsler	X		52 Monmouth St.	X		
PC102	Mary Baird	X		Portland			
PC103	Mika Cavanaugh	X		39 Munjoy St.	X	X	
PC104	MS-107	X		7407			
PC105	Paula Agopian	X		30 Monmouth St.	X		
PC106	Robert Moran	X		Portland			
PC107	Stephen Moran	X		46 Emerald St.	X		
PC108	William Moran	X		125 Monmouth St.	X	X	
PC109	Barbara Krapp	X		141 North St.	X	X	

Public Emails Sent BEFORE 08/11/2020 Planning Board

#	Email Sent By	HD Yes	HD No
TOTALS	Total Emails Sent Analysis	110	27
	Total Emails Sent	137	
	% Support Munjoy Hill HD	80.29%	
	% Against Munjoy Hill HD	19.71%	
	Munjoy Resident Emails Sent Analysis	70	16
	Total Emails Sent	86	
	% Support Munjoy Hill HD	81.40%	
	% Against Munjoy Hill HD	18.60%	
#	Email Sent By	HD Yes	HD No
PC01	Abby Harvey	X	
PC02	Adair O'Reilly	X	
PC03	Adrian Duroc-Danner	X	
PC04	Al Hirst		X
PC05	Alex Jaegarman	X	
PC06	Alic Gauvin	X	
PC07	Andrew Glassberg	X	
PC08	Angela Adams	X	
PC09	Ann Manganello (Had 2nd email)		X
PC10	April Wernig	X	
PC11	Ava Guerlian	X	
PC12	Barbara Goodbody	X	
PC13	Barbara Vestal	X	
PC14	Berry Manter	X	
PC15	Beth Snyder	X	
PC16	Betsy Elliman	X	
PC17	Brent Adler		X
PC18	Bruce Wood	X	
PC19	Candace Lee	X	
PC20	Carle Henry?		X
PC21	Carol Connor	X	
PC22	Carol De Tine	X	
PC23	Charles Kamar	X	
PC24	Christine Cantwell	X	
PC25	Christopher Akerlind	X	
PC26	Chris Stewart	X	
PC27	Chuck Kamar (Had 2nd email)	X	

PC28	Clare LaVergne	X	
PC29	Curt Sachs	X	
PC30	Mary Haeger	X	
PC31	David Machesney	X	
PC32	Deb Chase	X	
PC33	Deborah Cole	X	
PC34	Denise Preisser	X	
PC35	Derek Campbell	X	
PC36	Diane Davison	X	
PC37	Edmund Gardner	X	
PC38	Edward Mooney	X	
PC39	Edwin Chester	X	
PC40	Ruth Hansen	X	
PC41	Elaine Clark	X	
PC42	Eleanor Morse	X	
PC43	Emma Holder		X
PC44	Enoch Wenstrom	X	
PC45	Francesca Galluccio-Steele	X	
PC46	Fraser Nelson	x	
PC47	George Carhart	X	
PC48	George Rheault		X
PC49	Grace Braley	X	
PC50	Herb Adams	X	
PC51	Jamie Hogan	X	
PC52	Jenny Potter Scheu		X
PC53	Jeremy Rutkiewicz		X
PC54	Jeremy Smith		X
PC55	Jull Terranova	X	
PC56	Jo Israelson	X	
PC57	Joe Walsh		X
PC58	John Johnstone	X	
PC59	John Whitehouse		X
PC60	Jon Hall	X	
PC61	Judith Perry	X	
PC62	Judieth Tierney	X	
PC63	Julie Larry	X	
PC64	Julius Ciembroniewicz	X	
PC65	Karen Snyder (Had 2nd email)	X	
PC66	Katy Brewer	X	
PC67	Ken Capron		X
PC68	Kevin Johnson	X	
PC69	Kevin Schochat	X	
PC70	Kristen Platt	X	
PC71	Lauren Ashwell		X
PC72	Leslie Hart	X	
PC73	Linda Bancroft		X
PC74	Linda Tyler	X	

PC75	Liz Hayes	X	
PC76	Lori Rounds		X
PC77	Lucas Blom		X
PC78	Lynn Mason	X	
PC79	Maggy W	X	
PC80	Marianne Chapman	X	
PC81	Markos Miller		X
PC82	Marlies Reppenhagen	X	
PC83	Martha Emerson	X	
PC84	Mary Casale	X	
PC85	Melissa Sweet	X	
PC86	Mike Hoover	X	
PC87	Michael St. Pierre		X
PC88	Mike Webster		X
PC89	Nancy Barba	X	
PC90	Nancy Thayer	X	
PC91	Nate Stevens	X	
PC92	Nathan Szanton	X	
PC93	Nick and Caron Murray		X
PC94	Jean McManamy (Duplicate)	X	
PC95	Pamela Day	X	
PC96	Pamela Shelton	X	
PC97	Paul Lafovore	X	
PC98	Paula Agopian	X	
PC99	Peter Monro	X	
PC100	Phillip Pendleton	X	
PC101	Betty Wuestoff	X	
PC102	Rebecca Stephens	X	
PC103	Rob Whitten	X	
PC104	Robert Morse	X	
PC105	Ronald Savitt	X	
PC106	Sally Oldham	X	
PC107	Sarah Auld	X	
PC108	Sarah Hansen	X	
PC109	Sherwood Hamill	X	
PC110	Stephen Gaal	X	
PC111	Susan Bristol	X	
PC112	Tim Wells		X
PC113	Travis Agaman		X
PC114	Vana Carmona	X	
PC115	Wayne Valzania, MHNO Pres	X	
PC116	Wayne Valzania	X	
PC117	Wendy Cherubini		X
PC118	William Hall	X	
PC119	Zack Barowitz		X
PC120	Zane Peterson		X
PC121	Carolyn Swartz	X	

PC122	Dan Haley Jr		X
PC123	Elizabeth Streeter	X	
PC124	Hilary Bassett	X	
PC125	Kathleen Bender	X	
PC126	Kristina Minister	X	
PC127	Thomas Ainsworth	X	
PC128	Kate Philbin	X	
PC129	David Cowie	X	
PC130	EJ Koch	X	
PC131	Elizabeth Hayes	X	
PC132	Karen Harrison		X
PC133	Lorrayne Carroll	X	
PC134	Meg Walker	X	
PC135	Nancy Brian and John Watson	X	
PC136	Nancy Machesney	X	
PC137	Elizabeth McCormick	X	

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Public Hearing Final Vote on Proposed Munjoy Hill Historic District

Comments			
Downloaded again on 8/11/2020 at 3pm Note: Any multiple emails from a person, the last email was counted.			Counting # of emails sent.
Address	Munjoy Hill Resident?	In Proposed HD?	Comment
17 Waterville St.	X	X	
279 Congress;St. Paul's Anglican Church			
13 Atlantic ST	X	X	
398 Spring St			
13 Atlantic ST	X	X	
	X		
2 Atlantic St	X	X	
84 Quebec St	X	X	
69 Brookside St			
??			
Waterville St	X	X	
2 Fore St	X	X	
46 Eastern Promenade	X	X	
81 North St	X	X	
91 Walnut St.	X		
607 Chandler's Wharf			
Trustee, Greater Portland Landmarks			
50 St. Lawrence	X	X	
12 Montreal St.	X	X	
144 Vaughan St.			
55 Morning St	X	X	
Highland St.			
44 Monument	X	X	
81 North St	X	X	
55 Morning St	X	X	

Vesper St	X	X	
Architect restoring Jewish Heritage Center			
69 Knickerbocker Lane			
213 Sheridan st	X	X	
Orchard St.			
71 Walnut St.	X	X	
25 Fore St Apt 2	X	X	
Morning St	X	X	
511 Congress St			
77 Vesper St, Apt 1	X	X	
2 Fore St	X	X	
Peaks Island			
Parkside President			
88 and 83 Beckett St.	X	X	
22 Clifford St.			
230 East Broadway #709, SLC Utah			
7 Lafayette St.	X	X	
Oxford St.			
Parkside			
Peaks Island			
29 Waterville St, Apt 3	X	X	
161 Congress St.	X	X	
100 Sheridan St.	X		
?	X		
59 Moody St.	X	X	
Green Clean Maine			
Developers are like heat seeking missels			
44 Belfield St.			
former resident of 123 Congress St.			
Long Term Resident on the Hill	X		
Greater Portland Landmarks			
55 Morning St.	X	X	
72 Waterville St.	X	X	
1375 Forest Avenue			
41 Montreal St.	X	X	
215 Sheridan St.	X	X	
61 Montreal St. Apt 3	X	X	
8 Emerson St.	X		
215 Sheridan St.	X	X	
PO Box 4910 Portland, ME Aquarius Ralty			
52 St. Lawrence St.	X	X	

107 North St.	X	X	
47 Monument St.	X		
183 Brackett St.			
Newport, MA			
28 St. Lawrence	X	X	
?	X		
17 Atlantic St.	X	X	
55 Morning St, 2-2	X	X	
340 Eastern Promenade #247	X	X	
39 Waterville St.	X	X	
St. Lawrence St.	X	X	
Melbourne St.	X	X	
amateur builder			
175 Congress St.	X	X	
18 Pleasant St.			
80 Best St.			
22 Eastern Promenade	X	X	
40 St. Lawrence	X	X	
10 Willis St.	X	X	
25 Waterville St.	X	X	
225 York St.			
?			
90 Monument St.	X		
32 May St.			
77 Park St.			
11 Morning St.	X	X	
Vesper St	X	X	
23 St. Lawrence St.	X	X	
208 Sheridan St.	X	X	
118 Congress	X		
43 Munjoy St.	X	X	
President, Greater Portland Landmarks			
2 Atlantic St.	X	X	
Eastern Promenade	X		
31 Fore St.	X	X	
37 Montreal St.	X		
8 Emerson St.	X		
105 North St. ,Apt 1	X	X	
MHNO, 92 Congress St.	X	X	
23 Merrill St.	X		
33 May St.			
317 Pleasant Ave, Peaks Island			
Huntress St.			
Lives on Munjoy Hill?	X		
23 Merrill St.	X		

Eastern Promenade	X	X	
Quebec St.	X	X	
55 Morning St.	X	X	
11 North St.	X	X	
101 North St	X	X	
12 Garrison St.			
45 Eastern Promenade 6J	X	X	
32 North St.	X	X	
81 Vesper St.	X	X	
77 St. Lawrence St.	X	X	
34 Munjoy St.	X	X	
31 North St.	X	X	
234 Eastern Promenade	X	X	
Lives on Munjoy Hill?	X	X	
213 Sheridan st	X	X	
371 Preble St., SoPo			

/=-1&mod=-1&mk=-1&nov=0

0.7

No Public Comment was taken.

[illegible]

Vote in

Kate Philbin <kphilb3@gmail.com>

Nov 9, 2020 12:52 PM

Posted in group: **Planning Board**

Planning Board Members and Councilwoman Ray,

I am writing to show my support for the Munjoy Hill Historic District. I ask that you vote in support of the designation. The proposed district achieves the goals of both sides. It will preserve a number of historically important areas of the Hill as well as leaving many options for future redevelopment and new development on the Hill.

(
Thank you,

Kate Philbin
Eastern Promenade

Support the Historic district

Kelly booklover <kellybooklover@gmail.com>

Nov 6, 2020 9:08 AM

Posted in group: **Planning Board**

History is so important , and one reason why people like to come to our beautiful city in Maine. Please support our historic district on Munjoy Hill. I have worked in this neighborhood for 12 years, and do not like to see the historic homes, businesses or park areas being lost or torn down. I am a big fan of utilizing what you have, and keeping the history intact and updating structures and homes, instead of tearing down completely and rebuilding.

I lived in Colorado for almost 20 years and saw how our downtown and neighborhoods were changed from their charming historical structures to new houses made with cheap construction, and cookie cutter styles, high rises with 3 stories. It changes the neighborhoods from homeowners to renters, and at times that is not positive for neighborhoods in many different ways.

Boulder, Colorado downtown, where I watched this gentrification is not quaint like it used to be, and thus people who enjoyed that and came to that city to live, work and visit, would go elsewhere to find it.

Now, very similar to that, in Portland, the section of all new condos around the India street area is truly not historical at all, and the charm is forever lost. Beautiful Architecture, history, stories passed down in that neighborhood and childhood memories are all lost. Same thing is now happening in east end Portland and is sad to see. I know what happens next

Thank you for listening, please help save our historic districts!

Kelly Day

Sent from my iPhone

Over Commitment of our Neighborhoods

KenCapron1 <kcapron1@maine.rr.com>

Nov 9, 2020 12:49 PM

Posted in group: **Planning Board**

Dear members,

I would like you to oppose the use of a Historic District designation for Munjoy Hill or any neighborhood. This is because of the obligations such a designation burdens some homeowners with. In some cases, these restrictions will force people to either not comply or to move to some place where the government doesn't tell you how to manage your own home.

Kenneth Capron



Virus-free. www.avg.com

Please support the Munjoy Hill Historic District!

Kristin Schardt <kaschardt@gmail.com>

Nov 12, 2020 4:48 PM

Posted in group: **Planning Board**

Mayor Snyder and City Councilors,

I urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland's existing historic districts in the last five years. Portland's historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th. Thank you.

Public Comment Ahead of Proposed Munjoy Hill Historic District

Laura Shen <lauraelizabethshen@gmail.com>

Nov 8, 2020 4:07 PM

Posted in group: **Planning Board**

Hello,

Please find attached my public comment as submitted in the last round of comments but to be flagged for the City Councillors.

Best,
Laura Shen

59 Moody Street
Portland, ME 04101

Brandon Mazer
Chair, Planning Committee
City of Portland, Maine
389 Congress St
4th Floor
Portland, ME 04101

March 11, 2020

Dear Mr. Mazer,

Thank you and the Planning Board for listening to Laura's public comments yesterday, March 10th. Laura had to leave at 9PM but we watched the recording and wanted to follow-up with responses to Ms. Andrews and Ms. Grimando comments regarding our concerns – particularly around the Notification to Property Owners & Inclusion in the Process and District Line Inconstistencies. Our comments below are additive to our letter submitted on March 5th (*see Exhibit 6*).

Notification to Property Owners & Inclusion in the Process.

- The Historic Preservation members present seemed to imply that we were at fault for not knowing that our home was affected by the historic district and they both agreed that our not being notified was a one-off exception ("they only ones we are aware of" Ms. Andrews stated).
- **Basic Notification.** The formal messaging on the Historic Preservation Board website said that "All affected property owners will receive notices prior to each upcoming meeting." When we bought our home, half the property was in the draft document and half was not. We checked the website and it said affected homeowners would be notified before each meeting. Nowhere on the website does it say – check the Portland Press Herald for more details. Nor was there language on the website that said recent homeowners must proactively reach out because the Assessor's office takes up to 4 months (Ms. Andrews told us up to 4 months last week – not "4-5 months" as she stated last night). Nor were there signs posted on the affected streets ahead of major hearings and workshops. The Historic Preservation Board and city websites are the official source for all information regarding this process. As responsible homeowners, we were aware (we would not go as far as to say "well aware" as Ms. Andrews stated) of the on-going overlay and process but we also trusted that local government would keep us informed per the instructions on their website that is regularly updated before and after each meeting. We'd like to reiterate that we were never actually notified. We proactively reached out on February 17 and Ms. Andrews returned on message on February 20. We were not given basic notification and as a result have issue with the current map and our inclusion as a "contributing" property.
- **One-off exception.** Given Ms. Andrew's verbal description of the administrative error that left us off the distribution list, we would assume that anyone who bought a home in the proposed district during a certain period of time would have been excluded from proper notification. We only caught this issue two weeks ago. We believe it is the responsibility of the Preservation

Board to audit their processes to determine how homeowners were affected and conduct additional workshops and allow for changes to the current proposal. An audit would include reviewing all property transactions in the affected area over an extended period of time then comparing the new homeowner list to the distribution list used by the Historic Preservation Board. According to Ms. Andrews' statement, the erroneous list was pulled in the "summer" of 2019 but that list would preclude anyone who's paperwork was being processed in the Assessor's office. We bought our home in June, but there's no telling how outdated the list was without an internal investigation. I conducted a rudimentary Zillow search of the Munjoy Hill area that showed 56 homes sold in the last 12 months.

District Line Inconsistencies.

- Half of our property is in the proposed district and half is outside of the proposed district. Ms. Andrews said that was because our property is on two parcels of land and referred to the land excluded from the proposed district as a "separate parcel" and "an empty, undeveloped parcel" based on their examination of the map.
- **A single parcel according to City and State documentation.** To the best of our knowledge as homeowners, our property at 59 Moody and the combined Homeowners Association with 57 Moody is one parcel that is not subdivided on the line that appears in the current version of the proposed historic district as two parcels – one of which is in and one of which is out of the proposed historic (*see Exhibit 1*). The documentation we have – including past Zoning Board approvals (*see Exhibit 2*) and the Plan of Boundary Survey submitted and approved by the State of Maine Registry of Deeds (*see Exhibit 3*) – indicates we have a single lot with one property line around both encapsulating the building unit and parking area.
- **Not an "empty, undeveloped parcel".** Ms. Andrews' statement that the excluded area of 59 Moody Street is a "undeveloped lot" is false. It is an active paved parking area that houses up to two cars and used for our household activities. We step foot in that area everyday. Every evening it has houses our two cars. It is actively maintained with fencing and seasonally curated by us as homeowners. It is by no means empty and undeveloped.
- **Identical neighboring area included.** Would also like to reiterate that behind all four rowhomes is one combined parking area. The area behind 59&57 Moody – is paved while the area behind 55&53 Moody is a mix of pavement and gravel (*see Exhibit 4*). For some reason, which still hasn't been clearly articulated by Ms. Andrews or Ms. Grimando, the parking area behind 59&57 Moody is excluded from the Historic District recommendation, while the parking area behind 55&53 Moody is included in the Historic District (*see Exhibit 5*). Had we been part of the conversation before the recommendation was finalized, we could've had this discussion. Our recommendation would be to exclude the parking area from both HOAs for consistency as neither should be deemed contributing factors to the historic district.
- This oversight exemplifies the haphazard approach to district lines and the lack of knowledge of all affected properties. Given the impact of this proposed district, we would expect clear understanding of lot lines and properties from those managing the process. Ms. Andrews could not give facts about the property when asked by Mr. Mazer about the merged nature of the lots, which our documentation as homeowners would say it is not. The Preservation Board has spread itself too broad – without the depth and knowledge needed - as it tries to do too much with its current proposal.

We would also continue to emphasize the point from our March 5 letter that our home should be excluded from the proposed district as "non-contributing" due to extensive renovations including an addition and installation of a large modern roof deck. No other property within the proposed district has

such a structure because they have all already been deemed “non-contributing”. We believe our property should also fall in this category.

This city is in the process of building the Portland of the future and the City Council has a plan for 2030 and vision of the city we evolve into. It is unclear how the designation of Munjoy Hill as a historic district will allow us to do that. The vibrancy of a community that is equitable, sustainable, and dynamic does not stem from the burden of historic district designation and rules. We understand significant effort has been put into the process to-date, but the result is an inconsistent proposal.

Again, from our vantage point, we were unable to inform the process because of a lack of due process and would like our property at 59 Moody Street removed from any list of “contributing” properties.

We thank you for your time in reading this and hope that the Planning Committee will consider our on-going experience and vote to reject the proposed Historic District on March 17th.

With kind regards,
Laura Shen & Will Siltan

EXHIBIT 1: Current Historic Preservation Board Recommendation (pulled from website on 3/11/20)

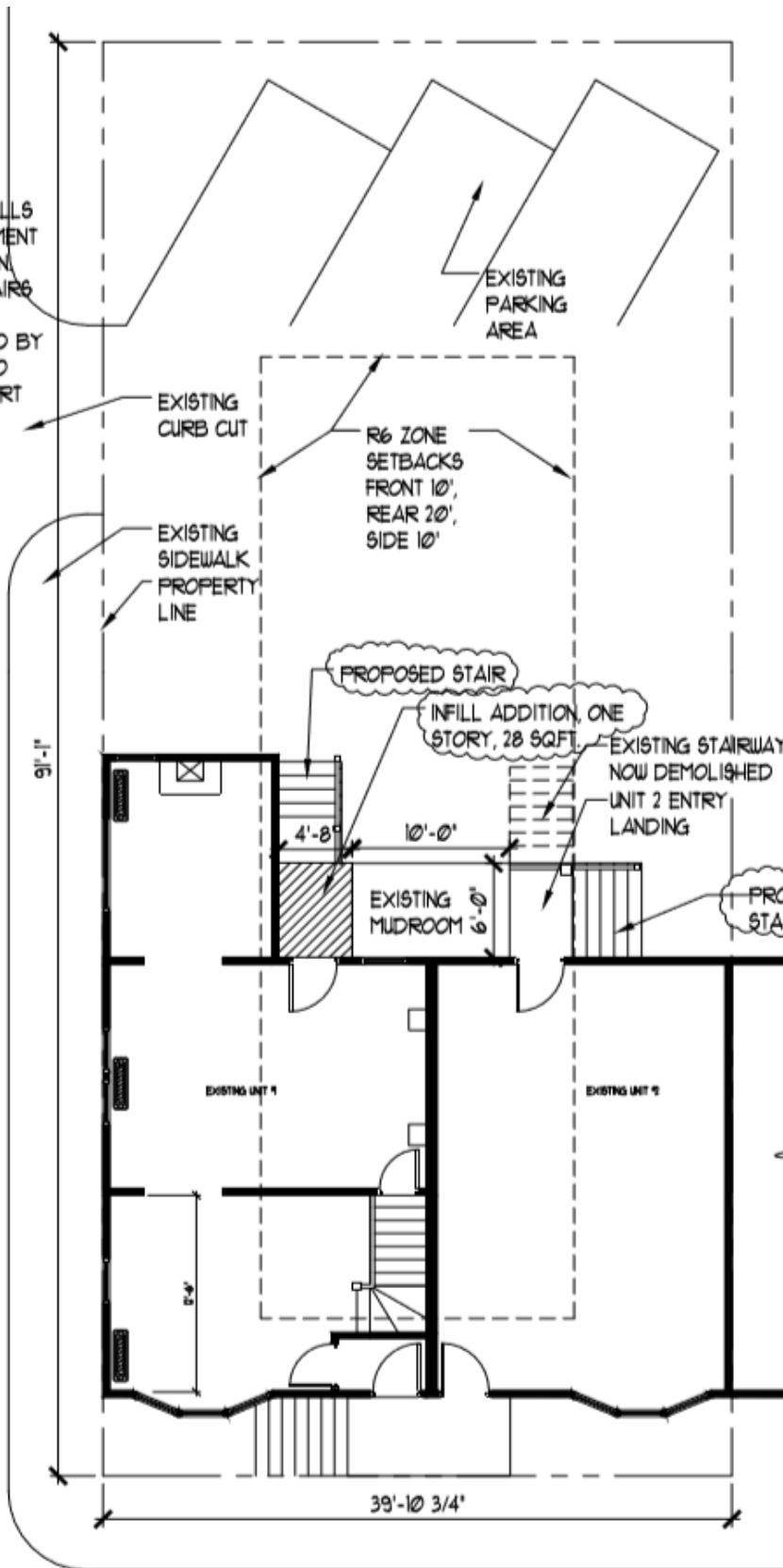
59 Moody Street property lines highlighted in red



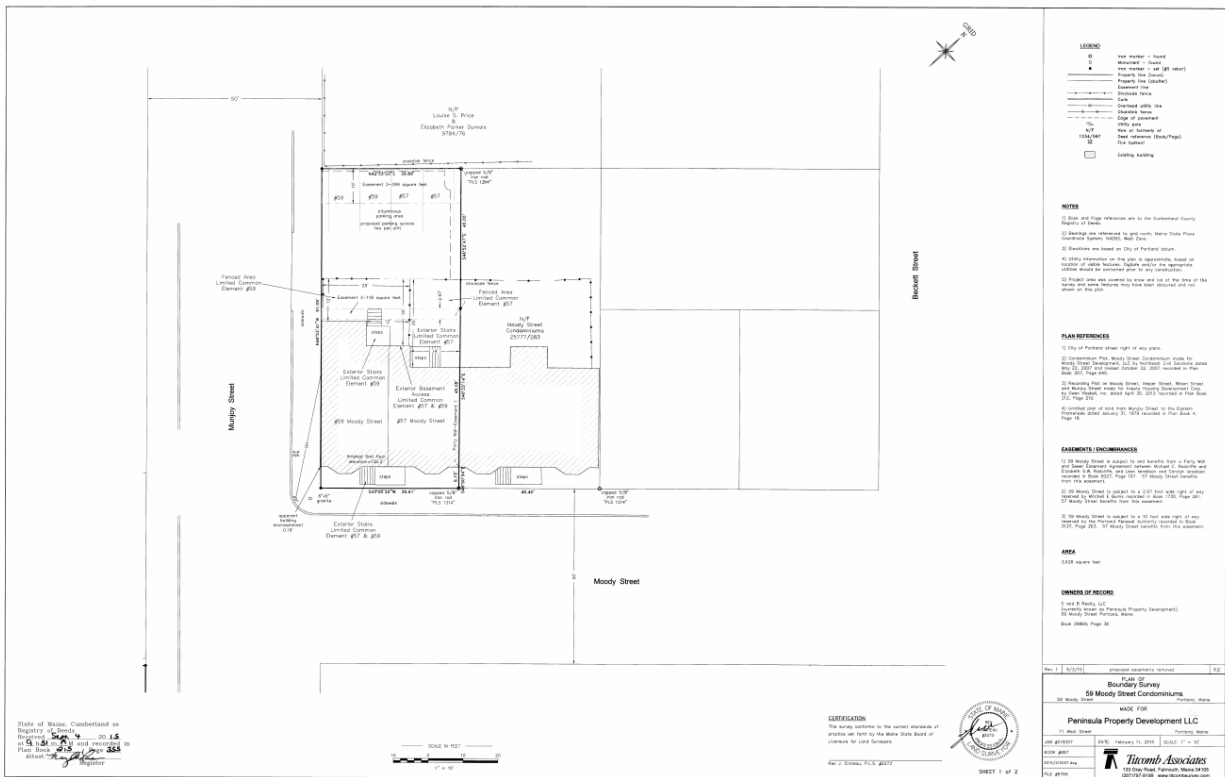
[illegible]

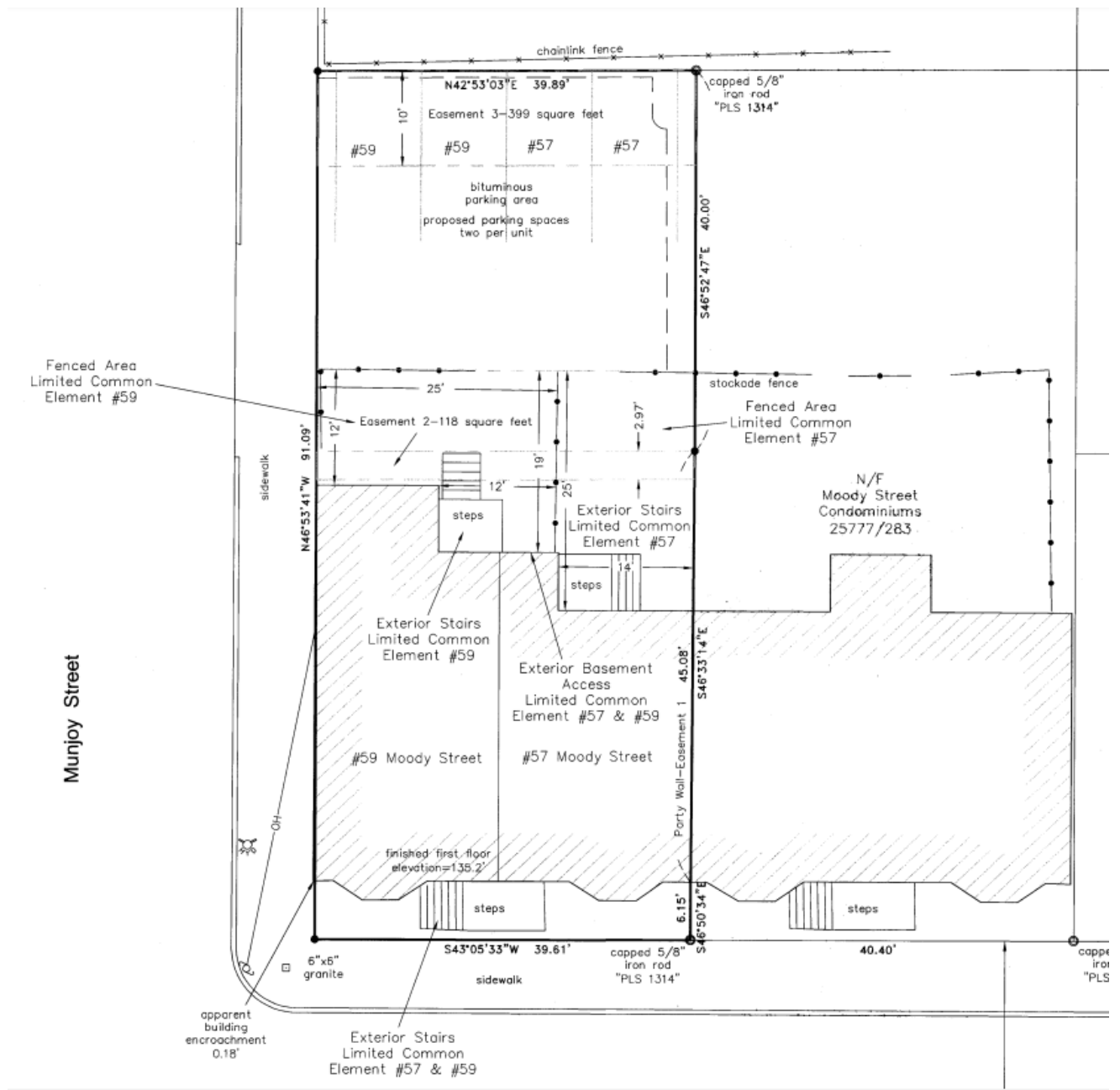
NEW WALLS
I. BASEMENT
LOCATION
ING STAIRS
AND
PLISHED BY
IMING TO
L. A SKIRT
R TO
HOWN.

MUNJOY STREET



MOODY STREET





LEGEND

	Iron marker - found
	Monument - found
	Iron marker - set (#5 rebar)
	Property line (locus)
	Property line (abuffer)
	Easement line
	Stockade fence
	Curb
	Overhead utility line
	Chainlink fence
	Edge of pavement
	Utility pole
N/F	Now or formerly of
1234/567	Deed reference (Book/Page)
	Fire hydrant
	Existing building

EXHIBIT 4:



EXHIBIT 5:



EXHIBIT 6: Written Comment provided 59 Moody Street ahead of March 10th Planning Board Hearing

59 Moody Street
Portland, ME 04101

Brandon Mazer
Chair, Planning Committee
City of Portland, Maine
389 Congress St
4th Floor
Portland, ME 04101

March 5, 2020

Dear Mr. Mazer,

Ahead of the workshop and public hearing on Tuesday, March 10th, we wanted to voice our concerns regarding the Munjoy Hill Historic District recommendation. As property owners within the proposed district, we are concerned about the impact on our property. We recognize that each side of this proposal has articulated pros and cons but what we would like to raise are three specific examples of how the process to-date and proposed district is flawed and questions the integrity of the entire initiative. These are examples that affect our property and I am sure our story is not dissimilar to other residents.

Notification to Property Owners & Inclusion in the Process. We closed on our townhouse at 59 Moody Street on June 6, 2019. We understood there was an on-going process with the overlay and history district proposal. We followed in the Portland Press Herald updates and the city website clearly stated that *"All affected property owners will receive notices prior to each upcoming meeting."*¹ On February 17, 2020, I checked the city website after reading the Planning Board was taking up the proposal for a vote. Half of our property seemed to be in the map and half wasn't. We were obviously confused as we had not received any notices from the city regarding our property being affected.

We reached out to Deb Andrews via voicemail on Monday, February 17th and received a phone call response on Thursday, February 20th. Ms. Andrews explained that an administrative error occurred and that we were never added to the distribution lists that sent the physical mailers to affected property owners. The explanation was that the Portland Assessor's Office takes up to four months to update records of new property owners. Even if it took four months, we should've been added to the distribution list by October at the latest – which would have allowed us to participate in several of the workshops and public discussions that all other notified affected homeowners were invited to participate in. When we followed up with Ms. Andrews regarding the further past October, she looked

¹ As of March 5, 2020 and following our meeting with Christine Grimando and Deb Andrews on March 2, 2020, that language was removed from the city website and no longer exists for viewing.

into it and said it was administrative error. The city employee in charge of these distributions never updated the contact list with the most recent version of affected homeowners.

We have several concerns:

- Unclear breadth of impact. We met in-person with Ms. Andrews and Ms. Grimando on March 2, and they said they had rectified the issue with the system but did not say how many people this administrative issue affected or how outdated the previous list of the affected homeowners was.
- Inability to inform the process. Given the short timeline of us proactively discovering we were excluded and the upcoming March 10th Planning Meeting, we have not been able to participate in the process with other affected homeowners. All the site lines have been drawn and there has been no opportunity for proper debate or input. Ms. Grimando and Ms. Andrews did take time to meet with us on March 2nd but the general tone of the meeting was informational and not an opportunity to change the version of the map that the Historic Preservation Board had already approved and excluded us from.
- Integrity of the process. This administrative error raises questions about the integrity of the historic district proposal process as a whole. I would also think it raises legal questions regarding how the process was executed. This could have been avoided if the committee had been more inclusive in the neighborhood it was potentially impacting. Signs or flyers around the neighborhood with the proposed district map and times of the public hearings would have avoided the situation we find ourselves in today.

District Line Inconsistencies.

- The recommendation from the Historic Preservation Board splits our property (59 Moody). We own the end unit of a four unit rowhouse complex. The rowhouse complex is split into two homeowners associations (59&57 Moody and 55&53 Moody). Behind all four rowhomes is a parking area. The parking area behind our HOA – 59&57 Moody – is paved while the area behind 55&53 Moody is a mix of pavement and gravel (***see Exhibit 1***). For some reason, which wasn't clearly articulated by Ms. Andrews or Mr. Grimando, the parking area behind 59&57 Moody is excluded from the Historic District recommendation, while the parking area behind 55&53 Moody is included in the Historic District. Had we been part of the conversation before the recommendation was finalized, we could've had this discussion. Our recommendation would be to exclude the parking area from both HOAs for consistency as neither should be deemed contributing factors to the historic district.
- Our property is on the edge of what is in and what is out of the Historic District. It seems a bit arbitrary about which homes are included and which aren't. I understand that there is an art to all of this from Ms. Andrews and Ms. Grimando and a "feel" to the street. We would argue that Munjoy Street (the Moody to Congress portion) represents historic features that should be included if we're included. Non-contributing units – like 85 Munjoy – should be excluded. The Munjoy St landscape is nearly identical to Vesper Street, which are included as contributing buildings (***see Exhibit 2***)

Recommending 59 Moody as a Non-Contributing property.

- 59 Moody is currently recommended as a contributing property. We would argue that recent renovations in 2012 and additions to the home would preclude it from the contributing category (***see Exhibit 3***). Specifically, the large roofdeck is a very visible non-contributing factor. From the street, you can see the protruding staircase and modern railings.

- In the Building Inventory notes on the city website, the commentary on our property and initial argument for inclusion as contributing is as follows: *"The westernmost row house has a two-story addition and a rooftop deck. Despite these alterations and losses, the row houses retain their form and scale that are unusual in the neighborhood and contribute to the story of the neighborhood's historic residential development."* We would argue that those alterations are enough to warrant the designation of non-contributing. If the historic "story" is what matters, it doesn't seem like the protecting a rental property from 1910 is of the highest priority. We are part of a HOA and have rules regarding our maintenance and appear of our attached row homes, we do not need the historic designation to maintain the appearance and flavor of our part of the street.
- Again, because we were excluded from the process given to other affected homeowners, we were never able to make our case and have it considered in the recommended district map in front of you on March 10th.

I would also note that we do not have the funds to hire legal counsel to push this matter forward more than this letter to the Planning Board. We know others who have successfully challenged and had their properties removed from the Historic District zone by spending thousands of dollars on lawyers to find loopholes to this process.

We were excited to move to Munjoy Hill and become part of this community. As a younger couple who looks forward to raising a family here in Portland, we have found this process to be decisive and polarizing. It makes it less attractive for others to move to Munjoy Hill with this uncertainty and fear of what the Historic District will restrict and the additional expense it brings to homeowners. I hope the Planning Board and City Council is able to hear our concerns and is able to find a way to preserve the community without a Historic District.

We thank you for your time in reading this and hope that the Planning Committee will consider our experience and vote to reject the recommended Historic District as is presented by the Historic Preservation Board on March 10th.

With kind regards,

Laura Shen & Will Siltan

EXHIBIT 1:



EXHIBIT 2

Multi-unit homes on Vesper Street (proposed contributing buildings)



Multi-unit homes on Munjoy Street (proposed non-contributing buildings)



EXHIBIT 3



Support the Munjoy Hill Historic District

Liz Hays <lizchays@gmail.com>

Nov 9, 2020 2:21 PM

Posted in group: **Planning Board**

Dear Council Member Duson

I am a home owner in the proposed Munjoy Hill Historic District. I strongly support the Munjoy Hill Historic District as recommended by the Historic Preservation Board and Planning Board in order to preserve the unique character of the neighborhood. I feel this designation will protect the investment I have made in buying my home by controlling insensitive development. I ask you to support the Munjoy Hill Historic District.

Thank you considering my request.

Elizabeth Hays
107 North Street
Portland, ME 04101

Munjoy Hill Historic District

Maggy W <mawnola@gmail.com>

Nov 6, 2020 11:43 PM

Posted in group: **Planning and Urban Development**

Dear Mayor Snyder and Councilors Ray, Dusen, Thibodeau, Ali, Costa, Chong, Mavodones, and Cook,

In such times as these, it might seem irrelevant to be spending our time, energy, and City resources on the designation of a historic district. Certainly we can all agree that Portland, and our country, face far more pressing issues. Nevertheless, this matter is before us after more than two years of planning, study, meetings and discussions, and I believe this designation is vital to our city and that the time to act is now.

Back on March 10th, the day before most people in Maine realized our world was about to drastically change, over 100 people packed into the City Council chambers at the Planning Board meeting at which they were scheduled to vote on the Munjoy Hill Historic District. Public comment lasted until about 10 PM, when the Planning Board decided to adjourn prior to voting; intending to take it up the following week - nobody in that crowded room guessed that it would be five months later and via the internet that we would finally reconvene to witness that long-sought approval by the Planning Board.

On that day in March, which was our last opportunity to speak out in person on this issue, the majority of the public who live or work or own property on Munjoy Hill who voiced an opinion - about 80% of the public comment supported this designation. That 80% has also been very consistent in the emails leading up to that meeting. The Planning staff had made a very compelling case as to how these historic preservation designations are compatible with the Comprehensive Plan and enhance Portland's brand and vision for the future. The Historic Preservation Board spent months studying and reviewing the case for the Historic District and also unanimously endorsed it.

Some of the minority who object to this HD designation argue that it would restrict affordable housing or the Comprehensive Plan's goal of increasing residential density, yet these are false claims. I personally know of several young renters who have had to move off of Munjoy Hill in the past three years because their landlords planned to tear down their old multi-family rental units. Just like in Portland's other historic neighborhoods, some of the most affordable housing is in the older buildings. We are losing our ethnic, economic and age diversity as the old buildings are replaced with high-end condos, often purchased as vacation get-aways, thereby decreasing rather than increasing density. Almost none of the recently proposed development projects on the hill has opted to include any affordable housing; most developers have chosen to pay the opt-out fee instead. This may help the city to build affordable housing elsewhere, but it does nothing to maintain our long-standing history of diversity on Munjoy Hill.

In conclusion, please vote to approve the Munjoy Hill Historic District. It is a jewel in Portland's crown, both to residents and to the thousands of tourists who flock to it every year. As such, it should be respected and preserved for future generations of Portlanders and visitors to enjoy.

Thank you,
Maggy Wolf
28 Saint Lawrence St.

Munjoy Hill Historic District designation

mreppenhagen@yahoo.com <mreppenhagen@yahoo.com>

Nov 2, 2020 2:49 PM

Posted in group: **Planning Board**

To All Concerned,

I support the proposed Munjoy Hill Historic District. I hope the City Council will fully support the proposed Munjoy Hill Historic District in order to stabilize and ensure complete neighborhoods as stated in the Comprehensive Plan.

Respectfully submitted,

Marlies Reppenhagen

Owner (since 1997) of condo unit 2-2, 55 Morning Street

Please support the Munjoy Hill Historic District!

Mary <mgriffit@maine.rr.com>

Nov 12, 2020 8:49 PM

Posted in group: **Planning Board**

Mayor Snyder and City Councilors,

I urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland's existing historic districts in the last five years. Portland's historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th. Thank you.

Sent from my iPhone

Munjoy Hill Historic District Comments for City Council's November 9 Workshop

Mike Hoover <chzstk@gmail.com>

Nov 9, 2020 8:40 AM

Posted in group: **Planning and Urban Development**

Dear City Councilors:

Thank you for taking the time to review and approve the Munjoy Hill Historic District. As a resident of Munjoy Hill, I strongly support the approval and implementation of this Historic District.

The City's planning process has been very thorough and extensive. The process has also been very clear with regard to the support of the District, and its consistency with the City's planning documents and processes. **City Staff has confirmed that the Historic District meets the criteria in the City's Historic Preservation Ordinance, and the 2030 City Plan strongly supports Historic Districts. Finally, and most importantly, the public strongly supports this Historic District proposal.** Let me briefly point out some important elements of this process for your consideration.

- 1) The City's 2030 Comprehensive Plan recognizes and strongly supports Historic Districts. The relevant language in the Plan follows.

Today, the impact of the Historic Preservation program in Portland is clear: Identifying and preserving historic resources stabilizes neighborhoods, makes economic sense, and contributes to a distinct sense of place that helps make Portland such a desirable place in which to live, to visit, and to invest. (Page 24, Portland Plan 2030)

- 2) The City's Historic Preservation Program Staff performed a thorough technical analysis of the potential for the designation of a Historic District on Munjoy Hill. Their conclusion was clear – Munjoy Hill met the technical historic standards as well as the City's planning standards for the designation of a Historic District.
- 3) The City's Historic Preservation Board recognized the technical validity of this Historic District, and **voted unanimously** to approve the Historic District.
- 4) Public comments received, both in writing and at the Public Hearing, revealed that **80 percent** were in favor of the Historic District. **Forty of the fifty commenters at the Planning Board's public hearing spoke in favor of the Historic District.** The Planning Board has recommended that it be considered by City Council.

The road map for the implementation of this Historic District proposal has been straight and clear. There is overwhelming support by the public for this Historic District. The City's Comprehensive Plan – YOUR PLANNING ROAD MAP, encourages and supports Historic Districts. Your technical staff support is clear that the designation of the Historic District is merited from a technical and planning standpoint. And finally, your constituents, the residents of Portland, strongly support the Historic District.

Please respect the well documented wishes of the public, as well as the thorough planning process, and vote to approve the Munjoy Hill Historic District.

Regards,

Michael Hoover

Strong Support for Historic District on Munjoy Hill

Nancy Montgomery <nm@nmontgomerydesign.com>

Nov 9, 2020 2:22 PM

Posted in group: **Planning Board**

Dear Planning Board members,

In addition to maintaining our City's **authentic sense of place and quality of life** — vitally important to me,
Historic Districts are an important strategy for housing affordability

- Building new buildings to rent or sell is expensive unless there are deep subsidies, so older housing stock plays an important role in affordable housing.
- Emerging patterns on Munjoy Hill indicate that affordable units of housing are being replaced with expensive condominiums.i ?,m

I do not want to see us become another “generic city”.

I also care deeply that Portland retain or regain what was once a mixed income housing stock on Munjoy Hill and elsewhere.

Have you visited this link from Greater Portland Landmarks for info on Affordable Housing and Historic Districts?

They are NOT in conflict.

Kindly consider this important data:

<https://static1.squarespace.com/static/555c99afe4b027a64d6975df/t/5fa45fc32562bc2fdafe86d6/1604607944901/Housing+Sheet+DraftFINAL11.5.pdf>

Thank you for listening.

As they say, the **greenest** building is an existing building.

Warm regards and thanks for your work,

Nancy

.....
Nancy Montgomery,
Interpretive Designer
Montgomery Design, Inc.
447 Deering Avenue
Portland, ME 04103

207-831-8927 cell and text
montgomerydesign@me.com

Proposed Munjoy hill historic district

Nina Naylor <ninanaylor@gmail.com>

Nov 13, 2020 5:28 AM

Posted in group: **Planning Board**

Dear city council,

As long term residents of Munjoy hill (our family moved here in 2009) we've seen this neighborhood continue to grow and evolve. All three of our children have attended East End Community School, and through our children and dogs, we've come to know many of our neighbors here on the hill. While on many levels we welcome the growth of this community, the demolition of so many old homes has been deeply troubling.

We support the proposed historic district as a way to preserve the architecture that makes the Munjoy hill neighborhood so special. The "working Victorians" are so connected to the history of the hill - a history that feels distinctly different from the west end - that we strongly support the preservation of this. We've spent the last 10 years remodeling our home to bring back its original character, (it dates back to 1875) a dream that we had many years ago and are proud to finally have realized.

We hope our children will be able to walk these streets they grew up in with *their* children one day, sharing stories of the neighborhood's beginnings and its transformation in the last couple of decades. We hope the demolitions will stop and that new builds can be incorporated in a way that maintains and complements the historic architecture.

We hope you will take our "vote" for a historic district into consideration as you move forwards.

Kind regards,

- Nina, Alex, Ronan, Mariella, Nico

Fwd: Munjoy Hill Historic District

JEAN MC MANAMY <ninimaine@aol.com>
To: jmy@portlandmaine.gov

Mon, Nov 9, 2020 at 10:45 AM

Nini McManamy
Sent from my iPad

Begin forwarded message:

From: JEAN MC MANAMY <ninimaine@aol.com>
Date: November 8, 2020 at 1:55:36 PM EST
To: pali@portlandmaine.gov, jcosta@portlandmaine.gov, jduson@Portlandmaine.gov, BSR@portlandmaine.gov,
tchong@portlandmaine.gov, sthibodeau@portlandmaine.gov, ksnyder@portlandmaine.gov, kcook@portlandmaine.gov,
nmm@portlandmaine.gov, planning@portlandmaine.gov
Subject: Munjoy Hill Historic District

Mayor Snyder and members of the Council:



Heritage Lindens in Fort Sumner Park, planted under Mayor Baxter in the city nursery at Payson Park in 1924.

I am asking you to support the proposed Munjoy Hill Historic District. We have lived under Historic District protections for many months now, with no evident negative impact.

Personally I experienced a low level review for the demolition of my derelict shed and its replacement. It was a painless process. As the owner of a preferably preserved house, I have appreciated what I have learned about how to improve the appearance of my house, and most of all, the great value of the built environment we have on the Hill. Many thanks to Landmarks, Planning, and Historic Preservation staff for helping us see better what was all around us.

Now the Munjoy Hill Conservation District covers most of the Hill. The Historic District would include a subset of those blocks, streetscapes, and homes. The current Historic District protections will expire if you do not make them permanent, sending us back to the days of inappropriate renovations and new construction that does not integrate well with the streetscape around it.

Property values on the Hill are sky high and buildable land virtually nonexistent. The moral hazard for developers to raze and replace with high end buildings that do not enhance the neighborhood is high. This kind of development does nothing to house workers for Portland's lively service and artistic and trade sectors. It does however enable profit taking at the expense of a significant part of Portland's history, which included housing for these workers who built the railroads, worked the waterfront, and made and sold goods vital to the city's well-being. I know that development will continue, but I hope that Historic Preservation review will improve the outcomes.

What does a Historic District provide us that the Conservation does not? It considers the impact of a proposal on the streetscape and the feel of the neighborhood. It brings the Heritage Tree ordinance to Munjoy Hill. It brings Historic District designation to the pre-revolutionary site of Fort Sumner and the remains of the landscape designed under Mayor Baxter, and thereby gives added protection against the impact of adjacent development. It protects the streetscape on my block where young families live and where children play.

I think that the surprising results of this week's initiative votes show there is much support city wide for preserving affordable housing, especially the kind of rental housing which comprises so much of the Hill.

Please vote to endorse the proposal and the work done by so many Hill residents for the past few years.

Sincerely,

Jean (Nini) McManamy
Nov. 8, 2020

Nini McManamy
Sent from my iPad

Support for Munjoy Hill Historic District

Oliver Murray <olivermurray@yahoo.com>

Nov 9, 2020 11:53 AM

Posted in group: **Planning Board**

Please consider this email as a statement of support for the proposed Munjoy Hill Historic District.

I have attended live and virtual meetings about the District, and I have been heartened by the overwhelming support shown for the District by the citizenry of Portland.

I am an immigrant who first moved to Portland in 1996 (North Street). I was drawn to Munjoy Hill by its history of welcoming immigrants such as myself. This history, and the structures that have developed with it, are unique in Portland and deserve protection.

As a parent of two children in Portland public schools, I have seen other immigrant families driven off Munjoy Hill by the demolition of housing that had welcomed many like them for decades. In years past, the families were from Italy, Ireland, and other part of Europe. More recently, families have sought refuge on the Hill from Africa, the Middle East, Afghanistan, and Central America. It is truly disturbing at this point in America's history that Portland would sit idly by and do nothing when it has the opportunity, and I would argue the duty, to protect and preserve this proud history. As noted above, development on the Hill in recent years has done nothing to improve access to affordable housing, and it has resulted in the addition of structures that are out of scale and out of context with their surroundings.

I strongly encourage you to support the proposed Munjoy Hill Historic District.

Kind regards,

Oliver Murray
(55 Montreal Street)

To the Mayor and members of the Portland City Council:

When Historic Districts were first created in the 1989, there was understandably some concern about the increased level of construction review and restrictions. I was at the time on the City Council and it was a hotly discussed item. My family lived then and still to this day in the first district that was created.

Over the last 31 years, it has been a great boon to our neighborhood. New modern buildings have been built, meeting the criteria that ensure that they fit in with the historic buildings. People have repaired and modernized their homes in ways that fit within the ordinance. Change can happen. We put a modern ell on the back of our house, where it is not visible from the public way.

The many Historic Districts created in Portland since then have played a vital role in helping Portland save its exceptional history, sense of place and appeal to visitors and new residents. There is a place for new construction and development, but it can be accomplished without losing our past and our city's character.

The Eastern Prom has a remarkable history and rich collection of historic architecture ranging from the 1807 Observatory, grand 19th century Victorian mansions with turrets, simple modest houses for early immigrants to big triple decker apartment buildings. Each new period or century has added its own flavor. An historic district would ensure that the key parts of the Eastern Prom's history and visual character would not disappear under the tremendous new demand for housing in the area.

Historic districts are a tried and true way of balancing preservation and growth.

Sincerely, Pam Plumb

A handwritten signature in blue ink that reads "Pam". The signature is stylized with a large, looping "P" and a cursive "am".

Support for Munjoy Hill Historic District

Pamela Day <pdlay2304@gmail.com>

Nov 9, 2020 10:56 AM

Posted in group: **Planning Board**

As homeowners on Munjoy Hill for 15 years, we are writing to voice our strong support for the establishment of a Historic Preservation District on Munjoy Hill. For the past several years we have been alarmed at the pace of development on the Hill, especially the demolition of older homes that provide affordable housing to be replaced by expensive condos that darken our streets, obscure the greenspace, and diminish the vitality of the neighborhood.

A case in point, about 3 years ago a neighbor on abutting property announced that he planned to demolish his 1860's federal style home and replace it with a 5-unit luxury condo covering almost his entire lot. His proposal was approved by the city and would have proceeded, creating an incongruous building in the midst of modest but handsome historic homes and threatening the retaining wall between us. To our relief, the owner abandoned the project and sold the home to a private party. It is now being restored consistent with the size and scale of adjoining properties.

We were lucky, but there is nothing about the current zoning that prevents the continuation of this opportunistic approach to building on the hill. We view the proposed district as an important tool for protecting homeowners and preserving the fabric of a historic Portland neighborhood while providing clear guidelines for planned growth.

We strongly urge the City Council to approve the proposed Munjoy Hill Historic District. The protections of a historic district are being provided to 11 other Portland neighborhoods. Munjoy Hill deserves the same.

Pamela Day & Michael Petit
25 Waterville Street
Portland 04101

Re: 11/9/2020 - Support for Proposed Munjoy Hill Historic District

'Pa Ag' via Planning Board <planningboard@portlandmaine.gov>

Mon, Nov 9, 2020 at 1:13 PM

Reply-To: Pa Ag <pagopian1@yahoo.com>

To: Karen Snyder <karsny@yahoo.com>

Cc: Kate Snyder <ksnyder@portlandmaine.gov>, Belinda Ray <BSR@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Tae Chong <tchong@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Nicholas Mavodones <nmm@portlandmaine.gov>, Kim Cook <kcook@portlandmaine.gov>, Jill Duson <jduson@portlandmaine.gov>, "jcosta@portlandmaine.gov" <jcosta@portlandmaine.gov>, Planning Board <planningboard@portlandmaine.gov>, Christine Grimando <cdg@portlandmaine.gov>, "dga@portlandmaine.gov" <dga@portlandmaine.gov>, Planning and Urban Development <planning@portlandmaine.gov>

Good Afternoon All,

As most of you may recall from my previous communications regarding Historic Preservation, I have always been and always will be a supporter. I was involved early on, from the beginning conversations starting with Deb Andrews in April 2017 or earlier, it was so long ago.

As I have expressed right along I advocated for a Conservation District, but the gods were not with me on that idea. However I will settle for Historic District with hopes of expanding the boundaries.

Fort Sumner Park is also very important in retaining Historic Preservation status. Thank you for your time.

Regards,

Paula Guillemette Agopian
98 Monument St. "The Hill"
415-1870

Call me anytime! 🙌

Sent from my iPhone

On Nov 6, 2020, at 12:49 PM, Karen Snyder <karsny@yahoo.com> wrote:

Dear Mayor Snyder and Councilors Ray, Thibodeau, Ali, Chong, Mavodones, Cook, Duson, and Costa,

I support the proposed Munjoy Hill Historic District that has been proposed by the City Planning Department in 2019.

It was approved unanimously by Historic Preservation Board on 11/20/2019 and approved by majority of Planning Board on 8/11/2020 with no modifications.

I hope we have your support for the proposed Munjoy Hill Historic District with no changes for the following reasons:

Fact #1: In the last 6 years, there have been at least 40% of all affordable housing built or proposed in Portland's Historic Districts versus non Historic Districts.

-Why? Mostly because developers can use the Historic tax credits and other grants to re-develop buildings such as churches, schools, etc in Historic Districts.

-Please note that **approximately 8% of Portland is in Historic Districts but yet approximately 40% of affordable housing has been built or proposed in Historic Districts.**

-This means there is a higher probability of affordable housing built in Historic Districts that not being in an Historic District.

-Please refer to the data which I have pulled from the City website below:

<1604684897041blob.jpg>

Fact #2: There have been 16 City meetings held since early 2018 informing residents of all the pros and cons of Portland's Historic Districts and consistently the majority of public support is for the proposed Munjoy Hill Historic District.

- In the last 5 City meetings held, there has been consistently documented majority public support of around 80% for the proposed Historic District by the documented public emails sent and public comment when these meetings have been held. **Public Support for the Proposed Munjoy Hill**

District Averages from the Past 5 City Meetings:

-Public Overall Support= 77%; If a Munjoy Hill Resident Support = 84%: If within the Proposed District Support= 95%

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Note: Please see attached file called Analysis_ProVCon_HistoricDistrict_20201106.xls for the supporting detail of the above percentages.

Fact #3: The City Planning Department has all ready gone through a lengthy process with this effort and the Different Board Votes showed majority support for the proposed Munjoy Hill Historic District

- 11/20/2019 - Historic Preservation Board - 7-0 unanimous vote approval
- 8/11/2020 - Planning Board - 4-3 majority approval
- City Public Meetings held on 11/20/2019, 12/10/2019, 2/11/2020, 3/10/2020, 8/11/2020
-Public Overall= 77% support, If Munjoy Hill resident = 84% support; If In Proposed District =95% support (Shown in Fact #2 chart)

Fact #4: Another interesting Factoid is that Munjoy Hill which is not in an Historic District the rents are higher than the West End's rents which are in a Historic District.

- In February 2020, the City Planning Department presented that the average rents on Munjoy Hill were higher than on the West End. I believe it has only gotten worse.

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Source: <https://www.portlandmaine.gov/DocumentCenter/View/27271/Staff-Presentation---February-11-2020?bidId=>

Fact #5: The 2015 R6 Zoning Change Reasoning Left "Unintended Consequences"

The City stated the reasoning for the 2015 R6 Zoning Change stated in below bullet points on the website.

- What happened on Munjoy Hill since 2015 just from demolitions alone approximately 35 "affordable" housing units have been removed off the market and instead were replaced with approximately 65 units of either seasonal luxury condos or single family homes.
- The only "affordable" project was [65 Munjoy St](#) of 8 units which the buyers had to make 120% AMI basically \$80K/year to buy a condo.
- Basically, the 2015 R6 Zoning change did the **EXACT** opposite of what was stated in below City website .

A) There are now less housing opportunities unless you are rich.

B) Some small lots were filled in with oversized and out of place seasonal luxury housing.

C) Most of the newly built housing proposed or built does NOT fit Munjoy Hill's historic pattern of character.

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In summary, Portland's Historic Districts stabilize communities, the socio-economic diversities of neighborhoods, and also is more environmentally friendly to restore buildings with a 10x reduced carbon emissions footprint. It is also less costly to restore than to demolish and rebuild.

I hope we will have your vote for the proposed Munjoy Hill Historic District on November 16, 2020.

Regards,
Karen Snyder
Waterville St.

Attachment: Analysis_ProVSCon_HistoricDistrict_20201106.xls

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Munjoy Hill Historic District

Peter Murray <pmurray@gwi.net>

Nov 11, 2020 10:53 AM

Posted in group: **Planning Board**

Dear Planning Board -

Attached is our letter to the Portland City Councilors in support of the Munjoy Hill Historic District. We sent copies individually to the Councilors on 11/1. The letter has been readdressed to the Councilors as a group and is being sent to this address so that you can reproduce it and include it in the "packets" of the Councilors for the upcoming meeting on November 16. Thank you for including it in the Councilors' packets for this meeting.

Sincerely,

PLM
Peter L. Murray
Murray, Plumb & Murray
75 Pearl Street
Portland, ME 04101
pmurray@mpmlaw.com

104 North Street
Portland, Me 04101

November 11, 2020

Members of the Portland City Council
Portland City Council
City Hall
Portland, Maine 04101

Re: Proposed Munjoy Hill Historic District

Dear Members of the Portland City Council:

This is a copy of a letter that was sent to all of you individually last week. It is submitted for your consideration as you consider the unanimous proposal of the Portland Historic Preservation Board, duly approved by the Portland Planning Board, for the establishment of a Historic District of a portion of Munjoy Hill.

Here are some of the many reasons why this proposal should be approved by the City Council.

- The proposed Historic District is a conservative delineation of truly authentic neighborhood collections of significant Portland 19th century vernacular residential architecture. It is based on a careful architectural survey by an independent expert and covers less than half of the area of Munjoy Hill. The concentration of “contributing” buildings is particularly high within the limited areas proposed.
- The proposal comes to you with the unanimous favorable recommendation of the Historic Preservation Board. As the organ of Portland city government charged with oversight over Portland’s architectural heritage, its unanimous favorable recommendation should carry real weight.
- The District documents the residential architecture of Portland’s working-class homes out of the era the saw the city achieve its greatest regional and national significance. Included are homes from the time of building of the Atlantic and St. Lawrence Railroad in the mid-1800’s, homes from the recovery after the Great Fire of 1866, homes of immigrants from the end of the 19th and beginning of the 20th centuries. These blend together in an authentic eclectic cityscape that is still remarkably intact. It is one thing to preserve the relatively monumental residences of the wealthy of bygone days. Here Portland has a remarkable opportunity to preserve the homes and neighborhoods of people of the middle and working classes who otherwise would be all too easily forgotten.

- The District will help preserve 19th century streetscapes on Munjoy Hill such as North Street, Beckett Street and the Eastern Promenade from ill-considered and jarring demolitions or redevelopments. Anyone driving or walking through these areas is struck by the harmonious rhythm of the homes lining these streets. Once broken by out-of-scale or insensitive new construction such streetscapes can never be restored.
- Portland has a well-established record of success with its existing 11 Historic Districts. Existing Historic Districts cover a large portion of the land area on the Portland peninsula. These districts enjoy the support of their landowners and residents and have functioned well to preserve the Portland's historical architecture and the amenity of its neighborhoods. There is rarely, if ever, complaint about any of the existing districts.
- The overwhelming majority of property owners and residents within the proposed District supports this measure. Residents and property owners turned out in large numbers at neighborhood meetings, workshops and hearings before the Historic Preservation Board and later the Planning Board to declare their support for this proposal. At least 80% of those who expressed themselves, either orally or in writing, have been strongly in favor of the proposed District.
- Protection of the existing traditional residential structures within the District will tend to protect affordable housing from being razed to be replaced by high-end condominium blocks. In 2015, the R-6 Zone was liberalized to permit multi-family new construction on very small lots, such as those on Munjoy Hill. The current overheated real estate market has generated a perceived demand for high-end condominiums that incentivizes developers to purchase existing 1-3 family wood frame homes on the Hill, demolish them, and replace them with multiple-unit luxury condominium blocks. This is resulting in a significant loss of existing affordable rental dwelling units. The District will give some protection to the existing structures documented as "contributing" and the homes that they contain.
- The proposed Historic District will implement the many provisions of Portland's Master Plan that favor maintenance and enhancement of our city's historic past. Historic preservation is an important priority in the Comprehensive Plan. Establishment of the Munjoy Hill Historic District is a concrete measure that forwards City priorities that we all agreed on with the adoption of the Comprehensive Plan.
- Within the District, contributing buildings will be eligible for generous Federal income tax credits to support restoration and adaptive re-use. Assuming that the National Park Service recognizes the Munjoy Hill Historic District, as it has other

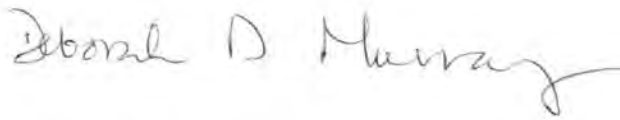
Portland districts, owners can receive tax credits of up to 30% of the cost of exterior restoration or adaptive re-use of their properties. This assistance can be of great help in maintaining affordable homes in the many contributing structures within the District.

- The Historic District will support the amenity of Munjoy Hill as an attraction to visitors and a desirable place for Portlanders to live and work. In recent years Portland residents and tourists alike have been increasingly drawn to Munjoy Hill. It's picturesque and approachable streetscapes maintain antique charm that appeals to people of all ages today. The historic district will help maintain the atmosphere and amenity that is making our neighborhood a desirable place to visit and live.

The remarkable collection of 19th and early 20th century wood-frame residential architecture on Munjoy Hill is a vital amenity of our beloved city. Even the relatively conservative proposal before you will help preserve this heritage for the enjoyment of Portland residents and visitors alike as well as future generations.

We look forward to seeing you on Zoom at the Workshop on November 9 and the Public Hearing on November 16 and ask for your support and your vote for this important proposal.

Sincerely,

A handwritten signature in cursive script, reading "Deborah D. Murray".

Deborah D. Murray

A handwritten signature in cursive script, reading "Peter L. Murray".

Peter L. Murray

Munjoy Hill HD

Philip Pendleton <pependle@gmail.com>

Nov 9, 2020 12:39 PM

Posted in group: **Planning Board**

I emphatically support the drive to establish the Munjoy Hill Historic District, which will do so much to help preserve the Portland we love and to further promote and maintain Portland's status as a Livable Community.

--

Philip E. Pendleton
610-858-2832

Munjoy Hill Historic District

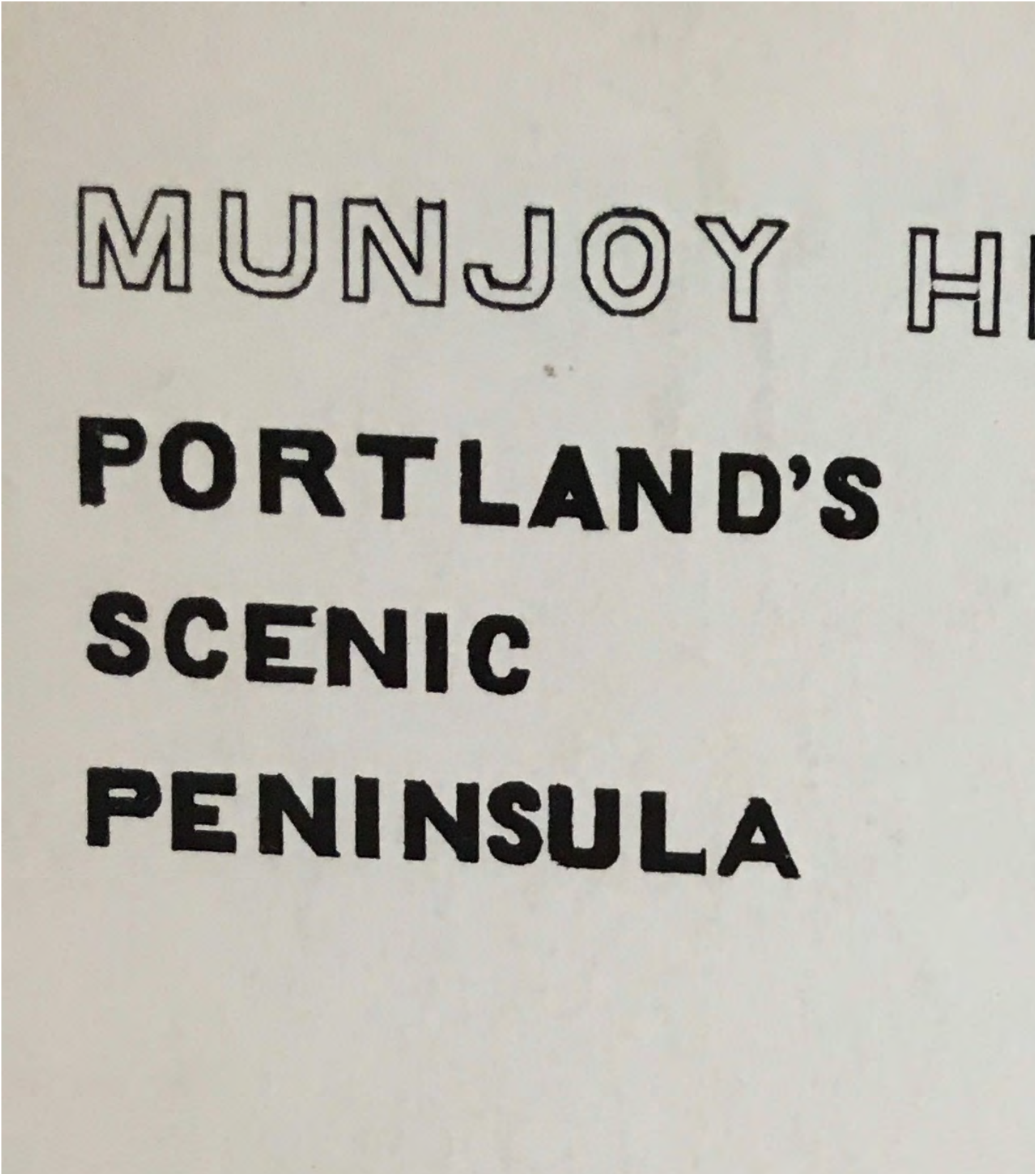
Richard Rollins <dicrollins@aol.com>

Posted in group: **Planning Board**

I grew up on Munjoy Hill in the 1940s and '50s. My grandfather raised his family - including my mother - on the Hill as well. I attended Shailer, Emerson, and Jack Jr. High schools. I would like help stabilize the neighborhood, protect affordable housing, and the diversity that makes Munjoy Hill so special. The Hill can be saved if you vote for the historic district.

That you,

Dick Rollins



MUNJOY HILL
PORTLAND'S
SCENIC
PENINSULA



**DONALD
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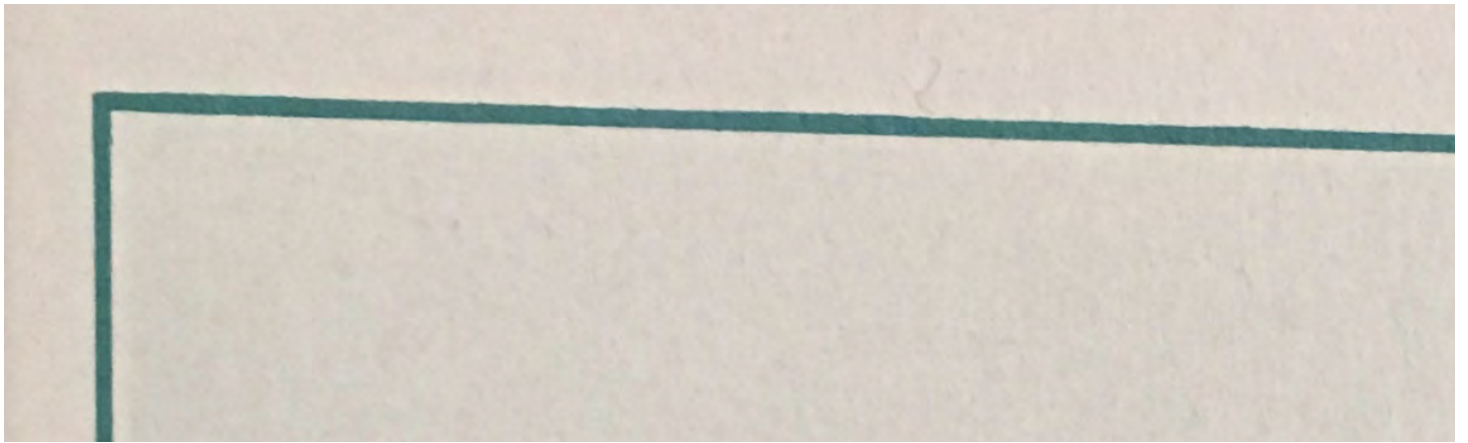


Howard

Howard

Munjoy

HISTORIC C



Munjoy Hill Historic District

Rick Romano <rick@papiandromanobuilders.com>

Nov 13, 2020 8:54 AM

Posted in group: **Planning Board**

Dear Councilor Duson,

I'm writing you today to seek your support for the Munjoy Hill Historic District.

I have a unique position unlike many who do and do not support the new district. I'd like to share that with you.

In short, I was born and raised on Munjoy Hill, the grandson of Italian immigrants. I am a general contractor employing nearly twenty staff, craftsmen and craftswomen specializing among other disciplines, Historic Preservation. And I had the great pleasure of sitting on and eventually chairing the Portland Historic Preservation Board.

Munjoy Hill's history is a story to be told. One that should be preserved, recorded and referenced whenever a conversation or research is undertaken regarding Portland. It's a history at risk of being lost. Did you know that the East End School was once Jack School and across from it was the Harvey Grounds where ice skating in the winter was as popular as Deering Oaks? Did you know that in the 1940s, 50s, 60's and so on, nearly every corner was a mom and pop store, a fish market, a bakery, a florist, all owned by the varied ethnicities living in harmony and supporting the working environment of those who made their homes on "The Hill"? Did you know that the East End Beach was, during my mother's time, more popular than Old Orchard Beach? Did you know that Munjoy Hill represents and aligns with an important historical time in this country, the history of the working class and the neighborhoods they created, the homes they occupied, the churches they attended and the recreation they enjoyed? Having been born and raised on Munjoy Hill, I have experienced all of this and more. It's a story not to be lost but recorded and to be protected from being forgotten.

When I joined the Portland Historic Preservation Board as a volunteer, I soon learned after those long Wednesday night meetings, the true value of preservation and the value of volunteering. While providing guidance and offering my experience as a contractor and woodworker to the many applicants I met over the years, I came to realize the Boards' critical role within our community and the need to work *with* applicants by tapping into the resources and shared experiences of the varied board members. It became apparent, our job was to meet the needs of the applicants assisting them through the standards for review with the goal of making their projects real, whole and within their budgetary expectations. It is too often that the Preservation Program for the City of Portland is mischaracterized as adversarial, expensive, limiting and one sided. Contrary to those descriptions, I found it to be just the opposite and in fact, worked harder as a board member to erase those concepts and take a closer look at the wishes of the applicants and the limitations they encountered when considering cost and their overall abilities.

Lastly, I would like to point out that Historic Preservation creates jobs and provides economic security for businesses such as mine. I have spent a working lifetime developing the skills, purchasing tools and equipment, training, teaching and gaining the knowledge necessary to provide to our city and state what is needed to preserve our important architectural history. Recently, we had the great pleasure of preserving the Portland Observatory, in 2004, we were honored to restore the William Hoy House, the oldest house on Munjoy Hill <https://www.keithtrembley.com/pdf/2004HonorAwards.pdf>. And next year, we are hopeful of restoring the Biddeford clock and bell tower. Imagine the loss were businesses such as mine not able to sustain the support needed to employ, train and teach the artisans needed to carry on through the generations to follow mine.

Thank you for taking the time to read my note and for supporting Historic Preservation.

Respectfully, Rick Romano



RICK ROMANO

PAPI & ROMANO BUILDERS, INC.

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PORTLAND, ME 04104

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Fax [866-452-6224](tel:866-452-6224)

Cell [207-650-3670](tel:207-650-3670)

Vote YES for Munjoy Hill Historic District

Rob Whitten <rob@whittenarchitects.com>

Nov 12, 2020 12:08 PM

Posted in group: **Planning Board**

To the Members of the Portland City Council,

As a long term Munjoy Hill residents and Portland business owners we encourage you to vote YES for Historic Districts.

The City of Portland Planning Department staff members have invested many hours of time doing historic research, assembling comprehensive reports, taking photos, and conducting public meeting and workshops. The Planning Board has voted in favor of the Munjoy Hill Historic District, the citizens of Portland and the Munjoy Hill area have sent in letters, Emails, and they have spoken at public meetings.....more than 80% are in favor of the Munjoy Hill Historic District.

The City of Portland has eleven other Historic Districts that have provide livable and affordable neighborhoods. Portland has assisted owners in maintaining and preserving the character and value of the homes in these neighborhoods since 1990.

My wife and I purchased a condemned and abandoned home at 23 St. Lawrence Street in 1975. We've spent years bringing an older home (GPL circa 1852: Marston Montgomery House) and gardens back to life.

Munjoy Hill is a livable, high density neighborhood with a unique, historic, working class scale and character. It has a history of Black, White, Irish, Italian, Jewish, and Immigrant ownership. This needs to be maintained and encouraged by the passing of the Munjoy Hill Historic District.

Thank you for your support.

Take care, Rob.



Rob Whitten / Founder & Principal

Whitten Architects

207.774.0111 x101

37 Silver Street

Portland, Maine 04101

www.whittenarchitects.com



Support for Munjoy Hill Historic District

Robin Whitten <robin@audiofilemagazine.com>

Nov 5, 2020 6:59 PM

Posted in group: **Planning Board**

Greetings City Council and Planning Board Members,

As a property owner and resident of Munjoy Hill since 1976, I would like reiterate my support for the proposed Munjoy Hill Historic District.

In the message below from 12/5/2019, I point out all the good work that the City staff has done in the proposal of this new district. The work has been thorough, exhaustive, and questions from the public and the planning board have been answered many times. The city departments support this measure. The new district will join 12 other historic districts in the City of Portland—historic districts are planning programs that work. Please vote to approve the recommendation for the Munjoy Hill District.

Special interests have tried very hard to derail and stall this process, please move ahead now and support the work and recommendation of the City Staff and the Planning Board to approve the Munjoy Hill Historic District.

With regards for your service and all the work you do,

Robin Whitten

23 Saint Lawrence Street, since 1976

Begin forwarded message:

From: Robin Whitten <robin@audiofilemagazine.com>

Subject: Support for Munjoy Hill Historic District

Date: December 5, 2019 at 3:44:02 PM EST

To: planningboard@portlandmaine.gov

Cc: jpi@portlandmaine.gov, bsr@portlandmaine.gov, sthibodeau@portlandmaine.gov, jduson@portlandmaine.gov, nmm@portlandmaine.gov, jcosta@portlandmaine.gov, kcook@portlandmaine.gov, ksnyder@portlandmaine.gov, pali@portlandmaine.gov, planning@portlandmaine.gov, dga@portlandmaine.gov, cdg@portlandmaine.gov

Good day,

I am a Portland and Munjoy Hill resident, at 23 Saint Lawrence Street, and have been a property owner at that location since 1976.

Twelve historic districts have been established in Portland, and now Munjoy Hill has the opportunity to have a Historic District that has been well-researched and thought out so that it suits the Munjoy Hill neighborhoods.

Great work has been done by the city, by Greater Portland Landmarks, and by the City's Historic Preservation Program.

I urge you to support their recommendations and establish the new Munjoy Hill Historic District.

Please support this proposal.

With regards,
Robin Whitten

Robin Whitten cell: 207-233-4865

23 Saint Lawrence St. | Portland, ME 04101 |

Designation of Munjoy Hill Historic District and Landmark Buildings

Sally Oldham <oldhamseg@gmail.com>

Nov 6, 2020 5:42 PM

Posted in group: **Planning Board**

Dear Nick,

The Munjoy Hill Historic District and 6 Landmark building designations come to the City Council for a workshop on November 9 and a Public Hearing the following week. I am writing to encourage you to vote for these designations at the Public Hearing scheduled for November 16.

The review and consideration given to the historic district proposal and Landmark designations has been lengthy and thorough. There have been numerous public forums to answer questions, to respond to concerns and to hear and consider public comment. Staff and members of the Historic Preservation Board and the Planning Board have devoted significant effort, expertise and consideration to the merits of whether the proposed Historic District meets historic preservation criteria of the City's ordinance and is consistent with the goals of Portland's Plan 2030. Substantial documentation is in the record that supports the conclusion that the Munjoy Hill Historic District meets the required criteria, both for historic significance and integrity and for its clear capacity to meet goals of the Comprehensive Plan.

Public comment both written and oral at the Historic Preservation and the Planning Board's workshops and Public Hearings has been extensive and has been overwhelmingly in favor of the historic district designation. **More than 75% of these comments have been in favor of the historic district designation.**

Designation of the Munjoy Hill Historic District will benefit both its residents and residents of all of Portland by managing change within the district's boundaries, while preserving the historic character and unique history of this area of the City. This designation will sustain current affordable housing and allow for further compatible housing development while also supporting the City's sustainability goals,

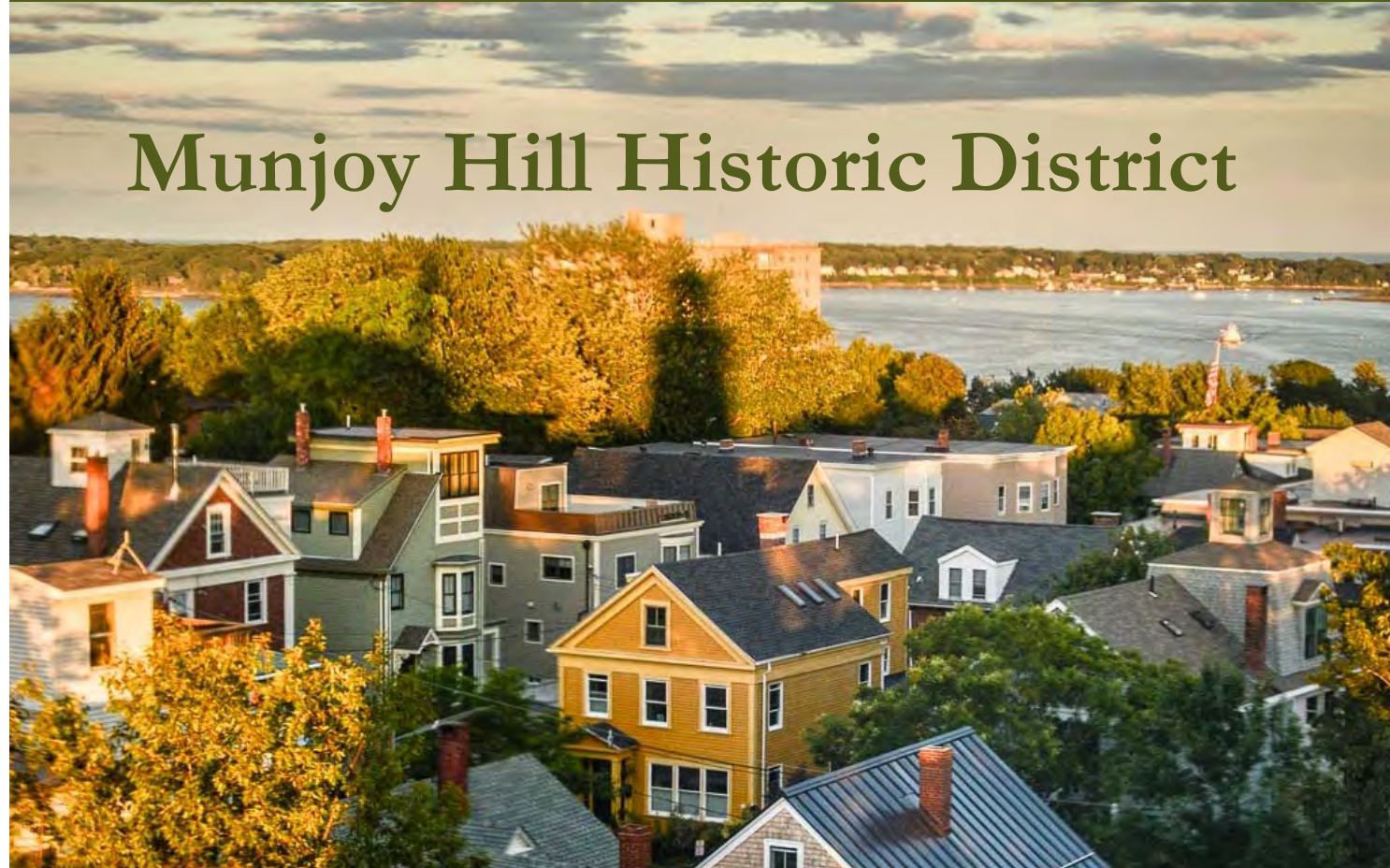
I am sorry that Bill Hall and I did not have a chance to meet with you to discuss these designations. I am attaching a fact sheet about the Munjoy Hill designations prepared by Greater Portland Landmarks that summarizes and illustrates many points brought out during the course of review by the Historic Preservation and Planning boards. I hope it will help you in your review of the extensive materials provided by the City.

Nick, thank you so much for your service to our city!

Sally Oldham
118 Congress Street
Munjoy Hill

Historic district designation provides a mechanism to steward the existing historic buildings on Munjoy Hill.

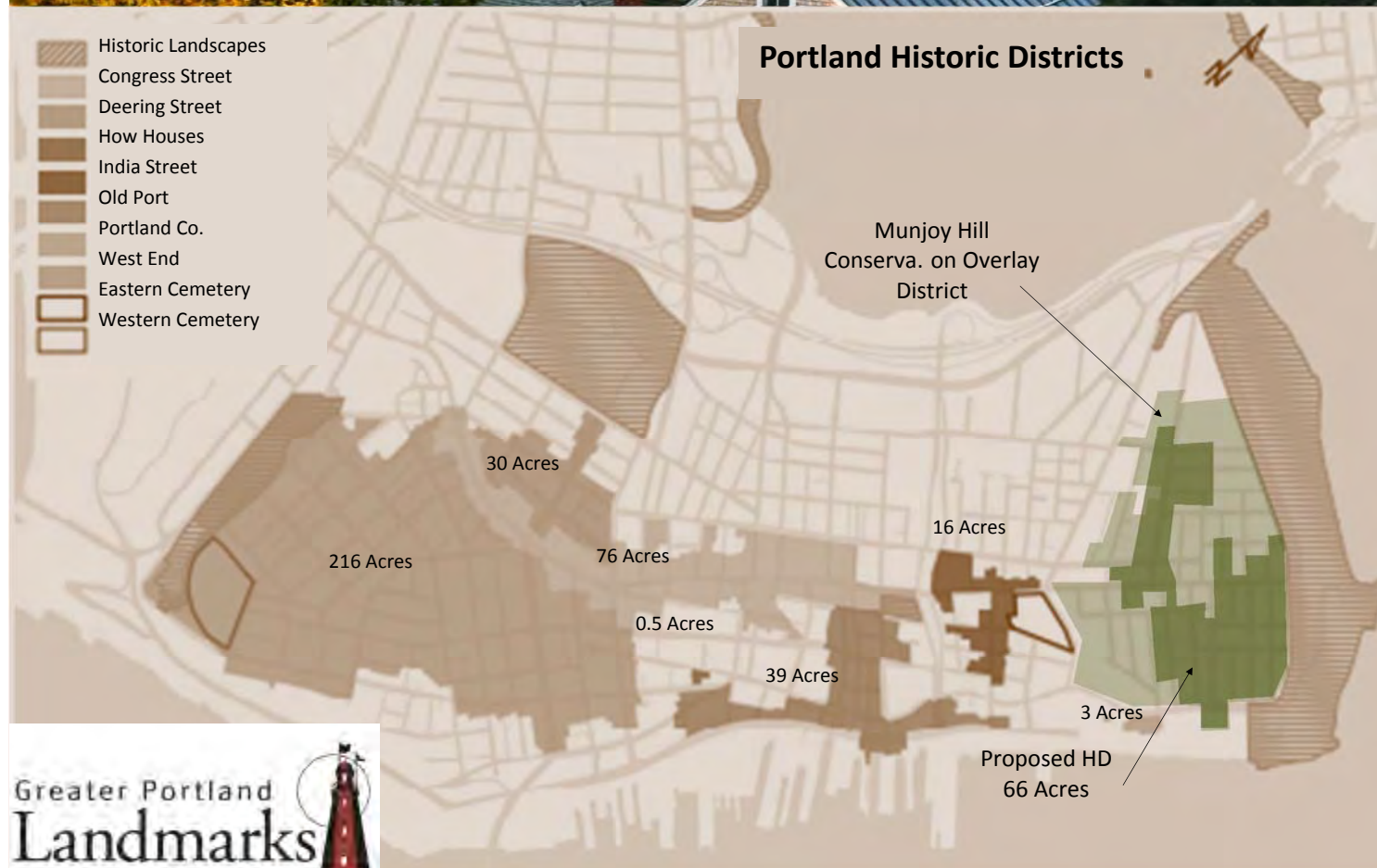
Munjoy Hill Historic District



"The district and six proposed landmarks not only meet the criteria for significance within the context of Portland's historic and cultural history and architectural development, they exhibit an identifiable visual character that contributes to a strong "sense of place". In order to be considered a historic district, a majority of buildings within its defined boundary must also retain sufficient integrity to communicate the period in which they were constructed. The area proposed for historic designation within the larger Munjoy Hill neighborhood meets these tests."

City of Portland, Staff Memo

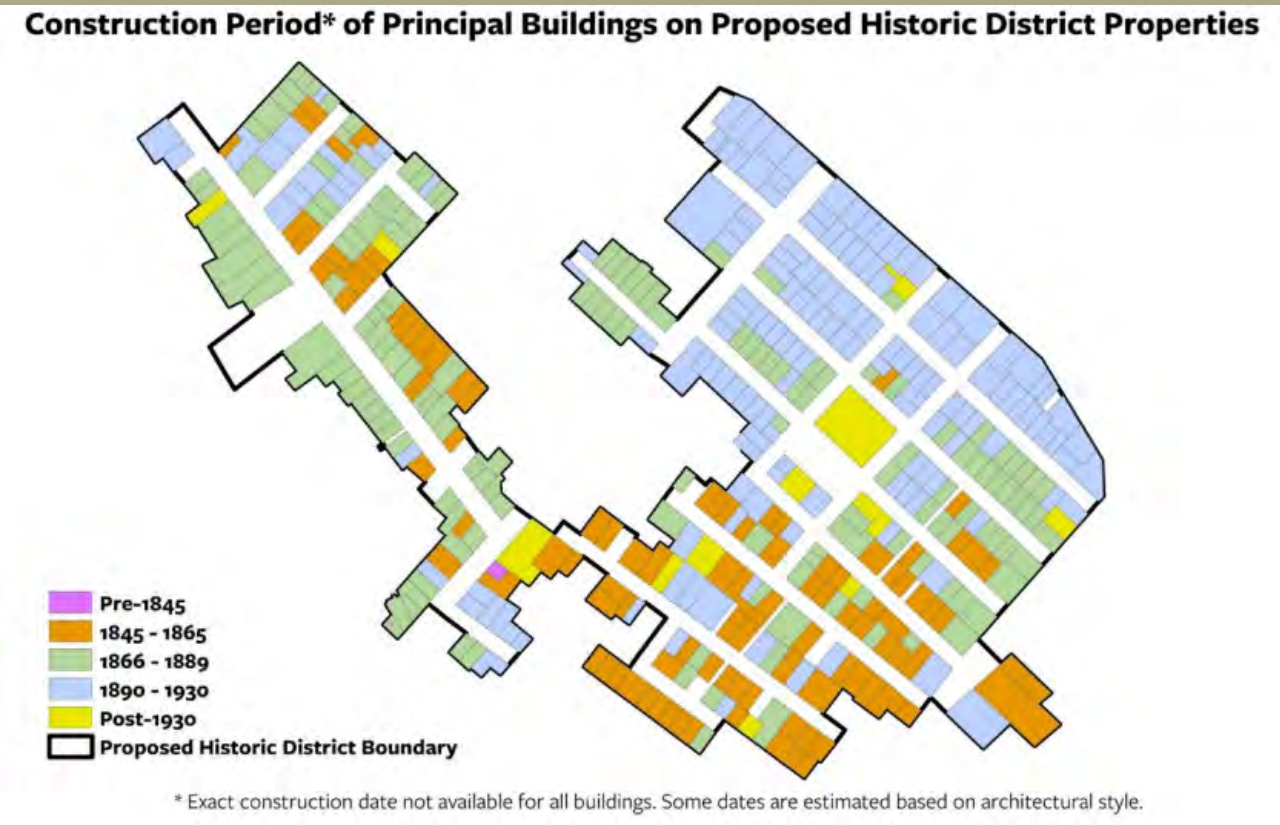
- Historic preservation and affordable housing are key components of the City's Comprehensive Plan. Many historic buildings include existing housing units rented at reasonable rates. Retaining these units, rather than replacing them with high-priced new housing, is an important means to meeting housing needs on Munjoy Hill.
- Historic preservation and affordable housing are compatible. More than 400 new housing units were approved or built in Portland's historic buildings and districts in the last 5 years, and nearly 75% of those units are affordable housing units for low-income residents and seniors.
- Historic designation is *not* a factor included in property valuation. City staff confirmed that a historic district has no impact on property taxes in Portland.
- The preservation or reuse of historic buildings helps to fulfill state and local goals to adopt sustainable building and land use policies.
- Only exterior changes visible from the street or public way are regulated under the Historic Preservation ordinance. The ordinance does not apply to interior changes or to the use of a particular building. In kind replacements are allowed. So if a building is already vinyl sided it can be replaced in kind or upgraded. Likewise, if there are already replacement windows they can be replaced in kind or upgraded. Paint colors are not regulated. Minor changes are reviewed by staff while larger alterations are reviewed by the board.
- In national studies historic district neighborhoods have a higher percentage of long-term owners and renters, than non-historic district neighborhoods. This leads to greater neighborhood stability and community engagement as long-term residents are more invested in their neighborhoods.



The buildings on Munjoy Hill represent several major periods of significance in Portland's development and history:

- Expansion of the Eastern Waterfront
- Rebuilding after the Great Fire of 1866
- Turn of the 20th century Immigration
- Portland's Black History

Period of Significance:
1850s-1930s



Period of Significance for Portland's Historic Districts	
Congress St. HD	1800-1970
Deering St. HD	1850-1890
House Island	1600s-1930s
How Houses HD	1799-1818
Portland Co. HD	1847-1924
Waterfront HD	1750-1900
West End HD	1799-1920s
Westbrook College HD	1857-1952

LOCAL DISTRICTS ACCOMMODATE DENSITY WITHOUT DEMOLITION.

Accessory dwelling units, additions, and new housing units within existing buildings are all ways that a district can accommodate more housing options.

Portland's historic districts include outbuildings, former garages and carriage houses, that have been altered to accommodate additional housing. The Historic Preservation Board approved another carriage house conversion on Park Street this summer. Additional residential units have been provided in new infill construction, building additions, and through conversion from another use.



ADU in the West End HD



Infill Housing - Bramhall Row



A converted former carriage barn in the West End HD



Infill Housing - Joy Place



ADU in the West End HD

O... WHELMING DISTRICT SUPPORT

The city received comments from nearly 325 people since the district was nominated in July 2019. Over 80% of the comments have been in support of the district.

"I am speaking in support of the historic district and from personal experience having just undergone review by the Portland Historic Preservation Board. My husband and I recently purchased a two-unit home on the hill. The goal of our project includes an extensive remodel of the back of the house, which is designed to be modern, bring in light, and maximize views. We presented our project... then we submitted additional information to answer the board's questions and the board approved our project at their next meeting. This process was not onerous."

Michelle Polichick, 167 Newbury Street, Portland resident and new owner of 24 St. Lawrence St.

"My husband and I have lived there since 2003. We have a four unit building, so...we rent the other three units. The number one reason to vote in favor of this district tonight is because of housing affordability. Preserving our existing affordable housing is the most important thing we need to do in addition to building new housing that is affordable. My building with our three other units, we currently have a cook that works at a local restaurant, a librarian, and a letter carrier for the postal service. If we were to sell our building, what would happen to it...even though it's in great condition, it would be torn down. In its place would be luxury condominiums. We know this because we see it happening all around us. So that's the threat. The underlying financial reality is that my building is worth more dead than alive. If we don't take a stand now... to preserve a mix in our neighborhood...I strongly encourage you to vote in favor of this."

Stacy Mitchell, 74 Atlantic, Munjoy Hill resident and landlord

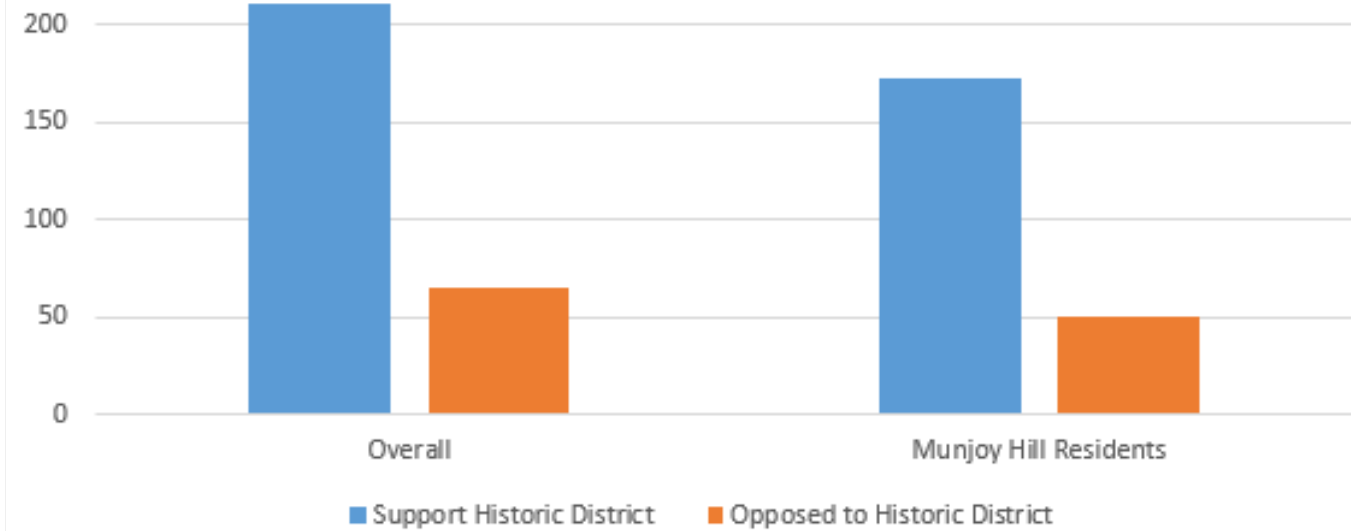
"I am very much in support of the proposed district.... I've thought a lot about how affordable housing is impacted by historic districts. If this [district] is implemented, there's still many, many opportunities to build new housing...I myself have done Casco Terrace, which is affordable housing at 41 State Street. That [is] in an historic district and went through the historic district review process. I felt as though the process actually made the building better. There are many, many examples of not only housing but affordable housing that has been built in districts: Elm Terrace, Oak Street Lofts, Carlton Street Apartments..."

Nathan Szanton, 22 Eastern Prom, affordable housing developer and resident of Munjoy Hill

"I live on Deering Street and have for over 40 years. I own my building. I have... two apartments. I've done a lot of restoration on my building. When I was still working I was a Special Ed teacher... And I have managed to do a lot of restoration work on my building... I have not found that costs were onerous."

Keri Lord, 58 Deering Street, Deering Street Historic District resident and landlord

Number of Unique Individuals that have given or submitted Public Testimony July 2019-March 2020



PORTLAND'S EXISTING HISTORIC DISTRICTS ARE DIVERSE, PROVIDE A RANGE OF HOUSING OPTIONS, AND ARE DESIRABLE, WALKABLE NEIGHBORHOODS.

SUSTAINABLE

Alterations and additions are allowed in a historic district. New additions, dormers, decks, solar panels, and garages have been approved in Portland's historic districts.



NEW HOUSING IN HISTORIC DISTRICTS



17 Carleton Street

37 Affordable Units



Mercy Redevelopment

500+ Units;
using Historic Tax Credits



Figure 8: Rendering of Building Addition from Cumberland Ave

Deering Place

75 Units, 45 Affordable,
30 Market Rate



Joy Place

12 Units



Existing



Proposed

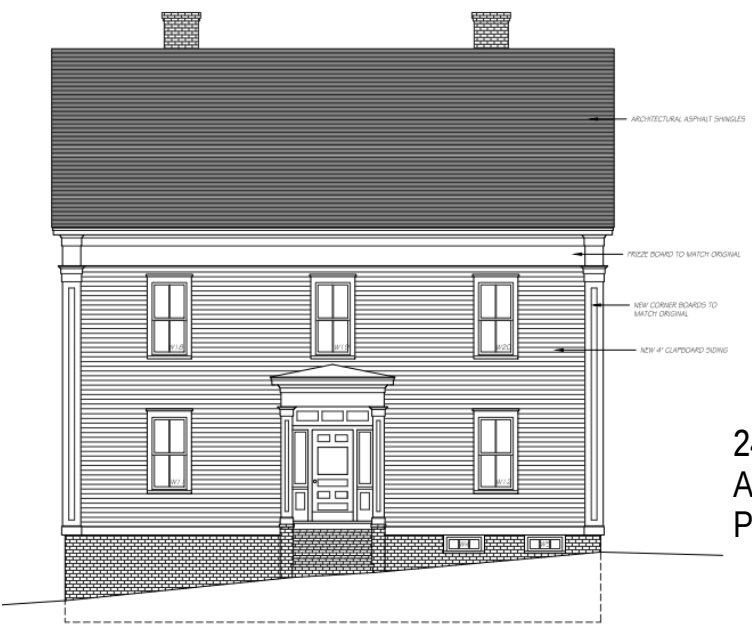
9 Howard Street
Approved by the Historic
Preservation Board



49 St. Lawrence Street
Approved by the Historic Preservation Board



Rear Elevation



Front Elevation

24 St. Lawrence Street
Approved by the Historic
Preservation Board

INTERIM PROTECTIONS: RECENTLY APPROVED PROJECTS ON MUNJOY HILL

LANDMARK BUILDINGS

The Historic Preservation Board recommends the designation of two landmark buildings within the district boundaries and six individual buildings that are outside the proposed historic district boundaries (see reverse page).



7 Lafayette Street
Individual Designation



101-107 Congress Street
Individual Designation



8-12 Montreal Street
Individual Designation



Shailer School
56-60 North Street (1882)
Proposed Landmark located within the boundary of the historic district.



Emerson School
13 Emerson Street (1898)
Proposed Landmark located within the boundary of the historic district.



21 Sheridan Street
Individual Designation



51 Monument Street
Individual Designation



28 Waterville Street
Individual Designation

SIX INDIVIDUAL DESIGNATIONS

The Historic Preservation Board recommends the designation of six individual buildings that are outside the proposed historic district boundaries. In addition to the two individual structures identified for potential landmark designation by the city's consultant (101 Congress Street and 21 Sheridan Street), four additional structures were nominated for individual designation by their respective owners. The board found all six buildings meet the ordinance's criteria for individual designation (landmarks) as follows:



Munjoy Block
101-107 Congress Street (1887)
Meets Criteria #1 and #6 under Sec. 14-610 (a), also Sec. 14-611.



William Parks House
28 Waterville (1863)
Meets Criterion #6 under Sec. 14-610 (a), also Sec. 14-611.



51 Monument Street
(mid 19th century)
Meets Criteria #6 under Sec. 14-610 (a), also Sec. 14-611.



Henry Rowe House
7 Lafayette Street (c1849)
Meets Criterion #6 under Sec. 14-610 (a), also Sec. 14-611



Boyhood Home of John Ford
21 Sheridan Street (1903)
Meets Criterion #3 and #6 under Sec. 14-610 (a), also Sec. 14-611



James B. Newell House
8-12 Montreal (1855)
Meets Criterion #6 under Sec. 14-610 (a), also Sec. 14-611



Proposed Munjoy Hill Historic District

Sarah Auld <sauld@gmail.com>

Nov 9, 2020 11:55 AM

Posted in group: **Planning Board**

Dear Mayor, City Councilors, and Planning Board Members,

As Munjoy Hill homeowners we support the Historic Preservation Board's recommendation to designate areas within Munjoy Hill as a local historic district under the provision of the city's historic preservation ordinance.

Our two daughters have attended Portland Public Schools, including Marada Adams and East End School on Munjoy Hill.

Portland made a sound investment in our children. They are just two of many young people who were raised on Munjoy Hill.

Retaining generations of vibrant young people by way of respectfully preserving their neighborhoods is sound planning.

We have watched "the Hill" grow and develop, and while we are not against development, we do feel that the vision and long term planning in recent times has been limited in scope and priorities. We feel a historic district would improve these issues.

We urge you to *approve* the Historic Preservation Board's recommendation.

Thank you for your consideration and efforts on our behalf.

Sincerely,

Sarah Auld and Tom Brokish

43 Munjoy Street

Portland, ME 04101

sauld@maine.rr.com

Support the Munjoy Hill Historic District!

Sarah Hansen <shansen@portlandlandmarks.org>

Nov 9, 2020 11:57 AM

Posted in group: **Planning Board**

Dear Mayor Snyder:

Greater Portland Landmarks strongly supports the Munjoy Hill Historic District and 6 Landmark building designations that you will consider at tonight's City Council workshop and the Public Hearing next week. We encourage you to vote in support of the designations next Monday night.

There have been a number of public informational meetings conducted by staff as well as public workshops, sites-walks and formal public hearings over the last two years. Written and oral public comment at the Historic Preservation and the Planning Board's workshops and Public Hearings has been **overwhelmingly in favor of the historic district designation**. Nearly 80% of these public comments have been in favor of the historic district designation.

The Historic Preservation Board unanimously found the proposed Historic District and proposed landmarks meet the required historic preservation criteria of the City's ordinance, both for historic significance and integrity. A majority of the Planning Board found the proposed Historic District meets historic preservation criteria of the City's ordinance and is consistent with the goals of Portland's Plan 2030.

Historic Preservation is a hugely important facet of the comprehensive plan, but also helps to meet city goals on housing and sustainability. Attached is handout identifying over 400 new units of housing added in Portland's existing historic districts in the last five years, representing over 40% of the new housing units created city-wide.

The proposed Munjoy Hill Historic District will not freeze the neighborhood in time, but instead will manage change within the district's boundaries, while preserving the buildings that help to tell the unique, diverse history of this area of the City.

Thank you for your consideration of our views.

Sincerely,

Sarah Hansen
Executive Director
Greater Portland Landmarks

Julie Larry
Director of Advocacy
Greater Portland Landmarks

Sarah Hansen
Executive Director
Greater Portland Landmarks

93 High Street, Portland, ME 04101

207.774.5561 | shansen@portlandlandmarks.org

portlandlandmarks.org

Find us on [Facebook](#) and [Instagram](#)

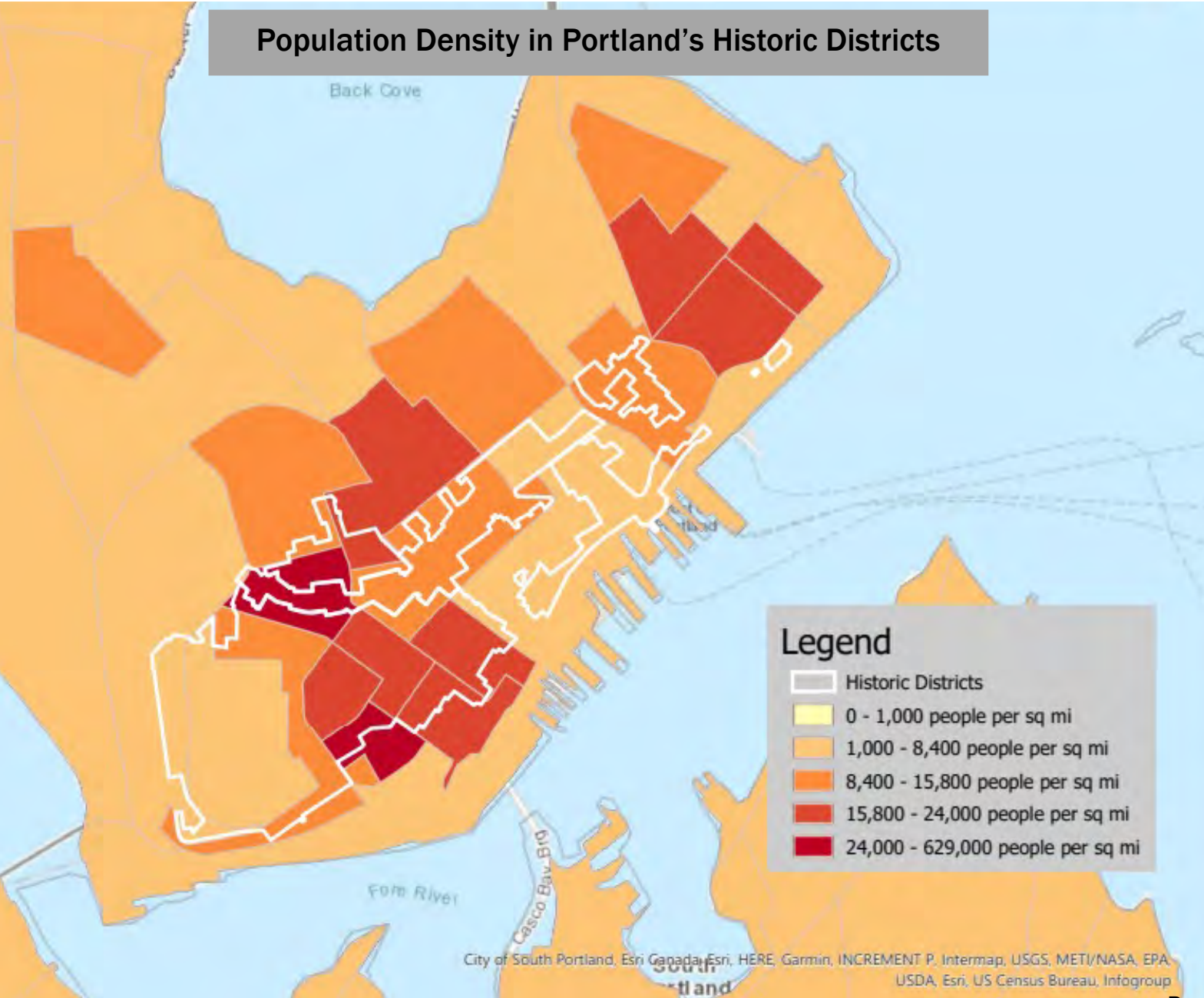


Historic Preservation & Housing Affordability

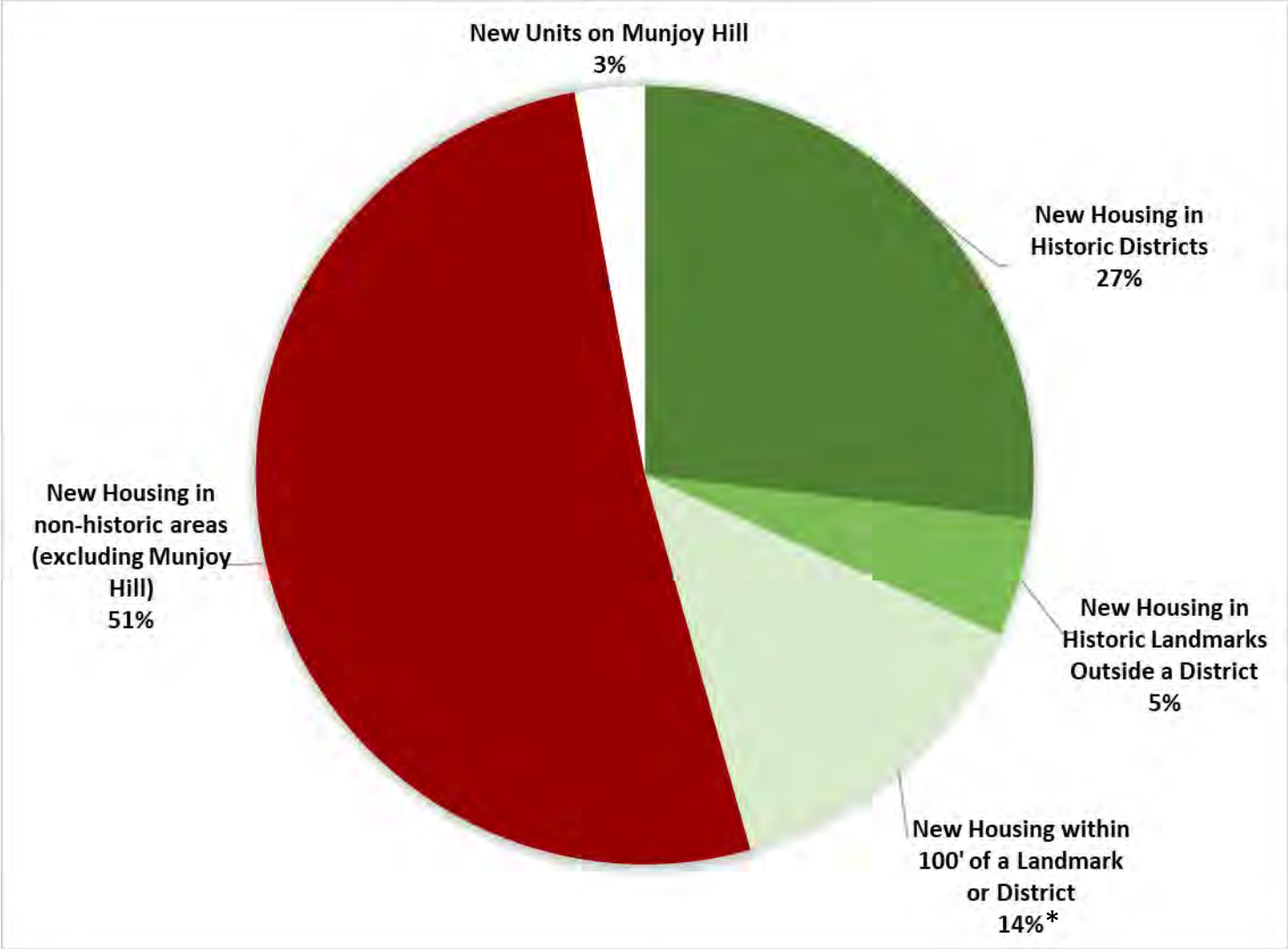
Historic districts are an important strategy for housing affordability

- Building new buildings to rent or sell is expensive unless there are deep subsidies, so older housing stock plays an important role in affordable housing.
- Emerging patterns on Munjoy Hill indicate that affordable units of housing are being replaced with expensive condominiums.

Density is often seen as a synonym for height, but Portland's historic districts are some of the city's densest neighborhoods.



New housing units built, under construction or approved in last 5 years



Historic districts help ensure Portland can successfully achieve housing goals by providing housing options for a range of household sizes and incomes, while providing for a balance of healthy change and neighborhood stability.

- Portland's Historic Districts and Individual Landmarks cover 8% of Portland's land area.
- 570 units, or 32% of the approximately 1,797 total units of new housing built or approved in the last five years in Portland, are located in a historic district or individual landmark building.

**An additional 14% of new housing units located within 100' feet of a landmark or historic district were reviewed by the Historic Preservation Board with a recommendation to the Planning Board under city site plan approval requirements.*

482 New Housing Units Built, Under Construction or Approved in Portland's Historic Districts in the Last Five Years



	PROJECT		# UNITS
1	443 Congress	Clapp Block	28
2	50 Monument		21
3	40-46 Free		51
4	667 Congress	Hiawatha	139
5	749 Congress		7
6	500 Cumberland	Deering Place	75
7	62 India	Mason Block	29
8	1 Joy Place	One Joy	12
9	17 Carleton		37
10	140 Park	Rosa True School	2
11	66 State		30
12	20 Thames		27
13	5-7 India		24

Munjoy Hill Historic District

s.t.hanson@comcast.net <s.t.hanson@comcast.net>

Nov 9, 2020 1:15 PM

Posted in group: **Planning Board**

Dear Mayor Snyder,

As a former long-time resident and property owner on Munjoy Hill, I was pleased to be the consulting architectural historian who was hired by the City to analyze the historic buildings in the neighborhood and recommend boundaries for a Munjoy Hill Historic District. I lived on Munjoy Hill for many years, first as a rental tenant and later as the owner of a triple-decker on Sheridan Street. For most of those years, I did not own a vehicle and traveled by foot or bicycle. These modes of transportation provided me with the opportunity to get to know my neighborhood very well, which was helpful when I returned to study the district boundary question.

The approach taken to determining boundaries that would provide protection to the greatest concentrations of contributing historic buildings, without including areas with less intact historic fabric, was the same as that taken to determine the boundaries of the Congress Street Historic District in 2009-2010 when I was working in the Portland Planning Department. Since becoming a private sector preservation consultant, I have written or co-written eleven National Register historic district nominations in Maine. The criteria I used in analyzing and evaluating the Munjoy Hill neighborhood for significance and integrity was the same as I used for these National Register nominations.

It has been disappointing to read comments made during the review process that suggest the boundaries of the proposed district as somehow random or "jerry-rigged." Such opinions are ill informed and simply inaccurate.

I have followed the review process for this proposed district in the press since it was first proposed by the Historic Preservation Board. Having seen the dramatic changes occurring in my former neighborhood in recent years, I have been in favor of protecting the special scale and character of The Hill. Portland has done a good job of protecting the neighborhoods containing the historic homes of the upper middle-class and wealthy on the western half of the peninsula. I sincerely hope that the Council will see the civic and cultural value of protecting a portion of this neighborhood that was primarily home to working class and lower-middle class residents historically. To preserve only the homes and stories of the privileged historic residents of the city would be a disservice to the memories of all those whose lives and labor created much of the wealth enjoyed by those who lived on the West End.

Future residents of Portland should be able to experience historic settings that tell the full story of Portland's history – the waterfront that was the foundation of the city's economy; the Old Port, where the business of the city took place in the 18th and 19th centuries and where the post-Great Fire rebuilding created a stunning assemblage of commercial Victorian architecture; Congress Street, the 20th century center of commerce and business as well as the governmental and institutional center of the city; the late 18th and early 19th century homes of the comfortable and well-to-do on and near Park Street and State Street; the homes of the same classes further west and along Deering Street, dating from the late 19th and early 20th centuries; and finally, the homes of the mechanics, laborers, small shop-keepers, dock workers, railroad and steamship porters, and others of the 19th and early 20th centuries on Munjoy Hill.

Sincerely,

Scott Hanson

Please support the Munjoy historic district

Stacy Mitchell <stacyfewmitchell@gmail.com>

Nov 9, 2020 5:32 PM

Posted in group: **Planning Board**

Dear Mayor Snyder and Councilors Ray, Thibodeau, Chong, Costa, Cook, Ali, Mavodones, and Duson,

I write to urge you to support the historic district designation for Munjoy Hill. My husband and I own and live in a 4-unit building at 74 Atlantic Street.

Preserving affordable housing (and with it, the stability of the neighborhood) is a major reason that the district deserves your support. If you don't live/own on the Hill, it can be hard to fully grasp how extreme the underlying financial forces have become and where the neighborhood is headed in the absence of historic designation.

Our 1864 building is an instructive example (it's incorrectly listed as 1890 on the tax rolls). It's in excellent condition and currently provides 4 affordable housing units. Our rents range from \$740 to \$1600, including heat. Our tenants include a house painter, a line cook at a local restaurant, a school librarian, and two USPS letter carriers. All are full-time Portland residents.

The location of our building has become so valuable that if we wanted to maximize our financial return, or we sold it to someone who did, we would tear it down and build a 4-story luxury condo building. (Such as the one around the corner from us at 25 Monument, where the units were sold for \$1-2 million each.)

In other words, our building is worth more torn down than left intact. (I'd be happy to walk you through the math.) This is true for nearly every building on the hill — no matter its condition. **Absent historic preservation, all of the affordable and middle income housing on the Hill will be converted to luxury condos, many with part-time residents.**

That would be a terrible outcome for the neighborhood and the city.

Thank you for reading my note and for your work on this important issue.

My best,
Stacy Mitchell (& Jacob Halpert)

.....
Stacy Mitchell
74 Atlantic Street
Portland, Maine 04101
Tel: (207) 232-3681
.....

Historic District

Stephen Gaal <steve@gaal.com>

Nov 9, 2020 1:40 PM

Posted in group: **Planning Board**

Dear planning board members

Please vote yes on an historic district for Munjoy Hill.

Thank you.

Stephen Gaal
603.651.9183

Munjoy Hill

Susan Goodby <sgoodby@gmail.com>

Nov 6, 2020 9:16 AM

Posted in group: **Planning Board**

I would like to express my support for making Munjoy Hill an historic district. As nearby neighbors, we frequently walk there and are struck by the feeling of the historic part of San Francisco. These neighborhoods show us a way of life that was and can continue to be a vibrant part of a modern city. Please help to protect it.

Susan Goodby
Portland and Kittery, ME

www.susangoodby.com

Sent from my iPad

Please support the Munjoy Hill Historic District!

Susan Yandell <sueyandell@gmail.com>

Nov 12, 2020 2:10 PM

Posted in group: **Planning Board**

Mayor Snyder and City Councilors,

I urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland's existing historic districts in the last five years. Portland's historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th. Thank you.

Sue Yandell

Support for Historic Designations on Munjoy Hill

Theodore Oldham <toldham@mac.com>

Nov 6, 2020 12:04 PM

Posted in group: **Planning Board**

Dear Mayor Snyder and Councilors Ray, Thibodeau, Costa, Chong, Ali, Mavadones, Cook and Duson:

As an architect and past member for 10 years of Portland's Historic Preservation Board, I would like to encourage you to support the designation of the Munjoy Hill Historic District and six individual Landmarks. An historic district designation allows for alternations and additions to existing buildings within its boundaries and allows professional design review to ensure compatibility of new construction within and adjacent to district boundaries.

These review mechanisms, now with a 30-year track record, have proven to be good tools to manage change within historic districts while preserving the special historic character of these areas and the quality of the neighborhood for our children and grandchildren.

I urge you to support the findings of the Munjoy Hill Historic District designation report as presented and to designate the Munjoy Hill Historic District and the individual Landmark buildings.

Sincerely,

Ted Oldham, Architect

118 Congress Street

Munjoy Hill

Please support the Munjoy Hill Historic District!

Tess Grossi <teg516@gmail.com>

Nov 12, 2020 7:24 PM

Posted in group: **Planning Board**

Tess Grossi
88 Park Street #33
Portland, ME

Mayor Snyder and City Councilors,

I urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City's 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland's existing historic districts in the last five years. Portland's historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th. Thank you.

--
~

Tess
802-345-0846

Munjoy Hill historic district concerns

Travis Agaman <index207@gmail.com>

Nov 8, 2020 1:21 PM

Posted in group: **Planning Board**

To the City Council and the Planning Board of the city of Portland,

I am writing to you today to strongly advise voting against the proposed Munjoy Hill historic district. The following are just a few of my serious concerns over the proposal.

Young people and future generations don't want "windows of a certain old-timey style" or "siding cut to certain old-timey dimensions". They just want to be able to live in this city *at all*. They want to be part of a vibrant, living city not a mummified husk of yesteryear's aesthetics. As a working class resident of Portland, and someone under the age of 40 I have watched this city turn its back on young people and drive them away. Yet another historic district proposal is a strong statement of "go elsewhere, this is just for rich retirees".

This process has been wasteful and one-sided. The small crowd that consistently attended the meetings on this subject represent only a specific demographic: white people over 50 years old, retired, with money to burn, fear for their property values, and no concern for the impact on their neighbors. Those 30-35 attendees may enthusiastically support the historic district however they represent a fraction of residents of the hill and do not speak for the rest of us.

Yes, historic districts cost more for residents (including renters). The quote to re-side our home with approved "historic" siding is \$35,000 (twice the cost of a non-historic option). That is more money than I earn in an entire year of working, *before tax*. That siding will then be comparatively fragile and require constant maintenance and painting, drastically increasing the cost over time. If other people can afford that, great for them. But stop trying to crush the rest of us under these excessive burdens. It is unethical to pass regulations like this just so that the neighborhood can be "cute".

The Historic Preservation Board did not prove these buildings are historic, only that some of them are old. "Historic" and "Old" are not the same thing. "Old" is not enough reason to burden us with preservation. Everyone understands that we should preserve the Wadsworth-Longfellow House and the Portland Observatory. Dozens and dozens of cookie-cutter 3-story apartment buildings hold no significance in this city or the state of Maine. There are more important issues to address than this.

The Historic Preservation Board is using underhanded phrasing techniques to ban solar panels. At a time when we need MORE solar panels and MORE Green housing options, the HPB has used sneaky phrasing in the proposal that would ban installation of solar panels while saying "it's not a ban".

The recent ballot initiatives passing - against the wishes of the City Council - speaks volumes about what Portland residents want. It is time to pay very, very close attention to that. The City Council has ignored the cries of citizens for more housing, affordable housing, and equitable housing. We had to take it into our own hands. The City Council needs to serve all the residents of Portland, not just a few old, rich people concerned with property values. Stop the historic district overlay here and now.

Thank you for your time and consideration,
Travis Agaman
8 Emerson Street, Portland

Munjoy Hill Historic District Designation

w.valzania@munjoyhill.org <w.valzania@munjoyhill.org>

Nov 6, 2020 7:14 AM

Posted in group: **Planning Board**

Greetings Mayor Snyder and Councilors Ray, Thibodeau, Ali, Mavodones, Costa, Cook, Chong, and Duson:

I have the pleasure of serving as the President of the Munjoy Hill Neighborhood Organization (MHNO). Throughout the long process of refining the proposal for designation of a historic district on Munjoy Hill, the MHNO has supported the concept as one of several important tools to productively manage real estate redevelopment on Munjoy Hill.

The MHNO continues to be strongly in support of a historic district designation for a portion of Munjoy Hill as recommended by the Historic Preservation Board. The MHNO also supports the designation of several individual landmarks as recommended by the Historic Preservation Board.

Munjoy Hill represents a remarkably intact example of working-class residential architecture of the 19th and early 20th century. The plethora of vernacular frame houses on small lots in Hill streets has survived past economic trends and contributes greatly to the ambience, sense of place and quality of life. We believe designation of at least the recommended portion of Munjoy Hill as a local historic district is an important way to protect the rich architectural heritage of Munjoy Hill, while thoughtfully managing change. We also believe it will help stabilize our neighborhood character and protect existing affordable housing. Historic preservation protections are an important tool for managing compatible change while also protecting the important character-defining features of Munjoy Hill's built environment.

The MHNO urges you to support the recommendation from the Historic Preservation Board.

Regards,

Wayne Valzania, President

Munjoy Hill Neighborhood Organization

Celebrating 40 Years of Community Service

92 Congress Street

Portland, ME 04101

207-274-4918

www.facebook.com/MunjoyHillNeighborhoodOrganization

Join Us !! www.MunjoyHill.org



Munjoy Hill Historic District Designation

Wayne@redhookdesignalliance.com <Wayne@redhookdesignalliance.com>

Sat, Nov 7, 2020 at 8:16 AM

To: planningboard@portlandmaine.gov, ksnyder@portlandmaine.gov, bsr@portlandmaine.gov, sthibodeau@portlandmaine.gov, nmm@portlandmaine.gov, pali@portlandmaine.gov, jcosta@portlandmaine.gov, kcook@portlandmaine.gov, tchong@portlandmaine.gov, jduson@portlandmaine.gov

Cc: Wayne@redhookdesignalliance.com

Mayor Snyder and Councilors Ray, Thibodeau, Ali, Mavodones, Costa, Cook, Chong, and Duson:

I am writing in support of the Historic District designation as proposed for Munjoy Hill by the Historic Preservation Board, as well as the designation of several individual landmarks also recommended by them.

Munjoy Hill represents a remarkably intact example of working-class residential architecture of the 19th and early 20th century. The collection of wood frame houses on small lots found on Munjoy Hill streets has survived past economic trends and contributes greatly to the preservation of historic New England architecture. Further it presents a sense of place and a quality of life that is treasured by those of us living here, as well as tourists who visit, providing financial support for our local businesses. Visitors come here to experience the natural beauty of our location in coastal Maine, and the peaceful sense of time past.

I also believe it will help stabilize our neighborhood character, and protect existing affordable housing. A walk or drive through the proposed Historic District will reveal many multi-family homes which blend with the neighborhoods, and, as they are pre-existing, typically have more affordable rents. They provide a neighborhood coziness that is typical of aged in place neighborhoods.

I feel that designation of at least the recommended portion of Munjoy Hill as a local historic district is an important way to protect the rich architectural heritage of Munjoy Hill, while thoughtfully managing change. Historic preservation protections are an important tool for managing compatible change while also protecting the important character-defining features of Munjoy Hill's built environment. I urge you to support the recommendation from the Historic Preservation Board.

Regards,

Wayne Valzania

27 Merrill Street

Portland, ME 04101

Please support the Munjoy Hill Historic District!

William Harding <whardingmd@gmail.com>

Nov 12, 2020 2:48 PM

Posted in group: **Planning Board**

Dear Mayor Snyder and City Councilors,

Attached at the bottom of this email is the script which the Portland Landmarks organization wants those on their mailing list to send to you.

Because I joined Portland Landmarks, and made a financial contribution, I am on their mailing list and have received multiple emails urging me to support the proposed district—and urging me write to you.

I do support the idea of this district. However, I am disappointed that the Abyssinian Meeting House and immediate vicinity has been excluded. The explanation that I received when I asked the question at a lecture by Portland Landmarks: it had been a “choice” by those in the Abyssinian neighborhood to be excluded from an historic neighborhood; and that the Abyssinian Meeting House “belonged to a different neighborhood”.

These explanations seem to be the same explanations used for hundreds of years to exclude African Americans—“it’s their choice” to be excluded and “they don’t belong”.

If the Abyssinian Meeting House “belongs” to a different neighborhood, then it, too, deserves the same attention, protections, and designation of an historic neighborhood.

In my opinion, the Portland Landmarks organization needs to devote more thought and attention to this neglected and very important historical area of Portland—and perhaps this is the opportunity to turn their attention away from Munjoy Hill unless and until this issue is more fully explored and resolved.

The history of slavery in Maine, and the history of African Americans in Maine, has been ignored too long. “Lives of Consequence” by Patricia Q. Wall should be required reading before a vote is taken.

Thank you for your attention.

William Harding
150 Middle Street 3i
Portland, ME 04101

Mayor Snyder and City Councilors,

I urge you to support the proposed Munjoy Hill Historic District. The district will protect those properties that reflect the unique history of the hill and its residents for the last 180 years, including immigrants from Eastern and Western Europe, Scandinavia, Africa, and the Caribbean. The district will also support sustainability and affordable housing goals established in the City’s 2017 comprehensive plan.

Hundreds of units of affordable housing, as well as new market rate units, have been built in Portland’s existing historic districts in the last five years. Portland’s historic districts provide access to federal and state Historic Tax Credits, significant funding for challenging housing projects. Reusing and improving our existing building stock will also significantly help meet our goals to cut carbon emissions, reducing the need for the manufacture and transportation of new building materials - as well as reducing the amount of building demolition materials that enter our waste stream.

Please vote to support the district on November 16th. Thank you.

Sent from my iPhone



Christine Grimando <cdg@portlandmaine.gov>

equity

Christine Grimando <cdg@portlandmaine.gov>

Sun, Nov 8, 2020 at 12:03 PM

To: "Jennings, Jon" <jpj@portlandmaine.gov>

Cc: Deb Andrews <dga@portlandmaine.gov>

Jon,

Following up on the question about how equity was addressed in the review of the Munjoy Hill Historic District, equity was primarily addressed in the context of housing costs and housing creation. Some of the discussion extended that discussion to the relationship of housing density to supporting transit connections. There were a number of public comments requesting a full study of the economic impacts of historic districts, but that isn't part of the evaluation criteria for districts, and wasn't undertaken here (not that such a study wouldn't be possible to bring on consultants for, but this wasn't part of the budget or schedule or precedent for these initiatives). Staff did research and shared articles on this topic with the Board (and titles of some of these were shared in the Council back-up materials in Attachment 8), and findings varied in part because there are so many variables associated with how districts are implemented from place to place, in variations of land use regulations, including housing policies, and variations in housing markets.

Discussions with the City's Tax Assessor, Chris Huff, confirmed that a designation in itself doesn't change assessed property values, and that the question of the effect of historic districts on residential property values is methodologically challenging. One reason for this is that even prior to designation, the characteristics of properties in districts (such architectural features) may already be effecting property values in ways not captured in the analysis that goes into assessing property values in or out of a district. Trends in market conditions in certain neighborhoods, particularly on the peninsula, may already be experiencing increases in property values and development pressure, making capturing the relationship between designation and rising property values very challenging (data we've looked at on average rental prices for apartments has shown comparable costs for apartments in neighborhoods with historic districts (West End, Parkside) and Munjoy Hill). Chris Huff has indicated that to properly study the impact of valuation on a designated district there would need to be a solid sampling of sales before and after a designation to compare it to other neighborhoods with similar characteristics not effected by designation, and that it would be a minimum of a 2-3 year study. If that were to be undertaken it could be quite informative, and would require consultant services.

On the topic of housing creation, the designation of a portion of Munjoy Hill would intentionally make demolition difficult and rare in that district, and therefore would limit new replacement construction. New construction will often result in the replacement of smaller structures with larger ones, and so this does introduce a new constraint on maximizing housing creation as a trade-off for retaining a share of the historic building stock on Munjoy Hill. It doesn't, however, lower the maximum density allowed in the zone, and it doesn't freeze the existing building stock or parcels at current densities. Existing structures could still be converted to allow greater residential density within the building envelope (from single family to multi-family, for instance), conversion of secondary structures such as garages to dwellings can still occur, additions to existing buildings are possible, and construction of new buildings can also still occur. New, more permissive Accessory Dwelling Unit standards would also allow for new housing creation.

In sum, there isn't evidence of a designation causing a spike in housing costs independent from the many factors that influence housing costs. A study could certainly be helpful in understanding what connection there may be between designation and housing affordability, but it would be long

and also premised on the creation of a new residential historic district so that comparisons could be made with similar neighborhoods. In regard to total housing creation, maximum number of new housing units created in the proposed district would be dampened as a result of restrictions on demolitions, but it would not at all halt new housing creation within or around existing buildings. As a historic district in the relatively dense R-6 zone, there would still be numerous paths to new housing creation besides the demolition of existing buildings to support new construction; more housing creation would still be possible within a Munjoy Hill Historic District than in any other R zone in the city.

Christine

Christine Grimando, AICP
Director
Planning & Urban Development Department
389 Congress Street
Portland, Maine 04101
cdg@portlandmaine.gov



CITY OF PORTLAND
Assessor's Office
Christopher A. Huff, CMA

TO: Christine Grimando, Director of Planning and Urban Development
FROM: Chris Huff, City Tax Assessor
DATE: 11/12/2020
RE: **Assessed Values of Parcels Included in a Historic District**

Christine,

I've prepared the following in response to City Council's questions about the effect of local historic district designation on assessed property values. I've had discussions on this topic with both you and the former Planning Director, Jeff Levine. Additionally, I've researched this topic in the International Association of Assessing Officers (IAAO) library and cite two relevant articles/studies.

Identifying the effect historic district designations have on residential property values is methodologically challenging, as the selection of neighborhoods for historic designation is not random. It is possible, and even likely, that the characteristics of properties located in neighborhoods designated as historic districts differ from properties in other neighborhoods in unmeasured ways. For example, properties located in historic districts could include ornamentation or other architectural features not captured in normal value regression analyses for assessment purposes. This could show a value change that is attributed to these unobserved property characteristics, rather than any effect of designation itself.

Further, trends in market conditions in neighborhoods designated as historic districts may differ from those in other neighborhoods. For example, residents may put more pressure on municipal officials to designate their neighborhoods as historic districts when their property values are rising. If so, then any association between designation and property value appreciation may simply reflect these underlying trends and not be attributable to the designation itself. Conversely, preservation officials may believe that designating areas as historic districts will help promote investment in those neighborhoods or reduce demolitions and new construction. In both of these situations, any association between designation and changes in property values may reflect underlying trends in demand rather than the effects of the designation itself.

Finally, the designation of a historic district may be accompanied by a variety of other changes that may affect property values. An example of this would be if there are tax credits or other benefit programs for historical designations. Or, if historically accurate materials or archetypes are required or there are additional steps in the permitting process to approve projects occurring in a designated district. Those changes may offset or otherwise confound the effects that the designation itself may have on property values and what motivates a buyer to purchase a property of this type.

At any rate, in order to properly study the impact of valuation on a designated district, you would need to have a good sampling of sales both before and after the designation is applied to compare it to other local neighborhoods not affected by designation. I believe that we would need at least a 2 to 3 year sales study sample to do so effectively.

Please don't hesitate to reach out with any questions.

Chris

References:

The Heterogeneous Effects of Historic Districts on Local Housing Markets in New York City
Wagner School of Public Service, NYU Furman Center. 2014

The Impact of Age on the Value of Historic Homes in a Nationally Recognized Historic District
Kimberly Winson-Geidman, Dawn Jordan and Shan Gao, The Appraisal Journal. 2011

Historic Tax Credit-Assisted Rehabilitation Projects in Portland
Residential Projects *
2009 - Present **

Address	Building Name	Year Completed	Total Housing Units Created	Affordable Housing Units Preserved	Affordable Housing Units Created
96 Federal Street	Josiah Duran Block	2016	0	n/a	0
660 Congress Street	George S. Hunt Building	2016	2	n/a	0
68 High Street	Children's Hospital of Maine	2013	38	n/a	38
243 State Street	Augustus Schlotterbeck House	2015	0	n/a	0
77 Pine Street	Butler School	2015	0	39	0
223 W. Prom	Charles B. Clarke House	2014	2	n/a	0
443 Congress Street	Clapp Memorial Building	2016	28	n/a	3
85 Market Street	Court Square Building	2015	0	n/a	0
191 Pine Street	Edmund Phinney House	2013	0	n/a	0
218 State Street	Henry M. Payson House	2015	0	17	0
25 Bramhall Street	Jessie D. Wilson House	2014	1	n/a	0
180 Falmouth Street	Nathan Clifford School	2013	22	n/a	0
48 Deering Street	Payson-Winslow Block	2012	0	n/a	0
1125 Brighton Avenue	Loring House - Portland City Hospital	2016	0	104	0
190 Park Street	Rosa True School	2016	2	8	2
804 Congress Street	Rufus Tibbetts House	2015	0	n/a	0
743 Congress Street	Samuel T. Pickard House	2010	0	10	0
117 Preble Street	Schlotterbeck & Foss Building	2017	56	n/a	0
600-604 Congress Street	Schwartz Building	2013	0	n/a	0
605 Stevens Avenue	Sisters of Mercy Motherhouse	2017	88	n/a	66
26 Homestead Avenue	Thomas B. Reed School	2018	8	n/a	0
295 Commercial Street	Baxter-Davis Building	2016	0	n/a	0

Total # projects: 22

154

178

69

**** Total number of HTC projects 2009 - 2020: 38**

*** From 1978 - 2007, a total of 82 designated historic properties in Portland were rehabilitated using Historic Tax Credits; 47 were residential projects**

RESEARCH BRIEF | SEPTEMBER 2014

The Heterogeneous Effects of Historic Districts on Local Housing Markets in New York City

Historic preservationists and their critics have debated the merits of historic preservation for decades. Nowhere has this debate been fiercer than in New York City, where the preservation movement was launched with the demolition of the much beloved Beaux Arts Penn Station.

That demolition prompted the creation of the Landmarks Preservation Commission in 1965. Roughly 50 years later, there are 111 historic districts in New York City. As of 2009, a total of 4.8 percent of residential units in the city were within historic districts, and 11.8 percent of residential units in Manhattan were in historic districts. Historic districts are spread throughout the city but concentrated in Manhattan: in 2009, 58 percent of historic districts were located in Manhattan; 26 percent were in Brooklyn; and a little less than 10 percent were in the Bronx.

In a just-released working paper,¹ Furman Center researchers and their partners focus on one aspect of the preservation debate: how the designation of historic districts affects property values within district boundaries and in the buffer areas just outside the boundaries.

¹ The working paper can be found at http://furmancenter.org/files/NYUFurmanCenter_HistoricDistricts_2014.pdf. Please see the paper for citations and further detail about research and findings.

I. Theory

Within a historic district, owners get the benefits of predictability and knowing that their neighborhood's historic character will be preserved. On the other hand, they lose the right to tear down their building to redevelop, and their ability to modify their building is significantly restricted. The net effect of these benefits and costs will differ across neighborhoods. District designation should boost property values in neighborhoods where the value of the option to redevelop is low (so owners are not giving up much) and increase them less, or possibly even reduce them relative to surrounding properties, in areas where further development would be very valuable. For properties located just outside the district, the predicted outcome is more clear. Owners get the benefits of living near protected historic buildings, but experience no restrictions themselves. In these buffer areas, one would expect to see an increase in value as a result of designation.

II. Methods

To test these theories using data from New York City, the Furman Center compares the changes in prices of homes located inside districts to changes in the prices of comparable homes that are outside the district, but located in the same neighborhood. The researchers look at housing prices before the district was designated and then test how the differential – the difference between houses located inside and outside the district – changes after designation. The study also compares the prices of homes in the 250-foot buffer area surrounding the district to the prices of comparable homes that are outside both the buffer and the district, but still located in the same neighborhood. Again, the researchers compare the difference in these prices both before and after districts are designated.

Methods: Basic Intuition



Inside District



Outside District

Furman Center researchers compare price differences between comparable properties inside a historic district and properties outside the district but within the same neighborhood, before and after designation.

III. Results

Compared to properties located in the same neighborhoods, the value of properties in the buffer areas immediately surrounding historic districts increases after designation relative to properties farther from the districts. Although they originally sell for slightly less than comparable properties in the neighborhood, their value starts to rise relative to other properties after the designation of a historic district, as shown in Figure 1.

Similarly, Figure 2 shows that, compared to similar properties outside the district, homes within historic districts grow relatively more valuable after designation.

In Manhattan, however, a different pattern emerges, as illustrated in Figure 3. Prices in the historic district remain higher than those outside the district, but that gap narrows slightly after the designation. When a historic district is designated, owners lose their development rights. Owing both to the greater allowable density and the more valuable residential space, those rights are often far more valuable in Manhattan than in other parts of the city. The paper runs further tests to show more generally that the designation of historic districts leads to larger increases in the value of properties within historic districts when the value of the development rights that owners give up are lower.

Figure 1: Relative Price of Buffer Properties Compared to Properties Farther From Historic District (Regression-Controlled), Citywide

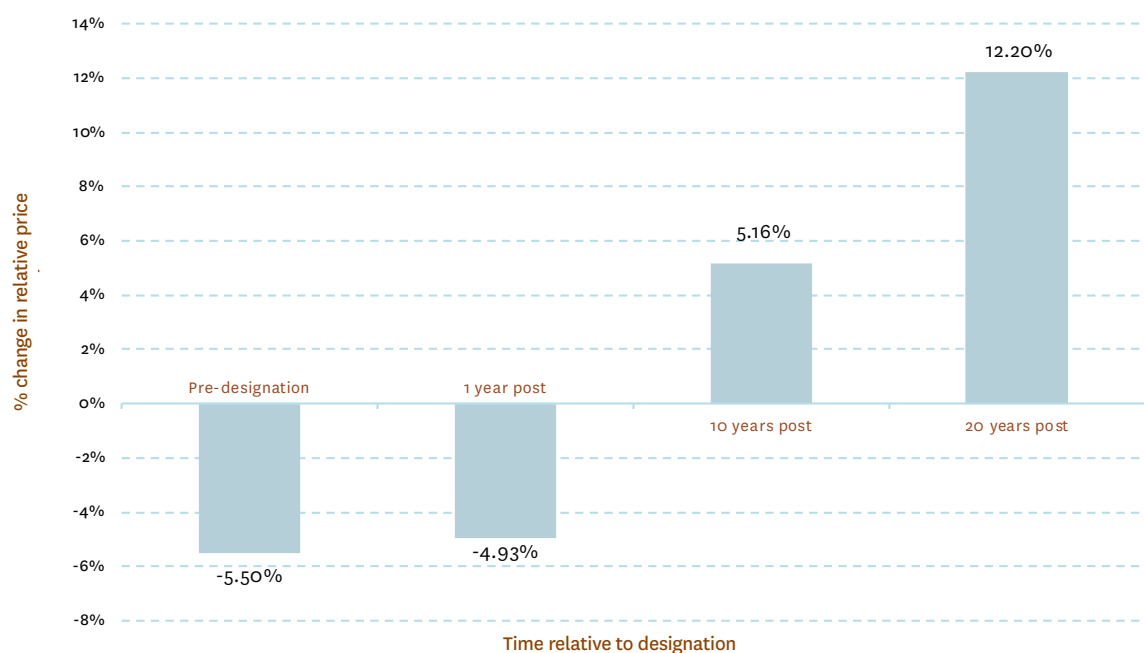


Figure 2: Relative Price of Properties Within Historic Districts Compared to Similar Properties Outside District (Regression-Controlled), Citywide

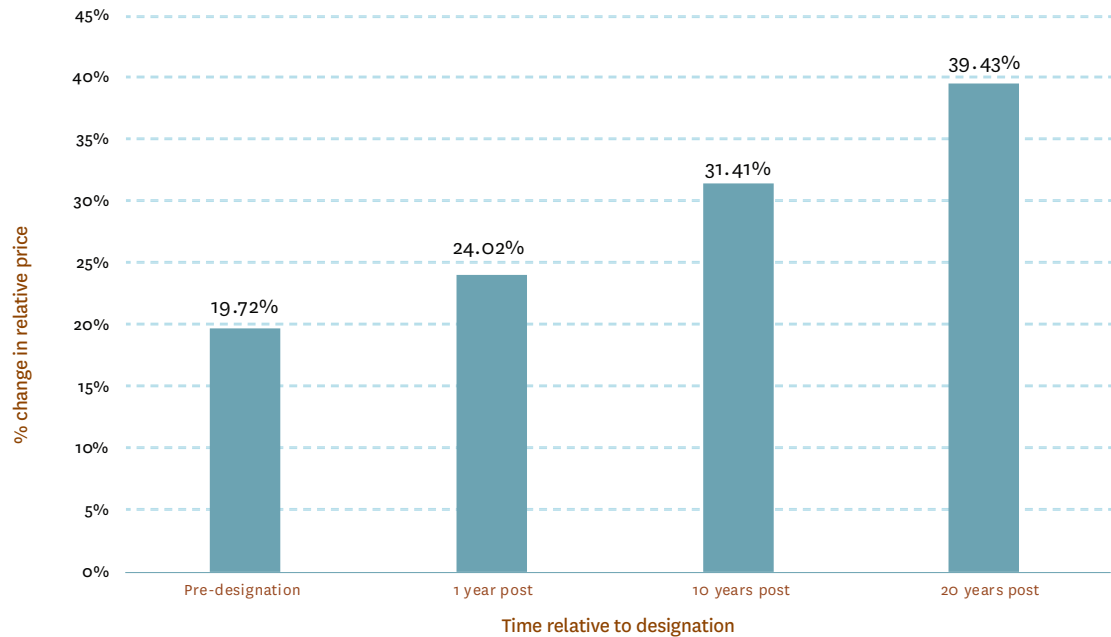
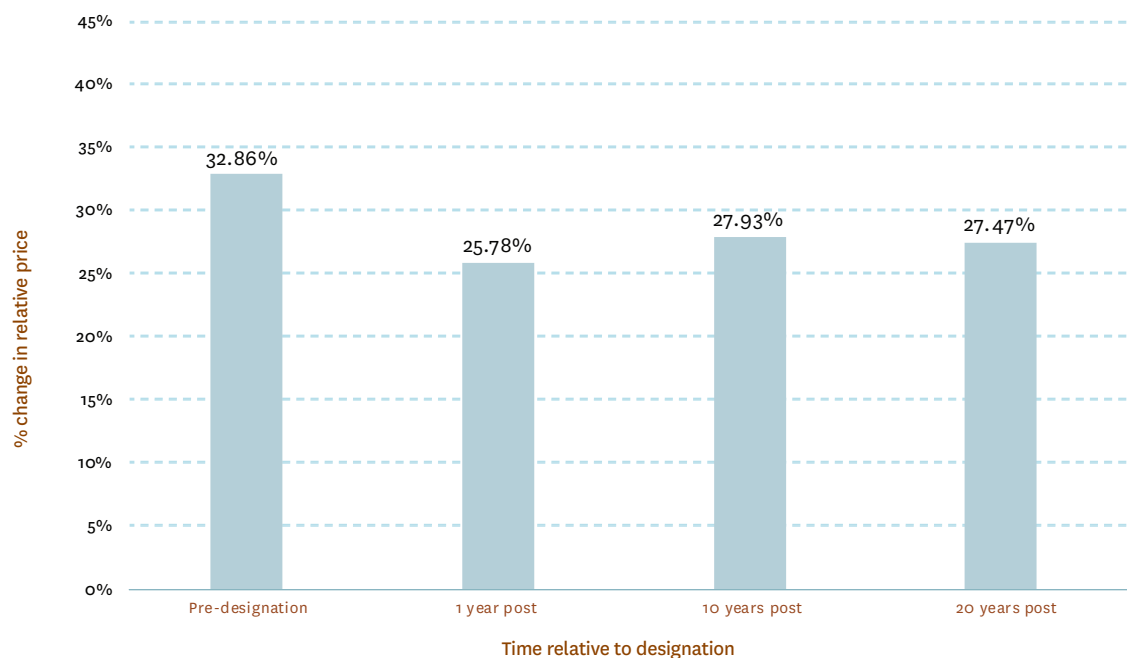


Figure 3: Relative Price of Properties Within Historic Districts Compared to Similar Properties Outside District (Regression-Controlled), Manhattan





IV. Conclusion

Our findings suggest that, across the city, the designation of a historic district boosts the value of residential properties just outside the district.

While the designation also increases the value of properties within districts on average citywide, our research reveals systematic variations across neighborhoods.

In communities where the value of the lost option to redevelop is lower, the value of properties within districts increases significantly after designation. However, when the foregone development rights are very valuable, the value of properties within the district increases less after designation—and may even decline—relative to properties in the surrounding neighborhood.²

²There are many aspects of the historic preservation debate that this paper does not address. It did not capture the value of preserving architectural heritage to residents outside the neighborhood and to others more broadly. Similarly, it did not attempt to capture broader impacts on housing prices that may result from restricted supply.

About the NYU Furman Center

The NYU Furman Center advances research and debate on housing, neighborhoods, and urban policy. Established in 1995, it is a joint center of the New York University School of Law and the Wagner Graduate School of Public Service. More information can be found at furmancenter.org and [@FurmanCenterNYU](https://twitter.com/FurmanCenterNYU).

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Simply put, older blocks often offer more affordable housing options than newer areas of the city. // Beth J. Harpaz/AP

Density Without Demolition

STEPHANIE MEEKS JUNE 11, 2017

Tearing down old buildings won't make our cities more affordable or inviting. It's time to make better use of the buildings and spaces we already have.

As anyone who's tried to find an apartment lately can tell you firsthand, many of America's biggest cities are in the midst of a full-blown affordability crisis. All over the country, as young job-seekers and empty nesters both look to enjoy a more urban daily experience than offered by the previous suburban ideal, neighborhoods are struggling with skyrocketing housing and rental costs and surging development pressure.

We face some tough challenges in trying to navigate these pressures, but creating a false dichotomy between affordable housing and historic preservation should not be one of them. Creating affordable housing and retaining urban character are not at all competing goals. In fact, contrary to the conventional wisdom, they can most successfully be achieved in tandem.

This may seem surprising at first, especially given the debates now raging in several cities. Take Portland, for instance, where a highly contested state bill aimed at spurring affordable housing also threatens to weaken historic protections and, in so doing, foster a wave of demolition that only threatens to further raise the cost of homes there.* Last November, San Francisco voters rejected a hotly contested housing moratorium targeting the Mission District, a traditionally Latino neighborhood that has become the favorite of workers in the region's burgeoning tech sector. In Los Angeles, meanwhile, residents argued sharply over Measure S, a voter initiative that would have restricted any large-scale construction that did not conform to the city's planning guidelines.

Even in our most densely populated cities, parking takes up inordinate amounts of valuable urban space.

Unfortunately, the heated rhetoric in these cases suggests there is a natural opposition between affordability and community character. In fact, we can achieve both at the same time, as evidenced by the past several years of research at the National Trust. In city after city, we have found that neighborhoods with older, smaller buildings and mixed-age blocks tend to provide more units of affordable rental housing, defined as housing whose monthly rent is a third or less of that city's median income.

These areas also performed better along a host of other important social, economic, and environmental metrics. Across all 50 cities surveyed in our new [Atlas of ReUrbanism](#), a comprehensive, block-by-block study of the American urban landscape, areas of older, smaller buildings and mixed-age blocks boast 33 percent more new business jobs, 46 percent more small business jobs, and 60 percent more women- and minority-owned businesses.

They are also denser than newer areas. As anywhere from Boston's North End to Miami's Little Havana can attest, relatively low-slung, human-scale neighborhoods with older fabric are the "[missing middle](#)" of cities and can achieve surprisingly high population densities.

Simply put, older blocks often offer more affordable housing options than newer areas of the city, while creating employment and entrepreneurial opportunities for urban residents of all incomes. At a time when cities are [struggling](#) with the high costs of adding new affordable housing, making better use of the tremendous adaptive potential of under-used existing buildings is a proven way forward that sidesteps many of the problems posed by demolition for new construction.

Of course, in many cities, new construction is also needed to keep pace with growing numbers of residents. But this new development doesn't have to dwarf established neighborhoods or demolish existing urban fabric to accommodate growth. Almost anywhere you look, there are opportunities for sensitive and compatible infill that can enrich urban character rather than diminish it.

Recommended



Using Preservation to Stop Gentrification Before It Starts

[AMANDA](#)

[ABRAMS](#)

DECEMBER 14,

2016



The Deception of Density

[GARRETT](#)

[DASH](#)

[NELSON](#)

OCTOBER 26,

2016



Consider downtown Louisville. Its streets are pocked with surface parking lots that make for asphalt dead zones, and could just as easily provide ample opportunity for new, compatible construction. Louisville is not an outlier: even in our most densely populated cities, parking takes up inordinate amounts of valuable urban space.

And parking lots are not the only underutilized urban asset these days. In New York, as I've noted here before, a 2014 survey of a third of the city found nearly 2,500 vacant lots and more than 3,500 empty buildings, enough room to house 200,000 people. Putting these older and often distinctive structures to use makes much more sense than tearing up city blocks to start over.

Ultimately, cities should strive to be character-rich *and* affordable. We need to embrace policies that address today's egregious housing costs, but do so in a way that acknowledges the fundamentals of what makes our cities work. As our disastrous national experiment with "Urban Renewal" a half-century ago should make clear, demolishing existing urban neighborhoods is a giant step in the wrong direction. Instead, let's make better use of the buildings and spaces we have to fashion cities that are affordable, diverse, exciting, and inviting for everyone.

UPDATE: *This has been updated to reflect amendments to the original bill.*

Aug 20, 2018, 08:00am EDT

Your House Is In A Historic District: Does That Raise Or Lower Its Value?



Regina Cole Contributor ⓘ

Real Estate

I think old houses, and the people who love them, are fascinating.

⌚ This article is more than 2 years old.



All of Nantucket is a historic district; homeowners must get approval for each and every change they...
[+]

Paul Whaley of Boston's Coldwell Banker Residential Brokerage speaks for a lot of the real estate industry when he voices his feelings about historic districts. "I think buyers see a property in a historic district as a negative

because it restricts what they can do,” Whaley says. “Investors don’t like it either as it takes longer for approvals. In general, I think it depresses the value of a property.”

There are more than 2,300 local historic districts in the United States. The first one was created in 1931, in Charleston, South Carolina, followed a few years later by the second, in New Orleans. In 1966, the Department of the Interior established the National Register of Historic Places. And, while a National Register listing is an honorary designation, those local historic districts are the ones with teeth. Most issue design guidelines that control changes made to the properties within the district.

“People are afraid that being in a historic district will disable them from making changes,” says architect [Christopher Dallmus](#), principal and president of Design Associates of Cambridge, Massachusetts. The firm has worked in historic districts from Nantucket to Colorado. “The purpose of a historic district is not to make it impossible to make changes; it is to make sure that the change is appropriate.”



Row houses on a residential street in Georgetown, a historic neighborhood located in northwest... [+]

“If an area has caught the attention of a community so that it gave it historic district protection, it must be special already,” says [Bruce Irving](#), a realtor and home renovation consultant based in Cambridge, Massachusetts. “The value goes back to before it was a historic district; the district was put in place because people saw something special, and this is another level of control and input by the community.”

He believes historic districts enhance property values. This is borne out by [an analysis real estate values in historic districts](#) conducted by economist Donovan D. Rypkema, of Washington, D.C. “The results of these studies are remarkably consistent: property values in local historic districts appreciate significantly faster than the market as a whole in the vast majority of cases, and they appreciate at rates equivalent to the market in the worst case. Simply put – historic districts enhance property values.”

[A 2011 study of Connecticut historic districts and property values](#) found that property values in every local historic district saw average increases in value, ranging from 4% to over 19% per year. In [New York City between 1980 and 2000](#), local historic district properties on a price per square foot basis increased in value significantly more than non-designated properties.

“You can lose the things that attract people,” Irving says. “It is also important for homeowners to remember that the purview of the historic district commission is those things that can be seen from a public way. It has nothing to do with the interior.”

But it will preserve the historic charm that attracted people in the first place. “When you buy into a historic district, you can rest assured that, in 30 years, it will tend to look very much the same” says Dallmus.

**Regina Cole**[Follow](#)

I learned about historic houses from the best: owners who lovingly preserved and restored them, and preservationists who shared their knowledge. When I first began

The Impact of Age on the Value of Historic Homes in a Nationally Recognized Historic District

by Kimberly Winson-Geideman, Dawn Jourdan, and Shan Gao

Valuing properties in historic areas presents a series of challenges, which are complicated by the age of the structure. In a study of housing-related real estate risk, Rachlis and Yezer (1988) conclude that appraisal risk is most often associated with age. In many historic districts, the actual age of a majority of properties often exceeds one hundred years, and without significant renovation and/or rehabilitation activity, these buildings risk losing (or have lost) all economic value. Given that, standard hedonic models typically employ an age-related variable that fails to account for significant investment. While this is often a function of data availability, it contributes to heteroscedasticity in the error term, which tends to increase as dwellings age (Goodman and Thibodeau, 1995).

A unique feature of this paper is that it investigates the use of age as a predictor of value for historic residential properties in a nationally recognized historic district. Using property record data from Savannah, Georgia, our research shows that when estimating value it is important to model actual age and effective age separately, particularly in the context of historic preservation, and that effective age more accurately captures the value of depreciation than actual age. Two research questions are addressed. First, we hypothesize that there is a point where the value of historic properties as a function of the date of construction (the “actual age”) is enhanced; that is, the properties are considered “antiques” and the depreciation schedule turns upward. If this is so, then one can assume that the oldest properties are in greater demand, resulting in higher values. This leads us to question the relationship between effective age and historic designation: Is value typically attributed to historic designation correctly assessed, or is it, as we suggest, more accurately a function of effective age, which represents investment in property rehabilitation and/or restoration? We explore the effective age specification, using it to develop a variant of Tobin’s Q to measure

ABSTRACT

This article uses hedonic modeling to test the effects of age, both actual and effective, on the value of historic properties within a nationally recognized historic district. Findings show that there is a critical point where the value of historic properties is affected by actual age and the depreciation schedule turns upward. Effective age is used to develop a variant of Tobin’s Q, which provides evidence that inter-district price differentials often attributed to historic designation are at least partially a function of investment differentials between districts.

Reprinted with permission of the American Real Estate Society. The material in this article originally appeared in *Journal of Real Estate Research* 33, no. 1 (January–March 2011): 25–47. This article was the winner of the Real Estate Valuation Article Prize sponsored by the Appraisal Institute at the American Real Estate Society 25th Annual Meeting in Monterey, California.

the impact of the value to replacement cost ratio on price in two adjacent historic districts in Savannah. The resulting parameter estimate provides insight on the relationship between designation, investment, and value, as well as future renovation opportunities within the local market.

The paper is divided into four additional sections. The next section contains a theoretical discussion of the relationship between historic designation, property value, and actual and effective ages, which is followed by a discussion of the unique data set to be analyzed. A description of the historic Savannah property market, detailing its development, as well as providing an assessment of current conditions, is included. Next, the model estimates are discussed. The paper closes with concluding remarks.

Literature

Historic Designation and Value

Studies show that the creation of historic districts pays multiple dividends, both social and economic. The New York Landmarks Conservancy (New York Landmarks Conservancy, 1977) reported that historic district designation enhances a sense of neighborhood pride, serving to improve the social fabric of the community. Further, cities and neighborhoods actively seek historic designations to augment their property tax base, enhance tourism expenditures, and encourage private sector investment in business (Listokin and Lahr, 1997; TIAA, 1997; Winson-Geideman, Jourdan, and Gao, 2007).

Historic designation typically places a limit on property rights, restricting the owner's use of the property. Theoretically, this should result in a loss of value, though opportunities for income or property tax relief may offset the impact of that loss, particularly in the case of individual property designations. This has been challenged in a number of empirical studies, most recently by Narwold, Sandy, and Tu (2008), who studied the impact of the Mills Act, an initiative in California that allows municipalities to create historic designation programs.

The basic premise of the program involves owners receiving a reduction in property taxes in return for agreeing not to alter the exterior of a historic property for a period of ten years. The authors found designated property sale prices to be 16% higher than similar, non-designated properties, and also found

that amount to be greater than the capitalized tax benefit, implying value in the designation.

A study of historic commercial buildings in Winnipeg Manitoba by Cyrenne, Fenton, and Warbanski (2006) shows that certain classes of historic buildings (as defined by degree of historical importance) have higher assessed values than comparative, non-historic properties. The study also found that some classes, particularly those that are considered to be of the greatest historical importance, are more likely to be renovated than other classes. Even though renovation expenditures contributed significantly to higher property assessments, the impact of the increase was only 0.33 cents for each dollar spent.

While additional studies show that properties within historic districts typically sell at a premium (Ford, 1989; Asabere and Huffman, 1994; Clark and Herrin, 1997; Coulson and Leichenko, 2001), that premium can be dependent on the type of designation. A 1991 study by Schaeffer and Millerick found that nationally designated properties were positively impacted by the designation, but those with only local designations were negatively affected. The authors attribute the difference to the more stringent controls in the local area and the enhanced prestige associated with being part of a national district.

Historic designation is only one of several reasons that the demand for historic properties has increased. History cannot be replicated in new housing units, which limits the supply of such properties and contributes to escalating prices. Further, the old adage "they don't make them like they used to" often holds true—building materials and techniques have changed over the years and the quality, character, and style inherent to historic properties is difficult and/or economically infeasible to duplicate. Given these facts, one might intuitively suspect that property age factors significantly increased demand for historic homes and that the value of different vintages varies within designated historic districts.

Actual Age and Value

While a number of studies deal with age-related real estate issues, we are unaware of any that have a specific focus in the context of historic preservation, a unique feature of this research. There is, however, a significant body of research that addresses age as a proxy for depreciation even though it serves as an imperfect measure.¹ Age affects value in a non-linear

manner for several reasons. First, as buildings depreciate, maintenance costs increase. The physical deterioration that occurs when necessary repairs are ignored (i.e., deferred maintenance) can result in a sale price lower than that of comparable properties within a given market. Conversely, investment in rehabilitation can result in depreciation rates that are lower than average (Knight and Sirmans, 1996) and thus capitalized into higher sale prices. A study by Chinloy (1980) showed the total depreciation rate of housing in Canada to be 1.52%, of which 37% was explained for by lack of maintenance. The “lemon” effect also introduces a level of risk into the depreciation measurement. If a building is regarded as being of poor quality or a “lemon,” it will be sold at a discount (Dixon, Crosby and Law, 1999; Hulten and Wykoff, 1981).

Another reason age-related non-linearity is problematic in the hedonic function is attributable to functional obsolescence (Randolph, 1988; Wykoff, 1989; Yiu, 2002), which exists when a home has more or less of a feature than what is found in new housing. It is considered curable when it is profitable to make necessary alterations and incurable when the cost exceeds that which is available in a new home. Colwell (1991) discusses the relationship between functionally obsolete housing characteristics and hedonic theory, noting that functional obsolescence is often age-related, resulting from changes in technology, preferences, income or design. The author finds that when valuing functionally obsolete characteristics that are curable, the hedonic function deviates from the expenditure curve, which is contrary to Rosen’s (1974) seminal research of the hedonic price function. The impact of technological change is captured in research by Colwell and Ramsland (2003). Using sales data for 43 large department stores in the United States, the authors found that, after controlling for both locational and physical depreciation, observable functional obsolescence nearly stops at a critical point in the property life cycle—in this case at the 16th year. Prior to that, the measured rate of technological change is 1.7% per annum regardless of reinvestment. Reinvestment after the critical point is shown to eliminate observable functional obsolescence.

Diaz, Hansz, Cypher, and Hayunga (2008) recognized the non-linear relationship between property age and value in a study of conservation districts, suggesting that older residential properties may have

a higher value due to their unique characteristics and limited ability to reproduce the same structure. To correct for the linearity issue, each observation was placed in approximately equal age categories and assigned a binary designation of 1 if the age fell within a given category, 0 if it did not. Results show that homes ranging from 59 to 77 years of age sold at a premium when compared to those aged 48 to 50, and those aged 7 to 47 sold at a discount. Properties with an actual age greater than 77 years showed no significant difference from the control group.

Research on the effects of age on the value of office property shows significant, negative impacts as properties age. Frew and Jud (2003) found a negative impact in the Portland Oregon market, although the magnitude of the impact was small. Dermisi and McDonald (2010) found that age negatively impacts value in Chicago office buildings after controlling for renovation expenditures, and that a Class A designation markedly increased the value of properties built prior to 1972.

Effective Age

Given its limitations, what is the specification that is most useful when measuring age? Clearly the development of a variable accounting for renovation, rehabilitation, and/or maintenance expenditures is necessary to produce reliable estimates. Corgel and Smith (1981) present a theoretical and statistical model investigating the relationship between the economic life of a property and market value. The authors underscore the importance of variable specification, and recommend using remaining economic life as the most appropriate measure since it factors in rehabilitation expenditure.

Epley (1990) builds on the Corgel and Smith (1981) model with a theoretical and algebraic estimate for the calculation of effective age for single-family structures. He recommends estimating the economic life of both the subject and comparables beginning with the Society of Real Estate Appraisers (1984) method for deriving the economic life of a property. The effective age estimate is then calculated as a function of the actual age of a property, its remaining economic life, reproduction cost, and sale price adjusted for financing conditions. The subject is modified relative to the remaining economic life of the comparables. Thus effective age, when used in the context of property appraisal, is defined as a concept that “represents an excess or deficiency in

repair, remodeling, functional design, and location or economic obsolescence of the subject relative to the level of the same variables in comparable markets,” (Epley, 1990).

In places that are designated as historic, decreases in effective age can be used to approximate the effects of investment in preservation. For instance, a property that has an actual age of 100 years and an effective age of one year implies alterations significant enough to equal the utility of new construction, which includes market-driven characteristics relevant to that time. The importance of effective age as a valuation tool in markets distinguished by a large number of historic properties cannot be overstated, particularly when a property is quite old. Even so, it is noticeably absent from much of the established historic designation literature (Asabere, Hachey, and Grubaugh, 1989; Leichenko, Coulson, and Listoken, 2001; Narwold, Sandy, and Tu, 2008).

It is important to emphasize that the use of effective age does not preclude the use of actual age, which also plays an important role in historic property valuation. The question, then, is if effective age acts as a measure of functional obsolescence, what is actual age measuring? In this research we hypothesize that actual age captures some unmeasured housing characteristic that is a function of the year the property was built, similar to the “vintage effect.” The vintage effect clarifies the relationship between current consumer preferences and the supply of housing of a given vintage or vintages (Goodman and Thibodeau, 1995). We recognize that there is likely a point where older homes are perceived as “antiques” and actual age enhances value. We further posit that effective age negatively impacts value, and use it to calculate the value to replacement cost ratio to estimate the impact of investment on inter-district price differentials in the historic Savannah market.

Data and Methods

Study Area

Preservation initiatives in Savannah are deeply rooted in a largely intact city plan first designed in 1733. The original plan created an orderly, functional town consisting of 24 squares placed at regular, short distances across the landscape. With 22 of the original squares still intact, Savannah is lauded as an example of outstanding engineering by scholars of contemporary urban planning. To its credit, the

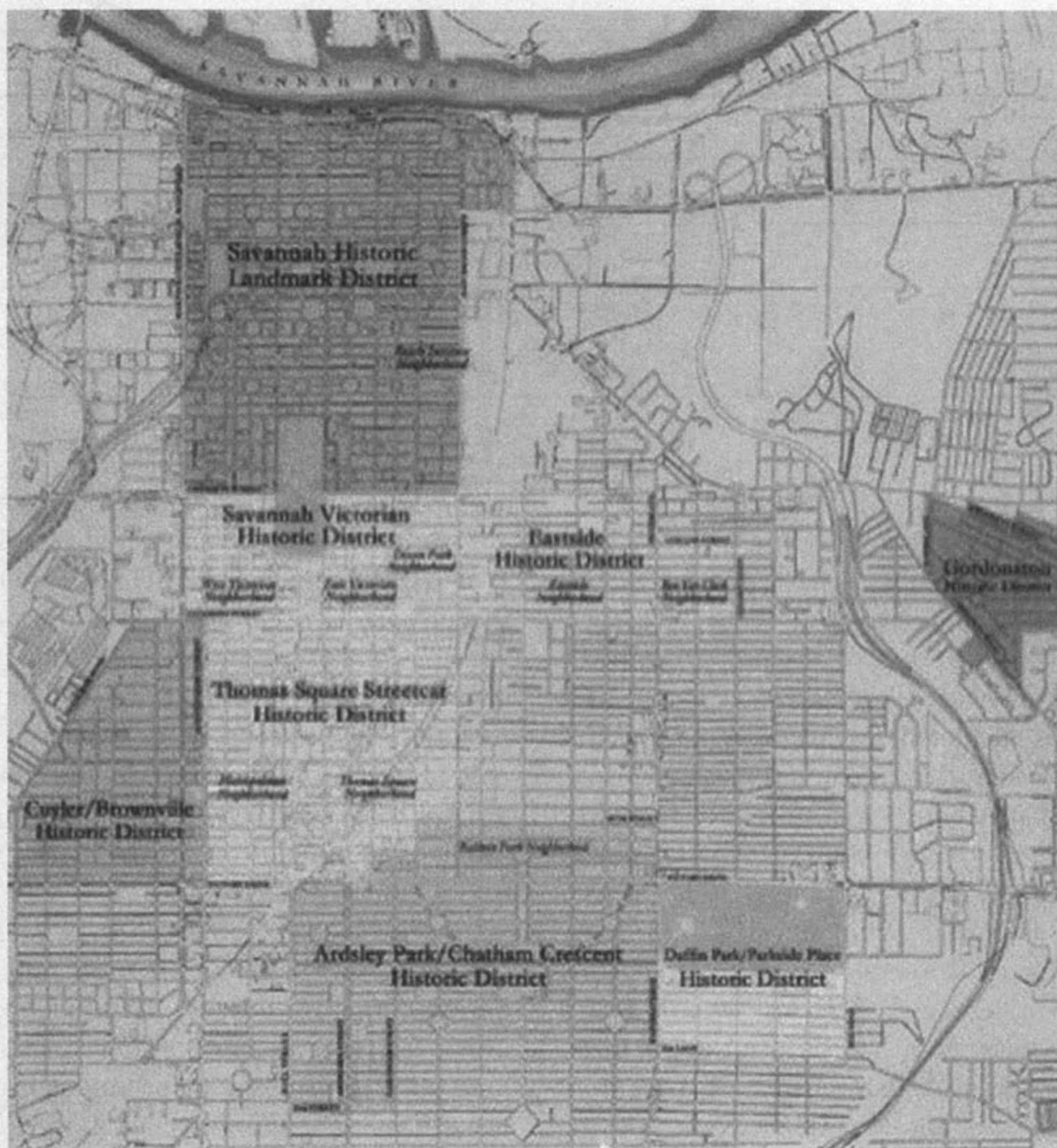
city has actively sought to preserve the squares and surrounding structures, receiving a great deal of support from the local community, non-profit organizations, and the private sector. In 1966, 1.1 square miles of the city were designated as a National Historic Landmark District (NHL) by the National Park Service because of its unique, well-preserved city plan and historic building stock. The NHL is home to about 1,100 buildings and is the primary geographic focus of this study. There are seven other historic districts in Savannah including the Victorian Historic District (VHD), which is considered the first “suburb” of the NHL (Exhibit 1). It is adjacent to the NHL, was originally developed from the 1880s to early 1900s, and serves as the second geographic focus area. While the same National Register designation is held by each district, local restrictions are more burdensome in the NHL. For instance, exterior paint colors used in the NHL must be approved by the local historic review board, while in the VHD there is no such requirement. Additionally, the NHL is considered to be more pristine and desirable due primarily to the uninterrupted number of structures that have been preserved over time.

Since the 1990s the NHL and the surrounding neighborhoods have seen considerable shifts in population demographics, which have likely been influenced by historic designation and are consistent with neighborhood gentrification. Economic indicators in the historic district including education, poverty, income, and employment show the 2000 population to be much more affluent and educated than residents were in 1990. These changes have been further exacerbated by a growing interest in Savannah as a tourist destination, with historic preservation often cited as the engine that drives the \$1 billion industry (Winson-Geideman, 2007). Investment in real estate has increased rapidly, with the number of building permits issued almost doubling between 2002 and 2006 (Exhibit 2).

Data

Extensive data on sale, physical, time, and neighborhood characteristics are required to execute the multiple regression analysis necessary to compute the effects of age on value. These data were primarily acquired from the Chatham County Tax Assessor and include each property’s address, as well as a series of structural characteristics and transaction information, such as sale price and

Exhibit 1 The Historic Districts of Savannah



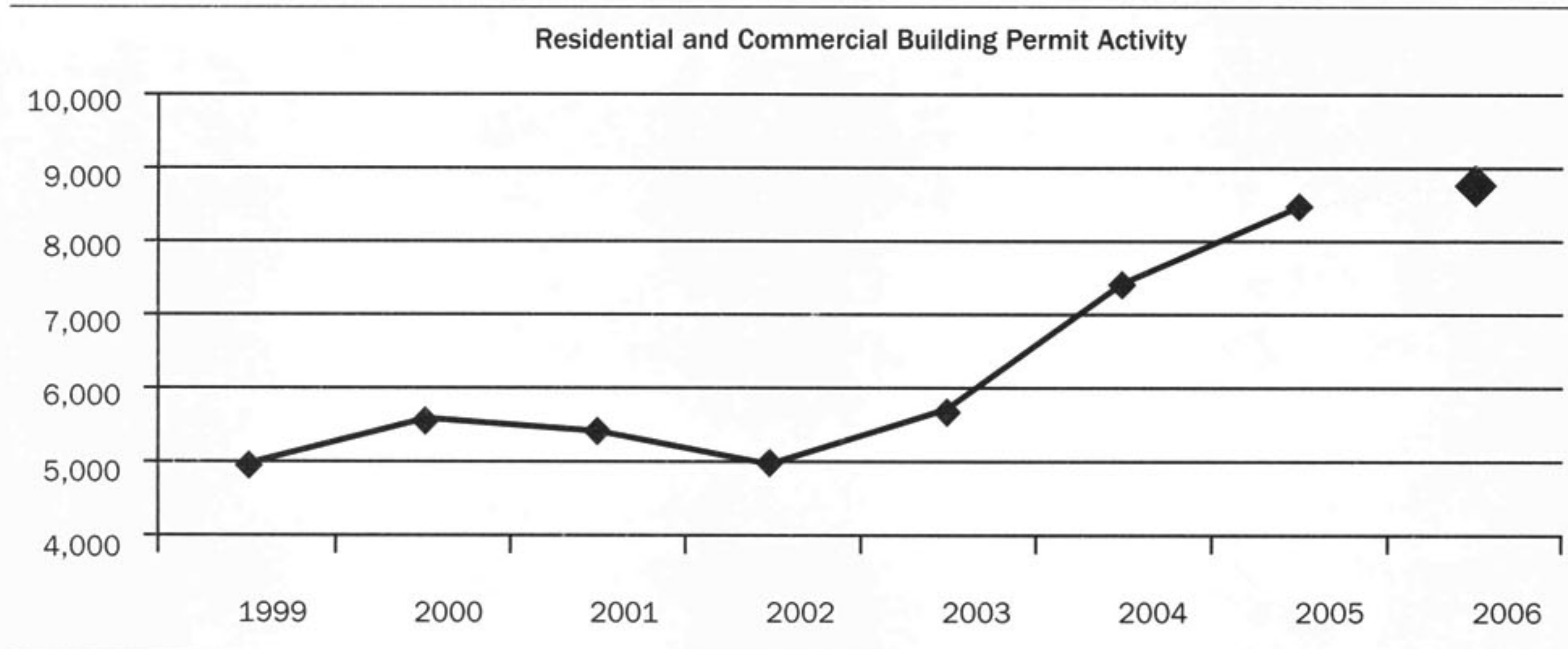
Source: The Historic Savannah Foundation.

year of sale. Supporting data regarding property location were provided by the Savannah-Chatham Metropolitan Planning Commission, and the 2000 U.S. Census was used to acquire demographic data.

The data include a date described as the *effective year built* for a given structure. This designation is calculated by the local assessor and is essentially a determination of remaining economic life. A

thorough review of building permits, the number, type and cost of renovations, exterior assessments, before and after photos, and in some cases, interior assessments are all factored into the estimate. As in Epley's (1990) model, the effects of functional and economic obsolescence are also considered (Bowen, 2008). Any impact is deducted from normal depreciation.

Exhibit 2 Building Permits



Source: The City of Savannah Development Services.

By calculating the difference between the year the property was sold and the effective year built, we are able to determine the effective age of the properties at the time of sale (*EFF_AGE*). The interpretation is intuitive: the more recently a property was renovated, the lower the effective age. Actual age was calculated in the same fashion, as the difference between the year the property was sold and date of construction (*ACTUAL_AGE*). In nearly all instances, the effective age (zero to 103 years) differs substantially from actual age (67 to 216 years).

The effective age specification is important not only because it is a more dependable measure of the effects of depreciation on value than actual age, but also because it can be used to evaluate the relationship between value and cost and subsequently assess development opportunities in the local market. Since the sale price, actual age, and effective age of the properties are known, it is possible to approximate the cost of constructing the property new, i.e., replacement cost (*C*), using the expression:

$$C = (SP * AGE) / (AGE - EFF) \quad (1)$$

where *EFF* is the effective age, *SP* is the sale price, and *AGE* is actual age.

It is not so much replacement cost that is of interest to this research, but rather the *ratio* of sale price to replacement cost. The variable *Q*, a variant of Tobin's *q*, is used in the hedonic model to specify the relationship between market value and replacement cost. Tobin's *q* implies that in the

long-run, costs and value converge to equilibrium, and short-term disequilibrium drives profit-taking (Tobin, 1969). In property markets where $Q > 1$, incentives for the construction of new housing exist because market value exceeds replacement cost. As increasing demand for vacant lots, labor, and materials increase expenses, value and replacement cost start to converge. Thus at the point where $Q = 1$ there is no incentive to construct anything new, implying that the property market remains limited to existing housing.

Because the replacement cost estimate for this data are calculated as a function of effective age that includes an adjustment for economic depreciation, it is appropriately used to evaluate long-term investment opportunities in the historic Savannah real estate market (Corgel, 1997). It is important to emphasize that these data are limited to existing housing with a minimum effective age of zero, indicating that the property was renovated in the year of sale. When effective age is equal to zero, replacement cost is equal to value, thus the maximum observed value for *Q* is one. When effective age is greater than zero, replacement cost will exceed value because of the depreciation allowance. Since this study deals exclusively with existing housing, *Q* is equal to or less than one in all observations.

The *Q* value is used to estimate inter-district investment differentials and thus capture some of the price differences attributed to historic district designation. The district with the lowest *Q* value

and highest effective age will have experienced the least amount of investment and therefore has the highest potential for profit-taking from renovation. Conversely, a high Q value and low effective age indicates substantial investment has already taken place, thus the potential for profits associated with renovation is lower relative to other areas.

Methods

The dependent variable used to evaluate the effects of age on property value is sale price (SP). Of note is the range in sale price for the data. Because of the historic nature of the properties that are being assessed, the data include observations with little economic value, as well as those that have benefited from substantial investment. The data only include those properties built prior to 1930, with the oldest dating to 1788. The observation with the lowest sale price, \$2,000, sold in 1995, with an effective age of 103 years. The most expensive property sold in 2001, with an effective age of 11 years and was built in 1882. Twenty-six properties have an effective age of 40 years or more. While the value range may appear extreme in comparison with other hedonic research, the purpose of this project,

the historic nature of the study area and local market conditions, dictate inclusion of such data. Removing these properties would undermine the basic premise of the study.

The sales occur over a nine-year period, from 1995 to 2004. Vectors of structural, neighborhood, time, and location characteristics represent a series of independent variables, resulting in the following expression:

$$SP = \alpha + \beta_1 S + \beta_2 N + \beta_3 T + \beta_4 L + \epsilon, \quad (2)$$

where SP is sale price, $\beta_1 S$, $\beta_2 N$, $\beta_3 T$, and $\beta_4 L$ are vectors of structural, neighborhood, time, and location characteristics, respectively. The error term, ϵ , addresses variables not accounted for in the model. The complete list of variables with operational definitions is shown in Exhibit 3.

Exhibit 4 shows the descriptive statistics used in the regression model, including number of observations, minimum and maximum values, as well as the mean and standard deviation for each of the variables. Casewise diagnostics were performed and outliers and observations with missing or obviously incorrect data were removed.

Exhibit 3 Operational Definitions

Variables	Definition
Continuous	
SP^a	Amount of last sale in dollars.
$YEARS_SALE$	2004 less most recent sale year.
$BEDS$	Number of bedrooms.
$FULL_BATHS$	Number of full bathrooms.
$HALF_BATHS$	Number of half bathrooms.
$NO_DIPLOMA$	Block group percent of residents over 25 years that did not graduate from high school.
$ACTUAL_AGE$	Year built less year of sale.
EFF_AGE	Effective year built less year of sale.
Q	Ratio of sale price to estimated replacement cost.
Binary	
$CONDO$	Condominium
DUP	Duplex
$TOWN$	Townhome
SF^b	Single family
$AVG-FAIR$	Condition of structure is average or fair.
$EX-VG-GOOD^b$	Condition of structure is excellent, very good or good.
$NHLD$	Property is located in the National Historic Landmark District.
$VICTORIAN^b$	Property is located in the Victorian District.
$ACTUAL_AGE\ 119+$	Actual age of property at time of sale is 119 years or older.
$ACTUAL_AGE\ 67-118^b$	Actual age of property at time of sale is 67–118 years.

Notes:

^a The natural log of the sale price is used in the semi-log model.

^b Reference category.

The final data set includes 706 residential properties transacting between 1995 and 2004.

Empirical Results

Specification Issues

A number of model iterations were prepared, including linear and semi-log models using sale price or the natural log of the sale price as the dependent variable. The independent variables generally performed as expected yet there were some inconsistencies. In particular the results in the semi-log model were weak relative to the other model, suggesting the need for a specification test such as the Box-Cox power transformation to determine the appropriate form.

Box and Cox (1964) developed a procedure for identifying the appropriate exponent, lamda (λ), that, unlike linear transformations, alters the shape of the data distribution, potentially converting a non-normal distribution into a normal distribution. Power transformations are often applied to "...[correct] skewness of the distributions of error

terms, unequal error variances, and nonlinearity of the regression function," (Kutner, Nachtsheim, and Neter, 2004). Essentially, the procedure calls for the standardization of the dependent variables such that the magnitude of the error sum of squares is independent of the value of λ . Thus, a new dependent variable denoted as W_i is created, such that:

$$W_i = \begin{cases} K_1(Y_i^\lambda - 1), & \lambda \neq 0 \\ K_2(\ln Y_i), & \lambda = 0 \end{cases} \quad (3)$$

Where

$$K_2 = \left(\prod_{i=1}^n Y_i \right)^{1/n}$$

$$K_1 = \frac{1}{\lambda K_2^{\lambda-1}}$$

The variable W_i is then regressed on the predictor variable(s) with varying values of λ . The value of λ that provides the lowest sum of squared errors is considered the appropriate power transformation. The transformed estimate for this data

Exhibit 4 Descriptive Statistics

	N	Min.	Max.	Mean	Std. Dev.
Panel A: Continuous Variables					
SP ^a	706	2,000	650,000	169,362	123,189
W _i	706	55,871	590,423	320,232	103,233
YEARS_SALE	706	0	9	3.55	2.43
BEDS	706	0	9	2.63	1.25
FULL_BATHS	209	1	5	1.73	0.74
HALF_BATHS	706	0	3	0.31	0.50
NO_DIPLOMA	706	3.03%	41.46%	0.19	0.14
EFF_AGE	706	0	103	16.48	10.55
Q	706	0.00	1.00	0.84	0.12
	N	Min.	Max.	Percent of Total	
Panel B: Binary Variables					
CONDO	169	0	1	0.24	
DUP	138	0	1	0.20	
TOWN	67	0	1	0.10	
SF ^b	332	0	1	0.47	
AVG_FAIR	249	0	1	0.35	
EX-VG-GOOD ^b	457	0	1	0.65	
NHLD	512	0	1	0.73	
VICTORIAN ^b	194	0	1	0.27	
ACTUAL_AGE 119+	197	0	1	0.28	
ACTUAL_AGE 67-118b	509	0	1	0.72	

Notes:

^a The natural log of the sale price is used in the semi-log model.

^b Reference category.

is .4 and the dependent variable revised, such that $W_i = (SP^4 - 1)/.4$.

Additional specification issues result from the limited availability of data. For instance, a measure of total size (i.e., square footage) would be appropriate in this market but was not provided by our data source. Other variable fields such as roof type, heating/cooling source, number of porches, and number of fireplaces were inconsistently populated and therefore unusable.

General Model Performance

The results of the linear, semi-log, and Box-Cox models are presented in Exhibit 5. The adjusted R^2 is very good at around .7 in all three models. It is important to note that while the coefficients are not directly comparable due to the different functional form, the signs, relative magnitude, and t -statistics are so.²

In general, the variables perform as expected. The number of baths, both full and half, show a highly significant positive impact on value. Properties in fair to average condition (*AVG_FAIR*) sell for significantly less than those rated good, very good, or excellent (*EX_VG_GOOD*), and the number of years since the property sold (*YEARS_SALE*) contributes to a lower sale price. The t -ratios for all of the preceding variables are quite strong, falling between -17.24 and 14.71 , and all are significantly different from zero at the 99% level of confidence.

Property type impacts value, with both condominiums (*CONDO*) and duplexes (*DUP*) priced lower than single-family homes (*SF*). The variable for townhomes (*TOWN*) was not significantly different from that of single-family homes, thus it is not included in the reduced form model. The only surprising variation from normal expectations is the significant, negative effect the increasing number of

Exhibit 5 Regression Equations using *ACTUAL_AGE* and *EFF_AGE* as Linear Measures

Variables	Linear	Semi-log	Box-Cox
Constant	137,881.16 (6.22)***	11.96 (70.50)***	322,537.10 (17.93)***
YEARS_SALE	-15,622.41 (-14.48)***	-0.14 (-16.80)***	-15,088.04 (-17.24)***
CONDO	-76,652.80 (-8.74)***	-0.56 (-8.41)***	-67,490.08 (-9.49)***
DUP	-19,049.94 (-2.61)***	-0.08 (-1.44)	-12,832.55 (-2.17)**
BEDS	-4,449.37 (-1.30)	-0.07 (-2.52)**	-5,670.21 (-2.05)**
FULL_BATHS	69,806.39 (14.71)***	0.35 (9.59)***	48,945.43 (12.72)***
HALF_BATHS	35,750.27 (6.26)***	0.14 (3.23)***	22,692.81 (4.90)***
AVG_FAIR	-47,814.36 (-6.97)***	-0.51 (-9.78)***	-53,224.63 (-9.56)***
NO_DIPLOMA	-2,525.79 (-8.06)***	-0.01 (-5.68)***	-1,841.23 (-7.24)***
NHLD	55,832.52 (6.10)***	0.54 (7.72)***	58,577.19 (7.89)***
EFF_AGE	-1,056.24 (-4.20)***	-0.01 (-7.52)***	-1,300.95 (-6.37)***
ACTUAL_AGE	279.36 (2.43)**	0.00 (2.20)**	236.53 (2.54)**

Notes: The dependent variables are: *SP* (adj. $R^2 = .7024$), *Ln_SP* (adj. $R^2 = .6731$), and $(SP^4 - 1)/.4$ (adj. $R^2 = .7210$). t -ratios are in parentheses. VIF ranges from 1.075 to 2.992.

**Significant at the 95% level of confidence.

***Significant at the 99% level of confidence.

bedrooms (*BEDS*) has on value in the Box-Cox and semi-log model. There are two possible explanations. Unrestored properties that were built to accommodate the large families of the past suffer from economic obsolescence due to their large size and lack of modern conveniences. Some of these homes have been restored, but not all. There is also evidence that some have been further divided and used as boarding houses for the low-income population. In this case, the data show there is a marginal decrease in value for each additional bedroom. These two explanations may also help explain the large positive effect each additional bathroom has on value.

The performance of the location (*NHLD*) and neighborhood (*NO_DIPLOMA*) variables is as anticipated. Properties located within the National Historic Landmark District sell at a premium, and those tracts with a high number of uneducated residents tend to have much lower property values.

Age Variables

Adjustments made for renovation expenditures and obsolescence allows effective age (*EFF_AGE*) to be treated as a linear measure, which serves as a much more appropriate proxy for depreciation than actual age. The strong, negative impact of *EFF_AGE* is as expected. In the linear model, each additional year of effective age results in a value reduction of just over \$1,000 or a 0.75% decline.

In initial model iterations, actual age (*ACTUAL_AGE*) positively impacts value when used as a continuous descriptor. While the results are interesting, the underlying assumption is that age is valued consistently over all vintages of buildings, a finding inconsistent with theory. To capture that critical point where age becomes a significant predictor of value, a series of dummy categories representing ten-year incremental changes in the year a property was constructed were created (i.e., 1900 to 1909, 1910 to 1919, and so on) in a method similar to that used by Diaz, Hansz, Cypher, and Hayunga (2008). Regressions were produced to detect the category where age begins to positively affect value. Different specifications of the categories were tested and the critical point was eventually determined to be 119 years. Exhibit 6 shows the results when *ACTUAL_AGE119_* is substituted for *ACTUAL_AGE* in the regression equations. Note that the variable is positive and significant across functional forms.

But why, given the fact that the data include hundreds of historic properties, is 119 years that critical age? Theory suggests that part of the answer is economic and stylistic, that is the supply of such properties is much smaller than that of younger vintages, resulting in architectural styles that are more desirable. This implies that there may be additional breakpoints within the set of properties with an actual age greater than 119 years, possibly coinciding with a major historic event. Of the major events impacting Savannah, the Civil War is by many accounts the most important. All of the 197 properties with an actual age of at least 119 years were built between 1779 and 1883, with 110 (56%) constructed prior to the Civil War and 48 (24%) built during the post-war reconstruction period, which ended in 1877. Only three properties (1.5%) were constructed during the Civil War (1861–1865). The remaining 36 (18%) were constructed between 1878 and 1883. Results showed no significant difference between those properties built during and prior to the war relative to those built after. Additional models using only those properties with an actual age of 119 years or greater found no additional breakpoints when various incremental changes in the date of construction were tested.

Q Ratio

The results for *Q*, which are shown in Exhibit 7, are quite interesting. Note the absence of the effective age variable due to collinearity issues. *Q* is not intended solely as a substitute for effective age, but rather it acts as an additional measure of remaining investment opportunity within the local market. While the value to replacement cost ratio ranges from 0 to 1.00 (Exhibit 4), the relatively high mean value (0.84) implies that renovation opportunities still exist but may be in limited supply, assuming that the value is trending upward. The linear model shows that for each percentage increase in *Q*, property value increases by 1.10%.

The relationship between *Q* and sale price requires some discussion. In markets where *Q* is less than one, *Q* will have a positive impact on price. The incremental effect decreases as *Q* approaches one, implying that *Q* and price are reaching the equilibrium point where renovation profit no longer exists and incentives are created for the construction of new housing. If *Q* exceeds one, value is greater than replacement cost, and thus *Q* has a negative impact on the price of existing housing in the hedonic model.

Exhibit 6 Regression Equations using Actual Age 119+

Variables	Linear	Semi-log	Box-Cox
Constant	156,827.60 (8.86)***	12.14 (88.805)***	341,533.30 (23.65)***
YEARS_SALE	-15,661.33 (-14.70)***	-0.14 (-17.00)***	-15,173.60 (-17.46)***
CONDO	-76,345.21 (-9.04)***	-0.58 (-8.95)***	-68,671.03 (-9.97)***
DUP	-18,608.26 (-2.57)***	-0.08 (-1.40)	-12,507.40 (-2.12)**
BEDS	-3,960.72 (-1.17)	-0.06 (-2.44)**	-5,363.64 (-1.94)*
FULL_BATHS	68,812.44 (14.59)***	0.35 (9.52)***	48,459.26 (12.60)***
HALF_BATHS	35,308.54 (6.23)***	0.14 (3.18)***	22,391.47 (4.85)***
AVG_FAIR	-47,394.70 (-6.97)***	-0.52 (-9.81)***	-53,196.53 (-9.59)***
NO_DIPLOMA	-2353.24 (-7.48)***	-0.01 (-5.53)***	-1,765.48 (-6.88)***
NHLD	56,540.04 (6.29)***	0.55 (7.99)***	59,793.14 (8.16)***
EFF_AGE	-1035.55 (-4.15)***	-0.01 (-7.55)***	-1,297.49 (-6.38)***
ACTUAL_AGE 119+	26,494.99 (4.09)***	0.10 (2.09)**	16,898.77 (3.20)***

Notes: The dependent variables are: SP (adj. $R^2 = .7069$), Ln_SP (adj. $R^2 = .6730$), and $(SP^4 - 1)/.4$ (adj. $R^2 = .7226$). t-ratios are in parentheses. VIF ranges from 1.066 to 3.063.

*Significant at the 90% level of confidence.

**Significant at the 95% level of confidence.

***Significant at the 99% level of confidence.

For an explanation of the relationship between Q and effective age, return to the equation estimating replacement cost [i.e., $C = (SP \cdot AGE) / (AGE - EFF)$]. Reworking the equation, we find that $EFF = (1 - SP/C) \cdot AGE$. The effective age for the overall market declines as costs and value converge. At the point where Q equals 1, the supply of properties in need of restoration has completely diminished, making EFF equal to 0. The obvious implication is that all properties have been restored and thus profit-taking from renovation is gone. At some future point where $EFF > 0$, depreciation has occurred and the market will have deviated from unity again, allowing profits to be made through property renovation.

Upon closer examination of EFF_AGE and Q , results show that the inter-district differential is at least partially driven by renovation expenditures rather than the degree of designation or any local zoning policy differences. In the NHLD, for example,

the average effective age is 15.47 years, with a range of zero to 50 years; in the VHD, it is 19.16 years, with a range of zero to 103 years. The difference in effective ages infers that more investment has occurred in the NHLD relative to the VHD. Q shows similar differences, with a mean value of 85.15% in the NHLD and 79.40% in the VHD. The lower the value of Q , the greater the distance between value and replacement cost, implying that there are more renovation opportunities for existing properties available in the VHD.

This relationship is further illustrated by separating the data into two sub-sets, one containing properties in the NHLD and another for properties in the VHD. The impact Q on price in both the NHLD and VHD is shown in Exhibits 8 and 9, respectively. Separate regressions were produced using only the data for the specified district. The results of the linear model show that, in the NHLD, each percentage increase in Q results in a \$915 impact on

Exhibit 7 Regression Equations using Q

Variables	Linear	Semi-log	Box-Cox
Constant	72,371.10 (2.99)***	10.81 (57.90)***	227,055.20 (11.49)***
YEARS_SALE	-15,292.69 (-14.43)***	-0.14 (-16.61)***	-14,774.72 (-17.09)***
CONDO	-73,738.14 (-8.64)***	-0.54 (-8.18)***	-64,903.53 (-9.32)***
DUP	-18,570.92 (-2.55)**	-0.08 (-1.42)	-12,562.43 (-2.12)**
BEDS	-4,346.15 (-1.28)	-0.07 (-2.61)***	-5,797.81 (-2.09)**
FULL_BATHS	69,004.02 (14.57)***	0.35 (9.59)***	48,749.72 (12.61)***
HALF_BATHS	35,879.21 (6.31)***	0.15 (3.32)***	23,015.90 (4.96)***
AVG_FAIR	-47,346.01 (-6.91)***	-0.51 (-9.61)***	-52,697.06 (-9.43)***
NO_DIPLOMA	-2,313.29 (-7.33)***	-0.01 (-5.44)***	-1,738.01 (-6.75)***
NHLD	56,339.04 (6.21)***	0.54 (7.71)***	58,788.08 (7.95)***
ACTUAL _AGE 119+	22,783.35 (3.41)***	0.04 (0.77)	11,451.70 (2.10)**
Q	794.02 (3.41)***	0.01 (7.27)***	1,110.15 (5.84)***

Notes: The dependent variables are: SP (adj. $R^2 = .7046$), Ln_SP (adj. $R^2 = .6711$), and $(SP^4 - 1)/.4$ (adj. $R^2 = .72$). t-ratios are in parentheses. VIF ranges from 1.046 to 3.058.

**Significant at the 95% level of confidence.

***Significant at the 99% level of confidence.

value or an incremental increase of less than 1% ($915.08/104,318.35 = 0.0088$).

In the VHD, where replacement cost exceeds value by a larger degree, every incremental increase in Q results in an increase in value of \$950 that, when divided by the intercept, results in an impact of 1.47%. Thus, as value incrementally approaches replacement cost, the marginal sale price of existing properties increases by 1.47%, holding all else constant. This indicates that not only does the district have greater profit-making potential through renovation, but also that less investment has occurred relative to the NHLD for the same time period.

Exhibit 10 summarizes the relationship between Q and value for the full sample and individual districts. Note that as Q increases, the marginal effect on sale price decreases. Conversely, the higher the effective age, the greater the impact of Q on price. While results support the notion that renovation opportunities exist across the sub-markets, the implication is that there

is greater profit opportunity in the VHD. Further, the inter-district price differential appears to be at least partially driven by prior investment.

Conclusion

While there is substantial empirical evidence that supports the premium in property value associated with historic properties, particularly when located in a nationally recognized district, we are unaware of any studies that specifically address age-related issues in the context of historic preservation. In this paper, we investigate the impact of age on price in a designated historic district, with the specific purpose of evaluating the critical point where age begins to positively impact property value. We also explore effective age, using it to assess the impact of investment on inter-district price differentials and to estimate investment opportunities within the local market. Two features that distinguish this data from that of other studies are the age of the properties, which ranges from 67 to

Exhibit 8 Regression Equations using Q in the National Historic Landmark District Sub-sample

Variables	Linear	Semi-log	Box-Cox
Constant	104,318.35 (2.81)***	11.39 (49.89)***	281,629.45 (10.21)***
YEARS_SALE	-15,592.03 (-11.98)***	-0.12 (-14.88)***	-14,017.96 (-14.52)***
CONDO	-65,867.41 (-6.57)***	-0.49 (-7.89)***	-59,984.81 (-8.06)***
DUP	-17,687.17 (-1.56)	-0.14 (-1.96)*	-16,310.51 (-1.93)*
BEDS	868.97 (0.19)	-0.03 (-1.18)	-2,068.67 (-0.61)
FULL_BATHS	70,337.40 (12.58)***	0.33 (9.55)***	47,864.14 (11.54)***
HALF_BATHS	37,727.24 (5.69)***	0.17 (4.29)***	24,806.30 (5.04)***
AVG_FAIR	-53,790.13 (-5.75)***	-0.51 (-8.94)***	-57,005.87 (-8.21)***
NO_DIPLOMA	-2,270.16 (-5.72)***	-0.01 (-4.52)***	-1,577.88 (-5.35)***
ACTUAL_AGE 119+	19,736.21 (2.59)***	0.05 (1.17)	1,0991.27 (1.94)*
Q	915.08 (2.26)**	0.01 (4.30)***	1,013.22 (3.37)***

Notes: The dependent variables are: SP (adj. R² = .6733), Ln_SP (adj. R² = .6604), and (SP⁴ - 1) / .4 (adj. R² = .6951). t-ratios are in parentheses. VIF ranges from 1.051 to 2.423.

*Significant at the 90% level of confidence.

**Significant at the 95% level of confidence.

***Significant at the 99% level of confidence.

216 years, and the quality of the historic designation. The data are primarily sourced from the National Historic Landmark District in Savannah, Georgia, which houses about 1,100 properties listed on the National Register of Historic Places and is the largest such district in the United States. About 20% of the observations are residential properties located in the adjacent Victorian Historic District, the first “suburb” of the NHL, which was developed in the 1880s.

The results empirically verify our original hypothesis: there is a point where age positively affects value and that point is 119 years in our sample. Buyers are willing to pay a premium for right to claim ownership of the oldest or one of the oldest homes in an area where age and history are revered, the “antique effect.” We were unable, however, to find any additional breakpoints within the sub-group of properties that were encumbered by the effect. Nor

were we able to link any important historic events with the premium, with the exception of the 119-year breakpoint, which coincides roughly with the end of the post-Civil War reconstruction era.

While findings support the premise that designation plays a significant role in the valuation of historic properties, we show that the value associated with it is at least partially a function of investment differentials between the districts. This is illustrated by evaluating the sub-sample differences in effective age and Q, which show that properties in the sub-market where the greatest investment has taken place sell at a premium, and that the district with less prior investment has greater potential for future profits. Further research could investigate the use of Q as a depreciation correction mechanism in situations where price is less than replacement cost and actual construction costs are available.

Exhibit 9 Regression Equations using Q in the Victorian Historic District Sub-sample

Variables	Linear	Semi-log	Box-Cox
Constant	64,600.27 (1.92)*	10.99 (25.91)***	228,714.82 (6.10)***
YEARS_SALE	-13,848.74 (-8.08)***	-0.18 (-8.15)***	-16,327.08 (-8.56)***
DUP	-11,004.39 (-1.33)	-0.04 (-0.35)	-6,749.99 (-0.73)
BEDS	-9,031.44 (-1.90)*	-0.12 (-1.96)*	-10,316.38 (-1.95)*
FULL_BATHS	49,672.33 (5.40)***	0.40 (3.41)***	45,147.44 (4.41)***
HALF_BATHS	21,117.36 (1.91)*	0.06 (0.46)	15,118.03 (1.23)
AVG_FAIR	-39,636.45 (-4.36)***	-0.51 (-4.46)***	-47,232.31 (-4.66)***
NO_DIPLOMA	-1,221.60 (-2.01)*	-0.02 (-2.19)**	-1,519.17 (-2.25)**
ACTUAL_AGE 119+	15,722.81 (0.57)	0.33 (0.95)	29,281.38 (0.95)
Q	949.03 (3.86)***	0.01 (4.83)***	1,279.47 (4.68)***

Notes: There are no condominiums in the VHD data. The dependent variables are: SP (adj. $R^2 = .4762$), $\ln_SP$ (adj. $R^2 = .4522$), and $(SP^4 - 1)/.4$ (adj. $R^2 = .4857$). t-ratios are in parentheses. VIF ranges from 1.018 to 1.935.

*Significant at the 90% level of confidence.

**Significant at the 95% level of confidence.

***Significant at the 99% level of confidence.

Exhibit 10 Relationship between Effective Age and Q

	Mean Effective Age	Min. Effective Age	Max. Effective Age	Mean Q (%)	Impact of Q on Price
Full Sample	16.48	0	103	84.00	1.10%
NHLD Sub-sample	15.47	0	50	85.15	0.88%
VHD Sub-sample	19.16	0	103	79.40	1.47%

Our research helps confirm the efficacy of the *effective year built* variable as estimated by the local assessor. This finding is important to the valuation community because of its applicability to assessment and valuation techniques, and we strongly recommend prioritizing the collection of such information. We show that by using it to calculate effective age and subsequently the value to replacement cost ratio (Q), future renovation opportunities within the historic property market can be estimated. In Savannah, the prospects for investment in the renovation of existing properties appear to be declining as value and cost converge. The relatively high mean value for Q (0.84) is further indication that this is so, which is not a surprising finding given that the rapid increase in

the number of building permits issued by the city between 2002 and 2004 began to level off in 2005.

Endnotes

1. Numerous studies on a variety of valuation topics use age as an independent variable that carries the expected negative sign. In the context of historic property valuation, however, age results are often mixed, as shown by Leichenko, Coulson, and Listokin (2001) in a study of historic properties in nine Texas cities. In three of the cities, actual age showed a significant positive effect on value, and in five of the cities the results were not significantly different from zero. The only negative and significant value was found in Dallas, which consequently was the only city with a depreciation control variable.
2. By its very nature a historic district designation can serve as a de facto proxy for increased age since designated properties are typically older than non-designated properties. This may indicate potential collinearity issues between the district and age variables, particularly when compared to non-historic properties. Additional research comparing historic and non-historic properties is recommended.

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Dawn Jourdan, PhD, JD, is an assistant professor at the University of Florida, holding a joint appointment between the Department of Urban and Regional Planning and the College of Law at the University of Florida. Her teaching and research interests converge on the ways federal, state, and local regulatory schemes influence the development of cities and those living in them, with a special interest in housing, historic preservation, and disenfranchised populations. Jourdan holds a BS in urban affairs from Bradley University, a joint degree in Urban Planning and Law from the University of Kansas, and a PhD in Urban Planning from Florida State University. Jourdan is the university representative to the Florida Chapter of the American Planning Association. **Contact:** dawnjourdan@ufl.edu

Shan Gao, PhD, currently works for Community Sustainability Division at the City of Houston Planning and Development Department. Her research examines strategies for implementing sustainability principles into affordable housing and community development programs in Houston. Gao's planning practices focus on sustainable community issues, especially in the areas of housing, economic development, and public and private partnerships. **Contact:** shan.gao09@yahoo.com

Web Connections

Internet resources suggested by the Y. T. and Louise Lee Lum Library

Advisory Council on Historic Preservation

<http://www.achp.gov/>

Historic Building Inspectors Association

<http://inspecthistoric.org/>

Internal Revenue Service Regulations on Conservation and Historic Easements

<http://www.landtrustalliance.org/policy/documents/treasury-regs-on-ce.pdf>

Land Trust Alliance: Guides for Historic Value

<http://conservationtools.org/search?q=historic+value&datatype=all>

National Park Service—Historic Preservation Tax Incentives

<http://www.nps.gov/history/hps/tps/tax/>

National Park Service—The Secretary of the Interior's Standards for the Treatment of Historic Properties

<http://www.nps.gov/history/hps/tps/standguide/>

National Park Service—National Register of Historic Places Program

<http://www.nps.gov/nr/about.htm>

OldHouses.com—Historic Preservation Organizations Directory (includes national and state organizations)

<http://www.oldhouses.com/old-house-preservation-organizations.htm>

PreservationDirectory.com

<http://www.preservationdirectory.com/HistoricalPreservation/Home.aspx>

Preservation Easement Trust

<http://www.preservationeasement.org/home/>

Trust for Architectural Easements

<http://www.architecturaltrust.org/>

US General Services Administration—National Register of Historic Places

<http://www.gsa.gov/portal/content/105008>

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ACCEPTING A PORTION OF THOMPSONS POINT ROAD
AS A CITY WAY**

ORDERED, that pursuant to 23 M.R.S. § 3025, a portion of Thompsons Point Road is hereby accepted as a city way and the deed for said road and the fee title conveyed therein according to the deed and descriptions attached to this Order are hereby approved and accepted, substantially in the form attached hereto as Exhibit A.

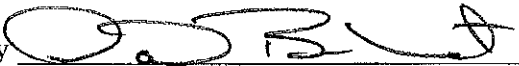
Agreement Regarding Development of Sewall Street

This Agreement is made by and between **Forefront Partners I, LP** (hereinafter "Forefront"), **State of Maine Department of Transportation**, (hereinafter "MaineDOT"), and the **City of Portland** (hereinafter the "City"), as of this 17 day of August, 2012.

1. **Project Overview:** Forefront has received approval from the City Planning Board to develop a project known as "The Forefront at Thompson's Point," a mixed-use development that includes, without limitation, offices, hotels, health clubs, restaurants, sports arena, convention facilities and parking garage facilities (the "TP Development"). See Planning Board Approval, attached hereto as Exhibit A. Among other things, the Planning Board's approval requires the extension and ultimate acceptance by the City of the approximately one hundred and seventy-five (175) foot long extension of Sewall Street (the "Sewall Street Extension") labeled on a site plan entitled "Overall Site Plan Phase 1 Options" by DeLuca-Hoffman Associates, dated August, 2011, a copy of which is included in the MaineDOT Decision #RR354 on the Rail Crossing attached hereto as Exhibit B. As a result of the City's approval of the TP Development, the existing private rail crossing over the Sewall Street Extension (the "Rail Crossing") must be upgraded to public crossing standards pursuant to the order set forth in Exhibit B.
2. **Scope of Agreement:** Since the Rail Crossing must be upgraded to public crossing standards and the Sewall Street Extension to City standards, Forefront has agreed, promptly following its acquisition of the TP Development property, to donate such portion of Sewall Street Extension that is situated on the TP Development property to the MaineDOT, by warranty deed, free and clear of all encumbrances, subject only to the existing rights of others to use Sewall Street Extension. Forefront shall construct Sewall Street Extension to City standards and MaineDOT shall issue a right of entry to Forefront for such purposes. MaineDOT shall, in conjunction with Pan Am Rail Systems, reconstruct the Rail Crossing consistent with the standards set forth in Exhibit B. Once Sewall Street Extension has been constructed to City standards and the Rail Crossing improved as required by Exhibit B, MaineDOT will convey Sewall Street to the City by Governor's Deed and the City shall thereafter present said street extension to the City Council for acceptance as a public way. The precise sequence of construction activities outlined in this paragraph is yet to be determined, but shall be managed in a manner agreeable to all parties to this Agreement.
3. **Payment:** Forefront, at its sole and exclusive expense, shall bear all costs of the construction of Sewall Street Extension. MaineDOT, at its sole and exclusive expense, shall bear all costs to upgrade the Rail Crossing in the vicinity of Sewall Street. See Agreement and Letter attached hereto as Exhibits C and D.

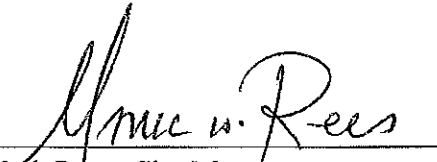
IN WITNESS WHEREOF, The City, the State of Maine Department of Transportation and Forefront Partners I, LP, by their representatives duly authorized, have executed this agreement in two original documents.

State of Maine Department of Transportation

By 

Date signed: 8/27/12

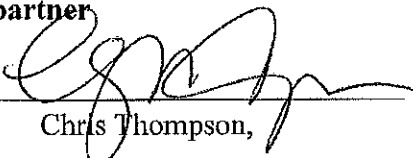
City of Portland

By 
Mark Rees, City Manager

Date Signed: 8-23-12

FOREFRONT PARTNERS I, LP

By: Forefront GP, LLC, its general partner

By 
Chris Thompson,
Forefront GP, LLC

Date Signed: 17 AUGUST 2012

56



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

March 11, 2020

Jennifer L. Thompson, Esq.
Associate Corporation Counsel
City of Portland
389 Congress Street
Portland, ME 04101

Re: Public Crossing at Thompson's Point – Sewall Street Extension

Dear Ms. Thompson:

Enclosed please find the original, signed Governor's Deed from the State of Maine to the City of Portland for the conveyance of a .31 acre parcel of land situated on the southerly side of the Thompson's Point rail crossing, along with accompanying transfer tax form.

As discussed, MaineDOT will wait to finalize the survey plan for the parcel until the deed is presented to the City Council for acceptance and recorded in the Registry of Deeds.

Thank you for your help and your patience while we concluded this transaction.

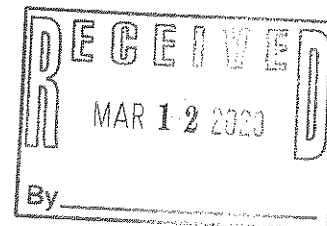
Sincerely,

Amy E. Hughes

Enclosures

AEH/st

cc: William Scott, PLS, Chief Surveyor, City of Portland DPW
Toni L. Kemmerle, Esq., Principal Attorney, Office of Legal Services,
MaineDOT



GOVERNOR'S DEED

The **STATE OF MAINE**, acting by and through its Governor, on recommendation of the Commissioner of the **DEPARTMENT OF TRANSPORTATION**, ("Grantor"), having a mailing address of 16 State House Station, Augusta, ME 04333-0016, for consideration paid, pursuant to 23 M.R.S. Section 61, as amended, releases to the **CITY OF PORTLAND**, a body politic and corporate organized and existed under the laws of the State of Maine, having a mailing address of 389 Congress Street, Portland, ME 04101("Grantee"), all Grantor's right, title and interest in and to four certain parcels of land in the City of Portland, Cumberland County, Maine, as shown on a plan entitled "Road Conveyance Plan, Thompson's Point Road, Portland, Cumberland County, Former Sewall Street Extension, Parts I & II," dated October, 2019, D.O.T File No. 3-593A, Sheet 1 of 1, on file at the Augusta office of MaineDOT and to be recorded in the Cumberland County Registry of Deeds (the "Plan"), and as described in the following deeds from Forefront Partners 1, LP to the State of Maine and recorded in the Cumberland County Registry of Deeds: dated June 27, 2013, recorded in Book 30781, Page 288; dated August 27, 2013, recorded in Book 31019, Page 306; and dated November 4, 2015, recorded in Book 32803, Page 199; and in a deed from the Northern New England Passenger Rail Authority to the State of Maine dated August 27, 2013, and recorded in Book 31019, Page 306 (the "Premises") . The Premises is more particularly described on the attached **Exhibit A, Legal Description**.

MEANING AND INTENDING to convey the property described in said deeds from Forefront Partners 1, LP and by virtue of any other instrument of conveyance or by operation of statute.

SUBJECT TO the covenants and restrictions set forth in a document entitled "Covenant of Use" dated April 12, 2017, recorded in the Cumberland County Registry of Deeds in Book 34013, Page 229 as follows:

1. At no time shall the Premises be used in violation of the nondiscrimination requirements set forth in 13 C.F.R. §302.20; and
2. At no time shall the Premises be used for inherently religious activity prohibited by applicable federal law.

FURTHER SUBJECT TO the restrictive covenant, as required under the terms of a financial assistance award from the United States Economic Development Administration, United States Department of Commerce, EDA Project No. 01-01-14202 (the "EDA Grant"), that the Premises shall not be used for any purpose other than the authorized purpose of the EDA Grant, which is as a Recreational and Commercial Complex. This covenant shall run with the Premises and remain in effect for a period of not less than twenty (20) years from April 12, 2017.

THIS CONVEYANCE IS ALSO MADE subject to all above-ground and underground utility easements and installations, if any, located on the Premises, including but not limited to those shown on the Plan and those rights which any utility enjoys over the

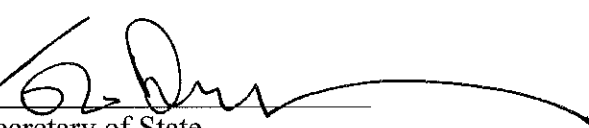
IN WITNESS WHEREOF, I, Janet T. Mills, Governor of the State of Maine, caused the name and great seal of the State of Maine to be hereto affixed this 25th day of February, in the year two thousand twenty.

STATE OF MAINE



By , Governor
Janet T. Mills

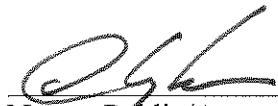
Affixed by:


Secretary of State

STATE OF MAINE
County of Kennebec

Date February 25, 2020

Personally appeared before me the above-named Janet T. Mills, Governor of the State of Maine and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of the State of Maine.


Notary Public/Attorney at Law

Print Name: DALE L. LANGHAUSER

Bar No. 380

above-described premises for maintenance, location or relocation of poles or other installations.

GRANTOR MAKES NO REPRESENTATIONS or warranties with respect to the above-described premises. The representations and warranties so excluded encompass, but are not limited to, those pertaining to: land use and environmental matters; fitness of the premises or any portion thereof for any particular purpose; water quality or quantity; the condition or quality of the soil; inchoate or unrecorded liens; or the existence, status, or condition of access to, or public utilities serving the premises. Any subsequent use of, improvement to, or construction on the premises is subject to all applicable laws, regulations, ordinances, and permitting requirements.

[SIGNATURE ON FOLLOWING PAGE]

EXHIBIT A
Legal Description
State of Maine to City of Portland – Department of Transportation

PARCEL ONE

A certain lot or parcel of land with the buildings thereon, if any, located southerly of land of the Northern New England Passenger Rail Authority (NNEPRA) and westerly of the westerly sideline of a Railroad Crossing Access Easement over land formerly of Thompson's Point, Inc., now State of Maine, acting by and through its Department of Transportation, in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the southerly sideline of land of said NNEPRA as described in a deed from Portland Terminal Company to said NNEPRA dated August 30, 2010, and recorded in the Cumberland County Registry of Deeds in Book 28039, Page 68, said land being depicted as Parcel "D" on the plan referenced in Schedule A to said deed, said point of beginning being (i) the northwesterly corner of a Railroad Crossing Access Easement as described in said NNEPRA's Notice of Condemnation dated February 2, 2010, and recorded in said Registry in Book 27577, Page 53; (ii) the northwesterly corner of land of the State of Maine, acting by and through its Department of Transportation (MaineDOT), as described in a deed from Forefront Partners I, LP to said MaineDOT dated June 27, 2013, and recorded in said Registry in Book 30781, Page 288; (iii) the northeasterly corner of land described as Parcel "C" in said Notice of Condemnation; and (iv) about Thirty-Seven feet (37') westerly from and as measured along a line normal to the Sewall Street Extension Baseline at about station 62+82;

Thence, southerly, by and along the westerly sideline of said Railroad Crossing Access Easement, the westerly sideline of said land of said MaineDOT, and the easterly sideline of said Parcel "C", a distance of about Forty-Two feet (42') to a point, said point being the southeasterly corner of Parcel "C" and Thirty-One feet (31') westerly from and measured along a line normal to said Baseline at about station 62+44;

Thence westerly, by and along said land of said MaineDOT and the southerly sideline of said Parcel "C", a distance of about Nine feet (9') to a point, said point being Forty feet (40') westerly from and measured along a line normal to said Baseline at about station 62+46;

Thence northerly along a nontangential curve to the right with a radius of Four Hundred and 00/100 feet (400.00), a distance of about Forty feet (40') to a point in the southerly sideline of land of said NNEPRA as described in said deed from Portland Terminal Company recorded in said Registry in Book 28039, Page 68, said point being on the northerly sideline of said Parcel "C" and Forty feet (40') westerly from and measured along a line normal to said Baseline at about station 62+82

Thence easterly, by and along the southerly sideline of said NNEPRA described in said deed from Portland Terminal Company recorded in said Registry in Book 28039, Page 68, and northerly sideline of said Parcel "C", a distance of about Three feet (3') to the point of beginning.

The above-described Parcel contains about 245 square feet.

The above-described Parcel is a portion of the land described as Parcel "C" in said Notice of Condemnation recorded in said Registry in Book 27577, Page 53.

SUBJECT TO the exceptions stated in said Notice of Condemnation recorded in said Registry in Book 27577, Page 53.

MEANING AND INTENDING TO CONVEY the same premises described as Parcel No. 1 – West of Sewall Street Extension in a Quitclaim Deed with Covenant from Northern New England Passenger Rail Authority to the State of Maine, by and through its Department of Transportation, dated August 27, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31019, Page 306.

PARCEL TWO

A parcel of land with the buildings thereon, if any, located southerly of land of the Northern New England Passenger Rail Authority (NNEPRA) and easterly of the easterly sideline of a Railroad Crossing Access Easement over land formerly of Thompson's Point, Inc., now State of Maine, acting by and through its Department of Transportation, in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the southerly sideline of land of said NNEPRA as described in a deed from Portland Terminal Company to said NNEPRA dated August 30, 2010, and recorded in the Cumberland County Registry of Deeds in Book 28039, Page 68, said land being depicted as Parcel "D" on the plan referenced in Schedule A to said deed, said point of beginning being: (i) the northeasterly corner of a Railroad Crossing Access Easement in said NNEPRA's Notice of Condemnation dated February 2, 2010, and recorded in said Registry in Book 27577, Page 53; (ii) the northeasterly corner of land of the State of Maine, acting by and through its Department of Transportation (MaineDOT) as described in a deed from Forefront Partners I, LP, to said State of Maine dated June 27, 2013, and recorded in said Registry in Book 30781, Page 288; (iii) the northwesterly corner of land of said NNEPRA as described in a deed from Suburban Propane, L.P. to said NNEPRA dated August 9, 2001, and recorded in said Registry in Book 16619, Page 291; and (iv) about Fifteen feet (15') easterly from and measured along a line normal to the Sewall Street Extension Baseline at about station 62+77;

Thence easterly, by and along the southerly sideline of said NNEPRA as described in said deed from Portland Terminal Company recorded in said Registry in Book 28039, Page 68, and the northerly sideline of said NNEPRA as described in said deed from Suburban Propane, L.P. recorded in said Registry in Book 16619, Page 291, a distance of about Nineteen feet (19') to a point, said point being Thirty-Three feet (33') easterly from and measured along a line normal to said Baseline at about station 62+75;

Thence southerly along a non-tangential curve to the left with a radius of Three Hundred and Twenty-Seven and 00/100 feet (327.00') a distance of about One Hundred Thirty feet (130') to a point on the easterly sideline of said land of said MaineDOT, said point being on the westerly sideline of land described as Parcel "B" in said Notice of Condemnation and Thirty-Three feet (33') easterly from and measured along a line normal to the said Baseline at about station 61+32;

Thence northerly along a non-tangential curve to the right with a radius of Three Hundred Seventeen and 50/100 feet (317.50'), by and along the easterly sideline of said land of said MaineDOT and the westerly sideline of said Parcel "B", a distance of about Ninety-Eight feet (98') to a point, said point being about Twenty feet (20') easterly as measured along a line normal to said Baseline at about station 62+34;

Thence northerly, by and along the easterly sideline of said Railroad Crossing Access Easement, the easterly sideline of said land of said MaineDOT, and the westerly sideline of said NNEPRA as described in said deed from Suburban Propane, L.P. recorded in said Registry in Book 16619, Page 291, a distance of about Forty-Two feet (42') to the point of beginning.

The above-described parcel contains about 1,220 square feet.

The above-described parcel consists of (i) a portion of the land described in said deed from Suburban Propane, L.P. recorded in said Registry in Book 16619, Page 291; and (ii) a portion of the land described as Parcel "B" in said Notice of Condemnation recorded in said Registry in Book 27577, Page 53.

SUBJECT TO (i) all rights, privileges, and easements reserved or otherwise referenced in said deed from Suburban Propane, L.P. recorded in said Registry in Book 16619, Page 291; and (ii) the exceptions stated in said Notice of Condemnation recorded in said Registry in Book 27577, Page 53.

RESERVING TO said Northern New England Passenger Rail Authority the following easement right over the above-described **PARCELS ONE and TWO**:

A permanent Railroad Crossing Access Easement for all purposes necessary to permit the installation, operation and maintenance of railroad tracks, signals, signage, and any other necessary installations related to the operation, safety and structural integrity of a railroad crossing across the above-described parcels of real estate to access other adjacent lands of said NNEPRA by vehicle and by foot. Said easement is recorded in the Cumberland County Registry of Deeds in Book 27577, Page 53.

MEANING AND INTENDING TO CONVEY the same premises described as Parcel No. 2 – East of Sewall Street Extension in a Quitclaim Deed with Covenant from Northern New England Passenger Rail Authority to the State of Maine, by and through its Department of Transportation, dated August 27, 2013 and recorded in the Cumberland County Registry of Deeds in Book 31019, Page 306.

PARCEL THREE

A certain parcel of land with the buildings thereon, if any, located southerly of land now or formerly of the Northern New England Passenger Rail Authority (NNEPRA) over land now or formerly of Thompson's Point Inc., in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the southerly sideline of land now or formerly of NNEPRA as described in a deed recorded in the Cumberland County Registry of Deeds in Book 28039, Page 68 as Parcel "D" and a point on the northerly sideline of land now or formerly of Thompson's Point Inc. as described in a Condemnation recorded in said Registry in Book 6579, Page 30 and the northeasterly corner of a Railroad Crossing Access Easement as described in said Registry in Book 27577, Page 53 and the northwesterly corner of land now or formerly of NNEPRA as described in a deed recorded in said Registry in Book 16619, Page 291, said point being Fifteen feet (15') easterly from and measured along a line normal to the Sewall Street Extension Baseline at station 62+77;

Thence southerly adjoining the westerly sideline of said NNEPRA a distance of Forty-Two feet (42') to a point, said point being Twenty feet (20') easterly from and measured along a line normal to said baseline at station 62+34;

Thence southerly along a non-tangential curve to the left adjoining the westerly sideline of said NNEPRA a distance of Ninety-Eight feet (98') to a point, said point being Thirty-Three and 00/100 feet (33.00') easterly from and measured along a line normal to said baseline at station 61+32;

Thence westerly along a line measured along and normal to said baseline a distance of Thirty-Three and 00/100 feet (33.00') to a point, said point being station 61+32;

Thence southerly along a non-tangential curve to the left which is also the centerline of said baseline with a radius of Three Hundred Sixty and 00/100 feet (360.00') a distance of Seven feet (7') to a point at station 61+25.00;

Thence westerly along a line measured along and normal to said baseline a distance of Forty and 00/100 (40.00') to a point, said point being at station 61+25.00;

Thence northerly along a non-tangential curve to the right with a radius of Four Hundred and 00/100 feet (400.00') a distance of One Hundred Thirty-Four feet (134') to the southerly sideline of said NNEPRA as described in a Condemnation recorded in said Registry in Book 27577, Page 53 as Parcel "C" to a point, said point being Forty and 00/100 feet (40') westerly from and measured along a line normal to said baseline at station 62+46;

Thence easterly adjoining the southerly sideline of said NNEPRA a distance of Nine feet (9') to the southeasterly corner of said Parcel "C" to a point, said point being about Thirty-One feet (31') westerly from and measured along a line normal to said baseline at station 62+44;

Thence northerly adjoining the easterly sideline of Parcel "C" of said NNEPRA a distance of Forty-Two Feet (42') to the northeasterly corner of Parcel "C" and the southerly sideline of said NNEPRA as described in a deed recorded in said Registry in Book 28039, Page 68 as Parcel "D" to a point, said point being Thirty-Seven feet (37') westerly from and measured along a line normal to said baseline at station 62+82;

Thence easterly adjoining the southerly sideline of Parcel "D" of said NNEPRA a distance of Fifty-Two feet (52') to the point of beginning.

The above-described parcel contains about 0.22 acre.

MEANING AND INTENDING TO CONVEY the same premises described in a deed from Forefront Partners I, LP to the State of Maine dated June 27, 2013 and recorded in the Cumberland County Registry of Deeds in Book 30781, Page 288.

PARCEL FOUR

A certain parcel of land located southerly of land now or formerly of State of Maine—Department of Transportation, westerly of but not adjacent to land now or formerly of Northern New England Passenger Rail Authority and over land now or formerly of Forefront Partners I, LP, in the City of Portland, County of Cumberland, State of Maine bounded and described as follows:

Beginning at a point on the southwesterly corner of land now of formerly of State of Maine – Department of Transportation as described in a quitclaim deed recorded in the Cumberland County Registry of Deeds in Book 30781, Page 288, said point being Forty and 00/100 feet (40.00') westerly from a line normal to the R/W Baseline at Station 61+25.00;

Thence easterly along a line normal to the R/W Baseline, adjoining the southerly sideline of land now or formerly of said State of Maine a distance of Forty feet (40') to a point. Said point being on said R/W Baseline at Station 61+25.00;

Thence northerly adjoining the easterly sideline of land now or formerly of said State of Maine along a non-tangential curve to the right on said R/W Baseline, having a radius Three Hundred Sixty and 00/100 feet (360.00') a distance of Seven feet (7') more or less to a point;

Thence easterly adjoining the southerly sideline of land now or formerly said State of Maine a distance of Twenty feet (20') more or less to a point, said point being about Twenty feet (20') easterly of a line normal to said R/W Baseline at about Station 61+32, said point also being Thirty feet (30') easterly of a line normal to the Const. Baseline at about station 61+32;

Thence southerly along a curve to the left with a radius of Three Hundred Thirty and 00/100 feet (330.00') and being Thirty feet (30') easterly from and concentric with the Const. Baseline a distance of Two Hundred Fourteen feet (214') more or less to a point, said point being Thirty feet (30') easterly from a line normal to the Const. Baseline at PC Station 58+97.95;

Thence Southwesterly along a line normal to the Const. Baseline a distance of Sixty feet (60') to a point;

Thence Northerly along a curve to the right with a radius of Three Hundred Ninety and 00/100 feet (390.00') and being Thirty feet (30') westerly from and concentric with the Const. Baseline a distance of Two Hundred Forty-Seven and 50/100 feet (247.50') to a point on the westerly sideline of land now and formerly of said State of Maine, said point being Thirty feet (30') westerly from a line normal to the Const. Baseline at Station 61+26.41, said point also being Forty feet (40') westerly from a line normal to said R/W Baseline at Station 61+30.52;

Thence southerly along a non-tangential curve to the left adjoining the westerly sideline of land now or formerly of said State of Maine with a radius of Three Hundred Ninety and 00/100 feet (390.00') a distance of Six and 11/100 feet (6.11') to the point of beginning.

The above described parcel contains about 0.31 acres.

MEANING AND INTENDING TO CONVEY the same premises described in a deed from Forefront Partners I, LP to the State of Maine dated November 4, 2013 and recorded in the Cumberland County Registry of Deeds in Book 32803, Page 199.

PARCELS ONE, TWO AND THREE are subject to the following:

- 1) Railroad Crossing Easement in favor of Northern New England Passenger Rail Authority, Cumberland County Registry of Deeds, Book 27577, Page 53;
- 2) 25' wide Easement in favor of Portland Water District for water and sewer, Cumberland County Registry of Deeds, Book 3820, Page 348, modified by Book 16794, Page 291;

- 3) Overhead utility easement in favor of Northern New England Passenger Rail Authority, Cumberland County Registry of Deeds Book 16667, Page 204.

PARCELS TWO, THREE AND FOUR are subject to the following:

- 1) Underground utility easement (for water and sewer lines, electrical conduits) in favor of Northern New England Passenger Rail Authority, Cumberland County Registry of Deeds Book 16607, Page 204.

PARCEL THREE is subject to the following:

- 1) Such rights of others, as they may exist, to operate and maintain a 4-inch gas main, as described in an instrument from Mecaw Industries to Portland Gas Light Company dated May 9, 1962, recorded in the Cumberland County Registry of Deeds, Book 2673, Page 44.

PARCELS THREE AND FOUR are subject to the following:

- 1) 20' wide water and sewage pipe easement in favor of Portland Water District Easement, Cumberland County Registry of Deeds Book 4010, Page 159;
- 2) 20' wide Stormwater Overflow Sewer easement in favor of the City of Portland Easement, Cumberland County Registry of Deeds Book 3702, Page 229, as modified by Book 16794, Page 291;
- 3) 30' Right of Way in Common, Cumberland County Registry of Deeds Book 2146, Page 304;
- 4) CMP/NET Easement, Cumberland County Registry of Deeds Book 2525, Page 212 & Book 9153, Page 247; and
- 5) Easement to Portland Water District for water, sewer and storm water, Cumberland County Registry of Deeds Book 32763, Page 266.



18RETTD

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MAINE REAL ESTATE
TRANSFER TAX DECLARATION

Form RETTD

Do not use red ink.

1. County **Cumberland**2. Municipality **Portland**

3. GRANTEE/PURCHASER

3a. Last name, first name, MI; or business name

City of Portland

3c. Last name, first name, MI; or business name

3b. Federal ID

3d. Federal ID

3e. Mailing address after purchasing this property

389 Congress St.

3f. Municipality

Portland

3g. State 3h. ZIP Code

ME 04101

4. GRANTOR/SELLER

4a. Last name, first name, MI; or business name

State of Maine

4b. Federal ID

16000001

4c. Last name, first name, MI; or Business name

Department of Transportation

4d. Federal ID

4e. Mailing address

16 State House Station

4f. Municipality

Augusta

4g. State 4h. ZIP Code

ME 04333

5. PROPERTY

5a. Map

201

Block

A

Lot

008

Sub-lot

Check any that apply

No maps exist

Multiple parcels

☒ Portion of parcel

Not applicable

5b. Type of property - enter the code number that best describes the property being sold (see instructions).

5d. Acreage (see instructions)

5c. Physical location

Thompson's Point Rd Extension

6. TRANSFER TAX

6a. Purchase price (If the transfer is a gift, enter "0")..... 6a.

\$ 0 .00

6b. Fair market value (Enter a value only if you entered "0" or a nominal value on line 6a) 6b.

.006c. Exemption claim - ☒ Check the box if either grantor or grantee is claiming exemption from transfer tax and enter explanation below.**Grantor and Grantee are exempt from tax as government agencies under 36 MRS Section 4641-C.**

7. DATE OF TRANSFER (MM-DD-YYYY)

8. CLASSIFIED. WARNING TO BUYER - If the property is classified as farmland, open space, tree growth, or working waterfront, a substantial financial penalty may be triggered by development, subdivision, partition, or change in use.

CLASSIFIED

9. SPECIAL CIRCUMSTANCES. Were there any special circumstances with the transfer that suggest the price paid was either more or less than its fair market value? If yes, check the box and enter explanation below. ☒**Transfer is made pursuant to an agreement between Grantor and Grantee.**

10. INCOME TAX WITHHELD. The buyer is not required to withhold Maine income tax because:

☒ Seller has qualified as a Maine resident

A waiver has been received from the State Tax Assessor

☒ Consideration for the property is less than \$50,000

The transfer is a foreclosure sale

11. OATH. Aware of penalties as set forth in 36 M.R.S. § 4641-K, I declare that I have reviewed this return with the Grantor(s) and Grantee(s) and to the best of my knowledge and belief the information contained herein is true, correct and complete. Declaration of preparer is based on information provided by Grantor(s) and Grantee(s) and of which preparer has any knowledge.

PREPARER. Name of preparer: **Amy E. Hughes**Phone number: **(207) 624-3056**Mailing address: **16 State House Station
Augusta, ME 04333**Email address: **amy.hughes@maine.gov**Fax number: **207-624-3021**

Rev. 3/19

MAINE DEPARTMENT OF TRANSPORTATION

RAIL DECISION - RR # 364

REGARDING:

Petition pursuant to 23 M.R.S.A. § 7202 by the City of Portland to Establish a Public Highway Crossing Over Railroad Tracks at Sewall Street in Portland, Maine.

ABSTRACT:

On September 7, 2011, the City of Portland petitioned the Maine Department of Transportation to establish a public grade crossing for highway traffic on Sewall Street in Portland, Maine at Railroad Mile Post 1.92 on the Mountain Division Branch Line. Portland Terminal Company has owned a private railroad crossing at that location for decades. Rail traffic is operated by Springfield Terminal Railway Company. The owner of the rails and the operator of rail traffic are owned by Pan Am Railways. This decision, RR # 364, establishes a public grade crossing on Sewall Street after the conditions outlined herein are satisfied.

Hearing was held February 27, 2012

Location of hearing: Portland City Hall

The petition is granted

Date of Decision: April 3, 2012

Commissioner: David Bernhardt, P.E.

Hearing Officer: Richard N. Hewes, Esq.

I. PROCEDURAL BACKGROUND

On September 7, 2011, pursuant to 23 M.R.S.A. § 7202, the City of Portland ("City") petitioned the Maine Department of Transportation ("Department") to establish a public highway crossing ("Crossing") over railroad tracks in Portland at Sewall Street. The tracks are owned by Portland Terminal Company, train traffic is operated by Springfield Terminal Railway Company and Pan Am Railways owns Portland Terminal Company and Springfield Terminal Railway Company (these three entities are separately and collectively referred to as the "Railroad"). Tracks currently cross over a private way immediately to the south of the terminus of Sewall Street at Mile Post 1.92 on the Mountain Division Branch Line. The City requests that a public crossing be established where the private crossing now exists.

Hearing on the aforementioned petition was ordered to be held at the City Hall in Portland at 6:00 o'clock in the evening on November 22, 2011. Asserting membership in a class that could be substantially and directly affected by Railroad Decision #364, Pan Am applied for intervenor status. At the November 22, 2011 hearing, Pan Am's motion for intervenor status was granted without objection. The City asked for a continuance. Representatives of the railroad were present and did not object. The City and Pan Am had not yet finalized an agreement on fundamental aspects of the Crossing, but felt they could reach agreement on those issues through further communications. The hearing was continued and rescheduled for January 12, 2012. The January hearing was cancelled because of a snow storm. The matter was rescheduled and a public hearing was held February 27, 2012 at Portland City Hall.

II. NOTICE

Exhibit 18 is a copy of the January 18, 2012 cover letter with attached notice of the February 27, 2012 hearing that was sent to the following interested parties, including abutters and stakeholders:

City of Portland
Nathan Moulton, Manager, Rail Transportation, MaineDOT.
George Thayer, Springfield Terminal Railway Company/Maine Central Railroad
David Fink, President, Pan Am Railways
Central Maine Power Co.
Cumberland County Commissioners
Langdon Street Real Estate
Mercy Hospital
Northern New England Rail Authority
Portland Terminal Co.
Portland Water District
Thompson's Point Inc.
The Waynflete School
Kat Beaudoin, Integrated Planning Solutions
Robert Bremm, Ritter Project Management
Tony Donovan, Maine Rail Transit Coalition

James Howard, Esq.

Exhibits 19 and 20 are pages from the February 7 and 13, 2012 editions of the Portland Press Herald, a newspaper that has general circulation in the area affected by the City's petition. These pages contain notices which state that the hearing would be held February 27, 2012 at 6:00 p. m, in the Portland City Hall. Notice was proved to have been given in the manner prescribed by 23 MRSA § 7202 and 5 MRSA § 8053. Hearing on the aforementioned petition was held at the time and place stated in the notice. The hearing officer viewed the crossings on the day of the hearing and his observations are part of the evidence.

III. EVIDENCE

A. Exhibits.

Exhibit

1. September 7, 2011 hearing request from Danielle P. West-Chuhta, Esq., Counsel for the City of Portland.
2. Sign-up sheet for November 22, 2011 hearing.
3. Maine Sunday Telegram's Classified Section's Tear Sheet of Notice of Hearing published October 30, 2011 which indicated the hearing would be held at the Portland Transportation Center on November 22, 2011 at 6:00 p.m.
4. Notice of Hearing which indicated that the hearing would be held at the Portland Transportation Center on November 22, 2011 at 6:00 p.m.
5. Copy of Letter to Danielle P. West-Chuhta, Esq. and Interested Parties dated October 27, 2011 enclosing the Notice of Hearing which indicated that the hearing would be held at the Portland Transportation Center.
6. Notice of Hearing indicating a new location for the hearing being held on November 22, 2011 to be the Portland City Hall.
7. Copy of Letter to Danielle P. West-Chuhta, Esq. and Interested Parties dated November 3, 2011 enclosing the Notice of Hearing indicating the new location for the hearing to be held on November 22, 2011 to be the Portland City Hall.
8. Undeliverable return envelope with hearing notice mailed to Northern New England Rail Authority.
9. Email to Patricia Quinn at NNEPRA dated November 15, 2011, enclosing a copy of the Notice of Hearing with the new location of Portland City Hall incorporated.
10. Portland Press Herald Newspaper Classified Section Tear Sheet with Notice of

Hearing published November 4, 2011 with the new location of Portland City Hall incorporated.

11. Maine Sunday Telegram Classified Section Tear Sheet with Notice of Hearing published November 6, 2011 with the new location of Portland City Hall incorporated.
12. Pan Am Railways Application for Intervenor Status.
13. Email from Danielle West-Chuhta, Esq. waiving the City of Portland's objections to the Application for Intervenor Status.
14. November 22, 2010 hearing transcript.
15. Portland Press Herald Newspaper's Classified Section's Tear Sheet of Notice of Hearing published December 22, 2011.
16. Portland Press Herald Newspaper's Classified Section's Tear Sheet of Notice of Hearing published December 29, 2011.
17. Letter to Danielle P. West-Chuhta, Esq. and Interested Parties dated December 12, 2011 with Notice of the January 12, 2012 Hearing.
18. Letter to Danielle P. West-Chuhta, Esq. and Interested Parties dated January 18, 2012 with Notice of the February 27, 2012 Hearing.
19. Portland Press Herald Newspaper Tear Sheet (p. D 6) published February 7, 2012 with Advertised Notice of February 27, 2012 Hearing.
20. Portland Press Herald Newspaper Tear Sheet (p. D 3) published February 13, 2012 with Advertised Notice of February 27, 2012 Hearing.
21. Sign-in Sheet for Attendees of the February 27, 2012 Public Hearing.
22. September 7, 2012 petition for hearing with margin notations.
23. Subdivision plat of the area of the proposed Sewall Street crossing.
24. Written testimony by Gregory Mitchell, City of Portland.
25. Public Hearing Submission by City of Portland with photos, plans and descriptions of proposed crossing and Thompson's Point development.
26. Email (two pages) confirming that Pan Am Railways and the developer of Forefront at Thompson's Point reached agreement relative to the Crossing.

A. Public Comments.

Danielle P. West-Chuhta, Esquire, Associate Corporation Counsel for the City, spoke in support of the petition to establish the Crossing. Ms. West offered Exhibit 22, the request for hearing, and Exhibit 23, a plat map showing the area surrounding the Crossing and the planned extension of Sewall Street. The Crossing is located at Mile Post 1.92 on the Mountain Division Branch Line. Trains travel at 10 miles per hour through the Crossing area. The Crossing will be at grade and the purpose of the Crossing will be to create a way for highway traffic to travel to and from Thompson's Point, which will be developed in the near future.

The terminus of Sewall Street, a town way, is at the northern boundary of the railroad corridor. A private way, also known as Sewall Street, continues through the Crossing and runs into Thompson's Point. The tracks currently run through that private way. The City plans to extend Sewall Street about 130 feet to the south of the existing crossing. When this piece of road is accepted as a public way, the tracks will be located within a public street. The City requests that a public crossing be established where the private crossing now exists.

Gregory Mitchell, Acting Director of the City's Department of Planning and Urban Development said that the Crossing is part of a larger plan to develop Thompson's Point, a peninsula to the south of the Crossing that extends into the Fore River. The planned development will be a world class destination that will provide access to cultural functions, athletic events and other entertainment activities. Officials from the Portland Fire Department have reviewed plans for the proposed Crossing and approve of the design.

Christopher Thompson, a representative of Forefront Partners I, LP, the company that plans to develop Thompson's Point, said that Thompson's Point will be converted into a 27 acre complex called the Forefront at Thompson's Point. The development will have an event center, a concert hall and amphitheater, a sports medicine facility, a hotel, a restaurant, office buildings and a parking garage. The event center will offer 3500 basketball fans the chance to view Portland's local professional team. Vendors and entrepreneurs will be able to display their wares at trade shows in a 44,000 foot facility. Music enthusiasts will have the opportunity to enjoy concerts at a 4500 seat auditorium and office space will be available as well. The Forefront at Thompson's Point will serve to connect walking trails to the Portland Transportation Center. Given the large number of people expected to use this facility, the existing crossing must be upgraded to facilitate the flow of public highway traffic to and from Thompson's Point.

Stephen Bushey, an engineer who works for Deluca Hoffman Associates, spoke in favor of the Crossing. He offered Exhibit 25, a brochure entitled Public Hearing Submission by City of Portland. Exhibit 25 contains photos, plans and descriptions of the Crossing area, including the planned development. Surface parking will be available for 712 vehicles and the parking garage will have space for 732 cars.

The Crossing will be constructed sometime between 2012 and 2014 at a cost of about \$500,000 - \$600,000. The two sets of tracks currently in place, a main line and a siding, will be in the proposed Crossing. The Crossing will be about 36 feet wide and will have three lanes for automobiles. Incoming and outgoing traffic will each have a dedicated lane. The middle lane

will be reversible to accommodate incoming or outgoing automobiles when traffic is heavy. A path on the west side of the inbound automobile lane will be available for pedestrians.

Flashing warning lights will be attached to a cantilevered structure over the Crossing to warn highway travelers about passing rail traffic. Pedestrian access will be controlled by automatic gates. Gates will not be installed over automobile lanes. The reversible middle lane will be used for heavy traffic during peak hours. Traffic control workers will direct traffic as needed. According to Exhibit 26, the developer has concluded an agreement with the Railroad that obligates the developer to reimburse the cost of improving the Crossing.

To access the planned development, highway traffic must enter the Thompson's Point Access Road from the Fore River Parkway. Once on the access road, travelers will move in an easterly direction until they turn onto Sewall Street at a 90 degree angle and travel south toward the Crossing. Southbound motorists travel down a slight decline that begins about 50 feet north of the Crossing. The tracks cross Sewall Street in an east-west direction at the bottom of that dip in the road. Sewall Street runs in a north-south direction and intersects the tracks at a ninety degree angle. The approach for motorists leaving Thompson's Point is level.

Automobile traffic is expected to pass through the proposed crossing during peak hours at the rate of 955 total trips. The highway speed limit at the crossing will be 25 miles per hour. After southbound motorists turn onto Sewall Street, they will have sight distance of about 500 feet to the Crossing. Highway traffic approaching from Thompson's Point can view the Crossing from a distance of 300 feet.

Two to four freight trains per week move through the Crossing. No passenger train traffic uses the Crossing at this time. Track speed is ten miles per hour. Randall Pike, P. E., a member of the firm that will design the Crossing, said that eastbound trains will have sight distance on their approach to the Crossing of several thousand feet and westbound trains will have sight distance of about 1000 feet to the Crossing.

The surrounding area is generally industrial. A parking lot and passenger loading area in the rear of the Portland Transportation Center are on the northeast quadrant of the Crossing. A power transmission facility and two story metal building are on the northwest quadrant. An Amtrak office resembling a mobile home is on the southeast quadrant. A fenced parking lot that holds dozens of trailers is on the southwest quadrant. An Amtrak passenger station is located about 600 feet to the east of the Crossing.

Nathan Moulton, Manager of Rail Transportation for the Department, said that the Department supports the proposed Crossing. Exhibit 26 states that the Department will be provided with plans of the Crossing for review and approval. Signage, pavement markings, gates, lights and other safety installations must be approved by the Department and will conform to the Manual on Uniform Traffic Control Devices.

Robert Burns, a lawyer for the Railroad, confirmed that the Railroad and the developer were close to reaching an agreement for the development of the Crossing. James Howard, a lawyer for the developer of Thompson's Point, said that the parties were close to finalizing

financial concerns and that safety and design issues were resolved. Robert Haines, a Portland resident, spoke in favor of the Crossing, but expressed doubt that the access road would accommodate inevitable congestion during big events. Dory Waxman, a former City Councilor and a resident of Portland, spoke in favor of the Crossing and stressed that traffic during big events would be manageable because designers would anticipate traffic congestion problems.

IV. FINDINGS AND CONCLUSIONS

Based on exhibits, hearing testimony and site visits, the following findings are made:

1. Parties. The City of Portland petitioned the Maine Department of Transportation to issue an order establishing a public crossing. Portland Terminal Company owns the railroad in the proposed crossing area and Springfield Terminal Railway Company operates rail traffic. Pan Am Railways owns these two entities.
2. Location of Proposed Crossing. The proposed Crossing will be located at Mile Post 1.92 on the Mountain Division Branch Line, the site of a private crossing.
3. Status of Existing Crossing. The existing crossing is private. The terminus of Sewall Street, a town way, ends on the northern edge of the rail corridor. A private way, also named Sewall Street, runs in a southerly direction over the tracks to Thompson's Point. The City plans to extend Sewall Street an additional 130 feet south of the existing crossing. When this road is accepted as a public way, the tracks will be located within a public street.
4. Crossing Geometry. Two sets of tracks, a mainline and a siding, run through Sewall Street to form a double-track crossing. The rails run in an east-west direction and intersect Sewall Street at a 90 degree angle. Sewall Street runs in a north-south direction.
5. Sight Distance. Eastbound trains will have sight distance on the approach to the Crossing of several thousand feet and westbound trains will have sight distance of about 1000 feet. Southbound motorists will approach on a decline and will have a clear view of the Crossing for about 500 feet. Motorists traveling north on Sewall Street from Thompson's Point will have sight distance of about 300 feet.
6. Railroad Traffic. Four trains pass through the Crossing each week. Timetable speed over the rails is 10 miles per hour.
7. Highway Traffic. Automobile traffic is expected to pass through the Crossing during peak hours at the rate of 955 total trips. The speed limit for automobiles will be 25 miles per hour. The highway in the Crossing will be 36 feet wide with three lanes for automobile traffic. One lane will be dedicated for incoming highway traffic and one lane will be dedicated to outgoing vehicles. The middle lane will be reversible to accommodate either incoming or outgoing vehicles when traffic is heavy. A paved path will facilitate the flow of pedestrian traffic.

8. Purpose. The Crossing will allow public highway traffic to pass through the railroad corridor and flow into the planned development at Thompson's Point.
9. Area Land Use. A parking lot and passenger loading area for the Portland Transportation Center are on the northeast quadrant of the Crossing. A power transmission facility and a two story metal building occupy the northwest quadrant. An Amtrak office resembling a mobile home is on the southeast quadrant. A parking lot that holds dozens of trailers is on the southwest quadrant. An Amtrak passenger station is located about 600 feet to the east of the crossing.
10. Construction and maintenance. The Crossing is expected to be constructed between 2012 and 2014. The estimated cost is \$500,000 to \$600,000.
11. Design. The Railroad and Forefront Partners I, LP have reached agreement on the design of the Crossing. The Department will be provided with the plans for review and approval to ensure that the design meets safety requirements. Officials from the Portland Fire Department approve of the proposed Crossing.

V. ORDER

Based upon the evidence and the applicable law, it is hereby ORDERED that the City of Portland's Application to Establish a public highway crossing along the planned extension of Sewall Street at Mile Post 1.92 on the Mountain Division Branch Line is granted upon the fulfillment of the following conditions:

1. The City shall lay out and accept a public way across the Mountain Division Branch Line at Railroad Mile 1.92 in Portland.
2. The following actions shall be taken and safety measures installed:
 - a) All safety measures including signalization, gates, bells, signage, lights and pavement shall be properly designed and constructed in accordance with the Department's Standard Specifications and Standard Details in effect at the time the Department approves the Crossing.
 - b) All safety measures that are required or recommended by the Manual on Uniform Traffic Control Devices (MUTCD) in effect when the Department approves the Crossing shall be properly located and installed.
 - c) Final design plans for traffic lanes at or near the Crossing shall be submitted to the Department for approval at least 30 days before construction of the Crossing commences. Construction shall not begin until the Department approves the plans.

- d) The Railroad and the City shall coordinate the planning, construction and testing of all signals and other safety devices to ensure that they are properly synchronized and in good working order before the Crossing is opened for use.
- e) All pedestrian access transitions at the Crossing shall be designed and installed in compliance with the Americans with Disabilities Act (ADA).
- f) Street lighting shall be installed at the crossing. Said lighting shall comply with all federal, state and local requirements.
- g) The City shall be responsible for the cost of constructing the Crossing. The Railroad shall be responsible for operating and maintaining the Crossing.
- h) If the Crossing has not been approved by the Department for public use by January 1, 2017, then the authority to establish the Crossing under this order shall expire unless the City or the Railroad petitions the Department before January 1, 2017 to modify this Decision for an extension of the deadline.

MAINE DEPARTMENT OF TRANSPORTATION



David Bernhardt, P. E.
Commissioner

VI. APPEAL RIGHTS

Pursuant to 23 M.R.S.A. § 7202, this decision shall be final and binding on all parties unless an appeal from this decision is taken. Any party wishing to appeal must, within 14 days from the date of the filing of this decision, file in the office of the Maine Department of Transportation its reasons for appeal and shall cause to be served on any other interested parties, a copy of the reasons for appeal certified by the department. The department must be made a party to the appeal.

Pursuant to the requirements of 5 M.R.S.A. § 11001 et seq. appellate procedures also apply to an appeal of this decision. Pursuant to 5 M.R.S.A. § 11002, a petition for review of this decision shall be filed within 30 days after receipt of notice of this decision if the appeal is taken by a party to the proceeding for this decision. Any other person aggrieved shall have 40 days from the date the decision was rendered to petition for review. If the review sought is from the Department's failure or refusal to act, the petition for review shall be filed within 6 months of the expiration of the time within which the action should reasonably have occurred.

Pursuant to 5 M.R.S.A. § 11002 (2), the petition shall specify the persons seeking review, the manner in which they are aggrieved and the final agency action which they wish reviewed. It shall also contain a concise statement as to the nature of the action or inaction to be reviewed, the grounds upon which relief is sought and a demand for relief which may be in the alternative. Copies of the petition for review shall be served by Certified Mail, Return Receipt Requested, upon the Maine Department of Transportation, all parties to the proceedings, and the Department of the Maine Attorney General.



Janet T. Mills
GOVERNOR

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Bruce A. Van Note
COMMISSIONER

April 24, 2019

Jennifer L. Thompson, Esq.
Associate Corporation Counsel
City of Portland
389 Congress Street
Portland, ME 04101

Re: Public Crossing at Thompson's Point – Sewall Street Extension

Dear Ms. Thompson:

This letter serves to confirm that the Maine Department of Transportation (MaineDOT) approved the rail crossing constructed at Sewall Street Extension, Portland (the Crossing), for public use in November, 2016, pursuant Railroad Decision #364 issued by MaineDOT on April 3, 2012. MaineDOT based the approval on its finding that the conditions set forth in the Order (Section V) of Decision #364 were met by the petitioner, the City of Portland.

MaineDOT's approval of the public crossing shall remain in effect until it is closed or discontinued in accordance with the process described in 23 MRS §7207.

Should you have any questions, please contact our Office of Legal Services at 207-624-3020.

Sincerely,

Nathan Moulton
Director, Office of Freight and Business Services

NM/AEH/st
cc: Toni Kemmerle, Esq. Office of Legal Services

MEMORANDUM
City Council Agenda Item

FROM: Caitlin Cameron, Urban Designer
DATE: October 30, 2020
SUBJECT: Order 132-20/21 Accepting the Public Art Committee FY20 Annual Report and FY21 Budget Plan - Sponsored by Jon P. Jennings, City Manager

SPONSOR:

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

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading

Final Action 11/16/2020

Can action be taken at a later date: Yes (If no why not?)

PRESENTATION: Jim Cradock, Chair, Portland Public Art Committee, or Caitlin Cameron, Urban Designer, 5-10 minute oral presentation.

I. SUMMARY

At its monthly meeting on September 16, 2020, the Portland Art Committee voted unanimously (8-0) to recommend the FY20 Annual Report to the Portland City Council. At its monthly meeting on October 21, 2020, the Portland Public Art Committee voted unanimously (7-0) to recommend the FY21 Budget Plan to the Portland City Council.

II. AGENDA DESCRIPTION

Order accepting the FY20 Annual Report and FY21 Budget Plan recommended by the Portland Public Art Committee.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The Portland Public Art Ordinance requires the Portland Public Art Committee to make an Annual Report to the Council to present an Annual Public Art Plan with proposed budget for the Council's consideration. By accepting the report, the Council will be accomplishing the following actions:

1. **Accepting as a gift and adopting into the Public Art Collection the sculpture *Pinecone*:** Private donors seek to gift the sculpture *Pinecone* by Patrick Pluorde to the City to be a part of the public art collection and under the purview of the Public Art committee. The gift honors Alice Spencer. The cost of acquisition and installation will be covered by the donors. The sculpture will be placed in Deering Oaks Park and was review by the Parks Department and the Historic Preservation Board.
2. **Adopting into the Public Art Collection the community artwork *Blaze Trail*:** The Public Art Guidelines provide for adoption and funding of community artworks created by artists with the participation of local community groups. Blaze is a collaboration between Portland Trails, Caitlin Cameron, Gib Foltz, Kavya Seshachar, and Tony Adams working with the Portland Firefighting community.
3. **Approving the FY21 Budget Plan to allocate the FY21 1/2% CIP funds.**

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

Present the FY20 Annual Public Art report and FY21 Budget Plan. Acceptance of this report results in the approval of the proposed budget for the fiscal year 2021 allowing the committee to proceed with its activities. The Public Art committees efforts seek to improve and enhance the quality of life of all Portland residents, workers and visitors.

V. FINANCIAL IMPACT

The FY21 budget plan uses funds already within the PPAC budget which are generated through the 1/2% for Public Art in the CIP. Acceptance of the Annual Report and Budget Plan constitutes acceptance of the proposed budget allocations contained within the plan. The budget allocations for FY21 continue conservation of the Bayside Mural, an updated collection assessment, operations, and the commission of functional artwork as part of the City's project at Bramhall Square.

VI. STAFF ANALYSIS AND BACKGROUND

The Budget Plan focuses on conservation and maintenance of the collection to continue to improve the quality of the built environment for residents and employees and further improve the public image of the city for visitors.

VII. RECOMMENDATION

On September 16, 2020, the Portland Public Art Committee voted unanimously to recommend the FY20 Annual Report to the Portland City Council. At its monthly meeting on October 21, 2020, the Portland Public Art Committee voted unanimously to recommend the FY21 Budget Plan to the Portland City Council.

The Department of Planning and Urban Development supports the acceptance of this report, its associated actions, and the budget plan allocating the FY21 ½% CIP funds as meeting the requirements set forth in Chapter 14, Article XI. Public Art Program Ordinance.

VIII. LIST ATTACHMENTS

1. Order Approving Public Art Annual Report 2020
2. 1. PPAC Annual Report

Prepared by:

Caitlin Cameron, Urban Designer

Date: 10/30/2020

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER ACCEPTING THE PORTLAND PUBLIC ART COMMITTEE
FISCAL YEAR 2020 ANNUAL REPORT
AND 2021 BUDGET PLAN**

ORDERED, that the Fiscal Year 2020 Annual Report and Fiscal Year 2021 Budget Plan of the Portland Public Art Committee, attached hereto as Attachment A, is hereby accepted.

FY20 Public Art Committee Annual Report & FY21 Budget Plan

OUTLINE OF REPORT

I. Overview

II. Administrative Updates

Committee Members

Administrative Policies – Five Year Goals and Strategic Plan

Guidelines and Ordinance Revisions

Subcommittees

- Governance Subcommittee
- Gifts and Gifts Subcommittee
- Communication Subcommittee

III. Conservation & Maintenance

Conservation & Maintenance

- FY20 Conservation Activity
- Finished work *Cleeves Memorial* and *Jewel Box Bus Shelter*
- Conservation of *Puffin* at Casco Bay Marine Terminal

IV. Accomplishments in FY20

Project Updates

- Great Black Hawk Final Design
- Congress Square Public Art Commission
- USM Roundabout Artist Selection

Temporary Public Art

- TEMPO summer installation and administrative updates

Additional Accomplishments

V. Goals for FY21

VI. Proposed Budget FY21

Attachments:

- Considerations for Siting New Public Art
- Sites Map

I. OVERVIEW

In April 2000, the City Council established the Portland Public Art Program to preserve, restore, and enhance the City's public art collection. The Portland Public Art Committee (PPAC) is tasked to commission art that engages the surrounding environment to facilitate a sense of place by expressing the spirit, values, and visions of Portland through public art.

The public art collection currently contains fifty-eight permanent pieces installed throughout Portland and one long-term loan. The collection contains works of both historical significance dating from the nineteenth century; and contemporary pieces reflecting Portland's diversity and spirit. The PPAC administers the Portland Public Art Program. The Committee has also overseen the development of projects that can be categorized as Environmental Art Works and Temporary Art Works. The Committee's responsibilities are outlined in Article XI of the City Code (Public Art Program). The Committee utilizes the Guidelines for the Public Art Ordinance (Volume 1, Number 1 – adopted 2008) for direction in administering their responsibilities.

The Portland Public Art Committee is responsible for the following:

- Develop and present an Annual Public Art Plan to the City Council which includes recommendations for the use of allocated CIP funding; program administration; conservation of the collection; and initiation of new projects;
- Provide recommendations to the City Council regarding proposed gifts to the collection; Seek donations to fulfill Committee responsibilities in the case that CIP funding is insufficient;
- Recommend appropriate locations for the installation of public art;
- Promote public awareness and engagement between the public and the collection.

II. ADMINISTRATIVE UPDATES

COMMITTEE MEMBERS

The Committee for 2019 (FY20) was as follows:

Julia Kirby, Chair, Development Director at St. Lawrence Arts

Lin Lisberger, Artist and Professor of Art at USM, retired

Kifah Abdulla, Artist, teacher, and poet

Nick Aceto, ACETO Landscape Architects

Anna Berke, Fundraising professional

James Cradock, Information Technology consultant at Yellahoose LLC

Gibrian Foltz, Creative Portland Representative

Diana Greenwold, Curator, Portland Museum of Art

Jessica Lauren Lipton, Marketing Director at Casco Bay Artisans and Artist at Pop Killed Culture

Kavya Seshachar, City Manager's appointee

Kate Snyder, City Council representative

Management & Administration

Caitlin Cameron, Urban Designer

ADMINISTRATION AND POLICY

Five-Year Goals

In fall 2017 the Committee held several meetings and agreed upon the following goals for the coming five years:

- To increase the prevalence of public art in regions of outer Portland. This may be in the form of Community Art Projects, or temporary art event coordination. This objective aims to work with current and future City projects, pay attention to project and partner opportunities, and identify potential sites in order to be prepared when gift opportunities arise;
- To activate small urban spaces with public art;
- To further public education, interest, and enjoyment of public art by providing public art walks or public art guides in Portland; and to publicize and archive the collection. This includes revising the website to provide additional functions and increase traffic, producing a 30 second commercial to distribute to promotional sites, such as movie festivals, a City Hall video stream, or outdoor screening, create cards, brochures or other saleable items, increase and control social media outreach, meet with City stakeholders to reinforce our mission, and look for an intern to help with assorted clerical and archival jobs;
- To increase donation solicitation for projects supported by the PPAC, particularly for projects that enhance community engagement and identity. To solicit grant and private money for current and upcoming projects;
- To have greater influence on site selection for gifts and commissioned works, and to provide a simple and consistent evaluation for acceptance of gifts;
- To continue to provide forums for public input.

Ultimately, these goals aim to contribute to Portland's identity as a cultural destination. The Committee recognizes that the prevalence and quality of Public Art will greatly contribute to Portland's overall image and increase both national and international recognition.

SUBCOMMITTEES

Governance Subcommittee

New committee members came on board during the past the fiscal year – Anna Berke, a fundraising professional and Nick Aceto, Landscape Architect were appointed by the City Nominating Committee and began their terms in July 2019. Gibrian Foltz, artist and CPA with Baker Newman Noyes joined the committee in November 2019 as the new Creative Portland representative, and Kavya Seshachar joined the committee in January 2020 as the City Manager appointee.

Gifts Subcommittee

The Committee reviewed the gift of *Pinecone* by Patrick Pluorde in honor of Alice Spencer for her 25 years of work supporting public art in Portland including the formation of the Public Art Committee, drafting the Temporary Art Guidelines, and founding TEMPOArts.

The proposed site is in Deering Oaks in the general vicinity of the Ravine/wading pool near two other works of public art – the site was reviewed with the Parks Division, Friends of Deering Oaks, and the Historic Preservation Board (Certificate of Appropriateness received September 2, 2020). The artist is a resident of New Gloucester, Maine and has one other artwork in the City's collection (Untitled Armillary).

The gift is made by TEMPOArts and includes the artwork as well as installation costs. **In accepting this Annual Report the City Council is accepting this gift and adopting the artwork into the collection.**



Communication Subcommittee

The PPAC continues to update and make improvements to the collection website: publicartportland.org

The committee has continued its “Sculpture of the Month” program, which features artwork from the collection as part of the City-wide First Friday Artwalk celebration. The work is listed on Creative Portland’s website and printed map. If the featured artwork has an Art in Our Front Yard video, committee members ask CTN to air that particular video during the month to coordinate with the artwalk programming. Students from USM created additional video content for *Luminous Arbor* as part of a class project, coordinated by the Communications Subcommittee.

Site Selection Subcommittee

An updated site priority map and selection criteria were developed (see attachment) as guiding documents for future artwork siting and selection.

III. CONSERVATION & MAINTENANCE

It is essential to the longevity and safety of the works in the collection to engage a conservator for conservation and repair of our public art collection. The collection requires on-going assessment and maintenance. Jonathan Taggart, of Taggart Object Conservation, was contracted on a bi-annual basis to provide ongoing conservation work on the collection. In 2019, conservation and maintenance work included the following:

CONSERVATION

Jonathan Taggart’s two-year contract for conservation of works in the collection included finishing work on the *Cleeves Memorial* fence and hitching posts, the Henry Wadsworth Longfellow statue, and *The Jewel Box* Bus shelter in which much of the structural steel was replaced with stainless steel, including bolts, and all was painted with a highly durable paint. *Puffin* was also assessed for conservation but it was determined that the minor work of removing bird debris could be completed by staff of the Casco Bay Marine Terminal on an ongoing basis.

For on-going maintenance, a plaque was installed and graffiti removed for *Luminous Arbor* in Woodfords Corner.



IV. ACCOMPLISHMENTS IN FY2019

PROJECT UPDATES

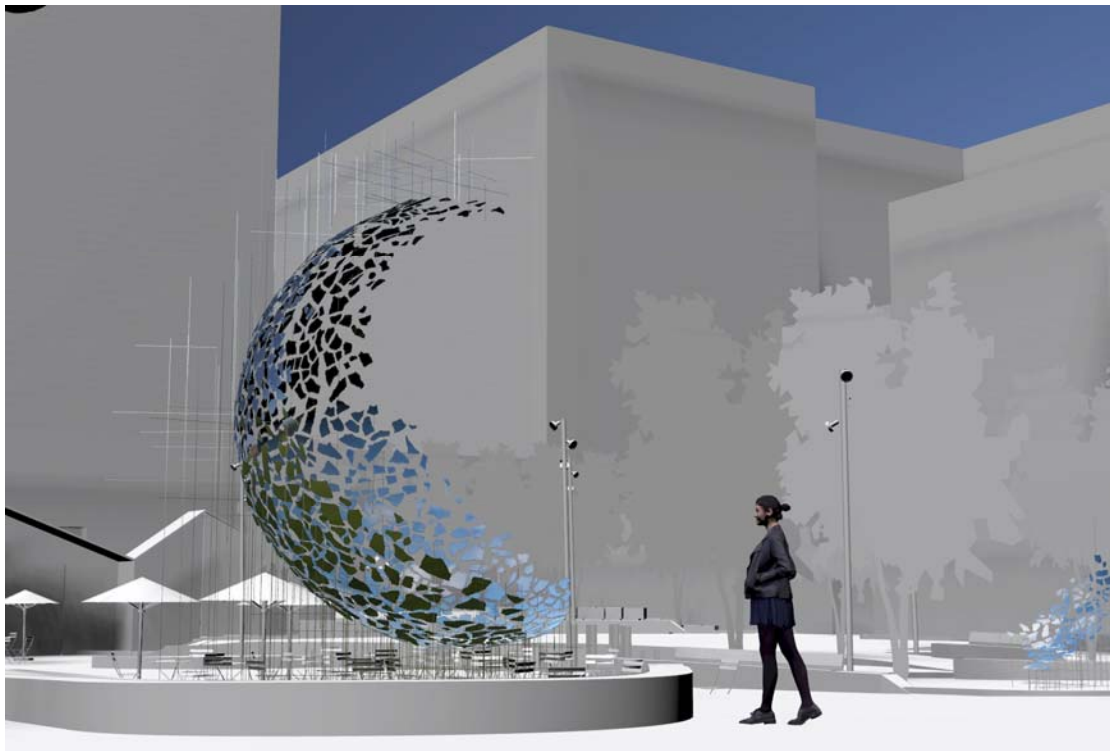
Great Black Hawk

The committee unanimously approved a final design of the Great Black Hawk sculpture, including the addition of a squirrel on the column, by reviewing a model to scale presented by the project artist David Smus. The Hawk was installed on a granite column at a site in Deering Oaks carefully selected by PPAC, FoDO, and the Parks Department. The City will enter into a memorandum of understanding to accept this gift approved by the City Council.



Congress Square Public Art Commission

The Department of Transportation has put the project on the 2021 work plan for \$2.6 million. Fundraising efforts are in a quiet phase and have continued over the year with marketing materials produced by VIA. The sculpture is now in Design Development with Sze Studio and bi-monthly check-in calls are ongoing. The Portland Museum of Art had planned a publicity/fundraising event with artist Sarah Sze for April 2020 but was cancelled due to the COVID-19 Pandemic. This event will be rescheduled for the Spring 2021. The NEA Artworks grant concludes in FY20 for this project.



USM Roundabout Art Commission

The subcommittee for this project, comprised of two members of the Portland Public Art Committee, co-chairs Diana Greenwold, Curator at the Portland Museum of Art, and Daniel Minter, artist, Lydia Swan, USM representative and neighbor, Carol Schiller, neighbor, and Keith Smith, TJD&A Landscape Architects and Planners reviewed the work of several artists, 7 artists were asked to submit a one-page letter of inquiry. Of the 5 artists who submitted LOI's, 4 were chosen to submit more comprehensive proposals and were given a \$500 stipend for their work. The subcommittee reviewed all proposals and selected Maine artist Mark Pettigrow and his design *Passing the Torch* as the finalist. The project has several construction phases. Installation of the artwork is slated for summer of 2021.



Community Artwork – Blaze Trail

The Committee voted to approve the Blaze Trail proposal and provide a 1:1 match of funding (from previously approved PPAC budget years of unused Community Art funds). The project is a collaboration between Portland Trails (community partner), Caitlin Cameron (urban designer), Gib Foltz (visual artist), Kavya Seshachar (graphic designer), and Tony Adams (sound artist) and interviews with the fire-fighting community. The artwork is an urban, interpretive trail that traces the outline of the Great Fire of 1866 and includes visual portrait installations and sound installations. **In accepting this Annual Report the City Council is adopting the artwork into the collection.**

MLK Memorial

The MLK Task force, after reviewing proposals from three different firms, and hosting a second round to review proposals from two finalists, did not make a selection. The initiative to install a memorial to the late Dr. Martin Luther King is currently on hold. The committee includes one representative from PPAC.

TEMPORARY ART

The permit for TEMPOArt's installation in Fox Field of *Mother's Garden* by Daniel Minter was renewed through summer 2021.

For TEMPO's summer 2020 project, TEMPOArts commissioned Maine artist Jesse Salisbury to install large granite and basalt stones for *Gathering Stones*. Weighing from 4,000 to 12,000 pounds each, the

stones are split, and carved into different shapes. The shapes create a space that encourages interaction. Some stones are hollow inside, encouraging people to walk through them or sit inside them. Some are convenient for sitting on. You can step from stone to stone. Feeling at once primitive and futuristic, it encourages people to explore with others.



Community events associated with TEMPOArts installations were suspended due to the pandemic.

A street art mural associated with the Indigo Arts Beautiful Blackbird Children's Book Festival was approved for a one-year installation on Cove Street. The artists include Ryan Adams and Daniel Minter.



Temporary Student Art Applications: Though the committee did not have any temporary student artwork during the past year, the committee worked with students from the Media Studies program at USM to create short documentary about *Luminous Arbor*, the light sculpture created by artist Aaron Stephan and installed in Woodfords Corner. The short video includes

interviews with the artist and PPAC chair, an overview of the project, and several day and night shots of the work and is on view at www.publicartportland.org.

ADDITIONAL ACCOMPLISHMENTS

PPAC members have created a template Public Art Maintenance Plan to be completed by artists whose work is selected to be part of the permanent collection. This seven page document is intended to provide guidance for future maintenance and conservation of the artwork. The conservation code of ethics requires conservators to attempt to maintain and restore works of art in accordance with the artist's intent.

Electrical Boxes

Members of PPAC gave guidance for another round of the Police Department's electrical box painting program. New murals are in the West End.



V. GOALS FOR FY2021

COMMUNICATIONS AND EDUCATION

- Decolonize the collection: the committee will work with Maine Historical Society and others to better understand and to share the historical contexts of works in the public art collection through the PPAC web site
- In coordination with Creative Portland, the committee will update Art Walk Tours to be potentially printed for visitors and residents
- The committee will focus on specific outreach efforts to grow awareness of the collection through specific activities, like coloring pages for restaurants for children
- The committee will continue to update the PPAC website with a new temporary art page, with updated and new pages for permanent works, and with increased education and outreach through social media with city guidelines (measurements for success TBD)

CONSERVATION & MAINTENANCE

- The committee will conduct an updated assessment of the collection. Of four quotes requested, two were submitted with the final contract awarded to Jonathan Taggart. This plan will include the following:
 - Assess of conditions for the entire public art collection – 57 artworks
 - Summarize Conservation/Maintenance recommendations
 - Prioritize the conservation needs for next five years (2020-2025)
 - Photographs condition of artworks (as needed)
 - Report information on a digital spreadsheet compatible with existing collection data

COLLECTION

- Installation of Pinecone gift in Deering Oaks
- Stabilize the Bayside Mural by Andrew Schoultz (determined with the artist and community representatives); purchase sign for the mural
- USM Roundabout – fabrication and installation
- Congress Square Fundraising (private)
- Sites Subcommittee identification/prioritization of future sites – on-going
- Representation on the MLK memorial committee (on hold)

VI. FY21 PROPOSED BUDGET

The City allocates .05% of the annual Capital Improvement Project (CIP) budget for the conservation and acquisition of permanent public art. This FY21 Budget Plan shows \$52,500 for the .05% allocation from the FY21 CIP budget.

Remaining Encumbrances from approved budget plans

	Activity	Description	Budget
A	Congress Square Public Art	New commission – Sarah Sze artist	\$183,500
B	Roundabout Artwork	New commission Brighton Ave roundabout	\$123,000
	Total Encumbered		\$ 306,500

FY21 – Proposed Budget (July 2020-June 2021)

	Activity	Description	Budget
A	Conservation and Maintenance	To cover routine maintenance; stabilization of the Bayside Mural	\$ 5,000
B	Conservation and Maintenance	Collection Assessment	\$8,700
C	Operations	Web hosting, collection documentation, etc.	\$ 1,000
D	Contingency Fund	To cover repairs, theft, relocation, Community Art grant, plaque purchase, etc.	\$ 10,000
E	New Artwork	New artwork: Bramhall Square	\$ 25,000
	Total FY21 Budget		\$ 49,700

Potential projects:

- Bayside Mural stabilization
- Bramhall Square functional artwork
- Plaque purchases: Passing the Torch, Pinecone Gift, Blaze Trail
- Community Grant application

Attachment 1

CONSIDERATIONS FOR SITING NEW PUBLIC ART

Major corridors into downtown:

- Forest Avenue from Woodfords Corner toward downtown
- New parkway alongside Mercy Hospital
- Underpasses for 295 (murals)
- Stroudwater Park
- Libbytown
- Commercial Street between Veterans Bridge and exit for Casco Bay Bridge
- Franklin St. median at street crossings or 295 exit

Non-pedestrian friendly sites:

- Veterans Bridge and York St. intersection (Proposed site for *Boom*)
- Chestnut St. ellipse
- Forest Ave and Marginal Way (new building for CMP or Water district)
- Barron Center

Pedestrian friendly sites:

- Bramhall Square (Currently has proposed funding)
- City park on corner of Congress St. and Franklin St.
- Off peninsula city parks (The entrance to Baxter Woods on Stevens Ave.)
- Portland Trails sites both on the peninsula and off
By locating along the trail system we get a lot of people and some cars, especially since there seem to be more and more people using the trails. Some areas make more sense than others, like entrances to trails.
- In front of existing schools. (Older schools have not had the fortune to get percent for art pieces like the newer ones have. Also, we can put interior work in schools.
- Walkway from Fore Points Marina to Ocean Gateway-colorful vertical windmills?

Evaluation Data:

Cultural factors(man-made determinants):

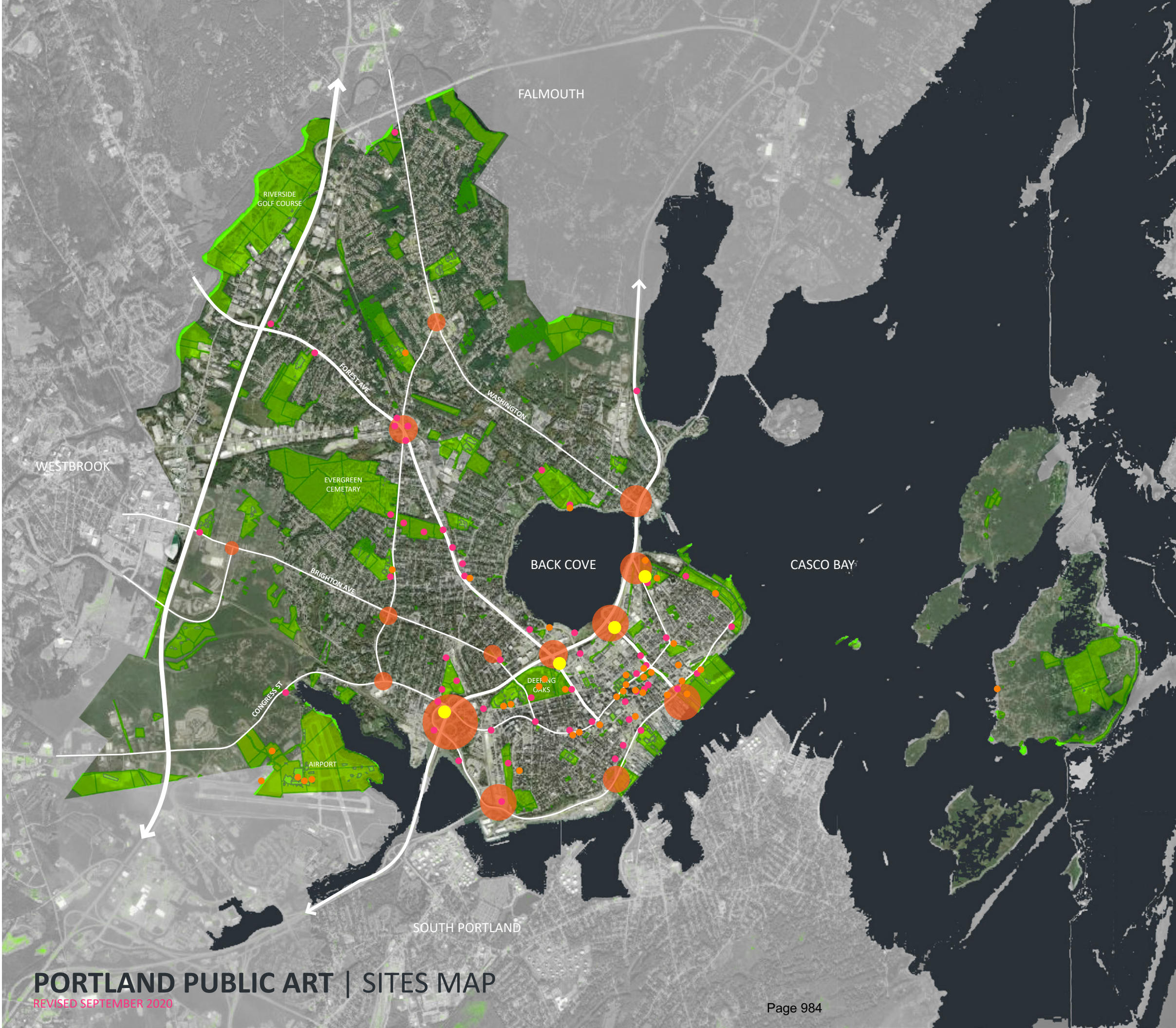
- Existing land use
- Accessibility/Linkages
- Traffic and transit--vehicular and pedestrian circulation on or adjacent to site
- Density and floor area ratio and dimensions: vertical, horizontal, grade changes
- Utilities/Lighting
- Existing buildings
- Historic factors—historic buildings or landmarks
- Aligning with City projects

Natural Factors:

- Geologic base and landforms and slope
- Hydrography—streams, lakes, watershed drainage, etc.
- Vegetation
- Climate factors—solar orientation, summer and winter winds, flooding potential, precipitation, humidity

Aesthetic Factors:

- Natural features
- Spatial pattern—views, spaces, sequences
- Visual clutter



LEGEND

- EXISTING COLLECTION
- POTENTIAL SITES
- PRIORITY SITES
- CITY THRESHOLD
- CITY-OWNED LAND/PARK
- MAJOR ROAD

CONSIDERATIONS FOR SITING NEW PUBLIC ART

Major corridors into downtown:

- Forest Avenue from Woodfords Corner toward downtown
- New parkway alongside Mercy Hospital
- Underpasses for 295 (murals)
- Stroudwater Park
- Libbytown
- Commercial Street between Veterans Bridge and exit for Casco Bay Bridge
- Franklin St. median at street crossings or 295 exit

Non-pedestrian friendly sites:

- Veterans Bridge and York St. intersection (Proposed site for Boom)
- Chestnut St. ellipse
- Forest Ave and Marginal Way (new building for CMP or Water district)
- Barron Center

Pedestrian friendly sites:

- Bramhall Square (Currently has proposed funding)
- City park on corner of Congress St. and Franklin St. (tiny space unless we can get a little land donated by NewHeight Group)
- Off peninsula city parks (The entrance to Baxter Woods on Stevens Ave.)
- Portland Trails sites both on the peninsula and off
- By locating along the trail system we get a lot of people and some cars, especially since there seem to be more and more people using the trails. Some areas make more sense than others, like entrances to trails.
- In front of existing schools. (Older schools have not had the fortune to get percent for art pieces like the newer ones have. Also, we can put interior work in schools.
- Walkway from Fore Points Marina to Ocean Gateway-colorful vertical windmills?

MEMORANDUM
City Council Agenda Item

FROM: Paul Bradbury, Jetport Director

DATE: November 2, 2020

SUBJECT: Order 133-20/21 Approving a One-Year Extension to the Signatory Airline Operating Agreement and Lease at the Portland International Jetport - Sponsored by Jon P. Jennings, City Manager

SPONSOR: Jon P. Jennings, City Manager
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:

1st Reading 11/16/2020

Final Action 11/16/2020

Can action be taken at a later date: Yes (If no why not?)

PRESENTATION: Paul Bradbury will introduce as needed, and be available to answer any Council questions on this item.

I. SUMMARY

The Portland International Jetport requests approval of an amendment to extend its Signatory Airline Operating Agreement and Lease by one year to June 30, 2022.

II. AGENDA DESCRIPTION

The Portland International Jetport issues a single uniform operating agreement and airlines executing this agreement are designated as Signatory Airlines at the Jetport. The Jetport currently has six Signatory Airlines: American, Delta, FedEx, JetBlue, Southwest, and United. Airlines executing this operating agreement must provide a minimum annual landed weight, lease a preferential use gate, and lease office/ticket counter space throughout the term of the agreement.

The current Signatory Airline Operating Agreement and Lease at the Portland International Jetport was approved by the Council in 2016 with a five year term from July 1, 2016 through June 30, 2021. Given the continuing uncertainties imposed on aviation by the COVID-19 Pandemic, the Jetport and our signatory airlines are recommending a short term one year extension of this agreement to June 30, 2022.

Five affirmative votes are required for passage after public comment.

III. BACKGROUND

The extension of this agreement will allow the Jetport and its signatory airline partners to continue to operate in what has been a mutually beneficial business relationship over the past five years. This agreement provides for guaranteed minimum payments by the airlines through the term of this agreement for landing fees and terminal rent. The pandemic has caused substantial hardship and uncertainty for our signatory airline partners and the Jetport. This uncertainty limits their ability to commit to a term beyond one year at this time.

IV. INTENDED RESULT AND/OR COUNCIL GOAL ADDRESSED

The Portland International Jetport connects the region to the national air transportation system and in doing so plays an important role in supporting the City Council's economic development goals. Approval of the Signatory Airline Operating Agreement and Lease will allow the Jetport to lock in a commitment from its

carriers to operate and/or pay for a minimum level of air carrier activity.

V. FINANCIAL IMPACT

Approval of a one year extension of the Portland International Jetport's Signatory Airline Operating Agreement and Lease will provide a commitment to operate service at the Jetport through June 30, 2022. The agreement provides a commitment by signatory airlines to cover the operating expenses associated with the gate concourse, outbound baggage screening, and baggage claim portions of the terminal building. Additionally, it provides a commitment to cover half of the Jetport's airfield operating costs through landing fees. For FY21 these revenues are budgeted at \$5.65 million which equates to approximately 35% of the Jetport's operating revenues.

VI. STAFF ANALYSIS AND BACKGROUND

Approval of a one year extension to the Signatory Airline Operating Agreement and Lease will allow airlines to commit to operating at the Jetport through June 30, 2022. This extension, although shorter than the past five year term, provides continuity of operations with no lapse in service by our airline signatory partners. It is critical in this time of many business uncertainties, especially within aviation, that we extend the agreement and provide some certainty for the Jetport and our airline partners.

VII. RECOMMENDATION

Jetport staff recommends the City Council approve a one year extension to the Airline Operating Agreement and Lease at the Portland International Jetport.

VIII. LIST ATTACHMENTS

1. Order Signatory airlines agreements for Jetport 1-year Extensions 11.16.2020
2. First Amendment of PWM Signatory lease 10262020
3. PWM Signatory Lease FINAL

Prepared by:

Paul Bradbury, Jetport Director

Date: 11/2/2020

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING A ONE-YEAR EXTENSION TO THE SIGNATORY
AIRLINE OPERATING AGREEMENT AND LEASE AT THE PORTLAND
INTERNATIONAL JETPORT**

ORDERED, that a one-year extension to the five-year signatory airline operating and lease agreement with airlines at the Portland International Jetport is hereby approved substantially in the form attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or his or her designee to execute said document for each airline electing to be a signatory and any other related documents necessary or convenient to carry out the intent of said documents.

**FIRST AMENDMENT TO
SIGNATORY AIRLINE OPERATING AGREEMENT
AND LEASE AT THE
PORTLAND INTERNATIONAL JETPORT**

THIS FIRST AMENDMENT is made as of this ____ day of _____, 2020, to the **SIGNATORY AIRLINE OPERATING AGREEMENT AND LEASE AT THE PORTLAND INTERNATIONAL JETPORT** dated July 1, 2016 (hereinafter, the “**Lease**”) by and between the **CITY OF PORTLAND**, a body politic and corporate located in Cumberland County, Maine (hereinafter the “**City**”), and _____ a _____ corporation with a mailing address of _____ (hereinafter referred to as the “**Airline**”).

W I T N E S S E T H:

WHEREAS, the Airline is operating at the Portland International Jetport under the Lease;
and

WHEREAS, the Lease has a five-year term, which terminates on June 30, 2021; and

WHEREAS, the parties desire to extend the termination date of the Lease by one (1)
year.

NOW, THEREFORE, in consideration of the mutual obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The termination date of the Lease, which, pursuant to section 2.01 of the Lease, is June 30, 2021, is hereby extended to June 30, 2022.
2. Any and all terms of the Lease not herein amended shall remain in full force and effect for the duration of the Lease as amended hereby and are hereby ratified. In the event of any conflict between the terms of this Amendment and the terms of the Lease and any exhibits thereto, the terms of this Amendment shall govern and control so long as this Amendment is in effect.

Signature page follows.

IN WITNESS WHEREOF, the said **CITY OF PORTLAND** has caused this First Amendment to Signatory Airline Operating Agreement And Lease to be signed and sealed by Jon P. Jennings, its City Manager, thereunto duly authorized, and **DELTA AIR LINES, INC.** has caused it to be signed by _____, its _____, thereunto duly authorized, the day and year first above written.

WITNESS:

CITY OF PORTLAND

By: _____

Jon P. Jennings

Its: City Manager

WITNESS:

_____ **AIR LINE**

By: _____

Printed Name: _____

Its: _____

Approved as to form:

Approved as to Funds:

City Corporation Counsel's Office

City Finance Director

CITY OF PORTLAND, MAINE
DEPARTMENT OF AVIATION
AND TRANSPORTATION



SIGNATORY AIRLINE
OPERATING AGREEMENT AND LEASE
AT THE
PORTLAND INTERNATIONAL JETPORT



JULY 1, 2016

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**PORTLAND INTERNATIONAL JETPORT
AIRLINE OPERATING AGREEMENT AND
TERMINAL BUILDING LEASE**

THIS AGREEMENT AND LEASE (hereinafter referred to as the "Agreement"), entered into this _____ day of _____, 2016, by and between the CITY OF PORTLAND, a body politic and corporate, located in the County of Cumberland, State of Maine (hereinafter "City"), and a _____, a corporation organized and existing under the laws of the State of _____ (hereinafter "Airline"), with a principal office located at _____.

WITNESSETH:

WHEREAS, City owns and operates Portland International Jetport (hereinafter "Airport" or "Jetport") and

WHEREAS, City has the right to lease premises and facilities at the Airport and to grant rights, licenses, and privileges on and in connection therewith, and

WHEREAS, Airline desires to lease from City certain premises and facilities and acquire certain rights, licenses, and privileges in connection with its use of the Airport, and City is willing to lease and grant the same to Airline in accordance with the terms, provisions, and conditions hereinafter set forth in this Agreement;

WHEREAS, Airline is engaged in the business of commercial transportation of persons, property, cargo, express, and mail by air and is certified or otherwise authorized by the United States Government to engage in such business; and

NOW, THEREFORE, for and in consideration of the mutual covenants, agreements, and conditions contained herein, the parties hereto agree as follows:

ARTICLE 1

DEFINITIONS

Section 1.01 Definitions

The following words and phrases, wherever used in this Agreement, shall, for the purpose of this Agreement, have the following meanings:

1. "Affiliate" shall mean any air transportation company that (i) is a parent or subsidiary of a Signatory Airline, or (ii) operates at the Airport under a trade name and 'essentially the same' livery of the Signatory Airline and uses the Signatory Airline's two-letter designator code for its flights serving the Airport, or (iii) operates at the Airport using a trade name of a parent or subsidiary of the Signatory Airline and uses the two-letter designator code of such parent or subsidiary for its flights serving the Airport.
2. "Aircraft Arrival" means any aircraft arrival at the Airport, including, without limitation, scheduled, charter, or any other flights operated by an Air Transportation Company. Aircraft Arrivals exclude flights which are forced to return and "land" at the Airport because of meteorological conditions, mechanical or operating causes, or for a similar emergency or precautionary reason.
3. "Airline" means _____, a corporation organized and existing by virtue of the laws of _____.
4. "Airport" or "Jetport" means Portland International Jetport, as shown on Exhibit A, "Airport Layout and Cost Center Plan", and as it may be modified or expanded from time to time in accordance with this Agreement.
5. "Airport Cost Centers" means the following cost centers, more fully depicted on Exhibit A, to be used in accounting for Airport revenues and expenses and for calculating and adjusting certain rentals, fees, and charges described herein as they now exist or may hereafter be modified, changed, or developed with the approval of the Majority in Interest, as applicable, (also referred to herein as "MII") as more particularly described below:
 - a. Direct Cost Centers

- "Terminal Building" means the passenger terminal building, its curbside, and landscaped areas adjacent to the Terminal Building (also referred to in City Budget documents as "Jetport Terminal")
 - "Airport Airfield" means the airfield at the Airport, including runways, taxiways, aprons, approach and runway protection zones, safety areas, infield areas, City-owned landing and navigational aids, perimeter fences and gates, service roads, airfield maintenance facility, airfield drainage system, and land areas at the Airport required by or related to aircraft operations (landings, take-offs, and taxiing) (also referred to in City Budget documents as "Jetport Field").
 - "General Aviation Terminal" means the hangars, buildings, and exclusively leased apron areas occupied by the Airport's fixed base operators, corporate/private aircraft operators, and cargo operators (also referred to in City Budget documents as "Jetport GAT"). During the term of this Agreement, the City may rename this cost center.
- b. Indirect Cost Centers, including all personnel, services, equipment, and facilities used to provide support to the Airport for the following services:
- "Jetport/City Administration"
 - "Police and Security"
 - "Aircraft Rescue and Fire Fighting"
 - "Roadways" (which means the terminal frontage, access and circulation roads).
6. "Air Transportation" means the carriage of persons, property, cargo, express, or mail by aircraft.
 7. "Air Transportation Company" means any person which engages in the carriage of persons, property, cargo, express, or mail by aircraft.
 8. "Bonds" means airport revenue bonds, general obligation bonds, or any other similar or substitute financing instrument that might be issued for Airport purposes under and pursuant to authorizing legislation.
 9. "Capital Improvement Program" means a program of Capital Improvements as outlined on Exhibit B, attached hereto and made part hereof, or any hereafter approved.
 10. "Capital Improvements" means any single item costing more than \$50,000 (net of grants-in-aid as filed with the FAA as a project Pre-application for funding or any approved passenger facility

charge project) that is acquired, purchased, and/or constructed by City to improve, maintain, preserve, or develop the Airport. Capital Improvements shall include but not be limited to (1) the acquisition of land or easements; (2) the purchase of machinery, equipment or rolling stock; (3) the planning, engineering, design, and construction of new facilities; (4) the renovation of existing facilities, or (5) the performance of any extraordinary, nonrecurring major maintenance of existing facilities. The City shall amortize the cost over the useful life of the capital improvement.

11. "Common Use Space" means any City owned or controlled facilities, including but not limited to ticket counters, baggage claim, outbound baggage, security screening, gate areas and aprons, holding rooms and loading bridges used for providing services to the traveling public, unless such space or spaces are specifically included in an airline's Exclusive or Preferential Use Space in the Terminal Building.
12. "Consumer Price Index or CPI" The Consumer Price Index, all Urban Consumers, Northeast Urban, base period 1982-84, published by the U.S. Department of Labor, Bureau of Labor Statistics or successor index if the CPI is discontinued. For purposes of this Agreement, all changes to the CPI shall be calculated based on the change in the CPI during the 12 months immediately preceding the month of adjustment. The referenced Consumer Price Index may be located at: <http://data.bls.gov/cgi-bin/surveymost/> (United States Department of Labor).
13. "Department" means the Department of Aviation and Transportation of the City of Portland, or successor department thereto which includes the Airport.
14. "Deplaned Passenger" means all local disembarking, interline transfer, and intraline transfer revenue passengers of all Air Transportation Companies and of other airlines handled by Airline at the Airport.
15. "Director" means the Director of the Portland International Jetport, or his or her duly authorized designee.
16. "Enplaned Passenger" means all local boarding, interline transfer, and intraline transfer passengers of all Air Transportation Companies and of other airlines handled by Airline at the

Airport pursuant to Section 3.02, Paragraph G. "Passengers" means and includes all those who are reported to the DOT on form 298-C, T-100, or similar form.

17. "Equipment and Capital Outlay" means any single item required by the City for the operation of the Airport and not included in Maintenance and Operating Expenses, costing \$50,000 or less (net of grants in-aid) . In the event that in any fiscal year, the aggregate amount of expenditures for equipment and capital outlays exceeds \$250,000, then each such item proposed thereafter in that fiscal year shall be subject to approval of the MII pursuant to the process for approval of Capital Improvements in Section 5.02.
18. "FAA" means the Federal Aviation Administration of the U.S. Department of Transportation or any federal agencies succeeding to its jurisdiction.
19. "FIS" means the Federal Inspection Services at the Airport used by agencies of the United States government for the inspection of passengers and their baggage, and for the exercise of their responsibilities with respect to movement of persons and property to and from the United States. The FIS shall not include aircraft parking aprons, loading bridges, holdroom, ticket counters or facilities for handling baggage after federal inspection.
20. "Fiscal Year" means the City's Fiscal Year, which is the twelve-month period commencing July 1 and extending to June 30 of the following year, or such other twelve-month period as may be adopted for the operation of the Airport.
21. "Hazardous Material or Materials" means any hazardous or toxic substances, materials, or wastes, including, but not limited to, those substances, materials, and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302) and amendments thereto, or such substances, materials, and wastes that are or become regulated under any law applicable to the Airport including, without limitation, any material, waste or substance which is petroleum or a petroleum distillate, asbestos, polychlorinated biphenyls, or which is defined as a "hazardous waste" pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. §6901, et seq. or defined as a "hazardous substance" pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9601, et seq.

22. "International Arrivals Area" means that area in the Terminal Building designated for U.S. Government federal inspection services for the processing of arriving international passengers.
23. "Leased Premises" means the areas in the Terminal Building leased to or used by Airline under this Agreement, comprised of the following categories (Exhibit C), as further described in Section 4.01, and as they may be modified in the Terminal:
- a. "Exclusive Use Space"-- space leased exclusively to Airline.
 - b. "Common Use Space"-- space used by Airline in common with all other airlines using the space.
 - c. "Preferential Use Gate" – gate or gates equipped with either a regional boarding bridge or a full-service boarding bridge and associated boarding counters and assigned to Airline by the Director, to be used on a preferential basis by Airline as provided in paragraph 29 below.
 - d. "Preferential Use Ticket Counter" –ticket counter(s) and queuing area(s) in the Terminal and assigned to Airline by Director to be used on a preferential basis by Airline as provided in paragraph 29 below.
24. "Maintenance and Operating Expenses" (or "M&O Expenses") means, for any Fiscal Year, all reasonable expenses necessary to maintain, repair, operate and administer the Airport, including, but not limited to, bad debt expense, taxes and assessments, if any, and expenses for defending, settling, or satisfying litigation, unless reimbursed by insurance proceeds.
25. "Majority-in-Interest" ("MII") means, for the Airport Airfield Cost Center, fifty percent (50%) in number of all Signatory Airlines which, in the aggregate, paid fifty percent (50%) or more of Landing Fees (see Section 6.05) paid by all Signatory Airlines for the preceding Fiscal Year, and for the Terminal Building Cost Center (see paragraph 4 and Exhibit A) fifty percent (50%) in number of all Signatory Airlines which, in the aggregate, paid fifty percent (50%) or more of the terminal building rentals paid by all Signatory Airlines for the preceding Fiscal Year. Solely for the purpose of determining a Majority-in-Interest, no airline shall be deemed to be a Signatory Airline (a) so long as any Event of Default with respect to such airline has occurred and is continuing,

(b) airline has been a Signatory Airline for less than six months, or (c) Airline operates less than one daily weekday (M-F) flight. For the Terminal Building Cost Center, Signatory Airlines must be leasing and occupying terminal space in order to vote on MII projects.

26. "Maximum Gross Landed Weight" or "MGLW" means the gross maximum landed weight that each aircraft operated by Airline at the Airport is certified by the FAA to land, as recited in Airline's flight manual governing that aircraft.
27. "Non-signatory Airline" means an airline that has not entered into a Signatory Airline Operating Agreement And Lease with the City.
28. "Person" means an individual, corporation, partnership, limited liability company, association or any entity, however formed.
29. "Preferential" means Airline's use of gate(s), ticket counters, queuing areas, and boarding bridges on a non-exclusive, preferential basis. Airline shall have priority in using gate(s), ticket counters, queuing areas, and bridges assigned to it by the Director on a preferential basis to accommodate its flights; however, the Director may authorize other airlines to use Airline's preferentially assigned aircraft gate(s), ticket counters, queuing areas, or bridges in periods when not in use by Airline, pursuant to Section 4.03. In the Terminal, Airline's ticket counter and queuing areas shall also be available on a Preferential basis.
30. "Regional Gates" shall mean the gates designated as Gates 2a, 2b and 2c in the Terminal Building, which gates shall be considered as one gate for cost center purposes.
31. "RON" or "Long Term Parking" shall mean Remain Overnight or Remain on Gate and shall apply to any aircraft approved to occupy a gate or parking position in excess of five (5) hours.
32. "Rules and Regulations" means those written rules, regulations, policies, and procedures that have been established by City or the Department, which are reasonable and non-discriminatory, for the orderly and efficient use of the Airport by airlines and other tenants and users of the Airport as the same may be amended, modified, or supplemented from time to time.

33. "Service Provider" means any company permitted by the City to provide aircraft services in accordance with ground and passenger handling services for a carrier(s).
34. "Signatory Airline" means an airline, including their respective Affiliate(s), providing scheduled Air Transportation of passengers, property, cargo, express, and/or mail by air to and from the Airport that has executed this Agreement with the City covering the use and occupancy of facilities at the Airport.
- a. "Class 1 Signatory Airline" MEANS A SIGNATORY AIRLINE THAT HAS A MINIMUM ANNUAL LANDED WEIGHT OF 24,000,000 POUNDS. CLASS 1 SIGNATORY AIRLINES MUST LEASE NO LESS THAN FIVE HUNDRED (500) SQUARE FEET OF EXCLUSIVE USE SPACE, HAVE PREFERENTIAL USE OF AT LEAST ONE GATE, AND PREFERENTIAL USE OF TICKET COUNTERS AND QUEUING AREAS.
 - b. "Class 2 Signatory Airline" means a Signatory Airline that has a minimum annual landed weight of 12,000,000 pounds. Class 2 Signatory Airlines must lease no less than one hundred fifty (150) square feet of Exclusive Use Space.
35. "Terminal Building Subcost Centers" means areas within the Terminal Building to be used for calculating and adjusting Terminal Building rental rates described herein, as shown on Exhibit D, as such areas now exist or, subject to the approval of MII, may hereafter be modified or developed, including:
- a. Terminal Space - Common Use Space
 - b. Terminal Space – Exclusive Use
 - c. Terminal Space – Preferential Use
 - d. International Arrivals Area
 - e. Public Space
36. "Terminal" or "Terminal Building" means the Jetport building depicted in Exhibit C.
37. "Total Airline Landed Weight" means the sum of the Maximum Certificated Gross Landing Weights for all Aircraft Arrivals of an airliner over a stated period of time.

38. "Total Airline Landed Weight of the Signatory Airlines" means the sum of the Maximum Certificated Gross Landing Weights for all Aircraft Arrivals of all Signatory Airlines over a stated period of time.

39. "Unassigned Facilities" means facilities which are available for lease.

Section 1.02 Cross-References

References in the text of this Agreement to articles, sections, or exhibits pertain to articles, sections, or exhibits of this Agreement, unless otherwise specified.

ARTICLE 2

TERM

Section 2.01 Term

This Agreement shall become effective as of July 1, 2016 and shall continue for a term of five (5) years until June 30, 2021, subject to prior termination as provided in Section 14 herein.

Section 2.02 Holding Over

Should Airline use the Leased Premises without the written consent of City after this Agreement has expired or terminated, Airline shall be deemed a tenant at sufferance during the period of such use and subject to fees, charges, and provisions as set forth in this Agreement, other than Article II "Term". In such event, City and Airline shall have all of the remedies provided under applicable laws.

ARTICLE 3

RIGHTS AND SPECIFIC PRIVILEGES

Section 3.01 Use of the Airport

Airline, its employees, passengers, guests, patrons, agents, independent contractors, suppliers, and invitees shall have the right to the use (in common with other duly authorized users) of those portions of the Airport and appurtenances, together with all facilities, improvements, equipment, and services that have been or may hereafter be provided for their common use at or in connection

with the Airport, subject to the Rules and Regulations. In addition, Airline shall have the right to exclusive use of areas so designated as its Exclusive Use premises and its Preferential Use areas as provided in Section 4.01.

Section 3.02 Specific Rights of Airline at the Airport.

Airline shall have the right, subject to limitations and conditions contained in this Agreement and in addition to all rights elsewhere granted in this Agreement, to use the Airport for the following purposes, subject to the Rules and Regulations:

- A. The operation of its commercial transportation system by aircraft for the carriage of persons, property, cargo, express, and mail, including all activities reasonably necessary for such operation.
- B. The landing, taking off, flying over, taxiing, pushing, towing, loading, unloading, deicing, repairing, maintaining, conditioning, servicing, parking, storing, and testing of aircraft or other equipment owned or operated by Airline.
- C. The sale of Airline tickets, documentation of Airline shipments, handling of Airline reservations, and the loading and unloading of persons, property, cargo, express, and mail at the Airport by such motor vehicles or other means of conveyance as Airline may desire to use in the operation of its Air Transportation system. However, City reserves the right to require any ground transportation commercial carrier (including Airline, except for such ground transportation as Airline or its nominee may provide solely for the benefit of its employees) regularly transporting persons to and from the Airport to first secure and thereafter hold a valid lease, license, or other agreement with City for the right to carry persons to and from the Airport and shall pay City such rentals, fees and/or percentages of the fares of such ground transportation commercial carrier for such right as City may set. City further reserves the right to approve the location and type of any ticket dispensing machines which are outside of Airline's exclusive leased space
- D. Airline may use the Leased Premises for the training of Airline persons and testing of Airline's aircraft and other equipment at the Airport, provided that such training and testing are

limited to that incidental to Airline's Air Transportation business. Flight training shall be undertaken by Airline only to the extent permitted by and subject to the Rules and Regulations.

E. Airline may use the Leased Premises for the servicing by Airline, or by its suppliers of materials or Service Providers, of aircraft and other equipment operated by Airline with line maintenance or other materials or supplies, at its assigned aircraft parking positions or other aircraft parking positions designated by the Director. Department reserves the right at any time to designate other locations reasonably accessible from the Terminal Building for performance of aircraft maintenance and service activities if City reasonably believes that such activities would interfere with aircraft operations of other airlines in the Terminal Building. Aircraft engine run-ups shall not be allowed between the hours of 10 p.m. and 7 a.m., except when necessary due to an extraordinary and non-recurring circumstance. Aircraft engine run-ups shall be performed only in specific engine run-up area, as designated by Director.

F. Subject to Sections 3.04(F) herein, the purchase of Airline's requirements of personal property or services, including fuel, lubricants, food, beverage, and other passenger supplies, and any other materials and supplies used by Airline, from any person or company of Airline's choice for services to be performed for Airline that are incidental to the operation of Airline's Air Transportation business. Nothing herein shall restrict City from levying a reasonable and non-discriminatory concession fee on any person or company for conducting non-air transportation business at the Airport.

G. The sale, disposal, and exchange of Airline's aircraft, engines, accessories, oil, lubricants, other equipment, and materials or supplies to Affiliates and Air Transportation Companies that Airline may ground handle at the Airport, and such sales, disposal or exchanges are not subject to the City's right to charge and collect fees or commissions for such sales, disposals or exchanges. Such sale, disposal, and exchange to any other Air Transportation company shall be subject to the City's right to charge and collect reasonable and non-discriminatory fees or commissions for such sales or exchanges, except for such sales under extraordinary, nonrecurring circumstances. Such right shall not be construed as authorizing the conduct of a separate regular business by Airline, but as permitting Airline to perform only those functions that are incidental to the operation of its Air Transportation business.

H. The installation and operation of Airline's standard corporate identifying signs and graphics on Airline's Exclusive Leased Premises; provided, however, all other signs and graphics shall be subject to the prior written approval of City, which shall not be unreasonably withheld.

I. The installation, maintenance, and operation of such radio, communication, meteorological, and aerial navigation equipment and facilities at suitable locations on the Airport, including computer equipment at passenger check in counters in the terminal building, as may be necessary for Airline's operations; provided that such equipment and facilities do not interfere with other airline or Airport communication, meteorological, or aerial navigation systems. The location of such equipment and facilities, method of installation and type of equipment shall be subject to the prior written approval of City, which shall not be unreasonably withheld, and shall conform to all applicable federal, state, and local requirements.

J. The provision of baggage porter skycap service and curbside airline baggage check-in. Airline may arrange with other airlines to provide such services or may provide such services on its own behalf.

K. The use of City-owned passenger loading bridges at Airline's preferentially assigned gate(s) or ticket counter(s) subject to the following:

Airline has the right to assess and collect reasonable charges from others for the use of any systems, equipment (including passenger loading bridges) or furnishings purchased and installed by Airline.

L. The right to the use of the International Arrival Area, subject to availability and payment of then-current use charges.

M. The rights and privileges granted Airline under this Agreement with respect to the performance of ground services and activities in connection with its Air Transportation operation at the Airport may be exercised by Airline only for and on behalf of Airline for its regularly scheduled service or unscheduled service or Affiliate(s) and Airline shall not be subject to the payment of fees or commissions in performing ground services for such Affiliate(s).

Section 3.03 Employee Parking Facilities

City will provide for Airline's employees working at the Airport an area or areas for common vehicular parking facilities at locations reasonably convenient to the Terminal Building. Such facilities shall be located in an area designated by City. A reasonable fee, which does not exceed the cost of providing the vehicular parking facility, for the use of such facilities shall be charged to Airline or its employees by City or City's contracted parking manager. The current charge is \$15.00 per month for full- or part-time employees based at Portland, and \$30.00 per month for all employees based elsewhere, which charges are below the City's current costs of providing the facility. Such fees may be adjusted annually beginning July 1, 2016, so long as they do not exceed the cost of providing the vehicular parking facility.

Section 3.04 Limitation on Use by Airline

In connection with the exercise of its rights under this Agreement, Airline:

- A. Shall not do and shall use commercially reasonable efforts not to permit to be done anything at or about the Airport that may interfere with the effectiveness or accessibility of the water system, drainage and sewage system, fire protection system, sprinkler system, alarm system, fire hydrants and hoses, heating or ventilation system, air conditioning system, electrical system, natural gas, or other Airport systems installed or located on or within the Leased Premises or the Airport.
- B. Shall not do or permit to be done any act or thing upon the Airport that will invalidate or conflict with any fire or other casualty insurance policies covering the Airport or any part thereof.
- C. Shall not dispose of nor permit any employee, agent or contractor to dispose of any waste material taken from, or products used with respect to, its aircraft into the sanitary or storm sewers at the Airport or any other location on the Airport (whether liquid or solid), including but not limited to Hazardous Materials, unless such waste material or products first be properly treated by equipment installed with the approval of City and any other administrative body having appropriate jurisdiction or are otherwise disposed of in compliance with applicable Environmental Laws as defined below.

D. Shall not keep or store, during any twenty-four (24) hour period, Hazardous Materials, including but not limited to, hazardous articles and materials such as flammable liquids and solids, corrosive liquids, compressed gasses, and magnetized or radioactive materials on the Airport in excess of Airline's working requirements during said twenty-four (24) hour period, except when the following conditions are met: (1) in accordance with standards established by the National Board of Fire Underwriters, any such liquids having a flash point of less than one hundred degrees (100°) Fahrenheit shall be kept and stored in safety containers of a type approved by the Underwriters Laboratories; (2) said material shall be under the control and care of designated Airline personnel; (3) said material shall be packaged and handled in compliance with applicable U.S. Department of Transportation, Environmental Protection Agency, and/or other such applicable regulations for transport and pretransport of hazardous articles and materials; and (4) said materials shall be stored in special storage areas designated by the Director while on the Airport.

E. Shall not install fuel storage tanks and/or pumping facilities for use in fueling any aircraft at the Airport without prior written approval of City, which shall not be unreasonably withheld.

F. Shall not maintain nor operate in the Terminal Building or elsewhere at the Airport a cafeteria, restaurant, bar or cocktail lounge for the purpose of selling or dispensing food or beverages to the public or to its employees or passengers; nor shall Airline in any manner otherwise provide for the sale of food and beverages at the Airport, provided, however, (i) the Airline may provide vending machines solely for the sale of hot and cold beverages, food, and confections to Airline employees in areas not accessible to the general public, and (ii) Airline may provide, within the Leased Premises, food and beverage service, without charge to Airline's passengers who are inconvenienced by irregular operations. Airline may, by separate agreement with the City and to the extent it does not conflict with any pre-existing terminal concession agreements or extensions thereof, engage in the sale of food or beverages at any "V.I.P. Room" or similar private club at the Airport.

G. Shall comply with the FAA-approved Airport Security Plan as amended from time to time for the Airport. Any fines and/or penalties levied against the City for security violations at Portland

International Jetport caused by Airline or any of its officers, employees, agents, or suppliers while under its control, shall be due and payable to the City by Airline.

H. Except as provided in Section 3.02, paragraph H, for standard corporate signs and graphics, Airline shall not engage in any form of advertising in its Leased Premises without the approval of the Director.

I. Airline acknowledges and agrees that de-icing is allowed only at the Jetport's de-icing capture ramp and shall only be performed by de-icing vendors meeting the Jetport's minimum standards.

Section 3.05 Airport Use Summary

A. At the request of City, Airline shall file an Airport Use Summary, herein referred to as the "Summary," with the Director within 30 days of the date hereof. Department shall provide Airline with a Summary report form requesting information specified below in regard to Airline's operation at the Airport. Airline shall maintain a current summary on file with the Director.

B. Accordingly, the Summary shall provide the following, subject to updates which are required to reflect any material changes:

1. Names, addresses, e-mail, and telephone numbers of Airline officials responsible for station operations, flight operations, properties, and facilities.
2. The current and proposed schedules of Airline's flight activity at the Airport. Airline shall make reasonable effort to notify the Director of significant schedule changes or the addition of flights at the Airport prior to or no later than, when the public announcement thereof is made.
3. The description of Airline's fleet and identification of the class of Airline's aircraft that will serve the Airport. Airline shall provide reasonable notice of the introduction of an aircraft that is not being operated by Airline at the Airport on the date of this Agreement.

4. The identification of all of Airline's Code Share Airlines and the contact information as described in Paragraph 1 above for such Code Share Airlines and a copy of their scheduled flights.

5. The identification of Airline's anticipated facilities requirements at the Airport.

ARTICLE 4

PREMISES

Section 4.01 Premises in the Terminal Building

A. Categories of space.

Airline shall lease the areas in the terminal building on an Exclusive, Preferential, and Common Use basis as follows, as more particularly delineated on Exhibit C, and as may hereafter be modified, changed or developed by mutual agreement between City and Airline.

1. Exclusive Use Space
 - ☐ Office
 - ☐ Baggage office
2. Preferential Use Space
 - ☐ Airline Gates
 - ☐ Ticket counter and queuing areas
3. Common Use Space
 - ☐ Holdrooms
 - ☐ Baggage claim
 - ☐ Outbound baggage
 - ☐ Security screening

B. Space in the Terminal Building.

Airline shall lease or use the areas in the Terminal building as shown on Exhibit C. Exhibit C may be amended from time to time by mutual agreement of the parties as evidenced by the signature of an Airline representative and the Director on the amended Exhibit C.

Section 4.02 Aircraft Parking Positions and Holdrooms

Airline agrees to work together with other airlines to park aircraft and ground service equipment in a safe manner. In the event of a dispute, the Director will be the final arbiter of the dispute.

Section 4.03 Accommodation of Airline and Other Airlines

A. To maximize the use of all facilities at the Airport and to facilitate the entry of new airlines, as well as the expansion of present airlines (hereinafter referred to as "requesting airlines"), Airline agrees, upon the request of Director, to accommodate such requesting airlines in its use of the preferentially assigned gate(s) or counter(s). To ensure compliance with this obligation and to provide open access and uniform treatment for all airline tenants, the following procedure is hereby established.

1. In order to secure the use of the terminal facilities, a requesting airline may:
 - a. Arrange to use City-controlled terminal space, common use space, and non-preferentially assigned gates (if any) or ticket counter(s) on a permit basis, or if no such space or gate(s) or ticket counters are available, then
 - b. Contact Airline and other airlines to request the use of such airline's preferentially assigned gate(s) or ticket counter(s) in accordance with this section.
2. In the event the requesting airline has demonstrated to City that it has contacted all airline lessees and has pursued all reasonable efforts to secure accommodations without success, such requesting airline shall notify the Director of its desire to be accommodated in the Terminal Building.
3. The Director shall then notify all airlines in writing that, if requesting airline is not accommodated within thirty (30) days from the receipt of said notice, Director shall select one of the airlines to comply with the request for accommodation.
4. At the end of said thirty (30) day period, if requesting airline has not been accommodated, Director will select Airline or another airline to accommodate the requesting airline, taking into consideration such factors as current utilization of preferentially assigned gate(s) or ticket counter(s), schedule compatibility, union work rules, competitive relationships, etc. In that event, Director shall send written notice to such airline (the "accommodating airline") to begin accommodating the

requesting airline within thirty (30) days from the receipt of said notice. Director's judgment shall be final.

5. Unless Director rescinds such selection within said thirty (30) day period, the accommodating airline shall accommodate the requesting airline by sharing its preferentially assigned gate(s) or ticket counter(s), subject to the following conditions:

- a. In case of a conflict between schedules of the accommodating airline and the requesting airline, the accommodating airline shall have preferential use of its preferentially assigned gate or ticket counter.
- b. The accommodating airline may assess the requesting airline reasonable fees and charges under an appropriate contract for services rendered to, or premises shared with, requesting airline, which fees and charges shall be limited to Airline's direct and indirect costs plus a reasonable allowance for administration and profit not to exceed 15% of such costs. The accommodating airline shall have the right to require the requesting airline to indemnify it against liability arising out of such use and to provide insurance covering the accommodating airline as an additional insured .

Airline agrees that, if requested to accommodate another airline pursuant to this section, it will effect such accommodation on a timely, good faith basis and in a reasonable and equitable manner.

B. Without utilizing the above process, City reserves the right to reassign one or more of Airline's Preferentially assigned gate(s) (and/or ticket counter(s) and queing area(s)) to another Signatory Airline(s) if: (1) Airline's scheduled average gate utilization falls below two [2] flights per gate per weekday (M-F); and (2) City determines that there is a reasonable need for the Preferential use of such gate(s) (and/or ticket counter(s) and queing area(s)) by another Signatory Airline(s) and such other Signatory Airline's utilization will be higher.

Section 4.04 Use of City-Owned Passenger Loading Bridges

A. City-owned passenger loading bridges shall be made available to all airlines serving the Airport on a common use basis, unless assigned for preferential use.

B. The use of City-owned passenger loading bridges by Airline shall be subject to the following terms and conditions:

1. The bridges shall be operated only by employees or agents of Airline which shall be responsible for ensuring that all such employees or agents are trained and qualified to operate the bridges. City reserves the right to audit and evaluate such training and qualifications.
2. Airline shall be solely responsible for any and all damages, claims or injuries which may be caused by the operation of the bridges by its employees, agents, or servants, and shall defend, indemnify, and hold the City harmless for such operations in accordance with Section 11.02, unless such damage, claim or injury is caused by the negligence or willfull misconduct of City.
3. Airline shall be solely responsible for any damage to bridges caused by the action of its employees, agents or servants to the extent such damage is not collected under City's insurance, including without limitation, any deductible under such insurance.
4. City, during the term of this Agreement, shall maintain and keep in good repair the loading bridges referred to herein, and the cost of such maintenance shall be solely payable by the preferential use airline. Airline is responsible for promptly reporting to City any repair or maintenance which is needed to the loading bridges.
5. City shall maintain and keep in good repair a handicapped lift for use by Airline, but City prefers that all flights be handled through the passenger loading bridges which are handicapped accessible. Airline shall be responsible for operation of the handicapped lift, and for the training of employees and agents in the use of such lift and for leaving it after use in condition to be used by others. Airline is responsible for promptly reporting to City any repair or maintenance which is needed to the lift.

Section 4.05 Requirement to Remain in Confines of Exclusive Use Space

With respect to Exclusive Use Space, Airline shall at all times occupy and use only that space within the confines of its Exclusive Use Space. City shall notify Airline in writing of any infraction of this provision for the first offense. Failure of Airline to remain within the confines of its Exclusive Use Space shall be a breach of this Agreement, pursuant to Section 13.01 hereafter.

Section 4.06 Surrender of the Premises

A. Airline covenants and agrees that on expiration of the term of this Agreement, or on earlier termination as hereinafter provided, or on reassignment of the Leased Premises as hereunder provided it will peaceably surrender possession of the Leased Premises hereunder in the same condition received, reasonable wear and tear, original construction defects, structural problems, acts of God, fire, and other casualties excepted, and City shall have the right to take possession of said Leased Premises with thirty (30) business days upon giving written notice to quit possession at the expiration date of the term of this Agreement unless Airline and City are in good faith negotiations on a new lease.

B. Airline shall have the right, on expiration, reassignment or early termination and within thirty (30) calendar days thereafter, to remove or dispose of all trade fixtures and equipment and other personal property installed or placed by Airline at its expense, in, on, or about the Airport, subject to any valid lien that City may have thereon for unpaid rents or fees. Airline shall repair, at its expense, any damage to the Leased Premises or the Terminal Building resulting from such removal. Airline agrees to reimburse City for any net costs incurred by City if City elects to remove or dispose of Airline's property after such thirty (30) day period.

C. Any and all property not removed by Airline within the said thirty (30) day period shall, at the option of City, thereupon become a part of the land on which it is located, and title thereto shall thereupon vest in City unless otherwise agreed to in writing by the parties.

Section 4.07 Access

A. Subject to the provisions hereof, other applicable Rules and Regulations, and such restrictions as City may impose with respect to Airline's use of Leased Premises, City hereby grants to Airline, its Affiliate(s), its agents, suppliers, employees, baggage handlers, contractors,

passengers, guests, and invitees, the right and privilege of free and unrestricted access, ingress, and egress to Airline's Leased Premises and to public areas and public facilities of the terminal building.

B. The ingress and egress provided for in Section 4.07(A) shall not be used, enjoyed, or extended to any person engaging in any activity or performing any act or furnishing any service for or on behalf of Airline that Airline is not authorized to engage in or perform under the provisions hereof, unless expressly authorized in writing by City.

C. City shall have the right at any time or times to close, relocate, reconstruct, change, alter, or modify any such means of access provided for Airline's use pursuant to this Agreement or otherwise, either temporarily or permanently, provided that reasonable notice is given to Airline and a reasonably convenient and adequate means of access, ingress, and egress shall exist or be provided in lieu thereof. Provided that City provides Airline with reasonable notice and reasonably convenient and adequate means of access, ingress, and egress exists or is provided in lieu thereof. City shall suffer no liability by reason thereof and such action shall in no way alter or affect any of Airline's obligations under this Agreement.

D. Airline agrees that all of its tenants, subtenants, patrons, invitees, agents, employees, servants or independent contractors must be authorized by the City prior to entry in restricted areas. Airline agrees that no person authorized by the City to enter a restricted area by virtue of this Agreement shall permit any person who is not otherwise authorized to enter a restricted area unless such unauthorized person is, at all times while in the restricted area, in the company of an authorized person.

E. Airline understands and agrees that, in the event the Federal Aviation Administration or the Department of Homeland Security or Transportation Security Administration assesses a civil penalty against the City or Airport for any violation of Transportation Security Administration Regulation 14 CFR Parts 1520 and CFR Part 1542 or any successor or additional regulation pertaining to security at the Airport, as a result of any act or failure to act on part of Airline, its tenants, subtenants, agents, servants, employees, or independent contractors, Airline shall, upon demand of City, immediately reimburse the City in the amount of the civil penalty assessed. Airline is permitted to pass on such costs to its tenants and subtenants.

ARTICLE 5
CONSTRUCTION OF CAPITAL IMPROVEMENTS

Section 5.01 Capital Improvements

City may undertake certain Capital Improvements at the Airport as more particularly described on Exhibit B. City and Airline agree that these Capital Improvements shall be constructed substantially in accordance with Exhibit B.

By execution of this Agreement, Airline evidences its willingness and intent to pay the rentals, fees, and charges established hereunder for use of the Airport and occupancy of the facilities to be developed as a result of Capital Improvements described on Exhibit B. In accordance with the provisions of and procedures established under Articles 6 and 7 of this Agreement, said rentals, fees, and charges will be established, in part, to amortize the cost of planning, constructing, and financing Capital Improvements.

Section 5.02 Additional Capital Improvements

A. From time to time during the term of this Agreement, City may undertake Capital Improvements to the Airport in addition to those described in Exhibit B. Airport Director shall notify Signatory Airlines of the estimated purchase price/construction cost and schedule of such additional Capital Improvements and the schedule of costs to be added to the rate base, pursuant to Article 7, for Capital Improvements that are to be included in the next year's rental requirements.

The notice shall include, for each additional Capital Improvement, the following:

1. A description of the proposed Capital Improvements, together with cost estimates.
2. A statement of justification.
3. The allocation of the costs thereof within the Airport.
4. The Director's preferred means of financing.
5. Impact on airline rates and charges.

B. Within a reasonable time, but no sooner than fifteen (15) days after the notice is issued, Director shall convene a meeting to review and discuss any proposed Capital Improvement(s) and means of financing the cost thereof. The Capital Improvement (s) shall be deemed approved unless

(1) within thirty (30) calendar days after the meeting or (2) sixty (60) calendar days after the notice is issued if no meeting is held, concurrence is specifically withheld, in writing, by a Majority-in-Interest of the Signatory Airlines, stating the reason(s) for such non concurrence. If said proposed Capital Improvement is contingent upon receipt of an Airport Improvement Program or other grant or funding source, then Airlines' approval shall be conditional upon approval of said grant or funding source. City shall not proceed with such Capital Improvement until such approval is granted. Nothing herein shall limit the City's right to proceed with a Capital Improvement which shall not be included in the Airline's rate base.

C. If concurrence on a Capital Improvement is specifically withheld as set forth in Section 5.02(B); Director shall have the option to convene a second meeting of the Signatory Airlines. The second meeting shall be held within thirty (30) calendar days after receipt of notice of non-concurrence from the Signatory Airlines, upon notice by Director. At the second meeting, City shall respond to any questions raised during the first meeting and the stated reason(s) for non-concurrence and shall ask for reconsideration of the Capital Improvement. Upon reconsideration, the proposed Capital Improvement shall be deemed approved unless, within 30 calendar days after such second meeting, concurrence is specifically withheld, in writing, by a Majority-in-Interest of the Signatory Airlines, stating the reason(s) for such non-concurrence. If such concurrence is withheld following the second meeting, City shall not proceed with the Capital Improvement.

D. Notwithstanding the foregoing, City may include the direct cost of a Capital Improvement (amortized over its useful life) in the calculation of the Terminal Building rental rate or Landing Fee Rate of the Signatory Airlines, if such Capital Improvement is necessary or prudent to:

1. Maintain and operate the Airport to ensure compliance with any rule, regulation, or order of any federal, state, or other governmental agency that has jurisdiction over the operations of the Airport.
2. Satisfy judgments against City rendered by a court of competent jurisdiction.
3. Repair casualty damage net of insurance proceeds to Airport property.

Section 5.03 Majority-in-Interest Approval

Airline approval of proposed Capital Improvements described in Section 5.02 applies to projects in the Airport Airfield and Terminal Building only. City may undertake any Capital Improvement that it wishes not to include in the airline rate base.

Section 5.04 Approved Capital Improvements

A. The Capital Improvements listed on Exhibit B hereof are consistent with the 2016 Airport Master Plan and have been reviewed and approved by Airline and other Signatory Airlines as provided by Section 5.01 herein. It is agreed and understood that the initiation of Capital Projects will be activity based. At the time the Airport Master Plan is updated, all Capital Improvements may be reviewed by Signatory Airlines. City shall use its best efforts to obtain federal and state grants-in-aid for such Capital Improvements. Airline understands and agrees that all costs shown on Exhibit B are based on 2016 preliminary engineer's estimates, and Airline agrees that all such costs are subject to adjustment by the engineer's estimates at the time of project design. Any increase in the total project cost which exceeds the amount of the grant application shall be subject to MII approval.

B. Terminal Building bond assurances:

1. Airline hereby irrevocably elects not to claim depreciation or an investment credit for federal income tax purposes with respect to any portion of the Terminal Building (or any other property that the City informs Airline in writing has been financed with the proceeds of any tax-exempt bond issued by the City to finance improvements leased to the airlines). Airline will take all actions necessary to make this election binding on all its successors in interest under this Agreement. This election shall be irrevocable. Furthermore, the Airline covenants that no portion of the Terminal Building (or any other property so financed with the proceeds of any tax-exempt bond issued by the City to finance improvements leased to the Airline) will be removed by the Airline upon the termination of the Lease.
2. The Airline does not have any option to purchase the Terminal Building. In the event that the Airline obtains such a purchase option, the option will not permit the Airline to

purchase the Terminal Building other than at fair market value (as of the time such option is exercised).

ARTICLE 6

REPORTS, RENTALS, CHARGES, AND FEES

Section 6.01 General

In return for use of the premises, facilities, rights, licenses, and privileges granted hereunder and for the undertakings of City, Airline agrees to pay City during the term of this Agreement, without deduction or set-off, certain rentals, charges, and fees to be calculated as set forth herein.

Section 6.02 Monthly Activity Report

Airline shall furnish to City on or before the tenth (10th) day of each month, an accurate report of Airline's operations at the Airport during the preceding month, setting forth all data necessary to calculate the rentals, fees, and charges due under this Agreement. Said report shall include, but shall not necessarily be limited to: (1) Airline's total number of Aircraft Arrivals for the month by type of aircraft, the Maximum Gross Landed Weight of each aircraft, and the Total Airline Landed Weight for the month; (2) the total number of Enplaned Passengers and Deplaned Passengers including a breakdown of passenger totals for each class of aircraft (Jet, Regional Jet, Propeller); (3) the number of arriving international passengers using the International Arrivals Area; and (4) the amount of cargo freight, mail, and express for such month. Airline shall include in its report the activities for any nonscheduled or charter airline which is handled by or uses the Leased Premises of Airline. Airline agrees to cooperate with City in establishing procedures for electronic submission of reports required in this Section.

Section 6.03 Terminal Building Rentals

A. Airline shall pay to City for its Exclusive Use, Common Use, and Preferential Use Space in the Terminal Building, as set forth in Section 4.01 and Exhibit C, monthly rentals based on annual rental rates to be calculated each Fiscal Year, as set forth in Section 7.04.

B. Rentals for Exclusive Use Space:

1. All Class 1 Signatory Airlines shall lease no less than five hundred (500) square feet of Exclusive Use space, the rent for which shall be determined by multiplying the square footage of the airline's Exclusive Use Space by the exclusive use terminal rent per square foot.
2. All Class 2 Signatory Airlines shall lease no less than one hundred fifty (150) square feet of Exclusive Use Space, the rent for which shall be determined by multiplying the square footage of the airline's Exclusive Use Space by 112.5% of the exclusive use terminal rent per square foot.

C. Rentals for Common Use Space and Preferential Use Space shall be determined in accord with the following formula:

- 20% of the cost of the space is divided evenly among the number of gates and allocated to each airline based upon the number of assigned gates. The three Regional Gates are considered one gate. However, if assigned to different airlines, the total cost of the Regional Gates would be divided by three, and then allocated to each airline based upon the number of assigned Regional Gates.
- 80% of the cost of the space is divided proportionally among the airlines, based upon the proportion of each airline's number of annual Enplaned Passengers to the Airport's total number of annual Enplaned Passengers. For Non-signatory Airlines, the proportion of the airline's number of Enplaned Passengers to the Airport's total number of Enplaned Passengers is to be determined using the 12-month rolling period ending with the month for which rent is being paid.

D. Rentals for Preferential Use Ticketing Counter(s), queuing and kiosks in the Terminal shall be determined by multiplying the square footage by the preferential use terminal rent per square foot.

E. Common Use Outbound and Inbound Baggage space rental shall be divided among the airlines, based upon the proportion of each airline's number of annual Enplaned Passengers to the Airport's total number of annual Enplaned Passengers. For Non-signatory Airlines, the proportion of

the airline's number of Enplaned Passengers to the Airport's total number of Enplaned Passengers is to be determined using the 12-month rolling period ending with the month for which rent is being paid.

F. Affiliates shall be counted as a single airline (with respective Airline) for purposes of prorating the allocations.

Section 6.04 Electricity Charges

Airline shall pay all charges for electrical power for electrical power units in its Exclusive Use Space and preferentially assigned passenger loading bridges for the amount of electricity used by Airline and arrived at through separate metering directly to the electric utility company.

Section 6.05 Landing Fees

A. Class 1 Signatory Airlines shall pay to City a monthly landing fee to be determined by multiplying the number of one thousand (1,000) pound units of Total Airline Landed Weight during the month by the then-current Landing Fee Rate established pursuant to Section 7.05 herein ("Class 1 Signatory Landing Fee"). Notwithstanding the foregoing, Airline agrees to pay to City a minimum Class 1 Signatory Airline landing fee based upon an annual landed weight of twenty-four million (24,000,000) pounds MGLW. Said payments shall be made within 30 days of the end of each calendar year in which Airline's annual landed weight is less than 24,000,000 pounds (pro-rated for any period less than one year at the beginning or end of this Agreement). Said payment shall be calculated as follows: 24,000 pounds x the Landing Fee Rate (which is expressed per thousand pounds).

B. Class 2 Signatory Airlines shall pay to City a premium monthly landing fee, to be determined by multiplying the number of one thousand (1,000) pound units of Total Airline Landed Weight during the month by 112.5% of the then-current Landing Fee Rate established pursuant to Section 7.05 herein ("Class 2 Signatory Landing Fee"). Notwithstanding the foregoing, Class 2 Signatory Airlines shall pay to City a minimum landing fee based upon an annual landed weight of twelve million (12,000,000) pounds MGLW. Said payments shall be made within 30 days of the end of each calendar year in which the airline's annual landed weight is less than 12,000,000 pounds (pro-rated for any period less than one year at the beginning or end of this Agreement). Said payment shall be calculated as follows: 12,000 pounds x 112.5% of the Landing Fee Rate.

C. An Affiliate will pay either a Class 1 or Class 2 Signatory Airline Landing Fee, depending on which class of Signatory Airline the Affiliate has an affiliate agreement with, provided that the Signatory Airline agrees in writing with the City to assume full financial responsibility for such Affiliate's landing fee in the event of non-payment by the Affiliate. If not, the Affiliate shall pay the premium landing fee for Non-signatory Airlines described in paragraph E below.

D. The class of passenger carrier airlines which are designated as Air Taxi/Commercial Operators which file the FAA Form 1800-31 (the carriers who are exempted from paying PFC's at the Airport) which provide scheduled daily passenger service shall be charged a Signatory landing fee if they sign this Agreement. Such carrier airlines will not have MII voting powers nor will they be required to pay a minimum landed weight as listed in 6.05 B. Additionally, should this class of carrier at any time be 60 days delinquent in paying its fees, carrier may be subject to paying the Non Signatory landing fee for a period which shall include two months after account is current.

E. Non-Signatory airlines will pay to City a premium monthly landing fee to be determined by multiplying the number of one thousand (1,000) pound units of Total Airline Certified Landed Weight for Airline during the month by 125% of the then-current Landing Fee Rate established pursuant to Section 7.05 herein ("Non-signatory Airline Landing Fee").

F. Charter airlines will pay landing fee rates, as set by the Director, subject to change from time to time. At no time will the charter airlines' landing fee rate be less than the Non-signatory Airline Landing Fee.

Section 6.06 International Arrivals Area Charges

Airline shall pay amounts for the use of the common-use FIS Area as set forth by Airport Rule or Regulation.

Section 6.07 Trash Collection

City with its own forces, or by contract, shall provide for appropriate and adequate waste removal and recycling, the cost of which shall be reimbursed to the City, calculated as follows: forty (40) percent of the monthly cost shall be borne by the City and other tenants; the remaining sixty (60)

percent of the monthly cost will be prorated among the Signatory Airlines based on their percentage of total passenger boardings for the month.

Section 6.08 Payment Provisions/Interest on Overdue Amounts

Exclusive Use Terminal Building rentals and City-owned loading bridge charges for preferentially assigned gates ticket counters, and queuing areas shall be due and payable the first day of each month, in advance. City shall provide an invoice for such monthly charge. All other fees and charges shall be due and payable on invoice within thirty (30) days of the date of the invoice. The acceptance by City of any payment made by Airline shall not preclude City from identifying the accuracy of computations in Airline's Monthly Activity Report, submitted to City as provided in Section 6.02, or from recovering any additional payment actually due from Airline.

Any payment not received by the due date shall accrue interest at the rate of ten percent (10%) per year calculated on a monthly basis at the rate of 83 hundredths of a percent (0.83%) per month from the due date until paid in full.

Section 6.09 Taxes and Other Charges

The Airline shall pay all taxes and governmental charges of any kind whatsoever that may be lawfully assessed against the Airline or the City, with respect to the Leased Premises or any improvements thereon, during the term of this Agreement, including any extensions or option periods granted thereto.

The Airline in good faith may contest any tax or governmental charge; provided that the Airline may not permit such tax or governmental charge to remain unpaid during the period of such contest and any appeal therefrom unless, in the opinion of counsel satisfactory to the City, such action will not adversely affect any right or interest of the City and is not in violation of any applicable law or ordinance.

Section 6.10 Passenger Facility Charge

A. City shall have the right to assess airline passengers a passenger facility charge (PFC) for the use of the Airport in accordance with the requirements of 14 CFR Part 158. Airline shall collect on behalf of and remit to the Department any such charges in accordance with the requirements of 14 CFR Part 158. Any charges collected by the Airline shall, pending remittance to City, be held in

trust for the benefit of City. City shall have the right to use all such passenger facility charges collected in any lawful manner.

B. Airline and City shall be bound by and shall observe all of the provisions of 14 CFR Part 158 as they apply to either or both parties.

C. If any extension of this Agreement makes the term of this Agreement five (5) years or more, this Agreement shall not apply to any part of the Airport funded in whole or in part with passenger facility charge revenue and exclusively leased to a Signatory Airline.

D. If Airline fails to remit PFC revenue to the City within the time limits established by federal regulation, Airline shall be deemed to be in default pursuant to Section 13.01.

Section 6.11 Records of Airline

Airline shall keep and maintain a complete and adequate set of all of the records required under Section 6.02, for the use of the Airport and payment of fees required under this Agreement for the preceding Fiscal Year, and shall make such records available for inspection by City or its authorized representative at any and all reasonable hours and times with reasonable advance notice from the City.

Section 6.12 No Other Fees and Charges

Except as provided in this Agreement, no further rentals, fees, or charges shall be charged against or collected from Airline, its passengers, employees, shippers and receivers of freight and express, suppliers of material, contractors or furnishers of services, by City for the premises, facilities, rights, licenses, and privileges granted to Airline in this Agreement. However, City expressly reserves the right to assess and collect reasonable and non-discriminatory fees for inflight catering, vending (other than in Airline's Exclusive Use Space), ground transportation, and other services provided (1) by Airline for another airline (other than an Affiliate and other than for services provided on an extraordinary, nonrecurring basis to other Signatory Airlines) and (2) for Airline by other concessionaires, vendors and operators; provided, however, that the City shall not have the right to collect such fees for ground handling services provided by Airline for another airline.

Section 6.13 Right of Set Off

The City shall have the right to set off any past due amount(s) by applying all or a portion of current payments to such past due amount(s). Past due amounts may include sums due on prior agreements, this Agreement, or for usage of the Airport as a Non signatory Airline. In the event the City exercises the right, it shall notify Airline. Airline shall be responsible for immediately submitting such a sum as will reflect the total amount needed to satisfy current amounts due.

Section 6.14 Security Deposit

A. Airline agrees to pay a security deposit to City subject to the following conditions:

Unless Airline has provided regularly scheduled weekday passenger or cargo flights to and from the Airport for the eighteen (18) months prior to Airline's execution of this Agreement (or prior to the assignment of the Agreement to Airline) without committing an act or omission that would have been an Event of Default under Section 13.01 of this Agreement, the City shall have the right to require Airline to provide to City an irrevocable letter of credit, or other surety acceptable to City, ("Security Deposit") in an amount equal to three (3) months estimated fees and charges payable by Airline under Article 6 of this Agreement, to guarantee the faithful performance by Airline of its obligations under this Agreement and the payment of all fees and charges due hereunder. Airline shall be obligated to maintain such Security Deposit in effect until the expiration of eighteen (18) consecutive months (including any period prior to Airline's execution of this Agreement or prior to the assignment of this Agreement to Airline during which Airline provided regularly scheduled passenger flights to and from the Airport) during which Airline commits no Event of Default under Section 13.01 of this Agreement (and for any such prior period, no act or omission that would have been such an Event of Default hereunder). City shall provide Airline with written notice that Airline must provide the Security Deposit required hereunder and Airline shall provide the Security Deposit within ten (10) business days of issuance of the notice. Such Security Deposit shall be in such form as shall be acceptable to City in its reasonable discretion. In the event that any such Security Deposit shall be for a period of less than the full period required by this Agreement, or if such Security Deposit is canceled, Airline shall provide a renewal or replacement Security Deposit for the period following the expiration or cancellation of such Security Deposit previously provided at least sixty (60) days prior to the date on which such previous Security Deposit expires or at

least sixty (60) days prior to the effective date of such cancellation. The City's rights under this Section 6.14 shall be in addition to all other rights and remedies provided to the City under this Agreement.

B. If Airline shall commit an Event of Default under Section 13.01 in the payment of any fees due under this Agreement, the Department shall have the right, by written notice to Airline given at any time, to impose or reimpose the requirements of Section 6.14(A) on Airline. In such event, Airline shall within ten (10) days from its receipt of such written notice, provide the Department with the required Security Deposit and shall thereafter maintain such Security Deposit in effect until the expiration of a period of eighteen (18) consecutive months during which Airline commits no Event of Default under Section 13.01 of this Agreement. The Department shall have the right to reimpose the requirements of Section 6.14(A) on Airline each time Airline commits such an Event of Default during the term of this Agreement. The Department's rights under Section 6.14(B) shall be in addition to all other rights and remedies provided to the Department under this Agreement. City will also have the option to charge Non-signatory Airline Landing Fee if carrier does not comply with Section 6.14(A). above when required to do so.

ARTICLE 7

CALCULATION OF RENTALS, CHARGES, AND FEES

Section 7.01 Rentals, Charges, and Fees

Rentals, charges, and fees will be reviewed and recalculated annually based on the principles and procedures set forth in this Article 7, and set by October 1 of each calendar year.

Section 7.02 Accounting Records

A. City shall maintain accounting records that will document the following items for each of the Airport Cost Centers: (1) revenues, (2) Maintenance and Operating Expenses, (3) annual debt service on Bonds, (4) amortization of the cost of Capital Improvements financed by City from sources other than Bonds or grants-in-aid, (5) Equipment and Capital Outlays, (6) any annual funding requirements pursuant to the applicable bond requirements, and (7) any other funding requirements imposed by law or judgments.

B. City shall provide to Airline its annual budget and any supplemental financial data required to assess the adequacy of rates and charges established under this Agreement.

Section 7.03 Coordination Procedures—Budget Review and Calculation of Rentals, Charges, and Fees

A. On or before September 1, or as soon thereafter as possible prior to the beginning of each annual adjustment on October 1, City shall submit to Airline the following reports:

1. The Airport's annual budget for the most recent past two, current and the next immediate Fiscal Years, including all estimated Airport Operating Revenues; estimated Maintenance and Operating Expenses; estimated annual debt service on Bonds; expenditures for Equipment and Capital Outlays; and expenditures for Capital Improvements for the Airport, all allocated to Airport Cost Centers as provided herein on a consistent basis from year to year.
2. The adjustment of Allowable Airfield M&O Expenses in accordance with Section 7.06.
3. City's calculation of proposed airline rentals, charges, and fees for the Fiscal Year, based on the procedures set forth in this Agreement.
4. City's calculation of the annual adjustment for the immediately prior Fiscal Year's budget versus the actual rentals, charges, and fees for said Fiscal Year.

B. Within thirty (30) calendar days after receipt of the reports, a meeting shall be held between Director and the Signatory Airlines to discuss the proposed rentals, charges, and fees. Director shall give due consideration to any comments and suggestions of Airline regarding the annual budget for the calculations of the proposed rentals, charges, and fees.

C. The City shall adopt a rates and charges schedule that may, in the discretion of City, include revisions made as a result of Director's discussions with Airline. City shall promptly furnish Airline with a copy of the final calculation of rentals, charges, and fees.

D. Prior to the adoption of a new rates and charges schedule in accordance with Section 7.03(C), the rentals, charges, and fees in effect during the preceding Fiscal Year shall continue in effect until the City has finalized the calculation of the rentals, charges, and fees in accordance therewith, to be effective October 1.

Section 7.04 Calculation of Terminal Building Rental Rates

Terminal building rental rates for each Terminal Building Subcost Center shall be calculated for each Fiscal Year in the following manner, as illustrated on Exhibit E:

A. City's estimated total "Terminal Building Cost" for each Terminal Building Subcost Center shall be calculated by totaling the following amounts:

1. The total of estimated direct Maintenance and Operating Expenses allocable to the Terminal Building Subcost Center (allocated on the basis of space; provided, however, that for Airline Exclusive Use Space, the airlines are directly responsible for the provision and cost of janitorial service and electricity).
2. Indirect Maintenance and Operating Expenses allocable to the Terminal Building Subcost Center pursuant to Section 7.07.
3. Equipment and Capital Outlays allocable to the Terminal Building Subcost Center (allocated on the basis of space). Any single Equipment and Capital Outlay item which is in excess of \$50,000 (net of grants-in-aid received) shall be amortized over its useful life, but not less than a two (2) year period by the City.
4. The annual amortization on the amount of any expenditures made by City before July 1, of the adjustment year for Capital Improvements or Equipment and Capital Outlays placed in service which were not disapproved by an MII in the Terminal Building Subcost Center that are funded by City from funds other than Bonds, grants in-aid, or Passenger Facility Charges shall be computed at interest (based on the rate of interest of an A rated municipal bond for a comparable purpose at the time of expenditure at another small-hub airport) using economic lives for each capital item determined by City in accordance with generally accepted accounting practices.

5. The difference between the actual Terminal Building Cost and the budgeted Terminal Building Cost for the prior Fiscal Year.

6. The estimated amount of any assessment, judgment, or settlement payable by the City relating directly to the Airport or its operations and allocable to the Terminal Building Subcost Center.

B. The estimated Terminal Building Cost for each Terminal Building Subcost Center for the Fiscal Year shall then be divided by the total amount of space in the Subcost Center to determine an average rental rate per square foot.

Section 7.05 Calculation of Landing Fee Rates

A Landing Fee Rate per one thousand (1,000) pounds of landed weight shall be calculated in each Fiscal Year in the following manner, as illustrated on Exhibit F. For purposes of calculating each year's estimated Landing Fee, the City will use, at its option and within its discretion, either A) the prior year's total landed weight, or B) the Airlines' estimated total landed weight for the coming year, if such estimates are submitted to the City no later than August 1st of each year.

A. City's estimated total Airfield Cost for the Fiscal Year shall be calculated by totaling the following amounts:

1. The total of estimated direct Allowable Airfield M&O Expenses calculated pursuant to Section 7.06.
2. Indirect Maintenance and Operating Expenses allocable to the Airport Airfield calculated pursuant to Section 7.07.
3. Equipment and Capital Outlays allocable to the Airport Airfield. Any single Equipment and Capital Outlay item which is in excess of \$50,000 (net of grants-in-aid received) shall be amortized over its useful life but, not less than a two (2) year period by the City.
4. The pro rata portion of annual debt service on Bonds allocable to the Airport Airfield.
5. The annual amortization on the amount of any expenditures made by City before July 1 of the adjustment year for Capital Improvements or Equipment and Capital Outlays placed

in service which were not disapproved by an MII in the Airport Airfield that are funded by City from funds other than Bonds, grants in-aid, or Passenger Facility Charges shall be computed at interest (based on the rate of interest of an A rated municipal bond for a comparable purpose at the time of expenditure at another small-hub airport) using economic lives for each capital item determined by City in accordance with generally accepted accounting practices.

6. The difference between actual Signatory Airline landing fees and invoiced landing fees for the prior Fiscal Year.

7. The estimated amount of any assessment, judgment, or settlement to become payable by the City relating directly to the Airport or its operation and allocable to the Airport Airfield.

B. The Airport Airfield Cost shall be calculated at 100% recovery of the total Airfield Cost and then be multiplied by the following percentage to determine the "Landing Fee Requirement" for such Fiscal Year: fifty percent (50%).

C. City retains the option to negotiate with Airline to increase the Landing Fee rate up to a sixty percent (60%) rate.

D. The Landing Fee Requirement shall then be divided by the estimated Total Airline Certified Landed Weight of all passenger and cargo airlines, to determine the Landing Fee Rate per one thousand pound unit.

Section 7.06 Allowable Airfield Maintenance and Operating Expenses

For purposes of determining the "Allowable Airfield M&O Expenses" that may be included in the calculation of the Landing Fee Rate in accordance with Section 7.05(A)(1), the following procedures shall be followed:

A. The FY 2010 budget of direct Airfield M&O Expenses shall be the base year costs as set forth in Exhibit E.

B. For Fiscal Years after FY 2010, Allowable Airfield M&O Expenses shall not exceed lesser of the percentage increase in the CPI Index (for the most recent 12-month period) or five percent (5%) per year over the preceding year's actual costs; provided however, the costs for snow removal, security, incremental expenses to maintain and operate the CAT II approach and centerline/TDZ lighting on Runway 11, and costs associated with governmental mandates shall not be limited to such percentage increase.

Section 7.07 Allocation of Indirect Expenses

City shall allocate the expenses of the Indirect Cost Centers as follows:

<u>Indirect Cost Center</u>	<u>Airfield</u>	<u>Terminal</u>
Jetport/City Administration	50%	50%
Police and Security	10%	90%
Aircraft Rescue and Fire Fighting	95%	5%
Roadways	50%	50%

Section 7.08 Extraordinary Rate Adjustments

A. In the event that, at any time during a Fiscal Year, any of the components of Terminal Building Cost, Airfield Cost, or the Total Airline Landed Weight of all Signatory Airlines varies materially (upward or downward thirty percent (30%) or more) from the estimates used in setting the average rental rate and/or Landing Fee Rate, such rates may be adjusted either upward or downward for the balance of such Fiscal Year, in the event that such adjustment is deemed necessary by City to ensure that adequate revenues will be available from such fees to cover the estimated Terminal Building Cost and/or Airfield Cost for the Fiscal Year. City agrees to give no less than thirty (30) days prior written notice to Airline of any such adjustment.

B. In addition to all other rentals, fees and charges in this Agreement, the Airline shall make payment in the rates for rentals, fees and charges of the Airport in any fiscal year in which the amount in which the revenues less operating and maintenance expenses and the operating and maintenance reserve requirement are projected to be less than 125 percent of the debt service (the "extraordinary coverage protection"). Should extraordinary coverage

protection payments be made, the Airport will refund such payments to the Signatory Airlines as soon as uncommitted funds become available in the surplus fund.

ARTICLE 8

BOND REQUIREMENTS AND FLOW OF FUNDS

Section 8.01 Subordination to Bond Requirements

A. This Agreement and all rights of Airline hereunder are expressly subordinated and subject to the lien and provisions of any pledge, transfer, hypothecation, or assignment made at any time by City pursuant to the terms, covenants, and conditions of present and future bond requirements.

B. In conflicts between this Agreement and the bond requirements, the bond requirements shall govern.

C. All definitional terms that are not specifically defined herein are to have the meanings set forth in the bond requirements.

D. Notwithstanding the foregoing, City shall not enact any bond requirements or subsequently amend any bond requirements so as to require a material change in the method of calculation of rentals and fees payable hereunder or so as to materially adversely affect the rights or enlarge the duties of Airline hereunder.

Section 8.02 Creation of and Flow of Funds

Subject to the terms and provisions of the bond requirements and other related instruments, it is mutually understood and agreed that, as long as any Bonds secured by the bond requirements are outstanding, bond proceeds and all Airport revenues shall be deposited, maintained, and paid as set forth in the bond requirements.

ARTICLE 9

MAINTENANCE AND OPERATION OF AIRPORT

Section 9.01 City's Responsibilities

A. City agrees that it will, with reasonable diligence, prudently develop, improve, and at all times maintain and operate with adequate, efficient, and qualified personnel, keep the Airport in good repair including without limitation, the Terminal Building, Airport Airfield, all appurtenances, facilities, and services now or hereafter connected with the foregoing; will keep the Airport and its aerial approaches

reasonably free from obstruction and interference for the safe and proper use thereof by Airline; and will develop, maintain, and operate the Airport in all respects in a manner at least equal to the standards or rating established by the FAA and any other governmental agency having jurisdiction thereof, except for conditions beyond the control of City. City shall not be liable to Airline for temporary failure to furnish all or any such services to be provided by City, whether due to mechanical breakdown or for any other causes beyond the reasonable control of City.

B. City, with its own forces or by contract, shall operate and maintain and keep in good condition the Terminal Building and all additions, improvements, facilities, and equipment now or hereafter provided by City at or in connection with the Terminal Building, except any improvements, facilities, and equipment constructed or installed by Airline. City shall keep the Terminal Building, except Airline's Exclusive Use Space (as shown on Exhibit C), in a neat, orderly, sanitary, and presentable condition. City shall be responsible for the maintenance and operation of Common Use Space (including provision of electricity and cleaning), which costs shall be included in the calculation of Common Use Space terminal building rentals.

C. City, with its own forces or by contract, shall at all times maintain the public and Common Use spaces and passenger seating in the holdroom area of the Terminal Building so as to provide for reasonable unobstructed use thereof by passengers and invitees, and shall keep such area adequately supplied, equipped (including directional signs), furnished, and decorated.

D. City shall supply or cause to be supplied appropriate and adequate equipment and maintenance for air conditioning, lighting, ventilation, heat, electrical, water, and sewerage facilities for Terminal Building public use areas, Airline's Leased Premises; adequate illumination in Common Use Space; and janitorial service in the Terminal Building, excluding Airline Exclusive Use Space.

Section 9.02 Airline's Responsibilities

Subject to the provisions of Section 9.04:

A. Airline shall, at all times keep its Exclusive Leased Premises neat, orderly, sanitary, and presentable; and shall cause to be removed at Airline's own expense from such spaces all waste, garbage, and rubbish, and agrees not to deposit the same on any part of the Airport, except that

Airline may deposit same temporarily in its Exclusive Use Space or in space designated by City in connection with collection for removal.

B. Airline shall maintain the apron area contiguous to its assigned gates in a neat, clean, and orderly condition, free from litter, debris, refuse, petroleum products, or grease that may result from activities of its passengers, employees, agents, or suppliers, and remove and properly dispose of all oil and grease spillage that is attributable to Airline's aircraft or equipment from its aircraft parking positions.

C. Airline shall perform, at its sole expense, ordinary preventive maintenance and ordinary upkeep and repair of all facilities, personal property, trade fixtures, and equipment located in its Exclusive Use Space except structural repairs, conditions pre-existing execution of this Agreement and not reasonably discoverable by Airline, and repairs necessitated by latent defects of facilities provided by the City. Airline shall be responsible for providing, at its sole cost, all movable furniture, personal property, equipment, and trade fixtures in its Exclusive and Preferential Use Space at all times.

D. Airline shall immediately repair any damage in any space at the Airport to the extent occasioned by the fault or negligence of Airline, its servants, agents, employees, licensees, and invitees.

E. Except as provided in Section 3.02 paragraph H, Airline shall not erect, maintain, or display on its Leased Premises in the public view any billboards, advertising, or materials without the prior written approval of the Director, which shall not be unreasonably withheld. It is the City's policy that no advertising of any pricing shall be permitted.

F. Airline expressly agrees that City shall not be liable to Airline, for bodily injury or for any loss or damage to real or personal property occasioned by flood, fire, earthquake, lightning, windstorm, hail, explosion, riot, strike, civil commotion, smoke, vandalism, malicious mischief, or acts of civil authority not caused by the negligence or willful acts or omissions of City.

G. Airline shall provide and maintain hand fire extinguishers for the interior of its Exclusive Use Space as required by applicable safety codes.

Section 9.03 City's Right to Inspect and Make Repairs

City, by its authorized officers, employees, agents, contractors, subcontractors, and other representatives, shall have the right at any time in the case of emergencies, otherwise during normal business hours upon reasonable notice, to enter upon Airline's Exclusive Use Space and Preferential Use Space, accompanied by an authorized Airline representative, if practicable, for the following purposes:

- A. To inspect such space to determine whether Airline has complied and is in compliance with the terms and conditions of this Agreement.
- B. Upon reasonable notice, except in emergencies, to perform such maintenance, cleaning, or repair as City reasonably deems necessary, if Airline fails to perform its obligations in a timely manner under this Article 9, and to recover the actual cost of such maintenance, cleaning, or repair from Airline, plus a fifteen-percent (15%) administrative charge from Airline on the next rent due.
- C. Upon reasonable notice, except in emergencies, to perform such maintenance, cleaning, or repair as City reasonably deems necessary, and which is the responsibility of the City under this Agreement.

Section 9.04 Alterations and Improvements

A. Airline shall make no repairs, alterations, additions, improvements to, or installations on the space leased under this Agreement without the prior written approval of Director, which shall not be unreasonably withheld.

B. Plans and specifications for such work shall be filed with and subject to the approval of the Director and all work shall be done in accordance with local ordinances and State and federal laws and regulations.

C. All alterations and improvements other than movable furniture, personal property, equipment, and trade fixtures shall become part of the realty and title shall vest with City upon completion.

Section 9.05 Environmental Regulations; Environmental Indemnification.

Airline shall comply with the following environmental regulations:

A. Airline shall not cause or permit any Hazardous Materials to be stored or used on or about the Airport by Airline, its Affiliates, agents, or employees, except in compliance with Environmental Laws as described below.

B. Airline shall at all times and in all respects comply with all present and hereinafter enacted local, state, and federal laws, ordinances, regulations, orders, and any amendments thereto relating to industrial hygiene, environmental protection, or the use, generation, manufacture, storage, disposal, or transportation of Hazardous Materials on, about, or from the premises (collectively, "Environmental Laws").

C. Airline shall, at its sole expense, procure, maintain in effect, and comply with all conditions of any permits, licenses, and other governmental and regulatory approvals required by any Environmental Law for Airline's use of the Airport, including, without limitation, discharge of materials or wastes into or through any storm or sanitary sewer serving the Airport. Airline shall cause any and all Hazardous Materials removed from the Airport to be removed, and transported to a facility permitted to receive such materials in accordance with applicable Environmental Laws. Airline shall in all material respects handle, treat and manage any and all Hazardous Materials on or about the Airport in compliance with all applicable Environmental Laws. Upon the expiration or earlier termination of the term of its operating permit or this Agreement, Airline shall cause all of Airline's Hazardous Materials to be removed from the Airport in accordance and compliance with all applicable Environmental Laws; provided, however, that Airline shall not take any remedial action in response to the presence of any Hazardous Materials on or about the Airport, nor enter into any settlement agreement, consent decree, or other compromise with respect to any claims relating to any Hazardous Materials in any way connected with the Airport without first notifying the City in writing of Airline's intention to do so and affording the City reasonable opportunity to appear, intervene, or otherwise appropriately assert and protect the City's interest with respect thereto. Any remedial action shall be conducted by the Airline only to the extent required by, and in compliance with, Environmental Laws and consistent with the current use of the Leased Premises.

D. If at any time Airline discovers a release or potential release of any Hazardous Material on or about the Airport in violation or potential violation of Environmental Laws, Airline shall, immediately following such discovery, provide the City with notice of that condition. In addition, to the extent that Airline has notice, Airline shall immediately notify the City in writing of the following as they relate to Airline's operations with respect to the Airport: (1) any enforcement, cleanup, removal, or other governmental or regulatory action instituted or threatened pursuant to any Environmental Laws, (2) any claim made or threatened by any person against Airline or the Jetport relating to damage, contribution, cost recovery, compensation, loss, or injury resulting from or claimed to result from any Hazardous Materials, and (3) any reports made to any local, state, or federal environmental agency arising out of or in connection with any Hazardous Materials on or removed from the Jetport, related to any complaints, notices, warnings, or asserted violations in connection therewith. Airline shall also supply to the City as promptly as possible, and in any event within five (5) business days after Airline first receives or sends the same, copies of all claims, reports, complaints, notices, warnings, or asserted violations relating in any way to the Airline's use of the Airport, together with any waste manifests related to the transportation and disposal of Hazardous Materials from the Airport in compliance with applicable Environmental Laws related to such claims, reports, complaints, notices, warnings, or violations.

E. Airline shall indemnify, defend and hold harmless the City, its officers, employees, successors and assigns, from and against any and all claims, liabilities, penalties, fines, judgments, forfeitures, losses, damages, (including, without limitation, damages for the loss or restriction on use of rentable or usable space or of any amenity of the Airport), costs, or expenses (including without limitation reasonable attorneys' fees, consultant fees, and expert fees) for the death of or injury to any person or damage to the Leased Premises or any property whatsoever, arising from or to the extent caused in whole or in part, directly or indirectly by failure of the Airline, its officers, agents, employees, contractors, subcontractors, licensees, or invitees, to comply with any Environmental Laws or any covenants, terms or conditions relating to environmental matters in its activities hereunder, except to the extent caused or contributed to by the negligence or willful acts or omissions of the City or its licensees, or to the extent caused or contributed by conditions preexisting Airline's occupancy of the Leased Premises.

Airline's obligations under this Paragraph (E) shall include, without limitation, and whether foreseeable or unforeseeable, any and all costs incurred in connection with any investigation of the condition of Airport or other property, and any and all costs of any required or necessary repair, cleanup, decontamination or remediation of Airport or other property and the preparation and implementation of any closure, remedial action, or other required plans in connection therewith. Airline's obligations under this Paragraph (E) shall survive the expiration or earlier termination of the term of this Agreement.

F. Notwithstanding anything to the contrary contained in this Agreement, Airline shall have no obligation or liability for (i) any Hazardous Materials to the extent brought upon, produced, stored, used, disposed of, or discharged in, on, or under the Leased Premises by or through the City; or (ii) any Hazardous Materials to the extent existing in, on, or under the Leased Premises as of the date Airline first took possession of the Leased Premises, except to the extent such obligation or liability arises out of the negligent or intentional act of Airline, its officers, agents, employees, contractors, subcontractors, licensees, or invitees.

G. Notwithstanding any provisions to the contrary, the City, at its sole discretion, shall have the right to enter and inspect the Leased Premises, accompanied by a representative of Airline, including Airline's business operations thereon, upon reasonable written notice and in a manner so as not to unreasonably interfere with the conduct of Airline's business, to investigate the presence or potential presence of Hazardous Materials on the premises in violation of Environmental Laws,. During such inspection, the City shall have the right to visually inspect the Leased Premises and to take such soil, sludge or groundwater samples and conduct such tests as it may determine, in its sole discretion, to be necessary or advisable. City shall pay for the costs of such investigations; provided, however, that if the results of such investigation indicate the presence of Hazardous Materials on or about the Leased Premises caused by Airline's violation of Environmental Laws, then Airline shall fully reimburse the City for any reasonable expenses incurred within thirty (30) days of receiving the City's written request for reimbursement, unless Airline can provide reasonable evidence that such violation was not caused by Airline.

H. The provisions of this section 9.05 shall survive the expiration or early termination of this Agreement.

ARTICLE 10

DAMAGE OR DESTRUCTION OF PREMISES

Section 10.01 Damage or Destruction

A. If the Leased Premises or any portions thereof, or buildings or structures of which such space may be a part, be damaged by fire or other casualty not caused by Airline, City shall notify Airline within sixty (60) days whether the space shall be repaired. If the space is to be repaired, it shall be repaired with due diligence by City, and the rental allocable to the particular building, rooms, or other portion of the Leased Premises rendered untenable shall be abated for the period from the occurrence of the damage to the completion of the repairs, provided that City shall exert its best effort to provide Airline with temporary substitute space, if available, at a rental rate not to exceed that provided for in this Agreement for comparable space until such time as the repairs are completed.

B. If the City shall fail to notify Airline of its decision within sixty (60) days after destruction, City shall be deemed to have elected to terminate this Agreement as to the space damaged and destroyed, and the Agreement shall automatically terminate as to such space as of the date of the damage, with no further liability therefore by either City or Airline.

C. In the event City elects not to reconstruct or replace Airline's Leased Premises, City shall meet and consult with Airline on ways and means to permanently provide Airline with adequate replacement space for Airline's Leased Premises. In such event, City agrees to amend this Agreement to reflect related additions and deletions to Airline's Leased Premises. If, after such consultation, there is no adequate replacement space reasonably available and acceptable to Airline, then Airline reserves the right to terminate this Agreement upon 30 days prior written notice to City with no further liability of either party to the other.

D. The Parties hereby waive any and all rights of action for negligence against the other which may hereafter arise on account of damage to the Terminal or to the property of either Party, resulting from any fire, or other casualty of the kind covered by standard fire insurance policies with extended coverage, regardless of whether or not, or in what amounts, such insurance is now or hereafter carried

by the Parties, or either of them. Each Party shall be responsible for maintaining such casualty insurance on its property as it deems necessary and such policies shall waive any right of subrogation thereunder against the other Party.

ARTICLE 11

INSURANCE AND INDEMNIFICATION

Section 11.01 Insurance

A. Airline shall, without expense to City, and upon commencement of the term hereof, obtain and cause to be kept in force liability insurance coverage, with limits as hereinafter stated, insuring against the liabilities set forth in Section 11.02.

B. Such insurance shall include, by way of example but not by way of limitation, comprehensive general liability coverage and automobile liability insurance coverage and shall not be in amounts less than hereinafter stated. Such insurance coverage shall be provided by policies issued by a company or companies with A.M. Best ratings of A-VIII or better, or a comparable rating from a comparable rating service, and authorized to do business in the State of Maine, or other financially sound company acceptable to the Director. Such insurance policies shall contain an endorsement providing that City will be given not less than thirty (30) calendar days written notice prior to the cancellation or material adverse change of the provisions or coverages affecting the interest of City provided by said policies. The comprehensive general liability policies shall include contractual liability coverage and shall make reference to this Agreement.

C. Airline shall cause a certificate or certificates of insurance to be furnished to City evidencing such insurance coverage prior to execution of this Agreement. If City is notified that any of the coverage required herein is to be canceled or changed in such a manner as not to comply with the requirements of this Agreement, Airline shall, prior to the effective date of such cancellation or change, obtain and provide City with certificates evidencing the re-establishment of the insurance coverage required hereby. If Airline does not notify City by the effective date of such cancellation or change, this will constitute a breach by Airline and permit City to terminate this Agreement pursuant to Section 14.03, or to purchase such insurance and charge the cost thereof to Airline as additional rent.

D. The minimum limits of coverage shall be as follows:

1. Airline, at its own expense, shall procure and maintain for the benefit of the City and itself, as their respective interests shall appear, aviation general liability insurance, including bodily injury and property damage with A.M. Best rating of A-VIII or better, with A.M. Best ratings of A-VIII or better, or a comparable rating from a comparable rating service, with the following minimum limits:

\$1,000,000 per occurrence/\$5,000,000 general aggregate;
\$2,000,000 aggregate for products and completed operations;
\$1,000,000 personal and advertising injury;
\$50,000 fire legal liability;

Aircraft liability

- \$50,000,000 per occurrence for all-cargo operators using any aircraft of more than 50,000 pounds Maximum Gross Certificated Landed Weight ;
- \$5,000,000 per occurrence for all-cargo operators using any aircraft of less than 50,000 pounds Maximum Gross Certificated Landed Weight;
- \$1,500,000 per seat, including crew, for airlines exclusively using aircraft with 25 or fewer seats;
- \$100,000,000 per occurrence for all others

2. Comprehensive automobile liability policy in a minimum amount of one million dollars (\$1,000,000) for both bodily injury and property damage, combined single limit per occurrence.

3. Comprehensive general liability, including Products and Completed Operations, policy in minimum amount of one million dollars (\$1,000,000) for bodily injury and five hundred thousand dollars (\$500,000) for property damage, or combined single minimum amount of one and one-half million dollars (\$1,500,000) for both bodily injury and property damage.

4. Workers' compensation insurance in a minimum amount as required by State law and employer's liability in a minimum amount of one hundred thousand dollars (\$100,000) per accident and \$500,000 per disease.

E. Any insurance limits required hereunder are minimum limits only and are not intended to restrict liability imposed under this Agreement.

F. Insofar as said insurance provides protection against liability for damages to third parties for personal injury, death, and property damage, City shall be included as an additional insured

throughout the term of the Agreement; provided such liability insurance coverage shall also extend to damage, destruction, and injury to City-owned or City-leased property and City personnel, and caused by, any work, operations, activities or occupancy under this Agreement, except to the extent caused by the negligent act or omission or willful misconduct of City. Airline shall show City as an additional insured with respect to Airline's operations and activities at the Airport. Airline may then also show on the insurance certificate that liability insurance coverage also includes contractual liability.

G. Any and all of the above insurance coverages shall be on an "occurrence" basis, not on a "claims made" basis. All insurance provided by Airline hereunder shall be primary to any insurance or self-insurance of City.

H. City shall have no liability for any premiums charged for such coverage, and the inclusion of City as an additional insured is not intended to, and shall not, make City a partner or joint venture with Airline in its operations at the Airport.

Section 11.02 Indemnification

A. To the fullest extent permitted by law, Airline shall be responsible for all liability arising out of its operations under this Agreement except to the extent resulting from the negligence or willful misconduct of City, and Airline shall indemnify, defend, and hold the City, and its officers, agents, and employees harmless from and against any and all liabilities, losses, suits, claims, judgments, fines, or demands arising by reason of injury or death of any person or damage to any property (including without limitation City property or personnel), including all reasonable costs for investigation and defense thereof (including but not limited to reasonable attorney fees, court costs, and expert fees), of any nature whatsoever arising out of or incident to Airline's negligent act or omission or willful misconduct in the use of, occupancy of, or operations of Airline at or about the Airport or the negligent acts or omissions or willful misconduct of Airline's officers, agents, employees, contractors, subcontractors, licensees, or anyone else for whose act Airline may be liable, in connection with this Agreement regardless of where on the Airport the injury, death, or damage may occur, except Airline shall not be liable to the extent such loss or judgment results from the negligent act, omission or willful misconduct of City. Airline shall maintain contractual liability insurance to cover this indemnification agreement. The Director shall give to Airline prompt notice of any such claims or

actions. Airline shall also use counsel reasonably acceptable to City in carrying out its obligations hereunder. The provisions of this section shall survive the expiration or early termination of this Agreement with respect to matters arising before such expiration or early termination.

B. Airline hereby, expressly and without reservation, waives any defense or immunity to which it might otherwise be entitled under Workers' Compensation laws, the general statutes of Maine or judicial decisions, disallowing or limiting the foregoing indemnification, and consents to a cause of action for indemnity. Airline further waives subrogation rights against the City pursuant to Workers Compensation laws and will defend and indemnify the City from any such subrogation claims.

C. Any Mechanic's Lien or any other lien which may be filed against City property as a result of any act or omission of Airline, its officers, agents, employees, contractors, subcontractors or anyone for whose action Airline may be legally liable, and arising out of any activities under this Agreement shall be defended (by counsel reasonably acceptable the City) and promptly discharged by Airline at its own expense. If the Airline should fail, either to defend the City against the lien or to discharge it, then the City may do so at Airline's expense. In the event of such an undertaking by the City, the Airline will promptly reimburse the City for all of its actual costs and expenses in so doing, including, but not limited to, reimbursement of the City's reasonable counsel fees, as well as actual costs which may be incurred by it in substituting a bond in place of the lien.

D. Airline agrees to require all independent contractors that enter the Airport to perform work for, or to supply to, Airline to maintain liability and workers compensation insurance coverage in the amounts provided in Section 11.01 (D) (2)-(4) and to name the City of Portland as an additional insured on such liability policies.

E. Airline agrees to assume all risks of loss to its property resulting from any fire, theft, and/or vandalism, occurring in the Airline's Exclusive Use space.

ARTICLE 12
ASSIGNMENT OR SUBLEASE

Section 12.01 General

Airline shall not at any time transfer, convey, assign, sublet, mortgage, pledge, or encumber its interest under this Agreement, or any part of the Leased Premises without the prior written approval of the City, which shall not be unreasonably withheld; provided however Airline may assign its entire interest to an entity which merges with or succeeds to the business of the Airline without need for prior City approval provided that Airline is not in default in any of the terms hereunder. Airline shall provide City with written notice of any such merger or succession. Any failure of Airline to obtain City's prior approval, if necessary, is a material breach of this Agreement.

Section 12.02 Relinquishment of Space

If Airline desires to relinquish any of its Exclusive or Preferential Use Space, Airline will notify City in writing of the space available, and City shall make a good faith effort to reassign the space to another airline. No relinquishment, assignment, transfer, conveyance, or sublease by Airline shall relieve Airline of its responsibility for payment of rent, utilities, fees and other charges and performance of all other obligations provided in this Agreement, without specific written consent by City to such assignment, transfer, conveyance or sublease.

Section 12.03 Consent

Consent by City to any type of transfer provided for by this Article 12 shall not in any way be construed to relieve Airline from obtaining further consent for any subsequent transfer or assignment of any nature whatsoever.

ARTICLE 13
DEFAULTS

Section 13.01 Default

If Airline (1) fails to pay rent or any other payment due hereunder within ten (10) calendar days after receipt of written notice of a past due account, or (2) fails to commence immediately to keep and perform any of its other covenants and agreements within thirty (30) calendar days after receipt of written notice, provided, however, that if such default cannot reasonably be cured in such thirty (30)

calendar day period, then Airline shall have additional reasonable time to cure such default so long as Airline diligently proceeds to cure; or (3) fails to continue to complete, in a timely manner, any of its covenants and agreements after performance is commenced, or after the filing of any petition, proceedings, or action by, for, or against Airline under any insolvency, bankruptcy, or reorganization act of law, then, at the election of City:

A. Without terminating this Agreement, City may reenter the space and improve and relet all or any part of it to others, for the account of Airline, including costs of renovation necessitated by the neglect of Airline, its agents, or its employees, for all sublease rentals received, and Airline shall promptly reimburse City for any deficiency in rentals or other payments received under such subletting, as compared to Airline's obligations hereunder.

B. At any time before or after a reentry and reletting as provided in Section 13.01(A), City may terminate Airline's rights under this Agreement as provided in Section 14.03, without any restriction upon recovery by City for past due rentals and other obligations of Airline. City shall have all additional rights and remedies as may be provided to landlords by law.

C. In the event of Airline default hereunder, nothing herein is intended nor shall it be deemed to waive, amend, or modify Airline's duty to pay all rents, fees, expenses and other sums due hereunder.

ARTICLE 14

TERMINATION

Section 14.01 Events Permitting Termination by Airline

Airline may terminate this Agreement and all of its future obligations hereunder, at any time that Airline is not in default in its payments or other obligations to City hereunder, by giving City seven (7) calendar days advance written notice only if (1) Airline is prohibited by lawful authority from using the Airport for a period exceeding sixty (60) consecutive calendar days because of any deficiency of the Airport or an unsafe operating condition existing at the Airport and not attributable to the act or omission of the Airline, or (2) City is in breach of any of the covenants or agreements contained in this Agreement for a period exceeding sixty (60) consecutive calendar days after receipt of written notice

of such breach from Airline and City's failure to cure such breach, or if such breach cannot be cured within sixty (60) days, City fails to diligently proceed to cure such breach.

Section 14.02 Conditions of Premises at Termination

Upon termination of this Agreement, Airline shall yield and deliver to City the Leased Premises promptly and in a clean, sanitary condition, and, if necessary, restored to the satisfaction of City, reasonable wear and tear, and damage due to any structural defects or casualty loss not the fault of Airline excepted.

Section 14.03 Events Permitting Termination by City

A. City, at its option and in its discretion, may terminate this Agreement upon sixty (60) calendar days' written notice and all of its obligations hereunder and may exercise all rights of entry and reentry upon the demised premises, with or without process of law, upon or after the occurrence of any one of the following events:

1. Airline is in arrears in the payment of the whole or any part of the amounts agreed upon hereunder for a period of ten (10) business days after City has notified Airline in writing that payment was not received when due;
2. Airline files in any court a petition in bankruptcy or insolvency or for the appointment of a receiver or trustee of all or a portion of Airline's property to the extent such termination is permitted by law;
3. Airline makes any general assignment for the benefit of creditors;
4. Airline abandons the Leased Premises for a period of thirty (30) consecutive days;
5. Airline defaults in the performance of any of the covenants and conditions required herein (except rental payments) to be kept and performed by Airline, and such default continues for a period of thirty (30) days after receipt of written notice from City to cure such default, or if such default cannot be cured within thirty (30) days, Airline fails to diligently proceed to cure such default upon receipt of City's written notice;
6. Airline is adjudged as bankrupt in involuntary bankruptcy procedures;

7. Airline is made a party to any receivership proceeding in which a receiver is appointed for the property or affairs of Airline where such receivership is not vacated within sixty (60) days after the appointment of such receiver;

8. Airline reduces its scheduled service at the Airport to less than one (1) flight per weekday unless such reduction of service is directly attributable to circumstances for which Airline is not responsible, and which are totally beyond its control; or

9. Airline has its FAA Operating Certificate revoked for a period of thirty (30) consecutive days.

B. In any of the aforesaid events, City may take immediate possession of the Leased Premises including any and all improvements thereon and remove Airline's effects. Airline shall be liable to City for any actual costs of cleanup, storage, removal, or disposition of Airline's effects and for restoration of the Leased Premises, normal wear and tear excepted, and for any actual costs incurred by City, including without limitation, reasonable attorneys' fees in enforcing its rights under this Section 14.03.

C. Failure of City to declare this Agreement canceled upon the default of Airline for any of the reasons set out shall not operate to bar or destroy the right of City to cancel this Agreement by reason of any subsequent violation of the terms of this Agreement.

D. No receipt or acceptance of money by City from Airline after the expiration or cancellation of this Agreement or after the service of any notice, after the commencement of any suit, or after final judgment for possession of the Leased Premises, shall reinstate, continue, or extend the terms of this Agreement, or affect any such notice, demand or suit or imply consent for any action for which City's consent is required or operate as a waiver of any right of the City to retake and resume possession of the Leased Premises.

Section 14.04. "Days" defined.

Unless otherwise specified, all reference to "days" in this Article shall mean calendar days.

ARTICLE 15

GENERAL PROVISIONS

Section 15.01 Rules and Regulations

A. Airline shall observe and obey, in all material respects, all reasonable and non-discriminatory lawful Rules and Regulations established, promulgated, amended, and/or adopted consistent with this Agreement from time to time during the term hereof by City, governing conduct on and operations at the Airport and use of its facilities, but only to the extent such Rules and Regulations are not in conflict with the terms and conditions of this Agreement or with any applicable federal, state, or local laws, ordinances, and regulations, and provided that for any changes to such Rules and Regulations, City provides Airline reasonable opportunity to comment on such changes prior to adoption. Copies of the Rules and Regulations, as adopted, shall be forwarded to Airline's local manager.

B. Airline shall not violate, nor knowingly permit its officers, agents, employees, invitees, or independent contractors acting on Airline's behalf, to violate any such Rules and Regulations.

Section 15.02 Compliance with Law

A. Airline shall not use the Leased Premises or any part thereof, or knowingly permit the same to be used by any of its employees, officers, agents, subtenants, invitees, code share airlines or licensees for any illegal purposes and shall, at all times during the term of this Agreement, comply in all material respects with all applicable ordinances and laws of any city, county, or state government or of the U.S. Government, and of any political division or subdivision or agency, authority, or commission thereof which may have jurisdiction to pass laws or ordinances or to make and enforce rules or regulations with respect to the uses hereunder or the Leased Premises.

B. At all times during the term of this Agreement, Airline shall, in connection with its activities and operations at the Airport:

1. Comply, in all material respects, with and conform to all present and future statutes and ordinances, rules and regulations promulgated thereunder, of all federal, state, and other government bodies of competent jurisdiction that apply to or affect, either directly or indirectly, Airline or Airline's operations and activities under this Agreement.
2. Make, at its own expense, all nonstructural improvements, repairs, and alterations to its Exclusive Use Space (subject to prior written approval of City), and Airline's personal property that are required to comply with or conform to any such statutes and ordinances, and

regulations which are promulgated or enacted by City in all material respects. City represents that at the beginning of this Lease Term, all Exclusive Use Space complies with applicable statutes, ordinances and regulations.

3. Be and remain an independent contractor with respect to all installations, construction, and services performed by or on behalf of Airline hereunder.

Section 15.03 Nondiscrimination.

Airline, for itself, its heirs, personal representatives, successors in interest and assigns, as part of the consideration hereof, does hereby covenant and agree as follows:

A. That no person on the grounds of race, creed, color, sex, sexual orientation, age, physical or mental disability, ancestry, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the Leased Premises.

B. That in the construction of any improvements on, over, or under the Leased Premises and the furnishing of services thereon, no person on the grounds of race, creed, color, sex, sexual orientation, age, physical or mental disability, ancestry or national origin shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination.

C. That Airline shall use the Leased Premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Part 21, Nondiscrimination in federally assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulation may be amended. Airline shall also comply with the applicable provisions of Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112) and 49 CFR Part 27.

D. That, in the event of breach of any of the above nondiscrimination covenants, Airline shall be in default of this Agreement.

Section 15.04 Affirmative Action

Airline assures that it will undertake an affirmative action program to the extent required by 14 CFR Part 152, Subpart E, and any amendments thereto, and, upon prior written notice to Airline, any other affirmative action programs the City reasonably requires the Airline to participate in during the term of

this Agreement, to ensure that no person shall, on the grounds of race, creed, color, sex, sexual orientation, age, physical or mental disability, ancestry or national origin be excluded from participating in or receiving the services or benefits of any program of activity covered by this Subpart. Airline assures that it will require that its covered sub organizations (sublessees) provide assurances to City, as set forth herein, that they similarly will undertake affirmative action programs to the extent required by the laws discussed elsewhere in this Section 15.04, and that they will require assurance from their sub organizations (subleassees) to the same effect.

Section 15.05 Successors and Assigns Bound

This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

Section 15.06 Subordination to Agreements with U.S. Government

This Agreement is subject and subordinate to the provisions of any agreements heretofore or hereafter made between the City and the United States, relative to the operation or maintenance of the Airport, the execution of which has been required as a condition precedent to the transfer of federal rights or property to City for Airport purposes, or to the expenditure of federal funds for the improvement or development of the Airport, including the expenditure of federal funds for the development of the Airport in accordance with the provisions of the Federal Aviation Act of 1958, as it has been amended from time to time. City covenants that it has no existing agreements with the United States in conflict with the express provisions hereof.

Section 15.07 Nonwaiver of Rights

The non-enforcement by either party of the breach of any term, covenant or condition herein stipulated, shall never be construed to be a waiver of any other or succeeding breach of any term, covenant or condition herein imposed upon the other party, and the acceptance of payments of any amounts due or to become due hereunder in any other way or manner, or at any other time than herein provided, shall never be construed as a waiver of the right of City of any of the provisions herein imposed upon Airline.

Section 15.08 Federal Aviation Act, Section 308

Nothing herein contained shall be deemed to grant to Airline any exclusive right or privilege within the meaning of Section 308 of the Federal Aviation Act, as amended or succeeded, for the conduct of

any activity on the Airport, except that, subject to the terms and provisions hereof, Airline shall have the right to exclusive possession of the Exclusive Use Space leased to Airline under the provisions of this Agreement.

Section 15.09 Severability

If any provision of this Agreement is found by a court of competent jurisdiction to be illegal, invalid, or unenforceable, the remainder of this Agreement will not be affected, and in lieu of each provision which is found to be illegal, invalid, or unenforceable, there will be added as part of this Agreement a provision as similar to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

Section 15.10 Headings

The headings of the several articles and sections of this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, or describe the scope or intent of any provisions of this Agreement and shall not be construed to affect in any manner the terms and provisions hereof or the interpretation or construction thereof.

Section 15.11 Assignment by City or Other Successor in Interest

City may assign or otherwise convey its interest, rights, duties and/or obligations hereunder to any airport authority or other successor in interest. City, airport authority or other successor in interest may assign, pledge or take other appropriate action with respect to this Agreement and their rights and interests hereunder for any purpose relating to the issuance of bonds or other revenue generating devices.

Section 15.12 Removal of Disabled Aircraft

Airline shall promptly remove any of its disabled aircraft from any part of the Airport (including, without limitation, runways, taxiways, aprons, and aircraft parking positions) and place any such disabled aircraft in such storage areas as may be designated by Director. Airline may store such disabled aircraft only for such length of time and on such terms and conditions as may be established by the Director. If Airline fails to remove any of its disabled aircraft promptly, the Director may, but shall not be obligated to, cause the removal of such disabled aircraft, provided, however, the obligation to remove or store such disabled aircraft shall be consistent with federal laws and regulations, including

those of the FAA and the National Transportation Safety Board (NTSB). Airline agrees to reimburse City for all costs of such removal and/or storage within thirty (30) days of receipt of an invoice thereof; and Airline, furthermore, hereby releases City from any and all claims for damage to the disabled aircraft or otherwise arising from or in any connected with such removal by City, except to the extent caused by the negligence or willful misconduct of City, its agents, or its employees.

Section 15.13 Quiet Enjoyment

City covenants and agrees that Airline on paying the rent (and other charges herein provided for) and observing and keeping the covenants, conditions, and terms of this Agreement, shall lawfully and quietly hold, occupy and enjoy the Leased Premises during the term of this Agreement without hindrance or molestation by City or any person claiming under City.

Section 15.14 Agreement Subject to Covenants in Deed

It is mutually agreed that this Agreement is made subject to the covenants, requirements and restrictions contained in the Deed or Deeds by which City obtained title to said Portland International Jetport.

Section 15.15 Force Majeure

No party to this Agreement is responsible to the other party for nonperformance or delay in performance of the terms and conditions herein due to acts of God, acts of government, wars, riots, strikes, accidents in transportation, fuel or materials shortages, or other causes beyond the control of the parties.

Section 15.16 Entire Agreement

This Agreement, together with all exhibits attached hereto, constitutes the entire agreement between the parties hereto, and all other representations or statements heretofore made, verbal or written, are merged herein, and this Agreement may be amended only in writing, and executed by duly authorized representatives of the parties hereto.

Section 15.17 Time is of the Essence

Time is and shall be deemed of the essence in respect to the performance of each provision of this Agreement.

Section 15.18 Agreement Made in Maine

The laws of the State of Maine shall govern the validity, interpretation, performance and enforcement of this Agreement. Venue shall be in the State courts in Cumberland County, Maine.

Section 15.19 Cumulative Rights and Remedies.

All rights and remedies of City and Airline here enumerated shall be cumulative and none shall exclude any other right or remedy allowed by law. Likewise, the exercise by City and Airline of any remedy provided for herein or allowed by law shall not be to the exclusion of any other remedy. Notwithstanding the foregoing, neither party shall be liable to the other party for incidental, special, punitive or consequential damages hereunder.

Section 15.20 Interpretation

Words of gender used in this Agreement shall be held and construed to include any other gender, and words in the singular shall be held to include the plural and vice versa unless the context otherwise requires.

Section 15.21 Agreement Made in Writing

This Agreement contains all of the agreements and conditions made between the parties hereto and may not be modified orally or in any manner other than by agreement in writing signed by the parties hereto or their respective successors in interest.

Section 15.22 Successors and Assigns

All of the terms, provisions, covenants and conditions of this Agreement shall inure to the benefit of and be binding upon City and Airline and their successors, assigns, legal representatives, heirs, executors and administrators.

Section 15.23 Authorization to Enter Agreement

If Airline signs this Agreement as a corporation, each of the persons executing this Agreement on behalf of Airline warrants to City that Airline is a duly authorized and existing corporation, that Airline has full right and authority to enter into this Agreement, and that each and every person signing on behalf of Airline is authorized to do so. Upon City's request, Airline will provide evidence satisfactory to City confirming these representations.

Section 15.24 Approvals

Wherever approval of City or Airline is required hereunder, such approval shall not be unreasonably delayed or withheld.

Section 15.25 Favored Nations

City shall not enter into any written or oral lease, contract or other agreement with any other Air Transportation Company providing service at the Airport, or which may provide service at the Airport, which contains any rights, licenses, privileges, rates or charges more favorable to such carrier than the rights, licenses, privileges, rates and charges granted to or payable hereunder by Airline, or containing any other material terms which are more favorable to said carrier than those afforded to Airline hereunder unless City also makes those more favorable terms available to Airline; and provided further, that City reserves the right to charge for the use of the International Facilities Area on a per use basis.

Section 15.26 Effective Date

This Agreement shall be effective as of the date of execution on the front page.

Section 15.27 Existing Agreements Terminated

All agreements between the parties in effect prior to execution of this Agreement and covering the subject matter of this Agreement are terminated as of the effective date of this Agreement.

Section 15.28 Notices

- A. Any notice under the terms of this Agreement shall be in writing and sent by certified mail, return receipt requested, or by overnight courier service. If such notice is given by Airline, it shall be submitted to the Airport Director, Portland International Jetport, 1001 Westbrook Street, Portland, Maine 04102, with a copy to the City Manager, 389 Congress Street, Portland, ME 04101, or to such revised address as notified by City. If given by City, such notice shall be submitted to the address of Airline at the following address:

B. If notice is given in any other manner or at any other place, it will also be given at the place and in the manner specified above.

C. Any notice so given shall be deemed properly delivered, given, served, or received on the date shown for delivery or rejection on the return receipt. Any party may change the address to which notices shall thereafter be given upon five (5) days prior written notice to all other parties in the manner set forth in this Section.

Section 15.29 Capacity.

Each party represents to the other that: Such party has full power and authority to perform its obligations hereunder and that any person or entity executing this Agreement by or on behalf of the representing party has the authority to act on behalf of and bind the representing party, and that the performance of this Agreement will not be in violation of the representing party's charter or any law, ordinance, rule, regulation or order of any governmental body having jurisdiction, or the provisions of any agreements to which the representing party is a party or by the terms of which it is bound and, if requested, each party shall furnish to any other party reasonably satisfactory evidence of such authority and approval.

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives,
have executed this Agreement on the day and year first above written.

CITY OF PORTLAND

AIRLINES

By: _____

By: _____

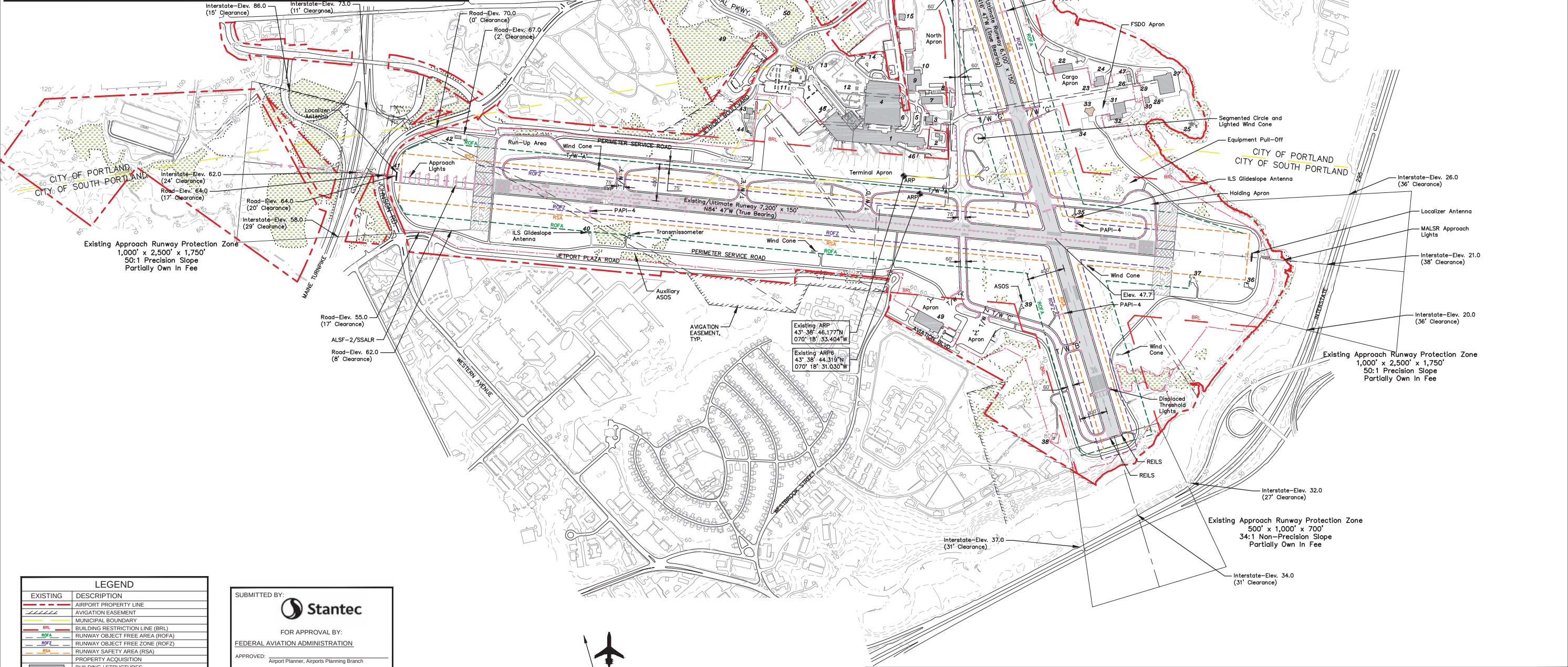
Jon P. Jennings, City Manager

(Please print name)

Its _____
(Title)

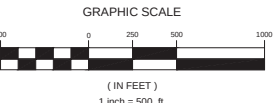
Exhibit A – Airport Layout & Cost Center Plan

EXISTING BUILDINGS/FACILITIES			EXISTING BUILDINGS/FACILITIES		
NO.	DESCRIPTION	ELEV.	NO.	DESCRIPTION	ELEV.
1	TERMINAL BUILDING	90	27	AIRPORT MAINTENANCE BUILDING	63
2	AIR TRAFFIC CONTROL TOWER	71	28	VEHICLE FUEL (DIESEL/GASOLINE)	
3	AIRCRAFT RESCUE AND FIRE FIGHTING	72	29	FUEL DISPENSING STATION	
4	PARKING GARAGE	90	30	SAND/SALT STORAGE	56
5	CELL PHONE LOT/PASSENGER PICKUP		31	GENERAL AVIATION HANGAR/OFFICES	63
6	RENTAL CAR FACILITY	90	32	FLIGHT STANDARDS DISTRICT OFFICE	
7	GENERAL AVIATION HANGAR/OFFICES	80	33	HEXAGON HANGER	57
8	FUEL FARM	92	34	MAINTENANCE/EQUIPMENT STORAGE	
9	GENERAL AVIATION HANGAR/OFFICES	92	35	RUNWAY 29 GLIDESLOPE BUILDING	
10	GENERAL AVIATION TERMINAL	74	36	RUNWAY 11 LOCALIZER BUILDING	
11	EMPLOYEE PARKING	37	37	FAA ELECTRICAL VAULT	
12	LONG TERM PARKING	38	38	REMOTE TRANSMITTER/RECEIVER SITE	
13	AIRPORT PARKING OFFICE AND VEHICLE MAINTENANCE FACILITY/NON-RESERVED TAXI	80	39	AUTOMATED SURFACE OBSERVING SYTEM	
14	THE NORTH LOT (OVERFLOW PARKING)		40	RUNWAY 11 GLIDESLOPE BUILDING	
15	RENTAL CAR FACILITIES	87	41	RUNWAY 29 LOCALIZER BUILDING	
16	SELF SERVICE AVIATION FUEL	N/A	42	FAA ALSF BUILDING	
17	GENERAL AVIATION HANGAR	81	43	GLYCOL RECYCLING FACILITY	90a957
18	GENERAL AVIATION HANGAR	73	44	UNDERGROUND STORAGE TANK FOR SPENT DEICING FLUID	
19	GENERAL AVIATION HANGAR	79	45	UNDERGROUND OIL STORAGE TANK (12,000 GALLONS)	
20	GENERAL AVIATION HANGAR		46	UNDERGROUND OIL STORAGE TANK (10,000 GALLONS)	
21	FAA TECH OPS FACILITY	N/A	47	GENERATOR FUEL (DIESEL)	52
22	FED EX FACILITY	68	48	GEOTHERMAL WELL VAULT	
23	CUSTOMS OFFICE	63	49	GENERAL AVIATION HANGAR/OFFICES	
24	GENERAL AVIATION HANGAR/OFFICE	61	50	SUPPORT PARCEL	N/A
25	AIRPORT BEACON	35	51	SUPPORT PARCEL	N/A
26	LIGHTING VAULT	61			



LEGEND	
EXISTING	DESCRIPTION
	AIRPORT PROPERTY LINE
	AVIGATION EASEMENT
	MUNICIPAL BOUNDARY
	BUILDING RESTRICTION LINE (BRL)
	RUNWAY OBJECT FREE AREA (ROFA)
	RUNWAY OBJECT FREE ZONE (ROFZ)
	RUNWAY SAFETY AREA (RSA)
	PROPERTY ACQUISITION
	BUILDING / STRUCTURES
	AIRPORT REFERENCE POINT (ARP)
	AIRPORT ROTATING BEACON
	FACILITY CONSTRUCTION
	FENCING
	NAVIGATIONAL AID LIGHTS (PAPI)
	RUNWAY END IDENTIFICATION LIGHTS (REIL)
	RUNWAY DISPLACED THRESHOLD LIGHTS
	SEGMENTED CIRCLE / WIND INDICATOR
	WIND INDICATOR (LIGHTED)
	TOPOGRAPHY
	WETLAND

SUBMITTED BY:	
FOR APPROVAL BY:	
FEDERAL AVIATION ADMINISTRATION	
APPROVED: Airport Planner, Airports Planning Branch	
DATE: _____	
MAINE DEPARTMENT OF TRANSPORTATION	
APPROVED: Director, Air Transportation Division	
DATE: _____	
CITY OF PORTLAND, MAINE	
APPROVED: Director Waterfront and Transportation	
DATE: _____	



REVISIONS				
1	DESCRIPTION	DATE	BY	APPD
THE CONTENTS OF THIS PLAN DO NOT NECESSARILY REFLECT THE OFFICIAL POLICY OR POSITION OF THE FAA. ACCEPTANCE OF THIS DOCUMENT BY THE FAA DOES NOT IN ANY WAY CONSTITUTE A COMMITMENT ON THE PART OF THE UNITED STATES TO PARTICIPATE IN ANY DEVELOPMENT DEPICTED HEREIN NOR DOES IT INDICATE THAT THE PROPOSED DEVELOPMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.				
PORTLAND INTERNATIONAL JETPORT EXISTING FACILITIES PLAN PORTLAND, MAINE				
PLANNED BY: Dwight Anderson / Steve Benson		SHEET 3.0		
DETAILED BY: Lori Anthony / Tim Kahmann		APPROVED BY: Mike Dmyterko		
FILE NAME: 195350010		SHEET 3.0		

Exhibit B – Capital Improvement Plan

City of Portland
Portland International Jetport
CIP Project Costs and Funding Sources - Short Term
September 15, 2016
(In \$000's)

Description	Project Costs		AIP Grants	State	Local	
	2016 \$	Inflated			PFCs	Jetport
Fiscal Year 2017						
Terminal Apron Expansion Northwest End - Phase 1	\$3,290	\$3,379	\$3,041	\$169	\$0	\$169
Environmental Assessment and Permitting for Airport Improvements	750	770	693	39	0	39
Subtotal 2017	\$4,040	\$4,149	\$3,734	\$207	\$0	\$207
Fiscal Year 2018						
Gate 1 Apron Reconstruction and Construct TW C Snow Shoulders North	\$4,089	\$4,320	\$3,888	\$216	\$0	\$216
Runway Incursion Warning System	125	132	119	7	0	7
3rd Floor Bypass Auto Exit Portals	450	475	0	0	475	0
Gate 1 - 6 Rehabilitation Vertical Circulation Improvement	2,000	2,110	0	0	0	2,110
Pre Conditioned Air/Lifts for Loading Bridges	900	949	854	0	0	95
Gates 1 Additional Loading Bridges	650	686	0	0	686	0
Central Air Handling Units	220	232	0	0	232	0
Subtotal 2018	\$8,434	\$8,903	\$4,861	\$223	\$1,392	\$2,427
Fiscal Year 2019						
Terminal Apron Expansion Northwest End - Phase 2	\$2,085	\$2,225	\$2,003	\$111	\$0	\$111
Environmental Assessment Mitigation Measures	1,000	1,083	975	54	0	54
ARFF Vehicle	1,000	1,083	975	54	0	54
Snow Removal Tractor for Airfield Lights/Signs	350	379	341	19	0	19
Maintenance Building Generator and Enclosure	250	271	244	14	0	14
Click to Activate Runway Lights	50	54	49	3	0	3
Admin Offices above Bag Claim - East End	1,500	1,625	0	0	244	1,381
Additional Loading Bridges for Gate 11	650	704	0	0	704	0
Subtotal 2019	\$6,885	\$7,424	\$4,586	\$255	\$948	\$1,637
Fiscal Year 2020						
Long Term Hold/Deicing/RON Apron - Phase 1	\$3,918	\$4,220	\$3,798	\$211	\$0	\$211
FIS Facility	7,000	7,787	0	0	7,398	389
Subtotal 2020	\$10,918	\$12,007	\$3,798	\$211	\$7,398	\$600
Fiscal Year 2021						
Snow Melt Equipment for Contaminated Snow	\$300	\$343	\$308	\$17	\$0	\$17
Long Term Hold/Deicing/RON Apron - Phase 2	2,400	2,600	2,340	130	0	130
Runway 11 Taxiway Bypass and Perimeter Service Road Realignment	1,028	1,100	990	55	0	55
Tree Removal for GQS on Runway 36 End	50	57	51	3	0	3
Expand Baggage Claim - Phase 2	10,000	11,425	0	0	10,854	571
Loading Bridge	515	588	0	0	588	0
Subtotal 2021	\$14,293	\$16,113	\$3,690	\$205	\$11,442	\$776
Fiscal Year 2022						
Construct Air Cargo Taxiway - Phase 1 TW G to TW A	\$3,660	\$4,200	\$3,780	\$210	\$0	\$210
Rehabilitate Cargo Apron	2,440	2,863	2,577	143	0	143
Displacement Plows	750	880	792	44	0	44
Airport Security Fence and Gate Upgrades (North East Area)	245	288	259	14	0	14
Subtotal 2022	\$7,095	\$8,230	\$7,407	\$412	\$0	\$411
Total Short Term	\$51,665	\$56,827	\$28,076	\$1,512	\$21,180	\$6,058

Note: Gates 1-6 Rehabilitation Vertical Circulation Improvements in FY 2018 is funded out of Jetport unrestricted fund balance and not amortized in the Signatory Rates

SHORT TERM DEVELOPMENT

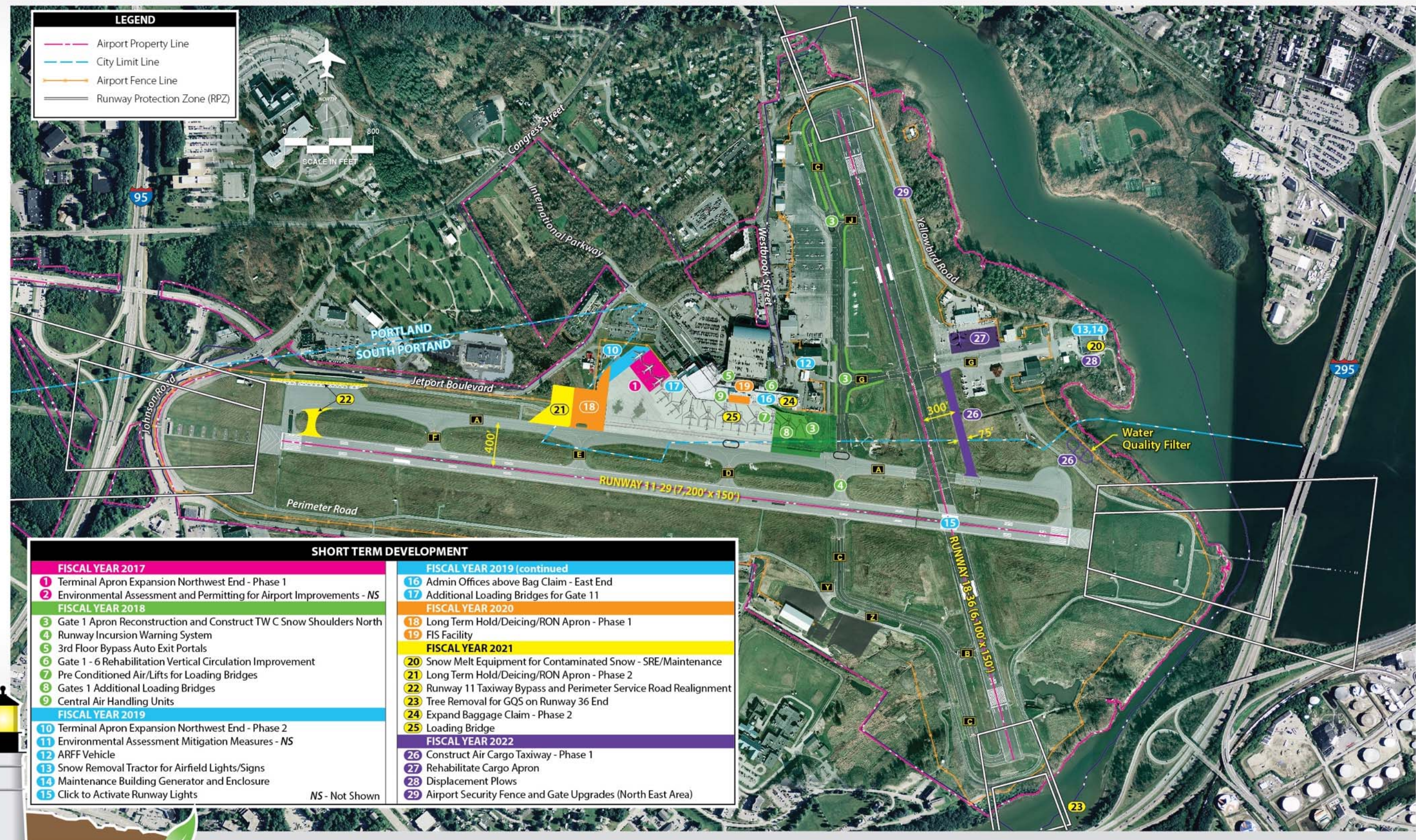
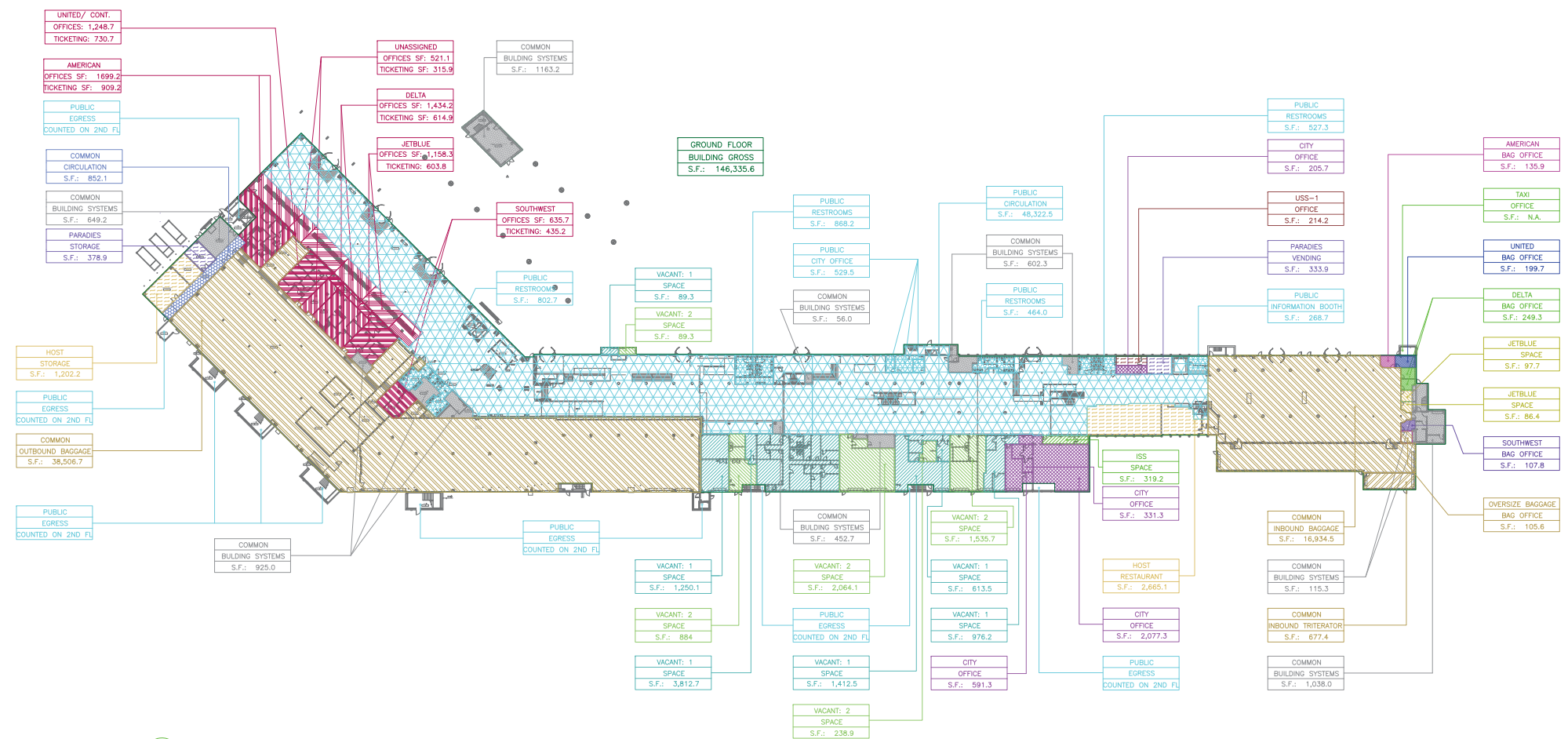
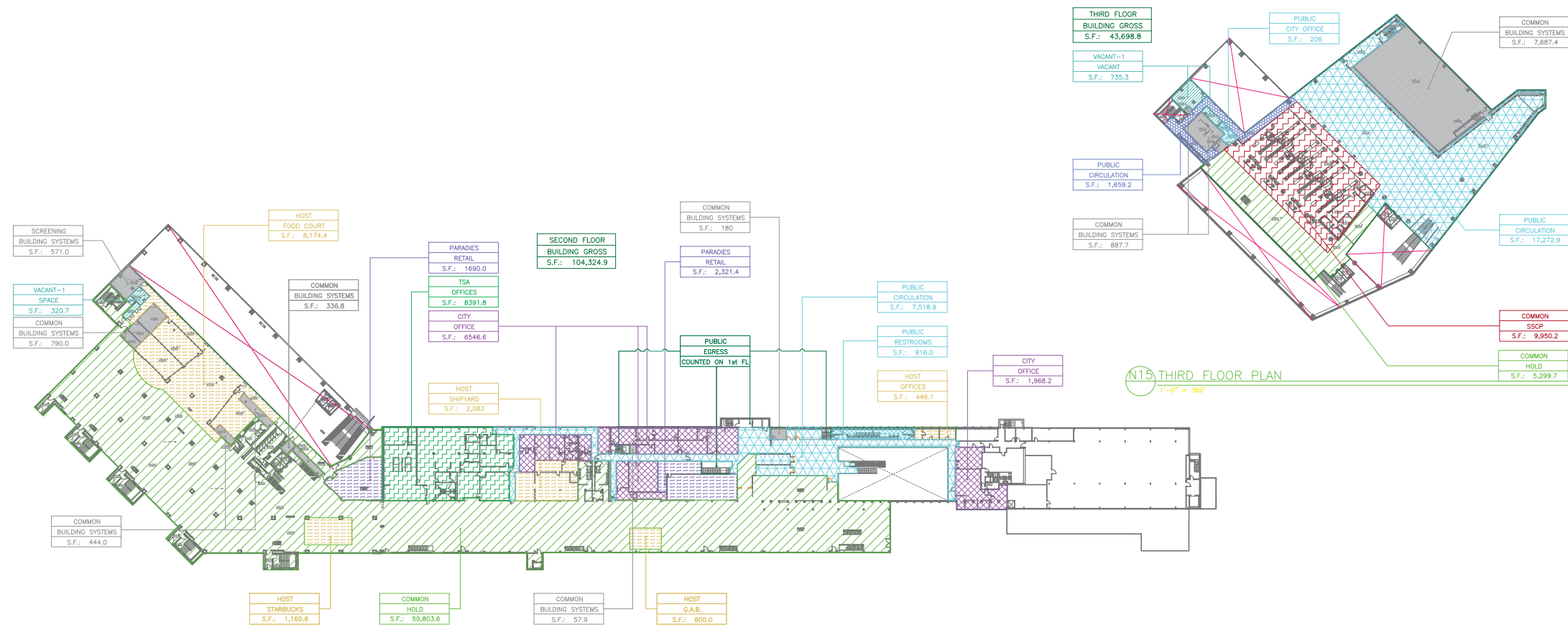


Exhibit C – Leased Premises

General Notes

ISSUE INFORMATION

1	USAIRWAYS TO AMERICAN	9/16
No.	Revision/Issue	Date



Facilities & Engineering
1001 Westbrook ST
Portland, ME 04102
207-874-8877

Project Name and Address

TERMINAL SPACE LAYOUT

Sheet Title

SQUARE
FOOTAGE
LAYOUT

Project Number:

00-0000

Date issued: 8/19/2011

Scale:

Reference: Individual Drawings

A-1

TERMINAL SPACE
September 23, 2016

	Budget 2016	Actual 2016	Budget 2017
Exclusive Use			
Airline	7,574	7,574	7,574
Vendor	21,594	21,594	21,594
TSA Office Space	8,215	8,215	8,215
Unassigned	14,022	14,022	14,022
Subtotal	51,405	51,405	51,405
Common Use			
Holdroom	65,103	65,103	65,103
Ticketing	3,610	3,610	3,610
Bag Claim	17,718	17,718	17,718
Outbound Baggage	38,507	38,507	38,507
TSA Security Checkpoint	0	0	0
Subtotal	124,937	124,937	124,937
Public Areas			
Circulation	79,381	79,381	79,381
City	12,725	12,725	12,725
FIS	0	0	0
TSA Security Checkpoint	9,950	9,950	9,950
Subtotal	102,055	102,055	102,055
Building Systems	15,957	15,957	15,957
Total Space	294,354	294,354	294,354
<u>Leased Space</u>			
Airline Exclusive Use	7,574	7,574	7,574
Common Use	81,131	81,131	81,131
Preferential Use (Outbound Baggage)	38,507	38,507	38,507
Total Space	127,212	127,212	127,212

Exhibit D – Terminal Building Subcost Centers

EXHIBIT D

PRORATION OF TERMINAL CHARGES

City of Portland

Portland International Jetport

FY 2017 Budgeted Rates & Charges

Proration of Terminal Charges (Excluding Cleaning and Electricity Expenses)

	Actual 2015	Budget 2016	Actual 2016	Budget 2017
<u>Space</u>				
Airline Exclusive Use	51,405	51,405	51,405	51,405
Common Use	96,381	86,431	86,431	86,431
Preferential Use (Outbound Baggage)	38,507	38,507	38,507	38,507
Public/City	92,105	102,055	102,055	102,055
	278,398	278,398	278,398	278,398
<u>Percentage Allocation</u>				
Airline Exclusive Use	18.5%	18.5%	18.5%	18.5%
Common Use	34.6%	31.0%	31.0%	31.0%
Preferential Use (Outbound Baggage)	13.8%	13.8%	13.8%	13.8%
Public/City	33.1%	36.7%	36.7%	36.7%
	100.0%	100.0%	100.0%	100.0%
Terminal M&O Expense	\$4,395,349	\$4,328,794	\$4,530,427	\$4,522,289
Less: Building Maintenance	0	0	0	0
Less: Electricity	0	0	0	0
Less: Inline Baggage Amount	(301,950)	(276,513)	(189,339)	(343,146)
TML M&O Expense (Excl Bldg Maint & Electric)	\$4,093,399	\$4,052,280	\$4,341,089	\$4,179,143
<u>Alloc of M&O Exp (Excl Cleaning & Electricity)</u>				
Airline Exclusive Use	\$755,833	\$748,241	\$801,568	\$771,666
Common Use	1,417,125	1,258,058	1,347,720	1,297,443
Preferential Use (Outbound Baggage)	566,180	560,493	600,439	578,040
Public/City	1,354,261	1,485,489	1,591,361	1,531,995
	\$4,093,399	\$4,052,280	\$4,341,089	\$4,179,143
Administration Expense	\$1,112,451	\$1,338,194	\$1,384,202	\$1,449,742
<u>Allocation of Administration</u>				
Airline Exclusive Use	\$205,411	\$247,093	\$255,589	\$267,690
Common Use	385,128	415,451	429,735	450,082
Preferential Use (Outbound Baggage)	153,869	185,093	191,456	200,522
Public/City	368,044	490,556	507,422	531,448
	\$1,112,451	\$1,338,194	\$1,384,202	\$1,449,742

EXHIBIT D

PRORATION OF TERMINAL CHARGES

City of Portland

Portland International Jetport

FY 2017 Budgeted Rates & Charges

Proration of Terminal Charges (Excluding Cleaning and Electricity Expenses)

	Actual 2015	Budget 2016	Actual 2016	Budget 2017
Security Expense	\$1,713,808	\$1,756,271	\$1,738,024	\$1,620,694
<u>Allocation of Security</u>				
Airline Exclusive Use	\$316,449	\$324,290	\$320,921	\$299,256
Common Use	593,316	545,246	539,581	503,155
Preferential Use (Outbound Baggage)	237,046	242,919	240,395	224,167
Public/City	566,997	643,816	637,127	594,116
	\$1,713,808	\$1,756,271	\$1,738,024	\$1,620,694
ARFF Expense	\$82,347	\$80,599	\$77,704	\$77,855
<u>Allocation of ARFF</u>				
Airline Exclusive Use	\$15,205	\$14,882	\$14,348	\$14,376
Common Use	28,508	25,022	24,124	24,171
Preferential Use (Outbound Baggage)	11,390	11,148	10,748	10,769
Public/City	27,244	29,546	28,485	28,540
	\$82,347	\$80,599	\$77,704	\$77,855
Roadways Expense	\$0	\$0	\$0	\$0
<u>Allocation of Roadways</u>				
Airline Exclusive Use	\$0	\$0	\$0	\$0
Common Use	0	0	0	0
Preferential Use (Outbound Baggage)	0	0	0	0
Public/City	0	0	0	0
	\$0	\$0	\$0	\$0

EXHIBIT D

PRORATION OF TERMINAL CHARGES

City of Portland

Portland International Jetport

FY 2017 Budgeted Rates & Charges

Proration of Terminal Charges (Excluding Cleaning and Electricity Expenses)

	Actual 2015	Budget 2016	Actual 2016	Budget 2017
EQUIPMENT & CAPITAL OUTLAY \$10,000 & UNDER Terminal (06)	\$0	\$10,000	\$6,326	\$0
<u>Allocation of Capital Outlays under \$10,000</u>				
Airline Exclusive Use	\$0	\$1,846	\$1,168	\$0
Common Use	0	3,105	1,964	0
Preferential Use (Outbound Baggage)	0	1,383	875	0
Public/City	0	3,666	2,319	0
	\$0	\$10,000	\$6,326	\$0
EQUIPMENT & CAPITAL OUTLAY \$10,000 & UNDER Terminal Piece of Indirect	\$0	\$0	\$5,636	\$0
<u>Allocation of Capital Outlays under \$10,000</u>				
Airline Exclusive Use	\$0	\$0	\$1,041	\$0
Common Use	0	0	1,750	0
Preferential Use (Outbound Baggage)	0	0	780	0
Public/City	0	0	2,066	0
	\$0	\$0	\$5,636	\$0
Amortization of Capital Costs	\$202,022	\$244,878	\$289,096	\$298,100
<u>Allocation</u>				
Airline Exclusive Use	\$26,034	\$33,947	\$42,112	\$43,774
Common Use	48,811	57,077	70,805	73,600
Preferential Use (Outbound Baggage)	80,530	86,458	92,574	93,820
Public/City	46,646	67,396	83,605	86,906
	202,022	244,878	289,096	298,100

Exhibit E – Calculation of Terminal Building Rental Rates Illustration

EXHIBIT E

CALCULATION OF TERMINAL BUILDING RENTAL RATES

City of Portland
Portland International Jetport
FY 2017 Budgeted Rates & Charges
Rate Summary

	Actual 2015	Budget 2016	Actual 2016	Budget 2017
<u>Terminal Rental Rates</u>				
Airline Exclusive Use	\$28.46	\$29.17	\$30.46	\$30.29
M&O Expenses Rate	\$14.70	\$14.56	\$15.59	\$15.01
Building Maintenance Rate	\$0.00	\$0.00	\$0.00	\$0.00
Electricity Rate	\$0.00	\$0.00	\$0.00	\$0.00
Indirect M&O Rate (Excluding Security)	\$4.29	\$5.10	\$5.25	\$5.49
Security M&O Rate	\$6.16	\$6.31	\$6.24	\$5.82
Capital Projects Rate	\$2.35	\$2.52	\$2.70	\$2.68
Adjustment Rate (Prior Yr Actual Minus Prior Yr Budget)	\$0.96	\$0.68	\$0.68	\$1.29
Common Use	\$28.55	\$29.25	\$30.54	\$30.29
M&O Expenses Rate	\$14.70	\$14.56	\$15.59	\$15.01
Building Maintenance Rate	\$0.00	\$0.00	\$0.00	\$0.00
Electricity Rate	\$0.00	\$0.00	\$0.00	\$0.00
Indirect M&O Rate (Excluding Security)	\$4.29	\$5.10	\$5.25	\$5.49
Security M&O Rate	\$6.16	\$6.31	\$6.24	\$5.82
Capital Projects Rate	\$2.35	\$2.52	\$2.70	\$2.68
Adjustment Rate (Prior Yr Actual Minus Prior Yr Budget)	\$1.05	\$0.76	\$0.76	\$1.29
Outbound Baggage	\$36.11	\$38.88	\$37.90	\$38.52
M&O Expenses Rate	\$14.70	\$14.56	\$15.59	\$15.01
In-Line Baggage Rate	\$7.84	\$7.18	\$4.92	\$8.91
Indirect M&O Rate (Excluding Security)	\$4.29	\$5.10	\$5.25	\$5.49
Security M&O Rate	\$6.16	\$6.31	\$6.24	\$5.82
Capital Projects Rate	\$3.93	\$4.11	\$4.28	\$4.26
Adjustment Rate (Prior Yr Actual Minus Prior Yr Budget)	(\$0.81)	\$1.62	\$1.62	(\$0.97)
Public/City	\$28.60	\$29.12	\$30.40	\$30.29
M&O Expenses Rate	\$14.70	\$14.56	\$15.59	\$15.01
Building Maintenance Rate	\$0.00	\$0.00	\$0.00	\$0.00
Electricity Rate	\$0.00	\$0.00	\$0.00	\$0.00
Indirect M&O Rate (Excluding Security)	\$4.29	\$5.10	\$5.25	\$5.49
Security M&O Rate	\$6.16	\$6.31	\$6.24	\$5.82
Capital Projects Rate	\$2.35	\$2.53	\$2.70	\$2.68
Adjustment Rate (Prior Yr Actual Minus Prior Yr Budget)	\$1.10	\$0.62	\$0.62	\$1.29
Landing Fee	\$2.93	\$2.83	\$2.78	\$2.88
Airline Cost Per Enplanement	\$7.64	\$8.06	\$7.85	\$8.26

CALCULATION OF EXCLUSIVE USE RATE

City of Portland
Portland International Jetport
FY 2017 Budgeted Rates & Charges
Terminal Rental Rate
Exclusive Use

	A	B	C	D	Variance			
	Actual 2015	Budget 2016	Actual 2016	Budget 2017	C - B	% Change	D - C	% Change
<u>Direct Expense</u>								
M&O Expenses (Less: Bldg Maint & Elec)	\$755,833	\$748,241	\$801,568	\$771,666	\$53,328	7.1%	(\$29,903)	-3.7%
Building Maintenance	0	0	0	0				
Electricity	0	0	0	0				
	\$755,833	\$748,241	\$801,568	\$771,666	\$53,328	7.1%	(\$29,903)	-3.7%
<u>Indirect Expense</u>								
Administration	\$205,411	\$247,093	\$255,589	\$267,690	\$8,495	3.4%	\$12,102	4.7%
Security	316,449	324,290	320,921	299,256	(\$3,369)	-1.0%	(\$21,665)	-6.8%
ARFF	15,205	14,882	14,348	14,376	(\$535)	-3.6%	\$28	0.2%
Roadways	0	0	0	0				
	\$537,065	\$586,266	\$590,857	\$581,322	\$4,592	0.8%	(\$9,535)	-1.6%
<u>Capital Expense</u>								
Equipment & Capital Outlays < \$10K - Direct	\$0	\$1,846	\$1,168	\$0	(\$678)	-36.7%	(\$1,168)	-100.0%
Equipment & Capital Outlays < \$10K - Indirect	0	0	1,041	0	\$1,041	n/a	(\$1,041)	-100.0%
Amortization	26,034	33,947	42,112	43,774	\$8,165	24.1%	\$1,663	3.9%
Debt Service	94,560	94,237	94,237	93,868	\$0	0.0%	(\$369)	-0.4%
LESS: Jetport's Share of Landing Fee Allocation								
	\$120,594	\$130,030	\$138,557	\$137,642				
TOTAL REQUIREMENT	\$1,413,492	\$1,464,537	\$1,530,983	\$1,490,630	\$66,446	4.5%	(\$40,353)	-2.6%
Space	51,405	51,405	51,405	51,405	\$0	0.0%	\$0	0.0%
Average Rental Rate Prior to Adjustments	\$27.50	\$28.49	\$29.78	\$29.00	\$1.29	4.5%	(\$0.78)	-2.6%
M&O Expenses Rate	\$14.70	\$14.56	\$15.59	\$15.01	\$1.03	7.1%	(\$0.58)	-3.7%
Building Maintenance Rate	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	n/a	\$0.00	n/a
Electricity Rate	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	n/a	\$0.00	n/a
Indirect M&O Rate (Excluding Security)	\$4.29	\$5.10	\$5.25	\$5.49	\$0.15	2.9%	\$0.24	4.6%
Security M&O Rate	\$6.16	\$6.31	\$6.24	\$5.82	(\$0.07)	-1.1%	(\$0.42)	-6.7%
Capital Projects Rate	\$2.35	\$2.52	\$2.70	\$2.68	\$0.18	7.1%	(\$0.02)	-0.7%
Adjustment Rate	\$0.96	\$0.68	\$0.68	\$1.29	\$0.00	0.0%	\$0.61	89.7%
(Prior Yr Actual Minus Prior Yr Budget)								
TOTAL RENTAL RATE	\$28.46	\$29.17	\$30.46	\$30.29	\$1.29	4.4%	(\$0.17)	-0.6%
Adjustment for Security	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	n/a	\$0.00	n/a
RENTAL RATE CHARGED	\$28.46	\$29.17	\$30.46	\$30.29	\$1.29	4.4%	(\$0.17)	-0.6%

CALCULATION OF PUBLIC / CITY RATE

City of Portland
Portland International Jetport
FY 2017 Budgeted Rates & Charges
Terminal Rental Rate
Public / City Rate

	A	B	C	D	Variance			
	Actual 2015	Budget 2016	Actual 2016	Budget 2017	C - B	% Change	D - C	% Change
<u>Direct Expense</u>								
M&O Expenses (Less: Bldg Maint & Elec)	\$1,354,261	\$1,485,489	\$1,591,361	\$1,531,995				
Building Maintenance	0	0	0	0				
Electricity	0	0	0	0				
	\$1,354,261	\$1,485,489	\$1,591,361	\$1,531,995	\$105,872	7.1%	(\$59,366)	-3.7%
<u>Indirect Expense</u>								
Administration	\$368,044	\$490,556	\$507,422	\$531,448				
Security	566,997	643,816	637,127	594,116				
ARFF	27,244	29,546	28,485	28,540				
Roadways	0	0	0	0				
	\$962,284	\$1,163,918	\$1,173,034	\$1,154,104	\$9,116	0.8%	(\$18,930)	-1.6%
<u>Capital Expense</u>								
Equipment & Capital Outlays < \$10K - Direct	\$0	\$3,666	\$2,319	\$0				
Equipment & Capital Outlays < \$10K - Indirect	0	0	2,066	0				
Amortization	46,646	67,396	83,605	86,906				
Debt Service	169,427	187,089	187,089	186,356				
LESS: Jetport's Share of Landing Fee Allocation								
	\$216,073	\$258,151	\$275,079	\$273,262	\$16,929	6.6%	(\$1,817)	-0.7%
TOTAL REQUIREMENT	\$2,532,618	\$2,907,558	\$3,039,474	\$2,959,361	\$131,916	4.5%	(\$80,114)	-2.6%
Space	92,105	102,055	102,055	102,055	\$0	0.0%	\$0	0.0%
Average Rental Rate Prior to Adjustments	\$27.50	\$28.49	\$29.78	\$29.00	\$1.29	\$0.05	(\$0.78)	(\$0.03)
M&O Expenses Rate	\$14.70	\$14.56	\$15.59	\$15.01	\$1.03	\$0.07	(\$0.58)	(\$0.04)
Building Maintenance Rate	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	n/a	\$0.00	n/a
Electricity Rate	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	n/a	\$0.00	n/a
Indirect M&O Rate (Excluding Security)	\$4.29	\$5.10	\$5.25	\$5.49	\$0.15	\$0.03	\$0.24	\$0.05
Security M&O Rate	\$6.16	\$6.31	\$6.24	\$5.82	(\$0.07)	(\$0.01)	(\$0.42)	(\$0.07)
Capital Projects Rate	\$2.35	\$2.53	\$2.70	\$2.68	\$0.17	\$0.07	(\$0.02)	(\$0.01)
Adjustment Rate	\$1.10	\$0.62	\$0.62	\$1.29	\$0.00	\$0.00	\$0.67	\$1.08
(Prior Yr Actual Minus Prior Yr Budget)								
TOTAL RENTAL RATE	\$28.60	\$29.12	\$30.40	\$30.29	\$1.28	\$0.04	(\$0.11)	(\$0.00)
Adjustment for Security								
RENTAL RATE CHARGED	\$28.60	\$29.12	\$30.40	\$30.29	\$1.28	\$0.04	(\$0.11)	(\$0.00)

Exhibit F – Calculation of Landing Fee Rates Illustration

EXHIBIT F

CALCULATION OF LANDING FEE

City of Portland
 Portland International Jetport
 FY 2017 Budgeted Rates & Charges
 Landing Fee Calculation

	Actual 2015	Budget 2016	Actual 2016	Budget 2017
<u>Direct Expense</u>				
Personnel Services	\$807,821	\$947,246	\$761,878	\$1,114,722
Contractual Services	1,214,217	1,114,639	952,281	1,215,721
Commodities	721,924	785,317	708,515	731,670
	\$2,743,962	\$2,847,202	\$2,422,673	\$3,062,114
<u>Indirect Expense</u>				
Administration	\$1,112,451	\$1,338,194	\$1,384,202	\$1,449,742
Security	190,423	195,141	193,114	180,077
ARFF	1,564,595	1,531,379	1,476,376	1,479,254
Roadways	0	0	0	0
	\$2,867,469	\$3,064,713	\$3,053,692	\$3,109,073
<u>Capital Expense</u>				
Equipment & Capital Outlays < \$10K - Direct	\$2,825	\$10,000	\$14,659	\$10,000
Equipment & Capital Outlays < \$10K - Indirect	0	0	626	0
Amortization	374,049	411,275	473,532	517,293
Debt Service	0	0	0	0
LESS: Jetport's Share of Landing Fee Allocation				
	\$376,874	\$421,275	\$488,817	\$527,293
TOTAL REQUIREMENT	\$5,988,306	\$6,333,190	\$5,965,182	\$6,698,479
LESS; General Aviation Landing Fees	(156,649)	(120,950)	(185,855)	(158,147)
NET REQUIREMENT	\$5,831,657	\$6,212,240	\$5,779,327	\$6,540,332
Landed Weight	1,007,346	1,120,077	1,058,619	1,111,000
Average Rate Prior to Adjustments	\$5.79	\$5.55	\$5.46	\$5.89
M&O Rate (Excluding Security)	\$2.72	\$2.54	\$2.29	\$2.76
Indirect M&O Rate (Excluding Security)	\$2.66	\$2.56	\$2.70	\$2.64
Security M&O Rate	\$0.19	\$0.17	\$0.18	\$0.16
Capital Projects Rate	\$0.22	\$0.28	\$0.29	\$0.33
BREAKEVEN LANDING FEE	\$5.79	\$5.55	\$5.46	\$5.89
Landing Fee Allocation	50.0%	50.0%	50.0%	50.0%
AIR CARRIER LANDING FEE	\$2.90	\$2.78	\$2.73	\$2.95
Prior Period Adjustment	\$0.03	\$0.05	\$0.05	(\$0.06)
LANDING FEE	\$2.93	\$2.83	\$2.78	\$2.88
LANDING FEE REVENUE	\$2,948,000	\$3,170,000	\$2,948,000	\$3,193,250
Adjusted Actual Prior Year Requirement	(\$5,708,521)		(\$5,920,675)	
LESS: Budgeted Prior Year Signatory Requirement	\$5,831,657		\$5,779,327	
Adjustment Amount	\$123,136		(\$141,348)	
Landing Fee Reduction	50.0%		50.0%	
Revised Adjustment Amount	\$61,568		(\$70,674)	
Actual Signatory Landed Weight	1,120,077		1,111,000	
Adjustment	\$0.05		(\$0.06)	

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

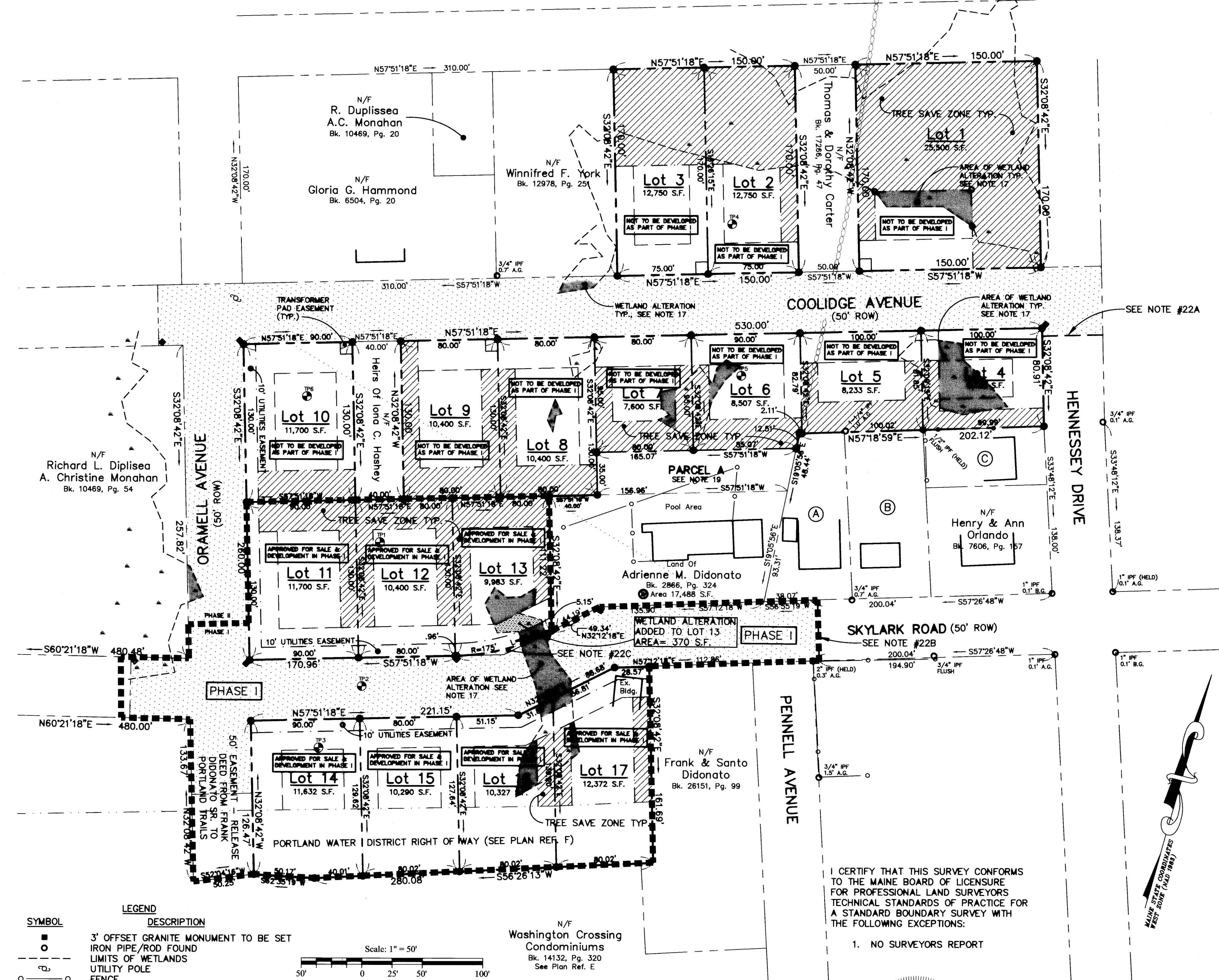
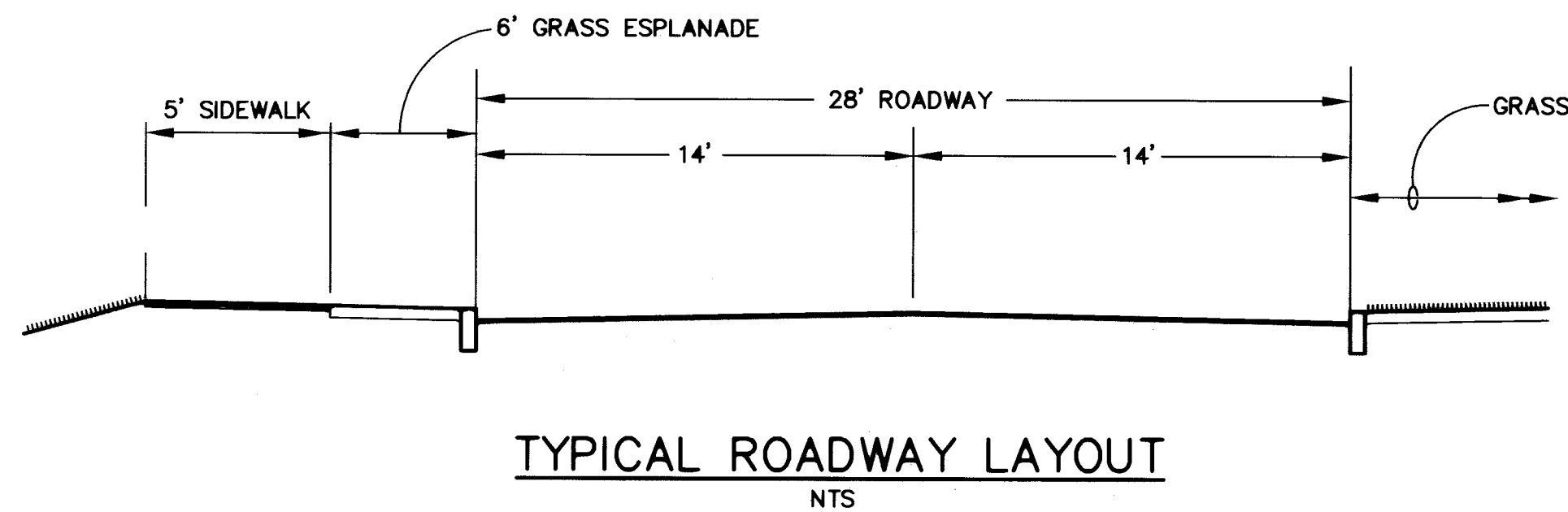
KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER ACCEPTING A PORTION OF SKYLARK ROAD
AS A CITY WAY

ORDERED, that pursuant to 23 M.R.S. § 3025, a portion of Skylark Road is hereby accepted as a city way and the deed for said road and the fee title conveyed therein according to the deed and descriptions attached to this Order are hereby approved and accepted, substantially in the form attached hereto as Exhibit A.

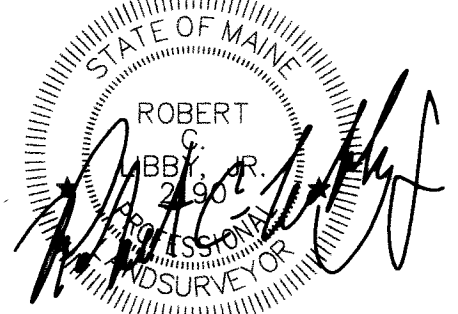
CONDITIONS OF APPROVAL:

1. THAT ALL CONDITIONS OF APPROVAL OF THE SKYLARK COMMONS SUBDIVISION AS APPROVED ON JULY 22, 2008 SHALL BE APPLICABLE AND REMAIN IN FULL FORCE AND EFFECT; AND
2. THAT THIS APPROVAL FOR THE FIRST PHASE (7 LOTS ALONG SKYLARK ROAD) OF THE AMENDMENT TO THE SUBDIVISION PLAT EXPIRES ON JULY 21, 2011 AND THIS APPROVAL OF THE SECOND PHASE (10 LOTS ALONG COOLIDGE AVENUE) EXPIRES ON JULY 21, 2013; AND
3. THAT THE APPLICANT SHALL ADD A NOTE TO THE AMENDMENT TO THE APPROVED SUBDIVISION PLAT THAT STATES THAT A PERFORMANCE GUARANTEE AND INSPECTION FEE IN RESPECT TO PHASE II MUST BE PAID PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY PART OF PHASE II IMPROVEMENTS; AND
4. THAT THE APPLICANT SHALL ADD A NOTE TO THE AMENDMENT TO THE APPROVED SUBDIVISION PLAT THAT SETS OUT ANY MDEP SPECIAL CONDITIONS OF THE NPRA TIER 1 PERMIT FOR THE WETLAND FILLING; AND
5. THAT THE APPLICANT SHALL WOOLY THE AGREED QUILCUM DEED WITHOUT COVENANT OR RELEASE DEED (FROM APPLICANT TO PORTLAND TRAILS) WHICH WAS SUBMITTED TO COMPLY WITH CONDITION 2.V OF THE ORIGINAL SUBDIVISION APPROVAL (AND TO BE EXECUTED PRIOR TO THE RELEASE OF THE SIGNED SUBDIVISION PLAT) TO CLARIFY THAT A PORTION OF THE SUBJECT AREA IS TO BE USED AS A TEMPORARY PAVED VEHICLE TURNING AREA FOR PUBLIC VEHICLE ACCESS AND FOR SNOW STORAGE UNTIL PHASE II IS COMPLETED, AT WHICH TIME THIS AREA WOULD REVERT TO PORTLAND TRAILS USE ONLY; AND
6. THAT ALL PROPOSALS SHOWN WITHIN THE PHASE I AREA ON THE APPROVED SHEET 7 LANDSCAPE PLAN REV. 8/23/10 INCLUDING THE PORTLAND TRAIL SOUTH TO THE SITE BOUNDARY, SHALL BE IMPLEMENTED AS PART OF PHASE I; AND
7. THAT THE ORIGINALLY APPROVED SHEET 8 ROADWAY PROFILE FOR ORAMELL AVENUE REV. 8/11/08 SHALL BE REVISED AND SUBMITTED (PRIOR TO THE ISSUANCE OF A BUILDING PERMIT) TO CLARIFY PHASING AND TO BE CONSISTENT WITH SHEET 3 REGARDING PHASE I IMPROVEMENTS/SNOW STORAGE IN AND NEAR ORAMELL AVENUE; AND
8. THAT THE APPLICANT SHALL ENSURE THAT THE TRAIL CONNECTION BETWEEN SKYLARK ROAD AND THE TRAIL IN ORAMELL AVENUE (SOUTH) IS KEPT PASSABLE AND THAT SNOW REMOVED FROM THE STREET IS NOT DEPOSITED ON TOP OF/IN FRONT OF THE TRAIL DURING THE PERIOD BEFORE PHASE II IS COMPLETE; AND
9. THAT THE APPLICANT SHALL BE RESPONSIBLE TO CORRECT AND STABILIZE AND EROSION ISSUES ASSOCIATED WITH EITHER THE PIPED OR SURFACE DRAINAGE AT THE END OF SKYLARK ROAD FOR A PERIOD OF ONE YEAR AFTER CITY ACCEPTANCE OF THE SKYLARK ROAD AND ORAMELL STREET; AND
10. THAT THE APPLICANT SHALL PLACE NOT LESS THAN TWO (2) POSTS ON THE SOUTHERLY EDGE OF THE TURNAROUND WITHIN THE PROPOSED PORTLAND TRAIL EASEMENT WITHIN ORAMELL AVENUE TO AVOID CONFLICTS WITH SNOW STORAGE; AND
11. THE RECORDING PLAT SHALL BE REVISED TO REFLECT ONLY LOTS 11-17 ON SKYLARK ROAD AS THE APPROVED LOTS IN PHASE I FOR SALE AND DEVELOPMENT, SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AUTHORITY.



I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY WITH THE FOLLOWING EXCEPTIONS:

1. NO SURVEYORS REPORT



ROBERT C. LIBBY JR.

PLS #2190

Page 10/14

NOTES:

1. OWNER/APPLICANT: FRANK DIDONATO SR.
87 SKYLARK ROAD
PORTLAND, MAINE
2. ENGINEER: LESTER S. BERRY, JR. #3341
BERRY HUFF McDONALD MILLIGAN
28 STATE STREET
GORHAM, MAINE
3. SURVEYOR: ROBERT C. LIBBY JR., PLS #2190
BERRY HUFF McDONALD MILLIGAN
4. WETLANDS: JAMES LOGAN
ALBERT FRICK ASSOCIATES
GORHAM, MAINE
5. DEED REFERENCES: BK. 3192, PG. 374
BK. 3066, PG. 353
BK. 10972, PG. 153
BK. 2866, PG. 324
BK. 23106, PG. 96
6. TAX MAP REFERENCE: MAP 347, LOTS 1-3 AND 9-15, BLOCK D
MAP 349, LOTS 1-8, BLOCK I
MAP 349, LOTS 1-2 & 4-8 & 9-16, BLOCK H
MAP 349, LOTS 7-12, BLOCK G
MAP 348, LOTS 2-7, BLOCK A
7. ZONING: R-3 RESIDENTIAL ZONE
8. PROJECT AREA: 4.55 ACRES
9. PROPOSED USE: 17 SINGLE FAMILY HOUSE LOTS
10. MINIMUM STANDARDS: LOT SIZE - 6,500 S.F.
FRONTAGE - 50'
SETBACKS - 25' FRONT AND REAR
14' SIDE (2-STORY)
11. SEWER SERVICE: PUBLIC (SEE NOTES 23 & 24)
12. WATER SERVICE: PUBLIC
13. ELECTRIC/TELEPHONE: UNDERGROUND
14. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE EROSION PREVENTION PROVISIONS OUTLINED IN THE MAINE EROSION CONTROL AND SEDIMENTATION CONTROL, BMP'S, LATEST REVISION.
15. PLAN REFERENCES:

- A. PORTLAND HIGHLANDS PORTLAND CUMBERLAND COUNTY, MAINE. OWNED BY H.R. LOWE LAND CO. INC., DATED JULY 22, 1924 BY ERNEST W. BRANCH CIVIL ENGINEER AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 16, PAGE 10.
 - B. THE HOMESTEADS PORTLAND, MAINE OWNED BY THE CITY AND SUBURBAN LAND TRUST DATED SEPTEMBER 1921 BY E.C. JORDAN & COMPANY, AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 14, PAGE 70.
 - C. PLAN OF HANSON MANOR PORTLAND, MAINE FOR CHARLES M. HANSON DATED MARCH 1881 BY GEORGE WHEATEN AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 57, PAGE 69.
 - D. STANDARD BOUNDARY SURVEY PENNELL AVENUE PORTLAND, MAINE FOR DIVERSIFIED PROPERTIES DATED 6/30/01 BY TITCOMB ASSOCIATES.
 - E. AMENDED MASTER PLAN OF WASHINGTON CROSSING CONDOMINIUMS ALLEN AVENUE PORTLAND, MAINE FOR ALC DEVELOPMENT CORP. DATED 10/10/97 BY SEBAGO TECHNICS AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 200, PAGE 91.
 - F. PLAN OF RIGHT OF WAY TAKEN BY THE PORTLAND WATER DISTRICT PORTLAND, MAINE DATED APRIL 27, 1954 BY THE PORTLAND WATER DISTRICT PLAN NO. D-39.
 - G. NORTHWOOD CONDOMINIUMS PORTLAND, MAINE FUTURE LAND PHASES FOR RISBARA CONSTRUCTION CO., INC. DATED 8/2/83 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS PLAN BOOK 139, PAGE 51.
16. BENCHMARK: PK NAIL FOUND IN UTILITY POLE #13 AT THE NORTHWESTERLY CORNER OF HENNESSY DRIVE AND SKYLARK DRIVE, ELEV.=100.02 (NGVD 1929). BASED ON CITY BENCHMARK TOP OF 3" OFFSET MONUMENT ON WESTERLY SIDE OF ALLEN AVENUE AT 1ST ANGLE POINT, SOUTHERLY OF WASHINGTON AVE., ELEV. 83.049' (NGVD 1929).
 - COORDINATES: BEARING AND NORTH ORIENTATION SHOWN HEREON ARE BASED UPON MAINE STATE COORDINATES SYSTEM WEST ZONE (NAD 1983), USING CITY OF PORTLAND POINTS 1125-46-1962 AND 1125-46-1960.
 17. WETLAND IMPACTS: LOT 1 - 1,197 S.F. LOT 16 - 539 S.F.
LOT 4 - 2,039 S.F. LOT 17 - 148 S.F.
LOT 6 - 350 S.F. COOLIDGE - 188 S.F.
LOT 7 - 707 S.F. ORAMELL - 192 S.F.
LOT 8 - 124 S.F. SKYLARK - 1,774 S.F.
LOT 13 - 1,028 S.F. TOTAL - 8,294 S.F.

18. WAIVERS: SECTION 14-497.5(b)(a) - SIDEWALK ALONG THE SOUTH SIDE OF SKYLARK ROAD AND THE NORTH SIDE OF COOLIDGE AVE. SEE "NOTICE OF SIDEWALK WAIVER" RECORDED IN THE C.C.R.D. BOOK 28405, PAGE 223.
19. PARCEL A TO BE CONVEYED TO ADRIENNE M. DIDONATO, 5,635 S.F.
20. TEST PITS: ALBERT FRICK ASSOCIATES
95A COUNTY ROAD
GORHAM, MAINE

REGISTRY BLOCK

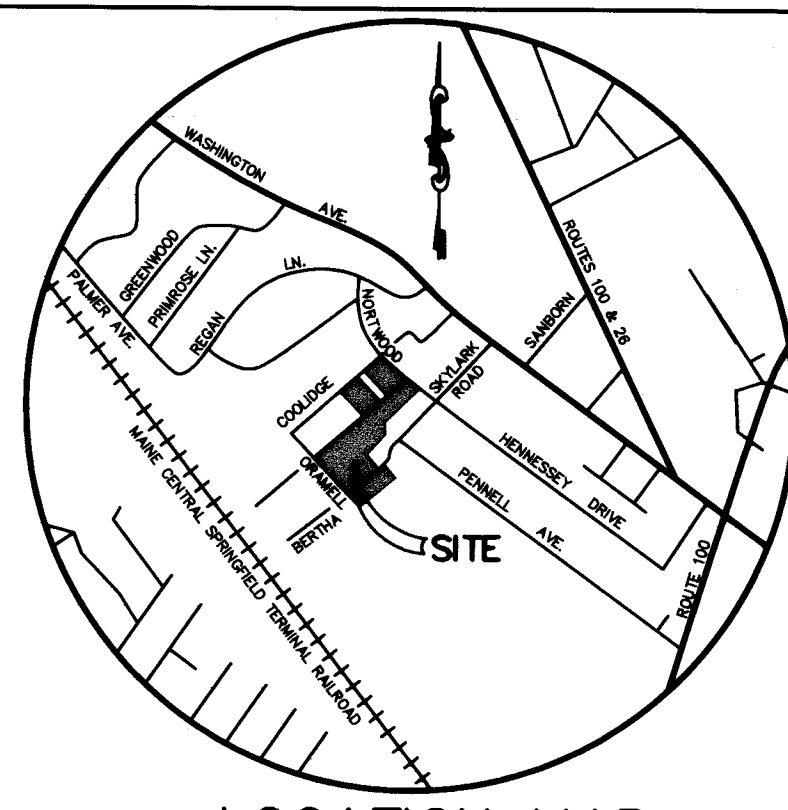
State of Maine
Cumberland ss
Registry of Deeds

Received July 18, 2014
At 1:58 PM and Recorded
in Planbook 214 Page 257

Attest *Janet E. Lowrey*
Registrar

BOOK AND PAGE
BK. 12463, PG. 128-136
BK. 13793, PG. 252
BK. 15946, PG. 186

ABUTTERS
LOT NAME
A CONSTANCE J. FUESSSEL
B KEVIN CONNOLLY & KATHRIN TURGEON
C THOMAS & KELLY SHOUPE



LOCATION MAP

SCALE: 1" = .25 MILES

21. THE TREE SAVE AREAS ARE ESTABLISHED AS SO LABELED ON THIS PLAN AND SHOWN CROSS-HATCHED. CUTTING OF TREES OR DISTURBANCE OF NATURAL TOPOGRAPHY OR GROUND COVER IS PROHIBITED WITHIN THIS ZONE EXCEPT THAT DEAD, DISEASED OR DYING DAMAGED TREES MAY BE REMOVED.

THE FOLLOWING IS MANDATORY:

- *TREE SAVE AREAS DESIGNATED ON THE PLAN SHALL BE LOCATED IN THE FIELD PRIOR TO ANY SITE WORK OR SITE CLEARING.
- *THE CONTRACTOR/OWNER SHALL CONTACT THE CITY ARBORIST PRIOR TO SITE CLEARING ONCE THE TREE SAVE AREAS ARE MARKED.
- *NO STORAGE OF EQUIPMENT, MATERIALS OR CONSTRUCTION ACTIVITIES IS PERMITTED WITHIN THE TREE SAVE AREAS.
- *TREE SAVE AREAS WITHIN THE LOTS SHALL BE PROTECTED BY CONSTRUCTION FENCING.
- *TREES LOST DUE TO CONSTRUCTION ACTIVITY SHALL BE REPLACED "IN KIND" OR AS APPROVED BY THE CITY ARBORIST OR PLANNING STAFF.

22. PORTION OF ROADS TO BE OFFERED FOR ACCEPTANCE BY CITY OF PORTLAND SEE LEGEND:
 - A. END OF ACCEPTED PORTION OF HENNESSY DRIVE BY THE PORTLAND CITY COUNCIL. (1,975' FROM THE NORTHERLY SIDELINE OF CYPRESS STREET).
 - B. END OF ACCEPTED PORTION OF SKYLARK ROAD BY THE PORTLAND CITY COUNCIL. (900' FROM THE WESTERLY SIDELINE OF WASHINGTON AVENUE).
 - C. PORTION OF DIDONATO PROPERTY TO BE INCLUDED IN SKYLARK STREET ACCEPTANCE.

23. THE CITY OF PORTLAND SHALL NOT BE RESPONSIBLE FOR THE OWNERSHIP, MAINTENANCE OR REPLACEMENT OF THE PRESSURE SEWER SYSTEM SERVING LOTS, 10, 11, 12, 13, 14, 15, 16 AND 17. THE PRESSURE SEWER SYSTEM IS LOCATED WITHIN A 10' SEWER EASEMENT ABUTTING STREET RIGHT OF WAY. EACH OF THE AFOREMENTIONED LOT OWNERS SHALL BE A MEMBER OF THE SKYLARK COMMONS PRIVATE SANITARY ASSOCIATION, WHICH DEFINES THE RESPONSIBILITIES OF THE SEWER SYSTEM. SEE NOTE 24 ON THIS PLAN FOR FURTHER INFORMATION.
24. LOTS 10 THRU 17 (THE LOTS) IN SKYLARK COMMONS SUBDIVISION, AS SET FORTH ON SURVEY ENTITLED "PLAN OF 17 LOT SUBDIVISION, SKYLARK COMMONS, SKYLARK ROAD AND COOLIDGE AVENUE, PORTLAND, MAINE" ARE ALSO SUBJECT TO "BYLAWS OF THE SKYLARK COMMONS PRIVATE SANITARY ASSOCIATION", RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS BK. 28148, PG. 19 AND THE "DECLARATION OF COVENANTS, CONDITIONS, RESTRICTION AND EASEMENT OF SKYLARK COMMONS PRIVATE SANITARY ASSOCIATION", RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS BK. 29562, PG. 23.

25. A LOT SITE PLAN SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL. THIS SUBMISSION SHALL INCLUDE:
 - * LOT DEED
 - * SCALED LAYOUT DRAWING
 - * EROSION CONTROL MEASURES
 - * TREE SAVE INFORMATION (SEE NOTE 21)

26. THE APPLICANT SHALL CONSTRUCT THE TRAIL IN ORAMELL AVE. (FOR PORTLAND TRAILS) IN ACCORDANCE WITH DETAILS AS SHOWN ON THE LANDSCAPE PLAN AND WITHIN ONE MONTH OF SKYLARK ROAD EXTENSION BEING OPEN TO VEHICLE ACCESS (WHETHER OR NOT ACCEPTED BY THE CITY OF PORTLAND).

27. THE APPLICANT SHALL BE RESPONSIBLE TO CORRECT AND STABILIZE ANY EROSION ISSUES ASSOCIATED WITH EITHER THE PIPED OR SURFACE DRAINAGE AT THE END OF SKYLARK ROAD FOR A PERIOD OF ONE YEAR AFTER CITY ACCEPTANCE OF SKYLARK ROAD AND ORAMELL STREET INTERSECTION.

28. A PERFORMANCE GUARANTEE AND INSPECTION FEE IN RESPECT TO PHASE II MUST BE PAID PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY PART OF PHASE II IMPROVEMENTS.

29. ALL WETLANDS THAT ARE NOT PROPOSED TO BE ALTERED MUST BE PERMANENTLY MARKED ON THE GROUND AS UNDISTURBED BUFFER AREAS AND PROTECTED WITH A DEED RESTRICTION. A LOT THAT CONTAINS ANY PORTION OF THE DESIGNATED BUFFER MUST CONTAIN DEED RESTRICTIONS RELATIVE TO THE BUFFER AND HAVE ATTACHED TO IT A PLOT PLAN FOR THE LOT, DRAWN TO SCALE, THAT SPECIFIES THE LOCATION OF THE BUFFER ON THE LOT. THE APPLICANT MUST SUBMIT A COPY OF THE RECORDED DEED RESTRICTION, INCLUDING PLOT PLAN, TO THE BLWD WITHIN 14 DAYS OF THE FILING DATE OF THE DEED AT THE REGISTRY. EVIDENCE SHALL CONSIST OF COPIES OF THE RESTRICTIONS STAMPED WITH THE BOOK AND PAGE NUMBERS BY A LETTER FROM THE REGISTRAR.

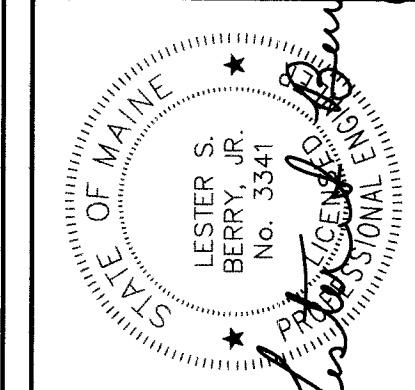
THIS SUBDIVISION PLAT AMENDS THE PHASE I SUBDIVISION PLAN ENTITLED "AMENDMENT TO AN APPROVED SUBDIVISION PLAT DATED JULY 22, 2008 PHASE I" WHICH WAS APPROVED BY THE PLANNING BOARD ON JULY 27, 2010 AND RECORDED ON OCTOBER 14, 2010 AS RECORDED AT BOOK 210 PAGE 345, TO RELOCATE THE LIMIT OF WETLAND FILL ON LOT 13 TO CREATE A MORE USABLE BUILDING ENVELOPE.

APPROVAL- DIRECTOR OF PLANNING AND URBAN DEVELOPMENT

7-9-14 DATE

Jeff E. Laine
JEFF LAINE, ACIP, DIRECTOR OF PLANNING AND URBAN DEVELOPMENT

NO.	DATE	REVISION	DESCRIPTION
1	6/30/10	Rev'd For Submittal to City	
2	7/20/10	Rev'd per Legal and DPS Comments	
3	8/24/10	Rev'd Per Conditions of Approval	
4	9/13/10	Rev'd Per Conditions of Approval	
5	9/24/10	Rev'd Per City Comments	
6	4/4/14	Updated Wetland Impact on Lot 13	
7	8/28/14	Amended Subdivision Plan to City	
8	7/9/14	Rev'd Per City Comments	



BH2M
Barry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors
28 State Street
Portland, Maine 04103
Tel: (207) 839-2771
Fax: (207) 839-8250

FOR
Frank Didonato Sr.
87 Skylark Road
Portland, Maine 04103

AMENDMENT TO
APPROVED PHASE I
SUBDIVISION PLAT DATED
JULY 27, 2010
SKYLARK COMMONS
SKYLARK ROAD AND COOLIDGE AVENUE
PORTLAND, MAINE

DESIGNED A. Morrell	DATE Dec. 2004
DRAWN W. Pelkey	SCALE As Noted
CHECKED R. Libby	JOB. NO. 14034

SHEET
1

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Waiver and Indemnification Form

WHEREAS, **Frank DiDonato, Member and Manager of F.D. & Sons Properties LLC**, has requested the City of Portland to accept and/or improve a certain proposed right-of-way way located and lying off **Hennessey Drive** within the City of Portland pursuant to 23 MRSA Sec 3021 et seq. and previously dedicated as “**Skylark Road**” on a subdivision plan for “**Skylark Commons**” approved by the Portland Planning Board on **July 22, 2008** and subsequently modified by:

- (i). a subdivision plan approved by the Portland Planning Board on **July 27, 2010**, known as “**Amendment to an Approved Subdivision Plat dated July 22, 2008 Phase I Skylark Commons**” and recorded in the Cumberland County Registry of Deeds on **October 14, 2010** in Plan Book **210**, Page **345**; and
- (ii). a subdivision plan approved by the Portland Planning Board on **July 9, 2014**, known as “**Amendment to Approved Phase I Subdivision Plat dated July 27, 2010 Skylark Commons**” dated **July 2014** and recorded in the Cumberland County Registry of Deeds on **July 14, 2014** in Plan Book **214**, Page **257**.

WHEREAS, it is a condition precedent to any acceptance of the proposed town way that the owner(s) waive any claims for damages against the City for such acceptance; and

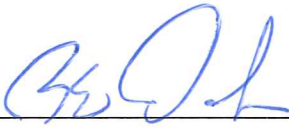
WHEREAS, the City requires as a condition precedent to any acceptance of the proposed town way that the owner(s) indemnify it against any claims of third persons arising out of or resulting from the acceptance and/or improvement of said proposed town way; and

NOW, THEREFORE, in consideration of the City of Portland accepting said proposed town way, **Frank DiDonato, Member and Manager of F.D. & Sons Properties LLC**, for himself in said capacity on behalf of said entity, its successors and assigns, agrees as follows:

1. **Frank DiDonato, Member and Manager of F.D. & Sons Properties LLC** hereby waives any claim for damages which he may now or hereafter have against the City of Portland arising out of or resulting from the laying out and acceptance and/or changes in the grade of such proposed town way by the City pursuant to 23 MRSA Sec. 3021 et seq.;
2. **Frank DiDonato, Member and Manager of F.D. & Sons Properties LLC** hereby agrees to indemnify and hold harmless the City of Portland against any claims by any third party against the City of Portland for damages arising out of or resulting from acceptance and/or improvement of such proposed town way by the City of Portland pursuant to said statute.

[Signature Pages Attached]

EXECUTED this 5th day of June, 2020 by Frank DiDonato in his capacity as Member and Manager of F.D. & Sons Properties LLC.



Witness

F.D. & SONS PROPERTIES LLC

By: 

Frank DiDonato, its duly authorized
Member and Manager

For Streets Constructed on Private Lands by the Owner and for Streets or Ways Dedicated on or After July 7, 1948 (to be signed by the owner(s) of the property within the boundaries of the street)

DATE: June 5, 2020

Mr. Christopher Branch, Director
Public Works
55 Portland Street
Portland, ME 04101

RE: PETITION FOR CITY ACCEPTANCE OF **SKYLARK ROAD** AS A PUBLIC STREET

Dear Mr. Branch:

In accordance with 23 MRSA Sec. 3025, and Chapter 25 of the Portland City Code, **F.D. & Sons Properties LLC** hereby petitions to have **SKYLARK ROAD** (Street/Court/Avenue), so called, lying between Hennessey Drive (Street/Court/Avenue) and Oramell Avenue (Street/Court/Avenue), all within the City of Portland, all as more fully described on the attached **Exhibit A**, accepted as a permanent public street by the City of Portland. Specifically, I/We request that the City Council:

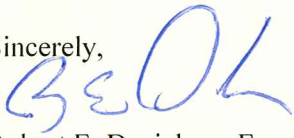
Review and approve the attached Street Acceptance Application

The street was dedicated for public travel by the recording of a plan of the street in the Cumberland County Registry of Deeds on **July 18, 2014** (date) at **Plan Book 214, Page 257**.

I have enclosed copies of letters from the public utilities detailing whatever interests they have in the portion of **SKYLARK ROAD** (Street/Court/Avenue) to be accepted. Attached as **Exhibit B** is/are deed(s) from the owner(s) of the land to be accepted as a public street or way and conveying said land to the City. Also enclosed as **Exhibit C** are: submissions required by the City's Engineering Division's "Engineering Design and As-Built Plan Submission Requirements." Finally, enclosed is the \$2,000.00 fee that I/we understand is required to cover your administrative costs and costs of providing public notices.

I/We hereby request that you take all further action necessary to complete acceptance of the above-described street, and that you inform me/us should it become necessary for me/us to provide you with any further information, or take any further action. I/We understand that the matter will be brought up before the Planning Board for workshop and public hearing, and that the Planning Board will make a recommendation to the City Council. Final action on the street acceptance will be made the City Council.

Sincerely,


Robert E. Danielson, Esq.

F.D. & SONS PROPERTIES LLC

By: 
Name: Frank DiDonato
Title: Member and Manager


Frank DiDonato

Printed Name: Frank DiDonato

Address: 87 Skylark Road, Portland, ME 04103

Printed Name: _____

Address: _____

Printed Name: _____

Address: _____

Printed Name: _____

Address: _____

Printed Name: _____

Address: _____

Printed Name: _____

Address: _____


Santo DiDonato

Printed Name: Santo DiDonato

Address: 40 Carnegie Hill Rd,
Gorham, ME

Printed Name: _____

Address: _____

Printed Name: _____

Address: _____

Printed Name: _____

Address: _____

Printed Name: _____

Address: _____

Printed Name: _____

Address: _____

WARRANTY DEED

Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS, that **F.D. & SONS PROPERTIES LLC**, a Maine limited liability company of Portland, Cumberland County, and State of Maine ("Grantor"), for consideration paid, the receipt of which is acknowledged, grants and conveys to the **CITY OF PORTLAND**, a Maine municipality under the laws of the State of Maine, with a mailing address of 389 Congress Street, Portland, Maine 04101 located in the County of Cumberland and State of Maine ("Grantee"), with Warranty Covenants, the land located in the City of Portland, County of Cumberland, and State of Maine described as follows:

Any ownership interest that the Grantor herein may have in Skylark Road f/k/a Bertha Street, by virtue of its acquisition and ownership of the Premises, (as defined below) portions of which lie adjacent to said Skylark Road, and being more particularly described in Exhibit A attached hereto and incorporated by reference.

For title reference Grantor is the owner of a certain parcel of land located in the City of Portland, Cumberland County, State of Maine, as more particularly described in a deed recorded in the Cumberland County Registry of Deeds in Book 23489, Page 306 (hereinafter referred to as the "Premises"); and

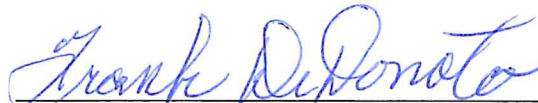
Grantor reserved the right to convey any road or utility areas to the City of Portland as more particularly described in a Declaration of Restrictive Covenants, Skylark Commons Subdivision, Portland, Maine, dated May 4, 2012 and recorded in said Registry of Deeds in Book 29562, Page 23; and

Grantor may have obtained rights in a certain lot or parcel of land with any improvements thereon, located in the City of Portland, County of Cumberland, State of Maine depicted as Oramell Avenue on a Plan entitled "Portland Highlands Portland, Cumberland County, Maine," made for H.R. Lowe Land Co. Inc., dated July 22, 1924 and recorded in the Cumberland County Registry of Deeds in Plan Book 16, Page 10.

EXECUTED this 5th day of June, 2020 by Frank DiDonato in his capacity as duly authorized member and manager of F.D. & Sons Properties LLC.

F.D. & SONS PROPERTIES LLC


Witness Jennifer Breau

By: 
Frank DiDonato, its duly authorized
Member and Manager

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

June 5, 2020

Then personally appeared the above-named Frank DiDonato, in his capacity as duly authorized Member and Manager of F.D. & Sons Properties LLC. and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said F.D. & Sons Properties LLC.

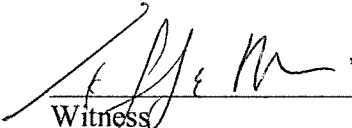
Before me,



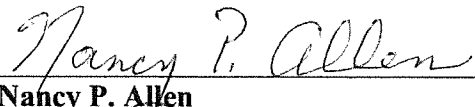
Attorney at Law

Printed Name: Robert E. Danielson

The undersigned, Nancy P. Allen, joins in this deed for the purpose of releasing any and all interest that she may have in a portion of Skylark Road f/k/a Bertha Street by virtue of a Warranty Deed from Todd L. Schauman and Robin Gamrath-Schauman dated December 12, 2012, and recorded in said Registry of Deeds in Book 30220, Page 99.



Witness



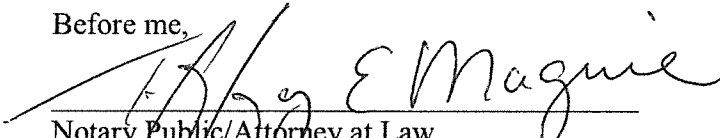
Nancy P. Allen

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

January 2nd, ²⁰²⁰~~2019~~

Then personally appeared the above-named Nancy P. Allen and acknowledged the foregoing instrument to be her free act and deed in her said capacity.

Before me,



Notary Public/Attorney at Law

Printed Name

Tiffany E. Maguire

My Commission Expires:

Tiffany E. Maguire
Notary Public, State of Maine
My Commission Expires 3/22/2026

The undersigned, Kate F. Spanier and Eli B. Spanier join in this deed for the purpose of releasing any and all interest that they may have in a portion of Skylark Road f/k/a Bertha Street by virtue of a Warranty Deed from Frank Didonato and Santo Didonato dated July 13, 2018, and recorded in said Registry of Deeds in Book 34989, Page 88.



Witness



Kate F. Spanier



Witness



Eli B. Spanier

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

April 5th, 2019

Then personally appeared the above-named Kate F. Spanier and Eli B. Spanier and acknowledged the foregoing instrument to be their free act and deed in their said capacity.

Carlee L. Cummings
Notary Public, State of Maine
My Commission Expires June 3, 2024

Before me,



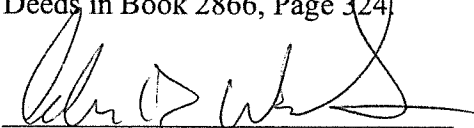
Notary Public/Attorney at Law

Printed Name Carlee L. Cummings

My Commission Expires: June 3rd 2024



The undersigned, Adrienne M. Didonato, joins in this deed for the purpose of releasing any and all interest that she may have in a portion of Skylark Road f/k/a Bertha Street by virtue of a deed from Frank DiDonato dated November 18, 1964, and recorded in said Registry of Deeds in Book 2866, Page 324.



Witness

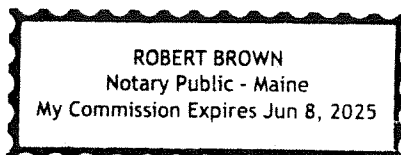


Adrienne M. Didonato

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

May 1st, 2019

Then personally appeared the above-named Adrienne M. Didonato and acknowledged the foregoing instrument to be her free act and deed in her said capacity.



Before me,



Notary Public/Attorney at Law

Printed Name Robert Brown

My Commission Expires: June 8th, 2025

A certain strip or parcel of land located at the terminus of the current accepted portion of Skylark Road, so-called, in the City of Portland, County of Cumberland and State of Maine and shown on the plan entitled "Amendment to an Approved Subdivision Plat Dated July 27, 2010, Phase I, Skylark Commons, Skylark Road and Coolidge Avenue, Portland, Maine", for Frank DiDonato, Sr., by Berry Huff McDonald and Milligan, Inc. and recorded July 18, 2014 in the Cumberland County Registry of Deeds in Plan Book 214 Page 257; said parcel being more particularly described as follows:

Beginning at a point on the southerly sideline of the terminus of said Skylark Road and on the northerly sideline of land now or formerly of Sarah Brichetto; said point of beginning being 900 feet along said Skylark Road from the westerly sideline of Washington Avenue;

Thence S 57° 26' 48" W along the land of said Brichetto a distance of 5.14 feet to a 2" iron pipe found and Pennell Avenue, so-called;

Thence S 56° 59' 39" W along said Pennell Avenue a distance of 50.00 feet to a point and land now or formerly of Frank & Santo DiDonato;

Thence S 57° 12' 18" W along the land of said DiDonato and Lot #17 a distance of 113.99 feet to a capped iron rod set (PLS #2190);

Thence S 32° 42' 18" W along said Lot #17 & Lot #16 a distance of 88.68 feet to a capped iron rod set (PLS #2190);

Thence S 57° 51' 18" W along said Lot #16, Lot #15 and Lot #14 a distance of 221.15 feet to a capped iron rod set (PLS #2190);

Thence S 32° 08' 42" E along said Lot #14 a distance of 126.47 feet to a capped iron rod set (PIS #2190) and land of Washington Crossing Condominiums;

Thence S 52° 04' 16" W along the land of the Washington Avenue Condominiums a distance of 50.26 feet to a point and land now or formerly of the City of Portland;

Thence N 32° 08' 42" W along the land of the City of Portland a distance of 311.54 feet to a point;

Thence N 57° 51' 18" E across Oramell Avenue a distance of 50.00 feet to a point and the northwesterly corner of Lot #11;

Thence S 32° 08' 42" E along said Lot#11 a distance of 130.00 feet to a capped iron rod set (PLS #2190);

Thence N 57° 51' 18" E along said Lot #11, Lot #12, & Lot #13 a distance of 170.96 feet to a capped iron rod set (PLS #2190);

Thence in a general northeasterly direction along said Lot #13 and along a circular curve to the left, circumscribed by a radius of 175.00 feet, an arc length of 76.82 feet to a capped iron rod set (PLS #2190); said capped iron rod set being N 45° 16' 48" E a tie distance of 76.20 feet from said previous capped iron rod set;

Thence N 32° 42' 18" E (erroneously shown as N 32° 12' 18" E on the aforesaid plan) along said Lot #13 and along land now or formerly of Adrienne DiDonato a distance of 49.34 feet to a point;

Thence N 57° 12' 18" E along the land of Adrienne DiDonato a distance of 135.90 feet to a point and land now or formerly of Constance Fuessel;

Thence N 56° 55' 19" E along said land of Fuessel a distance of 38.07 feet to a point;

Thence N 57° 26' 48" E along the land of said Fuessel a distance of 6.23 feet to a point and the terminus of said Skylark Road;

Thence S 32° 33' 12" E along the terminus of said Skylark Road a distance of 50.00 feet to the point of beginning.

The above described parcel contains approximately 39,499 square feet. All bearings refer to Grid North.

The sections of Oramell Avenue herein described will be renamed Skylark Road as part of this street acceptance by the City of Portland.